

CITY OF CLYDE
COUNCIL WORK SESSION
July 28, 2015

The regularly scheduled work session of Clyde City Council was held on Tuesday, July 28, 2015, at 7:00 p.m. in the Conference Room, Clyde City Building, 222 N. Main Street, Clyde, Ohio 43410 for the sole purpose of a discussion smoking in the Clyde parks, as requested by the Recreation Board.

Roll Call.

Present: Council Member - Gary Beamer
Mayor - G. Scott Black
Council Member - Ken Dick
Vice Mayor - Carolyn Farrar
Council Member - Steve Keegan
City Manager - Paul Fiser (Not voting)
Administrative Assistant - Sharon Smith (Not voting)

Absent/

Excused: Finance Director - Craig Davis
Solicitor - Zachary Selvey
Clerk - Janet Dickman (Not voting)

Mayor Black thanked Sharon Smith for her assistance with this meeting in Janet Dickman's absence.

Sarah Scruggs has received repeated complaints regarding smoking near the dugouts, even though twenty one "no smoking" signs have been posted. It is questioned if there should be no smoking areas or no smoking at all. The signs have been posted near the dugouts and at all concession stands. Mayor Black questioned if the Recreation Department is requesting assistance with enforcing the no smoking in certain areas, or if they are requesting a smoking ban at the parks (no smoking at the parks, or other suggestions that Council may have).

Mrs. Scruggs called Findlay and found that they have separate diamonds for adults and children, with smoking permitted at the adult's fields and no smoking at the youth fields. Fremont is no smoking, Bellevue has no rules/regulations for smoking policy and Bowling Green has designated smoking areas.

Mayor Black thought there was already "no smoking" at the Clyde parks, on the fields and in the stands. However, he has seen people smoking there in different areas.

Mr. Keegan questioned how long the signs have been up (about a month, possibly not long enough for them to be effective yet). It is common that some people will be inconsiderate with their smoking, but he does not believe there should be no smoking in the park. He sees daily a couple men smoking either in their trucks or in a shelter area at Limerick Park. Mr. Keegan questioned if the entire reservoir area is considered a park (not technically). He thinks we should

give the signs time to work (Mr. Mason noted that he did not put the signs up in a timely manner, but he did not feel it was that big of an issue; he does not feel we should make so many rules).

Mrs. Scruggs, as the person who hears the most complaints about this from the public, and as a parent, does not want her kids exposed to the smoke and the kids do not have the option to move when they are in the dugout. She does not believe there should be a designated area because that would result in more policing. Since there is not sidewalk available in all areas of the park, there could be wheelchair accessibility issues if there is only a designated area to smoke. However, she feels that possibly the signs will work. It has been discussed that it would be difficult to implement this in the middle of the season, so possibly any changes should be effective at the beginning of next summer. As far as policing, she questioned what should be done if someone is smoking and refuses to go to a designated area. She does not feel this would be an appropriate situation to actually call the Police Department. She offered an option that if the signs do not work after being given a chance for the rest of this season and for next season, then possibly to ban smoking at the beginning of the 2017 season. However, again, how would this be policed and enforced.

Mayor Black noted that the City Solicitor has confirmed that Council has the authority to ban smoking at the parks. But if this is going to be done, a distinction must be made on what is being banned: all tobacco, snuff, chewing tobacco, e-cigarettes, etc. Mrs. Scruggs questioned if a ban would also include the parking lot and in cars (that would have to be decided, along with which products would be banned).

Mr. Dick feels that consideration should be given to all that smoke. He feels that signs should also be placed near the seating areas, on the other side of the dugouts. Usually if people are politely told to adhere to the signs, they will usually comply. Mr. Dick does not feel that a total ban could be enforced, and it could cause fights. Mrs. Scruggs stated there are already signs in place that are facing the bleachers, on the ends of the dugout. Mr. Dick suggests placing additional signs to make the "no smoking" area bigger.

Mr. Beamer is not in agreement with a total ban in all parks because it would be too hard to enforce. He suggests having the "no smoking" areas for the next season and a half.

Mrs. Farrar feels there are fewer people smoking in the parks, as there was in the past. She feels there is a heightened sensitivity to smoke and the younger generation may not be picking up the habit as quickly. The parks are for the people – all people. Sometimes there are things in there we do not like or are offensive, but we need to be respectful of people. She wishes the signs would say "no smoking, please." Bees are nasty in parks, but we cannot do anything about them. They are a risk when we enter the park. We need to learn to speak up, nicely and respectfully, to ask people to not smoke around our children. She believes trying to enforce a ban would be very difficult. Smoking and spitting snuff can be bothersome, but we need to have some tolerance. We must use our words to address risks. The parks are for the public, and a total ban would not be a friendly environment. Mr. Dick questioned if the lower shelter house is smoke free (no). This might be a good consideration, since it is around food, etc. Mrs. Farrar feels smokers need to smoke, although most of them want to quit. She feels we should not be too rigid, but wants to be reasonable.

Mayor Black has not smoked in thirty years and now he does not like smoking. He noted that a cloud of smoke usually follows smokers, and smoking is a health risk. But there are some people who go too far and want restrictions. With the diamonds being in a V-shape, the "no smoking" area could be from one dugout to the other, including the area behind home plate. Possibly smokers could go out by the outfield, and people could respect that type of a zone as opposed to a total ban. In regards to the skate park, he suggests no smoking on the entire skating service and an area around the outside of the surface. This would keep people from smoking in the area where the majority of kids and fans are located. A smoking ban would be more difficult to enforce than a no bike or no skateboard in the park.

Chief Gower noted that by the time a police officer would arrive, the cigarette would probably be put out. This is similar to the State Health Department no smoking ban. Police could not enforce that because it is a civil penalty. It would have to be in the form of an Ordinance to enforce. The Chief is also concerned with police officers spending time dealing with smokers, which could take them away from other more serious police work (burglary, for example). He also noted that smokers could complain that since they pay taxes, they should be allowed in the parks. He feels the signs should be given a chance. It is legal to smoke, so the police cannot enforce "no smoking" if it is only a Recreation Board rule. The school does a good job of asking smokers to smoke near the fence at football games. He requests that if there is a ban, then it be made a law so that his officers can do something about it instead of just kicking the person out of the park.

The last time the City tried to ban guns at the park, they were challenged and lost in the courts. A smoking ban could also be challenged.

Mayor Black questioned if there is a general consensus to give the signs a chance to work (yes). As far as additional signs, Mr. Mason does not have a problem with placing additional signs to try to designate a "no smoking" area from one dugout to the next, and to encompass that entire area. Mrs. Farrar suggests sending a "no smoking" reminder home with participants when they sign up for a park activity. There are many signs/rules for the park: dog on a leash, no alcohol, etc. There will always be someone who will try to ignore the posted rules. Hopefully the majority of people will be respectful to not smoke around the children and the fans.

Mrs. Scruggs feels that things will get better and people will get used to the designated areas. The Recreation Board appreciates Council discussing this issue, because they do hear enough complaints about this. She requested one additional area for no smoking, which would be around the playground area (that is reasonable).

Chief Gower suggested re-addressing the camera issues at the park, due to three arsons in trash cans. The current cameras are shot. Additional areas that need cameras are the parking lots and the pool. It was questioned if this would just be for Community Park or all parks (Community Park due to all the buildings there). Mr. Keegan questioned if there is currently not cameras at the pool (no). This could be discussed at the October budget hearings.

The discussions at this meeting are very similar to the discussions that were held at the Recreation Board meeting. Mrs. Scruggs was questioned if she is comfortable with the outcome

of this meeting (yes, and she will post something on the Recreation Department website page regarding the no smoking areas). The lower shelter house will also be designated as no smoking.

ADJOURNMENT:

Mayor Black announced the meeting was adjourned at 7:45 p.m.


G. Scott Black, Mayor


Janet R. Dickman, Clerk of Council

CLYDE CITY COUNCIL
VISITOR SIGN-IN

DATE: 7/28/2015 WORKSESSION

1. Paula Benfro
2. Denise Hamrick
3. Bruce Gower
4. Brad Messman The Clyde Enterprise
5. Jean Jackson
6. Sarah Scruggs
7. Mike Hand
8. JIM MASON
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

PLEASE
PRINT