

Centerville City Council
Work Session Meeting
December 6, 2004

TIME: 7:30 P.M.
PLACE: Centerville Municipal Building, Law Library
PRESENT: Mayor C. Mark Kingseed
Deputy-Mayor Douglas Cline
Councilmembers: James Singer
Susan Lienesch
Brooks Compton
Paul Gresham
Robert Corbin
Clerk of Council Marilyn McLaughlin
Assistant Clerk of Council Debra James
City Manager Gregory Horn
Public Works Director Robert James
Finance Director Mark Schlagheck
Assistant to the City Manager Jesse Lightle
Assistant to the City Manager Jennifer Wilder
Municipal Attorney Scott Liberman

Resident: Phil Whittaker

Mayor Kingseed announced that the purpose of this Work Session was to discuss proposed revisions to An Ordinance Prohibiting Smoking In Public Places And Places Of Employment In The City Of Centerville, Ohio.

Dr. Gresham reported that five area Cities that were represented at the National League of Cities Conference in Indianapolis, Indiana, expressed a willingness to consider a smoking ban on a regional basis. Representatives present volunteered to be members of a drafting committee. The committee members would present the legislation to their respective City for passage. Mayor Kingseed pointed out that this would just delay Centerville's decision. The majority of Council concurred to move forward with some type of legislation.

Dr. Hans Berkel, 6411 Kings Grant Passage, pointed out that it appears other Municipalities are waiting to see what action Centerville takes; second hand smoke is dangerous to ones health; government must protect their residents; 90 percent of the residents know that second hand spoke is a health factor.

Caris Post, 1900 Arlingate Lane, Columbus, Ohio, 43228, outlined information they found while drafting the smoke free Ordinance for the City of Columbus. She expressed concern with the definition for bars which is in the proposed Ordinance for Centerville; she believes it goes against the purpose of the Ordinance. Ms. Post encouraged passage of the 100 percent ban on smoking.

Tracy Sabetta, 555 Frantz Road, Dublin, Ohio, 43017, explained various levels of food service. She stated that there is hope to have a statewide standard in a few years.

Thomas Kronauge, 1158 Sessions Drive, asked Council to do the right thing; Centerville is so respected.

Ron Rentz, 911 South Main Street, pointed out that the Ordinance can be changed in years to come, if found necessary. He thanked Council for the time and work spent on this issue.

William Hemmert, 6421 Kings Grant Passage, believes a smoking ban should be a State issue. He explained how the bar, years ago, saved his business. Mr. Hemmert believes that, in the definition of a bar, 50 percent is a good number to use for the annual gross sales from the sale of alcoholic beverages.

Jason Hemmert, 737 Walden Way, explained the definition of a bar which is contained in the Findlay legislation. He outlined operations at Elsa's Restaurant.

Discussion followed relative to definitions for bars. The majority of Council concurred with 55 percent. Mr. Singer questioned the definition of a bar in general and felt that the Affidavit was weak. Council concurred that the penalties should be as follows: \$150.00 first offense, \$250.00 second offense, \$500.00 third offense and each offense thereafter. Council concurred that language be added to provide for grandfathering the existing bars and their successors that meet the 55 percent criteria contained in the definition of a bar as well as the bowling alley.

Upon question of Mrs. Lienesch, Mr. Horn advised that the Combined Health District of Montgomery County will assist the City in giving training sessions for businesses who have not been involved in these discussions.


Marilyn J. McLaughlin
Clerk of Council

Approved 
C. Mark Kingseed, Mayor