

CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES

December 11, 2018

MEETING CONVENED: 7:00 p.m. Council Chambers

MEMBERS PRESENT: George Irvine (presiding), Kismet Hazelwood, Kass Sheedy, Jason Kramer, Ajay Prasad, Sheila Smith, John Hornor, John Wessels.

ABSENT: Bob McDowell

STAFF: Renee Bensley, City Secretary, CMC
Whitney Potts, Administrative Professional, Paralegal

GUESTS: Tami Lunsford, Newark Charter High School (NCHS) Science Teacher
Tara Cain & Sabin Lowe, NCHS students

Mr. Irvine called the meeting to order at 7:01 p.m. He announced the agenda was not as full as some meetings and thought it was appropriate for the end of the year. Mr. Irvine stated there would be a guest presentation from the Newark Charter Highschool Marine Science Club regarding plastic straws and thanked the students for attending the meeting.

1. APPROVAL OF MINUTES FROM MEETING HELD ON NOVEMBER 13, 2018

MOTION BY MR. WESSELS, SECONDED BY MS. SMITH: THAT THE MINUTES FROM THE NOVEMBER 13, 2018 MEETING BE APPROVED AS RECEIVED.

MOTION PASSED. VOTE: 8 to 0.

AYE – HAZELWOOD, HORNOR, IRVINE, KRAMER, PRASAD, SMITH, SHEEDY, WESSELLS.

NAY– 0.

ABSENT– MCDOWELL.

2. PUBLIC COMMENT

There was no public comment. Mr. Irvine thanked the audience for their presence at the meeting as the CAC's meetings were typically not well attended by the public. He said the City Charter was refined in 1972 and the CAC was created as a vehicle to obtain volunteers who were passionate about conservation and the environment. Moreover, the intent of the CAC would allow citizens to share their ideas with the City. Mr. Irvine believes the CAC operated best when the public attended the meetings. He encouraged those in attendance to share the CAC's mission and goals with their neighbors, friends and fellow citizens.

3. OLD/NEW BUSINESS (PRESENTATION AND FOLLOW UP DISCUSSION ON POTENTIAL ELIMINATION OF PLASTIC STRAWS – NEWARK CHARTER HIGH SCHOOL MARINE SCIENCE CLUB

Mr. Irvine introduced Tami Lunsford, a NCHS science teacher and noted there were several students from NCHS's Marine Science Club in attendance. The students conducted research on methods to reduce plastic

straw usage. Mr. Irvine welcomed the students' ideas since the CAC wanted to make a recommendation to Council; specifically, regarding conservation policies or actions that could be implemented. He emphasized ideas were the core of policy recommendations. Mr. Irvine stated the students would make their presentation and discussion would follow. He told the students the CAC would put their research into action which he

believed was critical for young people's learning and would help the citizens of Newark. Mr. Irvine believed plastic straw usage was a problem best addressed through policy.

Ms. Lunsford announced she would let her students present and watch them in the audience. Steven Lowe and Tara Cain, students of NCHS and were involved in the Marine Science Club. Mr. Lowe stated they would discuss plastic straw usage and would discuss how climate change in general was one of the most detrimental and impactful issues in society. He believed climate change would eventually affect food, transportation, housing and every aspect of the public's lives. Mr. Lowe described climate change as one of the most important issues to address in order to make impactful changes. Ms. Cain stated one of the biggest problems impacting the world at the moment was the plastic pollution problem. Currently, there are 4.6 billion metric tons of plastic on the earth and 8 million metric tons of plastic were added each year. Plastic pollution took over the oceans and plastic recycling methods were inefficient since certain products (i.e. plastic bags) tended to clog up recycling facilities. For the rest of plastic products – since they were not being recycled – they took anywhere from ten to 1,000 years to break down. Ms. Cain said plastic products became microplastics and never fully broke down. Microplastics were tiny pieces of plastic that were found all throughout the ocean and in the digestive tracks of many marine species.

Mr. Lowe said microplastics were eaten by the smallest members of the ecosystem (i.e. zooplankton and other small creatures). The small creatures had plastic building up in their systems since they were unable to tell the difference between plastic and their food sources. Organisms ate microplastics and the plastic levels rose as was the case with other toxins. Mr. Lowe said the food humans consumed contained rising levels of microplastics. Larger pieces of plastic caused animals to suffocate. He referenced a slide on his PowerPoint which showed an image of a whale washed up on the beach whose body was filled to capacity with plastics. Ms. Cain said the organisms and animals ate plastic and sat undigested in their stomachs. Because of the high plastic levels in animals' stomachs, they did not have room to ingest actual food. Therefore, animals died because of insufficient nutrients and poor nutrition. Ms. Cain referenced a PowerPoint slide which depicted an area described as the Central-Pacific Garbage Patch. She reported there were many of these areas throughout the world. In areas like the Central-Pacific Garbage Patch, plastic outnumbers plankton by a ratio of 6:1 on the water surface. For every single plankton, there are six pieces of plastic. When plankton were outnumbered, they were more likely to consume plastic.

Ms. Cain listed the following as the biggest culprits of plastic pollution in the State of Delaware:

1. Plastic Bags. Ms. Cain said she was aware the CAC was in the process of planning how Newark would help out with the plastic bag problem in the City and State. Ms. Cain stated plastic bags were easy to eliminate and were used frequently. Frequent plastic bag use harmed marine life. Ms. Cain articulated they had suggestions of what could be done to reduce Newark's use of plastic bags. She suggested the potential to impose a charge for plastic bag usage at stores or provide a discount to people who brought in their own reusable bags. Ms. Cain believed this would encourage less plastic use.
2. Plastic Straw usage. Ms. Cain stated many restaurants were willing to make the switch to straws upon request. Similar to plastic bags, frequent use of plastic straws also harms marine life and would be easy to eliminate. Restaurants who made the switch to environmentally friendly straws experienced cost benefits. Mr. Lowe said Grain on Main Street was one of the first restaurants to make the switch. Between Grain's three locations, they used approximately 1 million plastic

straws per year. Since their elimination, Grain experienced a cost savings of \$3,000 per year due to the elimination of plastic straws. Mr. Lowe emphasized plastic straw elimination was a very easy process for restaurants to undertake which saved them significant amounts of money. Ms. Cain provided another statistic regarding plastic pollution and reported 250 million plastic straws are used per day in the United States. This amount was enough to wrap around the earth 2.5 times on a single day.

Mr. Lowe said the Marine Science Club went from restaurant to restaurant and spoke to them about making the switch to a straws upon request policy. Over the past few years speaking to local restaurants,

Mr. Lowe stated people supported the change. There were fifteen restaurants on Main Street who now implemented a straws upon request policy. Mr. Lowe said he did not believe they should fully count three restaurants out of the fifteen because they implemented the straws upon request policy prior to conversations with the NCHS Marine Science Club. He stated the NCHS Marine Science Club spoke to the following restaurants who agreed to implement the policy:

1. Taverna
2. Arena's
3. Santa Fe
4. Grottos
5. Iron Hill
6. Mayflower
7. Stone Balloon
8. Cheeburger Cheeburger
9. Caffè Gelato
10. Grain
11. Homegrown
12. Klondike Kate's

In addition to the straws upon request policy, Ms. Cain stated the NCHS Marine Science Club worked on cleanups. Ms. Cain was proud of the Marine Science Club since there were students who were passionate regarding the environment and participated in cleanups. She said cleanups took place approximately every two weeks and they found many plastic straws across the City of Newark. Ms. Cain announced Mr. Lowe would speak about plastic straw experiments the NCHS Marine Science Club conducted. Mr. Lowe said the MCHS Marine Science Club tested [as an alternative to plastic straws] the following brands of environmentally friendly paper straws:

1. Charm
2. Restaurant Store Brand
3. Aardvark Straws

These straws were tested by soaking them in water for 30-minute periods; specifically, testing the straws' degradation and composition. Multiple students drank out of the straws and tested them for taste and quality. Overall, Aardvark straws were the highest quality brand of paper straws. Mr. Lowe stated it was best for restaurants to make the switch to eliminating all straws in their establishments. He believed this method was the easiest, most cost-effective and least wasteful methods for restaurants to employ. For individuals who requested straws, Mr. Lowe believed offering paper straws as an alternative would be the most beneficial path forward. Ms. Cain noted the experiment was to show restaurants what the best brand would be for plastic straw alternatives. She emphasized it was important to provide alternatives to plastic straws for customers who needed to use straws. Ms. Cain said there were ways the CAC could help

with the problem. First, she recommended decreasing the use and amount of plastic straws. Ms. Cain believed it was possible to eliminate plastic straws from individuals' lives. Additionally, if a restaurant did not operate on a straws upon request policy, customers should tell their waiter or waitress not to bring straws with their drinks. Ms. Cain encouraged the CAC to talk to their friends and family in order to educate them about the problem of plastic pollution. Furthermore, she recommended the CAC to provide friends and family with simple ways they could help to eliminate the use of plastics in their lives.

Mr. Lowe believed it was important for Newark to become a City where all establishments operated by a straws upon request policy or were fully straw-free. He said Newark would not be the first to implement this policy as there have been many cities throughout the United States and the world who were plastic free. The United Kingdom went as far as to ban all disposable plastics. Furthermore, he thought Newark should be an example for other cities in the State of Delaware. Mr. Lowe did not foresee any negatives for Newark if they eliminated plastic straws or implemented a straws upon request policy. The elimination of plastic straws would provide good press for Newark and would declare the City as environmentally

friendly. Ms. Cain and Mr. Lowe thanked the CAC for letting them present their research on this important matter. Ms. Smith thanked Ms. Cain and Mr. Lowe for their presentation.

Mr. Irvine asked the CAC commissioners if they had any questions. Mr. Kramer questioned Mr. Cain regarding the testing of paper straws in water. He wanted to know if they conducted experiments with other liquids such as soda, lemonade or fruit juice. Mr. Lowe stated the experiments were conducted with water; however, he believed testing the straws in other liquids would be beneficial. Ms. Smith questioned if restaurant managers and owners brought up any ideas for reducing plastic waste in other products they used (i.e. take-out containers and plastic utensils). She questioned if restaurants looked beyond straws in order to address plastic use from a broader standpoint. Ms. Cain said she was not aware of restaurants looking to address other issues besides plastic straws. She believed another meeting with restaurants would be beneficial to start the conversation about the elimination or reduction of plastic utensils. Ms. Smith said she was aware of an issue on Main Street because students routinely carried single-use, plastic cups with lids and straws. She expected the use of plastic straws would begin to disappear and mentioned Starbucks appeared to be heading in the direction of a straw-less lid design. Ms. Smith believed single-use plastic items contributed to pollution in the City. She wondered whether restaurants in the area saw the encompassed more than the utilization of plastic straws.

Ms. Cain said they hoped plastic straws were just the beginning of single-use plastic reduction and remained optimistic additional change would occur. Ms. Lunsford added the students purposely limited their discussion with restaurants to plastic straws since they did not want to seem overbearing or push them away. She believed the NCHS Marine Science Club students wanted to ensure they would be able to make an impact. Having a small change [the elimination of plastic straws] felt easily attainable and was a good first step. Mr. Prasad said it was brought to the CAC's attention that individuals in the disability community preferred plastic straws because paper straws were crushable and harder to use. He asked if Ms. Cain and Mr. Lowe were aware of this. Mr. Lowe stated they were aware of this argument and noted this is why they researched paper straws as an alternative. He announced they were not aware of the argument which specifically mentioned the necessity of plastic straws as opposed to paper straws for members of the disability community. Ms. Cain suggested metal straws could be an alternative for restaurants.

Ms. Sheedy questioned if Ms. Cain and Mr. Lowe spoke to the coffee shops in the area. She stated she loved iced coffee and was aware that many people (herself included) drank iced coffee and iced tea all year round. When people ordered iced drinks as take out, they usually were required to utilize plastic straws in order to enjoy the beverage. Ms. Sheedy questioned if the students were aware of any alternative lid styles for coffee shops. Ms. Sheedy believed it was ideal for people to bring their own containers when they ordered beverages; however, it would be beneficial to provide an environmentally friendly option for individuals who did not bring their own [containers]. Ms. Cain referred to Ms. Smith's statement regarding Starbucks and their recent switch to alternative lids and plastic straws. She believed Starbucks was still in the beginning stages of change and stated they reshaped their lids to increase the ease of drinking the beverage and did not require a plastic straw. Ms. Smith asked for clarification regarding whether 250 million plastic straws used per year was an actual number or an estimation.

Ms. Smith was interested in the NCHS Marine Science Club's cleanups. She announced she had considered methods for getting groups of people together to pick up trash. Ms. Smith stated the City only had two cleanups and congratulated the students for their success in organizing and conducting cleanups. She asked if there were any other high schools who participated as she believed it was not easy to get people to walk along the roadsides to pick up trash. Ms. Smith asked if the students mapped out the areas for cleanup. She wished cleanups of this nature occurred worldwide on a daily basis. Ms. Cain stated students needed volunteer hours and used cleanups to fulfill their requirements. Mr. Lowe said the NCHS Marine Science Club spoke weekly about places they knew needed cleanups. He said the Four Seasons Plaza [by the ShopRite and LaCasa Pasta] was an area that always needed cleanup. Mr. Lowe emphasized they went to areas which needed a lot of change and tried to get students to clean up those areas. He said updates would be posted in the NCHS Marine Science Club which informed the group they would meet at LaCasa Pasta and would be cleaning up the area for a time period of two hours. Ms. Smith asked if cleanups took place on Saturday mornings and Mr. Lowe confirmed this was the case.

Mr. Irvine announced he had a number of questions and congratulated Ms. Cain and Mr. Lowe on their high-quality and succinct presentation. He appreciated the fact Ms. Cain and Mr. Lowe utilized empirical and qualitative data in addition to their own personal experiences. Mr. Irvine questioned how customers reacted when ideas regarding plastic straw elimination were discussed; specifically, he wondered if the restaurants received any pushback from customers due to implementation of the straws upon request policy. Multiple restaurants [Grain, Caffè Gelato and Arena's] informed Mr. Lowe consumers were upset by receiving straws once they saw the multiple signs on tables which indicated the elimination of plastic straws. Mr. Irvine thought this indicated customers were invested in the change and questioned if restaurants were aware of each other's efforts to eliminate plastic straws. Ms. Cain informed Mr. Irvine they made restaurants aware of the fact they were part of a larger group committed to the elimination of plastic straws. Additionally, Ms. Cain informed restaurants they would be added to the list of establishments that eliminated plastic straws; specifically, she announced the participation in this effort would be a positive advertising point for restaurants. Ms. Cain thought people loved sustainable restaurants.

Mr. Irvine asked if the NCHS Marine Science Club had promotional materials or if they had a social media account to pass along the cost benefit to restaurants who made the switch from plastic straws to other alternatives. Mr. Lowe said they worked with an organization called Plastic Free Delaware (<https://plasticfreedelaware.org>) and BringYourOwnBag Delaware. Both organizations published newsletters where the names of restaurants in Newark who made the switch from plastic straws were listed. He clarified all restaurants in Newark who participated in these efforts had their names on the list as well and were assigned a ranking which indicated the date they implemented change. Mr. Lowe believed the word of mouth between restaurants was effective to promote change because no restaurant desired to be left off the list or last on the list. Mr. Irvine questioned the unit cost for paper straws as he thought there must be a range between Aardvark and other providers. Mr. Lowe said paper straws cost approximately \$0.03- \$0.05 cents per straw whereas plastic straws cost \$0.01 or less. He believed there was a big difference in cost per unit of plastic straws and paper straws. Ultimately, Mr. Irvine thought the elimination of plastic straws would make up for the extra cost of paper straws since they would only be given by request. He believed the reduction of straw use in general resulted in a cost benefit for restaurants. Mr. Lowe confirmed this was the case.

Mr. Irvine questioned Mr. Lowe if he researched common themes or components of municipalities who eliminated plastic straws. Mr. Lowe said the most common method was the utilization of Straws Upon Request. He reiterated Straws Upon Request was the easiest to implement. The other common policy was an outright ban of disposable plastic straws. Mr. Irvine questioned if Seattle, Washington was one of the cities who implemented a ban on disposable plastic straws and Ms. Cain confirmed this was the case. Mr. Irvine asked how a ban was implemented; specifically, regarding an enforcement component as opposed to voluntary. Ms. Cain said many of the cities passed laws to ban plastic straws which they would implement in 2019. She thought they would be able to observe how the enforcement of such bans played out at a later date. Mr. Lowe also believed it would be interesting to follow up with municipalities to see how enforcement of a ban occurred and whether it was effective. Mr. Irvine asked if Ms. Cain or Mr. Lowe were aware of the volume of straws used in the City of Newark as they mentioned earlier 250 million straws were used annually in the United States. There was discussion at the table regarding the number of plastic straws per capita. Mr. Kramer said there were 250 million plastic straws were used in the United States and 340 million plastic straws used worldwide. Mr. Lowe believed 2.6 was the average number of plastic straws used per person for individuals in the United States.

There was discussion at the table regarding the number of residents in the City of Newark. Ms. Bensley said 32,000-35,000 individuals were estimated to live in Newark and the University's student population was included in the estimation. After discussion among CAC commissioners, Mr. Prasad estimated individuals used approximately 91,000 plastic straws each day. Mr. Irvine questioned the rate by which straws degraded. Mr. Lowe said plastic straws took 10,000 years to degrade. Ms. Cain announced the time period for plastic straws degradation took between ten to 10,000 years. Mr. Irvine believed the City passed on 10,000 years of waste on a daily basis. He thought this number was an embarrassment and said the City could do better. Mr. Irvine expressed appreciation to Ms. Cain and Mr. Lowe for attending the

CAC meeting and their efforts. He asked Ms. Bensley if there was a business licensing function whereby every business in Newark was required to have business license obtained through the City. He questioned if business licenses were issued on an annual or bi-annual basis. Ms. Bensley confirmed every business in the City was required to have a business license. Mr. Irvine asked if there were certain categories of business licenses or if there was one master business license. He questioned if there was a different category of business licenses for restaurants. Ms. Bensley announced every business was required to have a standard Newark business license; however, there were additional requirements depending on whether a business served alcohol. Furthermore, businesses that served alcohol were required to obtain a Special Use Permit if they were located in the Down Town District. She clarified there were some licensing fees that differed depending on alcohol sales and services. The baseline business licensing fee was the same for everyone.

Mr. Irvine questioned if there were any other requirements – such as environmental requirements or use of plastic requirements – which were addressed by zoning. He believed there were other measures that could be utilized to prompt change. Ms. Bensley stated there were zoning requirements which depended on the zone in which the property was located. She emphasized the zoning of the property defined the requirements for each business and what type of business was allowed in the particular zoning category. Ms. Bensley believed there were tiered fees with both employees and gross revenue that depended on what various establishments were charged for their business licenses. She believed there were no additional environmental requirements or standards listed in the provisions for business licenses. Ms. Bensley said LEED like standards could be incorporated under Development for different bonuses and Site-Plan approval. Mr. Irvine believed licensing was used previously for different purposes historically; furthermore, business licensing was used for other purposes than ensuring businesses' legitimacy. He thought the CAC could recommend Council to consider two options: (1) An outright ban of plastic straws which followed the lead of other cities. This ban could be implemented through the City's business licensing mechanism. Mr. Irvine thought this method would be more cost effective than assigning law enforcement to enforce the ban and (2) Businesses could implement the straws upon request policy.

Mr. Irvine asked the CAC commissioners for additional options or ideas. Ms. Smith stated she recommended something to the CAC a while ago to recognize businesses who participated in environmental efforts. Mr. Irvine liked this idea and believed businesses could be recognized as green businesses (i.e. Green). Ms. Smith suggested the CAC could develop a LEED like standard or green business standard with recognition for businesses who were plastic free or reduced plastic usage. Mr. Irvine believed this was a good idea and thought the CAC should include this in their recommendation to Council. He was interested in a way to provide Council with options to use the mechanism of government to effect behavior change. Mr. Irvine thought the voluntary approach to eliminating plastic straws had merit and was proven to be cost beneficial. Furthermore, he believed the City would be able to strongly encourage businesses to reduce their use of plastic straws and provide them with the benefits thereof through a Green Business award. Ms. Smith said she did not want the award to be over the top and requested it be a simple recognition of businesses who participated in the effort. Mr. Irvine believed the recognition and award should be over the top in order to encourage businesses to participate in plastic reduction. Ms. Smith clarified she did not want businesses to be required to come to a meeting in order to receive their award. Mr. Irvine articulated the use of plastic straws was a huge problem and there was clear evidence to substantiate its negative impact to citizens' health and wellbeing; moreover, people consumed products and food sources which ultimately meant they were ingesting plastic.

Ms. Smith thought the Better Newark award could morph into something that dealt with the environment. The award could include the following:

1. Plastic reduction or elimination
2. Native plants
3. Planting trees
4. Putting up a no-idling sign in parking lots

She believed there were many actions or efforts which could be recognized through the revamping of the Better Newark award. Mr. Irvine agreed with Ms. Smith's suggestion as he thought the award could act

as an incentive and impact the way restaurants served their customers. Ms. Smith articulated businesses that participated in the effort deserved [at the minimum] recognition for their compliance. Mr. Irvine believed the award had the potential to drive behavioral change across the City's businesses. They would begin with the elimination of plastic straws and bags. Mr. Irvine asked the CAC commissioners for their consensus as he thought there were two options. He said an award could be given anyway; however, he thought a recommendation should be made to ban plastic straws and bags throughout University. Mr. Irvine acknowledged there were members of the disability community who objected to the elimination. Therefore, the CAC would suggest alternatives to plastic straws (i.e. paper straws). He said a recommendation could be made for the City to promote the voluntary elimination of plastic straws. Mr. Irvine believed people preferred voluntary elimination for behavior change and believed it was easier to implement. However, the fact that 91,000 plastic straws were estimated to be used in Newark on a daily basis also justified consideration for an outright ban.

Ms. Sheedy asked if the CAC could develop a type of generic sticker which would indicate the CAC applauded businesses' efforts to reduce plastics. Ms. Smith thought this was a good idea. She suggested businesses who received the award should receive an additional electronic copy which they could use in their advertisements or display on the menu. Ms. Smith liked the idea of a sticker and suggested it include branding to reflect the reward was given by the CAC. Mr. Kramer thought the suggestion of a sticker was a good idea and believed businesses who received the sticker could display it in their windows in the same manner as a rotary member sticker. Ms. Smith suggested the sticker be awarded when the CAC moved beyond the plastic straw issue. She thought the CAC did not want businesses to stop at straws as she emphasized the importance of reducing other plastic usage (i.e. plastic straws, plastic forks, take-out bags). Mr. Kramer suggested the award could have different levels; specifically, a bronze, silver, gold and platinum level. He said the award could be implemented in a tier-like structure. For example, a business who eliminated plastic straws or disposable utensils would receive a bronze ranking. Ms. Sheedy stated the CAC could award businesses with stickers for each plastic item they eliminated.

Mr. Hornor supported an outright ban of plastic straws; furthermore, he believed paper straws should be given to customers upon request. Ms. Sheedy questioned if any of the municipalities and entities who implemented a ban included language that addressed there were some individuals who needed to use straws. She wondered if any bans prohibited plastic straws but permitted a plastic straw alternative for individuals who requested them. Mr. Kramer asked Ms. Cain and Mr. Lowe for clarification on the United Kingdom's ban on all disposable plastics; moreover, he questioned if the United Kingdom mandated an alternative replacement to disposable plastics in restaurants. If Newark decided to implement a ban, Mr. Lowe said wording should be included in the ban to mandate restaurants to provide plastic straw alternatives for members of the disability community. If restaurants were unable to find a reliable supplier for paper straws – which he found to be the biggest problem for businesses that made the switch from plastic – Mr. Cain said metal or plastic straws needed to be available. He emphasized the option for paper or metal straws needed to exist; however, Mr. Cain recommended a ban of plastic straws in the City of Newark. According to Ms. Smith, individuals in Kenya who were caught producing, using, or selling plastic bags faced up to four years in jail or a \$38,000 fine.

Mr. Prasad stated he supported a ban of plastic straws for Newark. Ms. Sheedy and Hazelwood also expressed their support of a ban. Mr. Kramer recommended restaurants adopt a policy of Straws Upon Request where paper straws would only be provided upon the request of a customer; however, Mr. Kramer said he was not opposed to a ban of plastic straws in Newark. Mr. Kramer suggested the ban operated in phases; specifically, straws would be provided when requested from a customer for the first two years. After the first two years were over, Mr. Kramer thought a full ban of plastic straws would be appropriate and people would be used to the changeover. Mr. Wessells agreed with Mr. Kramer's recommendation of straws upon request prior a full ban. Mr. Prasad asked how many restaurants there were in the City of Newark and said he was aware there were fifteen restaurants in the City that implemented a Straws Upon Request policy. He questioned if there were any fast food restaurants in Newark who agreed to a Straws Upon Request policy. Mr. Lowe said on Main Street, not including Burger King and McDonald's, Roots and Honey Grow were two examples of fast food restaurants were on the list of the fifteen restaurants who adopted a Straws Upon Request policy. Roots and Honey Grow implemented a policy of giving drinks without straws and placed them [straws] in the corner of the

restaurant for customers. Mr. Prasad repeated his question regarding the total number of restaurants in Newark. Mr. Lowe said he did not have the information to answer this question.

Ms. Lunsford asked Mr. Lowe if there were any restaurants they spoke to that declined to participate. Mr. Lowe reported Indian Sizzler and Ali Baba were the only two restaurants on Main Street who did not participate in the straws upon request policy. Ms. Smith asked Mr. Lowe if he spoke to the staff at Ali Baba and Indian Sizzler. While Ali Baba and Indian Sizzler expressed interest, Mr. Lowe stated they did not implement any policy. However, Ali Baba and Indian Sizzler did not say no to the suggestion. Ms. Smith questioned if Greene Turtle was on the list of restaurants who implemented the straws upon request policy. Mr. Lowe said the Greene Turtle was not on the list of restaurants since they primarily focused on Main Street. He reported the Greene Turtle already implemented a full switch from plastic straws to paper straws. Mr. Hornor believed there were approximately 50 restaurants in the City of Newark with at least 25 restaurants on Main Street. Mr. Prasad believed the fact that 1/3 of Newark's restaurants implemented the elimination of plastic straws [or straws upon request] was a good start.

Mr. Irvine restated the ideas for recommendation to council were as follows: (1) The CAC could provide Council with a recommendation to consider a ban of plastic straws or (2) Implement straws upon request. Mr. Prasad thought the CAC could suggest to Council they preferred a ban; however, he believed they should at least have a policy where straws would be given on demand or by the customer's request. Mr. Wessells suggested Mr. Kramer's idea of providing restaurants with a two-year window [where straws were given at the request of customers] before implementing an outright ban would be ideal. He thought the phasing out method would provide greater opportunity to bring restaurants and customers on board to support the ban. Ms. Smith agreed with Mr. Wessell's statement. Mr. Kramer announced there were many cities who implemented the ban in phases; specifically, bans were not put in place all at once and provided restaurants and businesses [and customers] time to get used to the idea. Ms. Smith thought a phased-in ban was friendlier and more inclusive. She believed it was best to give people time to adjust to the ban, so they would eventually choose sustainability for themselves instead of being told what they had to do. Ms. Smith said pushback occurred at times when people were told what they could or could not do.

Mr. Irvine said the CAC needed to attend Council when their recommendation was placed on the agenda. He believed Council would have many questions and wanted to provide them with answers. Ms. Smith questioned if Ms. Cain and Mr. Lowe would be able to attend the Council meeting and provide their presentation. Mr. Irvine thought it would be a good idea for Ms. Cain and Mr. Lowe to attend the Council meeting when the recommendation was placed on the agenda. Ms. Smith suggested the press should attend the Council meeting and wished they attended the CAC's meeting this evening. She informed Ms. Cain and Mr. Lowe they were affecting policy this very evening.

Ms. Bensley stated it would be beneficial for the CAC to provide Council with an example ordinance that was passed by another municipality as an attachment to their recommendation. She suggested the CAC find an ordinance they liked and recommended for it to be submitted with the recommendation to Council. Ms. Bensley emphasized an example ordinance would provide Council with an idea of what methods worked in other areas. Ms. Smith questioned if Ms. Cain or Mr. Lowe discovered any written ordinances in their research. Ms. Cain stated they did not see any written ordinances; however, she recommended the CAC consider Seattle, Washington, as their ban on plastic straws recently gained publicity in the news. There was discussion at the table regarding other cities that implemented a Straws Upon Request policy or a total ban. Ms. Smith believed New York City, New York currently was in the process of working on a ban. Ms. Cain confirmed this was the case. Mr. Kramer stated Seattle, Washington, had a medical exemption for plastic straw usage for individuals with a medical or physical condition.

Ms. Sheedy thought the language of the recommendation should include restaurants, food service establishments and commercial entities. She believed the University could be included in the ban. Ms. Smith questioned whether the City was permitted to boss the University around and enforce policy. Mr. Irvine believed the City had the authority to enforce policy with the University and stated he was

employed there. He described the University as an entity that needed to abide by Newark's laws and regulations. Mr. Irvine said the University has eminent domain and was able to seize land; however, he did not believe the University would choose to seize plastic straws. Mr. Kramer said there were various student groups from the University who met with the CAC and might be willing to work with them. He reported Aramark was the University's vendor who also served universities all over the country; therefore, he believed Aramark probably encountered the plastic straw bans at other locations (i.e. Seattle). Mr. Irvine agreed with Mr. Kramer's statement and thought the University would be able to adapt their contract with Aramark in order to comply with the ban.

Mr. Irvine read the CAC's recommendation for the record.

Given that an estimated 91,000 plastic straws are used daily in the City of Newark; Given that plastic straws never completely degrade and can enter the human food chain as microplastics; and given that municipalities in the US (Seattle, Washington; Monmouth Beach, New Jersey; Miami Beach & Fort Myers, Florida; New York, New York, among other cities) and other countries are banning plastic straws and bags; and given that at least 16 restaurants in Newark have already adopted a straw on request policy which has been met with appreciation by customers and saved the restaurant money; the CAC recommends City Council consider one of three policy options:

1. Ban the distribution of single-use, disposable plastic straws at restaurants, food-service establishments and commercial entities; or;
2. Adopt a city-wide policy whereby restaurants and commercial establishments which currently provide straws do so on request-only basis; or;
3. Phase in the ban option (#1) over a one to two-year time frame starting with the straw on demand option (#2).

The City should explore using its existing business licensing process as a means of either encouraging or mandating that single-use plastic straws be discontinued in the City. The CAC recommends an exemption should be made for citizens with medical or physical conditions who need to use a plastic straw.

MOTION BY MS. SMITH: SECONDED BY MR. WESSELLS: TO SUBMIT THE RECOMMENDATION AS WRITTEN.

MOTION PASSED. VOTE: 8 to 0.

AYE – HAZELWOOD, HORNOR, IRVINE, KRAMER, PRASAD, SHEEDY, SMITH, WESSELLS.

NAY– 0.

ABSENT– MCDOWELL.

Mr. Irvine thanked Ms. Cain and Mr. Lowe for their presentation and asked them to continue research on plastic bags since this would be the next area of focus. He asked them to look out for Council's agenda which was posted on the City's website for anyone who wished to attend. Mr. Irvine stated members of the public were allowed to comment at Council meetings and were required to sign up when they walked in. He said public comment was limited to three minutes per person.

4. STEERING COMMITTEE/ SUSTAINABILITY PLAN UPDATE – MS. SMITH

Ms. Smith said the Steering Committee continually made drafts of the Sustainability Plan. At this point in time, she said the focus was to come up with five main areas to target within the plan [otherwise, the area could be quite expansive and overwhelming]. Ms. Smith announced the areas under consideration were as follows:

1. Clean energy
2. Reducing carbon footprint
3. Reducing fossil fuels
4. Sustainable buildings

5. Infrastructure and land development
6. Clean transportation
7. Stewardship of natural resources
8. Water usage

Ms. Smith stated the Steering Committee's last meeting focused on giving [some] direction to AECOM regarding how expansive or granular they should be on those themes. Ms. Smith asked the CAC commissioners if they wanted her to send a draft of the Steering Committee's Sustainability Plan and welcomed comments from the CAC. Mr. Irvine confirmed he would like the CAC members to receive a copy of the drafts of the Sustainability Plan. Ms. Smith said the Sustainability Plan was complicated and she did not want to take up too much time. She believed the CAC could provide her with specific sustainability concerns which she would address with the Steering Committee.

Mr. Irvine thought the City did not utilize enough alternative energy sources, despite the CAC's efforts. He thought the City should provide guidance to AECOM to be more aggressive in their use of alternative energy. Ms. Smith informed the audience DEMEC was a part of the conversation related to alternative energy and she stated the City's policy on energy use was an interesting conundrum. Mr. Irvine said DEMEC bought electric energy and gave it to nine cities in the State of Delaware including Newark. The City of Newark sells the energy from DEMEC instead of having private sector utilities. Ultimately, DEMEC was Newark's wholesale provider of electricity and bought it from multiple sources. Ms. Smith believed DEMEC was the entity that worked on the mix of Newark's energy; therefore, it was up to Newark to ask for a broader mix of energy and spread it out. Mr. Irvine said he believed DEMEC was inclined to do so; however, the sustainable energy targets were low. He stated the State of Delaware at least pushed the idea of sustainable energy which was not the case in other states. Despite the State of Delaware and DEMEC's efforts, Mr. Irvine believed more efforts were needed. He recommended a bottom-up approach (i.e. the City on up) through the Sustainability Plan to help the City and community get off carbon-based energy sources.

Ms. Smith said DEMEC's approach included measuring the resources that were available in Newark. She thought it would be useful to implement the dashboard online because it would be informative; specifically, information would be given as to how much energy Newark used and would help set a goal for reducing greenhouse gas and carbon-based energy sources. Mr. Irvine stated his feedback for the Steering Committee would be to set aggressive goals. He thought the latest data from the U.S. Government's Climate Change Initiative showed the timeline by which carbon-use needed to be curtailed shortened dramatically. Ms. Smith thought the timeline shrunk by twenty years. Mr. Irvine said it was impossible to reverse climate change; however, he believed individuals needed to determine the level of climate change they would tolerate. Mr. Irvine said Ms. Smith's representation of the CAC at the Steering Committee meetings would play a critical role regarding an aggressive approach to reduce carbon-based energy sources. He believed DEMEC would be more responsive to Newark if the City advocated for carbon-use reduction and alternative energy sources. Mr. Irvine thought other municipalities in Delaware did not take an aggressive approach or remain persistent in their conversations with DEMEC. Ms. Smith asked Mr. Irvine if he referred to a renewable portfolio standard. Mr. Irvine said he spoke about the renewable portfolio standard as he believed it was important for Newark to boost the amount of renewable energy they purchased. While he recognized the upfront cost of renewable energy would be greater to the City, Mr. Irvine thought the cost of not purchasing renewable energy would be greater down the road (i.e. in terms of flooding, remediation and insurance claims).

Mr. Irvine encouraged Ms. Smith to be passionate at the Steering Committee meetings and be the squeaky wheel. Ms. Smith stated she tried to push public education and believed this was beneficial to get individuals on board. She believes information needed to be given in a way people understood and related to on a personal level and that information should be given in a manner which encouraged people to take action. Ms. Smith stated the Steering Committee met with AECOM and discussed the Sustainability plan. After the meeting, AECOM developed plans in draft form and distributed them to members of the Steering Committee. A member of the audience asked if he would be able to comment on the topic. Mr. Irvine told the individual to come up to the microphone and provide his name for the record.

Andrew O'Donnell, City resident, announced he lived in the Arbour Park development. He said this was the first CAC meeting he attended. Mr. O'Donnell suggested adding the term de-regulation to topic of energy. Having lived in other cities, Mr. O'Donnell noted many cities provided an option for residents to choose their own electrical supplier through utilities. In some cases, electrical supply sites ranked energy sources based on the renewability of the source and cost. This allowed people to shop around annually and would permit them to choose a different source of energy if they desired. Mr. O'Donnell said Newark did not provide the option for residents to shop around and choose their source of energy; moreover, he believed the lack options for renewable energy sources was one of the downsides of living in Newark. Ms. Smith asked Mr. O'Donnell where he came from. Mr. O'Donnell informed the audience he lived in many places since he was in the military. Before moving to Newark, he lived in Connecticut. Connecticut utilized a de-regulated energy system which allowed individuals to choose their source of energy. Mr. O'Donnell suggested the portion of the City website [where people payed utility bills] could add a tab that listed two options for energy sources. He suggested the following options: (1) 100% Clean, Renewable Energy and (2) and the current energy source or mix available to the City. Mr. O'Donnell emphasized two options were simple. He suggested the City website should include a chart where residents were made aware they would pay a higher rate for renewable energy; however, he believed many residents (like himself) would be willing to do so.

Ms. Smith asked if the de-regulation of energy sources would result in behavior change; specifically, she asked if the demand for renewable energy sources would increase. Mr. Irvine believed there was an option for residents to choose renewable energy sources in Newark; however, the option for renewable energy sources was a very small percentage [5%-10%] of the total availability for energy sources. Mr. O'Donnell said DEMEC wished to have 30% of all energy sources consist of renewable energy within ten years. While he believed this was a good goal, he thought it was slow paced. Mr. O'Donnell said DEMEC had two different solar farms within the State of Delaware where they grew their own organic renewable energy; however, much of the energy was imported. He believed it would be effective for Newark to provide residents with the option to choose 100% clean, renewable energy that would be sent to DEMEC. DEMEC would reach out to their customers regarding energy rates and made appropriate selections based on this information. Mr. O'Donnell thought an aggressive approach would be if the City posted advertisements which told residents everyone would be defaulted to 100% clean, renewable energy at a certain rate. If participants wanted to change their energy source, they would be required to log-in to the City website where they paid their bills and elect the normal option [not the 100% clean, renewable energy option].

Ms. Smith questioned if Newark's current infrastructure had the capacity to accommodate a large number of residents who wished to switch the 100% clean, renewable energy. Mr. Irvine believed the supply would increase if the demand was present over time. He thanked Mr. O'Donnell for his suggestions and believed they potentially could be implemented. Mr. Hornor thought the cost for renewable energy would increase for the City and residents. Mr. O'Donnell clarified the cost would increase for residents who elected to purchase 100% clean, renewable energy. He clarified the cost would be passed on the residents and would not provide a downside for the City. Ms. Smith thought the cost would increase anyway if current energy sources continued to be used; moreover, issues of with energy sources would be due to flooding, decertification, job loss, immigration and storm damage. Mr. Irvine agreed and believed the overarching concept would be expanding the cost-benefit analysis as well as considering externalities. He thought the next CAC meeting on January 8, 2019 should include a discussion of renewable energy sources to the effect of their availability with the Public Works Department. Mr. Irvine believed the City would not act unless the CAC pushed and advocated for renewable energy sources. Mr. O'Donnell said there were residents who were interested in renewable energy sources. Ms. Smith noted the Steering Committee's Sustainability Plan meetings were open to the public. She stated the information would be posted on the City's website to find out the date. Ms. Smith emphasized people were welcome to attend meetings and provide comments and feedback. She announced the Steering Committee paid an outside contractor (AECOM) to provide the guidelines, structure and plan. The Steering Committee would determine what measures were needed to meet the goals set in the Sustainability Plan.

Ms. Sheedy asked Mr. O'Donnell to email his information to the CAC. Ms. Bensley recommended Mr. O'Donnell send the email to the City Secretary's general email box.

5. ELECTION FOR CHAIR AND CO-CHAIR – MR. IRVINE

Mr. Irvine informed the CAC commissioners they needed to elect a Chair and Co-Chair for the upcoming year. He announced Mr. Prasad was the Co-Chair for the CAC and he was the Chair. Mr. Irvine said the CAC eliminated the role of secretary since the City provided Ms. Potts' services. Ms. Sheedy and Smith asked if Messrs. Irvine and Prasad wished to continue serving as Chair and Co-Chair. Mr. Irvine announced he was willing to continue serving as Chair. Mr. Prasad said he would continue to serve as Co-Chair.

MOTION BY MS. SHEEDY, SECONDED BY MR. HORNOR: TO ELECT MR. IRVINE AS CHAIR AND MR. PRASAD AS CO-CHAIR FOR THE NEXT TERM.

MOTION PASSED. VOTE: 6 to 0.

AYE – HAZELWOOD, HORNOR, KRAMER, SHEEDY, SMITH, WESSELLS.

NAY– 0.

ABSENT– MCDOWELL.

6. UPDATE ON THE ANNUAL REPORT

Mr. Irvine announced the Boards and Commission review stressed the importance of filing a report in a timely manner. He thanked Mr. Wessels for submitting his section of the report and said Mr. McDowell said he would work on the portion of the report addressing Reforestation. Mr. Irvine asked if there were other sections of the report that other Commissioners were willing to write. Ms. Smith said she did not receive an assignment at the last meeting on November 13, 2018. Mr. Irvine asked Ms. Smith if she would be willing to write the section of the report that discussed the Better Newark Award and her service and interaction with the Steering Committee regarding the Sustainability plan; specifically, how the CAC contributed to the Steering Committee and Sustainability Plan. Ms. Smith confirmed she would contribute to this section of the report. She stated she would go back through the minutes to include her prior statements and suggestions for the Better Newark Award in the report. Mr. Irvine reminded the CAC Council read the CAC's Annual Report and said Ms. Smith could include the following language, "As previously discussed, the Better Newark Award needs to be renovated. Mr. Irvine said the CAC would put forth a solution for the Better Newark Award if Council agreed.

Ms. Sheedy said she was unable to attend the CAC meeting on November 13th and would be volunteer to write any portion of the report which was not assigned. Mr. Irvine stated he usually pulled the recommendation the CAC made and listed them key recommendations for the year. He accomplished this task by going through the minutes. This captured all recommendations the CAC sent to Council. Ms. Sheedy said she might be unable to write a section of the report as she may be absent for the next meeting on January 8, 2019. Mr. Prasad said he would write a section of the report which discussed an alternative LEED Building Code for the City as well as the Creek Road Trail Connector the CAC provided funds for. The ASHRAE Level 2 Energy Audit should be included in the discussion [from the November 13th meeting]. Mr. Irvine said he would update the framework of the CAC's membership and the overall emphasis of the CAC's work in the report's executive summary function. He believed a draft of the report would be completed in January 2019 with the final version ready in February.

7. OLD/NEW BUSINESS

Mr. Irvine said they already discussed the renovation of the Better Newark Award which Ms. Smith could address in the Annual Report.

- Follow up discussion on potential elimination of plastic bags

Regarding plastic bags, Mr. Irvine wanted to get the item on the agenda for the CAC's next meeting on January 8, 2019. Ms. Smith questioned the status of plastic bags [if legislature was passed to limit their use or an outright ban] in the State of Delaware. She announced she would attend State Representative Paul Baumbach's coffee on December 12, 2018 and would ask for an update regarding this issue. Ms. Bensley said

the recent election in November marked the ending of the last session of the General Assembly. Therefore, any bills that were in committee or were on the table were gone. Ms. Bensley announced the bill or legislature for plastic bags would be required to start from scratch. Mr. Irvine requested the discussion and recommendation regarding plastic bags to be placed on the agenda for the meeting on January 8, 2019 as a separate agenda item.

- Follow up discussion on Anti-Idling Ordinance

Mr. Irvine invited Ms. Bensley to provide follow-up on the Anti-Idling Ordinance. Ms. Bensley announced Ms. Potts briefed her with information regarding the CAC's discussion of the Anti-Idling Ordinance at the CAC's meeting on November 13th. She announced she and Ms. Potts were looking for the following two items: (1) Some clarity about what the CAC is looking for, especially from the Communications Team as far as any additional promotion, and (2) Due to the time of year, there is a temperature provision in the Anti-Idling Ordinance. When the weather dipped below a certain temperature, idling was permitted. Ms. Bensley questioned whether the CAC would consider a push in the Spring when the weather was warmer; furthermore, she stated the Anti-Idling Ordinance would [generally] be applicable on a daily basis as opposed to temperature fluctuations in the winter. Mr. Prasad believed the CAC discussed the potential to bring NPD's Police Chief because they felt the police were hesitant to give warnings or citations. He believed the Anti-Idling Ordinance needed to be enforced similar to other laws. Ms. Sheedy thought the CAC should go back to the Police Chief as she believed there had been zero enforcement since the ordinance was enacted.

Ms. Smith disagreed as she said people spoke with her two years ago during Community Day and stated they were approached by a police officer who told them they needed to turn their car off. She thought there was a vagueness to the Ordinance due to the provisions for temperature as well as the amount of time people were allowed to be in one spot (i.e. picking up children in front of school). Ms. Smith emphasized the Anti-Idling Ordinance needed a nudge and thought additional Anti-Idling signs needed to be in place. Ms. Sheedy suggested the City should use an electronic sign to boost awareness for the Anti-Idling Ordinance. She hoped the CAC would be able to get put one of the signs in place for two weekends [when there were no football games], and would set them up at the entrance to Main Street and the entrance to town on Delaware Avenue. Ms. Bensley thought NPD and Public Works had electric signs. Ms. Sheedy announced the CAC attempted to use electronic signage when the ordinance was first passed; however, they were unable to because they were told the signs were always in use. Mr. Irvine described their approach to Anti-Idling as a sustained and routine communication plan providing guidance to the Communications Team; specifically, to incorporate the building of awareness for the Anti-Idling Ordinance through appropriate communication channels routinely used by the City.

Ms. Bensley thought an appropriate venue for the Anti-Idling Ordinance was through the City's newsletter distributed with utility bills. She was aware the Communications Team looked for content for the newsletter which went out on a monthly basis. Ms. Bensley said the information could be printed in the newsletter on a routine basis to raise awareness. She announced the City offered a Newark News Brief which provided short video news updates and was available bi-weekly online or on Channel 22. Mr. Irvine asked if the CAC should be responsible for writing the text and content for the Anti-Idling Ordinance. Ms. Potts said she and Ms. Bensley discussed the idea of the CAC emailing the City Secretary's office to provide specific language and points in the Anti-Idling Ordinance which they wanted to emphasize. Mr. Irvine thought the ordinance should be called the Pro-Air Ordinance as opposed to Anti-Idling. He told Ms. Potts the CAC would send her information and text regarding the language and points they wanted the Communications Team to address. Ms. Sheedy stated the CAC had a PSA somewhere and thought it was posted on YouTube and believed it was not in the Drop Box. Mr. Irvine thought the Communications Team would be best suited to write a PSA for Anti-Idling. Ms. Bensley clarified the Communications Team did not exist when the CAC made their PSA. Mr. Irvine asked a volunteer to write the text for the PSA. Ms. Smith said she would be willing to assist with this.

Ms. Smith confirmed the Anti-Idling PSA was in the Drop Box and on You Tube. Ms. Sheedy thought the PSA could be run on Channel 22. Mr. Kramer clarified the PSA was available on You Tube and was the first hit by searching "City of Newark, Delaware Anti-Idling". Mr. Irvine addressed Ms. Bensley's question

regarding what the CAC wanted the City Secretary's office to assist with regarding the Anti-Idling Ordinance. He requested increased communication on a routine basis for the Anti-Idling Ordinance. Communication could spike during the warm periods of the year; however, Mr. Irvine believed the CAC needed to act and launch a renewed push to remind people of the ordinance. He informed the audience that members of the public stated they were unaware of the Anti-Idling Ordinance during Community Day. Members of the public were appreciative of the Anti-Idling Ordinance and told the CAC they tried to turn their cars off as opposed to idling. Mr. Irvine believed making the Anti-Idling Ordinance part of the City's routine communication plan would be beneficial. He stated the CAC would provide text.

Mr. Hornor announced he reviewed the Anti-Idling Ordinance and reviewed the many exemptions. He did not see an exemption for trucks who parked on Main Street to deliver supplies. Mr. Hornor stated delivery trucks idled all the time; specifically, from fifteen minutes, 30-minutes or longer. Ms. Smith said some delivery trucks appeared to idle all day. Ms. Sheedy believed trucks were covered by a State-wide ordinance. Discussion at the table continued whether delivery trucks were exempt from the ordinance. Mr. Irvine asked Ms. Bensley when the CAC needed to submit their talking points for publication in the City's newsletter. Ms. Bensley said the deadline for the next newsletter was December 21st to submit content. She clarified the City Secretary's office needed time to develop the content into the actual article; therefore, she requested the CAC to submit the information by December 18th. Mr. Irvine said the talking points needed to come from Ms. Smith. Ms. Smith asked if she should send the talking points to other members of the CAC to receive their feedback. She announced she would use what the CAC previously used in the past. Mr. Kramer said he would not mind seeing Ms. Smith's points. Mr. Kramer asked staff if the Parks and Recreation Department host a big event around Earth Day as he believed it would be an appropriate time to push the Anti-Idling Ordinance since the weather would be warm.

Ms. Bensley thought the Spring Community Cleanup with the Parks and Recreation Department would be the closest event to what Mr. Kramer described. However, she did not believe the Parks and Recreation Department specifically had events for Earth Day. Mr. Kramer thought the Anti-Idling Ordinance could be pushed through the newsletter included with utility bills. He believed a more concerted push could occur if tied into Earth Day or the Spring Community Cleanup event. Mr. Kramer thought it would be best to promote the ordinance during that time since like-minded individuals would be together. Mr. Irvine asked Ms. Bensley if a representative from the Newark Police Department (NPD) could be invited to the CAC meeting on January 8, 2019. Ms. Potts said the City Secretary would reach out to a representative from the NPD. Mr. Irvine thought NPD would be able to share enforcement statistics for the Anti-Idling ordinance which would be helpful for the CAC. Mr. Hornor interjected and clarified delivery trucks were exempt under the City's Anti-Idling Ordinance. He asked if the Communications Team could be invited to the CAC's meeting on January 8, 2019.

Ms. Bensley said she would be happy to submit any information provided by the CAC as part of the City Secretary Department's entries for the newsletter. Ms. Bensley recommended the CAC to develop a series of rotating topics for a period of four to six months. She clarified the Communications Team would not take the same article on Anti-Idling and put it in the newsletter every single month. Ms. Bensley suggested the CAC include articles for Anti-Idling, plastics, and the CAC's outreach for Community Day. Moreover, she emphasized the CAC should provide topics that were important to the CAC and conservation. Ms. Smith asked Ms. Bensley if the articles had a maximum or minimum word length. Ms. Bensley believed articles should contain between 150-200 words. The newsletter only consisted of a single page with content on the front and back of the page and all City departments submitted content for the newsletter.

Mr. Irvine requested the topic of content and submissions for the newsletter to be added to the agenda for the CAC's next meeting on January 8, 2019. Ms. Smith said she attempted to get an article published in the Newark Post; however, the attempt was unsuccessful. Ms. Bensley believed the Newark Post intended the article to be more of a feature as opposed to a regular conservation column. Ms. Smith confirmed this was the case. Ms. Bensley asked if the CAC commissioners had a chance to see the City's newsletter. She offered to email a copy of the City's newsletter to the commissioners, so they could get a feel of the newsletter's content and style. The commissioners confirmed they were familiar with the newsletter. Mr. Irvine asked Ms. Bensley to email a copy of the City Newsletter to the CAC. Mr. Hornor questioned if the City newsletter came with the electric bill. Ms. Bensley confirmed this was the case. Mr.

Kramer announced some residents opted for paperless electric bills which came as single-paged PDF. Additionally, Mr. Kramer said he received paperless gas bills from Delmarva; specifically, there was one link which took him the bill and another link which provided a newsletter. Mr. Kramer thought the City of Newark should consider implementing the newsletter as a link attached to the paperless electric bill. Ms. Bensley believed the City's newsletter was posted on the website; however, it was not linked directly to utilities. Mr. Kramer believed it would not be difficult for the City to attach the newsletter to the paperless utility bills since they were in PDF form. Ms. Bensley was aware this suggestion was presented before and was unaware of the reason it was not implemented. She announced she would follow up on this matter and would get back the CAC.

Mr. Irvine thanked Ms. Bensley and believed communication would increase for matters related to Anti-Idling and conservation. Ms. Smith thought the CAC had a box of tri-fold fliers regarding the Anti-Idling ordinance and asked if these fliers were out on the table in City Hall. She thought a box with Anti-Idling signs and fliers was carried around at Community Day. Ms. Bensley was unsure if there were any Anti-Idling fliers left on the table and mentioned the CAC was welcome to restock if needed. Mr. Kramer asked if the tri-fold flier could be made available on the City website. Ms. Bensley believed the information from the trifold was available on the website and said Ms. Potts said she would confirm this.

- 0 Paper Mill Road – Follow up information

Ms. Bensley provided an update on the project to the effect the project did not move anywhere and was not going back to the Planning Commission or Council at this time. Ms. Bensley informed she and Ms. Potts had a conversation with the City Solicitor regarding the role of the CAC and recommendations on specific development projects in general. While the City Code said the CAC had a role in making recommendations on ordinances [for the Code] for conservation related items, the Code did not say individual developers were required to go through a process with the CAC [at this time] for specific recommendations. Ms. Bensley wanted to make the CAC aware the City's legal counsel advised the CAC was not recommended to make a specific recommendation on a specific project. However, Ms. Bensley said the CAC could attend public hearings or meetings on specific projects and were allowed to make public comment like any other citizen regarding conservation related issues and concerns regarding a specific project. She emphasized the CAC as a body did not have a role in the City Code at this time which permitted them to make recommendations on specific development projects. Ms. Smith stated the developer brought the 0 Paper Mill Road project to the CAC and said they did not make a recommendation on the development. Ms. Bensley confirmed the CAC did not make a recommendation on the development; therefore, there was not an issue. She wanted to ensure the CAC was on the same page moving forward.

Ms. Smith said she spoke to Joe Spadafino, Director of Parks and Recreation, who was in the process of hiring a consultant to conduct research on best practice for policies regarding landscaping and trees as they exist in comparable cities. Mr. Spadafino would put together a committee and would reach out to organizations – perhaps drawing a few members from the Delaware Department of Urban and Community Forestry [or others as an example] for help in developing policy. Ms. Smith thought the committee would be together between the beginning of January or February of 2019. Mr. Irvine asked Ms. Smith to speak to Mr. Spadafino and let him know the CAC would be willing to review a draft on the ordinance. Ms. Smith confirmed she would assist. She said she would participate in Mr. Spadafino's committee and was interested in the process and matters related to trees and energy. Mr. Irvine asked if the City Charter permitted the CAC to comment on the relative merits of certain types of land-use. He clarified he was not referring to commenting on a specific development project; however, he referred to a continued pattern of cutting down trees and putting up single-use houses and others. As written in the Code, examples of programs that may be considered by the commission were as follows:

1. Street tree replacement
2. Improve recycling
3. A plant and tree bank
4. Beautification plan for implementation by volunteer groups
5. Assist the Parks and Recreation Department in the acquisition of conservation easements.
6. Assist with guidelines for multiple use of open space and community gardens

7. Energy conservation
8. Reviewing zoning code amendments to encourage conservation

Ms. Bensley said the CAC could discuss zoning code changes like the Landscape Screening and Tree ordinance. She clarified this topic was in the CAC's purview as part of encouraging additional conservation in the City. Ms. Bensley stated the CAC was permitted to talk about land-use and conservation in the context of proposing potential amendments to the City Code [or things they would like to see further considered as amendments to the Code]. She emphasized it was not appropriate for the CAC to attach their recommendations to the public hearings and debate around a specific development project. The CAC was permitted to speak about projects from a generic sense as a separate topic for something they thought needed to be pursued. However, Ms. Bensley reiterated the CAC was not permitted to speak about conservation issues in relation to a specific topic as it created potential legal issues. Ms. Sheedy asked for clarification whether the CAC was not permitted to speak about any specific project or if the discussion needed to be generic in nature. Ms. Bensley clarified the CAC was permitted to discuss an overarching policy discussion rather than targeting a specific project. Mr. Irvine said the CAC did not want to open the City up to being accused of capricious or unethical treatment. Mr. Irvine thanked Ms. Bensley for the clarification and questioned when Council might consider the O Paper Mill Road Project. Ms. Bensley said it was her understanding the project was back with the applicant for additional changes. Until the applicant submitted new material, the project was on hold.

Mr. Irvine thought the CAC members would be able to provide their thoughts as individual citizens at the Council meeting when the project moved forward. Ms. Bensley confirmed this was the case. Since the O Paper Mill Road Project included an annexation, Ms. Bensley stated there would be six weeks of notice and there would be a notice of the first reading. Two weeks later, the second reading and public hearing would take place since there were longer notice requirements for annexation. Ms. Bensley informed the commissioners the materials regarding the project would be available to the public on the City website for at least six weeks. This did not include any lead time that may be included if the developer was required to go back to the Planning Commission. Ms. Bensley believed it was likely the project would not be seen again until Spring 2019 as the developer would be required to submit their changes and the Planning Department would review and determine whether it was necessary to go back to the Planning Commission. If the project was required to go back to the Planning Commission, the project would go through their entire process. After review from the Planning Commission, the developer would be required to go back to Council. Realistically, Ms. Bensley did not see the developer being placed on Council's agenda until the late spring or early summer. Mr. Irvine asked Ms. Potts if she would notify the CAC when the O Paper Mill Road project was placed on Council's agenda. Ms. Potts confirmed she would notify the CAC it came before Council.

8. PLANNING & DEVELOPMENT REPORTS

There were no members of the CAC who wished to question or comment on this item.

9. NEXT MEETING – JANUARY 8, 2019.

10. ADJOURNMENT

The meeting was adjourned at 9:19 p.m.

Whitney Coleman Potts, Paralegal
Administrative Professional

/wcp