

## MINUTES

### COUNCIL-MANAGER BRIEFING

July 9, 2012

Mayor D'Epifanio called the Council-Manager Briefing to order at 6:30 p.m. at the Fairfield Municipal Building, 5350 Pleasant Avenue. The following Councilmembers were present: Tim Meyers, Terry Senger, Jeff Holtegel, Debbie Pennington, Mike Oler, Tim Abbott and Adam Jones. Staff present: Alisha Wilson, John Clemmons, Jim Bell, Dave Butsch, Mary Hopton, Don Bennett, Mike Dickey, Greg Kathman, Dave Crouch, Tim Bachman, Carol Mayhall, Arthur Pizzano and Mark Wendling.

#### **Employee Tipping Policy**

City Manager Arthur Pizzano discussed a letter that was drafted at the direction of Councilmember Terry Senger to Senator Bill Coley and Representative Courtney Combs regarding an amendment to Ohio Revised Code to create a limited exemption to allow retail food and beverage service workers employed by public agencies, such as the City, to accept tips as part of their compensation. Council was given the opportunity to sign it if they elected to. Councilmember Senger will take it to Parks Board meeting for their signatures on Tuesday, July 10 and then it will be mailed.

Law Director John Clemmons explained that not allowing food and beverage workers to accept tips often leads to embarrassing situations when the employee has to refuse the tip and the customer becomes offended. The exemption should be very narrow, and only include hourly-paid employees making \$10 or less per hour.

#### **Employee Smoking Policy**

Mr. Pizzano introduced the Employee Smoking Policy and asked Assistant City Manager Mark Wendling to explain the current policy. Mr. Wendling explained the current policy has been in place since 2007 and prohibits smoking in city buildings and facilities. The intent is to lay out the parameters, such as where employees can smoke and how close they can be to the building. Mr. Wendling explained the details of the current policy. Mr. Pizzano explained that the designated smoking areas chosen were the most inconspicuous locations at each building, so as not to portray a negative public image of city employees standing around smoking instead of working, even if it is a legitimate break time.

Councilmember Abbott asked if any incentives are offered through the health insurance for non-tobacco users. Mr. Wendling explained that there is nothing currently offered through the health insurance, but options have been investigated for tobacco cessation through the wellness money. Councilmember Holtegel mentioned that Humana requires smoking employees to go through a smoking cessation class as part of employment, to try to facilitate smoking cessation. Mr. Pizzano explained that the purpose of our policy is to protect non-smoking employees and the general public from exposure to smoke, not to impose on employees' personal choices.

Councilmember Meyers explained that he requested the topic be brought up simply for information and a health policy standpoint. He recounted several companies that have banned smoking and several companies that offer incentives on health insurance premiums for non-smokers. Mayor D'Epifanio mentioned that he has never seen a member of the police or fire departments using tobacco products. Chief Dickey said they have a rule that officers are not permitted to use it in the public eye.

Council discussed different incentives and situations they have encountered regarding tobacco use. Councilmember Meyers requested more information regarding potential incentives or programs that can be offered to promote a non-smoking environment.

#### **Electronic Devices**

A report will be presented to Council regarding the use of electronic devices for council meeting documents and mail at the August Council-Manager Briefing. Mr. Pizzano explained that there are several ways to accomplish this goal, and he wants to figure out the most cost-effective and user-friendly before proceeding. If the report goes well in August, a tentative training can be scheduled for the September 10 Council-Manager Briefing at the IT Training Classroom.

#### **Adjournment**

Council/Manager Briefing adjourned at 6:57 p.m.

Respectfully Submitted,

Alisha Wilson  
Clerk of Council



# Tobacco Use Policy

Policies & Procedures Manual

Section 2-36

# The Intent

Various provisions of the Fairfield Codified Ordinances prohibit smoking in City-owned buildings and vehicles. All employees are subject to those legal restrictions. The State of Ohio also prohibits smoking in public places and places of employment. The purpose of this policy is to set forth an equitable standard of conduct for all employees relative to the use of tobacco products while working. This standard is applicable to all employees and may be more restrictive than standards applicable to the general public when using certain facilities.

# The Specifics

## Tobacco Products Defined

- Smoking tobacco, including
  - Cigarettes
  - Cigars
  - Pipe tobacco
- Smokeless Tobacco, including
  - Chewing tobacco
  - Snuff

# Where is tobacco use prohibited?

- Inside of all City-owned buildings
- The Aquatic Center
- City- owned motorized vehicles, including
  - Utility/golf carts
  - Mowers
  - Tractors
- Personal vehicles when transporting person on city-authorized business

# Where is tobacco use permitted?

Employees are permitted to use tobacco products on City-owned property under the following circumstances:

- Adjacent to, but at least 10 feet away from public entrances to buildings and facilities
- Near entrances that are the least visible to the public right-of-way.
- An example would be behind the loading dock @ the Community Arts Center)

Questions?