

COMMON COUNCIL MEETING – SPECIAL
JANUARY 10, 2008
TIME: 6:00 P.M.

PRESENT: Mayor Gary Herbert, Darrell Poling, Jamie Cain, Helen Gardner, Herb Hunter and Bill Wenning.

Pledge to Allegiance was recited.

Nick Kile of Barnes & Thornburg Law Firm in Indianapolis explained the process of the Honda Annexation Phase II public hearing held tonight.

When the Fiscal Plan was adopted for Honda Phase I, there was language in the adopted fiscal plan document to include any extension of annexation to the Honda area and therefore it is not necessary to adopt a separate Fiscal Plan.

Motion by Bill Wenning and seconded by Helen Gardner to close the public hearing for Annexation of Honda Phase II. Ayes Darrell Poling, Bill Wenning, Jamie Cain, Herb Hunter and Helen Gardner. Nays none. So passed.

Kathy Reynolds explained this meeting is a public hearing for the annexation of Buckingham Companies/Scheidler Property which is 100% voluntary.

Motion by Bill Wenning and seconded by Jamie Cain to close the public hearing for the annexation of Buckingham Companies/Scheidler Property. Ayes Darrell Poling, Herb Hunter, Jamie Cain, Bill Wenning and Helen Gardner. Nays none. So passed.

Kathy Reynolds explained Resolution 2008-2 the adoption of a fiscal plan for Buckingham Companies/Scheidler Property.

Motion by Herb Hunter and seconded Helen Gardner to pass Resolution 2008-2 adopt fiscal plan for Buckingham Companies/Scheidler Property. Ayes Darrell Poling, Herb Hunter, Jamie Cain, Bill Wenning and Helen Gardner. Nays none. So passed.

Matthew Bailey City Attorney prepared and handed out an Ordinance amending the Smoking Ordinance 2006-9 to exclude the private clubs from being smoking regulated. Mr. Bailey stated he believed the number assigned to the Ordinance was 2008-1-1 and the Mayor confirmed this as such.

Mayor Herbert stated that they would allow three people to speak for the Ordinance and three against for up to three minutes.

South Decatur Principle Bob Hacker handed out a survey and spoke concerning the findings from the survey. He also told of his father who died of secondhand smoke from

lung cancer and his father was not a smoker. How hard it was to watch him trying to breathe.

John Ruble, Jr. from the Eagles stated the Eagles had purchased the Jaws of Life for the fire department and feels they should have a right to smoke.

Terrie Albrecht stated that she would like to urge the Council to have these clubs have clean free smoke and clean free air at public events.

John Land from the Legion asked to have smoking allowed at the clubs.

Teacher Sonya Linville stated she was representing the youth. Several youths had signed letters that Sonya handed out to the Council and Mayor asking Council to uphold the original smoking ordinance.

Jim Stewart spoke on behalf of the Moose lodge asking to have the private clubs excluded from the smoking ordinance.

Councilman Jamie Cain felt this is a popular decision that was response and campaigned on of amending the smoking ordinance.

Darrell Poling stated that he originally had made a statement that this was a government issue and did not include the council, but council is government and he had promised to listen to the people of Greensburg. He had received numerous phone calls and with respect to the private clubs of what they do, when it becomes a public event it would need to be non-smoking.

Bill Wenning stated that he is not going to police the private clubs and that is why they pay dues.

Helen Gardner stated when you talk about private clubs and paying dues and they open it up to the public, then it is not private. The ordinance states private clubs if not for profit. She also told that she had received numerous phone calls and they need to take time to listen to the people and look at the ordinance. The Eagles did come back at the last meeting and are willing to look at trying to work something out.

Herb Hunter stated that he campaigned on amending the ordinance to exclude private clubs.

Mayor Gary Herbert stated with respect to what the CAC and other groups are doing, the poll he took was about the private clubs and most felt the private clubs should be excluded. He feels that if someone rents a hall then they should be able to post a sign to smoke or not smoke, all four year olds can read.

Tim Filler brought up that the Ordinance is not posted on the agenda correctly and cannot be voted on.

After discussion the City Attorney agreed.

Mayor Herbert stated that at the next special council meeting January 24th they will vote on the amended smoking ordinance and there will not be any more discussion allowed.

Bill Wenning handed out information that he had gotten at Melody Mart about a recording system for meetings. This would not be for the minutes it would be for council members and he recommended the system for \$699.99.

Motion by Herb Hunter and seconded by Jamie Cain to adjourn.

Meeting adjourned at 6:55 P.M.

PRESIDING OFFICER:

ATTEST: _____

Clerk-Treasurer