



2015 Ohio Election Update

November 4, 2015

On November 3, 2015, Ohioans voted on three statewide ballot issues as well as numerous local issues and candidates. In the statewide races, we saw a much wider margin for the defeat of Issue 3 than many were expecting and a solid win for Issue 1, the redistricting proposal. Issue 2, the closest of the statewide issues, passed with 52 percent of the vote. Judicial races saw several upsets, especially in the Cleveland Municipal Court and the Franklin County Municipal Court. Here is Bricker & Eckler's overview of the 2015 general election results and details on races of particular interest.

STATEWIDE BALLOT ISSUES

Issue 1: Issue 1 proposed the creation of a new Ohio Redistricting Commission and new rules for drawing lines for General Assembly districts. The measure passed with strong support with 71 percent "yes" votes. The proposal was placed on the ballot by the 130th General Assembly through the enactment of House Joint Resolution 12. The measure was backed by the group Fair Districts for Ohio and led by two former lawmakers, Representatives Matt Huffman (R-Lima) and Vernon Sykes (D-Akron). Some proponents of the measure, including the League of Women Voters of Ohio, have considered the success of Issue 1 and are calling for a similar ballot initiative next year to reform congressional redistricting.

Issue 2: Issue 2 is known as the "anti-monopoly" amendment, as it seeks to add language to the Ohio Constitution prohibiting an initiated constitutional amendment that would grant a monopoly, oligopoly or other commercial interest to any person or nonpublic entity. The proposal was brought forward by the Ohio General Assembly, which passed House Joint Resolution 4 in late June 2015. The measure passed with 52 percent of the vote.

Issue 2 also contained language specifically targeting Issue 3, which is described in more detail below. Issue 2 stated that if, on the November 3 ballot, voters approve a proposed amendment conflicting with the anti-monopoly provisions in Issue 2 and creating a monopoly for the sale, distribution or other use of a federal Schedule 1 controlled substance, that amendment shall not take effect.

Issue 3: Supported by a group called ResponsibleOhio, Issue 3 proposed to allow persons aged 21 or older to use marijuana for medical and recreational purposes. The proposal failed, garnering only 36 percent of the vote and losing in all 88 counties in the state. The amendment provided for ten site-specific locations for the commercial growth of marijuana and approximately 1,100 locations for the retail sales of marijuana throughout the state. Issue 3 would have also created the Marijuana Control Commission to regulate the industry.

Proponents of the measure have already indicated their intention to try again with another ballot initiative in the future, and some legislators have started discussion about legislation to legalize medical marijuana.

JUDICIAL RACES

Cleveland Municipal Court: Two seats on the Cleveland Municipal Court had contested elections, while two judges, Lauren C. Moore and Emanuella Groves, ran unopposed.

Judge James H. Hewitt III, who was appointed to his seat by Governor John Kasich in January 2015, ran against

challengers Anthony Jordan, Suzan Marie Sweeney and Edwin J. Vargas. Ms. Sweeney won the race with 47 percent of the vote. Mr. Jordan works as an attorney and was previously the chief prosecutor for the City of Cleveland. Ms. Sweeney works as an assistant public defender in the Cuyahoga County Common Pleas Court. Mr. Vargas is a local defense attorney in Cleveland.

Judge Pauline H. Tarver sought to retain her seat against her colleague, Judge Ed Wade. Judge Wade narrowly edged out the incumbent, earning 53 percent of the vote to her 47 percent. Judge Wade, who was elected to an unexpired term two years ago, would have been too old to run for reelection to his seat in 2017 and will extend his time on the bench by moving to the new seat.

Franklin County Municipal Court: Franklin County residents voted for several seats on the municipal court, although, only three were contested.

Judge Sean McCarthy, who was appointed to an unexpired term in July, faced Cindi Morehart, a magistrate for the Franklin County Juvenile Court, in a bid to complete the term through January 1, 2018. Judge Morehart was successful, edging out Judge McCarthy 51 percent to 49 percent.

Judge Carrie Glaeden, who has served on the bench since 2004, faced challenger Cynthia Ebner, a local attorney whose practice covers criminal defense, traffic, contracts, probate and real estate law. Ms. Ebner was successful in her bid, winning the race 55 percent to 44 percent.

In a three-way race to replace retired Judge Anne Taylor, Eileen Paley won 53 percent of the vote against Tony Paat (40 percent) and Eddit Pfau (7 percent). Judge Paat is a magistrate in the Franklin County Municipal Court, Ms. Paley serves on the Columbus City Council, and Mr. Pfau is an attorney and former adjunct professor at Columbus State Community College.

Several judges ran unopposed: H. William Pollitt, Ted Barrows, Mark A. Hummer, Paul Herbert, Jim O'Grady, Dan Hawkins and David Tyack.

Hamilton County Municipal Court: Two candidates were selected to fill unexpired terms on the Hamilton County Municipal Court. Incumbent Judge Josh Berkowitz, who was appointed in April, won 58 percent of the vote against Bob Kelly, the solicitor and prosecuting attorney for the Village of Addyston. Judge Curt Kissinger, who was appointed to his seat in February, successfully beat challenger Shane Herzner, a criminal defense attorney and first-time candidate. Judge Kissinger won 72 percent of the vote.

Dayton Municipal Court: Colette Moorman and Mia Wortham Spells ran for an open seat on the Dayton Municipal Court. Judge Spells was successful in her bid with 51 percent of the vote. Judge Spells has experience as an appointed acting judge and magistrate; Judge Moorman also has experience as a senior magistrate and acting judge for the Dayton Municipal Court.

MAYOR AND CITY COUNCIL RACES

Akron Mayor: After long-time Mayor Don Plusquellic announced his resignation in May, Akron voters saw three new names on the ballot yesterday: Democrat Daniel Horrigan, Republican Eddie Sipplen and Independent William N. Melver. Mr. Horrigan was the winner with 72 percent of the vote to Mr. Sipplen's 24 percent and Mr. Melver's 4 percent.

Canton Mayor: Democratic Mayor William Healy was narrowly edged out by Thomas Bernabei, a former Democrat who ran as an Independent. Mr. Bernabei secured 51 percent of the vote to Mayor Healy's 49 percent. Mr. Bernabei serves as Stark County Commissioner. Mayor Healy was first elected as mayor in 2007 and previously served two terms in the Ohio House of Representatives.

Chillicothe Mayor: Three candidates, Republican Nancy Ames, Democrat Luke Feeney and Independent Joe Sharp, ran for mayor of Chillicothe in Ross County. Mr. Feeney won with 50 percent of the vote and will replace Republican Mayor Jack Everson, who declined to seek another term. Ms. Ames has served on the Chillicothe City Council since 2007 and works on the city's Downtown Development Commission. Mr. Feeney is the Chillicothe City Auditor. Mr. Sharp has also previously held a seat on city council and

is a local business owner.

Cleveland City Council: Brian Kazy successfully retained his position representing Ward 16 on the Cleveland City Council after a challenge from Bill Ritter, a retired Cleveland school teacher. Mr. Kazy was appointed on January 5, 2015, to replace Martin Sweeney, who was elected to the Ohio House of Representatives. Mr. Kazy earned 54 percent of the vote.

Columbus Mayor: Columbus City Council President Andy Ginther and Franklin County Sheriff Zach Scott squared off in the race for Columbus mayor with Mr. Ginther winning handily with 59 percent of the vote. Mr. Ginther will take the place of long-time Columbus Mayor Michael Coleman, who is stepping down from the post after 16 years of service.

Columbus City Council: Eight candidates ran for four seats on Columbus City Council. Democrats Elizabeth Brown (daughter of U.S. Senator Sherrod Brown) and State Representative Michael Stinziano and Republicans Dimitrious Stanley, John Rush, Besmira Sharrah and Ibrahima Sow all ran as first-time candidates. Councilman Zach Klein and Councilwoman Jaiza Page, also Democrats, ran to retain their seats. It was a successful Election Day for the Democratic slate with Mr. Klein and Ms. Page successfully keeping their seats on council with 18 percent and 15 percent, respectively. Joining them will be Ms. Brown (17.5 percent) and Mr. Stinziano (17 percent).

Councilman Shannon Hardin, a Democrat who was appointed to the council late last year to fill an unexpired term ending in 2017, faced a head-to-head challenge from Republican Ashley Wnek to retain his seat. Councilman Hardin was successful, winning 70 percent of the vote. Ms. Wnek announced in June that while she was properly filed and certified as a candidate, she did not intend to actively campaign for the seat.

Marietta Mayor: Republican John Hambrick and Democrat Joe A. Matthews ran for mayor of Marietta with Mayor Matthews retaining his position with 54 percent of the vote. Mr. Hambrick is a former FBI agent. Mayor Matthews served as mayor from 1992-2003 and was elected again in 2011.

Marietta City Council: Three Republicans and three Democrats faced off for at-large seats on the Marietta City Council. Democrat Kathy Downer and Republicans Cindy Oxender and Sarah Snow were successful with 19 percent, 18 percent and 17 percent of the vote, respectively. Unsuccessful candidates were Republican David Locke and Democrats Kevin Paskawych and June Tumas-Serna.

Toledo Mayor: After serving as acting mayor of Toledo since February 1, 2015, Democrat Paula Hicks-Hudson has retained her position with 35 percent of the vote after facing six challengers. Also running were Republican Opal Covey, Democrat Carty Finkbeiner and unaffiliated candidates Mike Bell, Sandy Drabik Collins, Mike Ferner and Sandy Spang. Name recognition was high in this race: Ms. Collins is the widow of the former mayor, D. Michael Collins, who died while in office in February 2015; Mr. Bell previously served as mayor of the city from 2010-2014; Mr. Finkbeiner was mayor from 1994-2001 and 2006-2009; Mr. Ferner was a former city councilman; Ms. Spang is an at-large member of Toledo City Council; and Ms. Covey has run for mayor on four previous occasions.

Toledo City Council: Four seats on Toledo City Council had contested elections. In District 1, incumbent Tyrone Riley held onto his seat with 71 percent of the vote against challenger Jennifer Scott. Matthew Cherry sought to retain his seat representing District 2, a seat to which he was first appointed in 2014. He was successful with 70 percent of the vote against challenger Drew Blazsik. Incumbent Mike Craig chose not to run for another term for Toledo's third district, and Peter Ujvagi won the seat with 53 percent of the vote over Glen Cook. In District 4, Yvonne Harper, who was first elected in a 2015 special election, handily beat Petty Brown-Morehead with 74 percent of the vote. Finally, in District 6, incumbent Lindsay Webb won against Bill Delaney with 70 percent of the vote. Incumbents Tom Waniewski and Cecilia Adams were unchallenged in their bids to retain their District 5 and at-large seats, respectively.

OTHER ISSUES OF INTEREST

City of Youngstown "Community Bill of Rights" and Fracking Ban: Residents of Youngstown voted on a charter amendment to

establish a community bill of rights and prohibit hydraulic fracturing (fracking) in the city. The measure failed with 51 percent voting "no" on the issue. The initiative was backed by two groups: Protect Youngstown and Frackfree Mahoning Valley. This was the fifth attempt by proponents of the initiative. Voters had previously rejected similar proposals in 2013 and 2014.

Authors
