

## Council President Lantry, members of the City Council:

I'm writing this letter because I arrived late to the public hearing on 8/20 and was unable to offer my comments at that time. While I understand that the public hearing is closed, I hope that you will still consider my comments before finally adopting Ordinance 14-34, regarding the single cigar packaging regulation.

Regarding this proposed ordinance, I am both for it and against it. Because I am a father of three children, I am for it. I have never smoked or used tobacco products and I don't want my children to either. However, I am also a retailer, and as a businessman, I am very skeptical that this ordinance will achieve what it intends and am therefore against it.

Of the many sites I operate, I have two in St. Paul. While I own/operate many locations, I personally spend time at each site, generally on a daily basis. So I have 20 years direct experience. My information is coming not from students or someone doing research, I'm actually in front of the customers.

It seems to me that this ordinance is based on the assumption that a significant number of young people are buying single cigarillos. From my experience, this is simply inaccurate. I invite any and all of the council members, or an undercover representative if you prefer, to spend time at my locations and watch to see who purchases these products. A very low percentage are even in their early 20's. Most are much older.

Raising the price of the product alone is not going to stop the problem. For example, in 2002, a pack of cigarettes cost approximately \$2.80, now a pack averages \$8.50. If you contact either of the large manufacturers, you'll find out that their business increases annually by 2-3 percent.

In the public hearing, I heard young kids saying that their friends are buying cigarillos to smoke marijuana. Instead of speaking to the council, why aren't they speaking up to their friends, their parents, or their teachers? If kids are finding the money for marijuana, increasing the price of a single cigar isn't going to matter. Rolling paper is cheap and available. I would argue that every kid, low-income or not, has the money to buy a cigarillo even if you raised the price.

I heard them asking you to be a hero and vote for this – it was a big show – but I think you all know the truth, that while this may make those kids feel like they did something important, it will hurt more than it will help. You would be a better example and role model for our young people if you were more impartial, thought about it from both sides, and came up with a solution that would work for everyone. This would make you a true hero. But, it would take a more work than just having supporters show up at a public hearing.

Retailers and distributors alike requested the opportunity to sit down with you to brainstorm this issue. You made no comment or any indication that any thought or problem-solving went into this ordinance. It appears that you basically copied Brooklyn Center. I mentioned earlier that I have never used tobacco products. That's because I had parents that watched over me. They knew my friends, they talked about the risks associated with not just tobacco products, but other high-risk behaviors too. It's my opinion that education and parental involvement is what makes the difference, not raising the price. I will never leave the future of my children's health to regulation alone. What about instead creating an ordinance that would provide an educational program for the kids? For all the retailers you have in St. Paul, I don't think any of them would object to a raise in the license fee of \$10 or so to go into a fund for education for students in grades 8-12. Have a class one day a week that talks about the consequences associated with tobacco, drug and alcohol use. The City could also contribute or sponsor the program along with the retailers. That would be newsworthy.

With what you've done, you've put the burden on the retailers alone. People left the hearing thinking they did their part, they're now done. But this is not true, and that's why just raising the price won't work. Look everywhere now, restaurants, public buildings, etc. where smoking is prohibited inside. Did that stop people? No. Even when it's 20 degrees below outside, people still go out and smoke. They will find the way, the money, and the place to smoke if they want to.

If you look to the example of how state and federal programs have tried to reduce smoking, you'll see that they did not use price alone, they also instituted a significant educational and media component. It's also important to notice that even with these efforts however, there is also a conflict of interest of sorts. The most income to the state and cities comes through taxes on: #1 income/property tax; #2 sales/use taxes; #3 gasoline tax, and 4) cigarette tax. If you really wanted to stop tobacco use, have the state and federal government stop production, period. Why won't they? Because they depend on the income from the taxes. Eliminating that source of revenue would devastate the budget.

Another thought, what are you going to do when marijuana becomes legal in Minnesota? That is also a trend, and is likely to happen, just as this ordinance.

Finally, a thought about accountability. I've long thought that the enforcement system in Minnesota is missing a vital component – more accountability of the employee/person making the sale. Even with policies, procedures, and

equipment in place to prevent illegal sales, employees make mistakes or can be enticed to make the sale. A \$50 fine is not enough. In Wisconsin, convenience stores are allowed to sell beer, so all employees have to be licensed through the City. If the employee makes an illegal sale, it goes on their record and could affect their future employability. With this, they have an incentive and motivation to be more careful. If not this, at least increase the fine for the employee – not the retailer – so the employee has as much incentive as the retailer to be careful. Finally, I ask that you reconsider the request to meet with the retailers to discuss this issue. This deserves more attention than just a public hearing where each side gets 15 minutes. The issues and potential impact are complex and deserve discussion. The retailers are in the best position to provide input to the City so that an informed, effective ordinance can be developed. Once this is done, the City could then collaborate with Minneapolis and other surrounding suburbs to make an effective program state-wide, rather than being short-sighted and passing this ordinance as it is currently written.

Thank you for your consideration,  
Elias Saman

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One person wanted to remain anonymous, but said that this ordinance will “mess up my business.”

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Danny Jones, 1729 E. 7<sup>th</sup> Street, is against this issue

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Shana Branch  
1570 Jessamine Ln, Apt. A

Ms. Branch wanted the Council to know that they should not be raising the prices of tobacco for a Stadium or anything else.

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Zahid, Owner of Speedy Food Stop, 968 Dale St.

The proposed ordinance will put small business owners underwater. Many customers can't afford a whole pack. St. Paul shouldn't be unique from other neighboring cities or we will lose business. Already tobacco taxes are so high and customers complain. Works long hours and cannot attend public hearings.

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Mr. Hassen wanted this message to go to the entire Council. He owns several businesses in St. Paul and this ordinance will affect him.

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Jackie Nevels, 1178 Barclay would like this message to go to the entire Council. He is against the ordinance

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