

Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Thiel
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Sarah E. Lewis

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



**City of Fayetteville Arkansas
City Council Meeting Minutes
May 3, 2011**

A meeting of the Fayetteville City Council was held on May 3, 2011 at 6:00 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Gray, Thiel, Kinion, Petty, Tennant, Ferrell, Adams, Lewis, Mayor Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

Certificate of Achievement for Excellence in Financial Reporting

Mayor Jordan presented the Certificate to Marsha Farthing, Accounting Director and her staff.

City Council Meeting Presentations, Reports and Discussion Items: None

Agenda Additions: None

Consent:

Approval of the April 19, 2011 City Council meeting minutes.

Approved

Bid #11-32 Nichols Erosion Control, Inc.: A resolution awarding Bid #11-32 and authorizing a contract with Nichols Erosion Control, Inc. in the amount of \$31,430.00 for the purchase and installation of sod for two new soccer fields at the Lewis Soccer Complex.

Resolution 69-11 as recorded in the office of the City Clerk

Bid #11-22 Multi-Craft Contractors, Inc.: A resolution awarding Bid #11-22 and authorizing a contract with Multi-Craft Contractors, Inc. in the amount not to exceed \$62,237.00 for HVAC and repair services related to Energy Efficiency and Conservation Block Grant funded Community Revolving Loan Fund projects.

Resolution 70-11 as recorded in the office of the City Clerk

Bid #11-23 Schefers Roofing: A resolution awarding Bid #11-23 and authorizing a contract with Schefers Roofing in the amount not to exceed \$60,554.40 for roofing repairs and upgrades related to Energy Efficiency and Conservation Block Grant funded Community Revolving Loan Fund projects.

Resolution 71-11 as recorded in the office of the City Clerk

Bid #11-25 Heckathorn Construction Company, Inc.: A resolution awarding Bid #11-25 and authorizing a contract with Heckathorn Construction Company, Inc. in an amount not to exceed \$40,742.00 for window and door replacements related to Energy Efficiency and Conservation Block Grant funded Community Revolving Loan Fund projects.

Resolution 72-11 as recorded in the office of the City Clerk

Bid #11-33 Natural State Insulation: A resolution awarding Bid #11-33 and authorizing a contract with Natural State Insulation in an amount not to exceed \$25,885.10 for attic seal and installation services related to Energy Efficiency and Conservation Block Grant funded Community Revolving Loan Fund projects.

Resolution 73-11 as recorded in the office of the City Clerk

Bid #11-34 Rocky Grove Sun Company: A resolution awarding Bid #11-34 and authorizing a contract with Rocky Grove Sun Company in an amount not to exceed \$170,150.00 for solar equipment and installation related to Energy Efficiency and Conservation Block Grant funded Community Revolving Loan Fund projects.

Resolution 74-11 as recorded in the office of the City Clerk

STAG Grant – Sanitary Sewer System Improvements: A resolution authorizing acceptance of a State and Tribal Assistance Grant (STAG) in the amount of \$485,000.00 from the U.S. Environmental Protection Agency for sanitary sewer system improvements in the area of and including the Elkins Outfall Sewer Line, and approving a budget adjustment.

Resolution 75-11 as recorded in the office of the City Clerk

Alderman Lewis moved to approve the Consent Agenda. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

Unfinished Business:

None

New Business:

RZN 11-3777 (2143 North Ruppel Road/Daugherty): An ordinance rezoning that property described in rezoning petition RZN 11-3777, for approximately 4.86 acres, located at 2143 North Ruppel Road from RSF-1, Residential Single-Family, 1 unit per acre to R-O, Residential Office.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Current Planning gave a brief description of the ordinance. He stated staff did support the request as did the Planning Commission with a vote of 6-0.

Alderman Lewis: It is in the flood plain and with our recent flooding I think it is important to back them up off of there.

Jeremy Pate: I actually looked at that after Agenda Session and it appears that the development that was constructed in 1955 is well outside the flood plain area.

Alderman Thiel moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Thiel moved to suspend the rules and go to the third reading. Alderman Ferrell seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5404 as Recorded in the office of the City Clerk

VAC 11-3785 (221 W. South St./Knight): An ordinance approving VAC 11-3785 submitted by Kristen Knight for property located at 221 West South Street to vacate a portion of an unconstructed right-of-way, a total of 0.03 acres.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the ordinance. He stated Planning Commission is recommending approval as did staff.

Alderman Ferrell moved to suspend the rules and go to the second reading. **Alderman Adams** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Ferrell moved to suspend the rules and go to the third reading. **Alderman Tennant** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5405 as Recorded in the office of the City Clerk

Amend Ordinance No. 2990 and Ordinance No. 4278: An ordinance to amend Ordinance No. 2990 of March 6, 1984 to acknowledge that some Fayetteville citizens and businesses are now within the Prairie Grove Telephone Company franchise area and to apply the same franchise fee to both telephone companies, to amend Ordinance No. 4278 of November 21, 2000 and to codify these combined ordinances.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: I was approached by the attorney for the Prairie Grove Telephone Company who informed us that we had annexed into his company's area and so we need to have a franchise agreement.

David Parks, President of Prairie Grove Telephone Company gave a brief history of his company and the services they provide. He stated that in order to continue to provide those services to them we have decided that we need to bring a fiber optic cable into Fayetteville. In order to get to the facilities, that we need to hook up to, we would need to use the City of Fayetteville's right of way.

Alderman Thiel moved to suspend the rules and go to the second reading. **Alderman Gray** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Thiel moved to suspend the rules and go to the third reading. **Alderman Tennant** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Adams: What will be done out there? When you say access what are you going to do to the property?

David Parks: The cable that we are bringing in is to connect to the internet back bone for the World Wide Web. It's for all of the customers to use.

Alderman Adams: Are you digging a trench?

David Parks: Yes, we will be boring the cable from Farmington to Fayetteville.

City Attorney Kit Williams: As our ordinances require there are certain development requirements that they have to meet in order to do that and to make sure that the right of way is not adversely affected for other users of it. To get to the review process they had to have a franchise agreement.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5406 as Recorded in the office of the City Clerk

Amend §72.58 Off-Street Parking Facilities; Rules and Rate (K): An ordinance to amend §72.58 Off-Street Parking Facilities; Rules and Rates (K) to explicitly prohibit a driver driving around or improperly through a gated parking lot exit.

City Attorney Kit Williams read the ordinance.

Police Chief Greg Tabor: This is an item we brought forward to give the Police another alternative when dealing with someone that leaves a paid lot without paying. In the past our only option was to arrest them for thief. This gives us an alternative to issue them a citation for violating a city ordinance instead of using state law.

Don Marr, Chief of Staff: We would also like to have a lowered charge for repeat violators or someone who blatantly drives through equipment and we would still have the ability to use the existing theft of services charge.

Alderman Thiel moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Thiel moved to suspend the rules and go to the third reading. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5407 as Recorded in the office of the City Clerk

Amend §72.58 Off-Street Parking Facilities; Rules and Rates: An ordinance to amend §72.58 Off-Street Parking Facilities; Rules and Rates of the Fayetteville code to add event parking for large Walton Arts Center Events.

City Attorney Kit Williams read the ordinance.

Don Marr gave a brief description of the ordinance. He spoke on the current parking issues at the Walton Arts Center and he said this would give us the enabling legislation to implement event parking.

Alderman Lewis: Can you paint the picture for me if I am going to an event what does it look like if I am experiencing event parking?

Don Marr gave an explanation of event parking.

Alderman Ferrell: Will the tickets be sequentially numbered for ease of reconciliation?

Don Marr: We are assessing that. There are some event parking models that allow you to print a receipt that uses the QR Code. That lets us process those tickets post or it could be a color coded ticket that is event specific for the individuals that come in. We are planning to go with the lowest cost option which we are still evaluating.

Alderman Adams: What will the impact be on someone who is just going for an hour or two on those evenings?

Don Marr: If they are there when the lot is converted to event parking they will pay \$5 to park in that lot.

Alderman Adams: It is much more than that in other cities. I think that is a good thing to state up front.

Don Marr: It would certainly be more than someone coming for an hourly rate and paying for one hour at this point.

Alderman Thiel: I am concerned about how this is going to work logistically. I think it's a good idea. It seems like we could just require people to buy at the beginning rather than when exiting as they do now.

Don Marr: I think the goal from the Walton Arts Center staff is that the gate is raised and the amount of time to leave, even inserting a ticket, would be minimized as much as it could. He discussed the event parking processes that is used in other cities.

Alderman Gray: So everyone in the parking lot will have the event ticket?

Don Marr: You could have individuals that entered prior to event parking. The model the Walton Arts Center originally projected was that if they had a 7:00 to 8:00 p.m. show the lot would convert to event parking at 4:00 pm. We are working out the logistics.

Alderman Gray: My concern was if one person has to go through the process and then holds up the whole line.

Don Marr: In the staff memo we did speak to the chance of shrinkage in this. We believe this will net to be no financial impact.

Alderman Thiel: Except for the people going. It has been running about \$3 for an event so it would be \$5.

Don Marr: What we are hearing from the Walton Arts Center staff, I think people were willing to look at this model for a faster exit than what is currently happening, and they weighed that against the additional cost.

Brian Crown, owner of George's Majestic Lounge: I would support the event style parking and it would have an immediate positive impact on the experience of a Dickson Street customer.

Julie Seal with Common Grounds and Hog Haus: Whatever we can do to bring a positive experience to Dickson Street, as far as parking is concerned, will benefit all of us. I support it and I think you guys should look into supporting it as well.

Alderman Gray moved to suspend the rules and go to the second reading. **Alderman Thiel** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Thiel moved to suspend the rules and go to the third reading. **Alderman Petty** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5408 as Recorded in the office of the City Clerk

Walton Arts Center Contract to Provide Educational and Entertainment Services for Fayetteville Citizens: An ordinance to waive competitive bidding and award a contract for educational, entertainment and administrative services in 2011 to the Walton Arts Center Council, Inc. in the amount of \$250,000.00.

City Attorney Kit Williams read the ordinance.

Don Marr gave a brief description of the ordinance and listed the various programs and services that will be provided.

Alderman Thiel: We don't really get a break down like this from the contribution that is made to the boys and girls club. I feel like they have really been quite generous in what they are offering to the public. I certainly support this.

Don Marr: The City of Fayetteville will be listed as a sponsor for the Walton Arts Center season.

Alderman Petty: When we first passed paid parking there were a lot of folks that were skeptical about what was going to happen with this funding stream for the Walton Arts Center. In the past few years I have seen the number of community opportunities increase. I am very happy to see that this money is being used for something that is such an opportunity for Fayetteville.

Alderman Petty moved to suspend the rules and go to the second reading. **Alderman Lewis** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Tennant moved to suspend the rules and go to the third reading. **Alderman Petty** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5409 as Recorded in the office of the City Clerk

Walton Arts Center Contract Parking Service: An ordinance to waive competitive bidding and award a contract for parking service in 2011 to the Walton Arts Center Council, Inc. in the amount of \$39,000.00.

City Attorney Kit Williams read the ordinance.

Don Marr gave a brief description of the ordinance.

Alderman Lewis: This relates to that event parking?

Don Marr: This is actually done regardless of whether we have event parking or not. It relates in a sense that it incorporates any expenses they have related to that in this same contract.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Adams seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third reading. Alderman Petty seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5410 as Recorded in the office of the City Clerk

Amend §95.05 Regulation of Smoking in Most Public Places and Places of Employment:
An ordinance to amend §95.05 Regulation of Smoking in Most Public Places and Places of Employment of the Fayetteville Code by removing the exemption for bars.

City Attorney Kit Williams read the ordinance.

Alderman Gray gave a brief description of the ordinance. She spoke on the research done on the affects of second hand smoke and she stated this is something we need in Fayetteville and this will keep us moving forward.

Alderman Petty discussed the various view points that he has heard thus far and spoke on the dangers of cigarette smoke.

Joe Bates, Deputy State Health Officer for Arkansas complimented the City of Fayetteville for what they did in the past to restrict smoking in public places. What you did was very important in getting the clean air indoor act passed in Arkansas. The Health Department's job is to protect all the people of Arkansas. Smoking is not a right. There is nothing in the Constitution. There is no safe amount of exposure to second hand smoke. Business owners have a responsibility to make their establishment reasonably safe for their customers. If this were to pass it would have a big impact on the State of Arkansas. We have about 200 bars in Arkansas where women and men work that are exposed to second hand smoke. If Arkansas could get all bars to be smoke free we would meet the criteria as a State to be a 100% smoke free State. That would be a landmark event. There are 31 industries or people in groups who refuse to have regional or state meetings in a state that is not 100% smoke free. This would be an economic boon for Arkansas if we could attract some of these meetings.

Alderman Ferrell: Does the State Department of Health have anything to do with administering tobacco settlement funds to be used throughout the state to go toward nonsmoking programs?

Joe Bates: We receive funds from the Master Settlement Agreement to promote prevention of smoking in Arkansas.

Alderman Ferrell: Are those funds passed out?

Joe Bates: Yes they are.

Alderman Lewis: How would we attract those organizations?

Joe Bates: Those organizations have rules that they will not have their meetings in a state that is not 100% smoke free. We as a State would meet that criteria if we could get this ordinance passed throughout Arkansas.

Malcolm Hayward, Medical oncologist and cancer physician read research results on the affects of second hand smoke. He spoke in favor of the ordinance.

Barbara Kumpe, Government Relations Director for the American Heart Association and American Stroke Association stated the number one controllable risk factor for heart disease and stroke is smoking. She spoke in favor of the ordinance.

Hillary, a citizen stated there is not a lot of evidence that the occasional trip to the bar would influence someone so much that they would develop the health risks that we have heard today and it's a business choice. She spoke against the ordinance.

Tyler Clark, Project Coordinator with the Tobacco Free Coalition spoke on the affects of smoking and gave statistics on the deaths caused by smoking and second hand smoke. It is estimated that 120 people in Fayetteville die each year from their own cigarette smoke, 69 people died last year from accidental deaths and twelve people will die because of second hand smoke. He spoke in favor of the ordinance.

Alderman Ferrell: Where does alcohol come in on the cause of deaths? Is that included in the 69?

Tyler Clark: I don't think that would be included in the 69 number. There may be alcohol related fatalities but not that I am aware of.

Barbara Price Davis, a citizen stated this is about the workers and their health. She spoke in favor of the ordinance.

Susie Shinn, Chair of the Fayetteville Forward Action Committee stated I am here in support of the proposed amendment to eliminate smoking in stand alone bars. She spoke in favor of the ordinance.

Alderman Lewis: You referenced a survey, are you knowledgeable about the survey itself or can someone tell more about that?

Susie Shinn explained the survey given in 2010 by the Northwest Arkansas Tobacco Free Coalition which surveyed 720 Fayetteville registered voters about their attitudes about the current smoke free ordinance and the proposed amendment to eliminate smoking in bars. She stated 70% of the registered voters surveyed agreed that they support or strongly support the notion that musicians and patrons deserve to be protected from second hand smoke.

Alderman Ferrell: Was this an independent third party that did this and did they draw up the questions or did the coalition have anything to do with it? Was it a completely objective third party that did the survey?

Susie Shinn: Yes sir.

Cambre Horne Brooks, the past coordinator for the Tobacco Free Coalition and the current Director of Development for Community Clinic spoke on the surveys that have been conducted and the economic impact that has been looked at over the years. She spoke in favor of the ordinance.

Matt Neely, U of A Student: I choose to visit the smoking establishments because I find the atmosphere more comfortable to what I like to experience when I go out for a night of drinking. If you were to ban smoking in bars I would argue that brief periodic exposure to second hand smoke in a bar is not a considerable health concern. He spoke against the ordinance.

Shea Pielsticker, U of A Student stated students are concerned about our health and he pointed out that the Council has such a huge ability to impact the health of the citizens. He spoke in favor of the ordinance.

Tami Clinkingbeard, a citizen of Ward 4 spoke on the affects of second hand smoke and the costly health risks involved with it. She spoke in favor of the ordinance.

Jordan McDaniel, a graduate student at the University spoke on the manipulative strategies used by the tobacco companies to draw in the youth market. She spoke in favor of the ordinance.

Steven Duke, a Junior at the University of Arkansas stated it is a personal choice and responsibility for someone to choose to smoke cigarettes and a personal decision to put yourself in an environment where there is cigarette smoke present. He spoke against the ordinance.

Alderman Adams: How did you feel when the smoking ban went into effect on Campus?

Steven Duke: I feel that it was detrimental. We have seen more cigarette litter on campus than before because they have taken away the ash trays. I feel the smoking ban has not decreased any use in tobacco and many students still smoke in places where they can't be seen.

Jennifer Worth-Bronson, a Fayetteville resident, former student and researcher stated I support smoke free bars and taverns in Fayetteville as part of a comprehensive public protection from this entirely preventable environmental hazard. She pointed out the affects of smoking and second hand smoke.

Jamie Thornton, a Fayetteville resident spoke in favor of the ordinance and stated there are a lot of bars and establishments I would like to visit more often than I do but I would like to be able to speak and breathe the next day.

Alex Tripodi, a Fayetteville resident stated reminding us of the dangers of smokers in no way proves the point that this ban should go through. He spoke against the ordinance.

Rob Founce, U of A student spoke on the affects of alcohol use and he stated if it is the intention of the Council to regulate personal behaviour then you also need to go after alcohol and prohibit it as well. I am opposed to this ordinance and he asked the Council to allow the business owners and adult customers to make the decisions regarding this matter.

Linda Thompson, a Fayetteville resident read a letter that she wrote to the editor of the newspaper regarding her mother's health who was a victim of second hand smoke. She asked the Council to support this ordinance.

Justin Felts, U of A student and an employee of a local bar stated the Council needs to lead the way and do this and hopefully the rest of the state will follow.

Alderman Ferrell: You work at this bar by choice, correct?

Justin Felts: Yes I do.

Sarah Varga, owner of two bars on Dickson Street, one being smoke free stated to have something come along of this nature worries me because I don't know what changes I am going to have to make to survive. I don't know why we don't try to go state wide with this instead of picking on the several bars that are left in Fayetteville. She spoke against the ordinance.

Alderman Gray asked Cambre Horne Brooks to come and address Sarah Varga's comments.

Cambre Horne Brooks: The State has looked at this issue. The first nonsmoking ordinance that was passed in the State of Arkansas was in Fayetteville so from a historical standpoint the idea is to get an original ordinance passed by this Council.

Sarah Varga: If we could go toward more of a state wide thing I would tend to support that a lot more.

Alderman Gray: I think the point that we have made this evening is that one city has to take the initiative just like before. We are hoping the whole state will go smoke free in bars which will help us economically as a state.

Sarah Varga: I would like to wait until things calm down from the parking issue so that we can figure out what to do as bar owners when this passes. She spoke against the ordinance.

Alderman Tennant: Did you open Sideways?

Sarah Varga: Yes my husband and I did.

Alderman Tennant: Was it nonsmoking when you opened it?

Sarah Varga: Yes we did that from the start.

Alderman Tennant: Have you ever considered going to smoking?

Sarah Varga: We wanted to give people that were voicing their opinion a place.

Alderman Tennant: With Riley's have you ever considered going nonsmoking voluntarily? The second part of that is do you think it would negatively affect your business if you went nonsmoking to Riley's?

Sarah Varga: It's hard to say. I would like to provide a patio for people to go out and smoke.

Alderman Gray: Was litter your number two thing that you were addressing?

Sarah Varga: I just wanted to reinstate that littering on Dickson Street would be a problem.

Alderman Lewis: You mentioned you opened Sideways because of the demand. I am wondering if you can elaborate on that.

Sarah Varga: I built a bar that I wanted to go to but at the same time I already had a bar that I could go to and smoke. I am on the fence on this one and I really want to give people a choice on whether they can smoke or not. I would like some more time on this issue overall. I don't know how we can do it as a State without having Fayetteville go first.

Alderman Ferrell: I appreciate your honesty. I think you are just telling all sides of it and how it can affect you and it came shining through.

Sandy Prince with Hope Cancer Resources stated there is no such thing as an occasional smoker. She spoke on the negative affects from smoking and second hand smoke. She spoke in favor of the ordinance.

Paige Daniel, a Fayetteville resident stated the number one cause of preventable death is smoking, number two is obesity and number three is second hand smoke. She discussed research that was done in the past. She spoke in favor of the ordinance.

Matt Marshall, a bartender on Dickson Street stated I chose this job. Business is already down. I think that our rights should be protected to decide where we go on our own. He spoke against the ordinance.

Kim Agee, a Fayetteville resident and a pulmonary and critical care physician stated I whole heartedly support and endorse this proposal that will create smoke free taverns and bars in Fayetteville. He spoke in favor of the ordinance.

Eleanor Hughes, a Fayetteville resident who also works in health education stated I think a comprehensive smoke policy is a way to keep our community safe. She spoke in favor of the ordinance.

Alderman Gray: Who do you work with?

Eleanor Hughes: With UAMS AHEC Northwest.

Alderman Ferrell: I have a couple of constituents that are in the business and they have asked that we not vote on this tonight.

Alderman Thiel: I think we have heard some very passionate points and I think we need time to think about this.

Alderman Lewis: I appreciated the thoughtful comments and I hope people will continue to share their ideas. We have an important topic here that needs to be addressed and I think it's an economic as well as a health issue.

Alderman Gray: I think the whole issue we need to think about is it's a public health issue. It is our responsibility to take some action.

Alderman Kinion: I am really undecided and so I think it is important to have more dialogue on this. I do think it is a public health issue. I would love to see Fayetteville as a leader in protecting public health, but I also think that Fayetteville is known for having the opportunity for people to be well educated and make a choice.

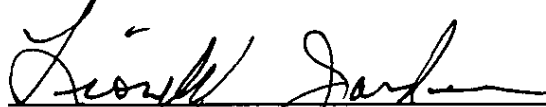
Alderman Lewis: I think it's definitely a health issue and people know that. There aren't a lot of job options. That is where I am at in my thinking. That is something we really need to think about.

Alderman Ferrell: If people feel like they have to go there for a job way over 90% of the establishments that serve alcohol in Fayetteville are smoke free. I would think there would be more opportunities in nonsmoking places.

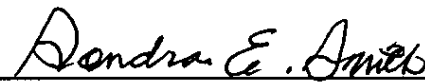
Mayor Jordan complimented the Council and the public for the way they conducted themselves regarding this issue.

This ordinance was left on the First Reading

Meeting adjourned at 8:50 p.m.



Lioneld Jordan, Mayor



Sondra E. Smith, City Clerk/Treasurer

