

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

July 21, 2005

Special Meeting

The special meeting of Council was called to order by President Saxton, at 7:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Robert Hatley Rich Lester Bill Saxton Maria Klemack Vaughn Radi

The purpose for this Special Meeting is to hear opinions regarding Ordinance C-76-05 (Repeal Section 521.20 of the Codified Ordinances of Grove City, Ohio titled Smoking Prohibited and Enact a New Chapter 522 titled Smoking Prohibitions). Those wishing to speak were asked to sign the Speakers Sheet. President Saxton recognized each one in order.

1. Ms. Carrie Holbrook, Hiner Rd., said she works in Grove City and lives in Orient. She wanted Council to see the faces of those people who are affected by smoking. She and her husband have severe asthma. She provided statistics about second-hand smoke. She said they try to patronize restaurants and have limited choices. She said just smelling the smoke could affect she and her husband and sometimes her throat closes without even smelling it. She said her not smoking doesn't affect someone else's health negatively. Others who smoke could kill her and her family.
2. Mr. Homer McKnight, local business owner, commented that their company provides a smoke-free environment and even has special filters on their HVAC system. He spoke on behalf of family members with asthma and having to deal with crises. Something as little as having a puff of smoke come through a car window can set off a crisis. He said people don't do this intentionally. They just don't realize what smoke does to people with this type of disability. It is a life-threatening crisis. He commented that the Federal Government has taken into account people with physical disabilities through the ADA, but the subtle disability that people ignore are the people that smoke really bothers. He doesn't like to breath other people's smoke. He indicated that many restaurants don't have adequate ventilation systems or proper barriers to block the smoke. He said if you had asthmatics in your own family and had to deal with the crisis that second-hand smoke causes, you might have a different viewpoint.
4. Ms. Glenda Frost, owner of Memories, stated that this is a difficult subject for her because she is a cancer survivor. She said she feels for people with health crises, because we all have them. However, she is a single parent and this business is her livelihood. When Toledo, Ohio enacted his law, one business ever ten days shut down. She stands to loose everything. She owns the property and the building and doesn't believe anyone should be able to tell her what to do inside those four walls. She suggested that everyone has a choice to come in or not. There has been smoking in that business since 1984, when established. She said she needs every customer – smokers and non-smokers. She said if smoking was illegal it would be different. If it is so bad, make smoking illegal. She said at the first meeting to review this topic she felt like Council understood that it was a business owner's decision. She said she is here for business owner's rights. If she needs to put up a sign that smoking is allowed, she will. Just let the businesses decide. *Mr. Hatley* asked if her business did not allow people under 21 to come in. Ms. Frost said they did allow those under 21. Mr. Hatley asked if she would be willing to limit her patrons to those over 21 all the time. Ms. Frost said no. Mr. Hatley asked what percentage of her business was food and what percentage was alcohol. Ms. Frost said about 55 to 60% is food.

5. Ms. Pam Parker, husband is the new owner of The Shedrow, provided some statistics to support her viewpoint. She read portions of a study from an Independent Public and Health Safety Policy Research Group from Austin, TX who was asked by the Federal Government to conduct a survey on second-hand smoke using EPA figures on the emissions per cigarette on everything measurable in second-hand smoke. They were compared to OSHA's permissible exposure levels. The study states that there are very few because it is difficult to find these chemicals in diffuse and diluted environmental tobacco smoke. The study was conducted in a completely enclosed & sealed space, with no ventilation that measured 20' square with a nine-foot ceiling. It calculated how many cigarettes it would take to reach the lowest published danger threshold. For example: benzopyrene = 220,000; acetone = 118,000; tomuline – 50,000 packs simultaneously smoldering. On the lower side of the scale, for hydrazine more than 14,000 cigarettes need to be lit at one time. She said this meeting isn't about smoking or second-hand smoke. It's about whether or not government, or voters, has a right to say what anyone can do in their own business. It is their choice to patronize that business or not. Smoking is not illegal. The business owners pay the mortgage and small businesses can't afford to take this kind of a hit. She said no one on Council would be affected by imposing this ban, but it will affect their lives.
6. Mr. Keith Parker, owner of The Shedrow, said last year Council said they didn't want to get involved in this issue. Based on that, he invested his retirement in this business. If he loses 40% of his business, he will lose the business, his car & home.
7. Ms. Lisa Price, resident, commended Council into not rushing into implementing a ban that would have an adverse effect on human rights; to take the time and effort to hear the voices of the community and not become a part of the peer pressure surrounding this issue. She feels the true issue is Human Rights. Being a Systems Analyst for years, she knows how data and statistics can be manipulated or presented to prove the desired results. She feels that is what the Media is doing. There are so many sources that lead to Cancer, you can't say it is a direct result of tobacco exposure. She asked that everyone explore the pros and cons of any issue that take away our Rights. She said she has volumes of information about Cancer to prove her point. We live in an environment of toxins known to cause Cancer. We subject ourselves to so many contaminants in a day that second-hand smoke moves toward the bottom of the list. In the Columbus Dispatch last week, there was an article that said the South side still shoulders most of the air pollutants. She quoted Eleanor Roosevelt about Human Rights. She said this isn't an issue about health. It is about our freedom being at risk.
8. Mr. Don Martin, owner of Time Zone, stated that the bottom line is they own these businesses. Since the last forum on this issue, he has been watching and has noticed that about 80% of his patrons smoke. He feels restaurants are different. In 20 minutes, a restaurant can make \$18.00. In his business, he would make \$2.00. He also only allows 21 and older. He said he has been in the business for 16 years and knows his clientele. He owned bars on campus and wanted to get out of that 18-year old clientele. He wanted a gentlemen's and ladies bar where they could come in, sit down and socialize. He said its "the club". He has even asked them what they would do if the Ordinance passes and they have indicated that they would leave, if they can't smoke there. He said he understands asthma because his wife has it and she isn't in the bar a lot. That is her choice. He said there isn't enough information out there to cut off his business. He said no one should take away his market. He said Toledo has already reneged on their 100% smoking ban. He said Grove City is his home and he wants to keep his business here, but he will move it if he has to. He said he wants to keep his business until he decides to sell it, not be driven out, and when he sells it he wants it to be worth something. If this ordinance passes, it will be worth nothing.
9. Mr. Don Rings, resident, said he believes this is a quality of life issue. He said Florida has a statewide ban and they have no problems. He believes that there are people who would patronize businesses if there were no smoking. He is glad Council is addressing this issue and hopes they pass it.

10. Ms. Rosemary Long Anderson, grew up in Grove City and now lives in California. She said Los Angeles has a Dept. just to bust people for smoking. She said they make smokers feel like second-class citizens. She said her Aunt just died at 83 and smoke all her life and her death was not related to smoking. She said this is supposed to be the Land of the Free and adults should have a choice. You have a better chance of getting Cancer from cleaning supplies than from second-hand smoke. We have people dying in Iraq for basic rights, and then they are being taken away at home. She doesn't want her tax dollars being used in this way.
11. Mr. Mike Merriman, resident, said he is a smoker. He knows the risks. He asked how many freedoms government is going to take away. This issue should be up to the business owners to decide. He said if you walk down the street, you breath in exhaust fumes. He asked Council to not take away individual's rights.
12. Mr. Mike Bryant, commented that his father owns a business in Grove City and this ordinance will affect every commercial business and their property values. When he thought about this ordinance, he realized that his father would not be able to sit in his own office, in a building that he owns and smoke a cigarette at his own desk. He doesn't believe that it should be the prerogative of some authoritarian State to save us all from ourselves. In his opinion, this is about the limits of government and the rights of property owners and where they should lye. He wonders when the government will dictate that we must exercise two hours a week and eat less red meat. He feels it is all about money.
13. Mr. Steve Starrett, part owner of The Derby, commented that he also has a bar in Columbus. Business there has dropped of 50%. This is supposed to be a free country and a capitalist market. If there were so many people who didn't want to go into restaurants and bars that were non-smoking then there would be more of them and there would be non-smoking clubs.
14. Mr. Bill Allmon, owner of Bill Place, said at the first meeting he thought Council said that unless this becomes a statewide issue, it was a dead issue in Grove City, but it seems this issue has reared its ugly head again. He said he has a small business that contributes to DARE and the schools. He said 75 - 80% of his business is from smokers. It is 21 years old and over. He asked what would happen to the two neighboring bars that are in the Township. He said it would create a cash cow for them and kill his business. He said a friend of his on Hilliard City Council was adamant that they go with a business with 65% of sales in liquor be exempt. He also has friends who owned bars in Toledo, who are now out of business. He believes it should be their right, as business owners, to dictate how they operate their business. They pay their taxes. He said they are not a corporation and can't absorb the shock that this will give.

There being no further business of this special meeting, the meeting was adjourned.

President Saxton thanked everyone for attending and announced that the next Public Forum on this topic would be next Thursday, 7/28/05, at 7:00 p.m.

Council adjourned at 8:02 p.m.

Clerk of Council

President