

CITY OF BURTON
LEGISLATIVE COMMITTEE MEETING MINUTES
JANUARY 22, 2008, 6:30 P.M., COUNCIL CHAMBERS
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The Meeting is called to order by Chairwoman Laurie Tinnin at 6:35 p.m.

MEMBERS PRESENT: Tinnin, Conley and Ellenburg.

MEMBERS ABSENT: None.

OTHERS PRESENT: Atty. R. Austin and J. Adams, Deputy City Clerk.

**PURPOSE OF THE MEETING: DISCUSSION AND POSSIBLE RECOMMENDATIONS
CONCERNING THE FOLLOWING:**

- 1. Review Current Smoking Ordinance**
- 2. Application form for Boards**

PRESENTATION: No presentation.

Mrs. Tinnin said the City Attorney Rick Austin drafted a couple of different resolutions. He will be addressing those tonight.

AUDIENCE PARTICIPATION: None.

COMMITTEE DISCUSSION:

Mrs. Ellenburg expressed one section of the ordinance did not state smoking tobacco product.

Mr. Austin said the primary difference between the proposed ordinance and the ordinance already adopted by Council, is that it takes out all reference to chewing tobacco. The ordinance has not been published and therefore not in effect yet. One council member suggested they saw nothing wrong with smokeless tobacco. Before, the word tobacco products as defined by the ordinance includes chewing tobacco. He removed that. There is also some sentiment to repeal the ordinance all together. Council does have that authority, particularly since it has not been published or effective yet.

Mr. Austin addressed the candidate questionnaire form. He sent a copy of it to the Clerk's office. He needs to know if there are Boards, Commissions or Committees that no longer exist or that he has neglected to include or to be modified.

Mrs. Tinnin said the list needs to be changed. She would like from the Clerk's office to have Council advised on what pages should be deleted because they are so obsolete. She inquired if Council needs to take action to dissolve any of the committees that are not active.

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Mrs. Tinnin reviewed the listing of Boards, Commissions and Committees. It was determined the following can be deleted because those have members that serve from City Council and do not have citizens at large: Central Communications, Finance, Legislative, Library Committee and Metro Alliance. She would like to see added to the resolution to place on the Burton City official website. Mr. Austin said he will also add shall be provided to any City resident expressing an interest and the form can be picked up at the Clerk's office.

COMMITTEE RECOMMENDATION:

A consensus of the Committee is to add to the Candidate Questionnaire resolution to place on the Burton City official website, shall be provided to any City resident expressing an interest and form to be picked up at the Clerk's office.

COMMITTEE DISCUSSION:

Mrs. Tinnin asked the Committee for their feelings or ideas on the smoking ordinance.
Mrs. Conley feels there should be a designated area for smoking.

Mrs. Ellenburg said she pulled up on the computer the State and County's regulations. The County does state that business vehicle, meaning any car, van, anything leased or owned by the City, you aren't to smoke in it. Mrs. Ellenburg presented the document to Mr. Austin to review.

Mr. Austin said State law prohibits smoking in all State vehicles. The County ordinance prohibits the smoking in any County owned vehicles. But neither of them prohibits the smoking in our police cruisers. This resolution would make City of Burton consistent with both the State law and the County ordinance with regard to prohibiting the smoking in city owned vehicles.

Mrs. Tinnin said she is in favor of the no smoking ordinance with deletions such as, this does not involve any type of chewing tobacco or other then smoking; means inhaling, exhaling, or possession of a lighted cigar, cigarette, pipe or other lighted smoking device. She feels this should be designated.

Mr. Austin asked if there are comments on the resolution he prepared. It essentially gives the Mayor the authority to designate the smoking areas.

The Committee acknowledged that they do not have a problem with the Mayor designating areas or posting of signs.

Mr. Austin said since the no smoking ordinance has never been published, if it meets with this Committee's approval, we can put the no smoking ordinance on just as we now have it for a First Reading at the next Regular Council Meeting, and go through the adoption process of this ordinance. It repeals 103C. He does not want to amend 103C since it has never been put into affect anyway. We will have 2 Readings of this and it will repeal 103C.

Mr. Austin stated further he will re-format this to codified ordinance format so you will see exactly where it will fit into your codified ordinance book.

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Mr. Austin spoke briefly on the codified ordinance procedures with American Legal.

COMMITTEE RECOMMENDATIONS:

It was a consensus of the Legislative Committee to leave the no smoking ordinance as written by Attorney Rick Austin. The Mayor should be able to designate the areas and put up signs.

Mr. Austin said the adoption of the resolution will be the next agenda item after the second reading. He will revise the Candidate Questionnaire form and have it ready for the next Council meeting agenda.

Meeting adjourned at 6:55 p.m.

jra