

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

August 1, 2005

Regular Meeting

The regular meeting of Council was called to order by President Saxton, at 8:00 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

1. President Saxton recognized the Mayor who presented the 2005 Green Thumb Awards to the residences, businesses, and churches. Each winner was given an engraved stone. The Mayor also announced that there were ballots in the hallway to vote for the People's Choice Award, which will be presented at a later date. Council also expressed their congratulations to the award winners.
2. Mr. Lester moved to dispense with the reading of the previous meeting minutes from 7/18 & 7/21 and approve as written; seconded by Mr. Radi.

Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes

3. The Chair read the agenda items and they were approved by unanimous consent. He then moved to rearrange the Agenda and place Lands before Safety and rearrange the items under Safety to begin with C-77-05, then C-76-05 – and waive Rules of Council to allow for as many speakers that sign up for ordinance C-76-05; seconded by Ms. Klemack.

Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes

The Chair recognized Mr. Hatley, Chair of Finance, for discussion and voting of legislative agenda items under said Committee.

1. Ordinance C-73-05 (Appropriate \$1,000.00 from the General Fund for the Current Expense of Police Equipment) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by President Saxton.

Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes

2. Ordinance C-74-05 (Appropriate \$4,777.54 from the Sewer Fund for the Current Expense of Development Costs associated with the Buckeye Grove Sewer Agreement) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by Ms. Klemack.

Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes

3. Ordinance C-75-05 (Authorizing the Issuance of Notes in the amount of not to exceed \$8,450,000.00 in anticipation of the Issuance of Bonds for the purpose of Designing and Constructing Buckeye Parkway, South of White Road and a new road to be known as Pinnacle Club Drive to connect Buckeye Parkway with State Route 104, with all necessary appurtenances, including drainage, landscaping, traffic control devices, lighting, and related improvements, and Appropriating Funds therefore, and Retiring Notes previously issued for such purpose, and approving the form of Official Statement) was given its second reading and public hearing.

Mr. Hatley explained that these are Notes that were issued in August, 2004 that are being refinanced.

There being no additional questions or comments, Mr. Hatley moved to amend Section 2 to include the Emergency Clause; seconded by President Saxton.

Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes

Mr. Hatley moved that the Rules of Council be suspended and the Waiting Period waived; seconded by President Saxton.

Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes

Mr. Hatley moved it be approved as an emergency measure; seconded by Mr. Radi.

Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes

The Chair recognized, Mr. Radi, Chairman of Service, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-78-05 (Enact and Adopt a Supplement to the Grove City Codified Ordinances and

declare an Emergency) was given its first reading.

Mr. Radi explained that this would bring the Code Book up to date with State and Local changes that have already been approved through other legislation.

There being no additional questions or comments, Mr. Radi moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Ms. Klemack.

Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes

Mr. Radi moved it be approved as an emergency; seconded by President Saxton.

Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes

The Chair recognized, Mr. Lester, Chairman of Lands, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-79-05 (Approve the Plat of Autumn Grove, Section 1 located on the North side of Rensch Road) was given its first reading. Second reading and public hearing will be held on August 15, 2005.
2. Resolution CR-59-05 (Approve the Development Plan for Smokey Bones BBQ, located on the southwest corner of Buckeye Parkway & Stringtown in Parkway Centre South) was given its reading and public hearing.

Ms. Linda Nunn, representing Darden Restaurants, explained that they have been through the Planning Commission and offered to answer any questions.

Mayor Grossman said she knows that Darden is affiliated with Olive Garden and asked Ms. Nunn to give a status report on when they anticipate opening Smokey Bones and any intentions for an Olive Garden. Ms. Nunn said they are hoping to have a permit on Friday and begin construction as soon as possible. It takes about five to six months to complete. As for the Olive Garden, the plans are currently with the Architect and hope to have plan in about six weeks. After that, they will be back in to go through the process with the City for Olive Garden.

Mr. Lester reviewed the six stipulations set by Planning Commission. Ms. Nunn said they agree to those and have already revised their drawings to comply with them. *Mr. Radi* asked if their establishment would be smoking or non-smoking. Ms. Nunn said they do whatever the community desires.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Mr. Radi.

Mr. Radi	Yes
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Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes

- Resolution CR-60-05 (Set Forth, as Required by Section 709.031 of The Ohio Revised Code the Municipal Services that can be furnished to 1.0 acre, located at 3637 Casa Blvd. in Jackson Township upon its Annexation to the City of Grove City) was given its reading and public hearing.

Mr. Lester commented that Council usually asks the petitioner if the property is up to City Code, however it is Council’s understanding that the existing structure on this property is to be torn down.

There being no further comments or questions, Mr. Lester moved it be approved; seconded by Ms. Klemack.

Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes

The Chair recognized, Ms. Klemack, Chairman of Safety, for discussion and voting of legislative agenda items under said committee.

- Ordinance C-77-05 (Amend Section 1135.12(j)(2) of the Codified Ordinances of Grove City, Ohio titled Nonresidential District Requirements) was given its second reading and public hearing.

Mayor Grossman commented that this request is to bring this Section up to date with current status.

There being no additional questions or comments, Ms. Klemack moved it be approved; seconded by Mr. Radi.

Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes

- 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) was given its second reading and public hearing.

Ms. Jill Fillinger, voiced her opposition to the ordinance. She noted that she dropped off a packet of materials to Council earlier today, which includes medical information regarding the effects of second-hand smoke to non-smokers; two studies on the effects of Environmental Tobacco Smoke (second-hand smoke) – both of which conclude that there is no evidence to link ETS with cancer in non-smokers; an analysis from the Dept. of Health & Human Services, which shows the amount of cigarettes needed to reach dangerous levels of carcinogens as determined by OSHA – an example given was 14,444 simultaneous cigarettes must be burning to reach a dangerous level in an enclosed, unventilated room; Financial Information – including a study done one year after the ban in NY that shows the loss of revenue, jobs and the closure of businesses, which were all small business; a diary of a small business owner fighting a smoking ban in her area and attempting to keep her business afloat and an editorial titled

“Case Against Smoking Bans”. This provides a compelling argument against smoking bans. She believes that because choices are available to all members of our town, no one is cheated and everyone is free to make choices based on their own desires and comfort levels. This method of choice has worked well for everyone. She said from everything she has read and seen about smoking bans, they only succeed in closing small businesses and turning otherwise law abiding citizens into criminals. She requested Council vote against a ban, as the residents of Grove City have already happily and successfully worked out a compromise that works for everyone.

Mr. Arthur Eversman, resident, said he is not a smoker and has never been. He chose to operate his local business as a non-smoking establishment. He is here to speak about the financial effects this ordinance would have on two local non-profit charities, as it is currently written. He explained that Grove City Kids Association and Our Lady of Perpetual Help are the only two charities that operate bingo games, with the proceeds used to support a large portion of their budget. He said he is a member of OLPH church, his children attended the school and he is currently Vice President of the Finance Committee. He said his children, as most of our children, have benefited from GCKA. He introduced various members of the Church and GCKA. He reminded Council that 21% of the churches income was derived from bingo last year. The church used 100% of these proceeds, as well as church excess income, to cover the school deficit. He also reminded Council that the majority of non-catholic bingo establishments in Columbus are still smoking because they have chosen to call themselves a private club. Columbus isn't cracking down. After six months, there has not been one private bingo establishment cited, much less closed. He pointed this out to show that there is no level playing field when it comes to bingo. He said Council now knows that two wonderful local charities in our community will be hurt financially in a significant way, if the ordinance is passed in its current form. He does not believe that it is Council's intent to create an overwhelming financial hardship for these two charities and the parents who will pay the costs for higher fees and tuition, if they can even afford it. Or, deprive the children of these services if they can't be afforded. On behalf of these two charities, he requested an amendment excluding the two existing bingo games and vote on that amendment prior to voting on the ordinance tonight. He said he has specific language for the amendment and requested that he be allow to present it later, if necessary, prior to the vote of the ordinance. *Mr. Hatley* asked they would be willing to limit their patrons to 21 years and over. Mr. Eversman said yes and Mr. Burton, GCKA, also said yes, if they could have the exemption.

Ms. Pam Parker, owner of Shedrow, read a portion of an article from today's Columbus Dispatch, which reported that businesses are setting up patio's or informal outdoor areas for their smoking customers. One bar owner in the article said Columbus City Council was wrong when they said non-smokers would start filling the bars and make up for the revenues lost - it hasn't happened. She said she feels betrayed and angry because G.C. Council said this wasn't going to come back and should be a State wide ballot. She said if this passes, her customers would go one mile down the road to have a cigarette with their beer. She and her husband just bought The Shedrow on May 24 and haven't had time to make lasting relationships with their customers. She said they wouldn't have bought it if they had known this issue would rear its ugly head again. She said she has been to every one of the meetings and thanked Council for allowing her voice to be heard, but wonders where the big chain businesses have been. She guesses that whatever happens, it won't matter to them. With no smoking, they can move more people in and out. She said she spent \$60.00 in less than one hour at Longhorn Restaurant. For her bar to make that much, they would have to sell ¾ of a keg of beer. She also believes that customers are already paying inflated prices at the franchise businesses to cover losses created by other smoking bans. They can't do this. The price of beer is the price of beer & bowling costs what it costs. It can't be inflated to take on this loss. They don't trade on the stock exchange or have shareholders. They are merely single parents or married couples struggling to keep their non-franchise businesses in business. She feels the small “Mom & Pop” businesses will be killed by the smoking ban. She suggests that the franchises go smoke free and those who have remained silent. She said those that have shown up to speak and fought for what they believe in

should be allowed to have a smoking environment. A compromise would be a win/win for everyone.

Mr. Mike Merriman, resident, voiced his opposition to the ordinance. He said he knows the risks, as do all individuals. He said the police have better things to do than to go around and see if people are smoking. He believes it should be up to the business owner to decide if they want to permit smoking. If smoking is banned then the city will lose revenue and businesses will close. He doesn't want to see that happen.

Mr. Steve DeVore, General Manager of Stardust Lanes & resident, provided figures from bowling districts in New York and Florida that show that not only do bowling centers lose revenue, it never comes back. With a smoking ban in place for several years, these establishments are still seeing losses in revenue from 7 to 20%. He said that it was eluded that bowling is on the on its way out, but while the figures in NY & FL show declines, AMF on the whole is only down 1.5%. So, that is not necessarily true. It was also suggested that if we allow smoking, the smokers from Columbus would come to Grove City bars, etc. and raise alcohol related incidents. He asked if there was any information related to alcohol incidents from January 1 to now that shows an increase on our streets. He said if there were an exemption with a limitation of 21 years of age permitted, he would lose one employee immediately, which is his nursery attendant. They would also lose their scholarship program for youth bowlers, the GCKA Fun Day, the special events for schools & their fundraisers, and their Extreme Bowl. He said there are only so many things in Grove City for kids to do – bowl, go to skating rink or go to the theater. He said they like to offer their service to the kids. He said there is already something in place. Council doesn't need to be involved with this and asked them to vote it down. If the public doesn't like that, then they can get it on the ballot. *Mr. Lester* asked if the childcare room shared the same HVAC unit. Mr. DeVore said yes, but they have four different units for each section of the building (one for bar, two for concourse & one for front office, restrooms & nursery). He said when you walk into the nursery you don't smell smoke. It is a separate room that children must be signed in and out.

Mr. Lloyd Sheets, residents and firefighter, commented that if he goes by what some of the people have stated in these meetings, he doesn't know why we need a government. He said we have ordinances and laws, all for one reason - to protect the public. That is what this ordinance is for. He said in a 2005 Study, 173,000 people will be diagnosed with lung cancer this year. 15% of those will be non-smokers. He said he visits his wife in a grave now and she was never a smoker. He referenced the Article in the Columbus Dispatch today also and noted that only one (1) business closed because of the ban. However, that business reopened because of the patrons he had. He said this article is from the group that fought the ban and now they are saying that the businesses do go on. He said smoking bans help people be more health and live longer. It also stops the effect that someone getting sick has on loved ones, families, and communities. He feels the facts show that the smoking ban works and saves lives. He said Council is elected to make hard choices and knows they will make the right one.

Mr. Michael Weiss, resident and Executive V.P. of Beulah Park, said he is a resident with two children going through local schools, frequents the local restaurants, and a non-smoker. He is a non-smoker who has enough sense to stay away, by choice, of any establishment that he is uncomfortable with. He said Beulah Park has been part of this community since 1923. They have reached a point where their business is facing stiff and new competition from neighboring States, slot machines, riverboats, on-line casinos, etc. His biggest horse competition is five miles down the road and will always be allowed to smoke and allowing those smokers the freedoms that we would be denying. He said he walked around and took a look at his general demographics. He said they aren't the typical, as they have an aging population and aging crew. About 85% of his demographics are smokers. However, they are a large facility and they have taken numerous large areas and separated them for the comfort of the non-smoker. They recently took an area that hold 250 people and enclosed it, making it smoke free. There are areas in the dining

room, grand strand, and 120 desk-type carols in a smoke free environment. He said Beulah's race dates are all winter long. He said the effect this would have for them is a huge loss in revenue and a huge loss in the patrons that they are holding on to. He explained that when revenue is lost, it affects purses (prize money that the horse gets for winning), which are generated by what is wagered. As purses go down, they will lose stables and horses. As they lose horses, there will be lower wagering. This has been proven on the national level. Horsemen who spend a lot of money in this town will no longer exist. They live here and spend many dollars here – from theater to bowling alley, from apartments to hotels. He said they also average up to 70 different trainers that ship in from other facilities when they are racing live. He said you must remember that all of these horsemen are taxed on every cent they make a Beulah. They have a city with a city. He has 1,000 people at his facility. On average, they have 350 – 500 people on Beulah Parks payroll, with another 500 of trainers, jockeys, groomers, veterinarians, feed companies, and so on all contributing. He said Beulah Park is a year round facility with numerous non-smoking areas already in place. He feels a ban on smoking would be extremely detrimental to their business. Any further blow could be crippling to their 200+ acre facility right in the heart of Grove City. He also noted that Grove City is the only city he knows of that imposes a racing tax. In 2004, they paid almost \$31,000.00 on this racing tax. The Horsemen paid another \$62,000.00 in taxes, based on purse monies. Another \$86,000.00 in sales tax, \$42,000.00 in payroll tax, \$24,500.00 in personal property tax and \$185,417.24 in real estate tax. All of which could be reduced, as much as 75% if this ordinance would pass. He said he is here in the hope that Council would not pass this ordinance or, at least, consider a strong exemption for Beulah Park. It is too big a factor for the economy of community of our City and has too big of effect on a major sector of the population of Grove City. *Mr. Hatley* asked how old you have to be to place a bet. *Mr. Weiss* said 18. *Mr. Hatley* asked how it would affect Beulah's business if it were restricted to persons 18 years old and over. *Mr. Weiss* said they do have an aging population, but they are trying to attract a younger demographic. He said there would be some affect on it, but would accept that. *Mr. Hatley* asked about a limit at 21 years. *Mr. Weiss* said that would be even greater, especially on the weekends. *Mr. Weiss* said they are able to limit areas themselves.

Mr. Don Martin, owner of Time Zone, said there is a lot of anger with this subject, as there should be. He said there is something close in the hearts of everyone and his heart is in the business of what he does. He said he is a 21 and over business, with 80% of his patrons smoking. He does have the luxury of having a patio, but his customers are not going to go outside in the winter to smoke. He will lose 50% of his revenue. He said there is a choice for people. He said if a person stops in to have a drink and then has to step outside to have a smoke, that person would leave. Once they are outside, they are gone. He asked if there were a ban, would he have to renovate his entire bar to get rid of the 11 years of smoking business, because it is still going to smell like smoke. He said 80% of the people here have spoken against the ban.

Mr. Clint Koenig, resident and a family physician, voiced support for a clean air community. He said his colleague, *Rob Crane*, has provided biomedical facts. He commented on the opportunity to see an increase from people who don't patronize smoking bars and restaurants. In Franklin County, there are several restaurants that have seen an increase in their business, due to becoming smoke free. He said in a physician's office, you see down-stream revenue. He explained this as being the costs of treating emphysema, fertility, cancer, etc. So, economically, you may not see something so wonderful immediately, but down the road you will see health benefits and health related costs. He said the community has made many progressive moves and would like to see it continue. He said if we honor cleaner air for Grove City, he hopes we don't simply ignore the concerns of the bar owners. He would be interested in helping people make the transition to stop smoking, with smoking cessation clinics and are ready to act.

Ms. Linda Corbin, resident, said she too has read the article in today's Columbus Dispatch and said it does not provide all the facts, because all the facts aren't known yet. She owns the Front Row and several

others in surrounding areas. Those that are in areas with a smoking ban have been affected. Something people have to understand is that many bars have long-term leases. If the business closes, they are still obligated to pay the lease. As the Doctor said, how can we help the business owners with that? She said she has patrons because of the way she runs her business, and it affects Grove City in a good way. She commented that the first thing done this evening was saying a prayer and the Pledge of Allegiance, which has been taken away in schools and is rarely done anywhere else these days.

Ms. Debbie Wilder, employee of Doctors Hospital, spoke as a health care employee. She helped start the Alternate to Suspension Program, where students in lieu of being suspended can go to the hospital to do volunteer work rather than being suspended. She said about 90% of those students are coming, due to smoking. She introduced Ms. Andi Bell, clinical representative in Cancer Services, who said they know that smoking causes cancer, which affects families, increases health care costs, decrease job performance and increases time off work. She said she is hearing a lot about the loss of money, but she knows about the loss of life. Second-hand smoke has ramifications that affect others. Smoke free does not affect anyone's health and is the way to be. Grove City can really made a strong statement here.

Mr. Bill Myers, resident, said at the three meetings he has been at, he thinks it is sad that there have been so few representatives on both sides of the issue. He said 75% of Grove City residents are non-smokers. As indicated in the two votes in Columbus, 54 – 56% of the voters will support Council if they vote for a total ban without exemptions. He commented that HVAC units do not filter out the small particulate matter or toxins. There are very good studies out that show this fact. He feels it is about health. He urged Council to support their colleagues in 10 other Franklin County communities who have voted for clean indoor air and a strong ordinance without exemptions.

Mayor Grossman commented that this has been a very emotional process for the community and it is one that no one wins and no one loses. She said when she was sworn in as Mayor she took an Oath to protect the health and welfare of this community. She said she lives and breathes that every day and urges Council to consider that in the very important decision they make for, not only today, but also well into the future.

President Saxton recognized each Council Member for their comments.

Mr. Lester said he has thought thoroughly and completely about the ordinances, as submitted, and what he has continued to remind himself, and what he has been told by the community is that they are overwhelmingly against the smoking ban. He said he represents the people and businesses in his Ward and how that impacts the City. At this point, he is against the ordinance as presently written. It does impact health, but it also impacts businesses and the livelihood of a lot of people who live and work in Grove City.

Mr. Hatley said he is disappointed that some of the franchise/bigger companies are not here. He said Mr. Merriman has pointed out at these meetings that smoking and drinking go hand in hand. To him, this further adds to the safety issues they are abided to uphold. He said he would support a 100% ban, but he doesn't think it will happen. So, he is willing to talk about some amendments and support that.

President Saxton said he, too, would support a 100% ban. However, in order to come up with something, they are going to have to deal with some exemptions.

Ms. Klemack thanked Council and everyone for stating their views. She said she doesn't believe that government needs to protect the community from itself. Personally, she would like to see the market dictate whether an establishment should be smoke free. She said she has never smoked and doesn't like

smoke filled restaurants. However, in taking a door-to-door survey in her Ward, the majority favored a ban in restaurants. Most said they didn't go to bars and didn't have an opinion. She said she would like to see the ordinance amended.

Mr. Radi also thanked everyone for their input. He said Council has been told that government should stay out of people's lives and the running of their businesses. If that were the case, we wouldn't need health laws, labor laws & child labor laws, etc. However, there is a theme that he has been hearing, and that is the theme of choices. He said he doesn't want to shut down anyone's business. If an existing business that has thrived as a smoking establishment wants to continue, then he feels they should have a choice, but they do have to protect the children. He read proposed exemptions for bars, restaurants, bowling alleys and the two bingo games provided that certain conditions are met. He said it the hope that this will give existing businesses the opportunity to operate as a smoking establishment and give people the freedom of choice, while protecting children from second-hand smoke. Our residents could look forward to any new businesses coming on line as being non-smoking. It also gives the people who work in the food industries an opportunity to work in a non-smoking establishment as well. He said it is not perfect and not sure there are even three votes in favor, but the proposal serves the purpose of protecting the public while giving the existing businesses some opportunities and choices. Council is trying to fulfill their obligation. He said when you move from the chair in the audience to the chair on Council, it takes on a new perspective. You can't sit and give your personal views for your own interest. You have to take on the views and the interest of the community as a whole.

President Saxton asked Mr. Clark, Dir. of Law, if he needed time to draft the amendments read by Mr. Radi. Mr. Clark said that he and Ms. Kelly, Clerk of Council, worked on some amendments for Council and if the language already presented is used, Council could continue tonight. If there are different views and different ideas, he doesn't feel that they could write up the amendments tonight that would be worthwhile in the future. President Saxton asked Chief Deskins if the Police Dept. would be able to enforce the exemptions read by Mr. Radi. Chief Deskins said they don't enforce law on their personal preference. If Council passes an ordinance tonight, they would enforce it.

President Saxton asked that the exemptions be read; one by one, and Council provide their opinion for each item. Mr. Radi read the proposal additional exemption that: Any restaurant, bar, bowling center, or horse racing facility which is fully operational at the time passage of this ordinance, may be exempt from the smoking provisions provided: *a. No one under the age of 18 years is permitted.* Discussion with regard to 18 or 21 years of age took place. Council agreed on 18. *b. Said establishment does not share an HVAC system with an establishment, which falls under the smoking prohibition.* Council agreed to this. *c.*

Signage be placed at all entrances stating age limit and that the establishment is a Smoking facility. Council agreed to this. *d. Said establishment must make application to the Director of Public Safety for a Permit to allow smoking within thirty days from the effective date of this ordinance. The Permit is to be renewed each year, prior to the expiration date of said permit. A Permit Fee of \$20.00 shall accompany said application.* Council agreed. However, there was discussion as to the time limit for making application from thirty days to sixty days and Mr. Lester said he would like to see language added that requires the Permit to be displayed in a conspicuous place for ease in enforcement. *e. An exempt business will lose its exemption status upon the change of owner in said establishment.* Council decided to remove this provision. *f. Any restaurant, bar, or bowling center established after the effective date this ordinance shall be non-smoking.* Council agreed to this.

The next additional exemption would be: 8. The existing non-profit bingo establishments operated by Grove City Kids Association and Our Lady of Perpetual Help shall be exempt. Council agreed to this and wanted the age, signage and permit provisions be included for these charities.

Mr. Hatley asked the Chief of Police what kind of enforcement issue would they have with Beulah Park. Chief Deskins said they would enforce the ordinance to the letter of the law. Mr. Hatley said Beulah is such a vast area and feels it would be a real enforcement issue. He wondered if Council should consider providing them with a separate exemption. Council discussed this and received clarification from Mr. Weiss about their operation and the families of the horsemen. Council agreed that Beulah Park should have a separate exemption.

There being no additional questions or comments, President Saxton moved it be postponed to 8/15/05; seconded by Ms. Klemack.

Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

There being no new business, the Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman submitted the Mayor's Monthly Report and Mr. Lester moved to accept same; seconded by Mr. Radi.

Ms. Klemack	Yes
Mr. Radi	Yes
Mr. Lester	Yes
Mr. Hatley	Yes
Mr. Saxton	Yes

She then reported on a very successful Balloons Off Broadway; the Alumni Tournament; the opening of O'Charley's Restaurant; and announced that the City received \$11.2 million from Congresswoman Deborah Pryce's office for S.R. 665 improvements.

2. Council thanked everyone for their participation over the smoking ordinance. Ms. Klemack said she is a cancer survivor and is only in this country because of its freedom.
3. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 10:18 p.m.

Tami K. Kelly, MMC
Clerk of Council

William E. Saxton
President