

MINUTES

MINUTES OF THE WORK SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA HELD ON TUESDAY, AUGUST 17, 2010, AT 6:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR PORTER AT 6:00 PM.

ROLL CALL

COUNCIL

Councilmember Boyd Nicholl, Ward I
Councilmember Bennie Scott, Ward III
Councilmember Luche Giacomino, Ward II
Mayor W.J. "Jack" Porter
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Raymond Rodgers, Ward II
Councilmember Ken Budge, Ward I

STAFF

Stephen J. Pauken, City Manager
Gloria P. Gonzalez, City Clerk
Dee L. Flanagan, Finance Director
John Charley, Community Development Director
Tom Klimek, Public Works Director/City Engineer
Andy Haratyk, Public Works, Recycling Program

CITY ATTORNEY

Mark J. Langlitz

THE FOLLOWING ITEM WAS DISCUSSED AND/OR CONSIDERED AT THIS MEETING:

1. DISCUSSION AND POSSIBLE RECOMMENDATION TO CITY STAFF REGARDING THE MAYOR AND COUNCILS DIRECTIVE TO EXPLORE THE BANNING OF SINGLE USE PLASTIC BAGS BY RETAIL OUTLETS AND INCREASE THE RECYCLING OPPORTUNITIES WITHIN THE CITY.
JOHN CHARLEY, COMMUNITY DEVELOPMENT DIRECTOR

Mr. Charley explained that this Work Session was requested by Council regarding the ban of single use plastic bags and increased opportunities in recycling. At this time, he introduced Andy Haratyk, Public Works Recycling Coordinator.

Andy Haratyk gave an overview of the history of the recycling program and the future opportunities for the City. He commented that every year he attempted to expand opportunities to develop recycling programs to take more recyclable products. He said that when the program first started, five bails were recycled on a weekly basis, but had increased to five and seven bails daily. He added that load hauling had increased from every eight weeks to every eight days. He described in detail some of the opportunities that would be taken for expanded recycling opportunities this year:

- Two eight roll-off stations would be added to the system in conjunction with the School District Recycling Program.

- Attempt to recycle glass at a cost not to exceed \$5000 which is the amount provided for recycling equipment. The recycling of glass would need to be researched carefully.
- Due to equipment limitation, no other recycling would be added to the system.
- The City would need to bring in three-phase electrical in order to expand. APS provided an unofficial price quote (\$10,000 to \$35,000) to upgrade electrical service. The reason for the variance in that price was dependent on where the transformers and the lines would be placed. Presently, there is no electricity at the Transfer Station and the City does not have enough electrical to power another bailer. Being limited to a single bailer, it is very important to note that if one piece of equipment, Bailer or Forklift is out of service, recycling would cease until the equipment was replaced or repaired.
- The purchase of a new bailer, delivery and installation would exceed \$8,000; the cost of a facility to house the bailer was unknown at this time, as well as location. There is no plan to move or give up the site, because this was where the program was first created and, with great success. The cost included a forklift and additional equipment to handle recycling.
- Mr. Haratyk explained curbside recycling. He added that the process could be done if the City owned a Material Recovery Facility (MURF), but that the average cost exceeded \$1M. Being that the City was a small community, he did not believe investing in a MURF was cost effective.

Councilmember Giacomino asked if State or Federal grants had been researched to purchase the equipment. Mr. Haratyk replied in the affirmative, but in one instance when the website was reviewed, the home page stated no grants were available. The City Manager asked that if inquiries resulted in the availability of grant money that he be notified so that the information could be provided to the grants writer.

Councilmember Nicholl asked if plastic bags could be recycled. Mr. Haratyk replied that he could recycle plastic bags, but did not have a market to sell the bags. He suggested that he would collect and bail plastic bags, if Safeway would then take their bags to a recycler in Phoenix. He added that he hoped Safeway would take the bags.

The general public addressed their concerns regarding the Plastic Bags:

Jennie Druchman commented that plastic bags should be banned; addressed the education process regarding the ban of plastic bags. She commented that the economic paradigm had to shift to the children and their future.

Camille Shanahan commented that plastic bags should be banned. She added that a Chapter had been organized called "Bags for the People" as a means to show Council and the community of their willingness to be active participants in this change. She said that after collecting donated fabric, they had two sew-ins and made over 70 free bags which are available at the Co-Op.

Sarah Magaesson expressed her thanks to Council for allowing this topic to get this far. She encouraged moving forward and would like positive action to ban plastic bags.

Greg Wingard explained that the Co-Op was in transition from the use of plastic bags and opt for bag exchange. He added that this step proved positive and wanted to set an example in contributing to the reduction of waste in the community.

Mike Rohrbach explained that it was refreshing for young people to come before a Work Session to address their concerns. He suggested that the Co-op could be a demonstration model to obtain suggestions from the public on what to include in such a model.

Betty Lindstrom expressed that there was not much more that she could add to what was already provided, but that it was now time to act.

Mr. Charley commented that, in collaboration with the Public Works Department and the City Attorney, he researched and prepared information on the potential ban of plastic bags in Bisbee. He indicated that many cities drafted, but failed to adopt the ordinance. He commented that one city passed an ordinance, but did not enact on it. He said City Officials brought the item back to Council who recommended that more research needed to be done and that other cities and towns attempted to enact ordinances based on home state position. Portland, Oregon passed the ban on plastic bag, but tagged their ordinance on state position. Mr. Charley indicated that other cities attempted to pass ordinances that had been overrun by the cost of environmental impact studies. The City of Fairfax, California was overwhelmed by the \$100,000 cost of the study and decided not to pursue it. Mr. Charley mentioned that San Francisco, California, who adopted such an ordinance, was currently defending this action in court. Mr. Charley conveyed that if Council believed that single use plastic bags presented a threat to the quality of life to Bisbee residents, there were multiples options that could be considered and provided such examples.

Mr. Langlitz commented that he also conducted some research to discover that there was a growing movement worldwide toward banning single use plastic bags. He advised that San Francisco took the lead and adopted an ordinance to ban single use plastic bags for the large retailers, grocery stores, and pharmacies. California is considering to a ban on single use non-biodegradable bags, which passed the state assembly and is anticipated to pass the state senate. Their goal is to force the use of reusable canvas bags by eliminating both plastic and paper bags, to also include single use non-biodegradable plastic bags, because the bags don't deteriorate and it takes about 1000 years to break down. Many do not want to shift from plastic to paper because the paper bags have a greater environmental effect.

Mr. Charley indicated that Phoenix considered some type of ban on plastic bags, but there were some risks involved. Mr. Charley clarified that if Bisbee was the first to initiate the ban, it could be challenged and the City would have to defend that suit. One possible approach was to adopt a resolution and bring that resolution to the Arizona League of Cities and Towns; whereby, they could then adopt the resolution and look for state action.

Mayor Porter commented that he would consider a 25¢ fee per bag to use towards funding the City's recycling efforts.

Mr. Pauken suggested that making the retailers and their trade associations responsible to do more. He said a more effective and quicker solution was to work with the retail sector that is represented in this community to move towards the zero-bag concept.

He indicated that staff recommendation would be to cooperate with the resources available to make "reuse" first and "recycling" second, a much greater part of the local equation. He commented that one example were the young ladies who made their mark by taking donated material and making reusable bags available to the people of Bisbee and encouraged maybe reaching into ones' own pocket to donate for them to purchase material so that more bags could be make available. He said that staff would take a positive step to initiate the cooperation with the retail sector in Bisbee to make a bigger mark on the reuse, recycling, and the replacement of plastic bags in the community.

Mayor Porter asked a Safeway representative if he would like to speak on this item. The representative replied, not at this moment.

Councilmember Nicholl agreed with getting educated and to move towards some sensible environmental consideration. He commented that it did not change the initial manufacture of the bag because the bag was still being used through recycling effort.

Councilmember Budge indicated that a huge dent could be made by partnering as a "Phase-In". One option mentioned was to charge 10¢ charge on any type of bag and after paying for 25 bags, the person could get a credit for reusable bags. This could be implemented as a pilot program before approaching the bigger retailers.

Councilmember Scott commented that Council did not have the right to tell people whether or not they could use plastic bags and that Council did not have the right to tell merchants whether or not they could put their product inside a plastic bag. He added that he liked the recycling of T-shirts to make bags for the community. He commented that plastic did not pollute, people polluted and all that plastic in the ocean, highways, and desert was polluted by people. He commented that the City needed to work with the merchants to remedy this problem.

Councilmember Giacomino agreed in part with Councilmember Scott in that the City needed to work with the retailers in town, but did not feel that Council could just say no more plastic bags. Programs needed to be implemented to phase out plastic bags.

Mr. Pauken indicated that staff would be willing to approach some of the major users and producers of plastic bags in the City to discuss all the concepts brought forward by the public. He also mentioned that the media also showed interest in a story to ban plastic bags in Bisbee because it would be the first in Arizona. Mr. Pauken conveyed that he did not mind being first, but did not want to be first to tie the City to possible legal action. He suggested that the City needed to be first to cooperate in partnership with the private sector to meet with merchants that use plastic bags as a part of their business and work out solutions to encourage and produce noticeable change over and above what had been initiated in the use and reuse of recycling efforts. He added that staff endeavor was to initiate a meeting in about thirty days and then return to Council with possible solutions and findings.

MOTION: Councilmember Nicholl moved to adjourn.

SECOND: Councilmember Giacomino. MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 7:00 P.M.

W.J. PORTER, MAYOR