

Hannah Hill

From: Ashley Campbell <ac8483bb@thompsonschoools.org>
Sent: Wednesday, January 27, 2021 2:39 PM
To: City Council
Subject: [External] Youth Vaping and Proposed Ordiances

Council Members and Major Marsh,

I am saddened to hear about the recent claims made in the Reporter Herald article regarding private text messages between council members during a public meeting about youth access to tobacco products. It has become abundantly clear that many council members have established their opinion on youth vaping and will not allow their stances to change, even when presented with the pleas of youth and parents. Nevertheless, I am compelled to write one last email to you urging the passing of the proposed tobacco retail license and full flavor ban. However, even if a comprehensive flavor ban is not passed, action still must be taken rather than delayed.

While I respect the City Council and the individual opinions of its members, the text messages shown in the article contain multiple claims that warrant a response. In response to the statement "do not cave," I simply have to ask who would you be caving to? Since the last council meeting on this topic, it feels like the only voices that are being listened to are the voices of retailers and business-owning city council members. "Caving" to the recommendations of health officials and youth isn't caving, it's doing what is right and protecting the youth of Loveland from life-long addiction and premature death. Any sort of "win-win" for businesses would be sacrificing youth by allowing loopholes that only benefit retailers and weaken the efficacy of policies, such as exempting menthol products or making stores age-restricted. Whether intentionally or not, the council continues to prioritize the tobacco industry and business profits over public health in this matter, and has repetitively shown disrespect to health partners and the youth of a city you were elected to serve.

If the council is not ready to implement a full flavor ban, at the very least I encourage you to pass the retail license on which everyone seems to be in agreement. While you deliberate and prolong votes without any policy changes, more youth become addicted.

In the past year and a half, I have remained patient and attended every stakeholder meeting and all but one city council meeting. There is little reason to continue elongating the process if your votes have not and will not change to protect Loveland youth. At the very least, the tobacco retail licensing should be passed, and it should be passed now. However, I will continue to support a full flavor ban because it is a policy I believe will have the greatest impact on future tobacco use by local youth. I am strongly encouraging you to put youth and public health first.

Respectfully,
Ashley Campbell

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Hannah Hill

From: bob massaro <massaror2001@yahoo.com>
Sent: Tuesday, November 17, 2020 10:24 AM
To: City Council
Subject: [External] Vaping

Follow Up Flag: Follow up
Flag Status: Flagged

Councilors,

It is my opinion that we need to stop or strictly control the sale of vaping produces. There is much evidence that this as well as smoking causes severe health issues. When companies market to our young people they are trying to gain market share with no regard to the health issues the follow. They are only interested in sales and have no responsibility of the down stream impacts on the individual or the cost to society related to the health costs.

Please move in the direction of protecting our young people from making bad decisions that have long term detrimental impacts on their lives and their families.

Bob Massaro

*****970-402-3678*****

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Hannah Hill

From: bob massaro <massaror2001@yahoo.com>
Sent: Sunday, December 6, 2020 9:44 PM
To: Kathi Wright - Councilor Ward II
Subject: [External] Flavor Ban

Kathi, I realize the difficult position you are in trying to decide how to vote on the flavored tobacco products. I could give you statistics on when kids start smoking or vaping, how many will become ill and possibly die, the impact on family members, the amount of money spent buying these products or the the cost of medical services required to help those that fall ill. I could do the above, but I'm going to ask you to do something different.

Sit down and actually draft a letter to a 15 year old student that is to be opened 35 years from now when that 15 year old is 50 in a hospital fighting cancer. Explain to the 50 old family man or woman how you came to the decision to vote for or against the flavor ban. Be specific, describe the factors that brought you to the decision. Was supporting businesses in our community more important, or was the long term health of that 15 old a higher priority? Will that 50 year old be supportive of your rational for your vote?

I have used this method. If done properly, it takes the emotions out of the issue, and forces us to concentrate on the facts surrounding the issue at hand. Emotions can color our decisions but being forced to document the facts, can bring the facts into clear focus.

I believe you know where I stand on this issue, I hope this may help you reach a decision on how to vote Tuesday.

Stay Safe.

Sincerely,

Bob Massaro

*****970-402-3678*****

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Hannah Hill

From: Bob Stucklen <stucklen@q.com>
Sent: Friday, January 1, 2021 6:51 AM
To: City Council
Cc: 'Bob Stucklen'
Subject: [External] flavored vaping products

Dear City Council members and Mayor Jacki,

I write in praise of our Mayor and the 3 members of City Council, who opposed allowing children to be exposed to the health hazards of flavored vaping products, especially with the added hazard of COVID-19. I cannot imagine Kathy Wright being on the fence about this with the excuse that it affects business that sell these products. For the 4 members who voted to keep flavored vaping products legal, I beg each of you to reconsider. Do you want your children, grandchildren and all children who may become addicted to these products and suffer the adverse health hazards they pose? They may not even be buying them but have them offered by a (friend)? Or (friendly relative)?

Many teachers and educators have repeatedly expressed serious concerns and pleas that these products be made illegal and removed. They feel that businesses selling these products endangering our children should not be prioritized over the lives and health of all our children. I fervently agree with them.

Sincerely,
Deborah Stucklen
970-667-4350
Loveland, CO 8038

Hannah Hill

From: Brian Fojtik <brianfojtik@natocentral.org>
Sent: Monday, November 30, 2020 1:57 PM
To: Ward IV - Don Overcash
Subject: [External] Re: Letter of Objection Regarding Action on Second Reading, Ordinance No. 6443 (A) - Youth Vaping Committee

Thank you, Councilor Overcash.

Here is my concern. I am a member of the Youth Vaping Committee who just sent this letter which is pretty substantial. I have been in all the Zoom meetings, the work session and other Council meetings on this issue since September. I feel that I need to testify, address the letter and explain our concerns on behalf of local businesses. In past meetings, we could only have one testifier and I want to jeopardize my opportunity to speak (or answer any questions posed to me in the Zoom hearing from Council members). I would welcome any questions from you about how local businesses have been excluded from the process that selected the ordinance up tomorrow.

Interestingly, every member of the Youth Vaping Committee is comfortable with and supports the licensing provisions. I think pretty much every member of the Council and all local businesses (that didn't participate in the creation of the ordinance and were excluded from that process) are comfortable with that portion of the bill. Hopefully my concerns resonate with some of your colleagues who could amend the version up for Second Reading to remove the flavor ban portion. That issue could be considered by the Council, local businesses and others in 2021 to see if anything is necessary and ensure that local business interests are considered.

If you have thoughts about my first question, I'd be interested in your input.

Thank you again for your comments here and last week in Council and prior to then.

Sincerely,

Brian Fojtik

NATO Local Consultant
brianfojtik@natocentral.org
312-415-3924

From: Ward IV - Don Overcash <Don.Overcash@cityofloveland.org>
Sent: Monday, November 30, 2020 1:41 PM
To: Brian Fojtik <brianfojtik@natocentral.org>
Cc: Temp CCMail <TEMPCC@cityofloveland.org>
Subject: Re: Letter of Objection Regarding Action on Second Reading, Ordinance No. 6443 (A) - Youth Vaping Committee

Brian,

I concur with the sentiment of the letter and request. Please ask that it be read as "Citizen comment" during the meeting Tuesday night. Send that request to Hannah.hill@cityofloveland.org<mailto:Hannah.hill@cityofloveland.org>

Or you can call into the meeting and make verbal comments-see instructions on agenda
[HTTPS://cilovelandco.civicweb.net/portal/](https://cilovelandco.civicweb.net/portal/)

Sincerely,

Don Overcash
Mayor Pro Tem
Cell 267-664-4957
Loveland City Councilor, Ward 4
Loveland, co

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On Nov 30, 2020, at 1:27 PM, Brian Fojtik <brianfojtik@natocentral.org<<mailto:brianfojtik@natocentral.org>>> wrote:

LETTER OF OBJECTION

DATE: November 30, 2020

TO: Mayor Jacki Marsh
Councilor Rob Molloy
Councilor Richard Ball
Councilor Kathi Wright
Councilor Andrea Samson
Councilor John H. Fogle
Councilor Steven D. Olson
Councilor Dave Clark
Councilor Don Overcash

FROM: Brian Fojtik
Member, Loveland Youth Vaping Committee
Consultant to National Association of Tobacco Outlets (NATO)

RE: Letter of Objection Regarding Action on Second Reading, Ordinance No. 6443 (A) Amending Title 5 of the Loveland Municipal Code And Creating Chapter 5.45 Concerning the Licensure Of Tobacco Product Retailers and the Sale of Tobacco Products Including Flavored Tobacco Products

Dear Mayor Marsh and Members of the Loveland City Council:

My name is Brian Fojtik and I write to you today both as a member of the Loveland Youth Vaping Committee and as a Colorado-based consultant to the National Association of Tobacco Outlets, a national retail trade association

representing over 60,000 member stores throughout the United States, including Colorado and Loveland.

I write on behalf of our Loveland retail members and Loveland retail businesses, their employees and adult customers. We object to a vote on Second Reading of Ordinance No. 6443 (A) at the City Council meeting on Tuesday, December 1, 2020 for a number of reasons. As passage of the ordinance will cause employee layoffs and store closures during a global pandemic and during the holidays, our requested relief is simple. We respectfully request that you not vote on the ordinance on December 1 and begin a process to include input from Loveland retailers and consideration of other options that are more focused on youth vaping and less harmful to local retail businesses. We believe that it is more important (and fair) to get this right, than simply rush to get it done as quickly as possible.

Loveland retailers object to a rushed vote for some of the following reasons:

The "Stakeholder Process" Has Excluded Every Single Loveland Retail Business

There are 53 retail businesses that would be negatively impacted by this action. These businesses, their employees and their adult (21+) customers are the only financial stakeholders on this issue (other than lost revenue to the City of Loveland). With local businesses already struggling with revenue losses due to the pandemic, the decision to change the focus of the ordinance beyond youth vaping and overreach by extending the ban to the sale of over 700 non-vaping flavored tobacco products to adults 21 and over will devastate these businesses, cause layoffs and store closures.

Allow me to highlight the fundamental problem with the process and a rush to vote on Tuesday. On July 16, 2020, I received a forwarded email from a colleague. The email forwarded to me was originally sent on July 1, 2020 from Amber Greene to members of the Youth Vaping Committee. The email included the two chosen ordinances recently put before the City Council that have remained as options since then, with only minor, technical changes made by the Loveland legal counsel.

When the ordinances were actually selected, or by whom or how, I cannot say. All I can say is that 53 local businesses impacted by the ordinance were not included in the process nor informed of the actions being undertaken to enact prohibition in the City of Loveland. When the mission of the Youth Vaping Committee expanded beyond youth vaping, I cannot say. All I can say is that when the decision to include a ban on the sale of over 700 additional non-vapor flavored tobacco products was finalized, the 53 local businesses impacted by the ordinance were not included in the process. It is unfortunate and inexcusable when a local government process referred to as a "stakeholder process" fails to include dozens of local businesses, the only ones with an actual financial stake in this process.

Upon receipt of the forwarded email on July 16, 2020, I contacted City Manager Stephen Adams. He was kind enough to put me in touch with city staff working on the Youth Vaping Committee, Amber Greene and Vincent Junglas. I requested consideration to join and Amber Greene immediately welcomed me to the Committee, which I appreciated. One local vapor business (subsequently closed) and a statewide vapor industry organization were prior members. I, however, was the only person on the committee now representing current Loveland retailers that will be impacted by this ordinance.

As indicated, the two ordinances were selected prior to my joining the Committee. These ordinances are Ordinance Options A and B, with which you are familiar. Both established a local retail tobacco license. One also included a ban not only on flavored vaping products, but a ban on hundreds of other flavored tobacco products that have nothing to do with youth vaping. According to a Loveland Reporter Herald newspaper story, the City Council and Youth Vaping Committee held a meeting on November 20, 2019. As the story reports, the Committee was formed following a "Rule of Four" in April of 2019. And the news story reported that "most of council supported additional licensing and raising the minimum purchase age of vaping products to 21, but remained undecided on the issue of banning flavored vaping solutions."

Sometime between November 20, 2019 and July 1, 2020, the mission and scope of the Youth Vaping Committee apparently changed and radically expanded and two ordinance options were selected for consideration without reaching out to local retailers for any input or reaction. I joined the Committee on July 16, 2020. I participated as a member in

one virtual meeting. The meeting included no discussion of substantive alternatives or options regarding other ordinances. The agenda focused entirely on explaining what was included in the previously chosen ordinances and explaining the process for the upcoming (September 8, 2020) work session with the Council to discuss the two ordinances.

The November 24, 2020 City Council Meeting Excluded Consideration or Discussion of Other Ordinance Options and Excluded Input From Members of the Youth Vaping Committee Who Were Given Options By City Staff and Asked to Provide Input to the Council About Each

As established above, Loveland businesses were excluded from the process that led to the selection of the ordinances. Amber Greene also shared additional ordinances, drafted by the city, for the Committee to consider. We considered the information and request to members of the Youth Vaping Committee members to provide input as a hopeful signal that the Council would consider all options and that the local business community would finally be part of the process of crafting an appropriate ordinance. We did not provide these ordinance options to the City, but we welcomed the opportunity to weigh in from a local business perspective. We were pleased the Council would consider other options and take input from us as members of the Committee, which is of course not only your prerogative, but also your responsibility as a Council.

On November 24th, at least one Council member objected to consideration of options beyond what a stakeholder-less stakeholder process had provided. Sadly, affected local businesses were excluded from that process and the Council has no authority to limit options to those offered by a Committee of various special interest groups. The City Council does have a responsibility to consider those interests and determine the best path forward, whether that includes the specific ordinance proposals offered as written or amending them. To suggest the Council can only consider verbatim ordinances provided by an advisory committee without the freedom to amend or alter them is, on its face, absurd. Likewise, whatever the majority of an advisory committee recommends is in many respects immaterial to what the Council should do. It's merely advice. And in this case, most Youth Vaping Committee members (excluding myself) have an interest in passing as broad an ordinance as possible with little concern for local business, while others (including myself) work to ensure action is reasonable and within the ability of local businesses to adapt. Throughout this process of choosing ordinance options – and again on November 24th – the interests of over 50 local businesses were excluded from the process.

A Vote on Second Reading on Tuesday, December 1, 2020 Sends an Inappropriate Message

It was suggested in the Council meeting on November 24th that this legislation was important because it sends a message that Loveland stands strong against “Big Tobacco” and wants to protect its youth by addressing the issue of youth vaping. Frankly, we agree with that part of the message about protecting Loveland Youth. However, when creating actual laws that impact lives and businesses, substance should matter, not just perceptions. Your local retailers are not “Big Tobacco.” They are your neighbors and have a stake in working on solutions to problems without jeopardizing their very existence.

The ordinance on Tuesday's agenda exclusively impacts adults 21 and over and local businesses. Excluding every local business that will be impacted from this process and rushing a vote on Tuesday, December 1, 2020 will arguably send a very inappropriate message about how Loveland works with local, law-abiding businesses and the laws that impact them.

In fact, such a vote would be contradictory to statements that the city makes on its website. Under the “Business” tab on Loveland's website under the heading “Our City,” the following claims are made:

“Loveland is Open for Business! From small business owners to entrepreneurs to CEOs, Loveland is the place to be. Loveland is growing, and we want you to be a part of it. The entrepreneurial spirit is vibrant and runs deep in our community.”

How can Loveland claim that it is the “place to be” for convenience stores and service stations, which rely on tobacco product sales as an important part of their business, when a substantial number of tobacco products such stores sell would be banned by Ordinance 6443(A)? How can local retailers “be a part of it” when they have never been included in the stakeholder process in the first place? How can the “entrepreneurial spirit run deep” when the adoption of Ordinance 6443(A) would absolutely result in employee layoffs and store closures?

The Loveland businesses that would be impacted by this ordinance are already struggling with massive loss of sales and profits because of COVID. Most of them were deemed “essential” by the Governor and federal government just months ago. Just as with Loveland restaurants and other local businesses, these retailers are trying to stay afloat during extremely trying times. These businesses share your concerns about youth vaping and should have an opportunity to work toward constructive solutions that focus on the specific problem while including the perspective of their businesses. Taking a vote on Tuesday sends a very anti-business message because the government’s actions have ignored the very local businesses that have struggled due to of the pandemic, all while the city’s website proclaims Loveland has a pro-business environment.

Additionally, it is absolutely worth noting that the those Loveland businesses affected by this ordinance that were excluded from the process of formulating the ordinances are often small family-owned businesses. In Loveland and elsewhere, these businesses are disproportionately owned and operated by new American immigrants – people of color for whom English is not their first language, trying to achieve the promise of the American dream for themselves and their families. Rushing to vote on Tuesday would send a message that the City Council simply does not care about the treatment of these immigrant business owners.

Finally, the Youth Vaping Committee was created over 19 months ago. The Council meeting in question occurred less than one week ago. In between, was a national holiday when people are hopefully traveling and visiting safely with family and celebrating that holiday as we begin the Christmas season. And according to the CDC and the FDA, the latest data on youth vaping is that underage vaping is decreasing. Nearly two million fewer youth are vaping than when this process began. We don’t know if this downward trend will continue, but hopefully it will. For a process that began 19 months ago, there is no reason rush to push through a proposal during the holiday season when the impact of a vote on Tuesday would certainly result in Loveland employees being told they are losing their jobs and business owners being forced to close their doors. Rushing to push this ordinance through now doesn’t just send an inappropriate message, it’s insensitive and unnecessarily cruel. As much as anything, that is why I am still here encouraging you to consider our substantive and respectful objection.

In closing, I also wanted to make one thing very clear. The City of Loveland employees with whom I have had occasion to interact since July included three different people. I had a brief interaction with City Manager Stephen Adams and more frequent interactions with Amber Greene and Vincent Junglas. All three have always been extraordinarily professional and responsive. On behalf of the Loveland businesses we represent, I wanted the Council to be aware and to know we appreciate that professionalism.

For the reasons indicated above, as a member of the Youth Vaping Committee and on behalf of the Loveland businesses I represent, we respectfully request that a vote not be taken on Tuesday and that this issue be carried over with time to consider the scope of an ordinance and the impact on already struggling local businesses.

Thank you.

CC: City Manager, Stephen C. Adams
City Attorney, Moses Garcia
Amber Greene, City of Loveland
Vincent Junglas, City of Loveland
Members, Loveland Youth Vaping Committee

Brian Fojtik
National Association of Tobacco Outlets (NATO)
312-415-3924 / cell

<NATO Letter of Objection (Loveland) 11-30-20.docx>

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Hannah Hill

From: Cameron Salazar <Cameron.Salazar@kumandgo.com>
Sent: Tuesday, November 24, 2020 9:53 AM
To: Clerk; Rob Molloy - Councilor Ward I; Richard Ball - Richard.Ball@cityofloveland.org; Kathi Wright - Councilor Ward II; Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash

Dear Mayor Marsh, Mayor Pro Tem Overcash, Councilor Molloy, Councilor Ball, Councilor Wright, Councilor Samson, Councilor Fogle, Councilor Olson, and Councilor Clark,

I'm writing to you today as a concerned business owner here in Loveland. I've recently heard the city council is proposing two ordinances: one that would require tobacco retailers to be licensed, and one that would require tobacco retailers to be licensed but in conjunction with a full tobacco flavor ban. I stand ardently opposed to a flavor ban as it would cripple my business, but as a retailer who has always been compliant I am supportive of the tobacco retailer licensing and the updates that would be made to the municipal code regarding licensing.

It is important for our retailers to be responsible as we are the first line of defense when it comes to keeping tobacco products out of the hands of minors. These modified regulations around tobacco retailer licensing are common sense and the city of Loveland should adopt this ordinance, but without pursuing a full flavor ban.

As it is, Proposition EE recently passed in the state of Colorado which increases the tax on tobacco products including vaping products and is effective as of January 2021. This tax will already drive customers away from purchasing tobacco products from retailers in our state due to the economic burden it will place on them, so implementing a city-wide flavor ban would only further decimate our revenue. Tobacco sales account of 36% of in-store sales and are relied upon by retailers to keep their lights on and doors open—please don't take away further revenue from us through banning the sale of flavored tobacco products.

A tobacco retail license coupled with State Action (Tobacco 21) and Proposition EE tax increases, would give no reason to move forward with a flavor ban in our city. We've priced minors out of the market through responsible regulation. I think it's important to note that Proposition EE funding is for Pre-K education so ban on the sale of flavored tobacco products in Loveland will limit revenue for Pre-K which was one of Governor Polis' priorities.

As you continue to deliberate on these ordinances I ask that you take into consideration the current plight of small businesses throughout our city and only move forward with the tobacco retail licensing and drop the pursuit of a flavor ban which would have detrimental and unintended consequences in our city.

Sincerely,

Cameron Salazar

General Manager

Kum and Go #995



Where **&** means more:

Cameron Salazar

General Manager

Store 0995

Direct: (970)-612-0112

1600 E Eisenhower Blvd | Loveland, Colorado 80537

kumandgo.com

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Hannah Hill

From: Christine Bonilla <ca.bonilla.9814@gmail.com>
Sent: Wednesday, November 18, 2020 12:05 PM
To: Rob Molloy - Councilor Ward I
Subject: [External] Please reject proposals to ban flavors.

Dear Mr. Molloy,

I am writing as a voter and a taxpayer in Loveland urging you to support sensible regulation of the nicotine vapor industry. We know that, in some cases, harsh regulation like a flavor ban will actually push people back to smoking.

According to FDA regulations, vapor companies are not allowed to market their products as smoking cessation drugs or devices. In spite of this, vaping is helping millions of people quit smoking. According to a recent report from the Progressive Policy Institute, 60% to 80% of the accelerated decline in smoking can be attributed to the availability of vapor products. This is just one piece of evidence that vaping is helping people quit smoking.

Please resist calls from well-meaning but misinformed activists to ban flavored vapor products and other safer alternatives to smoking. It should be clear now that such drastic action would cause irreparable harm to the people it is intended to protect. Forcing legitimate specialty retailers to close may expose consumers to unnecessary risks including shopping on an unregulated underground market and even returning to smoking.

I along with my fellow members of Consumer Advocates for Smoke-free Alternatives Association (CASAA) thank you for considering my comments on this issue. Please know that the vaping community are your allies in addressing concerns about youth use and we are open to working toward a positive way forward. I look forward to your response on this issue and I am available for any questions you might have.

Sincerely,
Christine Bonilla
1620 Ranae Dr
Loveland, CO 80537

Hannah Hill

From: Clyde a Wentworth <allen.wentworth@icloud.com>
Sent: Tuesday, December 8, 2020 7:44 PM
To: City Council
Subject: [External] Public Comment of tonight's flavor ban issue

Hello Mayor Marsh and Council Members,

My name is Allen Wentworth. I'm a Respiratory Therapist and the son of a WWII veteran that died from COPD. My father was given free cigarettes with his rations, which was intended to addict young men early in life so they could make profit off of a life long consumer.

I was on the phone hoping to testify tonight. However, after testifying before 8 different city councils over recent years I was appalled with what I was hearing from who I believe was councilman Clark. Forgive me if I the wrong Councilman. I have never listened to a more unprofessional dialogue. I am mature enough to know I would have reacted as unprofessionally. Therefore, I chose to take the high road hang up.

I held the hand of my father, who smoked menthols as he gasped for his last breath in our family home. I have held the hand of many (over 40 yrs as an RT, 100s) COPD patient's as they passed due to a life long addiction and a target of the tobacco industry.

Over the past 4 plus years I've taken care of teenagers and young adults requiring mechanical ventilators to survive. Yes, I personally contributed to the care of 3 that died. The survivors thought vaping was harmless steam as the tobacco industry portrayed. They ALL used flavored products.

I'm sure Councilman Clark has never experienced intimately, holding hands and looking into the eyes of those killed by the tobacco industry. Unfortunately, I'm sure the previous statement will have no impact on the councilman.

I live in Highlands Ranch. I felt like Councilman Clark was trying to nail down a point that if you don't live in Loveland and weren't invited, you shouldn't be testifying. Therefore, the council appeared to be shunning away subject matter experts wanting to testify. I sincerely hope this isn't standard practice.

The council needs to put the health of its citizens over the profits of the industry. There are far better, healthier businesses of which to make profits.

If anyone would like to contact me in regards to this correspondence please feel free.
Email: Allen.wentworth@icloud.com, Cell: 303 915-4840.

Thank You,
Allen Wentworth, RRT, MEd, FAARC

Sent from my iPhone

Hannah Hill

From: Diane Littlefield <diane.littlefield@gmail.com>
Sent: Wednesday, December 9, 2020 7:15 PM
To: Ward IV - Dave Clark
Subject: [External] question on the proposed ban

Hi,

I was unable to attend the council meeting Tuesday night, but hope my letter against the ban was read. I forgot to point out that the deaths this year attributed vaping with teens was due to laced Black Market products. Bad news if they are banned here.

I am adamantly opposed to the ban for many reasons I outlined in the letter. But that's not my question!

I don't feel the Reporter-Herald is explaining the contents of this ban correctly. I understand flavors are a big part of the requested ban. But it says "vaping, smoking and tobacco products".

Does this include e-cigarettes, regular cigarettes, pipe tobacco and cigars?

I really don't need to get angrier about this, but definitely will if it includes everything. We are talking about complete businesses being shut down that have been here for years! Not to mention adults not being able to get any tobacco products - that just might cause a riot.

I would appreciate it if you could clarify for me what the proposed ban includes.

Thank you,

Diane Littlefield

Hannah Hill

From: Grier Bailey <gbailey@cwpmma.org>
Sent: Tuesday, December 1, 2020 10:13 PM
To: Jacki Marsh - Mayor; Rob Molloy - Councilor Ward I; Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash
Subject: [External] Re: Proposed ordinance on Licensing and Banning Flavors

I am a big one for process so I thought I would follow up with you online.

The assertion that CWPMA has never run legislation on statewide licensing is patently false attached you will see bi partisan legislation that would have imposed statewide licensing on retailers that was killed by the health community because in their view it was not punitive enough on retailers and went to far towards state uniformity

B18-139

Statewide Regulation Of Products With Nicotine

Concerning statewide regulation of products that contain nicotine.

SESSION:
2018 Regular Session

SUBJECT:
Liquor, Tobacco, & Marijuana

BILL SUMMARY

Sections 2 through 4 of the bill establish a licensure requirement for retailers who sell cigarettes, tobacco products, or nicotine products (products). Beginning January 1, 2019, it is illegal for any person doing business in the state to sell or offer for sale products without first obtaining a license as a retailer from the division of liquor enforcement in the department of revenue (division). A retailer with more than one location is required to have a separate license for each location.

The division will establish the license application and is required to grant a license to an applicant if it meets the statutory requirements. There is no fee for a license and the license is valid until it is surrendered or revoked. A retailer is required to conspicuously display the license. **Section 1** permits money that is appropriated to the division from the tobacco education programs fund to be used for the licensure of retailers, and it increases the required annual appropriation from the fund from \$300,000 to \$1 million.

Section 6 prohibits an entity from receiving a grant for tobacco education, prevention, and cessation if any money would be used to:

- Advocate for a local government to impose a license requirement, fee, or tax on a retailer or impose a tax on tobacco products in any manner; or

- Support a statewide ballot measure that would impose a local license requirement, fee, or tax on a retailer or impose any type of tax on cigarettes or tobacco products.

An entity is likewise prohibited from using a grant award to supplant other money that is in turn used for these prohibited purposes. Any prior grant that was to be used for these prohibited purposes must instead be used for tobacco education, prevention, or cessation.

Under current law, an amount equal to 27% of gross cigarette sales are distributed to cities and counties in the state, but to be eligible for this distribution a city and county must not impose a fee, license, or tax on any person as a condition for engaging in the business of selling cigarettes or impose a tax on cigarettes. **Section 8** expands the condition for receiving state money to include the same prohibitions for other tobacco products and nicotine products and it establishes another condition that a local government must not ban any person from selling cigarettes, other tobacco products, or nicotine products for any period of time.

(Note: This summary applies to this bill as introduced.)

[Read Less](#)

On Mon, Nov 30, 2020 at 4:39 PM <gbailey@cwpmma.org> wrote:

Members of the Loveland City Council,

Please accept these comments for your consideration. CWPMA is the statewide association for Fuel marketers and Convenience stores. We have over 1800 of the state's convenience stores in our association and after reviewing the proposed ordinance I wanted to reach out on behalf of our member's stores in your city and urge you to consider the following:

Colorado retailers, due to action at the state legislature this last spring, will be investing over 2 million dollars per year for the state to hire almost 20 full time tobacco inspectors through a comprehensive statewide licensing program. This program which is on top of the almost 4,000 FDA inspections conducted with Colorado partners, will ensure that every retailer in Colorado will have the oversight necessary for enhanced compliance and already exceeds the inspection threshold that the proposed ordinance envisions. Federally reported Synar compliance rates, and searchable FTC databases, indicate that Colorado retailers exceed a 90% compliance rate. That said, retailers who misstep in communities need to continue to be held accountable.

What we cannot understand, and in light of Proposition EE that just passed (tying pre-k education and rural school funding to excise taxes on these products) is why you would consider banning the use of products from adults, or undercutting the responsible retailers in your community. It seems odd that the same clerks and businesses that our Governor and Local Public Health Agencies hold accountable for enforcing public health orders, social distancing requirements and being essential industry partners, are being unkindly viewed on this issue.

Please, as it applies to traditional tobacco products, do not forward the flavor ban portion at all. Taking away existing sales from our members on products that have been sold responsibly *before vaping was even invented* does nothing except cut out the legs from businesses in your community and drive sales to surrounding cities. Banning flavored products in any category will have a catastrophic effect on specialty stores and we urge you from a small business perspective to consider the effect on those businesses, as they have simply closed in other communities.

The Association believes that retailers in Loveland, while not perfect, are responsible stewards of age restricted products and do not need to have local government partners legislate sales away. Alternatively, you might consider seeing how effective the "industry changing" state laws will be at addressing the policy goals you are trying to get to.

On a couple of technical notes –

- While the ordinance is clear in that existing businesses are grandfathered into the licensing setback requirements. It is unclear if an operator who buys a grandfathered location would still be grandfathered in or if the business will be ultimately devalued by having the entire product category eliminated by ordinance. The City should consider adopting the same language that the behavioral control community agreed to in HB 1001.
- We have worked collaboratively with several municipalities on “youth populated centers language” and our review is that this version is very restrictive. We would be curious to hear evidence that retailers in Loveland have sold to children in private preschool or kindergarten. While limiting sales near high schools is somewhat common, it is markedly less so near places where youths have no access to money. Further with the new signage/advertising restrictions and behind the counter sales requirements that passed this year behavioral control advocates concerns about marketing have been addressed.
- There is nothing in the ordinance that holds social sources accountable for providing restricted products to citizens in Loveland under 21. Every study indicates the primary source for youth are social sources, not retailers, and as licensing will be used how is the city planning to address the social sources issue.
- You may consider adding a penalty for local law enforcement to enforce smuggling, especially if you enact a flavor ban. Statewide almost 9% of all products used are smuggled into the state undercutting state and local tax base by 10’s of millions of dollars and that number will dramatically increase once proposition EE is fully implemented (especially considering the new minimum price floor and ad valorem excise tax on vaping products) in the state.

Thank you for your time and service in reviewing our comments on behalf of my members in your community.

Respectfully,

Grier Bailey

Grier W. Bailey
Executive Director
CWPMA
Colorado Wyoming Petroleum Marketers Association
303.422.7805 (W) 303.902.0132 (c)
gbailey@cwpmma.org



Please reach out to me directly with any questions, or thoughts I can help with.

Thank you for your time respectfully submitted,

Grier Bailey

Grier W. Bailey
Executive Director
CWPMA
Colorado Wyoming Petroleum Marketers Association
303.422.7805 (W) 303.902.0132 (c)
gbailey@cwpmma.org

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Grier Bailey
Executive Director
Colorado/Wyoming Petroleum Marketers Association
gbailey@cwpmma.org
(c) 303 902-0132
www.cwpmma.org



Hannah Hill

From: Jeanette Snyder <jeanette.snyder@mineralstech.com>
Sent: Friday, December 11, 2020 12:29 PM
To: Jacki Marsh - Mayor; rob.malloy@cityofloveland.org; Andrea Samson - Ward II; Ward III - Steve Olson; Ward IV - Don Overcash; Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Ward III - John Fogle; Ward IV - Dave Clark
Subject: [External] Vapor and Smoke-free Flavor Ban comment

I am writing as a registered voter and taxpayer in Loveland urging you to reject the proposed ban on flavored vapor products and other smoke-free alternatives.

I changed from smoking cigarettes to vaping a while ago and I am not a child or even close to being a minor. The vaping has increased my lung capacity and physical abilities **in comparison** to smoking tobacco cigarettes. The smell is non-existent and the vapor exhaled is near to none. There is no second hand smoke to annoy or cause harm to others. I'm over 55 and a working resident of Loveland, Colorado. When purchasing vapor products from the local retailer, I'm required to show my Driver's License, which they scan at the Point of Sale. They also limit the quantity that I can purchase to 4 packs of pods.

If the local business who is trying hard to do the right thing cannot keep our children safe by scanning driver's licenses and limiting sales to those of legal age, then how are liquor stores keeping our children safe from alcohol all these years by requiring an ID. Kids do not get their hands on vapor/alternative tobacco products, drugs, and alcohol from local retailers. They get it from their home or their friends homes. How will you hold parents responsible for their children's actions once you have banned flavored vapor products? Colorado has already banned flavored products so you are only talking about Menthol, which trust me, is not a flavor. Banning Vapor Menthol products will only push people back to cigarettes which come with second hand smoke, fire hazards, litter issues and is actually supporting Big Tobacco.

I hate to see local businesses hurt especially after the past COVID 19 year of 2020. If I have to leave Loveland to purchase menthol (which is not a flavor) vaping products, then I might as well shop in Fort Collins for my gas, groceries, and clothing on the same day. You are pushing sales tax dollars and revenue to Fort Collins and are hurting the local Loveland businesses. I'm sure there are others who feel the same and may make the one trip per week to Fort Collins or outside of the county.

I ask that you keep your decisions based on what is best fiscally for the city such as; how to controllably grow the city, how to manage the city using fiscal responsibility, how to bring in revenue to this city, and how to support local business. Please partner with the local retailers to come up with ways to protect kids from smoking. Stopping the flow of flavors will not stop smoking or use of Smoke-Free alternative products, just as marijuana used to be illegal, everyone still was able to get it. Alcohol is not legal for minors, and still minors are able to get it. You can't legislate morality but you can work with retailers and keep ADULTS and children in mind in your decisions.

I ask that you **not pass** the ban on flavored (menthol) vapor and other smoke-free alternative products within the City of Loveland.

Sincerely

Jeanette Snyder
Senior Integration & Process Improvement Manager
Minerals Technologies Inc
E: jeanette.snyder@mineralstech.com

Hannah Hill

From: Danforth <jimbonz@comcast.net>
Sent: Wednesday, December 9, 2020 4:04 PM
To: City Council
Subject: [External] concerning the proposed ban on flavored tobacco and e cigarette products

My name is Jim Danforth. I live at 3319 Barela Ct.. I am a retired family physician, having practiced family medicine and hospice care for 35 yrs. I am in favor of a ban on the sale of flavored e cigarettes and flavored tobacco products in Loveland. Let me explain why: I spent a good deal of my time treating the health effects of smoking and caring for those dying because of it. Smoking related diseases cost this nation over \$300 billion every year in direct medical costs and lost productivity. Our goal, yours and mine, should be to make it difficult and expensive to become addicted to nicotine, whether in tobacco products or e-cigarettes. After that, adults can decide.

Teens and youth are another issue. The law, as you know, prohibits sale to people under 21. But youth finds a way to obtain it. The important fact is that the overwhelming choice of new youth users are flavored products. This is where we need to put our emphasis. In direct contradiction to Mr. Gardner, who spoke to you last night, nicotine is a dangerous neurotoxin, especially to people up to 25 when, on average, the brain becomes mature. E cigarettes deliver high levels of nicotine to the youthful brain and cause the development of nicotine receptors. Addiction is a result of the formation of these receptors which creates the craving that keeps the user hooked. Studies have shown that young brains can also develop problems with attention, learning and memory issues. Youth vaping increases the risk of also using tobacco products. Since e cigarettes deliver large doses of nicotine, there is no evidence that they are helpful in helping tobacco users get off the nicotine wagon. Why not prevent the addiction first.

E cigarettes produce formaldehyde, acetaldehyde, toxic metals nickel, lead, chromium, propylene glycol, benzene and ultrafine particles that can carry these chemicals deep into the body. Even limited use can cause lung damage. With our current Covid pandemic and recent rash of wildfires, our lungs are already at risk.

The ban on only flavored tobacco and e cigarettes will allow unflavored alternatives to be sold and consumed by adults. But eliminating the availability of the provocative flavored products will save some of our youth from the risk of addiction and a lifetime of poor health.

Thank you for your consideration. James C. Danforth, MD, 3319 Barela Ct. 80538

Hannah Hill

From: Jodi Radke <jradke@TobaccoFreeKids.org>
Sent: Thursday, December 3, 2020 6:45 PM
To: City Council
Subject: Flavor Ban Policy Facts -Convenience Store Impacts+
Attachments: Loveland Economic Opposition Document 12.2.20.docx; Flavored Tobacco Key Data Points_9.18.20.docx; Don't Defer the Protection of Loveland's Kids to FDA.docx; Loveland Sales to Kids 2017.pdf; Loveland Sales to Kids 2018.pdf; Loveland Sales to Kids 2019.pdf

Hello Mayor Marsh and Councilmembers,

I'm including a few items that I thought might be helpful in your considerations to protect Loveland's kids from the harms of tobacco. As a Taskforce member, it's been important for us to separate fact from fiction. We hope that is true for you as well. Based on the tobacco/vaping/convenience store's efforts to detract, deflect and delay action on Tuesday, (fear tactics driven to prevent policy that prioritizes kids' health), I felt it was important to send factual, sourced, and documented information, which has helped inform the decisionmaking and our recommendations.

- 1) Factsheet with sources (attached) – **“Countering Tobacco Industry Claims on the Economic Impact of a Policy that Will Reduce Use of Menthol Cigarettes”**

An excerpt from this factsheet, some of which I referenced in my comments on Dec 1st:

The tobacco industry enlists convenience stores to promote their products and oppose policies.

- Tobacco companies have enlisted convenience stores as important partners in marketing tobacco products and fighting policies that reduce tobacco use. Tobacco companies pay stores to ensure that cigarettes and other tobacco products are advertised heavily, displayed prominently, and priced cheaply to appeal to both kids and current tobacco users. In 2019, 73% of middle and high school students reported being exposed to cigarette or other tobacco product marketing when visiting a retail store, such as a convenience store.^[i]
- Paying retailer groups, like the **National Association of Convenience Stores (NACS), the National Association of Tobacco Outlets (NATO)** and local convenience store organizations to oppose tobacco control policies enables the tobacco industry to put a local business face on its efforts to protect its bottom line at the expense of public health.^[ii]

- 2) You heard directly from Mary Szarmach, who owns Smoker Friendly in Loveland, threaten to close her doors if a flavor ban policy passes that protects Loveland's kids. She's made similar threats to other elected officials, but has yet to follow through. This is a tactic used to scare elected officials. Here is an example of one of her previous threats. You'll note here that they remain headquartered in Boulder, despite the veiled threats to then former Governor Hicklooper she would relocate her business, <http://smokerfriendly.com/contact-us/>

Link: <https://www.cspdailynews.com/tobacco/governors-veto-causes-cigar-company-move>

TOBACCO

Governor's Veto Causes Cigar Company to Move

Decision on Colorado tax credit leads Smoker Friendly to head to FloridaBy [Angel Abcede](#) on Sep. 04, 2018

BOULDER, Colo. -- Prompted by action by Colorado Gov. John Hickenlooper, officials with **Smoker Friendly International** said they will move its subsidiary, Payless Cigars & Pipes, from its Boulder headquarters to New Port Richey, Fla., near Tampa Bay.

The announcement, made in a letter from Mary Szarmach, senior vice president of governmental and external affairs for Smoker Friendly, said the governor vetoed Senate Bill 18-179, which would have extended a credit on cigars and other noncigarette tobacco products for distributorships that sold to out-of-state, adult consumers.

“Colorado allows this type of credit for every other commodity that has a state excise tax attached to it, including beer, alcohol and fuel,” Szarmach said in the letter dated Aug. 31. The original veto occurred on June 1.

“Is the Colorado economy ever good enough to send a good family business and its employees to another state? Gov. Hickenlooper has no answer to this question?” Szarmach wrote. “Colorado’s loss is Florida’s gain.”

In a **letter to senators**, Hickenlooper said he vetoed the bill because the number of companies benefitting from the tax credit appeared minimal and that “the negative health effects of cheaper tobacco are both significant and compelling.”

Smoker Friendly operates nearly 100 corporate-owned stores in five states. Another approximately 850 stores in 38 states are operated by licensed retailers. Smoker Friendly’s parent company, The Cigarette Store Corp., also operates the Gasamat chain of gas stations and convenience stores.

- 3) Flavored Tobacco Data Points across ALL products and use rates amongst kids, with sources. Attached.
- 4) Why the Federal process is failing our kids, and why Loveland should not wait. Attached.
- 5) Product Prohibitions Work. Marijuana use amongst kids in Larimer County (as a result of no sales permitted in Loveland and Estes Park) are some of the lowest in the state, and notably lower regionally when compared to Weld County and Boulder County. <https://cdphe.colorado.gov/center-for-health-and-environmental-data/survey-research/healthy-kids-colorado-survey-data>
- 6) Effect of Flavored Cigarette Ban in 2009, <https://www.sciencedaily.com/releases/2020/07/200715123129.htm> NOTE: When this change happened, it did not shutter local businesses. They modified their business model and successfully weathered the requirement.

Flavored cigarette ban significantly reduced youth smoking, new study finds

George Mason University study finds 2009 US Food and Drug Administration flavored cigarette ban reduced smoking by underage youth by 43% and young adults by 27%

- 7) **American Journal of Preventive Medicine**, “*Influence of the Flavored Cigarette Ban on Adolescent Tobacco Use*”, [https://www.ajpmonline.org/article/S0749-3797\(16\)30620-1/abstract](https://www.ajpmonline.org/article/S0749-3797(16)30620-1/abstract)

Conclusions

The results suggest the 2009 flavored cigarette ban did achieve its objective of reducing adolescent tobacco use, but effects were likely diminished by the continued availability of menthol cigarettes and other flavored tobacco products.

Increases included use of cigars, smokeless tobacco, pipes, and any tobacco products besides cigarettes.

- 8) Violations of Retailers in Loveland who sold to kids. Attached FDA Compliance Check Data, 2017 -2020. NOTE: Some businesses were NEVER checked in the year mentioned, and if so, only once, some every other year. List includes all product varieties, and multiple locations of those who sold to kids: convenience stores, vape shops, restaurants/bars, liquor stores, pharmacies and grocery stores. This is with a VERY limited amount of compliance checks.
 - 2017 - There were only 48 TOTAL checks for underage sales

- 2018 – There were only 34 TOTAL checks for underage sales
 - 2019 – There were only 69 TOTAL checks for underage sales
 - 2020 – As of 12/3, there have only been 4 TOTAL checks for the year in the City of Loveland
- 9) And, lastly, **Hidden Agenda: Tobacco Industry Interference with State & Local Policy**,
<https://www.tobaccofreekids.org/assets/factsheets/0389.pdf>

It's of no surprise to those of us who in tobacco control policy that the industry is hard at work to persuade you that Loveland's businesses will fail, force layoffs, and that our city will lose tax revenues, they will shamelessly work to find a talking point that "sticks"...that this should somehow legitimize protecting profits over kids' health. We've seen this all before. We've heard it time and again. What advances our work to protect kids' health are public health heroes, such as yourselves, who are willing to understand the tactics, the manipulation, and analyze the data, such as the nearly 300 municipalities who have done before you. They faced the same level of opposition, and in some cases more. We urge you to protect Loveland's kids.

Best, Jodi

Jodi L. Radke
 Director, Rocky Mountain/Great Plains Region
 Campaign for Tobacco-Free Kids
 PO Box 784
 Loveland, CO 80539
 O - 202.481.9385/800.803.7178, ext 3085
 C - 970.214.4808/F - 866.743.8418
jradke@tobaccofreekids.org

^[1] CDC, "Tobacco Product Use and Associated Factors Among Middle and High School Students—United States, 2019," *MMWR*, 68, December 6, 2019, <https://www.cdc.gov/mmwr/volumes/68/ss/pdfs/ss6812a1-H.pdf>.

^[2] Campaign for Tobacco-Free Kids, American Heart Association, Counter Tobacco, *Deadly Alliance: How Big Tobacco and Convenience Stores Partner to Market Tobacco Products and Fight Life-Saving Policies, 2016 Update*, December 15, 2016, http://www.tobaccofreekids.org/content/what_we_do/industry_watch/store_report_slideshow/Deadly_Alliance_2016.pdf.

Hannah Hill

From: Mixed Up <thecharguy@gmail.com>
Sent: Tuesday, December 8, 2020 9:51 PM
To: City Council
Subject: [External] Tobacco flavor

To say that business being affected is a scare tactic is absolutely ludicrous. Go into smokey monkey go into any vape shop then tell me that they won't be affected. Of course they will flavors are probably 2/3rds of their stock. Those two business will be forced to close or relocate just outside of city limits. The fact that I was diagnosed with COPD at the age of 30 is scary. My doctor said I'm the youngest he had ever seen to get that diagnosis. The fact is I'm breathing better and no longer need to use a rescue inhaler. This is thanks to my flavored vape! The fact that our city council is even considering this is ridiculous. And many many many voters will remember this come election time. My pulmonary doctor Dr. Milcheck with UC health agreed that vaping is better than smoking but he would rather see me quit both. But I'm healthier and I and my doctor agree it's because I quit smoking tobacco. This is not going to stop ANYTHING BUT TAX REVENUE AND LIVELIHOODS OF MERCHANTS. now is not the time to be taking jobs away from people. Let's bring this issue in front of WE THE PEOPLE OF LOVELAND.

I'm so upset that this is even being entertained without the voters influence.

Thanks for your time,
Joshua Moore

Hannah Hill

From: Judy Magara <judy@coloradobd.com>
Sent: Tuesday, January 19, 2021 7:59 PM
To: Ward IV - Don Overcash
Subject: [External] FW: Clean Air Act - Larimer County

1/19/21

Hi Don,

Thank you for returning my call today.

I am attaching below the Clean Air Act for Larimer County which only allows smoking within 25 feet of a business. The current Loveland Ordinance (act) currently allows smoking only 15 feet from a business. In the interest of public safety, I feel the City Council should adopt the same Clean Air Act as the County and require no smoking within 25 feet of a business.

I also would like to request that any smoking retail businesses be required to be in a "stand-alone" building. This would mean that no retailer selling smoking or vaping products could be located within a shopping center but would need to be in a separate "stand-alone" building for the health and safety of other businesses as well as the general public.

I would appreciate it if you would bring this up to the City Council. I currently have a business at the Orchards Shopping Center in Loveland next to Smoker Friendly. It has been a huge challenge with smoke leaking into our space and with smokers ignoring no smoking signs outside of our business. We have had to call the Loveland Police on several occasions due to people smoking outside our business under the "no smoking" sign. I am concerned about the health of my employees who work in my store daily.

I would also like to request that the City Council stop the sale of vaping products within the City of Loveland. I realize this is probably a more difficult item to pass, but I do feel with seeing all the young people vaping and smoking outside our store in Orchards, that it is a definite problem that creates long-time smokers starting with our youth.

If we could just change the ordinance to coincide with the County Clean Air Act, I would be grateful to the Loveland City Council.

Thank you.

Judy Magara
Owner/Designer
M S Interiors, Inc., dba
Colorado Blinds & Design
257A East 29th Street
Loveland, CO 80538
970-310-5353 (Judy)
970-663-0505 (Showroom)

<https://www.tobaccofreeco.org/policy/smoke-free-communities/what-you-need-to-know-about-the-clean-indoor-air-act-expansion/>

Hannah Hill

From: Lezlie Garrett <lezliegarrett@gmail.com>
Sent: Wednesday, December 9, 2020 3:52 PM
To: City Council
Subject: [External] Vaping

This issue for the city of Loveland should not even be a discussion!

Read the studies! Vaping would drastically be reduced by the youngest population if there were not the vast array of flavors available.

Vaping absolutely addicts this population to a large quantity of nicotine.

Shame on you for even debating this issue!

Council members Steve Olson, Dave Clark and Don Overcash, I will be sharing your hold out on this issue with ALL of my neighbors, friends and family.

Hannah Hill

From: Lisa Sauer <shewolves@me.com>
Sent: Sunday, November 22, 2020 9:06 PM
To: Ward IV - Dave Clark
Subject: [External] Addressing teen smoking and vaping

Dear Councilman Clark

As an active community member in Loveland, I strongly urge the City Council to pass an ordinance that would end the sale of all flavored tobacco products, in all locations. It's one of the most important things we can do to protect kids and their futures.

When it comes to youth tobacco use, we are going in the wrong direction. After decades of progress to reduce smoking, youth tobacco use is at its highest in nearly two decades. The reason is simple, the tobacco industry is addicting the next generation of kids with nicotine flavored products — including e-cigarettes, menthol cigarettes, and flavored cigars. There are more than 15,000 unique flavors on the market — from mango to cotton candy. Flavors improve the taste and mask the harshness of tobacco products, making it easier for kids to start using and ultimately become addicted. Simply put, flavors hook kids.

It's time to end the tobacco industry's stranglehold over our kids' health, once again. The City of Loveland has the opportunity to do just that. I urge the Council to stop the sale of all flavored tobacco products in all locations in the city once and for all. Anything less will not break the cycle of addiction and stop our kids from using any tobacco products in the first place.

Lisa Sauer

Lisa
NamasteSent from my iPhone

Hannah Hill

From: Lori Hvizda Ward <lorihward@msn.com>
Sent: Tuesday, December 8, 2020 12:22 PM
To: Kathi Wright - Councilor Ward II
Subject: [External] Thank you for supporting a ban on flavored tobacco products

Councilor Wright,

Thank you for putting the health of Loveland youth first, as you always have during your long career at Boys and Girls Club of Larimer County. Please stay strong and vote in favor of the ban on flavored tobacco products at second reading. I realize the pressure from the tobacco lobby is high, but their interests do not align with ours. Vaping is rampant among young people in Colorado and it is the flavors that attract them and get them hooked. Loveland has an opportunity here to show that we value the well-being of our children.

Lori Hvizda Ward
501 W 4th St
Loveland, CO 80537

Sent from my iPad

December 10, 2020

Dear Council Members,

First of all, I just want to thank you for taking the time to consider how the proposed flavor ban would impact small businesses.

My name is Amanda Wheeler and I am the President of the Rocky Mountain Smoke Free Alliance (RMSFA), which is represented by Joe Miklosi. I also own two vape shops in Colorado Springs. There were some misrepresentations of our organization promoted by some of the witnesses during testimony at the December 8, 2020 city council meeting and I just wanted to address some of those false perceptions.

Our organization was formed in October of 2018, by a small business owner in Arvada. She started the organization because she heard there would be some laws on vaping passed at the State Capitol. None of the local vape shop owners in Colorado knew anything about politics or the political/policy making process. The founder of RMSFA called me to ask me if I would lead the organization as Board President. I initially declined, because I did not know a thing about politics and didn't think I would be qualified for that position, as I am just a mom and a small business owner. However, no other vape shop owners wanted to step into that position, so I agreed.

Between October 2018 and January 2019, we worked very hard to get a small core group of small business owners to join our organization. We barely raised enough money to hire Joe to represent us. RMSFA funds our lobbyist Joe, through collecting \$75 and \$150 monthly dues from vape shops throughout the state. Our highest membership dues are \$250 per month, and we have less than a handful of members who even pay that amount. As of this writing, the RMSFA has approximately \$1,500 cash on hand. We use our membership dues to pay Mr. Miklosi, who gives us an extremely discounted rate because he believes in our issue and he knows we are a group of very small businesses that do not have the means to fund big money lobbying.

We are not a "Big Tobacco" organization, as espoused by several people in their testimonies last night. Our members are small businesses, owned by Colorado locals, all former smokers who opened their businesses to help adults quit smoking cigarettes. We opened our businesses because we were tired of Big Tobacco's reign of death over its customers and we had found a way to get out of their grip that we wanted to share with other cigarette smokers. Our members do not sell any "Big Tobacco" or "Big Vape" products. The vast majority of our member stores sell products produced right here in Colorado, by locally owned manufacturers.

In mid-2019, an employee of JUUL inquired about becoming a member of our organization and making a substantial donation to RMSFA. The board of RMSFA declined that request. We did not want any Big Tobacco affiliated businesses in our organization. JUUL destroyed one of our national trade associations with their Big Tobacco agenda, and we did not want that to happen

to our state association. While it would have helped our financial situation significantly, we do not believe in the Big Tobacco/JUUL agenda and refused them.

As was illustrated in the December 8, 2020 meeting, the NGO's that promote legislation to destroy our businesses have hundreds of millions of dollars at their disposal. It is challenging and discouraging to say the least.

In earlier council meetings, RMSFA was represented as having fought against T21/licensure/smoke free air policies and all meaningful attempts at tobacco control for years. That is absolutely false. RMSFA has only been active at the legislature in the 2019 and 2020 sessions. We have never advocated against T21, we supported that and testified in favor of it every time it was presented. We never advocated against licensure. As a matter of fact we worked diligently with the bill sponsors to pass the bill. We also supported the bill that added vaping to the areas where smoking is banned. We have many other policies we would also support at the state level to curb youth use of vaping products.

At the state level, RMSFA has butted heads many times with Big Tobacco. Their lobbyists have tried to intimidate us many times for going against Big Tobacco lobbying positions. But we will never cave into their demands, we always advocate in the interest of our small business owner members and for consumers ability to access the products that help them stop smoking.

It was also stated that RMSFA has no members in Loveland. That is blatantly false. We started out with two members in Loveland when we joined the task force. At this point we only have one member. That is the case in most municipalities where we engage. Our members are spread out in small towns all over the state. If a member has paid their monthly dues to our organization, it is our duty and obligation to represent them. In our biggest cities, such as Denver and Colorado Springs, we only have 5-10 members. We truly are a small organization, but \$150/month is a lot of money for these small shops, it entails a sacrifice on their part to pay dues to have representation. We do not abandon them when they are facing an existential threat to their business.

I have two daughters, 8 and 10. I would never want to see them vaping or their peers vaping. As a mother, the thought of children vaping is horrifying. I also know that over 400,000 adults die every year from smoking, and that over 4 million Americans have quit with vaping. I think we can protect kids and help adult smokers at the same time.

I am happy to share ideas with you from vape shop owners, but I also STRONGLY support the council in working with actual Loveland citizens and local business owners rather than outside interests. I think your business community is more than equipped to offer input. One suggestion I would make is limiting flavored vaping products to adult only stores. I don't know what the city should do about other flavored tobacco products, as that is not my business, but it is possible to limit flavored products to age restricted stores without closing businesses.

I also know, and the testimony you heard bears this out, that most youth obtain vape products from straw buyers, meaning an older sibling who is of age, or another person who is over 21. Many vape shops swipe ID's for every purchase (another great policy) but we cannot control what people do with those products when they leave our stores. One solution we have found is to use QR codes that store the Driver's License number of the original purchaser. That way if a vape product is found in a minor's possession; law enforcement has the ability to scan the QR code on it and see what straw buyer the minor obtained the vapor product from. I would strongly advocate for penalties for any adult who supplies a minor with a vape product.

There were many other misrepresentations made, especially that NGO's have made efforts to work with businesses and that businesses welcome the bans. There were also misrepresentations in regard to small businesses applying with FDA through pharmaceutical cessation pathways. But I will not take up any more of your time, if you'd like to hear more about those points, I would be happy to correspond with any of you.

If you have read to this point, thank you for your time and attention. I am very sorry this issue has already occupied so much of council's time, but I do appreciate you all taking the time to engage with Loveland businesses.

Best regards,

Amanda Wheeler, President
Rocky Mountain Smoke Free Alliance

Hannah Hill

From: Lynnette M. Namba <Lynnette.M.Namba@kp.org>
Sent: Monday, December 7, 2020 10:42 AM
To: City Council
Subject: [External] Prohibit the Sale of Flavored Tobacco

Importance: High

Mayor and City Council,

As a public health professional, a person of color, and a mom, I am writing in support of the ordinance under consideration to prohibit the sale of all flavored tobacco products. This is not a ban on all tobacco products, it is a common sense effort to remove products that appeal to children. Tobacco companies are notorious for their predatory marketing practices. Flavors and menthol mask and reduce the harshness of tobacco, a deceptive ploy to make it taste better to facilitate addiction and insure loyal customers for many years. According to the recently released Healthy Kids Colorado Survey, in Larimer County, 19.3% of youth use e-cigarettes specifically because they are flavored, <https://cdphe.colorado.gov/center-for-health-and-environmental-data/survey-research/healthy-kids-colorado-survey-data>. The state's own Quitline stop vaping program (My Life My Quit™ developed by National Jewish Health) confirms that many teenagers cite flavors as an early attraction for vaping.

The industry has targeted kids with million-dollar marketing campaigns and over 15,000 thousand flavors that are specifically designed to appeal to them. And, the continuation of the sale of menthol cigarettes perpetuates decades-long targeting of the Black/African American, Hispanic/Latinx, and LGBTQ communities, prolonging health disparities among our population.

Tobacco use creates an immense financial burden on our health care system. And, amidst a respiratory disease pandemic, tobacco control and prevention are more important than ever. I urge you to do what you can to protect youth from the harms of tobacco.

Respectfully,

Lynnette

Lynnette M. Namba, MPH
Senior Community Health Specialist

Kaiser Permanente
Community Health & Engagement

303-502-0674 (mobile)
Lynnette.M.Namba@kp.org



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Hannah Hill

From: Mary Szarmach <mszarmach@cigarettestore.com>
Sent: Wednesday, November 25, 2020 12:10 PM
To: Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash
Subject: [External] Flavored Tobacco Ordinance and Licensing

Dear Council Members,

I'm very discouraged about last night's meeting, and the lack of councils time to look at all of the compromises that were available. If this ordinance were to pass as written next week, we will have to close our business in Loveland and layoff 4 hardworking wonderful employees. A couple of simple amendments could help us and prevent the closing. Our Smoker Friendly located at 257 E. 29th, has been in Loveland for nearly 22 years. We are a Responsible age restricted retailer of highly taxed and highly regulated legal adult products, and we feel that this ordinance as written is very unfair. Our store has a walk in premium cigar humidor, this would not be allowed in the new ordinance and many of the cigars would have to come off the shelves along with hundreds of other tobacco products that are all traditional adult consumables. I cannot believe that adults in Loveland will not be allowed to choose the tobacco products that they enjoy. Vaping is a different product line completely and while I believe that we as retailers are not at fault for the teen use of this product we would be able to live with no flavors on vaping products in our stores. Boulder which is my home town, passed just such an ordinance several months ago and is pleased with the outcome. They also put a local tax on Vape products along with a license and a fee. To completely ignore your hardworking Loveland business people just seems unfair. I would ask you to please come up with some compromise for legitimate businesses so we are not forced to leave Loveland.

Please feel free to call me or email me with any questions or comments. I would be happy to meet you at our store so you can have a first hand look at an age restricted environment. I hope that the Council will hear more public testimony next week.

Respectfully,

Mary Szarmach

Mary Szarmach

Senior Vice President Governmental & External Affairs

Smoker Friendly Int.

303-442-2520 ext. 217

303-941-2806 cell

mszarmach@smokerfriendly.com

Hannah Hill

From: Mary Szarmach <mszarmach@cigarettestore.com>
Sent: Tuesday, December 1, 2020 9:36 AM
To: Jacki Marsh - Mayor; Rob Molloy - Councilor Ward I; Rob.Molloy@cityoflovelan.org; PRichard.Ball@cityofloveland.org; Kathi Wright - Councilor Ward II; Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash; City Council
Subject: [External] Flavored Tobacco Ordinance and Licensing

Subject: Flavored Tobacco Ordinance and Licensing

Dear Council Members,

I'm very discouraged about last week's meeting, and the lack of councils time to look at all of the compromises that were available. If this ordinance were to pass as written next week, we will have to close our business in Loveland and layoff 4 hardworking wonderful employees. A couple of simple amendments could help us and prevent the closing. Our Smoker Friendly located at 257 E. 29th, has been in Loveland for nearly 22 years. We are a Responsible age restricted retailer of highly taxed and highly regulated legal adult products, and we feel that this ordinance as written is very unfair. Our store has a walk in premium cigar humidor, this would not be allowed in the new ordinance and many of the cigars would have to come off the shelves along with hundreds of other tobacco products that are all traditional adult consumables. I cannot believe that adults in Loveland will not be allowed to choose the tobacco products that they enjoy. Vaping is a different product line completely and while I believe that we as retailers are not at fault for the teen use of this product we would be able to live with no flavors on vaping products in our stores. Boulder which is my home town, passed just such an ordinance several months ago and is pleased with the outcome. They also put a local tax on Vape products along with a license and a fee. To completely ignore your hardworking Loveland business people just seems unfair. During the meeting you kept referring to a community task force, which had zero stake holders on it? I would ask you to please come up with some compromise for legitimate businesses so we are not forced to leave Loveland.

Please feel free to call me or email me with any questions or comments. I would be happy to meet you at our store so you can have a first hand look at an age restricted environment. I hope that the Council will hear more public testimony tonight, this should be held over for more discussion, city council's should not have the power to put legitimate law abiding citizens out of business.

Respectfully,

Mary Szarmach

Mary Szarmach

Senior Vice President Governmental & External Affairs

Smoker Friendly Int.

303-442-2520 ext. 217

303-941-2806 cell

mszarmach@smokerfriendly.com

Hannah Hill

From: Megan Koop <MKoop@pestermarketing.com>
Sent: Tuesday, November 17, 2020 1:55 PM
To: Patti Garcia; Clerk
Cc: Jacki Marsh - Mayor; Rob Molloy - Councilor Ward I; Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash
Subject: Loveland City Council Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Marsh, Mayor Pro Tem Overcash, Councilor Molloy, Councilor Ball, Councilor Wright, Councilor Samson, Councilor Fogle, Councilor Olson, and Councilor Clark,

I'm writing to you today as a concerned business owner here in Loveland. I've recently heard the city council is proposing two ordinances: one that would require tobacco retailers to be licensed, and one that would require tobacco retailers to be licensed but in conjunction with a full tobacco flavor ban. I stand ardently opposed to a flavor ban as it would cripple my business, but as a retailer who has always been compliant I am supportive of the tobacco retailer licensing and the updates that would be made to the municipal code regarding licensing.

It is important for our retailers to be responsible as we are the first line of defense when it comes to keeping tobacco products out of the hands of minors. These modified regulations around tobacco retailer licensing are common sense and the city of Loveland should adopt this ordinance, but without pursuing a full flavor ban.

As it is, Proposition EE recently passed in the state of Colorado which increases the tax on tobacco products including vaping products and is effective as of January 2021. This tax will already drive customers away from purchasing tobacco products from retailers in our state due to the economic burden it will place on them, so implementing a city-wide flavor ban would only further decimate our revenue. Tobacco sales account of 36% of in-store sales and are relied upon by retailers to keep their lights on and doors open—please don't take away further revenue from us through banning the sale of flavored tobacco products.

A tobacco retail license coupled with State Action (Tobacco 21) and Proposition EE tax increases, would give no reason to move forward with a flavor ban in our city. We've priced minors out of the market through responsible regulation. I think it's important to note that Proposition EE funding is for Pre-K education so ban on the sale of flavored tobacco products in Loveland will limit revenue for Pre-K which was one of Governor Polis' priorities.

As you continue to deliberate on these ordinances I ask that you take into consideration the current plight of small businesses throughout our city and only move forward with the tobacco retail licensing and drop the pursuit of a flavor ban which would have detrimental and unintended consequences in our city.

Sincerely,

Megan Koop
Marketing and Social Media Coordinator
Office: 303.693.9331

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MARKETING COMPANY

Pester Marketing Company
4643 S. Ulster Street, Suite 350
Denver, CO. 80237

Hannah Hill

From: Sahli-Wells, Meghan <Meghan.Sahli-Wells@culvercity.org>
Sent: Monday, December 7, 2020 6:25 PM
To: Kathi Wright - Councilor Ward II
Cc: Kellie Hawkins; ategen@tobaccofreekids.org; Lindsey Freitas
Subject: [External] Loveland Flavor Ban - from a fellow elected official

Dear Council Member Wright,

Congratulations on moving forward with a flavored tobacco ban for the city of Loveland!

I know from my experience just how challenging it can be. We adopted a ban on the sale of flavored tobacco in Culver City in November 2019. Before the ban, our students, school administrators, school board members, and my own two sons had all witnessed an alarming amount of vaping among Middle and High School students on campus. With flavors like strawberry and vanilla, and marketing that resembled that of popular candy brands, our City Council recognized the need for strong policy action to support our youth, who are particularly susceptible to this type of targeted marketing. We needed to act!

While this policy was under consideration, we faced immense pressure from the business community, voicing concerns over lost revenue and fears of going out of business. This pressure was intense, and we could feel the real fears from the businesses in our community. Thankfully, since our policy went into effect in May, we have not experienced those outcomes. Not a single business closed down as a result of this ordinance.

It's a point of honor to have protected our youth from a malicious industry that specifically targets them in order to cultivate lifelong nicotine addicts. I'm immensely proud of the adoption of this ordinance – especially as I term out of office – I look back on this as a key policy that has made a lasting, positive impact on the health of my community.

I hope that you, too, will find supporting a flavor ban something that you can be proud of for the rest of your life!

If you have any questions, or want to compare notes, please feel free to reach out to me directly: 310-845-5831.

Wishing you and yours well.

Best regards,
Meghan Sahli-Wells
Culver City Council Member
she/her/hers
www.culvercity.org

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Hannah Hill

From: Russ Gebbia <russgebbia@gmail.com>
Sent: Wednesday, December 9, 2020 11:26 AM
To: Kathi Wright - Councilor Ward II
Subject: Re: [External] Flavor Ban

Hi Kathi

I watched the whole meeting last night and I'm very thankful you are pausing and reaching out. I want to make myself available in any way necessary. You are welcome to call, stop by, text or email any time you need my input. I did mention to you in prior Emails that you are the kind of public servant Loveland needs and can be proud of. Your common sense and sincerity is rare these days. It's sad to see a nation politically divided the way it is. This city Council seems to have that same hard-nosed division. Counselors Sampson, Ball, Malloy and Mayor Marsh should take a lesson from you. I don't envy the position you're in but hope to shed light to make your decision easier whatever it ends up being.

Regards

Russ

Sent from my iPhone

On Dec 9, 2020, at 11:04 AM, Kathi Wright - Councilor Ward II
<Kathi.Wright@cityofloveland.org> wrote:

We voted last night to postpone action until we have had discussions with our local businesses to get input, and maybe even great ideas on how to proceed. We will discuss in February, 2021.
Hope you will participate. Kathi

From: Russ Gebbia <russgebbia@gmail.com>
Sent: Tuesday, December 8, 2020 8:19 AM
To: Kathi Wright - Councilor Ward II <Kathi.Wright@cityofloveland.org>
Subject: [External] Flavor Ban

Good Morning again Kathi,

Another long sleepless night for me as this vote is ever so close. After watching the news yesterday and being reminded of the devastation caused by Pearl Harbor on Dec 7, 1941, where 3500 American patriots were killed and/or injured by a bomb nobody saw coming, I was reminded of the price our brothers and sisters paid for freedom, All Americans felt violated that day but many paid the ultimate price, As time heals the pain, I'm certain the families of the dead are proud of their heroes and we should never forget what they stood for. They fought for the values you will pledge allegiance to before tonight's agenda begins. In my last communication, I made a slight mention of how violated a veteran will feel when he or she is prohibited from buying their choice of tobacco from his neighborhood store. It resonated clearly to me that this vote tonight speaks to our freedoms of which they died for and we are blessed to have. If you could only see the faces of my regulars when they are told their tobacco product and the freedom to buy it in Loveland is in jeopardy. I don't know if they have served in the military when the surprise attack on their right to choose resonates but I assure you, they aren't happy.

This was a vaping issue to begin and it has sneakily become something much greater affecting small business survival, our employee's financial security, and a huge loss of tax revenue. Civil liberties are at stake and the worst part is that the problem with youths vaping has nothing to do with menthol or pipe tobacco, It is obvious small businesses, the general public, as well as you and your fellow council members, had a bomb dropped on us by this committee. They snuck adult tobacco bans into a youth vape issue at the tenth hour. I don't think I would be out of line calling it sneaky, sleazy, and outright unamerican. We had no invitation to provide input and are fighting for our financial lives instead of trying to help solve a real issue of youths vaping. I have never felt so violated and appreciate venting to you. I need to get to the store and start my day, I feel like a person waiting for a jury to hand me my sentence. Unfortunately, I didn't get a fair trial so please vote against tonight for so many reasons.

Regards

Russ

Emails to or from City Council are subject to public disclosure under the Colorado Open Records Act (CORA), with limited exceptions. All emails addressed to or sent from City Council, including email addresses, will be visible in an online system in order to promote transparency, except those considered confidential under CORA. Emails with "#private#" in the subject line will appear in the online system, but the content and subject line will be restricted from view. However, the City of Loveland cannot guarantee that an email marked "#private#" will remain private under CORA

Hannah Hill

From: Thomas Briant <info@natocentral.org>
Sent: Tuesday, December 1, 2020 10:45 AM
To: Jacki Marsh - Mayor; Rob Molloy - Councilor Ward I; Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Andrea Samson - Ward II; Ward III - John Fogle; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash
Cc: City Council
Subject: [External] NATO: Proposed Flavored Tobacco Ban Ordinance
Attachments: Letter to Loveland City Council (December 1, 2020).pdf

NATO

DATE: December 1, 2020

TO: Mayor Jacki Marsh and Loveland City Council Members

FROM: Thomas Briant, Executive Director

The National Association of Tobacco Outlets (NATO) represents retail stores located in Loveland that sell tobacco products. I am submitting the attached second letter in opposition to the ordinance alternative that was voted on by the Loveland City Council on November 24, 2020.

There are serious questions raised about the undemocratic process that a majority of the city council members used to vote on the most restrictive alternative ordinance banning all flavored tobacco products during the November 24, 2020 Loveland City Council meeting and not allowing any input from Youth Vaping Committee members nor the public. Moreover, there is a blatant double standard the council is employing to ban flavored tobacco products, the use of which by underage youth is at historic lows, and not taking any regulatory action regarding flavored alcohol products. As noted in my initial letter of November 13, 2020 and also in the attached correspondence, up to four times as many youth in Larimer County consume alcohol than use tobacco products. However, the city council essentially ignores the very real epidemic of youth alcohol

consumption, and instead seeks to ban legal flavored tobacco products without first hearing from the Youth Vaping Committee or the public.

As requested in the attached letter, I urge you to not take any action on a tobacco ordinance until the city council can abide by the appropriate democratic process and also consider taking action to respond to underage alcohol consumption.

Thank you for your consideration.

Hannah Hill

From: Troy Barker <smokeymonkeyloveland@outlook.com>
Sent: Tuesday, December 1, 2020 5:42 PM
To: Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash; Ward III - John Fogle; Andrea Samson - Ward II
Subject: [External] Re: Flavor Ban

City Council Members,

I am seriously upset with your vote concerning the flavor ban. Im not certain what gives you the right to destroy upstanding businesses that have operated within state and fexeral boundaries. Most of us have spent years building these businesses to not only support our families and those of our employees but also the customers of whom we serve.

Hiding behind the notion that it is for the safety of our children is shear ridiculousness. Im am not saying that this is not a priority but since the legal age is now 21 to purchase these products using that excuse has almost no merit. I have a large client base that and almost all of them are between the ages of 35 to 70+ yests old. Quite old enough for them to decide what to do with their own bodies.

Your decision is not only unfounded but also oversteps your bounds. It will absolutely do nothing to stop what you believe your intentions are. Now people will just go to the next city over and take away tax revenue from our city. Which you apparently dont think is a big deal in of itself but consider the fact that if people are forced to go out of town to buy these products they will also purchase a good deal of their other items out of town as well. I know I would.

I was told, on good authority, that most of you dont care about the loss of businesses in town. That not only angers me but also saddens me even more. In the uncertain times we live in right now due to covid and the passing of prop EE, this decision only makes less sense. If your intention is to drive away good upstanding people and businesses from Loveland then it is not only mine but a great deal of other people opinion that you do not have our citizens best interest in mind and therefor have no place representing us.

I hope you reconsider your decision and take a serious look at some of the other proposals that you didnt even take the time to consider the first time around.

Sincerely,

Troy Barker

Manager

Smokey Monkey Loveland

Ps....my apologies to those who did not vote in favor of this ban, I just hit reply to all because of the time constraint.

Sent from Samsung Galaxy smartphone.

Get [Outlook for Android](#)

Sent from Samsung Galaxy smartphone.

Get [Outlook for Android](#)

From: Troy Barker

Sent: Tuesday, November 17, 2020 10:05:51 AM

To: Richard.Ball@cityofloveland.org <Richard.Ball@cityofloveland.org>; Kathi.Wright@cityofloveland.org <Kathi.Wright@cityofloveland.org>; Steve.Olson@cityofloveland.org <Steve.Olson@cityofloveland.org>; Dave.Clark@cityofloveland.org <Dave.Clark@cityofloveland.org>; Don.Overcash@cityofloveland.org <Don.Overcash@cityofloveland.org>; John.Fogle@cityofloveland.org <John.Fogle@cityofloveland.org>; Andrea.Samson@cityofloveland.org <Andrea.Samson@cityofloveland.org>

Subject: Flavor Ban

I'm writing to you today as the manager of SmokeyMonkey on Eisenhower Blvd. I stand ardently opposed to a flavor ban as it would cripple my business. But as a retailer who has always been compliant I am supportive of the tobacco retailer licensing and the updates that would be made to the municipal code regarding licensing.

It is important for our retailers to be responsible as we are the first line of defense when it comes to keeping tobacco products out of the hands of minors. These modified regulations around tobacco retailer licensing are common sense and the city of Loveland should adopt this ordinance, but without pursuing a full flavor ban.

As it is, Proposition EE recently passed in the state of Colorado which increases the tax on tobacco products including vaping products and is effective as of January 2021. This tax will already drive customers away from purchasing tobacco products from retailers in our state due to the economic burden it will place on them, so implementing a city-wide flavor ban would only further decimate our revenue. The newly passed initiative will do the following:

- More than triple the state cigarette tax and raise the minimum price for a pack of cigarettes to \$7.00;
- For the first time, create a new tax on vapor products in 2021 that will increase in 2024 and again in 2027
- Increase the tax on other tobacco products in 2021, 2024 and 2027;
- It will also create roughly \$83 million dollars statewide in its first full fiscal year. Frankly, this revenue could not come at a better time for Colorado.

A tobacco retail license coupled with State Action (Tobacco 21) and Proposition EE tax increases, would give no reason to move forward with a flavor ban in our city. We've priced minors out of the market through responsible regulation. I think it's important to note that Proposition EE funding is for Pre-K education so ban on the sale of flavored tobacco products in Loveland will limit revenue for Pre-K which was one of Governor Polis' priorities.

As you continue to deliberate on these ordinances I ask that you take into consideration the current plight of small businesses like mine throughout our city and only move forward with the tobacco retail licensing and drop the pursuit of a flavor ban which would have detrimental and unintended consequences in our city.

Sincerely,

Troy Barker

Manager
Smokey Monkey

Sent from Samsung Galaxy smartphone.
Get [Outlook for Android](#)

Hannah Hill

From: Troy Barker <smokeymonkeyloveland@outlook.com>
Sent: Tuesday, November 17, 2020 10:06 AM
To: Ward I - Richard Ball; Kathi Wright - Councilor Ward II; Ward III - Steve Olson; Ward IV - Dave Clark; Ward IV - Don Overcash; Ward III - John Fogle; Andrea Samson - Ward II
Subject: Flavor Ban

Follow Up Flag: Follow up
Flag Status: Flagged

I'm writing to you today as the manager of SmokeyMonkey on Eisenhower Blvd. I stand ardently opposed to a flavor ban as it would cripple my business. But as a retailer who has always been compliant I am supportive of the tobacco retailer licensing and the updates that would be made to the municipal code regarding licensing.

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As it is, Proposition EE recently passed in the state of Colorado which increases the tax on tobacco products including vaping products and is effective as of January 2021. This tax will already drive customers away from purchasing tobacco products from retailers in our state due to the economic burden it will place on them, so implementing a city-wide flavor ban would only further decimate our revenue. The newly passed initiative will do the following:

- More than triple the state cigarette tax and raise the minimum price for a pack of cigarettes to \$7.00;
- For the first time, create a new tax on vapor products in 2021 that will increase in 2024 and again in 2027
- Increase the tax on other tobacco products in 2021, 2024 and 2027;
- It will also create roughly \$83 million dollars statewide in its first full fiscal year. Frankly, this revenue could not come at a better time for Colorado.

A tobacco retail license coupled with State Action (Tobacco 21) and Proposition EE tax increases, would give no reason to move forward with a flavor ban in our city. We've priced minors out of the market through responsible regulation. I think it's important to note that Proposition EE funding is for Pre-K education so ban on the sale of flavored tobacco products in Loveland will limit revenue for Pre-K which was one of Governor Polis' priorities.

As you continue to deliberate on these ordinances I ask that you take into consideration the current plight of small businesses like mine throughout our city and only move forward with the tobacco retail licensing and drop the pursuit of a flavor ban which would have detrimental and unintended consequences in our city.

Sincerely,

Troy Barker

Manager
Smokey Monkey

Sent from Samsung Galaxy smartphone.
Get [Outlook for Android](#)

Hannah Hill

From: Vic Anderson <vanderson4@comcast.net>
Sent: Wednesday, February 3, 2021 8:25 AM
To: Ward III - Steve Olson
Subject: [External] tobacco ban

Councilor Olson,

When will it stop. Next you will be banning alcohol, then drinks with sugar then who knows what. Because you don't think they are healthy is not a reason to restrict personal rights! Where are the parents in this argument? Why don't they control they're children. It is NOT up to you to judge what is good for me. I urge you to vote against a ban flavor tobacco and vaping products.

Regards,
Vic Anderson

Dear Councilor,

My Name is Tanner Ragan

I've been vaping for 5 years

Now and mainly use is as

a resort for not smoking
cigaretts or ~~the~~ weed. Banning

all flavors defeats the purpose

of why I vape in the

first place.

Sincerely

Tanner Ragan

I was a smoker for 10 years. I started when I was 16. Vaping has helped me quit smoking and stay from smoking, the ban you are trying to impose only hurts adults that enjoy these products. If you are worried about kids vaping maybe you should go after shops that don't check I.D.s like you do for tobacco products.

This ban if passed would only hurt adult ~~and~~ voters and would hurt your reelection efforts. Please don't ban flavors because of your nearsighted biased beliefs.

Dustin Johnson

DEAR Councilor,

my name is Brian, and before i started
using flavor nicotine i was smoking cigarettes
for 3 years, im almost 23 now. This ban,
would allow for large tobacco to continueing
the killing of this nation's youth!

~~BS~~

~~Kevin~~

To Whom it may concern. My name is Kevin Davis and I am asking you to oppose the ordinance No. 2443 (a).

I have been cigarette free for over 2 years and using flavored juices helped me do that & stay cigarette free. I have two little girls and it has meant the world to them & my wife. Please don't take this away.

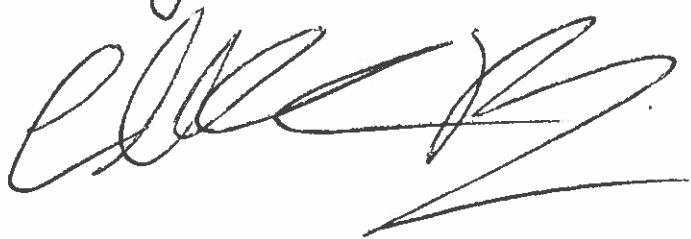
Sincerely,



Dear Councilor,

Hello my name is Charlie and I'm a life long resident of Colorado. I am writing to ask you to oppose ordinance no. 6443(x) on flavor on vape. I smoked for 10+ years and vape has honestly helped me quit this year. It's a choice on what you put in your body and I think you should have that choice and not be told.

Thank you Respeckfully,

A stylized, handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Dear Council,

I m. Kaleb a lifelong Cleveland Resident.

I have smoked cigarettes since I

^{m.} flavored vape does not help with

not smoking the flavor creates

the necessary similarity!

Don't believe a flavor bar would

be helpful in eliminating tar usage

^{m.} I believe I have the right to a

better smoking alternative.

-Kaleb

Attn Counselor,

My name is Jennifer McDanel. I've lived in Loveland for 18 1/2 years. I use to smoke Cigarette's but never liked the smell or taste of it. I smoked for 10 years. Cigarettes also are harder on my lungs than Vape juice. Probably due to lower temperature and vegetable glycerin versus tar. I also can and have decreased my Nicotine intake from 2.8mg 5 years ago to .5mg currently. The decision I make on a future petition will be based upon this issue as well as others.

Thank You for your
time and consideration
on this matter.

Jennifer McDanel

DEAR COUNSELLOR,

My Name is Josh Mercier & I'm a
life long resident of LOWMEADOW / LOWCLAND.
In writing to request that you oppose
ordinance No. 6443(A) regarding the
vape flavor ban.

I've chewed tobacco for 12 years before
I was able to quit using a berry flavor
vape. Flavored vape has made it possible
for me to stop chewing for good.

I'm fundamentally opposed to any
flavor ban & will NOT vote for any
counselor who voted to take away my
right to a healthy smoking alternative.

SINCERELY,

Josh Mercier

Dear Councilmen,

My name is Joseph Vegas. I've never smoked cigarettes before, but when I entered the job market nothing else kept me wanting to go on with a min wage job I couldn't afford going out, or new entertainment systems to make life at home worth the hardships of being working class. No one wants kids consuming nicotine but I believe there are more accurate ways of combating that. Cigaretts gross me and my entire family out but I would go to them anyways if I'm not given a good substitute. Please don't punish working class people for the sake of speed and simplicity to a real problem.

- Vegas III

Dear Counselor,

My name is Anna Mayes-Lord. I moved to Loveland, CO 2 1/2 years ago. Before that, I lived in Niagara Falls, NY + Riverside, CA. I smoked cigarettes for over 20 years before I finally quit using Flavored vape products.

Flavors have made it possible for me to quit smoking cigarettes and stay off of cigarettes for over 6 years now. I am very opposed to the flavor ban and I would NEVER vote for a councilor who voted to take away my right to a healthier smoking alternative! I have cardiac issues and have been stable and even better health wise since quitting smoking cigarettes.

Sincerely,

Anna Mayes-Lord

Dear Connor,

My name is Brandon Fink. I am 30 years old and have been a smoker for 12 years. I started vaping in place of smoking and the many flavors of choice have helped me stay away from cigarettes completely for 5 years now. I fully support flavored tobacco products.

Sincerely,

Brandon Fink

Dear Counselor,

I started vaping to end my smoking habit. The flavors available made the decision very easy. I tried to quit smoking on my own multiple times w/ no success. Once I began vaping I was able to quit smoking in days. I smoked for 20 years. I'm 42 now and haven't touched a cigarette for almost 2 years.

Phil Allegre

Dear Cousin,

My name is April Hansen, I'm 21 years old. I started smoking cigarettes at 13 years old. It ended my sports career cause it impacted my ability to breathe. When I started vaping I started running again with out breathing issues. The only reason I quit was to start vaping and it changed everything for me.

I'm an avid voter on all policies and if you want to vote this it, it would very badly impact me and a lot of other people, as well as destroy jobs in this industry.

Thank you for your consideration

- April Hansen

Dear Councilor,

I am a veteran and ex-smoker, and using vape helped me quit.

I think vaping is cleaner, keeping cigarette butts out of the gutters of our streets. I am entirely opposed to a flavor ban, feeling that it flies in the face of the things I joined the armed forces for. I would not vote for someone who would take the rights from Americans to choose a smoking alternative.

Do NOT BAN,

Megan
Taylor

Dear Conciler,

I used flavoured vape

Juice to quit smoking
ciggos and with out the

flavor there would have been

NO way I could have
accomplished this goal.

even if you ban the flavor

It will not stop or even

slow down underage people

from using it. much like

alcohol has been 21+, for a long time

It never stops anyone,

1/2.001

Dear Councilor

My name is Kasey Ashman, I have ~~to~~ lived in Fort Collins / Loveland Area practically my whole life. I personally think vaping is one of the most cleanest and healthly way to smoke. ~~And~~ Vaping helped me greatly in Quitting cigarettes after 10 years of smoking them. I know that if this flavor ban is passed it will negatively effect my vote towards whom passed it. Thank you for reading this.

Kasey Ashman

Dear councilor,

Hello My name is Zachary Guin

I'm 31 years old. Two years ago

I was able to attenuate and completely stop my usage of

cigarettes. I smoked two packs a day, when I finally tried

nicotine salt (I prefer berry flavors)

The proposed Ban seem extremely redundant as kids are not

after flavor persé but the

"buzz" ^{experienced} ~~experienced~~ from nicotine

inave users. This Ban

affects adults such as myself

who depend on flavored e-cigs

to reduce harm from nicotine

usage. My next vote will be heavily

influenced by your decision.

Thank you,

Zachary Guin

My name is Ellis Overstreet
and flavor juice (Vape)
helped me quit smoking
and I have never looked
back. If this ban goes
through the only option
for people ^(adults) who use nicotine
will be cigarettes which
are really dangerous
and proven to cause
all kinds of cancer and
other diseases. Please
stop this ban. Restrict
access to minors but
allow to 21+.

Sincerely,

Ellis

Dear Councilor,

My name is Cheryl Wiegand
I have lived in Loveland for 10
years.

I am writing to you to request
that you oppose ordinance no
6443(A) regarding the flavor ban
for vapes. I have smoked for
several years and I am able
to quit using the vanilla flavored
vape.

Flavor has helped me quit
tobacco use. I opposed the
proposal of banning the flavor ban.
Without this I would still
be using tobacco products.
Please don't take my right of
choice or health away.

Thank you
Cheryl Wiegand

DEAR Councilor,

My name is William Wright.

I am a 50 year old man that
smoked Tobacco for 20 years.
I use flavored VAPE Juice
so that I don't have to
smoke Cigarettes anymore.

I do not Agree that
banning flavors, for Adults, is
Any kind of solution for
underage VAPing. Stopping
that starts at home - with
the parents!

Do Not be so short
sighted AS to think Any
kind of BAN will stop this
Problem.

William Wright

Dear Councilor,

My name is Shyanne
Mussler I've been
a Loveland resident
for 7 year I believe
Its important that we
dont ban flavored vapes
Juices. having them
available is import for
me to not smoke

Cigs. Flavored juice sold
just to people 21 and up
Should be enough to
not ban it for adults
that pay taxes and vote
in favor of law

Dear Councilor,

My name is Cody Premus living in
Loveland Colorado. I've gone from
smoking 2 packs a day to vaping not so
often as I was with cigs. My father
passed away from lung cancer so
moving to vaping instead of cigs worked
wonderfully to me if we loose flavored
vaping I will resort back to smoking
cigs which is not good for me or family
I'm sure alot of people are in this same
boat so getting rid of flavored vaping
will be bad for A LOT of people

Sincerely

Cody Premus

Dear councilor,

My name is Spencer Billinger, and I am 31 years old and a business owner in Loveland. I have been a nicotine user for most of my adult life and the only thing that has helped me slow down my usage is flavored vapor. ~~Now~~ I feel like this ban would greatly hinder my ability to lessen my nicotine usage.

Sincerely,

Spencer Billinger

To Whom it May Concern 4/5/21

I am a Current Vape Smoker.
I smoked Cigarettes for over
25 years, Vaping got me to
quit Smoking altogether.
I currently buy my Vape
Juices with 0% Nicotine &
Packed with great flavors.
It would be a shame to ban
Vaping, People still smoke
Cigarettes, they have never been
banned yet are way more
Unhealthy. Please Reconsider

My Councilor,

My name is Jordan and I am
a resident of Cleveland and doing
a flavor ban is so stupid because
even if you do it will **NOT**
stop teenagers from doing what they
want. I am a cig smoker not a
vaper but this flavor ban is still

Stupid!

Dear Councilor,

My name is John Nichols and I am 37
resident of Loveland, I am writing
this letter to request that you oppose
ordinance # 6443(A) involving the
flavor ban for vape. I ~~to~~ smoked cigarettes
for half my life and vaping flavors
~~has~~ helped me w/ my health and
banning flavors would wreck my
health. Having to go back to
cigarettes. I would never vote
for a councilor who voted to
take away my right to a
healthy life style for vaping

Sincerely,

John Nichols

Dear Councilor,

My name is Dylan Remus and I believe it is important to keep flavors for a couple reasons. The most important is for me personally my entire family smokes. My grandmother actually died of lung cancer. I find it important because being able to smoke Org nicotine with flavors has kept me from starting smoking cigarettes.

~~Thank~~ Thank you very much.

Sincerely,

Dylan Remus

A handwritten signature in black ink, appearing to read "Dylan Remus", with a long horizontal line extending to the right.

I quit smoking Cigarettes
by buying a Vape and as a
marine I never thought I might
say I Love the Fruity Flavors
I can get to curb my cravings.
Please continue to sell these products
or the revenue will just go to
the next town over.

Thank you,
Michael
Quick

Dear Councilor,

My name is Lisa & I'm a lifelong resident of Loveland. I'm writing to you to request that you oppose the Ordinance no 6443(A) regarding the flavor ban for vape. I'm a 46 year old who smoked for over 30 years. I quit smoking cigarettes with the help of vapes. I use flavored vapes to stay off of cigarettes. I'm very opposed to the proposed flavor ban & I would never vote for a councilor who voted to take away my right to a healthy smoking alternative.

Kind Regards,

Lisa Joel

Dear Counselor,

My name is Payton and I've been smoking cigarettes since I was 13 years old. I'm 24 now and I was only able to quit because of flavored nicotine. It has had such a hold of my life for so long & I feel great now. I know ~~it~~ and understand that it's still not the best for me but personally I think it's the best possible stepping stone into the right direction. Thanks for your consideration,

Payton McGill.

Dear Councilors,

I write as an attorney and concerned citizen. Although I do not vape, I have personally seen the benefits. My husband was a smoker for decades. After smoking ~~for~~ nearly killed my father, my husband committed to quit smoking. After struggling, he tried e-cigarettes. Within weeks, he no longer smoked traditional cigarettes. Over the years, I have watched his lung capacity and breathing improve immensely. He has never picked up another traditional cigarette. We have two children who have seen the whole process and have never touched or had any desire to touch my husband's e-cigarette. Please don't essentially push my husband into less healthy alternatives because of fear mongering.

Best,
Viviana M. M. M.

Deer. Counciler

My name is Brian Mullis and I am 46 years old and lifelong Resident of Lowell. I am writing to you to request that you oppose ordinance No 6443(A) regarding the flavor ban for vape. I smoked cigar for over 20 years before going over to vaping with flavored juice. Flavored juice made it possible for me to stay off cigarettes. I am very opposed to the proposed flavor ban and I would never vote for a councilor who vot. to take away my right to a healthy smoking alternative.

Sincerely,

Brian Mullis

Dear Councilor,

My name is Philip ~~Must~~
and am a resident of Loveland
and am registered voter and
I truly believe in freedom
of choice and by placing a
ban of vape juice you are
taking peoples right to choose
away. I am healthier since
I have started vaping and if
you put this ban in place I'll
have to go back to smoking
tobacco full time and that's
worse if you do this I will
make it my lifes mission to
you have your guys removed
for good!!

Yours Most Concerned
Citizen
Philip ~~Must~~

To Whom it May Concern:

My name is Tina Ross, I am
54 yrs. Old and I've been smoking
cigarettes for 30 yrs. I was up
to a pack a day. Wanting to quit
isn't enough to quit, but with
the vaping, it has allowed me to
quit cigarettes completely. The
flavored juices are the only
way I could do it. I would
probably start smoking cigarettes
again if flavors were banned
I enjoy caramel macchiato
(coffee flavor) Banning flavored
juice for vaping would cause
many people to smoke cigarettes
again. I am a registered voter

act.

and this would cause me to
not vote in the upcoming election
if city council can't recognize how
this ban would hurt law abiding
citizens, then it cannot endorse
members of the council.

Yours truly

John M. Ross

April 6, 2021

Apr. 7, 2021

Dear Councilor,

my name is Rose Epperly, I am 61 years old, lived in Loveland, Co for 33 years.

I'm writing to request you oppose the Ordinance No. 6443(A) regarding the Flavor ban for Vape. I've smoked my whole adult life & I have almost quit vaping & have quit smoking Cigarettes entirely. The flavors have helped tremendously because they taste WAY better than tobacco. Because of this, I no longer want to smoke tobacco. I believe Vaping is a healthy alternative to smoking.

Sincerely,

Rose Epperly

Councilors -

my name is Dylan Zayner
and I writing to oppose
ordinance NO. 6443(A) regarding
the flavor. ban. People
quitting cigarettes use vapes
as a safer alternative.

I oppose anything against
human freedoms.

Thanks.

Dylan Zayner

Dear Councilor,

I was diagnosed with tongue cancer in my early 20s, unrelated to cigarettes, and that didn't keep me from smoking cigarettes a few years later. The only thing that helped me finally stop cigarettes was vaping. Being able to satisfy the nicotine addiction without inhaling all the nasty gunk in a cigarette made the quitting significantly easier. The fruity and dessert flavors helped ease the temptation to smoke cigarettes, and worked when traditional methods failed. I am a consenting adult and find joy in the fun flavors offered through vaping and continues to help me avoid cigarettes. Without the flavor, there is no benefit to avoiding cigarettes, yet there are tons of negatives involved with cigarettes. Please don't punish responsible adults for choices made by a few minority.

Thank you, Councilor

My name is Elke Landis
Live in Loveland Co.

I'm 62 and have been
vaping for 7 years and do
enjoy the Flavored Juice

Elke Landis

Dear Councilor,

My name is Tiffany Grasseschi. I am a Colorado native. I have lived in Loveland for 28 years. I am requesting that you oppose Ordinance No. 4443(A). I smoked cigarettes for 11 years before I started vaping. Once I started vaping fruity flavors I was able to cut back on cigarettes, and eventually quit for good. I would hate for a councilor to take away my right ~~to~~ to a healthier smoking alternative.

Sincerely,

Tiffany

My name is Cindy.
I am a resident of Loveland
I have quit smoking because of
the cost as of Jan 1st Vaping
has helped a lot in saving.
I did smoke menthol and
use a mint flavor for vaping.
I do not at all agree with
the ban and feel it would
shut down a lot of business
and put a lot of people out of
work.

Vape Strong

Dear Councilor,

My Name is Jason Kevyer,
I was born and raised in
this beautiful Community.

I was a smoker until
I found Vaping and it has
helped my health.

I completely oppose
any flavor ban. I hope you
will as well.

There is no need for
this legislation.

Sincerely



Dear city Council

I've been cigarette free for
6 years thanks to vapes -
it played a huge role in me
quitting - if you ban flavors
not only are you affecting local
~~business~~ ^{business} - and their employees -
but you are willingly removing
taxable income from the city - every
election you ask me to raise
taxes - cause the city needs it
and here you are trying to kill
a viable tax resource - If you
ban it - we'll take our business to
fort Collins and Greeley or ~~back~~ ^{better}
yet - online - this affects the
city coffers - stop asking for
tax increases while killing tax
paying businesses - FYI I'm 31
own a home, vote and pay taxes

Wick

DEAR COUNCIL,

MY NAME IS AIMEE INGALLS-
FLAUGHER, AND I AM A RESIDENT
OF THIS AREA SINCE 2006.

FLAVORED NIC (VAPE) HAVE HELPED
ME STOP SMOKING CIGARETTES
IN THE PAST 2 YEARS. I 100%
OPPOSE ORDINANCE #6443(A).

NOT ONLY IS THIS AN INFRING-
MENT ON MY RIGHT TO CHOOSE
AN ALTERNATIVE THAT IS LESS
ABRASIVE ON MY BODY BUT ALSO
AN INFRINGEMENT ON OUR RIGHT
TO PERSONAL PREFERENCE BY SINGLE
OUT "FLAVORS". I STAND BY
RED STAR VAPE & REQUEST THEIR
CONTINUANCE IN THEIR BUSINESS
TO THE FULLEST.

SINCERELY,
AIMEE INGALLS-
FLAUGHER

Dear Counselor,

My name is Sara Sanchez
and I am 46 yrs old I am
writing to you to request that
you oppose ordinance No.
6443 (A) regarding the flavor
ban for vape. I'm doing
better smoking flavored
vape vs. cigarettes.

Sincerely

Sara Sanchez

Dear Councilor,

Vaping helped me quit smoking
after 17 years. After my father-in-law
had an Aortic Dissection, I was
able to quit after using Flavored
e-cigarettes. Please do not ban
Flavors so that others like me may
be able to quit smoking as well.
Thank you!

Sincerely,

Arjyde



To whom it may concern

I am a native to Asheville
and oppose ordinance

No 6443(A) regarding
flavor ban for vape.

I smoked for 25+ years
and quit smoking from
using my flavored vape
there is no difference from

pot flavors. Will you ban
that as well if this goes
through. You should be
fair. I will refuse to

vote for any councilor who
takes away my rights.

Sincerely
Brittany Nash

Dear city counsel,

My name is Brandon and I have been vaping for about five years now. I had quit smoking cigarettes because I had breathing issues from smoking. With all of the wildfires in Colorado I switched to give my lungs a break. I am forty one years old and feel that through experience vaping is better for my health. The ban on flavors will not stop underage people from vaping. Data shows this is the opposite. The responsibility lies with parents to address this issue.

Thank,

Brandon Salvi



Dear Councilor,

My name is Craig Jarrott
I was a smoker for 17 years and
am currently 37 years old. If it were
not for flavored e-liquid I would
still be smoking. Plain tobacco e-liquid
is too similar to cigarettes and
made me want to smoke more
cigarettes. After just a few years
of not smoking and only vaping
I feel healthier and would
definitely vote differently if
this ban goes into place.

Craig Jarrott

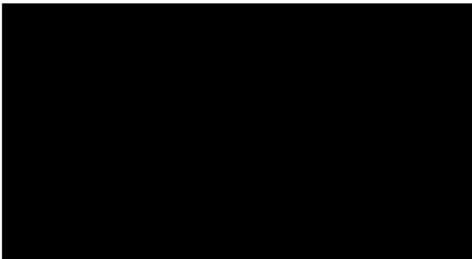


DEAR COUNCILORS,

My name is KEVIN L. GRAVES. I'm writing to ask y'all not to put this Ban into effect. This is to plead with you. I smoked and dipped snuff for over 36 years, and the flavored juices were the only thing that keep me from going back to smoking and dipping. They are also the only things that helped me quit after years and years of trying everything I could. Please don't step on my rights to chose how to stay off snuff and cigarettes. Thank you for your time. I hope my vote was not wasted.

God Bless,

K. L. Graves



Dear Counselor,

My name is Sara Sanchez
and I am 46 yrs old I am
writing to you to request that
you oppose ordinance No.
6443 (A) regarding the flavor
ban for vape. I'm doing
better smoking flavored
vape vs. cigarettes.

Sincerely

Sara Sanchez



My name is Christine Bonille, I am 22 years old and I would say vaping has saved my life, and improved it. When I was a dishwasher at a Loveland restaurant I was smoking a pack and a half a day. Within a year I moved to solely vaping. I quit with mostly fruity flavors. The last thing I wanted to be reminded of while vaping was the taste of cigarettes. I started smoking heavily at 16 years old, and when I was 19 was able to turn to vaping only. If flavors are banned I am scared I would have to turn to cigarettes again. Or I would have to go to Fort Collins or Greeley to get my flavor juice. I work in a vape shop and have dedicated so much time to making sure products don't get into the hands of people under 21. Not only would you be taking away my flavors, but you'd be taking away my job, and all of my coworkers jobs. I rely on these flavors not just for nicotine, but to pay rent, taxes, and for food. I know-

of many shops that sell to minors and have never been punished for it. Please don't take away flavored juice that responsible, law abiding adults rely on to stay away from cigarettes. Punish the shops that sell to kids. ■

I will NOT ever vote for any city council member that voted to ban flavored vape juice

CRi

4-2-21

To whom it may concern,

My name is Andrea Jones and I oppose the proposed flavor ban in Loveland. I started smoking cigarettes when I was 21, I am now 35, and since have tried to quit several times. I started vaping two months ago and have cut my cigarette smoking in half and am well on the way to kicking cigarettes all together. I fear if the flavor ban is imposed I will fall back to my old, more harmful habit of cigarette smoking. If there was a flavor ban in Loveland I would have to travel to a different city to get my vaping supplies, meaning that city would be getting whatever tax revenue that was generated. I probably wouldn't vape as much and start smoking more. I see no reason to impose a flavor ban, for those of us who indulge legally and keep it away from minors the different flavors help us stay away from the more dangerous cigarette smoke. A flavor ban wouldn't stop those illegally selling to minors, it only punishes those shops selling legally to those who are 21+, it makes no sense. Many businesses that generate a lot of tax revenue would go out of business, I don't want to see that happen. If anything you should impose harsher fines on those businesses that sell to minors. I will be watching closely on who voted for the flavor ban and rest assured when they are up for re-election I won't vote for them. Do the right thing. Vote against a flavor ban, save these businesses.

Concerned citizen,

Andrea L Jones

4/6/2021

Dear Councilor,

My name is Jill Conner and I am writing you to implore you to consider opposing Ordinance NO. 6443 (A) regarding the flavor ban for vape juice. I am a resident of Loveland since 2008, and I have been in Larimer County since 2002.

I began smoking cigarettes when I was 15 years old and by the time I was 16 I was smoking a pack a day. This was the mid-80's and much misinformation was being shared about tobacco and the effects of its use. I kept telling myself I would stop by the time I turned 18, yet I didn't. I spent years and years telling myself I would stop, but I could not. I tried more times than I can count, and there was no medication, smoking cessation product, or quit coach that provided me with a fighting chance to quit.

I smoked during pregnancies. I smoked in restaurants. I smoked despite the warnings. I smoked despite my disdain of it. I smoked after my brother, a nurse, explained to me the vast number of chemicals added to each and every batch of tobacco. I smoked even after my mother died of lung cancer in 2011.

In 2015, I did not want to continue to be a smoker. I stepped into one of Loveland's vape shops, Mad Mountain Vapors, and sought assistance. The staff there was so kind and helped me find a beginner's vape and some tobacco flavored juice. I hated that juice. I tried various other juices until I found a flavor which suited me. I haven't looked back and I haven't smoked a cigarette since. I just celebrated my 6th year of not smoking on 3/31/2021. After 31 years, I was able to stop smoking when I thought there was no hope for me.

For this reason, I am strongly opposed to a flavor ban. If passed, I would like to think I would not return to smoking cigarettes, but I am not so sure. I do know I would make every concerted efforts to obtain flavored juice before that happens. If that means traveling out of Loveland, I will do that. If it means I have to make an occasional trip to a nearby state to stock up, I would do that, too. I also know that my vote would not support someone who favors such a ban. Not at the local, state, or national level.

Thank you for your consideration as you make your decision surrounding Ordinance NO. 6443 (A) later this month.

Respectfully submitted,



Jill Conner



To whom it may concern.

My name is Michael Grennan, I am a lifelong resident of Loveland and a father of two. There are talks happening about banning flavor vape products because of the underage use of said products. Let me explain how this will hurt the law-abiding adults of Loveland. First let take you back to middle school, Conrad ball, eighth grade, I was 12 years old and trying to fit in somewhere in a social ocean of kids and saw all the cool older kids smoking at "The Box". This was nothing more than a green electrical box south east of the property. I wanted to be cool and part of a group, so I made friends with one of them. Soon after I had my first drag off someone's smoke. I became a smoker. Being young and in a group of kids, all doing the same thing, we worked together to get our smokes. We had kids steal them, older kids buy them for us for a fee, parents that provided them for us and even certain gas stations that sold to us knowing we were not of age. This will make me someone that smoked for thirty years. I have not had the healthiest of lifestyles and always had to make time for a smoke.

Five years ago, I was introduced to vape. I thought it might be something that could help me quit smoking, so I bought my first mod. I was amazed at the flavor combos and the fact that I could lower my nicotine levels. Sadly, I vaped and smoked for quite some time. Vaping in the house and smoking outside. One thing that I noticed as I cut back on cigarettes was my energy levels went up and I started to feel better. I knew it was the answer to my health issues but still couldn't let my Marlboros go. A sales tax on cigarettes come up on the ballot and I voted to increase it. This, I hoped, would be what I needed to get me to stop spending \$6.00 a day on smokes. The new sales tax went into effect and my smokes went to \$8.20. this was going to cost me close to \$250 dollars a month to continue to smoke. My partner and I both smoked so that put a \$500 dollar expense into the household budget. We decided to quit and go to strictly vape.

My last cigarette was 1/22/2021 and I am now just someone that vapes. I enjoy the candy flavors and the fruity ones. I change my flavor about once a week depending on what I'm feeling at the time. My partner enjoys the menthol flavors and does the same. We have saved about \$1,300 dollars in this household since we switched to vape. This has given use extra money that we didn't know had to catch up on bills and put it

towards a healthier lifestyle. We both are now members of Golds Gym and Planet Fitness. Our health has improved tenfold and I am now able to run, Something I thought was never going to be a possibility, lift weights and have more drive to improve our overall health. All this with vape and the absence of cigarettes.

If my flavors are banned, this will create a problem within our community. I am a law-abiding citizen of Loveland and a part of this community. I am a supervisor at Goodwill and am able to help the homeless and the people of Loveland daily. Am going to be punished because underaged kids are getting their hands on vape? As a father of a Loveland high student, I can tell you all the kids are doing the same thing we did as kids, trying to fit in. Banning the legal sale to adults will not help this. We can all order online and so can they. You will be hurting the small, Law abiding, business that are simply trying to make a living and raise their families here in our community. So, I ask, why would you attack your community in such a way?

My political views are my own and I always vote. If we as a community vote to ban flavor vape juice than I will send my money out to the internet and order online. All the money that we have been putting back into the community will be lost. I will be paying close attention to this vote and the parties that are voting. You are trying to help the underage use of vape and as a parent I understand that. These kids are internet smart and it will stop nothing.

So, I guess my Questions are...

How does this vote improve the community?

How does this vote stop my daughter from ordering online?

How does this vote help people quit smoking and live a healthier life?

How does this vote help the small business?

How does this vote stop the underground trade and sale of vape products to kids?

How does this vote help me?

Please feel free to contact me if you have any questions.

Thank you

Michael Grennan



Dear Councilor,

My name is Penny Welckem I am a 21 year resident of Larimer county and a 3 year resident of Loveland. I am writing to you to oppose Ordinance No. 6443(A) regarding the flavor ban for vape.

I began Smoking Marlboro Red 100's cigarettes when I was 12 years old. That was in 1984, I am now 48 years old. Over all those years of Smoking I developed a horrible phlegm ridden cough. This cough made it hard to breath and made me feel as though I was drowning when I would lay down to sleep at night.

This last November my daughter suggested I try Vaping as a way to quit Cigarettes. I thought after being such a long time Smoker there was no hope for me, but I tried it any way. I started with a fruit cereal-flavored vape device. I stopped cigarettes from the very first day! It has been over 5 months that I am cigarette free for the first time in 36 years! This is because of Vape flavors.

→

Vape flavors have changed my life. I recently went to see my Doctor at U.C Health for my bi-annual physical. I told her that I had quit smoking and am using vape flavors as a method to quit. She said that my lungs sound clear and good! I haven't heard that from my Doctor in years!

I am strongly opposed to Lovelands' proposed flavor ban. It will only hurt law abiding vape shops who have always followed the rules and regulations put in place to protect underage kids. This is a very important issue to me and many people I know and I would never vote for a Councilor that took away my right to a healthy smoking alternative.

Thank you and please consider opposing Ordinance No. 6443 (A) on April 20th

Penny Weickman
Penny Weickman
April 6, 2021