



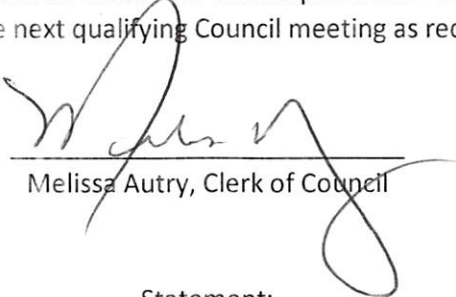
Office of the Clerk

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May 26, 2021

## MOTION

Pursuant to Section 4c, Article II, "Legislative Power," of the Charter of the City of Cincinnati, which was adopted by the electors of the City on May 4, 2021, as certified by the Hamilton County Board of Elections on May 18, 2021, this Council Suspension Motion for the suspension of Councilmember Wendell Young is hereby placed on the agenda of the next qualifying Council meeting as required by the amended Charter.

  
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Melissa Autry, Clerk of Council

## Statement:

On May 4, 2021, the electors of the City of Cincinnati adopted Issue 2, an amendment to the Charter of the City of Cincinnati, which provides, in part:

Council may suspend a member of council upon the vote of seven members of council if a member of council is indicted for an alleged felony under state or federal law that relates to the member of council's conduct in the performance of council duties.

Charter, Art. II, § 4c. The Hamilton County Board of Elections certified the amendment to Council and it became effective on May 18, 2021.

Upon notice to the Clerk of Council of a qualifying felony allegedly committed by a Councilmember, the Clerk of Council shall place a Council Suspension Motion for suspension of the Councilmember on the agenda for the next regular or special Council meeting occurring no sooner than two business days after such notice.

The Clerk of Council received notice from Councilmember Sundermann, through a communication dated May 5, 2021, that Councilmember Young had been indicted in the Hamilton County Court of Common Pleas on or about April 15, 2021, for Tampering with Records, a felony of the third degree. Councilmember Young was charged with one count:

Knowing he had no privilege to do so, and with purpose to defraud, or knowing he was facilitating a fraud, falsified, destroyed, removed, concealed, altered, defaced, or mutilated a writing, computer software, data or record, to wit: TEXT MESSAGES and the writing or the data, or the computer software, or record was kept by or belonged to a local, state or federal governmental entity, in violation of Section 2913.42(A)(1) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

It appearing from the face of the charge that the alleged conduct relates to Councilmember Young's conduct in the performance of Council duties, the Clerk of Council has placed this Motion for the Suspension of Councilmember Young on the next regular or special Council meeting agenda occurring no sooner than two business days following notice to the Clerk of Council of such alleged felony.

Per Article II, Section 4c, of the Charter, Councilmember Young shall have an opportunity to be heard prior to any vote on the suspension motion. He may not, however, vote on the motion itself. A vote of seven Councilmembers is required for the suspension motion to pass.