



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail - Final City Council Work Session

Monday, March 10, 2014

City Hall Conference Room 2A

Immediately following the closed meeting

CALL TO ORDER: Pursuant to due notice and call thereof a Special Meeting/Worksession of the Grand Rapids City Council will be held on Monday, March 10, 2014 immediately following the Closed Session in City Hall Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL: On a call of roll, the following members were present:

Discussion Items

1. [14-0285](#) Update on e-cigarettes
Attachments: [E-cig-poll-fact-sheet-FINAL-02-25-14-2](#)
[E-cig-poll-release-FINAL-02.25.14](#)
[Statement-Halverson-bill-introduction-01.13.14](#)
2. [14-0286](#) Amendments to Flexible Time Off Policy
3. [14-0287](#) Discuss taxi cab licensing requirements.

ADJOURN

Attest: Tom Pagel, City Administrator



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Legislation Details (With Text)

File #: 14-0285 **Version:** 1 **Name:** Update on e-cigarettes
Type: Agenda Item **Status:** CC Worksession
File created: 3/6/2014 **In control:** City Council
On agenda: 3/10/2014 **Final action:**
Title: Update on e-cigarettes

Sponsors:

Indexes:

Code sections:

Attachments: [E-cig-poll-fact-sheet-FINAL-02-25-14-2](#)
[E-cig-poll-release-FINAL-02.25.14](#)
[Statement-Halverson-bill-introduction-01.13.14](#)

Date	Ver.	Action By	Action	Result
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Update on e-cigarettes

Background Information:

E-cigarettes are battery-operated devices used to inhale nicotine and other chemicals. Several Minnesota cities have restricted their sale and use, and state lawmakers have proposed adding them to the Freedom to Breathe Act.

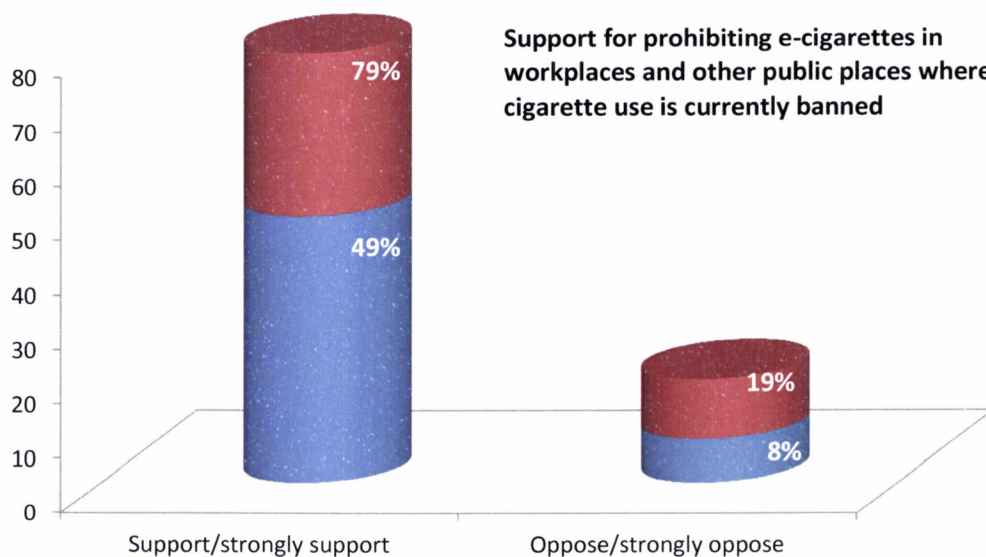
ClearWay Minnesota supports efforts to include these products in public policies that apply to cigarettes. There is not yet a body of evidence on the effects of using or being around e-cigarettes, and allowing an unknown substance to be used in indoor public places would be a step backwards for clean air. We also know that e-cigarettes are sold in candy and fruit flavors that are proven to have appeal for youth.

A poll released by ClearWay Minnesota and Blue Cross and Blue Shield of Minnesota in February found that Minnesotans strongly support including e-cigarettes in policies that restrict smoking in public places. Seventy-nine percent said they support prohibiting e-cigarette use in places where smoking is already banned. The poll also found that 98 percent of Minnesotans support prohibiting e-cigarette sales to minors, and 87 percent feel e-cigarettes should be kept behind the counter in stores.



Minnesotans Strongly Support Prohibiting E-Cigarette Use Indoors and Protecting Youth

According to a survey released in February 2014 by Blue Cross and Blue Shield of Minnesota and ClearWay Minnesota, a strong majority of Minnesotans – **79 percent** – support prohibiting e-cigarette use in indoor public places, including workplaces.



Minnesotans Support E-Cigarette Regulations That Protect Youth

The survey also found overwhelming support for limiting youth access to e-cigarettes.

- **98 percent support prohibiting e-cigarette sales to minors.**
- **87 percent support requiring e-cigarettes to be kept behind the counter.**
- **87 percent said that the statewide smoking ban was the right decision for Minnesota.**

About Blue Cross and Blue Shield of Minnesota

Blue Cross and Blue Shield of Minnesota (bluecrossmn.com), with headquarters in the St. Paul suburb of Eagan, was chartered in 1933 as Minnesota's first health plan and continues to carry out its charter mission today as a health company: to promote a wider, more economical and timely availability of health services for the people of Minnesota. Blue Cross is a not-for-profit, taxable organization. Blue Cross and Blue Shield of Minnesota is an independent licensee of the Blue Cross and Blue Shield Association, headquartered in Chicago.

About ClearWay MinnesotaSM

The mission of ClearWay MinnesotaSM is to enhance life in Minnesota by reducing tobacco use and exposure to secondhand smoke through research, action and collaboration. We were created in 1998 and entrusted with overseeing 3 percent of the state's tobacco settlement funds. We use our portion of the settlement to help Minnesotans quit smoking and tobacco use, and to fund tobacco-related research, programs and initiatives around the state. We work to raise people's awareness of the dangers of tobacco and to make Minnesota a healthier place.

The study contains the results of a survey administered by Morris Leatherman of Minneapolis to 630 randomly selected adult residents across the state of Minnesota. Professional interviewers conducted the survey by telephone between January 7 and 17, 2014. The typical respondent took 20 minutes to complete the questionnaire. The results of the study are projectable to all adult residents in state of Minnesota within ± 4.0 percent in 95 out of 100 cases. This poll was funded by Blue Cross and Blue Shield of Minnesota.



FOR IMMEDIATE RELEASE
Wednesday, February 26, 2014

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Poll: Minnesotans strongly support prohibiting e-cigarette use indoors

Public also supports regulation to prevent e-cigarette use by youth

Minneapolis, MN (February 26, 2014) – A poll released today shows that a strong majority of Minnesotans (79 percent) support prohibiting e-cigarette use indoors in places where smoking is prohibited. Other regulations to prevent youth from using e-cigarettes are also overwhelmingly supported by Minnesotans.

“This new poll shows that a strong majority of Minnesotans – **79 percent** – support prohibiting e-cigarette use in indoor public places, including workplaces,” said Janelle Waldo, Director of the Center for Prevention at Blue Cross and Blue Shield of Minnesota. “E-cigarette use threatens our high standard of clean indoor air. Limiting their use the same way we limit conventional cigarettes will protect the clean air that Minnesotans have come to expect and support.”

Studies have found that e-cigarette vapor contains nicotine, heavy metals and other toxic compounds. Representatives Laurie Halverson (D-Eagan) and Phyllis Kahn (D-Minneapolis) have introduced bills to limit e-cigarette use indoors.

The poll also found overwhelming support for limiting kids’ access to e-cigarettes. **Ninety-eight percent** of Minnesotans support prohibiting e-cigarette sales to minors, and **87 percent** support keeping e-cigarettes behind the counter so they are less visible and accessible to youth.

Rep. Halverson’s bill includes provisions to protect youth by placing e-cigarettes behind the counter and punishing retailers who sell them to minors. E-cigarette sales to minors are already prohibited by Minnesota law.

“The public has good reason to be concerned about youth use of e-cigarettes. They come in kid-friendly flavors like ‘gummy bear’ and ‘cotton candy,’ and we know flavored tobacco products are attractive to youth,” said Molly Moilanen, Director of Public Affairs at ClearWay Minnesota. “Research by the Centers for Disease Control and Prevention shows that the use among middle-school and high-school students more than doubled from 2011 to 2012. This increase is alarming.”

Both Rep. Halverson and Rep. Kahn’s bills are supported by a broad coalition of health organizations including Blue Cross and Blue Shield of Minnesota, ClearWay Minnesota, Allina Health, American Cancer Society Cancer Action Network, American Lung Association in Minnesota, HealthPartners, Minnesota Medical Association and others.

"Even though e-cigarettes are relatively new products, Minnesotans have already concluded that the state should apply the same regulations on their sales and use that exist for conventional cigarettes," explained Dr. William Morris of the Morris Leatherman Company, the research firm that conducted the poll. "Strong support for clean indoor air in public places and concern for protecting kids are important factors shaping the opinions of Minnesota residents."

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FOR IMMEDIATE RELEASE

Monday, January 13

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ClearWay Minnesota thanks Reps. Halverson and Kahn for upholding standard of clean indoor air, protecting kids

Legislation would include e-cigarettes in Freedom to Breathe Act, place products behind counters

ST. PAUL (January 13, 2014) – David Willoughby, Chief Executive Officer of ClearWay Minnesota, made this statement today, reacting to bills introduced by Representative Laurie Halverson (DFL-Eagan) and Representative Phyllis Kahn (DFL-Minneapolis) that would treat e-cigarettes like conventional cigarettes under the Freedom to Breathe Act, Minnesota’s smoke-free policy.

“We want to thank Representatives Halverson and Kahn for championing this important issue,” said Willoughby. “There is a lot we don’t know about e-cigarettes, including the potential harm of vapor. Including e-cigarettes in the Freedom to Breathe Act will uphold the standard of clean indoor air that Minnesotans expect and support.

“Despite what we don’t know about these devices, we do know that they appeal to kids, and come in flavors like chocolate, bubble gum and fruit punch,” he said. “Representative Halverson’s bill would put e-cigarettes behind the counter and penalize those who sell them to minors like we do with other tobacco products. These are important steps to help keep our kids safe from addiction.”

About ClearWay MinnesotaSM

ClearWay Minnesota is an independent nonprofit organization that improves the health of Minnesotans by reducing the harm caused by tobacco. ClearWay Minnesota serves Minnesota through its grant-making program, QUITPLAN[®] stop-smoking services and statewide outreach activities. It is funded with three percent of the state’s 1998 tobacco settlement. For more information on ClearWay Minnesota or QUITPLAN Services, call 952-767-1400 or visit clearwaymn.org.

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Legislation Details (With Text)

File #: 14-0286 **Version:** 1 **Name:** Amendments to Flexible Time Off Policy
Type: Agenda Item **Status:** CC Worksession
File created: 3/6/2014 **In control:** City Council
On agenda: 3/10/2014 **Final action:**
Title: Amendments to Flexible Time Off Policy

Sponsors:

Indexes:

Code sections:

Attachments:

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Amendments to Flexible Time Off Policy

Background Information:

The City of Grand Rapids' Personnel Policy Manual regarding Flexible Time Off states that *"Probationary employees shall be credited retroactively with FTO hours upon successful completion of their probationary period. Probationary employees shall be entitle to accrue and use FTO. If, however, an employee is terminated during his or her probationary period, the employee shall forfeit any accrued, unused FTO at the time of termination. Additionally, an employee terminated during the probationary period shall have deducted from his or her final paycheck any FTO used by the employee during the probationary period."*

Also, the City of Grand Rapids has referred to the first 180 days of employment as "probationary periods." It has been determined that the use of the term probationary period and successful completion of this period may weaken the employer's employment-at-will status. Courts have determined that the use of probationary periods may provide employees who have successfully completed this period with additional employment rights. An "introductory period" is a period of time established by an employer after the hire of an employee during which the employer and the employee evaluate whether a successful employment relationship can be created. During this period the employer determines whether the employee has the skills and other qualifications needed to succeed. The employee uses the period to evaluate whether he or she is a good match for the position and the company. Therefore, we are recommending changing the word "probationary" to "introductory" throughout the Personnel Policy Manual.

Staff Recommendation:

Human Resources Director Lynn DeGrio is recommending amending the Flexible Time Off policy as such: *"Introductory employees shall be credited retroactively with FTO hours upon successful completion of their introductory period. Introductory employees shall be entitle to accrue FTO and use FTO up to a maximum of 40 hours. If, however, an employee is terminated during his or her introductory period, the employee shall forfeit any accrued, unused FTO at the time of termination. Additionally, an employee terminated during the introductory period shall have deducted from his or her final paycheck any FTO used by the employee during the introductory period."*

