



Michael C. Mentel, President
Columbus City Council
90 West Broad Street, 2nd Floor
Columbus, Ohio 43215
Fax (614) 645-6164

Mayor Michael B. Coleman
Mayor's Office
City Hall 2nd Floor
90 West Broad Street
Columbus, Ohio 43215
Fax (614) 645-5818

AMERICAN CIVIL
LIBERTIES UNION
OF OHIO
4506 CHESTER AVENUE
CLEVELAND, OH 44103-3621
T/216.472.2220
F/216.472.2210
WWW.ACLUOHIO.ORG
contact@acluohio.org



August 5, 2010 - Sent via facsimile and U.S. Mail

Dear Mr. Mentel and Mayor Coleman:

I am writing this letter on behalf of the American Civil Liberties Union of Ohio relative to the City Council's proposed charter amendment that will allow the Council to hold executive sessions closed from the public. The ACLU of Ohio understands that under Ohio law, municipalities have the power to pass charter amendments that determine the manner in which government meetings will be held. However, we do not believe that closed meetings are good government and, consequently, we would strongly urge you to maintain the public meeting language in the City of Columbus Charter unchanged.

Currently, the Columbus Charter mandates a broad public meeting policy which we consider to be commendable. Access to government meetings allows the public to be involved in government action and demonstrates to the public that the governing officials have nothing to hide. The Supreme Court of Ohio has stated that:

One of the strengths of American government is the right of the public to know and understand the actions of their elected representatives. This includes not merely the right to know a government body's final decision on a matter, but the ways and means by which those decisions were reached. There is great historical significance to this basic foundation of popular government, and our founding fathers keenly understood this principle.

White v. Clinton County Bd. of Com. et al (1996), 76 Ohio St.3d 416, 419, 667 N.E.2d 1223, 1226.

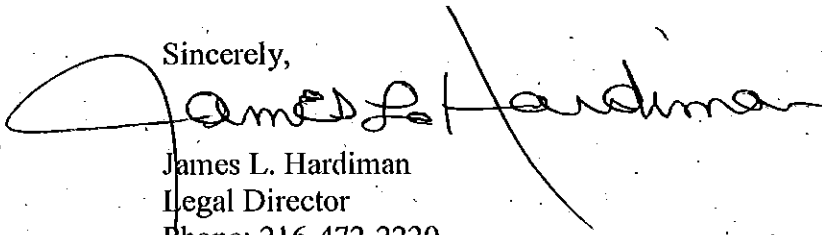


In addition, we have received reports that the new charter language may be confusing to the voters. Some individuals may not understand that the council's proposed change is actually more limiting as compared to the city's current open meeting policy. If you continue to back this proposed change, we request that you use language that clearly demonstrates the limiting nature of the new policy. The public should understand that the proposed language would allow the council to hold private meetings while the council may not do so currently.

It is important for the public to have access to government meetings in order to preserve the basic principles upon which our country was founded. The Columbus City Council should recognize and be proud of its broad public meetings policy. Furthermore, the Council should strive to continue to retain a policy that allows the public to have full access to government meetings. Therefore, the ACLU of Ohio urges you to leave the policy unchanged and to continue to hold all council meetings open to the public.

Of course, if you have any questions regarding this matter or if you would like to discuss any of these issues in greater detail, please feel free to contact me at your convenience. Otherwise, I trust that this letter will be accepted in the spirit in which it was intended.

Sincerely,



James L. Hardiman
Legal Director
Phone: 216-472-2220

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