



MURRAY CITY MUNICIPAL COUNCIL WORKSHOP

The Murray City Municipal Council met for a workshop on Tuesday, May 14, 2019, in the Council Chambers of the Murray City Center at 5025 South State Street, Murray, Utah.

Council Members in Attendance:

Dave Nicponski, Chair	District #1
Dale Cox	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Executive Director
Pattie Johnson	Council Office	G.L. Critchfield	City Attorney
Jennifer Heaps	Comm. and PR Director	Russ Kakala	Public Works
Melinda Greenwood	Community & Econ Dev Director	Charles Turner	Power
Mark Hooyer	Trans Jordan Landfill	Pam Roberts	Wasatch Front Waste
Kathleen Riebe	State Senator	Jani Iwamoto	State Senator
Phyllis Wall	Utility Billing	Dave Davis	Retail Merchants Asso
Business Owners		Residents	

1. **CALL TO ORDER** - Council Chair Nicponski called the Council Workshop to order at 6:30 p.m. and welcomed those in attendance. He introduced the Murray City Council Members and Mayor Camp.
2. **DISCUSSION ON SINGLE USE PLASTIC BAGS**
 - a. **Mark Hooyer, Executive Director, Trans Jordan Landfill**

Mr. Hooyer said the City of Murray had been a faithful member of Trans Jordan for many years. The issue of plastic bags is a littering problem, especially on windy days, when much of a load of garbage is thrust away by the wind. The landfill spends a lot of money each year cleaning up plastic bags. He has completed a survey of landfills along the Wasatch Front. He spends \$55,000 for temporary labor crews to pick up the litter, 85% of which is plastic bags. Salt Lake County Landfill spends \$74,000 per year. The North Point Transfer Station in Lindon spends \$35,000 per year. From Logan to St. George \$435,000 is spent each year in just picking up plastic bags. Who pays for that? All the residents in the associated cities.

Trans Jordan is part owner of the Bayview Landfill. Mr. Hooyer displayed some photos of Bayview's "dinosaur fence", which is a 45-foot-tall litter fence that was constructed solely for the control of litter. Eighty-five percent of the litter consists of plastic and plastic bags. These fences are very expensive – Trans Jordan has \$1.5 million on a capital fund project to erect a similar fence on three sides of the landfill to control this litter. It will take about a year to build to be a good neighbor to residents and businesses nearby.

Of the landfills surveyed, the average spent on litter control is \$54,000 per year and the average capital expense is \$512,000 per year. Each one of the eight landfills spend over \$550,000 on average to control the plastic of all kinds.

Several pictures were shown of the "dinosaur fences" used at the Bayview and Trans Jordan landfills, which are very effective. Also pictured were machinery from a materials and recovery facility (MECF) where plastic bags completely shut down processing machinery. (Attachment #1)

Single-use plastic bags have become an icon in the US, typical of our throwaway society. They are not recyclable – even though they are collected by retail stores. Many stores end up dumping those into garbage cans. They do litter the landscape and when the Jordan River Commission was cleaning up the river, much of the garbage collected was plastic. They are easily preventable sources of pollution.

At the legislature, plastic industry representatives will complain that the industry will be negatively impacted by plastic bag bans, however, studies show that only .32% of all plastic production is from plastic bags. Reusable bags can be used safely as revealed by Consumer Reports. The argument citing the cost of reusable bags for low income people assumes that they do not care about the environment. The cost of the bags is already being added to the grocery prices. One trillion single-use bags are used worldwide on an annual basis, with one billion used here in Utah. The average American family takes home about 1,500 plastic bags per year, five a day and less than 5% are recycled. At this time about the only use for recycled bags is Trex decking material.

Mr. Hooyer said that he is proud to be associated with Murray because they are a little more forward thinking. He talked about the methane gas energy project at Trans Jordan that was created by Murray City where about five MWs of electricity are put on the grid every day. That is enough to power 24 homes. This is also done at the Salt Lake Landfill, sponsored by Murray Power and these dangerous greenhouse gases are taken out of the air to create electricity. That demonstrates some visionary leadership and the plastic bag initiative is another step in the right direction.

b. Pam Roberts, Executive Director, Wasatch Front Waste and Recycling District

Ms. Roberts mentioned that WFWRD expends about \$200,000 per year in education and materials to train people in responsible use of plastic bags and events to help promote recycling. There are only two recycling companies in the Salt Lake Valley where materials are delivered, and they have experienced increased costs that are passed on. When there was a revenue source for recycling, they were making quite a bit of profit on the commodities market. Plastic

bags really aren't recyclable, but when revenues were high, they didn't mind having to spend money on unclogging machines because they could recoup the cost and still make money. Ms. Roberts previewed a slide show with advertising for "no plastic bags in blue containers" campaign on the side of the WFWRD trucks. (Attachment #2)

She said there are two factors in recycling to look at, one is contamination. If there is garbage in the recycling, vendors are sorting through the load. She explained the process where materials on the conveyer belt are sorted and pickers are pulling out plastic bags and anything that is dirty and cannot be recycled. Processors must slow down their process to capture the most valuable commodities, such as metals, that had a very high price at one time. Now that is no longer true. WFWRD tries to manage those increased costs as best as they can.

The other thing that is difficult is single-stream collection, where nothing is sorted at the source. The commodities recycling market has changed tremendously where the revenue has become a huge expense instead. People are trying to manage the costs.

China was the biggest buyer of recycling commodities from the US, however, they got so overwhelmed with the thin plastics on everything that now China companies refuse to take plastics unless they are 90% pure. Because a few items slipped in anyway, the second phase of restrictions have come, called the "Green Sword". Campaigns were launched to clean up the plastics and contamination. The price per ton for recyclables received used to be \$40 and now the price for processing costs up to \$95 or \$100 as a base fee. You can reduce that fee according to what is being delivered.

Municipalities are paying as much as \$67 per ton to have recycling processed for their respective residents; landfill costs are at \$32.75 per ton. The WFWRD board decided to fund the recycling to keep it going and a big piece of that was a customer survey. There was nearly 80% support for continued recycling services and based on the increased cost of about one dollar per month per home, 70% would support the fee increase to maintain recycling services. Since the survey was taken, those costs are already increasing.

Other cities have taken steps such as increased fees, opt out services, or suspending services. She is very supportive of Murray City banning bags to help with this problem, as has been done in Park City and Moab. A US map showed by color coding what other states in the nation have done on banning plastic bags.

Senator Jani Iwamoto

Senator Iwamoto distributed some pictures, again, showing the problems with plastic bags. She said that when she first introduced state legislation to ban plastic bags, she had cities, counties and others come together to enact a statewide 10 cent fee. She dropped the bill just as it was approved in committee, however, then there was legislation to ban bills from banning plastic. She noted the idea is to change behaviors; she had considered different fee amounts, settling on 10 cents per bag. The retailers input included a preference for statewide legislation and a fee rather than a ban.

She explained her visit to Rocky Mountain Recycling and how plastic bags slow the recycling process; in more than one place the machinery had to be stopped to clean plastic from the rollers.

Senator Iwamoto has had a lot of communication with constituents over this bill and both Republicans and Democrats have voiced their support for this bill. She concluded that it was something the local authorities must decide rather than on a statewide basis.

She remarked how easily she adjusts when in other cities or states where bags are banned and voiced her support to the city on this issue. (Attachment #3)

c. Diane Turner, Murray City Council District 4

Ms. Turner stated that this discussion meeting was the first part of looking at charging for plastic bags or a ban on plastic bags. It had not been decided either way. This way we get input from citizens and the impact on residents and businesses. Then research would continue.

About five years before, Ms. Turner had been vacationing in Italy and when shopping for groceries they were asked if they wanted a bag, which would cost the equivalent of 25 cents. They did get a bag and noticed the landscape, parking lots, and trees were not littered with plastic bags. When she returned home, she talked with the city attorney who suggested she do her due diligence to research the issue and he would investigate the legal side. Now G.L. Critchfield was assisting her with the ordinance details.

Ms. Turner went through a power point presentation for background and to explain the ordinance that is being considered. (Attachment #4)

- Murray City has an obligation to protect the public health, safety and welfare of residents and visitors. The City seeks to promote policies which will preserve and conserve natural resources, and promote a cleaner, healthier environment.
- Disposable single use plastic bags pollute the environment; litter our streams, lakes, landscapes and highways; adversely impact wildlife and water quality; clog storm drains; and whirl around landfills.
- Disposable single use plastic bags pollute the environment; negatively impact recycling equipment; are a source of recycling contamination; are seldom recycled; made of nonrenewable resources – commonly petroleum and natural gas.
- The Murray City Council is considering an ordinance to prohibit distribution of single use plastic bags. (Ms. Turner expressed her desire to charge for plastic bags, rather than a complete ban.)
- Nothing in the ordinance precludes a retail store from making reusable bags available for sale to customers or from customers using their own reusable bags.

- If a retail establishment provides a checkout bag to customers, it must be reusable, recyclable paper bag, or compostable.
- A reusable bag means at least 3.0 mils with a capacity of 125 or more uses, able to carry 22 or more pounds over a distance of 175 feet, and capable of being washed so as to clean and disinfect multiple times. (Ms. Turner said this puts the responsibility on the customer, and she is confident Murray residents are up to it.)
- Recyclable paper bag means 100% recyclable, including the handles, contains at least 40% post-consumer recycled content, and displays the words “recyclable” and “made from 40% post-consumer recycled content” in a visible manner.
- Compostable plastic bag means it conforms to the current ASTM D6400 standard, is certified and labeled as above standard, and capable of undergoing biological decomposition consistent with known compostable materials.
- Single-use checkout bag does not include pharmacists’ bag for prescription drugs, newspaper bags, door hanger bags, laundry dry cleaning bags, or bags sold in packages; packages containing multiple bags intended for food storage, garbage, pet waste or yard waste; bags used by consumers inside retail establishments to package bulk items such as produce, nuts, grains, candy or small hardware items to take to the point of sale or checkout area; bags that wrap frozen foods or meat, fish or poultry; or bags that wrap flowers, potted plants or items with moisture.
- The penalty for non-compliance for the first offense is a written warning and the second offense is an infraction with up to a \$750 fine.

Ms. Turner noted that many retailers have been contacted and they indicated their ability to comply with the ordinance, should it be approved. Smith’s Food Stores, Kroger, told us that they are beginning a program to eliminate plastic bags and that Murray would be affected in 2025 anyway.

If the ordinance is approved there would be a delay of several months before going into effect.

Dave Davis, President of the Utah Retail Merchants Association

Mr. Davis represents hundreds of retail companies across the state and thousands of retail locations. He stated his agreement on the issue, however, moving to paper bags is not really the answer because of the carbon footprint. What it means to a retailer is a 500% increase in the cost of bags. This, of course, would affect only those stores in Murray City. They must operationally do things different in Murray. Park City and Moab are very closed communities and you must drive a distance to get out from under the restrictions. Murray City is in close proximity to other cities where plastic bags are not banned. Consumers have many options here.

He asked if it will make a difference if Murray City does this alone.

What are some of the solutions? Senator Iwamoto had a solution to have a statewide ban. He suggested the cities reach out to the Utah League of Cities and Towns for statewide support. Much has been done on education, however, there could be a better partnership with retailers. We would like to reach out as retailers to be part of the solution. There are programs with credits when people bring in their own reusable bags. Citizens are usually not willing to pay an additional fee for bags. He noted that the city could pass the ordinance but not have it go into effect unless a certain number of neighboring cities passed a similar ordinance. That would give it some critical mass.

In closing, Mr. Davis said customers using reusable bags would be a positive step - for the environment, the cities, the landfills and the retailers, as well. It is always difficult to effect a major change without imposing a significant hardship on either side.

3. CITIZEN COMMENTS – LIMITED TO THREE MINUTES

Scott Glauser – Murray, Utah Mr. Glauser said that the Murray Police are the nicest around. He has lived where plastic bags are totally banned and it is awful. If you stop on your way home and don't have your own bags, they go all over the car. Paper bags are not strong enough. The ban is not a good idea. If the machinery gets clogged, he doesn't care. Murray has 50,000 residents so the cost at the landfill is one dollar per person. They take up no space either when waded into a small ball. He is against the ban.

Mark Timothy – Murray, Utah Mr. Timothy remarked that both positions should be heard equally. He related that to the railroad industry and the Chinese labor. He likes to hear from the businesses, and he noted that we all agree we don't like the nuisance of plastic bags, but he feels someone will come along and invent a machine to take care of plastic bags. If they are eliminated, he is willing to drive a little farther for the convenience.

Bruce Cutler – Murray, Utah Mr. Cutler said he was in Los Angeles last summer and when shopping had to pay a quarter for a bag. He would like some alternatives. And that bag was just thrown away. One of the largest retailers in the city is Costco and he has never taken a plastic bag from Costco because they provide an alternative, boxes. He proposed an incentive, like the five or ten cent rebates for using his own bag. In South America everyone brings their own bags and it is a pattern of behavior. He likes the discount and agrees with a positive motivation rather than the ban. He stated that plastic bags are a disaster, but we got to this point because they are cheap.

Bill Strong – Murray, Utah Mr. Strong is opposed to this ordinance, he hates a law that punishes people and prefers the reward system. He noted Park City and Moab and dislikes their politics and what they do. He doesn't live in California because he opposes government that controls everything they do. He doesn't want Utah to become like this. He said he will not support Murray businesses if the council passes this ordinance.

Kat Martinez – Murray, Utah Ms. Martinez stated that she is a mother of three and works for the health department. She supports this ordinance because they are hard to recycle, they are hard on the machines, they are harmful to animals and fish in water. She walks the parkway and picks up

garbage, most being plastic bags. She is in favor of changing behavior, when it is found that something is harmful, we should change our behavior. She compared it to the food pyramid, which now has new research showing different breakdowns, so we change our behavior. At Costco there are other alternatives, and she believes in choosing better alternatives. Counties across the country are banning plastic bags. She does not want to be Park City or Moab – she wants to be Murray; to set an example for Salt Lake County. It is hard as a community, but she believes we can do hard things and set the standard for the environment.

Jeff Evans - Murray, Utah Mr. Evans told the group how proud he is of Murray City that this conversation is going on. On his own he discontinued use of plastic bags some time before and carries his totes into the store. At Smith's he gets extra fuel points per bag for using them. It could create a reverse shopping trend, where people will come to Murray to shop because they want to feel good about themselves and reduce their carbon footprint. They want to shop in a city that is forward thinking about the environment. It doesn't matter about other communities. Tonight, everyone is watching Murray to see what we do. His own poll on Face Book shows that 63 say "no ban" and 157 say "ban the bag". He is proud to be a Murrayite and thanks the council for this conversation.

Adam Thompson – Murray, Utah Mr. Thompson represents the HOA of Three Fountains, which is a complex of mostly older residents and he represents their interests. He said if people want to reduce the carbon footprint and help the environment, they should not be for a ban of plastic bags. He said the presentations were propaganda and the carbon footprint is actually much higher with alternative use bags. Nothing is meant to degrade in the landfill, it is meant to be a self-contained system. An alternative material will increase oil production, carbon footprint and waste management costs. Single use bags are a by-produce of ethane; the alternative is the carbon footprint bag. What kind of city does Murray want to be – do we want to be a community that reduces free agency and the capability to make free choices. Litter from plastic bags is less than 1% and weight is less than 4%. Weight and costs increase with other choices. It is an emotional issue. To be environmentally friendly, you would not ban plastic bags. Further, this will affect lower income residents.

Bryant Larsen - Murray, Utah Mr. Larsen said anytime a state (Murray City) enforces a fee it is called a tax not a fee. He is also offended at the term single-use because every bag that comes into his house from the grocery store is bagged for recycling; he uses them for dog poop, trash cans, etc. If these are gone, he will need to purchase bags for use in his home. He feels this is a moral issue forced on residents, like global cooling in the 1970s or global warming now. If they cannot be recycled, they can be thrown away with other trash.

Jeff Glauser – Murray, Utah Mr. Glauser is against more government regulation, more taxes, or more fees. He does not think this is a legislative issue and if people wanted to use reusable bags, they would; people do not need to be forced into it by a city council. It is also interesting that the main presenters were all in favor of a ban. If we wanted more regulation, we could move to California or Venezuela. Let the citizens choose – don't make everything government regulation. He does not agree that fees change behavior. No one wants a higher cost of living. He asked if the council had already decided to push this forward.

Mr. Hales said this was the first discussion and it was a new concept for him.

Mr. Nicponski clarified that the presenters were selected based on their involvement in waste disposal and not because they were in favor or against use of plastic bags.

Marie Christman – Murray, Utah Ms. Christman thanked the council for looking at this issue. One thing she likes about Murray is that elected officials are not afraid to consider the hard questions. She appreciates all the information. She lives in Murray because Murray really cares about its citizens. This is a grass roots issue and sometimes you must take a step forward, take the lead and others will come along. She shops at stores that do not offer plastic bags and she feels we need to continue striving forward and that we can figure out the hard issues. She thanked the city for looking at a plastic bag ban.

Mr. Nicponski thanked residents for their participation and comments and stated his appreciation for everyone's involvement.

4. ADJOURNMENT

Mr. Nicponski adjourned the meeting at 7:53 p.m.

Janet M. Lopez
Council Executive Director