

CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES

January 8, 2019

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

MEMBERS PRESENT: George Irvine (presiding), Kismet Hazelwood, Kass Sheedy, Bob McDowell, Ajay Prasad, Sheila Smith, John Hornor, John Wessells.

ABSENT: Jason Kramer

STAFF: Whitney Potts, Administrative Professional, Paralegal

GUESTS: Chow-Fong Kust, student, Newark Charter High School (NCHS)
Camille Veron, student, NCHS
Leah Williams, student, NCHS
Natalie Yang, student NCHS

Mr. Irvine called the meeting to order at 7:01 p.m. and wished everyone a Happy New Year. He announced NCHS students would provide the CAC with guidance and insight on plastic bag reduction.

1. APPROVAL OF MINUTES FROM MEETING HELD ON DECEMBER 11, 2018

MOTION BY MR. WESSELLS, SECONDED BY MR. MCDOWELL: THAT THE MINUTES FROM THE DECEMBER 11, 2018 MEETING BE APPROVED AS RECEIVED.

MOTION PASSED. VOTE: 8 to 0.

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

NAY– 0.

ABSENT– KRAMER.

2. PUBLIC COMMENT

Andrew O'Donnell, District 3, announced he lived in the Arbour Park development and stated he attended the CAC meeting on December 11th. Mr. O'Donnell wished to discuss two brief points. He said he read the article in the Newark Post Online (<https://www.newarkpostonline.com>) regarding the \$10 million Main Street reconstruction. One of the comments in response to the article said, "The road's torn-up anyway, they might as well bury the wires." Mr. O'Donnell stated this comment was made regarding the overhead powerlines, poles and other utility measures. He believed burying the wires would make a big difference and would improve the aesthetics of Newark's downtown area. While this would result in greater financial costs and Staff time, Mr. O'Donnell thought burying the wires would provide more bang for the buck. He thought the same measures could be taken regarding provisions of conduit for electric charging stations (EV); specifically, mobile EV charging stations along the road.

Mr. O'Donnell thought the ability existed to only bury the pipe and stated it only cost around \$5 for a stick of conduit. Since the road was already torn up, he believed the conduit could be laid with a four-inch mud box. Additionally, Mr. O'Donnell believed every other parking space could be laid with conduit and a four-inch mud box. This project would cost a couple thousand dollars as opposed to \$10 million. Mr. Irvine asked Mr. O'Donnell if he referred to a savings of a couple thousand dollars per box. Mr. O'Donnell believed the entire project would cost approximately several thousand dollars. He reiterated the project would include conduit and boxes; moreover, he believed it was not necessary to put the wiring in at that

time. He hoped this would ensure the City would be set for EV charging stations on Main Street [and the road may not have to be torn up again in five years].

Mr. O'Donnell presented a handout to the CAC commissioners with ideas for carbon cutting. While he was unable to attend the CAC's meeting on February 12th, he said he would be able to attend the meeting in March. Mr. O'Donnell told the CAC to let him know if any of his ideas jumped out to them, so he could provide a presentation at that meeting [in March]. Mr. Irvine said he was interested in Mr. O'Donnell's idea regarding City Vehicles as he believed it was related to the capital budget. He said the City initially stated it was cheaper to buy gas cars instead of electric vehicles. Mr. Irvine was unaware if this was true; however, he stated the assumption was made to the effect electric vehicles were more expensive than gas cars. Mr. O'Donnell said he would research this question and provide the CAC with the information. Mr. Irvine thought it was good to consider the potential for the City to consider utilizing electric vehicles since they were required to routinely update their fleet. Mr. O'Donnell stated a website with resources was listed in the handout provided to commissioners. Mr. Irvine asked Mr. O'Donnell if his research included heavy-duty electrical vehicles for the City (i.e. line equipment) as he thought most electric vehicles (EVs) were smaller vehicles. He questioned if hybrid utility trucks – specifically garbage trucks – existed. Mr. O'Donnell said he read an article which informed him electric garbage trucks existed and were used by some institutions as well as electric busses and electric mail trucks. He told the commissioners he would investigate the possibility of heavy-duty EVs and get back to them.

Mr. Irvine suggested Mr. O'Donnell email his Council person. Mr. O'Donnell confirmed he sent an email to Ms. Wallace and he noted she was the one who recommended he attend the CAC's meetings. Ms. Smith asked Mr. O'Donnell if Ms. Wallace had a copy of the handout he shared with the commissioners. Mr. O'Donnell stated he would provide Ms. Wallace with a copy of the handout. Ms. Smith believed Mr. O'Donnell should go through any route where he saw an opening. She recommended Mr. O'Donnell to reach out to Mayor Polly Sierer since she believed this issue was important and asked him if he used <http://www.climatemayors.org> as a resource. Mr. O'Donnell confirmed he used <http://www.climatemayors.org> as a resource and said the web address was listed on his handout. Ms. Smith asked Mr. O'Donnell if the data on <http://www.climatemayors.org> provided information on local cities which were comparable to the City of Newark. Mr. O'Donnell said University of Delaware was registered on the website; however, the City of Newark was not. He clarified it was easy for the City of Newark to be listed on the map since a simple registration form was all that was needed. Registering on the website also would indicate the City's support of the Paris Climate Agreement.

Ms. Smith stated she would share the website and handout with the Sustainability Committee. Mr. O'Donnell said he would be willing to help Ms. Smith with the Steering Committee as DEMEC was one of the primary areas of focus listed on his handout. Ms. Smith noted Mr. O'Donnell was welcome to come to the Steering Committee meeting on February 29, 2018 and public comment was permitted. Mr. O'Donnell said he would attend future Steering Committee meetings; however, he was unavailable to attend the meeting in February. Mr. Irvine told Mr. O'Donnell the CAC originally presented the idea of burying wires to the City about two years ago; moreover, the cost of burying wires was determined to be prohibitive at that time. Mr. O'Donnell thought it would be significantly less expensive to put in new conduit for EV charging stations. He clarified there would only be a few rows of conduit and boxes for every other spot. He believed the economic benefits to downtown Newark were significant; specifically, the area would be nicer to shop and would be more aesthetically pleasing. According to DelDOT, Mr. Irvine said it would cost the City over \$1 million dollars to bury the wires.

He suggested Mr. O'Donnell conduct a cost-benefit analysis as it was not included in the project. Mr. O'Donnell described his suggestion as an easier sell since a civil engineer would look at the project and determine the cost would be approximately several thousand dollars as opposed to \$1 million. Mr. Irvine thought the majority of cost was due to the labor required to complete such a project. He reported the City would be required to work with a contract and company which already was bid; therefore, a change-order to the contract would be required. While the unit costs were small, the renegotiation fee or change-order would need to be considered. Mr. O'Donnell believed EV infrastructure would happen whether the City of Newark was on board with it. Mr. Irvine thought it would cost the City more to install EV infrastructure now as opposed to after the Main Street project. Mr. McDowell agreed and believed EV

infrastructure in the City would encourage residents to use EVs. Mr. O'Donnell agreed with Mr. McDowell's statement to the effect he was aware people complained Newark lacked infrastructure for EVs. Ms. Smith asked if the CAC should recommend burying the wires to the City or if the discussion was off the table. She noted many construction projects realized technology would change over the course of the project's beginning and completion. Mr. Irvine thought the CAC could make a recommendation with the worst-case scenario being they were told it was too late to be considered since the bid was underway. While she was aware the idea was turned down earlier, Ms. Smith thought there might be a way to make it happen by which they were previously unaware.

Mr. Irvine thought the CAC could ask if the idea to bury wires and establish EV infrastructure could be considered. However, he did not believe the CAC needed to make a recommendation and thought they would be able to ask Acting City Manager Tom Coleman. Mr. Irvine asked who was in charge of the Public Works Department. Ms. Potts said Mr. Filasky was the Acting Public Works and Water Resources Director. She said Mr. Irvine could email Messrs. Coleman and Filasky and suggested Mr. Irvine contact Electric Director Bhadrash Patel. Ms. Potts expressed she would speak to the City Secretary and would follow up with Mr. Irvine after their discussion. Mr. Irvine thought this was a good suggestion and asked Ms. Potts to ask the City Secretary: (1) If the City could still bury the wires and (2) the potential charge lane wires to allow EVs to be charged at EV charging stations. Mr. Irvine thought a suggestion to bury wires was discussed with Mr. Coleman prior to his role as Acting City Manager. According to Mr. Irvine, Mr. Coleman provided the information to DelDOT. DelDOT came back to the City with a price that was cost-prohibitive for the City. Mr. O'Donnell recommended the word conduit be used instead of wires regarding discussions about EVs and EV charging stations. He believed the issue for discussion was in reference to the pipes. Mr. O'Donnell thought the project would be significantly cheaper and would be underground. He emphasized the City would be able to put the wiring underground at a later time since the pipes would be in place.

Mr. Irvine said Skip Losner, a colleague at the University of Delaware, went to Europe in the 1970s with a fellowship from the University to research how wires were buried. He clarified Mr. Losner travelled Europe to study policy innovations that could be applicable in the United States. When Mr. Losner returned to the University, he proposed burying the wires on Main Street in 1974. At that time, Mr. Losner was told burying the wires cost too much and it was too hard to change the wiring system if it breaks. Additionally, Mr. Losner was told the wires had to be dug up. Mr. Irvine informed the audience Europe used paving stones to bury the wires instead of concrete. Paving stones were easy to remove and provided easy access to wires. Mr. Irvine said he received the same answer as Mr. Losner when he suggested the idea to the City 40 or more years later. He thought Mr. O'Donnell's prior comment regarding people and infrastructure would change was incorrect since he personally experienced the same refusal. Mr. O'Donnell believed it was important to ask if the wires could be buried as they would not know if they did not ask. The commissioners agreed with Mr. O'Donnell to the effect it would not hurt to ask.

3. FOLLOW UP DISCUSSION AND RECOMMENDATION ON POTENTIAL ELIMINATION OF PLASTIC BAGS – NEWARK CHARTER HIGHSCHOOL

Mr. Irvine said the students from Newark Charter Highschool's (NCHS) Project Citizen group would provide their presentation on plastic bags at this time. He noted ninth graders in the group were required to come up with a real-life social policy problem, conduct research and provide recommendations to address the problem. Mr. Irvine said the students at the meeting chose reducing the use of single-use plastic bags for their problem. The students stated they were ninth grade students at NCHS and had been given this project assignment for their Civics class. They chose plastic bags for their project. She explained her research revealed the main reasons why plastic bags were an environmental issue. Plastic bags are non-biodegradable – unlike paper bags – which meant they specifically harm the environment. Since fish ingest plastic, humans could be harmed if they ate fish who ingested plastic. Additionally, plastic bags got stuck in farmer's equipment. Ms. Williams stated plastic bags were one of the more common items found in environmental cleanups. For example, the Department of Natural Resources and Environmental Control (DNREC) found approximately 1,888 plastic bags out of all trash collected during the Christina Watershed Cleanup. In Newark's April cleanup, DNREC found approximately 210 plastic bags.

(Secretary's note: Newark's Spring Community Cleanup took place on April 18th, 2018. DuPont and DOW

were proud sponsors of this event)

Ms. Yang stated House Bill (HB)15 passed in 2009 which stated large retail stores over 7,000 square feet or more (or stores that are more than 3,000 square feet but there are three of those stores), had to provide recycling bins for plastic bags. Additionally, the stores were required to provide reusable bags for customer purchase. While this recycling program was a good start, Ms. Yang said there were statistic which showed plastic bags in the environment are still a big problem. When deciding what the policy would be for public policy, Ms. Kust expressed there were a few main ideas which were often debated. A ban was one of the main ideas which completely eliminated plastic bags. One positive aspect of a ban was attributed to the fact that it forced people to change. Behavior change would occur since people were no longer provided with the option to use plastic bags. A negative aspect of a ban on plastic bags was to the effect people would not have the choice to stop using plastic bags on their own Ms. Kust thought people would be less receptive and less likely to go along with the ban. Another concerning aspect of the ban was that it would change Delaware's routine. Ms. Kust thought plastic bags were [almost] part of culture in the State; especially, in Mses. Kust, Williams, Veron and Yang's generation were people used them for many purposes. She acknowledged there were many people who used plastic bags to clean up pet waste; furthermore, Ms. Kust said jobs in the plastic industry would be lost.

According to Ms. Veron, the implementation of a fee for plastic bags instead of an outright ban had positive implications; specifically, plastic bags were still available [at a fee] for people ad provided them with a choice. Ms. Veron stated people typically were resistant to change. By easing people into the idea of eliminating plastic bags from their lives, Ms. Veron believed the goal to eliminate plastic bags would be reached more quickly and efficiently. Additionally, the money that could be raised from the fee on plastic bags could go towards environmental groups and would encourage people to buy reusable bags. While there were positive aspects to a fee on plastic bags, Ms. Veron recognized there were cons associated with it. First, some people might be opposed to the fee and would not want to pay it. Additionally, the plastic bag fee may be considered by some as a tax. Since the State of Delaware was known for tax-free shopping, Ms. Veron thought the potential existed for the plastic bag fee to be considered bad or problematic. Both the ban and fee were problematic in low-income communities. She stated many people were concerned people in low-income communities may not be able to pay for alternatives such as reusable bags.

Ms. Kust said they proposed a \$0.05 fee for plastic bags in all stores that served or sold food in the City of Newark. With the \$0.05 fee there were two options. First, \$0.03 of the fee would go to environmental groups such as the Students for Environment group at the University and the White Clay Water Shed Association. The remaining \$0.02 would go to Plastic Free Delaware or raise money for bag drives. Bags could be given to libraries in order to help people in low-income communities. The second option was for the \$0.05 fee be credited back to stores who participated in this policy. Ms. Kust said participating stores would be encouraged to donate to environmental groups and do bag drives themselves. Ms. Veron said they spoke with Tommy Wells and Lillian Powers who were from Washington D.C. In Washington D.C., there was legislation called the Anacostia River Cleanup and Protection Act of 2009. This legislation was similar to the policy Mses. Yang, Kust, Williams and Veron wished to implement. Ms. Veron said the Anacostia River Clean Up and Protection Act of 2009 implemented a \$0.05 fee on plastic bags in all stores that sold food [with an exemption of sit-down restaurants]. Over the past 10 years, Ms. Veron said the Washington D.C. area saw a 65-70% reduction in plastic bag usage. Also, Mr. Wells and Ms. Powers sent out surveys to residents who provided feedback [most] to the effect most people saw an 82% reduction in plastic bag usage around them. In addition to help prepare for the transition, assistance was given to help small businesses adjust first. Ms. Veron stated the plastic bag fee could potentially impact small businesses to a greater degree than larger businesses. Mr. Wells and Ms. Williams implanted programs which gave away reusable bags to deal with low-income communities and those who may might not be able to afford them.

Ms. Veron reported her group spoke with Leslie Wilcox, Watershed Outreach Planner for Montgomery County, Maryland, where a law was established which placed a \$0.05 tax on paper and plastic bags at all retail stores [not only those that sold food]. She stated there was an exemption for all restaurants in Montgomery County, Maryland who solely used paper bags. Ms. Veron said Montgomery County also

made reusable bags available in public libraries, food pantries and handed them out at events. She stated these methods assisted low-income communities and people who may not be able to afford reusable bags. Ms. Veron said Montgomery County chose the tax instead of a ban since it gave customers a choice as to whether they wished to pay the tax for bags or bring their own. Another problem observed in Montgomery County was people worried about diseases in reusable bags or getting sick from food that was put in reusable bags. Ms. Veron said this problem was easily addressed by reminding people to frequently wash their bags.

Ms. Kust announced they spoke to State Representatives Paul Baumbach and Gerald Brady. Representatives Baumbach, Brady and Ms. Durham had a plan to approach the issue through the proposal of a plastic bag bill. The plastic bag bill would be state-wide where a ban would be proposed for plastic bags and a fee of \$0.05 on paper bags. Ms. Kust said Representatives Baumbach and Brady spoke to them regarding HB 202 which did not pass but was proposed in 2015. HB 202 provided an exemption for all small stores; furthermore, Ms. Kust said Representatives Baumbach and Brady reminded the students they would be able to regularly amend their policy. Ms. Williams stated Ms. Durham was the co-founder of Plastic Free Delaware as was a newly elected member of New Castle County's City Council. Ms. Durham also assisted Representatives Baumbach and Brady on the plastic straw and bag bills; moreover, they were proposing an exemption for people on food programs. The proposed bills would make it possible for members of the low-income community to obtain reusable plastic bags.

Ms. Durham believed it was important to refute the concept people might have against people who used reusable bags. While people would assert they used plastic bags for animal or pet waste or other purposes, Ms. Durham stated less than 10% of plastic bags are reused. This meant 90% of plastic bags ended up in the environment. In addition, the manufacturing and recycling facilities (MRF) were required to shut-down their machines [almost every single day] because plastic bags got into the machines and jammed them. In the end, the costs associated with shutting down the machines and facilities [and cleaning them up] go back to the residents. Ms. Durham stated microplastics have consumed by fish and consumed by humans. Because of this fact, humans consumed plastics due to the fish they ate; furthermore, research has shown consumption of plastics might lead to cancer. Ms. Veron thanked the CAC commissioners and audience for listening to their presentation and said they were available for questions at this time.

Mr. Irvine thanked Mses. William, Kust, Veron and Yang for their presentation and research regarding the issue of plastic bags. Ms. Smith said the students gave a great presentation and appreciated the answers they provided regarding people who may object to using reusable bags. She questioned the students if they surveyed any local businesses and received feedback as to how they felt making the change [from plastic bags to re-usable bags]. Ms. Smith wondered if local businesses provided feedback as to whether they would support the change; specifically, if local stores businesses would support a state-wide bill banning plastic bags. Ms. Williams said they spoke to two store managers. Of the two managers, one supported their proposal. While the other manager was not as supportive of the proposal, the individual was not entirely against it. Ms. Williams announced they put out a petition and gained some support from members of the public. Ms. Yang said the support they gained in petitions and interviews was in reference to their proposed policy (the \$0.05 fee on plastic bags) and did not pertain to the state-wide bill as proposed by Representatives Baumbach and Brady. Ms. Smith asked if the students presented their ideas to Representatives Baumbach and Brady, so they could incorporate it into their bill. Ms. Yang stated they intended to share their presentation with Representatives Baumbach and Brady.

Ms. Sheedy suggested emphasis needed to be made regarding the possibility of an exemption for people on food assistance programs. She thought an exemption for plastic bags would be easy for low-income individuals as they did not need the bags to be rung up if they paid with an EBT card. While \$0.05 may not seem significant to many people, Ms. Sheedy said the amounts add up for individuals in the low-income community. Ms. Smith thought the students' free reusable bags would provide an alternative for the low-income community. Mr. Irvine encouraged the students to share their presentation with Representative Baumbach. He told the students a nice way to follow up with people they interviewed for the project was to provide a copy of their presentation and a recommendation. Mr. Irvine suggested the students should add a section at the end of their presentation which emphasized the project's next steps; specifically, what they thought the next steps would be on the local and State levels.

Mr. Irvine asked the students as to whether they were provided with the dollar amount associated with the MRF costs. Ms. Williams announced they spoke to Ms. Durham who told them about the basics of an MRF and how they took money away from residents themselves. Mr. Irvine said he was aware of a limitation in the State of Delaware on charging a fee; specifically, as it related to the continuing affects of the former law which sunset in 2015. Ms. Kust stated the current law in Delaware included a provision which required certain stores [of a certain size] to provide recycling bins. Additionally, State law prohibited local governments from placing fees on stores in compliance with that law. Ms. Kust said Representative Baumbach suggested the students could encourage NCC to write a proposition and send it to the State of Delaware. Representative Baumbach said he could make a push for the State law to be amended in order to permit local governments to place fees on stores. Once State law was amended, it would be possible to implement a law in the City of Newark. Mr. Irvine asked if State law precluded the City of Newark from banning plastic bags. Ms. Kust believed the State law did not mention it was unlawful to implement a fee on plastic bags; however, the State law stated local governments cannot place fee-based rates. She thought the State did wish for people to be taxed consistently throughout the State of Delaware; therefore, they did not want to permit local government to place fees or taxes on plastic bags.

Ms. Yang said they would attempt to recruit Ms. Durham to assist them in these efforts so Representative Baumbach would be able to bring the matter to State level. Ms. Smith announced she met Ms. Durham yesterday (January 7th, 2018) and anticipated an email back from her since she asked her to provide more information on this matter. Ms. Smith believed Ms. Durham recently completed a proposal for NCC which related to plastics in general. Mr. Irvine asked for clarification regarding the description of fee and tax in the students' presentation. Ms. Smith believed the students used the terms interchangeably. Mr. Irvine thought the word incentive would be more beneficial than the word fee as he believed the best combination of words could influence peoples' response. Ms. Kust said the reason for the fee was to provide alternate solutions for people to bring their own bags. Ms. Veron reiterated one of the cons of the fee was related to the fact some people might mistake it [the fee] for a tax and would be more opposed to paying it. Mr. Irvine questioned the students as to why they did not ask for a ban since they listed to pros and cons of a fee-based model to change consumer behaviors related to plastic usage. Ms. Kust believed it was better to ease people into the idea of a ban and clarified they did not intend to keep the fee-based plan forever. However, Ms. Kust stated they expected to change the plan and [gradually] grow into a ban so the City no longer used plastic bags. She believes people may not be receptive to change and easing them into the process seemed like the best idea. Additionally, the students' proposal garnered more support because people who used plastic bags for other stuff (i.e. animal/pet waste) still had the opportunity to obtain them.

During their research, Ms. Williams stated they found a City in Arizona went straight towards a ban. While a good majority of the public liked the ban, there were others (particularly law makers) did not like the fact the ban did not give people the choice as to whether they could buy a plastic bag for a fee of \$0.05. Eventually, Ms. Williams said the ban was revoked and instituted a practice called "Bans Against Bans." Mr. McDowell thought this was similar to what the State told the City to the effect they were advised they could not ban plastic bags. Mr. Irvine thought H.B. 202 (which sunsetted in 2015) stated the City was not permitted to charge a \$0.05 fee on plastic bags; however, he did not believe the ban was mentioned in the bill. Mr. McDowell believed they were advised the City was not allowed to supersede the State's authority and do it on their own. Mr. Irvine clarified it would be possible to propose a ban since the law sunsetted; however, a fee could not be implemented unless the law changed at the State level. Mr. Hornor thought there was precedent set [maybe not for plastic] where the City changed the law for hotels. He said the State gave the Newark permission to implement a lodging tax this year. Mr. Hornor stated the City had a 3% lodging tax on hotel rooms [in the City].

Mr. Irvine asked if the students discovered why people did not use reusable bags during their research. Ms. Williams said one of the reasons people declined to use reusable bags was due to the fact people used plastic bags to clean up dog waste. She described plastic bags as a matter of convenience for people. Ms. Veron stated a barrier for reusable bag use was due to the fact people were required to remember to get their plastic bags from their cars. However, if people were given an incentive, Ms. Veron believed people would remember to use reusable bags over time. Ms. Smith suggested the students respond to

any objections or opposition to their proposal by the following: (1) Biodegradable dog-waste bags are available and (2) there are recycling bins in stores for plastic bags for people who want to use them. Ms. Veron noted they went into a store to check out the store's two recycling bins; but only discovered one plastic bag in the bin. Ms. Smith reported there was someone who worked for the State of Delaware who wanted to know if there were any store infractions to state law for recycling. Mr. Irvine asked the students if they were given a number on the per-capita use of non-reusable plastic bags [on a per person basis]. Ms. Williams said they did not have this information. Mr. Irvine believed it was beneficial to have a per-capita number since they could calculate the average usage of non-reusable plastic bags in Newark. Mr. Irvine asked Ms. Potts if she was familiar with the City's recycling contract. He questioned if the cost accrued by the vendor was passed back to the City for mechanical failures caused by plastic bags; specifically, if there was a clause in the contract which addressed the issue. Ms. Potts told Mr. Irvine she would discuss this matter with the appropriate staff and provide information back to him.

Mr. Prasad announced a google search revealed there were over 100 billion plastic bags used per year in America. Discussion at the table commenced regarding the total population of the United States and the City of Newark. Mr. Prasad estimate each person in the City used approximately 300 bags per person. During the interview with Ms. Durham, Ms. Williams said they learned approximately 10% of the population chose to recycle. Mr. Irvine believed the City used approximately 9,600,000 plastic bags per year. He asked how long it took plastic bags to degrade into microplastics. Ms. Yang believed plastic bags took approximately 500-1,000 years to degrade. Ms. Veron announced they spoke to Jason Winterling, who worked for as a Field Operations Supervisor for the City's Department of Public Works and Water Resources. He told the students plastic bags had to be separated since they could not be processed with the rest of the recycling. Ms. Veron said this created a hardship for staff and thought a fine would be charged if plastic bags were not separated from the rest of the recycling. Mr. Irvine questioned the students if they knew where the fines for these items originated from. Ms. Veron said she did not have the answer to this question at the moment. Mr. Irvine asked how Staff sorted single-use, non-recyclable plastic bags out of the recycling stream. Ms. Veron said Mr. Winterling mentioned other cities used machines to sort plastic bags; however, she did not believe Mr. Winterling indicated the City used machines to sort out plastic bags. Ms. Veron assumed the City manually sorted plastic bags from the main recycling stream.

Ms. Smith believed the technology at one time used fans which blew plastic bags into the air which Staff would place on conveyer belts. If there was a plastic bag that had other recycling in it, Ms. Veron announced Staff were required to go through that bag and separate the contents. Additionally, Ms. Veron said Mr. Winterling stated another problem was created when people tied multiple plastic bags together. This required staff to untie all bags and go through the contents accordingly. Ms. Smith believed the general public did not read; specifically, there were signs on recycling bags which indicated plastic bags were not permitted. Ms. Smith provided the students with Adam Schlacter's information from DNREC and stated he was the individual who requested people report stores and businesses that were not compliant with State law's recycling requirements. Ms. Sheedy wished to clarify her prior comment regarding exemptions for people on food programs. She clarified she suggested members of the low-income community paid a \$0.05 fee; however, they would receive a reusable bag instead of a plastic one. Mr. Irvine thought City Council expressed interest in other cities; specifically, regarding their implementation of a plastic bag fee or a ban. He stated the students cited Montgomery County, Maryland and Washington D.C. in their presentation and questioned whether the policies [from Montgomery County and Washington D.C.] were shared with them. Ms. Veron said they did not receive this information; however, they received statistics from Washington D.C. regarding residents' feed-back and the overall clean up. She stated she would provide the CAC commissioners with this information via email.

Ms. Veron thought it would be possible to email Washington D.C. and Montgomery County, Maryland to request their specific laws on the issue. Mr. Irvine thought this would be a good idea as he believed Council preferred not to write legislature from scratch. Despite the fact Washington D.C. and Montgomery County were bigger than Newark, Mr. Irvine believed both areas thought through some of the issues of lower-income consumers (i.e. a gradual phase-out in versus an outright ban). He questioned if the students spoke to cities who implemented an outright ban on plastic bags as he believed both case studies (Washington D.C. and Montgomery County, Maryland) were fee-based. Ms. Veron announced they

reached out to several officials on California and were unable to receive a response; however, she believed a ban was implemented which she thought was relatively successful. Messrs. Irvine and McDowell thanked the students for their presentation. Mr. Irvine asked Ms. Potts if the CAC had a copy of the presentation and Ms. Potts confirmed she would email a copy to the commissioners.

(Secretary's note: The students gathered for a picture in front of the dais to commemorate their presentation)

Mr. Irvine opened discussion to the commissioners to gather their thoughts on a path forward. He believed the CAC discussed the issue for too long and thought it was time to make a recommendation to Council. Ms. Smith thought the CAC previously made a recommendation to Council. Mr. Irvine clarified the CAC made a recommendation to Council regarding plastic straws (not plastic bags). He believed plastic bags were an equal (if not greater) pernicious problem since the cost to the environment would be passed down to multiple generations in the future. Ms. Smith said Representatives Baumbach and Brady were getting ready to present a plastic straw bill in January and plastic bag bill in March. She reminded the commissioners of a previous attempt two years ago where they [the CAC] were ready to write a resolution two-years ago while the bag bill was pending. Ms. Smith believed the CAC decided to wait until the bag bill went through; however, she said it did not preclude the CAC from writing a proposal. Mr. Irvine agreed with Ms. Smith and thought the CAC withheld a proposal because they believed it made more sense to let the State lead the matter. Ms. Smith said Representative Baumbach encouraged the CAC to make their proposal and show support. Mr. Irvine believed the pending bill was related to a state-wide ban on plastic bags. Mr. Hornor said the bill would not be introduced until March if a straw ban was introduced in January. Ms. Smith confirmed this was the case. Mr. Irvine said he was tired of waiting for the State and thought the CAC should write a proposal. Ms. Smith noted the commissioners could use data from the student's presentation to aid in drafting a proposal.

Mr. Irvine thought the students provided valid points regarding the downside related to implementing a ban; specifically, a phase-in provided a smoother transition and would lessen the negative reaction for limiting choices for customers. Ms. Sheedy questioned when the ban on fees was set to expire. Mr. Irvine thought this was a good question since the law was still in place despite the fact it sunsetted. Mr. McDowell said he was unsure of the specific information regarding if or when the bill ended; however, he believed the provisions in State law regarding fees put a temporary moratorium on the CAC's past efforts. If the bill sunsetted, Mr. McDowell suggested the CAC a hybrid plan. He thought the proposal should include provisions to begin with a fee and would implement a complete ban at a later time. Mr. McDowell believed this process would provide the community with ample time to gather reusable bags and be prepared for the ban. Mr. Irvine liked Mr. McDowell's proposal; however, he was disturbed because the City used approximately 9.6 million single-use plastic bags each year. If a phase-in was utilized, 29 million single-use plastic bags would be used in the City of Newark. Mr. Irvine thought it would be beneficial to recommend a ban if possible.

Mr. Irvine thought going for a ban would require additional work of the CAC's part; specifically, the environmental costs, operating costs and health costs. Ms. Sheedy thought a ban would also require some research as to how other communities successfully managed their run-up to the ban. She thought a ban would be more successful if people were prepared for it. Ms. Smith thought the CAC should not be required to figure everything out on their own since bans of this nature were successfully implemented in other municipalities. She reiterated efforts to reduce single-use plastic bag usage were being made at the State level. Ms. Smith announced people from DNREC had information that would be helpful related to this matter. Ms. Hazelwood remembered when stores would offer people with the choice of paper or plastic bags. After a certain amount of time, Ms. Hazelwood said people would be informed they would be charged for plastic bags and paper bags. She recommended this approach as part of the process leading towards the ban as well as advertisements on social media. Ms. Hazelwood thought this would provide consumers with the impetus to use reusable bags and thought companies might potentially want to purchase bio-degradable bags. She stated some stores provided customers with \$0.03 back on every bag which could be used as an incentive for change. Mr. McDowell said the Dollar Store used paper bags and believed it would be affordable for other businesses and stores as well. Ms. Smith said post-consumer paper bags were available; however, there were environmental issues associated with them as well. She

thought the intent was to create a public education campaign which encouraged people to use reusable bags.

Mr. Irvine thought the CAC needed to form a subcommittee to perform research in between meetings. He questioned when the restriction on a municipality ended regarding the implementation of a fee for plastic bags. Mr. Irvine rephrased his question to the effect he wondered why the restriction was not lifted if the law ended. Mr. Irvine thought the subcommittee needed to explore this issue. He mentioned the case studies the students provided for Montgomery County, Maryland and Washington D.C. were beneficial; however, Mr. Irvine had case studies from cities in New Jersey that recently banned plastic bags. Mr. Irvine believed case study laws from cities that were comparable in size to Newark should be studied in order for bans and fees related to plastic bags. Additionally, Mr. Irvine thought Jason Winterling might be able to provide the labor and time estimate of separating out plastic bags from the City's recycling process. He hoped to understand the dollar cost associated with the associated labor. Mr. Irvine restated the CAC estimated Newark used 9.6 million plastic bags per year; furthermore, he described this as an eye-catching figure. He thought the City's plastic bag usage would be compared with the State's usage at the CAC's meeting on February 12th.

Mr. Irvine said there were different paths to take in this matter. On one hand, a gradual implementation and ban of plastic bags by a certain date could be recommended. He announced exemptions would be built into the ban. Another thought was for the City Solicitor to lobby for Representative Baumbach's bill on plastic straws. Mr. McDowell thought it was an excellent idea for the City Solicitor to lobby for Representative Baumbach's bill. Ms. Smith also thought it was a good idea and believed the CAC and City needed to show their support. If the CAC did not see any action with the State bill, Ms. Smith thought the subcommittee would be able to provide a decent resolution. Mr. Irvine thought the CAC's recommendation to City Council –if Council acted on the recommendation –might also prompt action at the State level. Ms. Smith announced they could recommend their support of Representative Baumbach's bill. Mr. Irvine said he wished to see a draft of the bill regarding the ban on plastic straws; therefore, he did not believe the CAC had enough information at the current moment to make a recommendation. Mr. Irvine thought there were merits to a ban and a fee for plastic bag usage. However, he did not wish for his personal emotional response to get in the way of what he deemed a "winning policy recommendation" for the City. If it were up to Mr. Irvine, he announced he was in favor of a ban on plastic bags.

Ms. Hazelwood asked what a potential fine would be for individuals who were caught using plastic bags. Mr. Irvine answered plastic bags just wouldn't be available and people could not use them. Basically, individuals would be required to purchase plastic bags for \$1 [or he thought the City could potentially buy them]. Mr. Irvine did not know the cost associated with the separating out plastic bags from recycling; however, he believed the labor cost built into the City's contract for recycling probably exceeded the cost of purchasing five reusable bags for every citizen. Ms. Hazelwood suggested a method where an individual who bought \$50 worth of groceries was given two free reusable bags; additionally, individuals who purchased \$25 worth of groceries received a single plastic bag. She announced the bags would eventually pay for themselves eventually. Mr. Irvine agreed with Ms. Hazelwood and said there was available funding in the Green Energy Fund. Mr. Irvine thought a cost benefit analysis –which analyzed the true costs of plastic bags (i.e. each bag could cost \$0.05 or \$0.002 for a company to buy a box of plastic bags) – would most likely reveal the City would save money if they purchased reusable bags for businesses as opposed to the sorting and clean-up associated with Plastic Bags. Mr. McDowell believed the most recent Newark Post included an article from Ms. Sierer which discussed what could be recycled versus what could not. He stated plastic bags were listed as items that were improperly recycled and cost the City directly every truckload. Mr. McDowell believed someone in the Public Works Department knew the associated cost for sorting plastic bags from every truck load. Ms. Potts stated Mr. Filasky would be the appropriate contact for this question since he was the Acting Director of Public Works and Water Resources.

Mr. Irvine asked if there were any volunteers who wished to serve on the Plastic Bag Subcommittee. Ms. Sheedy and Hazelwood agreed to serve on the subcommittee. Mr. Irvine announced he would assist the subcommittee as well. Mr. Irvine announced there was another student team from NCHS who also researched plastic bags. He thought it would be possible to get their research and information as well. Mr. Irvine thought the other student group recommended a higher fee for plastic bags (i.e. \$0.25 instead of

\$0.05). Ms. Smith believed they wanted a higher fee in order to account for the cost. Mr. Irvine thought they wanted to change behavior more quickly by setting a higher incentive to change towards reusable bags. He suggested both student groups came up with a fee for plastic bags as opposed to a ban. Mr. Irvine hoped for the subcommittee to round up some of the data in this matter to discuss at the CAC's next meeting on February 12th. Ms. Sheedy asked Mr. Irvine to email her and Ms. Hazelwood regarding the items he wanted them to research for the next meeting. Mr. Irvine said he would provide Ms. Sheedy and Hazelwood with their research items. Ms. Smith announced she would pass along information from Ms. Durham regarding her work for plastic bag reduction with New Castle County (NCC). Mr. Irvine thought every month the matter to ban or charge a fee for plastic bags meant an additional 800,000 plastic bags would be used in the City of Newark.

Mr. Irvine believed a multi-pronged approach was necessary to reduce plastic bags throughout the City. Ms. Sheedy thought the CAC should back-count the total number of plastic bags that were used since the last time the matter was brought forward for discussion. She thought this information should be included to substantiate the CAC's recommendation. Mr. McDowell agreed with Ms. Sheedy's recommendation. Mr. Irvine thought 19.2 million plastic bags were used by the City since the matter was presented for discussion two-years ago. Mr. McDowell thought it was incredible the way plastic bags were introduced into society and described it as similar to water bottles. Ms. Smith believed plastic bags and plastic straws were seen as a matter of convenience by many individuals. Mr. Irvine though the NCHS presentation provided them with valuable information in order to research a path forward.

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

Ms. Smith announced her update would be brief because the Steering Committee had not met since their last meeting on December 6th, 2018. The Steering Committee's next meeting was scheduled for January 29th, 2019 from 4-6 p.m. in Council Chambers. Ms. Smith invited all who were interested to attend the meeting to observe the process. Ms. Smith said discussion and comments would be provided which might enlighten attendees of the cumbersome nature of the process. Ms. Smith told the CAC commissioners that she provided them by email with the November 30th, 2019 draft of Sustainability Plan Update from AECOM. Ms. Smith referred to page 4 of the draft which covered different themes and went through all possible ideas that could be covered within one theme. Ms. Smith said the draft and ideas were voluminous and restated there were five themes:

1. Clean energy;
2. Reducing fossil fuels;
3. Green and sustainable buildings;
4. Infrastructure; &
5. Land development.

Ms. Smith said sustainability was a common denominator which overlapped many themes regarding the Sustainability Plan:

1. The City's advancement of clean transportation and provision of excellent stewardship of its natural resources.
2. The City reduced its waste footprint as well as water-usage.
3. The City provided additional support for local food production and distribution.

Ms. Smith asked Mr. Prasad to move the email with the November 30th, 2018 Sustainability Plan draft to the CAC's drop box. Mr. Prasad confirmed he would put the item in the CAC's drop box. Mr. Irvine announced he liked the five themes Ms. Smith shared and looked forward to reading the email with the November 30th, 2018 draft from AECOM.

5. UPDATE ON THE ANNUAL REPORT AND POTENTIAL APPROVAL

Mr. Irvine stated he did not have the chance to pull the CAC's Annual Report together. He thanked the CAC commissioners for giving them their various parts and mentioned Mr. McDowell turned his portion

in this evening. Mr. Irvine said he would draft the annual report and send it to the commissioners before the next meeting on February 12th. He stated the report would be reviewed and approved at the meeting on February 12th and asked Ms. Potts to place it on the agenda. Ms. Potts confirmed the item would be added to the February 12th agenda. Ms. Sheedy told Mr. Irvine emailed him with her portion of the report which included December 2018. Mr. Irvine confirmed he received Ms. Sheedy's submission. Mr. Prasad announced he sent Mr. Irvine his submission and Mr. Irvine confirmed this was the case. Ms. Smith said she sent Mr. Irvine her section of the report; however, it would need to be revised as she was waiting on an update regarding the last "A Better Newark" award. She reported she would reach out to Barbara Ohliger one more time regarding her 2018 "A Better Newark" award. Ms. Smith stated she told Ms. Bensley she wished to give Ms. Ohliger the award in person [instead of a Council meeting] if she preferred. She emphasized her desire for Ms. Ohliger to receive the award and believed Ms. Bensley had all the information and photographs and thought the award would be made upon request. Mr. Irvine said they were in pretty good shape with the Annual Report.

6. OLD/NEW BUSINESS

Mr. Irvine asked Ms. Potts whether the O Paper Mill Road project had been placed on an upcoming agenda for City Council. Ms. Potts believed the item had not yet been placed on City Council's agenda. Ms. Smith interjected and stated she was aware of the current position in this matter. She emphasized the CAC separated the tree ordinance from O Paper Mill Road. Ms. Smith announced she spent time with Mr. Spadafino earlier in the day who informed her Alan Hill, Hillcrest Associates, would come back to the City in order to look at the revamping of the project in order to make it possible to plant 1/3 of the replacement trees one year. Another 1/3 of the replacement trees would be planted the following year, with the remaining 1/3 replacement occurring the following year. Ms. Smith thought a fee would be considered as well as a guarantee. Ms. Smith thought there were two things which she described as racing towards the finish line: (1) Alan Hill and (2) The mature tree ordinance rewrite. She stated she had an update regarding the re-write of the mature tree ordinance.

Ms. Smith said she connected with Mr. Spadafino with Bill McAvoy, a botanist with DNREC, who she believed was very interested in helping the CAC to revise the ordinance. Additionally, Ms. Smith stated Mr. McAvoy recently made a proposal for re-writes for NCC's tree ordinance. Ms. Smith said Mr. McAvoy saw the O Paper Mill Road Project and the City's current tree ordinance and would be on Mr. Spadafino's working committee for the revision of the City's tree ordinance. Ms. Smith announced Mr. Spadafino intended the working committee to meet by the end of January/early February. Ms. Smith said Mr. McAvoy would be an expert consultant for the committee as well as a staff member from the University [a representative from the U.S. Urban and Community Forestry Division] and Tom Fruehstorfer. She believed a member of the Planning Commission would be on the committee and stated she would attend the meeting in late January/early February as well. Mr. Irvine questioned if the committee was considered to be under the purview of Mr. Spadafino. Ms. Smith restated Mr. Spadafino was charged with re-writing the tree ordinance based on the CAC's recommendations. Therefore, Mr. Spadafino gathered the group of experts [the individuals she just mentioned] to staff the committee. Mr. Irvine believed Mr. Spadafino invited the CAC to designate a commission as a member for the tree ordinance committee; therefore, he thought the CAC should nominate a member to participate on the committee. Ms. Smith reminded Mr. Irvine he asked her to be on the committee at the last CAC meeting on December 11th, 2018 and she accepted the position. Mr. Irvine asked Ms. Smith if she told Mr. Spadafino she would be on the committee and Ms. Smith confirmed she was the case. Mr. Irvine thanked Ms. Smith for volunteering to serve on the committee.

Mr. Irvine questioned if there were any additional comments regarding the tree ordinance or O Paper Mill Road project based on Ms. Smith's input. He believed the CAC would be able to speak at the City Council meeting as individuals when the O Paper Mill Project came back to Council; however, Mr. Irvine emphasized the commissioners were not permitted to comment as representatives of the CAC. Mr. Prasad asked Ms. Smith for clarification regarding the fact the tree replacement would be completed in phases for the O Paper Mill Road project. Ms. Smith announced Mr. Spadafino told her the tree replacement at O Paper Mill Road would occur in phases; specifically, it was Mr. Spadafino's understanding the developer would propose for trees to be implemented in phases. Ms. Smith clarified the developer attempted to find a way to work with the City's existing tree ordinance. Mr. Irvine thought the existing tree ordinance was better than the newly

proposed ordinance since it resulted in more trees being planted. He believes the proposed ordinance would have resulted in money being accepted in lieu of trees as opposed to planting them. Mr. McDowell believed the money in lieu of trees would go towards Parks and Recreation. Mr. Irvine agreed with Mr. McDowell and thought accepting money in lieu of trees set an incentive for developers to cut-down trees with the money being given in lieu of trees to the Parks and Recreation Department. He was firmly opposed to the Parks and Recreation Department receiving money in lieu of trees and described it as a source of income [if it were accepted] by cutting down trees.

- Follow up discussion on topics for publication in the Communications Newsletters

Mr. Irvine announced the CAC needed to determine topics for publication in the Communications Newsletters. He mentioned raising awareness of plastic bags as a topic for publication in the Communications Newsletter. Mr. Irvine suggested for the CAC to come up with a list of topics for publication in the Communications Newsletter at this meeting. Ms. Smith stated she wrote a brief article for anti-idling and sent it to Ms. Potts. Mr. Irvine suggested the benefits of community gardens would be a good topic. Ms. Hazelwood said she could provide content for community gardens; however, it was often necessary to go through a community's association and present at their meetings. Some community associations would come right to the CAC. A factor to consider would be if the area for a community garden would be in a public area of a community where the land was not being used for something else. Ultimately, Ms. Hazelwood reported community gardens and the process for establishing them depended on how a community wanted to accomplish this (i.e. Oaklands).

Ms. Hazelwood stated she lived in Nottingham Green where there was a huge area of unshaded open-space [close to where the pool was located] which she thought would be a perfect place for a community garden. Nottingham's community association response was lackluster which Ms. Hazelwood attributed primarily to the fact the association no longer held meetings. Ms. Hazelwood believed it would be necessary for individuals to go to their own neighborhoods or appropriate Council member in their district to help get a community garden started. She informed the audience she helped establish the community garden for the Fairfield Park; specifically, assisting with the rules and regulations for the garden. Ms. Hazelwood announced the community garden required special regulations and rules since it was located in a public park; furthermore, each person had a copy of the key to the park and were required to be accountable. The community garden was open during certain hours (i.e. park hours).

Ms. Hazelwood stated she assisted with another community garden in Delaware City a few years ago. The community garden consisted of a bunch of community members. Ms. Hazelwood said they did not lock the community garden in Delaware City as they believed individuals who took items (i.e. vegetables or fruits) from the garden truly needed them. She emphasized the structure and design of community gardens depended on what the community or neighborhood desired. Ms. Hazelwood announced she was in touch with Master Gardeners from the University; therefore, they would be another resource for content in the newsletter as well as establishing additional community gardens throughout the City. Mr. Irvine thought Ms. Hazelwood's statements could be summarized as an article for publication in the City's Communications Newsletter. He believed the article could state, "If you want to start a community garden, here are the things to consider." Mr. Irvine announced his goal for the evening was to compile an editorial list of topics which would be a routine part of the Communications Newsletter. He listed the following as topics which could be included as follows:

1. Plastic straw awareness;
2. Plastic bag awareness;
3. The anti-idling ordinance;
4. Community gardens;
5. Electric Vehicles (EV's) and their merits (i.e. tax breaks); &
6. How to utilize Solar energy.

Mr. McDowell questioned how long the articles needed to be. Ms. Smith said the articles needed to be between 200-250 words per article. Mr. Prasad clarified the articles needed to be between 150-200 words. Mr. Irvine thought the length requirement was eye-catching and would encourage action on the

reader's part; therefore, he thought readers would check out additional information. He asked the CAC commissioners for additional topics which they thought should be included to the list of articles for the newsletter. Ms. Sheedy said she could provide information on native plants. Mr. McDowell said he would put an article together regarding back-yard habitats. Ms. Smith thought reforestation and the importance of trees were suitable topics for the newsletter. Mr. Irvine suggested for Mr. McDowell to write an article on Reforestation Day. Mr. McDowell said he would write an article on Reforestation Day and would include the importance of native trees and other topics in it. He stated the article could include what to plant and what not to plant. Ms. Smith thought an article should be written to cover invasive trees. She recommended the CAC should determine who would write each article and when they would submit it. Ms. Smith said she spent a fair amount of time reviewing the CAC's meeting minutes from the past seven or eight years and wanted to ensure they did not drop any threads.

Mr. Irvine stated he wanted to create a list of topics that would routinely be written about in the Communications Newsletter. Mr. Irvine asked for clarification regarding which Staff member put the Communications Newsletter together. Ms. Potts announced Kelly Bachman used to put the newsletter together; however, there would be a new point of contact as she left her position at the City of Newark. She told Mr. Irvine she would provide the information at a later time as to who the new point of contact would be. Ms. Sheedy recommended alternate transportation as a topic. Ms. Smith recommended bicycling as a topic. Ms. Sheedy agreed articles could be written on walking around Newark and on bicycling. Ms. Smith suggested for an article to be written regarding what types of alternate transportation were currently available in the City. Ms. Sheedy and Smith believed an article on bus service in the City of Newark could be included under the topic of alternate transportation. Ms. Sheedy thought each topic in the alternate transportation category easily could provide content for more than one article.

Ms. Smith said she did not want the CAC to leave the list hanging out there and wanted to assign topics to each of the commissioners. Mr. Irvine thought the CAC could provide talking points to the Communications Department who could then write the articles for them. Ms. Smith clarified her question was in reference to which commissioner would cover each topic. Mr. Irvine believed some commissioners already volunteered for a few of the topics; therefore, they would have to figure out who would cover the topics which people did not choose. He thought there were specific times of the year when certain topics would be more appropriate to discuss. Mr. Irvine stated it would be a good idea to publish an article on native trees during the month where Reforestation Day took place or the month after. Mr. McDowell thought the article regarding native trees should be published in the spring when everyone gardened. Mr. Irvine thought the spring would be a good time to publish an article on community gardens; additionally, summer would be a suitable time to discuss solar energy. Mr. Irvine believed scheduling the articles around the relevant seasons would help establish a timeline and path forward.

The CAC continued to discuss the topics for the newsletter and who would be assigned to them. Mr. McDowell would cover native plants, backyard habitats & reforestation. Ms. Smith wrote an article for the Anti-Idling Ordinance which would be posted in the March newsletter. Mr. Prasad said he would cover the topic of solar power. Ms. Smith announced they would need to provide content for the newsletter for April-December of this year.

Mr. Irvine asked Ms. Smith if her article regarding the Anti-Idling Ordinance was in the CAC's Drop Box. Ms. Smith said she provided the article to Ms. Bensley and Potts and emailed it to the commissioners. Ms. Potts confirmed she received the information and passed it along to Ms. Bensley. Mr. Irvine thought Ms. Smith's text should be added to the Drop Box so future members of the CAC would be able to access it. Mr. Prasad said he would upload the information to the CAC's Drop Box in a folder labeled "Communication Newsletters". Mr. Irvine mentioned a critique from the Boards and Commissions Review Committee which suggested they get more citizens engaged in their work. Ms. Sheedy thought the CAC could include information in their articles for each monthly newsletter which would invite citizens to submit ideas to the City Secretary's office. Mr. Irvine hoped more citizens would attend CAC meetings. He asked Ms. Potts to include a section for the Communications Newsletter as a standard agenda item moving forward. Ms. Potts confirmed she would add this section to each agenda going forward.

- Follow-up discussion on the Anti-idling Ordinance

Ms. Smith said she reviewed the CAC's meeting minutes from 2012 to the present. She stated the Anti-Idling Ordinance was first proposed in 2012 and how it moved forward. Ms. Smith announced she attempted to find out where the anti-idling signs were placed and believed Mr. Coleman was currently working on it. Ms. Smith reported she personally spoke to three drivers who she observed idling in their cars. She informed the drivers about the Anti-idling Ordinance and stated the drivers were very apologetic and turned off their cars. While on a walk at Curtis Mill Park, Ms. Smith observed a driver in the parking lot who had the engine running while he talked on his cell phone. Ms. Smith eventually called the NPD since the driver idled in the parking lot for 20 minutes. She said the dispatcher seemed to understand that idling was against the law and acknowledged they would send a police officer to the scene forthwith. Ms. Smith announced there were approximately 300+ anti-idling signs were ordered and believed Mr. Prasad was part of this process.

Ms. Smith said she learned at least 100 signs were put up; specifically, 40 signs were on University property with the remaining signs placed throughout the City, parks, and entrances to Newark. She did not get the chance to figure out where the other 200 signs went. Ms. Smith stated Mr. Coleman believed they would not be able to know where all the signs went since some of them may be on private property. She questioned if signs could have been placed in parking lots. Ms. Hazelwood said there were a couple of signs located in Newark High School's parking lot. Discussion at the table indicated the signs in Newark High School's parking lot were put up a while ago. Ms. Smith asked if there were any other schools in the City who had anti-idling signs in their parking lots. She noted she never observed a sign in Newark Shopping Center and believed the Park-N-Shop parking lot needed a sign in the parking lot as well. Ms. Smith stated Mr. Coleman and staff were in the process of reviewing records to determine where all anti-idling signs were located. She believed the Anti-Idling Ordinance needed to be dusted off because it was a Greenhouse Gas issue. Mr. Prasad said the boxes that contained Anti-Idling Ordinance signs were very heavy. Mr. Irvine announced he had a box in his car that contained 15-20 signs. Mr. Prasad thought Charlie Emerson, former Director of Parks and Recreation, might know where the remaining signs were located. Ms. Sheedy wondered if anyone asked Tom Fruehstorfer where the signs were since he was the CAC's chair at that time. Ms. Smith said she would email Mr. Coleman and ask him to reach out to Mr. Fruehstorfer.

Ms. Sheedy recalled the CAC took the signs to various merchants in town and property owners. She thought they took five signs to ACME. While some signs were distributed throughout town, there were others that were never put up. Mr. Irvine asked Ms. Smith what the next steps regarding the Anti-Idling Ordinance were. Ms. Smith said she would find out what Mr. Coleman said. After this, Ms. Smith announced they would find the signs and put up additional ones. Ms. Smith thought the CAC could approach store owners and ask them if they would be allowed to put up anti-idling signs in their windows. Mr. Irvine thought the inventory for signs was the next step in the process and Ms. Smith confirmed this was the case. He said he would confirm how many signs he had in his vehicle and would let Ms. Smith know. Ms. Smith asked Mr. Irvine if he had any anti-idling fliers and he confirmed this was the case.

7. PLANNING & DEVELOPMENT REPORTS

Mr. Hornor announced the Newark Post put up a review that stated there were 25 projects planned in the City of Newark. He stated there were two more projects added today; therefore, he thought the number of projects in the City increased to 27. Mr. Hornor said many of the projects were apartments and announced developers hoped to convert the Fulton Bank on Main Street to a four-story apartment building with the bank on the bottom. He believed Newark was in the process of becoming a bigger City. Mr. Wessells thought it seemed like the University was in the process of eliminating their dorms; furthermore, he said it appeared the University seemed to let the City build apartments to house the students. Mr. Wessells said this was a common practice throughout the country. Mr. Irvine said the CAC's mandate was limited as a commission in terms planning projects. To get conservation embedded into the planning and review process would require a Charter change. Mr. Irvine did not believe the Planning Commission had as much of a mindset towards the environment or conservation like the CAC did. Mr. McDowell acknowledged they discussed increasing the rigor of all the LEED requirements; specifically, in regard to setting a cap. He said the discussion occurred

awhile ago and they had not gone back and raised the requirement at all. Mr. Irvine said a committee was established to review LEED requirements and announced he volunteered to serve on it. Ms. Sheedy announced she was unable to be a part of the committee due to her work schedule.

Mr. Irvine asked if there were any members of the CAC who were able to serve on the LEED work group/committee. Mr. Hornor said he would attend the meetings when his schedule permitted. Mr. McDowell said the CAC managed to incorporate additional LEED requirements many years ago at the time construction on South Main Street began. Mr. Prasad remembered this discussion. Mr. Irvine thought the LEED work group was the perfect chance for the CAC to push the envelope further. He stated he would be in touch with Mr. Hornor regarding the committee. Ms. Sheedy asked Ms. Smith for clarification regarding the Sustainability Steering Group. She asked if anyone in the Sustainability Steering Group made the point that a sustained population was integral to sustainability. Ms. Smith said this topic had not come up. Ms. Sheedy announced she attempted to come up with ways to address the issue of student population. She noted the student population was transient by definition. Furthermore, Ms. Sheedy said the student population outnumbered the resident population. Ms. Sheedy thought the Sustainability Steering Committee could make the point it was necessary to have a balance between a transient population and a permanent population in order to have a sustainable community. Ms. Smith thought this was a very interesting concept. She said there were several people from the University and others who were willing to investigate challenging concepts such as this and announced she would bring the issue to the Sustainability Steering Committee. Ms. Smith articulated she would report back to the CAC with the Sustainability Steering Committee's thoughts and ideas were on this concept.

Mr. Irvine thought the counterargument was to the effect that a transient population could behave in a sustainable way; therefore, he thought it was not accurate to assume permanent residents would automatically behave in a more sustainable manner than transient residents. He thought the challenge for the Sustainability Steering Committee was to make recommendations for the City to enact (i.e. policy, environment); specifically, which would allow for a sustainable Newark over a long period of time. Mr. Irvine said it was necessary to assume there would be a constant stream of people and transient population because of the University. He restated both the fixed population and transient populations behaved in certain ways; therefore, the issue at hand was how both populations' behaviors led towards a sustainable City. Mr. Irvine believed the current behaviors did not encourage sustainability (i.e. plastic bag and straw usage, air pollution, congestion etc.). Ms. Smith asked Ms. Sheedy if she referred to the potential impacts if the transient population began to outweigh the permanent population. Ms. Sheedy confirmed this was the case and clarified it was possible for students to behave in a sustainable way. She restated her prior comment to the effect sustainability as a whole included more than just sustainable practices (like the 5-year plan for Newark which contained livability, walkability etc.). Ms. Smith thought sustainability included the adaptability to change. Ms. Sheedy agreed and believed a transient population was critical to Newark's economy; furthermore, the City's economy affected its sustainability. Ms. Sheedy said the permanent population had equal value to Newark in that it provided the support for the transient population as continuity. Because of the growing transient population, Ms. Sheedy acknowledged it may be more difficult to get permanent housing.

Ms. Smith said the issue of housing clearly needed to be considered as part of sustainability; therefore, it was a focus of the Sustainability Steering Committee. Mr. Irvine thought the CAC should discuss methods by which they could help City Council to consider the conservation aspects of student housing. He believed the CAC's inability to make a recommendation for sustainability regarding the O Paper Mill Road pointed out a flaw; specifically, as related in the City's review of projects in regarding environmental impacts and sustainability. Mr. Irvine believed the Planning Commission did not consider the environmental impacts or sustainability of projects to the same degree as the CAC. The CAC was unable to comment on the environmental impacts or sustainability of an individual project since it might be seen as a capricious application of regulatory authority. He announced the CAC did not want to make statements that might get the City sued. Mr. Irvine restated the CAC was not part of the planning review process; however, they could comment on projects as private citizens and not members of the CAC. Mr. Irvine suggested the potential to lobby the Planning Commission in order to encourage them to step up in public comment at their meetings. Another method to get more involved in the planning process would be accomplished through a Charter change; specifically, a change regarding how projects were reviewed. Mr. Hornor thought plans were reviewed by the Subdivision Advisory Committee

before they were reviewed by Planning. Ms. Sheedy said there was a Design Review Committee.

Ms. Smith said the rewrite of the Landscape Screening and Treatment Ordinance would help address some of the concerns and change the approach with the planning process. She emphasized it would change the percentage of trees they were allowed to cut down within a given piece of property. Mr. Irvine agreed with this statement and said the LEED building standards helped with the process. He believed the CAC addressed the planning process through existing mechanisms and thought another way to accomplish change was to review the planning process to raise questions about its ongoing conservation impact. Mr. Irvine mentioned there were 27 projects in the City and thought it would be beneficial for the CAC to weigh in on projects and suggest measures such as green roofs. Ms. Sheedy stated the City had a storm water review process. Mr. Irvine asked if the City had a storm water fee and Ms. Potts confirmed this was the case. Ms. Smith stated she suggested a dashboard which helped people see their losses and gains at a Planning Commission Meeting; specifically, she provided the example of impervious and pervious surfaces. Mr. Irvine asked Ms. Smith how the Planning Commission seemed to respond to the idea. Ms. Smith stated no one seemed to latch on with the idea and move forward with it. She thought the Planning Commission needed to keep track of what the City lost or gained and how it affected the environment. Mr. Irvine wanted conservation to be considered during the planning review process instead of after the fact. Mr. Hornor believed the CAC should be involved in the process before a project went to the Planning Commission. He appreciated the fact that Council could overrule the Planning Commission's decisions.

Mr. Irvine announced the next meeting agenda for the next meeting would include the schedule of topics for the Communications Newsletter, discussion from the Plastic Bag Subcommittee's research, Sustainability/Steering Committee updates and the Annual Report. Mr. Irvine asked Mr. O'Donnell if he would be able to give a presentation regarding potential EV's for the City's fleet at the meeting on February 12th. Mr. O'Donnell said he was unable to attend the meeting in February; however, he would attend the CAC meeting on March 12th, 2019 to share his presentation. Mr. Irvine asked Ms. Potts to contact Mr. O'Donnell in order to schedule the presentation for the CAC's March 12th meeting. Mr. Irvine asked which CAC commissioner was appointed to the District 3 position. Mr. McDowell confirmed he was appointed to the CAC for District 3 and noted Ms. Wallace was the Council member for his district. Mr. Irvine mentioned Mr. Kramer would be stepping down when his term expired in March. He stated Mr. Markham would nominate a replacement for Mr. Kramer as he was appointed to the CAC position for Council District 6.

8. NEXT MEETING – FEBRUARY 12, 2019.

9. ADJOURNMENT

MOTION BY MR. WESSELLS, SECONDED BY MR. HORNOR: TO ADJOURN THE JANUARY 8TH, 2019 CAC MEETING.

MOTION PASSED. VOTE: 8 to 0.

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

NAY– 0.

ABSENT– KRAMER.

The meeting was adjourned at 9:00 p.m.

Whitney Coleman Potts, Paralegal
Administrative Professional

/wcp