



City of Grand Island

Tuesday, June 08, 2004

Council Session

Item G2

Approving Minutes of June 1, 2004 City Council Study Session

The Minutes of June 1, 2004 City Council Study Session are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

June 1, 2004

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on June 1, 2004. Notice of the meeting was given in the Grand Island Independent on May 26, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase. Councilmember Nickerson was absent. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Finance Director David Springer, and City Attorney Doug Walker.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: Twelve individuals reserved time to speak on agenda items.

MAYOR COMMUNICATION: Mayor Vavricek commented on the Memorial Day weekend and a reminder of those serving in the military.

Discussion Concerning Smoke Free Public Places and Workplaces in Grand Island. Susan Haeker, Kearney, Nebraska, Tobacco Free Hall County Chair introduced and gave an overview of Tobacco Free Hall County. Collette Shaughnessy, 1422 Jay Street, St. Paul, Nebraska, Tobacco Free Hall County Coordinator discussed an opinion survey results and presented a PowerPoint concerning the effects of smoking in public places and workplaces.

Tobacco Free Hall County requested the Grand Island City Council adopt an ordinance to prohibit smoking in public places and workplaces including restaurants and bars in Grand Island. Recommended was a 100% smoke free ordinance which would (1) protect the public health and welfare by prohibiting smoking in public places and places of employment; and (2) guarantee the right of nonsmokers to breathe smoke free air, and recognize that the need to breathe smoke free air should have priority over the desire to smoke.

Lynn Cronk, 2806 Pioneer Blvd., President Grand Island School Board presented information concerning the smoking ban on school grounds. Dr. Dan Cronk, 2806 Pioneer Blvd. spoke concerning tobacco related diseases and the effects of second hand smoke.

Councilmember Pauly asked why this could not be put on a ballot for all citizens to decide. City Administrator Gary Greer commented on costs of an election and stated that 15% of the registered voters, approximate 3,600 signatures would be needed on an initiative petition. Ms. Shaughnessy stated that the city council has the jurisdiction and the cost was a concern.

Amy Osborne and Alexis, 2208 West 10th Street commented on a mother's perspective of second hand smoke. Dr. Michael McGahan, 2717 Lakewood Drive, Medical Director of Emergency Services at St. Francis Medical Center spoke concerning the changes in public health over the years, those being air and sewage.

Sarah Wirth, 2822 Dallas Avenue, Grand Island Central Catholic Senior, Tyler Stecker, 71 Ponderosa Drive, Grand Island Senior High and Valerie Williams, 211 South Avenue spoke concerning the youth perspective on second hand smoke in public places and workplaces.

Molly Goedecker, Omaha, Nebraska, Environmental Consultant and former Director of Surveillance & Enforcement of the NE Clean Indoor Act gave a brief overview of Nebraska's Clean Air Act passed in 1980. Smoke in the workplace and employee exposure was presented along with bar and restaurant definitions. Councilmember Pielstick commented on the federal government subsidizing the tobacco growers and asked why Tobacco Free Hall County was not going after them instead of coming to Council.

Don Bourne, 1023 Sherman Avenue, commented that he had been smoking since he was 10. He asked about his rights and the taxes that are being paid by smokers. He opposed the proposed ordinance.

Lee Elliott, Vice President of Human Resources and Foundation at St. Francis Medical Center commented on state statutes which were not very strong. Mentioned were the health care facilities that were non-smoking. Dr. Richard Fruehling, 3604 South Blaine Street, former President of the Nebraska Heart Association commented on primary and secondary illnesses. Asthmatics, children, and filtering systems were mentioned. Dr. Fruehling commented on his disappointment of the Health Departments view on this issue.

Councilmember Gilbert questioned Teresa Anderson, Central District Health Department Director about the health risks of smoking. Ms. Anderson commented that smoking is a health risk and they would support an ordinance, but that they would want more information. Planning was very important along with communication with those involved. Enforcement and awareness were mentioned. Councilmember Haase commented that it was time to act now because it was the right thing to do and it won't get any better.

Councilmember Walker questioned how many restaurants in Grand Island were smoke-free. Currently 80 establishments in Grand Island were smoke free. Councilmember Cornelius spoke in support, but asked about enforcement. Ms. Shaughnessy commented on models from other communities, but stated it could be the council's decision. The model ordinance was read.

City Attorney Doug Walker commented on the model ordinance and enforcement. Mentioned was Code Compliance, Police, or Health Department that could be used for enforcement along with a fine. Mr. Walker asked that the ordinance not be vague if passed by council. Councilmember Meyer questioned what a public place was. Ms. Shaughnessy stated it would be anywhere the public could go.

Ms. Shaughnessy stated that the City of Grand Island was the biggest community in Hall County and that was why they brought this before the council first. City Attorney Doug Walker commented that enforcement would only be within the city limits.

Mike Benischek, 4214 West Capital Avenue and Melanie Koperski, 335 St. Francis, Ashton, Nebraska spoke in support of the ordinance.

Mayor Vavricek questioned the direction of council. Should this to come back before council or should it go before the voters. Councilmember Pauly commented that the federal, state, Lincoln, or Omaha could not come up with a plan and felt this issue should go to a vote of the people. Councilmember Hornady commented on moral choices and supported a vote by the people. Councilmember Meyer commented on those people not represented such as bar owners and supported a vote by the people. Councilmember Gilbert supported the ordinance. Councilmember Whitesides requested more information before a decision would be made by council and supported a vote by the people. Councilmember Haase and Cornelius supported a vote by the people. Councilmember Walker opposed a vote to the people.

City Attorney Doug Walker recommended that his office look into the possibility of taking this to a vote of the people. City Administrator Gary Greer commented that wording for ballot language could be brought before council at in the near future.

ADJOURNMENT: The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk