

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."

THE CHEYENNE HERALD

the local advocacy journal

In depth. Independent. Stories of Local Interest. Since January 2002.

June 19, 2006 • Issue No. 101 • Next issue July 3, 2006

Smoking ban approved



See p. 8 also

by **Dave Featherly**

In an incredible reversal, three city council members shifted their positions on the question of banning smoking in certain public places.

In 2001, shortly after Jack Spiker had been sworn in as mayor, Jimmy Valdez introduced an ordinance to prohibit smoking in city-owned buildings and property.

Several members of that city council voted against that ban. When they had the chance to reduce the health and property damage caused by smoking, they refused to do so. The ban would have taken effect only in city-owned buildings and properties (cars, trucks, etc.), not in public eating and drinking establishments or private businesses.

Incredibly, Patrick Collins, who then as now, sold exercise equipment and bicycles, which one might think put him in the camp of fitness devotees, voted against that smoking ban. He now voted for the ban of smoking in public places and private businesses that was recently passed by the mayor and city council.

In 2001, a fraternity had been formed by Collins and Tom Segrave. They brought into their secret-handshake group the desperate for validation Joe Bonds, and Tom Scherr. They had but four votes to cause any destruction to the institution.

Until.

Until, because of the smoking ban battle, Jack Spiker himself switched camps and took with him the ever-loyal Don Pierson. All of a sudden, the group went from minority to majority.

How did this happen so quickly and devastatingly?

At the time, there were five members of the governing body who we were certain would support that limited smoking ban. And the reason it made sense is the cost to taxpayers in health and absence problems with city employees. I say "we" because I was then in the nose-counting business for the mayor.

C. J. Brown, Floyd Lopez and Don Pierson, along with Jack and Jimmy, would provide five of the necessary six votes for passage. The swing vote would have to come from Judy Case because the "Filthy Four" as I had dubbed them (Collins, Segrave, Bonds and Scherr) would never allow the mayor a victory. The issue was unimportant to them - they would oppose everything the mayor supported. Had Jack not defected to their side faster than the French surrender in war, they would have forever been consigned to the minority.

Judy Case did vote with the Filthy Four and the ban, as an ordinance, was defeated. The mayor issued an executive order and the ban became effective anyway.

The point to this recitation is that there are three remaining members of the city council who could have done a small part in removing, or at least reducing, what they now admit is a health issue to non-smoking city employees, yet refused to do that in 2001. Now, they are willing - no, make that eager - to impose the ban they opposed then on private businesses now. What has changed in their minds?

I have been contacted throughout this fray, encouraging me to take a public position on the matter. Many readers probably assumed that I would oppose the ban because it is another intrusion of government into the lives of private citizens and businesses.

But I watched my 50 year-old brother, oldest in our family, die slowly and painfully from the ravages of smoking. Stronger than a mule in his earlier years, he was reduced to living in a nursing home, dependant on Prednisone to breathe, barely able to walk, an oxygen bottle ever present, bloated from medication, and so depressed because of the misery he had wrought onto himself.

So, yes, I have a position on smoking.

But I also have a position on the free enterprise system.

The incongruity of banning smoking in the very places that sell alcohol is not

lost on me. Both tobacco and alcohol are legal products. The City is about to tell its residents that, regardless of the health and societal implications of drinking too much, you are legally allow to do so. You can even drink and drive legally. There is just a threshold you cannot cross. Assuming you're caught, of course. Otherwise, you can drink until you can't stand up. There is no prohibition against that.

I have never smoked. I never dated a girl who smoked. Virtually everyone in my family smoked when I was a child. My friends did not. My wife does not smoke. Our two daughters do not smoke. Our sons-in-laws do not smoke. Our teenage grandchildren do not smoke.

Get the drift? I'm not personally big on smoking. In fact, I truly hate to see people smoke. Not everyone of them will end up like my brother, but many will. Nonetheless, I learned a long time ago that badgering someone about their smoking will not only not work but will likely lose you a friend.

I've never allowed smoking in my vehicle or in my home. Notice I say in "my" home. I don't feel I have any say in what people allow in "their" vehicles, home or business. I can make my own personal rules. But I don't know that I should be able to make yours. Tobacco is a legal product that can kill you, even if used as directed. Knowing that, people still smoke.

I just returned from a vacation trip to my home areas in Wisconsin and Minnesota. While there, I learned that a 49 year-old nephew, while undergoing a physical to satisfy his law enforcement position, was found to have a tumor on his lung. A biopsy has been taken but at presstime, the results were unknown. I was surprised to learn that he has smoked all his adult life. He is fit. He is required to be in his job. He looked healthy the last time I saw him a year ago.

Could I have talked him out of smoking? No. Except in my immediate family where I think my example may have had an influence, I've never been able to convince anyone not to smoke - or to quit once they started. Believe me, I tried.

Employees probably got tired of my preaching to them. Not probably. They did. I could tell. At a company reunion in 1992, a female employee of mine from the '70s approached me and asked: "Do you remember how you used to try reverse psychology on me to get me to quit smoking?" I would tell her she couldn't do it, that she just didn't have the necessary willpower. Of course I remembered. And she didn't quit. "Well," she told me that night that was supposed to be filled with fun and getting reacquainted, "I didn't quit smoking and I have terminal cancer. I've been given a few months to live."

Yes, I know. It never happens to you.

My dad smoked from the time he was 13 years old until he was on fixed income and couldn't afford cigarettes anymore. He smoked filterless Chesterfield's. He lived to be 78 years old. My mother never smoked as a habit and died of cancer of the pancreas at the too-young age of 53. My dad used to describe for me the tiny "sips" of air he said he could get. Sips! Also a "victim" of Prednisone and on oxygen 24/7, he could get only tiny breaths of air. Yes, I know. It won't happen to you.

I don't know what enjoyment smokers get. Never having smoked, I will freely admit to not understanding. And, as much as I hate to see someone risk the ends I have seen family members endure, I'm not sure it's any of my business. I've seen similar health issues caused by alcohol. Some will argue that obesity is just as bad as tobacco. I don't know. My obese friends have not died the excruciating deaths contributed to by tobacco and alcohol.

Where we came from, Minnesota, the state passed a Clean Indoor Air Act in 1967 - nearly four decades ago. Restaurants were required to have separate seating areas for smokers and non-smokers. Wyoming has evolved into a tolerable place with a similar separation. I have no complaints. Except for seeing kids in the smoke. My solution would take one paragraph: "Children under the age of 18 will not be allowed to enter or be seated in areas where smoking is permitted." Adults, knock yourself out.

WWW.CHEYENNEHERALD.COM