

CITY OF RADCLIFF
411 West Lincoln Trail Blvd
Radcliff, Kentucky 40160
July 17, 2007

The regular meeting of the Radcliff City Council was convened at 6:30 p.m., Tuesday, July 17, 2007. Mayor Sheila Enyart presided.

Radcliff City Council members and staff present were as follows:

Chuck AngusPresent Stan HolmesPresent
Barbara Baker Present Don ShawPresent
J. J. Duvall. Present Don YatesPresent

Staff Present: Michael Pike, City Attorney; Barbara A. Wilkins, City Clerk

The Mayor announced that the City of Radcliff has contracted with Hardin County Educational and Community Television to video tape our regular City Council meetings, starting with this one, and we are pleased to welcome them to our meetings.

The Pledge of Allegiance was recited, and the invocation was given by Pastor Anna Randall, Restoration Worship Center.

The City of Radcliff's two Yards of the Month winners for July 2007 were recognized. A certificate was presented to Ms. Renate Miller, 718 Carolyn Street. Ms. Lidija McLeod, 400 S. Woodland Drive, was not able to attend, so her certificate will be mailed to her.

A motion was made by Councilman Yates and seconded by Councilman Holmes to adopt the minutes of the meetings of June 19 and 20, 2007. **Voice Vote - All in Favor - Motion Carried**

OLD BUSINESS - None

NEW BUSINESS

A motion was made by Councilman Yates and seconded by Councilman Angus to award the bid for the West Lincoln Trail Boulevard sidewalk project, phase 3 to B.C. Concrete, LLC in the amount of \$49,900.00. **Voice Vote - All in Favor - Motion Carried**

A motion was made by Councilman Angus and seconded by Councilman Duvall to award the bid for the drainage project located at 315 West Vine Street to Adinfinitem, Inc. in the amount of \$49,528.12. **Voice Vote - All in Favor - Motion Carried**

A motion was made by Councilman Angus and seconded by Councilman Shaw to fund an additional Code Enforcement Officer position, effective immediately, instead of waiting until January 2008 as was budgeted, with an amendment to the budget to be made at a later date.

Roll Call Vote:

Chuck AngusYea
Barbara BakerYea
J. J. Duvall.Nay

Stan Holmes. . . .Nay
Don Shaw.Yea
Don Yates.Nay

The vote resulted in a tie - the Mayor voted yea - Motion Carried

A motion was made by Councilman Yates and seconded by Councilman Holmes to table the issue of the smoking ban to allow for further discussion on the matter. Discussion: Councilman Yates stated that this issue is one of health and welfare, and is too important to let the pressures of politics dictate the direction we should go. It is not a rights issue as some would have us believe. During the work session, a proposed ordinance was not even discussed, and he would like to see this issue tabled so that further discussion can be held and at least look at an ordinance, whether or not one is approved.

Councilman Duvall stated that if Councilman Yates is proposing a fair compromise, then he will consider tabling it. But Councilman Duvall does not agree to ban smoking in all public places because it affects certain businesses more than others. Councilman Angus stated that he feels first we must take a vote on whether we want a ban, then we can discuss the different things we may want to do. Councilman Baker stated that the Council does not have the legal right to pick and choose what entities can allow smoking and who cannot. She appreciates the public's input on this issue, both for and against, but the Council must decide what is fair for the entire city. Councilman Holmes stated that he has gathered information from the Center for Disease Control, the EPA and the Surgeon General's Office that would help the Council in their decision, and he would be interested in seeing what the Council would like to do. Councilman Angus stated that the Council has labored over this issue, and he took issue with the News-Enterprise for the editorial they wrote concerning this topic. Councilman Angus stated that the City of Radcliff has taken steps to ban smoking in its governmental facilities including the parks and pool areas, but does not feel the City should legislate this in privately owned businesses - that does not make them public property. Businesses should have the right to decide how they want to run their business. He also pointed out that there are only ten communities across the state that have banned smoking, not thousands. He feels the scientific community is not in agreement over the effects of second-hand smoke. He feels that everyone can make individual choices as to what establishments they will frequent. This is not an issue about smokers vs. non-smokers - this is a rights issue. We are a military community, and they have paid a dear price for freedom and rights, and those rights should not be trampled. Councilman Holmes agrees it is about rights. It is the rights of those who live to live healthy. He quoted the Radcliff mission statement which is "The City of Radcliff is dedicated to being responsive to its citizens, enhancing the quality of life for all residents by providing quality service and promoting Radcliff as a community of vision". He believes this is a health issue, and doesn't want to take the chance that someone receives second-hand smoke cancer. When the Council voted on the times to allow alcohol to be served, they thought about the safety and health of the citizens. He would like to discuss the smoking issue further. Councilman Shaw stated that he feels there is some misleading information concerning the various statistics pertaining to the smoking issue. He also took issue with the News-Enterprise concerning their editorial and negative comments made about the Council. He feels it should be up to the business owner to decide whether or not to allow smoking, and it is up to the individual citizen to decide what business they frequent. Councilman Baker stated that the majority of those who talked to her about this issue were non-smokers, and they did not want a smoking ban. She also stated that she did not have one restaurant worker call and say that they were in an unhealthy work environment. If a customer has an issue over the smoking, they need to talk to the owner of the restaurant. She also feels that we cannot make one ordinance that

can cover every business the same on this issue.

Roll Call Vote:

Chuck AngusNay	Stan Holmes. . . .Yea
Barbara BakerNay	Don Shaw.Nay
J. J. Duvall.Yea	Don Yates.Yea

The vote resulted in a tie - the Mayor voted nay - Motion Failed

A motion was made by Councilman Angus and seconded by Councilman Baker that there is no smoking ban in the City of Radcliff.

Roll Call Vote:

Chuck AngusYea	Stan Holmes. . . .Nay
Barbara BakerYea	Don Shaw.Yea
J. J. Duvall.Yea	Don Yates.Nay

Motion Carried

There were no items to discuss in Closed Session.

MAYOR/COUNCIL COMMENTS:

The City Council members will be available immediately after this meeting to hear citizen comments. No action will be taken at this time. For any complaints or requests for service, citizens will need to fill out the appropriate form that will be available on the table.

Council Work Sessions are scheduled for Monday, July 23, 2007 at 2:00 p.m. and Monday, August 13, 2007 at 1:30 p.m. with a Called Council meeting as needed.

The Radcliff Police Department will host a Police Expo at the Colvin Community Center on Friday, July 20, 2007 at 7:00 p.m. Everyone is welcome to attend.

A motion was made by Councilman Yates and seconded by Councilman Angus to adjourn. **Voice Vote - All in Favor - Motion Carried**

Sheila C. Enyart, Mayor

Barbara A. Wilkins, City Clerk