**REGULAR MEETING OF CELINA CITY COUNCIL – November 22, 2021**

President King called the Regular Meeting of Celina City Council to order at 7:01 pm. Council Members Scott, Fleck, Baltzell, Sovinski, Clausen, Buxton and Lochtefeld answered roll call. Also present were Safety Service Director Hitchcock, Mayor Hazel, Auditor Strawn, and Law Director Moore.

President King moved onto the exception to the agenda noting that the council will have an executive session for plan number 12 and turned it over to Director Moore. Director Moore stated this will consider the purchase or sale of real state. Verbiage of ORC to come at time of executive session. CM Scott excepted as presented and CM Fleck seconds. Motion passed with roll call vote 7-0 Aye.

CM Sovinski made a motion for the correction and acceptance of the minutes of the October 25, 2021 Regular Meeting Minutes as amended and CM Buxton seconded. Motion pass with a 7-0 Aye.

CM Clausen made a motion for the correction and acceptance of the minutes of the November 8, 2021 Regular Meeting Minutes as written and CM Scott seconded. Motion passed with a 6-0 Aye. CM Baltzell abstained.

**COMMITTEE REPORTS:**

President King reported the Personnel and Finance Committee meeting on November 8. 2021 and turned it over to CM Clausen. CM Clausen stated that the discussions for 2022 Budget Year with Capital Expenses and that they met with the Department Heads for the City and went through their budget accounting. CM Sovinski noted that the minutes for that meeting said we ended at 7:24 PM but we did not run into our next meeting. All agreed that it ended at 6:50 PM.

**COMMUNICATIONS:**

Mayor Hazel points out the GOV Deal Sheets that were given to all council members. Shows what we all have put up to sell off site and how it has a positive outcome for the City. He also reports we had our Christmas Open House that went well and December 3, 2021 is our Downtown Midnight Gladness.

**AUDIENCE COMMUNICATIONS:**

President King at this time spoke about the rules in place for the speakers concerning discussion for 51-21-O. They must be a resident of the City of Celina, who have not spoken at the last 2 meetings. We have Council Decorum that we do expect: 1.) no direct accusations/verbal attacks to one another in council chambers or outside 2.) Civil Discourse 3.) 2 minutes to speak.

Joseph Bruns spoke in favor of the Ordinance. States there were 250 strong Catholics outside before the meeting praying the Rosary. Talks about his Catholic beliefs on life and abortion, references the book of Exodus.

Erica Schmackers is a lifelong citizen of Celina, who spoke in favor of the Ordinance. States that this is not a political topic but one of morality. That science, medicine and the law supports life in the womb. Shows the strong Catholic and Christian background of our town. Thanks the council member who have supported the Ordinance and to those who have not, will your conscious be clear if an abortion center comes to Celina.

Chris Cron spoke in favor of the Ordinance. He has been here for 62 years and thanked the council for allowing him to speak tonight. Notes the hundreds of Celina residence names and businesses on partitions for both sides of this issue. 90% individuals and close to 100 businesses are in favor and believe they will be more prosperous if it passes. Refers to Atlanta over the last summer losing the All Star Game over something political but they got the World Series. History smiles on the Righteous. To remember that they speak for the majority of the citizens of Celina.

Patiria Houseworth spoke in favor of the Ordinance. States that we would not only be making it a Sanctuary City for the Unborn but one for the mothers.

Howard Hoover spoke in favor of the Ordinance and thanks the council for hearing all the members of the different constituency and for taking care of us. Discusses that some believe that this is outside of your principality but that there is nothing more important than the decision that you have tonight. That you must vote for what your constituency wants.

Brett William spoke in favor of the Ordinance and thanks the council for serving. States that they Council members speak for the Citizens of Celina and that the vast majority want Celina to be a sanctuary city. States that the only ones who cannot speak are the unborn and that we must speak for them.

Joel Lange spoke in favor of the Ordinance. Quotes the Pro Abortion Gutmocker Institute, 800,000 abortions a year take place in the first trimester, 100,000 in the second and third trimester, and 2,500 a day. States that restrictions have become more to include ultrasound viewing requirements and how it has not gone over very well with the industry. When abortion is hidden it is excepted. Calls for Council Members to be bold and “do the right thing”.

Sarah Beougher spoke in favor of the Ordinance. Realizes the big decision tonight and will have serious consequences, but this should be the easiest decision you will make on your tenure. Should be an easy decision is you claim to be Pro-Life. Addressed the concerns of this Ordinance is not enforceable and will just be a statement, that no matter how you vote, you will be making a statement. Which side of history will you be on?

Kate Schroyer spoke in favor of the Ordinance. Referrers to her husband and 6 kids and how they love being members of this City and its rich sense of community. With that it’s troubling that some have voted against to protect this city.

Ross Bellmon spoke in favor of this Ordinance. States he is 10 years old, has 5 brothers, and would feel bad if he didn’t speak tonightTalked about his dad being in the army and over in Afghanistan. He was taught to always do the right thing. Please do not let fear keep you done doing the right thing.

Tucker Bellmon spoke in favor of the Ordinance. Talk about his new baby brother and the experience of his mother being pregnant. States abortion let’s mothers kill their babies and it is wrong.

Ryan Bellmon spoke in favor of the Ordinance. He spoke on why he stays in the City of Celina even though he works in Columbus. Spoke of the responsibility we have to our children and the responsibility we have in front of God to protect His children. Spoke on his experience with death but abortion is the worst.

Jules Morrison spoke in opposition of the Ordinance. States it is not the council members job to say what someone gets to choose. Protect the freedom of choice.

Tyson Diegel talked about the legality of this ordinance. Roe v. Wade is still on the books. Ohio’s abortion law is still 20 weeks. So city law does not supersede state or federal law. And asks how would we in force these laws? And how are we paying?

Ronald Hoying spoke in favor of the Ordinance. First stating Glory be to God and that he comes with the vast majority to support and defend the ones in their mothers womb. Reference Romans 13. God shall not kill

Tom Rable spoke in favor of the Ordinance. He talked on his childhood with his mother and father starting up the Right to Life, Mercer County Chapter. States there are 42 cities that have passed the sanctuary city ordinance in their town, 2 in Ohio. Talked on the state of the country and the opportunity this is to respect all life.

Pat Hall spoke in favor of the Ordinance. He thanked the council for letting him speak and that there has been a lot said tonight. He Referenced the first words of the constitution, We the People, and paraphrase, the government is here to keep us safe and happy. Stated the council is here to protect us.

Deb Tangeman spoke in favor of the ordinance. Spoke on how her mother had the decision to abort or not. Spoke on how her daughter was sexually assaulted and understands the pain of a child getting pregnant due to rape and had a granddaughter at 20 weeks. We are protectors of Gods children.

Danielle William spoke in favor of this ordinance. She spoke on how the abortion industry and human trafficking/sex trafficking work off of each other.

Levi Danlke spoke in favor of the Ordinance. He started by leading the group in the Our Father and stated that His will be done. He asked what is God’s will? Just look at the Bible, references John 10. He stated that most Religions around the world reject death in the womb. He also looked to the founding fathers stating that the first right is to life.

Marcellous Neitfeld spoke in favor of the Ordinance. He Referenced the Declaration and Constitution of the United States to state there is not a right to an abortion but does state we have a right to life, liberty, and the pursuit of happiness. He states currently abortion are legal but they can be changed. Also reminded council they speak for the people who elected them and to remember how many are for and how many are against this. Spoke on the legal services that have been offered

Katerine Spencer spoke in favor of the Ordinance and asked to please protect the unborn.

Cheryle Searfoss spoke in favor of the Ordinance. She spoke on her experience with not being able to have children and trying to adopt.

Clyde Searfoss spoke in favor of the Ordinance. He spoke on his adoption process. He spoke on how Celina is a City that is supposed to take care of kids.

Chris Fader spoke in favor of this Ordinance. States we’ve heard a lot of good and bad speech’s but he doesn’t care as long as it gets the Yes vote. Addressed the moral, economic, appropriate for city council arguments. Spoke on the 42 city that have passed this stated lasting change starts from the bottom. He last spoke on Self-preservation of the positions of city council. Quoted Ezra 4:10.

Gary King stated he was here to speak on the roles of government. The role of selected government appointed by the selectee. He spoke of the Word of God and the support it has on government. He quoted Romans 13:1 and Matthew 12 on words speak.

Ethan Westgersdes spoke in opposition to this Ordinance. He states he is proud of everyone for using their civil liberties to speak tonight. He spoke of the origins of this Ordinance. He reminded the councils that this city is made up of a diverse group of people and backgrounds and that not one individual can speak for a community.

Shelby Luth spoke in opposition to this Ordinance. States she is not a criminal, a murder and she will not be labeled a felon. My name is Dr. Shelby Luth, pharmacist living within city limits. She states the Ordinance is poorly written and unconstitutional and she will shine a light on how.

Elliot Neves spoke in opposition to this Ordinance. Stating the correction, he is transgender and prefers Elliot. He is here to discuss the many concerns citizens of Celina who couldn’t speak have. Stating the Ordinance is unconstitutional, unenforceable, and impractical. Stated it puts undue burden on a pregnant woman with disabilities to get an abortion. Could bring perfect opportunity to bring litigation to the City of Celina. Goes into talking about the foster families in Celina. Let’s spend the time, money and resources helping individuals of this community thrive.

Tony Hertenstein spoke in favor of this Ordinance. Asked if the council members had children of their own and what would they do if their wives had an abortion without their consent. Spoke about his abuse from his biological mother. He believes that if his mother had access to an abortion clinic she would have used it. His question was why are we okay if she killed me in the womb but not okay with her abusing me?

Rachelle Hertle spoke in opposition to this Ordinance. She spoke as a parent and more importantly a foster parent which has given her the amazing opportunity to parent 20 children throughout 5 years with unconditional love. With that experience she has had to make appointments she didn’t see coming to keep that child a child.

Charles Kriegel spoke in favor of the Ordinance is a longtime resident and a small business owner in Celina. He stated he signed the petition for this Ordinance. He stated he is against abortion and is glad everyone here’s parents didn’t choose abortion. Stated he understands this is a dividing topic the vast majority wants this to pass.

Erma Beougher spoke in favor of this Ordinance. She spoke on her experience as a caregiver to anyone in need. She also spoke on her experience has a Registered nurse and how she never considered stopping a beating heart, but abortion clinics want you to believe it’s okay to stop a beating heart. Stated all the reasons one might get an abortion but none are due to the innocent life inside. We need to help the lives of the unborn babies.

**OLD BUSINESS**: (Third Reading):

**51-21-O**: Ordinance outlawing abortion, declaring Celina a sanctuary for the unborn, making various provisions and findings, providing for severability, establishing an effective date, and declaring an emergency. (AMENDED 11/8/2021)

CM Clausen opened up discussion with thanking everyone that has come out here to share on the different thoughts on how we proceed. He reiterated Ordinance 51-21-O basically means we would prohibit the abortion facilities from entering Celina, so a vote of “yes” would prohibit and a vote of “no” would allow. He established that we are a city that cares about not only people’s properties but we care about the citizen that doesn’t have a voice. CM Clausen then ask President King if it would be okay to talk with the guests that could help with some legality questions we have had come up. President King then went on to introduce our guests, Kelly Freeman from Neral Pro Choice Ohio and Mark Lee Dickson from Sanctuary City and Right to Life for the Unborn, East Texas.

Ms. Freeman introduced herself as the State Field Manager for Neral Pro Choice, Ohio. She is a parent and small business owner. CM Clausen stated if a women were to choose to go get an abortion in Celina, they would go to Kettering or someplace else to have that done, this ordinance doesn’t prohibit that. Ms. Freeman stated that it doesn’t prohibit that but does stigmatize that person who is seeking care. Stating that we don’t care about the person just the thing that they are caring. CM Clausen stated we care about the child. Ms. Freeman replied, yes but you don’t care about the person caring the child. CM Clausen stated we don’t want to subject the women to the abuse she would receive at an abortion clinic. Ms. Freeman stated she has worked at an abortion clinic and she doesn’t believe she abuses her patients. CM Clausen asked if the Ordinance doesn’t pass, is there intention to bring an abortion facility to Celina? Ms. Ms. Freeman stated no sir, there are 9 abortion clinics in Ohio, and stated where, and half of our clinics have closed since 2011. Though it would be great to expand, there is no plan to bring an abortion center to Celina. CM Clausen acknowledged, Ms. Freeman asked, why are you asking me this, you are the one that is introducing the Ordinance. Why are you bringing this Ordinance when there is no plan to put an abortion clinic in Celina? CM Clause stated yes we want to ban that. Ms. Freeman followed with it sounds like you want to ban the distribution of abortion inducing drugs, which is against federal law. Ms. Freeman then stated banning distribution of FDA approved drugs is against federal law, under the Dormant Commerce Clause. CM Clausen asked if he could ask the same questions of Mr. Dickson? President King stated he believes it’s best to keep the questioning in the same line of questioning.

Mr. Dickson got up and introduced himself as the Director of the Right to Life, East Texas and the founder of Sanctuary City for the Unborn Initiative. He has been involved with all 42 cities that have passed Ordinances for abortions. He then went on to answer CM Clausen’s first question stating, there is a lot of misunderstanding. The Ordinance is very clear that when we say abortion inducing pill, we are talking about RU-486. We are specifically stating that we are banning that regiment that is used with the act of an abortion. He went on to state that if a pharmacy was to give out RU-486 then that would be again Ohio Law, so you can’t even get RU-486 at a pharmacy here at Ohio. You have to get RU-486 from an actual abortionist, according to Ohio State Law. The women are not penalized under this Ordinance, just the abortionist and the place that is aiding and abetting the abortion. This would keep all that out of Celina City Limits. Ms. Freeman responded by saying, when he’s talking RU-486, he is talking about the pill mifepristone. Stating that the procedure has two different drugs, mifepristone and misoprostol. Mifepristone terminates the pregnancy and misoprostol clears it out of the body. Mifepristone is only given by abortion clinics in Ohio but Misoprostol has many different uses, just to be clear and what a medically induced abortion looks like. CM Scott asked Mr. Dickson, are you the one that wrote the Ordinance? Mr. Dickson stated he did with the help of his attorney.CM Scott asked if his attorney is a constitutional law attorney? Mr. Dickson replied, absolutely. CM Scott clarified that Mr. Dickson’s attorney was the Mitchell Law Firm. Mr. Dickson confirmed. CM Scott stated that he noticed we received a sheet last week of 41, evidently 42 now, we received a sheet, and I noticed that they were mostly in Texas which is your area, which is understandable. I also noticed that most of these cities are, I don’t know, 1,500 people or less, would you agree to that? Ehh close to that, there are some larger cities and I will rectify that. I do notice here that Lubbock, Texas, is that correct, 264,000 people, Mr. Dickson answered correct. CM Scott from what I understand Lubbock, Texas did not pass this but they did in another way. Mr. Dickson stated correct. CM Scott quoted a good friend of his, we have 42 cities that have passed this Ordinance, I did some math, 19,495 incorporated cities in the United States, that’s 2% of the cities in this country have passed this. Stated that if this Ordinance was the silver bullet why haven’t there been more that have passed this? Mr. Dickson answered that his foundation is doing this one city at a time and that it’s not how many cities we can get but doing it right. We go to the places that have interest. 42 cities are just a drop of a bucket but Lubbock, is the 11th largest city in Texas and the 83rd largest city in the United States. When we are looking at cities of course bigger cities get more of our attention, when they pass an Ordinances we notice, in 2015 Cincinnati banned gay conversion therapy, and though that is a very different topic, since then there have been 80 different cities to have passed similar Ordinances. Sanctuary cities started in 2019. About 75% of cities in America are 5,000 people or less and 42% of those cities are 500 people or less, so I believe that there are more cities that would pass this type of Ordinance than there are that wouldn’t. But this needs to be done right and done with proper representation and so far the 42 cities that have passed this Ordinance have survived the legal battles and kept it on the books. We are being careful, with so many cities contacting us, we ask questions and make sure it’s something they can do now or should wait on it and make sure this is something your constituents want. Just today we had 2 who spoke for and 6 against, and seeing the numbers outside, I’ve seen a lot of City Council meetings and never seen that many Catholics outside praying the Rosary. CM Scott stated he appreciates him knowing his statistics, but would Dallas Ft Worth do this? Would Houston? Would San Antonino do this? And I know I’m putting on subjection and that’s not fair but these are all small town USA’s, not all but most, and most are pretty homogeneous, and Celina is not as homogeneous as other areas in this county. And I think it appeals to a certain group and you know that and you go there, that’s my opinion. Mr. Dickson stated that he is only there because a lot of people in Celina want this. 78 businesses, it’s more now, want this. Hearing their arguments on why they want this, there is a business owner out there that I was talking to, she owns a garbage disposal company, she doesn’t want to pick up dead babies in a dumpster. If an abortion clinic comes here that is something they would have to deal with. You don’t have to deal with that, it’s them. CM Scott stated that’s correct but I have to deal with this decision. I would like to follow up one more time and I’ll be done. We didn’t have this Ordinance a month ago, it wasn’t an issue, why is it an issue now? Because you brought attention to it? And since it has attention to it, it has increased the response to it. Mr. Dickson stated we found out Plan Parenthood was planning on setting up shop in Lubbock, Texas. At the time, they didn’t have an abortion facility and we had a threat. Senate Charles Perry and Representatives Dustin Burrows and John Frulow of Texas encouraged the Mayor and Council to pass the Ordinance. The Mayor and City Council did not represent the citizens of Lubbock and it looks like they will be all replaced. The Mayor and Council went to a lawyer with ties to Planned Parenthood and got the advice we knew they were going to get and the citizens decided they needed to do something. They decided to do an initiative referendum and we told them that if they passed this Ordinance right now they have nothing to stand on because you are not taking away access, you are preserving the status quo. This got put on the ballot and I knew this would speed up Planned Parenthood coming into town and that’s what they did. April 15, Plan Parenthood came in, April 19 early voting started and May 1 was the election. We saw all big named cities and states fund money into that election to preserve the Planned Parenthood and influence the election. On May 1st 62.5% voted in favor of the Ordinance and 38% did not. The Ordinance was to be law by June 1st and by May 17th Planned Parenthood filed a law suit against Lubbock, the case lasted 2 weeks and we won. There have not been any abortions in Lubbock since June 1. That is the first time in history that a City has outlawed abortion and won its court challenge and stopped babies from being murdered. The Sanctuary Cities Act is actually what paved the way for the Texas Heart Beat Act. This was the first law by a state that banned abortion after the first heartbeat is detected and that went up against the Supreme Court and did not stop it. On November 1st they heard that case, and to clarify, I did get sued for the Texas Heart Beat Act, and today everyone was surprised they didn’t say anything about it. We are at a time where this is happening all across the nation, where States are putting these regulations into State law. This atmosphere, a lot of people are thinking the Supreme Court will overturn Roe v. Wade. CM Scott stated he would agree. Mr. Dickson stated a Harvard Professor reached out to him and said it’s likely it will be overturned by 2023 and when thinking about all this it’s not rocket science. We can’t tell an 8 year old who stated that he was my brother in her belly and my brother outside of her belly that he is wrong because we know it’s true. I’m sure you’ve all been there when you hear the first heartbeat, felt the kick, y’all know when life begins, that life comes in the womb. This Ordinance would not be just to keep abortion clinics out of this area, it also sends a strong message to people like Tucker that babies are not going to be Murder in Celina, OH. That Celina will not be one of those cities. CM Scott states that’s true but that doesn’t mean it won’t happen outside of the city. Mr. Dickson stated you don’t have the authority to control what’s outside of Celina. CM Scott stated he doesn’t but it still could be there. Mr. Dickson stated but the word of God says clearly to love good and hate evil, to establish justice in your own city gates, that’s what scripture says. What your responsibilities as council members are to do is represent your city members, if y’all could make decisions for Washington DC or Columbus, man wouldn’t that be interesting. Y’all have the authority over y’alls jurisdiction and y’all can’t change what’s outside, you can only take care of what’s right before you. President King asked if that answered all of CM Scott’s questions. CM Scott stated that it did. President King gave the floor to CM Lochtefeld and stated CM Clausen did not get his questions answered and that we would come back to him but let other people jump in. CM Lochtefeld stated that we have had this Ordinance for a month and that the Council President and the Mayor have had this since May and that since he’s the new rules guy, to see if anyone has anything else they would like to say since we aren’t allowed to have 2 council members speak before everyone has had a chance to say something. President King asked CM Lochtefeld what he was talking about being the new rules guy? CM Lochtefeld stated he pointed out a lot of rules that were broken last meeting and so I wanted to see if anyone else wanted to jump in. President King stated he went to you instead of going back to CM Clausen so that will be my responsibility and not yours. Did you have any other questions Mr. Lochtefeld? CM Lochtefeld stated no. President King gave the floor to CM Fleck. CM Fleck stated his opinion on the Ordinance. We talked about 100 different angles this way and about 100 different angles that way and the main thing that since Roe v Wade science has proved it wrong. That the baby is a baby since conception. That it’s not just a bunch of cells that has to survive on it’s own for a certain amount of days, it can survive in the womb so there is no right answer to and about 100 different situations to this but there is an awful lot of abortions should have never happened because they could have done other things. So, this could be where we make a statement in that direction. CM Sovinski asked out of those 42 cities how many passed it with Council legislation vote? Mr. Dickson stated 41 Council members and Mayors voted on it. CM Sovinski so just the one city did a vote? Mr. Dickson stated that Lubbock was city 26th city. CM Sovinski asked so it was originally a council issue? Mr. Dickson stated absolutely. CM Sovinski okay. CM Scott wanted to clarify that 41 cities voted on this? Mr. Dickson clarified that yes, but they all had different reasons they voted on and passed this. CM Scott wanted to an answer to how many passed this. Mr. Dickson stated 41, except Lubbock. What we found is that larger cities tend to be more liberal, and their council will pass more liberal policies. Austin, TX passed a law defunding the policy department and gave that money to abortion assistance administrations. CM Buxton asked when you presented the Ordinance to President King and the Mayor. Mr. Dickson answered what got me here is the online petition we have, and the first signature on this petition was back in April of this year, from this community. There are several people who signed this petition from this area and so I had mentioned to Mark Harington that we had received some interest in Celina, and he knew of Celina, so the discussion went from there, but I don’t even touch cities unless there is interest in the community. There is too much top-down control, and I’ve had a lot of Senators and Representatives ask me about different cities and I don’t even touch them unless I know there is interest in the community. CM Buxton asked Mayor Hazel and President King about the comments made by the gentleman in the back, about conversations back in May/June. When we didn’t hear anything about this until October. President King asked are you looking for the timeline? First, he pointed out that he was not the one that reached out to Mr. Dickson but other people in the community did that. Then the contact was made for the meet and greet. The Mayor and I have coffee about every Tuesday anyway and typically at my office and that’s my personal business. We began discussions on what this would look like and doing our homework. No one would come with an Ordinance without doing their homework and then we came to a Council as a Whole meeting I believe in May, and we debated it in June, July and August and I believe that August 23 is finally when we voted 5-2 to bring the Ordinance forward. We didn’t have an Ordinance ready until later, the 17-page Ordinance you guys received, as it was. CM Buxton stated that he believed that 2 out of that 5 vote was for discussion only and it should have gone back to the Committee. Mayor Hazel stated that he would agree with that, but it didn’t, and they voted to go to council but should have gone back to committee but it did not. It was voted to bring an Ordinance to Council. President King stated that the motion was to bring an Ordinance forward to City Council. CM Buxton stated he has heard that a lot of times “Bring it to Council” but we don’t know the language and we need to know the language. President King stated but once we got the language, we could have brought it back to council like we have many times before. Then asked for any other comments from council. CM Clausen asked what the impact would be for a facility to be brought to Celina? Mr. Dickson stated that there would be a lot of babies killed. The abortion clinic that is in Tree Port, Louisiana does 50 abortions every Saturday, 30 abortions every Thursday, and 20 abortions every Tuesday. That’s 100 innocent lives every week. You would get a lot of drama. A lot of businesses don’t like the picture an abortion clinic brings to their community. Real Estate/property value goes down when an abortion clinic comes in because no one likes the thought of babies being murdered. We are so desensitized to this but 20 innocent lives on a Tuesday is like a Parkland School massacre, 30 innocent lives on a Thursday is like a Virginia Tech School massacre and we live in a nation that devalues human life so much. I am in this battle not only because of the abortion but it’s the throwing away of human life and my views on suicide and how close that subject is to my heart. It’s the throwing away of an innocent human life. CM Baltzell stated that he would like to commend all those that have come and spoke the last few weeks, I know that it takes a lot of courage to speak publicly. He reiterated that if a woman in Celina wants to currently get an abortion, they can go outside city limits. They still have that right, even if this passes. There is language that says they will not be prosecuted if they choose to do that. When we talk about what our citizens want, we consistently see 80 plus percent of people, in city limits, want this to pass and that’s where I stand, doing what the constituents want us to do. CM Sovinski asked how many abortion clinics are in the state of Texas. Mr. Dickson stated we are in a very weird time where some of our abortion clinics have stopped doing abortions totally and all of them are following the Texas Heartbeat Act but were at one point 7 and maybe less than that now. Ohio currently has 9. Something I continually hear is that there will be an abortion clinic move in if we don’t pass this. We are a town of 10,000 people and the economics of that happening are hard for me to believe. If this Ordinance fails to pass what is the likelihood of an abortion clinic coming around. Mr. Dickson states that he knows the abortion industry is ticked off that abortion is banned in Lubbock, and I am confident that they would love to see a city outside of Texas put this on a ballet by the people and go ahead and set a date and move in and set up shop to bring a lawsuit right here in Ohio. It’s a risk, right now in this community there are people who want to see this pass and are upset if this is voted down, they will bring it to the ballot. If it does go on the ballot then, it’s like the first Ghost Busters movie where they are saying “don’t pull the lever”. If this doesn’t pass then this will bring the attention on Celina, OH and it could turn into ground zero. I don’t think a brick-and-mortar Abortion Shop would set up in Celina, but it goes back to what Biden is really talking about, RU-486, we are talking about the deregulation on that drug and that’s what we are talking about abortion access in every zip code and a note there, I know we’ve talked a lot about republican and democratic numbers, this is neither. The Democrats for Life wrote a letter stating they are good with what we are doing and support it. CM Scott referenced the letter from Mitchell Law, stated on the last paragraph that the Mitchell Law office will represent the City of Celina with no cost to the city or it’s taxpayers, in any litigation that may up rise with the passing of the updated Ordinance by Dickson. Mitchell Dixon will also retain local council with Ohio License attorney to assist this endeavor. Is that attorney already been chosen? Mr. Dickson answered that there have been discussions and many that could fit that billet, but none have been chosen but we haven’t asked. CM Scott asked are they all based out of Constitutional Law? Mr. Dickson answered absolutely. CM Scott stated okay. With that, it does not say that if the city loses that case that Mitchell Law would not pay reparations. Mr. Dickson clarified that it says it would be covered under any litigation that would come of that. Now we have not lost a case yet and there has been 42 cities and the attorney for the last case in Ansen, TX, he said as an attorney I always have reservations, but he said we have a great track record. CM Scott followed up with so why is that our Law Director has said that there is not one attorney that he has talked to who would touch this with a 10-foot poll? Mr. Dickson stated that Texas is a great example, it’s a huge state and Texas Municipal League advised against cities passing this Ordinance and they still do. There is a lot of law firms and what we found is that the top 10 law firms are ones that donate to liberal causes, and this is where it’s so important to know what attorney’s you are talking to, that you need to ask about where they stand on this issue. Most attorney’s out their lean more liberal, you just have to find the right ones that are supportive of this. If you truly believe you took an oath to support and defend the Constitution of the United States and if you truly believe there is a right to an abortion in the Constitution than I urge you to vote down this Ordinance, but if you do not then you have a right to support and defend this Ordinance. CM Scott stated on the other hand the Supreme Court has their purpose, would you agree? Mr. Dickson stated yes but School House Rock taught me that there are 3 branches of government, legislative, executive and judicial. And there is only one branch that makes law and that is the legislative. The supreme court doesn’t make laws they give opinions and while they can say a law is constitutional, they can’t get rid of it, only the legislative can. CM Clausen so obviously the court case for Lubbock got thrown out because they couldn’t find anything wrong with it? Mr. Dickson stated that court case of Lubbock, the judge sided with them because of lack of jurisdiction. That Planned Parenthood did not have standing in the lawsuit. Now Planned Parenthood has appealed that to the fifth circuit, now we believe the fifth circuit will rule in favor like the Texas Heartbeat Act. Could they take it to the Supreme Court, they could but for right now this is a victory? Even the case up at the Fifth Circuit we believe we will win, and it would be a victory. CM Sovinski asked earlier it sounded like you were making recommendations to not pass the Ordinance and take it to a vote? Mr. Dickson stated no, I believe to take it to a vote is extremely dangerous, you run a lot greater risk and it’s extremely painful. CM Buxton had one simple questions, were you involved with the London, OH case like this? Mr. Dickson stated it was more complex than a yes or no answer. They were premature and the city council jumped the gun. One of the members made their own Ordinance drawn up, cut and paste and had no legal representation. I heard about it after it had started going forward and I attempted to do damage control. We connected and I told him that the Ordinance he gave was problematic and he could see that they go to court without legal representation and then I gave him an Ordinance that would work and I believe he took it to committee but it never made it’s way back into the full committee. And it was a 6-1 vote and speeches where made against it. I never stepped foot into that Council Meeting for that case. CM Buxton asked Ms. Freeman if she was apart, of that one? Ms. Freeman said yeah, Pro Choice Ohio is at all of these and are against it. CM Scott would like to hear Ms. Freeman’s final thoughts on this. Ms. Freeman stated that as someone who has boots on the ground here in Ohio, there is no chance that an abortion clinic is coming here to Celina. Interesting fact, the Ordinance that was brought to Mason is losing their election. And that she is happy to take any questions they may have. CM Fleck stated that you say an abortion clinic would never come to Celina but I never believed that cities would be burning and statues would be taken down but here we are, but we have to trust our own instincts. CM Clausen stated that we as a council have been doing a lot to make our city safer for kids, we are fixing roads, improving parks and making this city a destination for families, and passing this Ordinance will only fortify that environment, for business and families. CM Scott stated that I have spent 42 years in this community and I see a lot of people I know. If you can say I don’t care about children after 42 years of teaching, then I surely won’t now. So don’t put that on me. CM Clausen made the motion for final passage, CM Fleck second the motion. Motion failed 4-3 with a roll call vote.

President King reconvenes the meeting at 9:36 PM. CM Scott made a motion to have all the New Business be read by title only, CM Baltzell seconds the motion. Motion passed 7-0 Aye with a roll call vote

**49-21-O**: An Ordinance authorizing the Mayor to enter into an agreement with the Mercer County Commissioners for Indigent Defense Service in Municipal Court. CM Sovinski made the motion to pass seconded by CM Clausen. Motion passed with a roll call vote 7-0 Aye.

**Old Business (Second Reading):**

**56-21-O:** An Ordinance to make appropriations for expenses and other expenditures of the City of Celina, State of Ohio, during the calendar year ending December 31, 2022, and to declare an emergency. Auditor Strawn stated this is for the year 2022 with an amount $46, 089, 438 but there would be changes made by reserve funds and CM Sovinski stated this is all in committee review currently. CM Sovinski made motion seconded by CM Baltzell to pass to a third reading. Motion passed with a roll call vote 7-0 Aye.

**57-21-O**: An Ordinance authorizing the Safety-Service Director to advertise for bids and to enter into contracts for city projects and capital equipment for fiscal year 2022. CM Scott made motion seconded by CM Buxton to pass to a third reading. Motion passed with a roll call vote 7-0 Aye.

**58-21-O**: An Ordinance authorizing the Safety-Service Director to advertise for bids and to enter into contracts certain materials, services, supplies and equipment needed during 2022. CM Buxton made motion seconded by CM Fleck to pass to a third reading. Motion passed with a roll call vote 7-0 Aye.

**17-21-R**: A Resolution accepting donations from the Mercer County Fairgrounds Inc., Osgood Bank, and C-Town Wings to Celina Fire Department and from C-Town Wings to the Celina Police Department. CM Clausen said this is generous from these different businesses and extend a thank you and motion to third reading, seconded by CM Baltzell. Motion passed with a roll call vote 7-0 Aye

**New Business (First Reading):**

**59-21-O:** An Ordinance amending various categories within 32-20-O, the 11th supplement of the 2021 annual appropriations and declaring an emergency. CM Scott asked Betty to explain this. Auditor Strawn stated that this should balance out the 2021 budget and appropriate some funds we’ve had in the outline items. I don’t plan to have another amendment to bring to Council if passed. Stated that the dollar amount for Electric Plant Power Purchase with a large amount of 100,250,000 and if we remember we paid off the rate localization loan this year and had a couple of payments this year that applied towards that loan as well. So that’s the primary reason for this to be the amount it is. CM Scott followed up with are we planning on have just one meeting in December? President King confirmed. Mayor Hazel suggested the third Monday and CM Scott asked what is the date? President King stated the 20th. Mayor Hazel stated we really need to suspend, so thank you for bringing it up. CM Sovinski made motion to suspend rules of 3 readings and CM Buxton seconded. Suspension passed with roll call vote, 7-0 Aye. CM Baltzell made motion to pass with CM Lochtefeld seconded. Motion passed with roll call vote, 7-0 Aye.

**20-21-R:** A Resolution accepting a donation from Princess Sue Hess to the Celina Police Department. CM Scott wanted to make it known that at the last meeting I said that there is an amendment on this and everyone said no there is not. President King stated she has been very consistent and we are very grateful. Auditor Strawn stated that this would make it the 5th donation this year. CM Clausen made motion and CM Buxton seconded to move to second reading. Motion passed with roll call vote, 7-0 Aye.

**ADMINISTRATIVE REPORTS:**

None

**FOR THE GOOD OF THE ORDER:**

CM Baltzell stated that he went to the last few board meetings where they gave presentations and mentioned how wonderful the resource manager has been doing, and how well he’s been doing, and how much the kids enjoy him and how positive it’s been. CM Clausen followed up and stated he talked with Dr.Schmezing and he is very happy with this gentleman.

CM Sovinski wants to welcome our new Clerk of Council.

CM Lochtefeld asked on the December meeting if we are finished with that and President King stated it had been on the schedule since the beginning of the year, third Monday of the month. CM Scott brought it up to make sure if something did come up. Mayor Hazel stated we would contact you if something did come up, but for now the third Monday is pretty standard, are you all out the week of the 27th if something were to come up? CM Scott stated he won’t be here. CM Clausen and CM Baltzell state that they don’t know yet.

President King brought up one point of Order, that what we went through has been hard and in the end tensions are high but I do take exception to rules that have been broken and wanted to clear that there have been no Council rules that have been broken or procedures. CM Lochtefeld stated that he thought we had discussed that we were going to have a Council Meeting as a Whole to discuss rules which I have been listing. President King clarified CM Lochtefeld was referring to the council meeting before. CM Lochtefeld agreed. President King that this is the way it’s always been done and that the law director has stated and we are just following to pass to practice. CM Sovinski stated that President King handled the meetings very well on how big this topic was. CM Clausen stated that when it comes to the vote it is when the citizens put their public input and can see where the council is at.CM Buxton stated that it wasn’t his intention to throw anyone under the bus. He wanted to give President King and Mayor Hazel a chance to explain themselves, that he got the same emails that were read. Mayor Hazel stated there are a lot of Ordinances that you guys don’t see but you guys have every opportunity to have it go back to committee, you had several weeks to do that so I don’t want the finger to point it at me or the administration for lack of transparence. CM Buxton stated he’s not. Mayor Hazel stated but that’s what it looks like, especially for people in the audience that don’t know any better. CM Buxton stated he thought the vote was to bring it back to the floor. Mayor Hazel stated He wishes it did but August 22, it was voted 5-2 to bring Ordinance to Council. I would have been happy to bring back to committee. CM Buxton stated he has learned his lesson and will remember moving forward. Mayor Hazel stated he will help in any way he can but he also stated you have the capability to table things but they will be on the agenda until you do something with them. President King stated he understands it’s a high tension topic but there has been a lot of finger pointing and false acquisitions, if we don’t have thick skin we don’t belong here in the first place. Mayor Hazel stated we are here for the people and I think we are here for the people.

At 9:58 pm CM Scott made motion and CM Clausen seconded to move into executive session over the consideration of purchase or sale of real state. Motion passed with roll call vote 7-0 Aye. Executive session started at 10:00 pm.

Council President King adjourned the meeting at 10:25 pm.

Submitted by Erin B. Heberlie, Clerk of Council

Corrections made on 1/3/2021 with CM Clausen’s help.