

JUDICIARY AND LICENSE COMMITTEE
MINUTES OF MAY 3, 2016

Meeting called to order by Chairperson Wagner at 5:30 p.m., in the Common Council Chambers, City Hall Plaza.

PRESENT: Alderpersons Ed Wagner, Gordon Earll, and Alanna Feddick

ABSENT: None

ALSO PRESENT: Police Chief Gramza, City Clerk Hall, and others.

JLC16-027 Motion by Earll, second by Feddick to approve the minutes of the Judiciary and License Committee of April 19, 2016.

Motion carried

CITIZEN COMMENTS

None

JLC16-028 Motion by Feddick, second by Earll to approve by unanimous consent the following:

- a) Four (4) Beverage Operator Licenses for the 2015-2017 year to: Jessica Behling, Randy Englebretson, Natalie Kaiser and Aaron Miller.
- b) Temporary Class “B” Retailer’s License to the Marshfield Curling Club, Inc. for June 3-4, 2016.
- c) Temporary Class “B” Retailer’s License to Main Street Marshfield, Inc. for June 17, 2016.
- d) Temporary Class “B” Retailer’s License to Main Street Marshfield, Inc. for July 28 – 30, 2016.
- e) Amend the premise description on the “Class B” Combination Liquor License of Nutz Deep II, 809 S. Central Avenue to include the downstairs gaming area and upstairs meeting room at 807 S. Central Avenue (connected to Nutz Deep II).

Motion carried

JLC16-029 Motion by Earll, second by Feddick to grant a Beverage Operator License to Hunter Paul with 25 demerit points assessed for failure to list his violations. Ayes – 2; Nay – 1 (Feddick)

Motion carried

E-CIGARETTE/VAPING HEARING

Those speaking against E-Cigarettes/Vaping:

1. Dr. Yakub Ellias, representing Wood County Medical Society as well as the Wisconsin Medical Society.
2. Dr. Duane Myklejord, Wood County Medical Society
3. Heather Adler, 9980 Cty Rd Y.
4. Tammy Neumann, 716 S. Oak Avenue
5. Dave Wille, 512 S. Cypress Avenue

Comments:

- E-Cigarettes should be treated the same as regular cigarettes.
- Health Hazard
- Nicotine delivery system
- Falling into the hands of children because of the different flavors (bubblegum, cotton candy, etc.)
- Human brain doesn’t develop completely until you are 25 or 26. The younger you are exposed the more addicted you are.

- Since 2010 the number of calls to the institutions that deal with acute toxicity have increased significantly complaining of nicotine toxicity.
- 17% - 20% of seniors in high school have used e-cigarettes. Cigarette smoking is only 2% and has not decreased after the e-cigarettes came out. E-Cigarettes are not taking the place of cigarettes.
- Safety of e-cigarettes is not well documented yet so at this time it should be restricted.
- E-Cigarettes are not labeled with the ingredients.
- FDA Study found cancer causing substances in half of the e-cigarette samples tested.
- Public shouldn't have to breathe these substances.
- Not regulated by the Food and Drug Administration which means there are no manufacturing or quality control standards.
- They produce more than just water vapor. Second hand aerosol can contain nicotine, ultra-fine particles, heavy metals and cancer causing chemicals.
- Requested that the City include E-Cigarettes into Marshfield's Clean Indoor Air Ordinance.
- City commended for being a leader in clean indoor air and passing one of the first ordinances banning smoking in public indoor places.

Those speaking in favor of E-Cigarettes/Vaping:

1. Damian Lenzo, 409 W. 14th Street
2. Jake Lightfoot, 791 W. 17th Street
3. Patti Arnold, owner of Central City Vapors, 817 S. Central Avenue
4. Ray Kesler, M331 State Hwy 97
5. Phil Maguire, 2301 Madison Avenue

Comments:

- Vaping has saved people from cigarettes; helps people quit smoking
- Healthier alternative
- Important for vape shops to be able to use the vaporizers in the store because the people that come in that are using these to quit smoking need to be able to try the devices, flavors and find what they need. They can change the hit on it and find what they are looking for from the cigarettes and then change to vaping.
- At Central City Vapors they have a wall of success that was put up in November. Currently they have over 30 signatures on that wall. In order to get your name on the wall you have to be 30 days tobacco free or more.
- Information was handed out
 - 8 Biggest Electronic Cigarette Myths (#1-Electronic cigarettes are a threat to children/teens; #2-Sweet flavors and flashy packaging are intended to specifically attract young people; #3-Electronic cigarettes all contain anti-freeze; #4-Electronic cigarettes are just as deadly and carcinogenic as tobacco cigarettes; #5-Electronic cigarettes may be more addictive than regular cigarettes; #6-Second-hand "vapor" is a threat to bystanders; #7-Electronic cigarettes are a "gateway" to tobacco smoking; and #8-If electronic cigarettes were no longer available for smokers, those smokers would simply quit smoking or use traditional stop-smoking aids.
 - The deception of measuring formaldehyde in e-cigarette aerosol.
 - E-cigarettes: harmless inhaled or exhaled (no second hand smoke).
 - Second hand vapor.
 - Study: Is Second hand e-cigarette vapor dangerous?

- Impact of flavor variability on electronic cigarette use experience: an internet survey.
- Quit and Smoking reduction rates in Vape Shop Consumers: A Prospective 12-month survey.
- A letter from WI Wins congratulating Central City Vapors for being a positive influence by not selling tobacco to minors.
- A petition signed by many individuals opposed to the banning of using vape products in public places.
- Businesses should be able to choose if they want to ban this or not.

Aldersperson Earll read a letter from Sue Kunferman, Wood County Director/Health Officer in opposition to E-cigarettes and requesting the City to incorporate e-cigarettes into the existing clean indoor air ordinance.

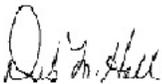
Findings

1. It is desirable for the City of Marshfield to include Electronic Delivery Devices in the Clean Indoor Air ordinance.
2. Nature of E-Cigarettes is such that it requires on-site selection therefore Vape Shops should be exempted from the Ordinance. Vape Shops would be defined in the ordinance. (The City of Madison exempts vape shops and define it as: “Retail electronic delivery device store” means a retail establishment that does not have a “Class B” or “Class A” intoxicating liquor license or a Class “B” or Class “A” fermented malt beverages license and that generates seventy-five percent (75%) or more of its gross annual income from the retail sale of electronic delivery devices and accessories).

Future Agenda Items

1. Replacing Section 9-32(8) Improper Exhibitions
2. Railroad Citation Ordinance

There being no further business the Chair adjourned the meeting at 6:35 p.m.



Deb M. Hall
City Clerk