The Common Council of the City of Kokomo, Indiana met Monday March 6th, 2017 at 7:00 P.M. in the Council Chambers of the City Building.

President Hayes states, those who wish to stand may stand, or you may remain seated.

Invocation offered by Pastor Evelyn Ogleby from Great Faith Christian Center.

Pledge:

Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Whikehart, Sanders, Miklik

Absent: None

President Hayes states, I am going to give each speaker five minutes to start off for each side for and against the Ban. There after each person will get two minutes. I will alternate for and against. I ask you to be brief be respectful and be civil to each other. No applause, what-ever else you want to come up with you will be ask to leave. When we start hearing the same thing over; I will cut off the speakers. I will take a few more and we will go for a vote; or unless a Council Member calls a question on the motion, then we will vote on that motion; and then we will take a vote. Council Members will be allowed to speak at the end before we take a vote. You are here to give your arguments, comments to the Council. I will not tolerate personal attacks against anyone on this Council or anyone in the audience. We can get thru this in a civil manner, and respect each other rights, wishes, and comments.
RESOLUTION 2702: A RESOLUTION IN SUPPORT OF SMOKE FREE INDIANA

Resolution 2702 was read by the Clerk by title only.

Councilman Miklik states, I am going to explain to you what is going to occur tonight; what we are going to do here is talk about a Resolution. A Resolution is an up and down vote of agreement. In this particular case the Resolution will be we either agree with the Ordinance as written, and approved by the County a couple of hours ago or not. If we agree then we are sending it to the Mayor; and ask that you enter into an Interlocal Agreement with the County. We are part of the City the City sets in the County the County sets in the State. The State is in the United States. This Resolution reads as if who-ever has the most Smoke Free Law we as a City then would abide by it. We can-not exclude our-selves from the County.

We are all in the County together, and the City. I am going to read the Resolution as it is written by our Council. The President and Council Members will vote on it. Then it will pass to the Mayor. The Mayor will enter into an Interlocal Agreement. This is a straight up and down vote. Nothing we can say can change the Counties vote that was taken two hours ago. It is there Law. They wrote it. They passed it. We just have to enter into an Agreement that we are in the City. We are part of the County, and we have to abide by their Law; and that is what it says.

Councilman Miklik moved for passage on resolution #2702; seconded by Councilwoman Sanders. I will read the Resolution.

Council Attorney Corbin King states, I would like to make appoint of clarification. On the Resolution I just want to make sure that everyone in the crowd realizes that it is coming up for a vote. If the Resolution fails then the Smoking Ordinance for the County will not take an effect. If it is passed we enter into the Interlocal Agreement.
Cont. Resolution #2702.
I want the audience to know that their statements tonight do have weight. Each Member on the Council gets to vote their conscious; just because the County voted in favor of the Smoking Ordinance does not necessarily mean that the City will. We have a Smoking Ordinance in effect. Since we have a Smoking Ordinance in effect we have to pass a Resolution to enter into an Interlocal Agreement if we agree with the County.

Several people spoke for the Resolution, and several people spoke against the Resolution. If anybody wants to see the Special Council Meeting on March 6th, 2017 it will be televised on the KGOV Channel 2.

President Hayes states, there has been a question on the motion. I will entertain the motion.
Councilman Kennedy called the question; seconded by Councilman Haworth.

President Hayes states, before we vote, I am going to allow Council Members to make statements.

Councilman Wyant states, this is my third time thru this. I turned it down every-time. You will see a few bars close. You will also see a few people lose their jobs. I have never had one waitress, bartender complained to me about the smoking in the bars. I am here supporting these bar owners. I hope it works out for you.

Councilman Cameron states, my feeling on this is that it is taking the right away from the bar owners; to me it is like a home away from home you get something to do in your own private place. You can do what you want to do. Everybody has the right to smoke or not. I do not smoke.
Cont. Resolution #2702.
My wife was one that went thru cancer secondary smoke. I said this before several years ago. I asked her what she thought; she said it is the right of the people to do what they want to do. The other thing I want to mention that was brought up from someone in here is about the drug activity. This came out from a judge in Morgan County that we were 28.1 pretty high in the State with drug activity.
The other thing I have been watching very closely we already have people down at the Legislature House that is promoting medical marijuana. Look at the States that have started full blown marijuana. There prediction is in 3-5 years that is going to be in Indiana. We think we have a problem with smoking. We are going to have a real big problem. I understand where you are coming from.
It is a choice of the people in here.

Councilwoman Young states, this is my third time as well. To me this Resolution is not about telling you not to smoke. This resolution is about where you smoke.

Councilman Kennedy states, I just want to commend everyone who spoken this evening. I think both sides have been very civil. Most of you know where I stand on the issue. I have been in almost every bar, not every club; but a few of the clubs. I will not support this resolution.

Councilwoman Sanders states, we all have strong feelings about this. We all have had experiences. I had a husband that died because he smoked. I have had cancer. My parents did smoke. I am a nurse as well. I have done a lot of researching for myself. My heart is for everyone that has spoken tonight. I do have to support this.
Cont. Resolution #2702.
Councilman Whikehart states, for over two years, as a candidate and as a councilman, I have had the chance to study the severity of this issue, weigh the consequences of a smoking ban, research the effects on other cities, have conversations with people in the community and to listen to the concerns of both sides. I have offered compromises that included grandfathering current establishments into a new law and even sun setting the existing smoking ordinance after an extended period of time. Neither of these garnered interest from either side of the argument.

Throughout this experience, I along with members of this council have done our due diligence when it comes to our decision regarding this resolution. No one on this council takes our responsibility to act for the greater good of this community lightly. This is why it’s important that we make the right choice.

We have known for decades the risks and harmful side effects that exist for individuals who are exposed for first and second hand smoke. The years and years of empirical evidence all point to the detrimental effects that smoking has on our overall wellbeing, with health care professionals calling it an epidemic.

But, smoking goes beyond the issue of public health; it’s an issue of quality of life-it’s an issue of economic development-it’s an issue on the type of community we want our children to inherit.

The impact that smoking has on the health of a community, is just as important and just as dangerous, as the impact that smoking has on the health of the individual. When individuals choose to smoke, their effects do not happen in a vacuum.
Cont. Resolution #2702.
According to a recent report conducted by the School of Health at IUPUI, Indiana taxpayers, healthcare providers and employers spend an estimated $6.8 billion in costs each year related to first and second hand smoking. Additionally, employers look to the overall health of a community when making decisions about job creation and-or job expansion.

Currently, Howard County ranks in the lower half of Indiana community’s when it comes to wellness. When you look toward the future projections of Howard County’s health, our rank drops even more substantially. We must do better.

Finally, and most importantly, this is a chance to impart a legacy on the children and grandchildren of this community by making health and wellness a top priority. We should remember that we did not inherit this earth from our ancestors; rather we are borrowing it from our children. Therefore we must be mindful to use it in their best interests as well as our own.

Councilman Miklik states, in 1994 I was on the School Board. We made Kokomo Center Schools no smoking. It was not easy. It was a lot of the same dialogue; but everybody understood that. We are setting here as Leaders in the Community looking at the greater good trying to understand in what direction we as a community should be going relative to this issue. Everyone on this Council understands the difficulty and the risk.

I have confidence in the bar owners, and all of us; if we have a level playing field. If we pick and choose who can and who can-not then you have made it un-equal playing field.
Cont. Resolution #2702.
My thought is Leadership is doing those things that are difficulty to do to impact change for the good of everyone in the community; because we represent all of you, not just a few; from where I set I support this. I have been down this road multiple times just like a lot of my Council Members; but at the end of the day do we make Kokomo a better place or do we go backwards? I think we need to go to a better place. I think we need to move it forward. I think we have an opportunity to make everyone’s health better, and to rise. Our health cost and our own personal health is not going to get any better by condoning and advocating for smoking. I am for this Resolution.

President Hayes states, I will just come straight to the point there is an economic impact that this resolution can have on Howard County. Business are looking for it. We have a lot of skilled people. that work at Chrysler, and Delphi, and Haynes. There also looking for healthy communities. This can do nothing but enhance those opportunities. Kokomo deserves better. It is are job as Leaders to try to give them the best we can. Sometimes we must look at what is good for the greater not just for the one. I have heard talk about level playing fields; all those things are true; but ladies and gentleman I do feel in my heart this is the right thing to do.

President Hayes states, at this time we have a motion on Resolution #2702 to adopt and seconded.

All those in favor:
Vote for passage follows:
Aye: Young, Whikehart, Sanders, Miklik, Hayes
Nay: Wyant, Cameron, Haworth, Kennedy
The vote was 5 to 4 for passage.
President Hayes states, this marks the end of this Special Council Meeting.

Adjourned at 8:10 P.M.

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PRESIDING OFFICER

ATTEST:

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CITY CLERK