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Published August 26, 2007 12:26 am - A tentative settlement hammered out in federal court Friday evening directs the New Albany City Council to redraw the boundaries of its six voting districts by Nov. 22.

Deal near for new districts in New Albany

By **ERIC SCOTT CAMPBELL**

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A tentative settlement hammered out in federal court Friday evening directs the New Albany City Council to redraw the boundaries of its six voting districts by Nov. 22.

The accord cancels a Dec. 3 trial in the lawsuit brought by 20 city residents in May 2006, alleging unequal representation. It hinges on the council paying undisclosed court costs, something that would need to be approved at an upcoming meeting.

U.S. Magistrate Judge William Hussman met both sides in his chambers at 3 p.m. Friday. It soon became

apparent that he would detain them until a settlement was in place. Plaintiffs Jeff Gillenwater and Randy Smith accompanied attorney Stephen Beardsley; president Larry Kochert and attorney Jerry Ulrich represented the City Council.

Beardsley's plaintiffs proposed weeks ago that the council redistrict by August 2008, after it hears advice from a five-member study group appointed by both sides. Those five people would be paid \$50 a day and Beardsley paid a flat fee of \$5,000, all out of city coffers.

Friday afternoon, the council countered with a proposal reached at a closed meeting Tuesday. The council would draw the boundaries and vote on the issue, but by November of this year and without an advisory committee.

Plaintiffs insisted that the negotiations take place in public meetings, and Ulrich and Kochert agreed. The settlement also provides for an undetermined extension of the redistricting deadline if the city annexes

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more land, thus changing the population balance.

Kochert revealed that council members have been drawing up new district maps sporadically for six weeks. He added that the most concerted effort has been that of Bill Schmidt, whose District 2 dwarfs the other in population enough to have prompted the lawsuit.

The redistricting plan defeated in 2002 was conceived jointly by political party chairmen, Kochert said. Gillenwater stressed that that wouldn't be acceptable this time.

"It's important to me that it's done correctly and done in such a way that the public has the opportunity to monitor this," Gillenwater said.

Hussman strode back and forth between two closed rooms containing the two parties as the clock crept toward 6 p.m. Finally, all six men convened in one room, then departed with news of the "agreement in principle."

Afterward, Kochert declined comment pending the notification of his council colleagues. Asked when the redistricting effort would begin if the court costs are approved, he could only say, "Soon."

Smith called himself "very pleased ... I think it's a great day for New Albany."

State law mandates that cities use census data every 10 years to redistrict to a reasonable degree of equal representation, but it does not specify any margin of error.



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