MINUTES
SPECIAL MEETING OF THE STUART CITY COMMISSION
HELD August 12, 2019
AT 3:30 PM Commission Chambers - PLASTICS WORKSHOP #2
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Rebecca S. Bruner
Vice Mayor Eula R. Clarke (LATE)
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson
Commissioner Mike Meier

ADMINISTRATIVE
City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

ROLL CALL

3:34 PM Roll Call.
Present: Mayor Bruner, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.
Late; arrived at 3:36 p.m. Vice Mayor Clarke

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

3:34 PM Motion: Move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

No comments.

DISCUSSION AND DELIBERATION

1. VOLUNTARY REDUCTION OF SINGLE-USE PLASTICS AND POLYSTYRENE PRODUCTS.

ORDINANCE No. 2413-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, CREATING A NEW ARTICLE IX IN CHAPTER 20 OF THE CITY CODE ENTITLED "EXPANDED POLYSTYRENE AND PLASTICS REGULATION"; PROVIDING FINDINGS, INTENT AND DEFINITIONS; CREATING DIVISION (A) RELATED TO REGULATIONS FOR THE DISTRIBUTION OF EXPANDED POLYSTYRENE PRODUCTS ON CITY-OWNED PROPERTY AND RIGHTS-OF-WAY; CREATING DIVISION (B) RELATED TO REGULATIONS FOR THE DISTRIBUTION OF SINGLE-USE PLASTIC STRAWS WITHIN THE CITY LIMITS; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Commissioner Meier requested the Ordinance be split into separate Ordinances – Article 9, Division A and Division B.

Commissioners discussed Article 9 and City property vs. City limits.

Attorney Mortell read each "Whereas" in the Ordinance for the public's information.

Commissioner Meier requested on page 1, line 29, to remove the word "Green".

Attorney Mortell explained that all noted comments and updates to the Ordinance will be provided back to the Commission with a strike-through version for their review at the next meeting.

Public Comment:

1) **Gerrie Biegner – Fox Brown Rd., Indiantown; demonstrated trash she collected in downtown just before the meeting. In favor of the banning of straws and Styrofoam and provided a handout for the Commissioners.**

2) **Katherine Biegner – Fox Brown Rd., Indiantown; 13 years old, in favor of banning Styrofoam**

3) **Julie Williams – NW 15th Street; In favor of banning Styrofoam and straws, would like it to be required that restaurants are to ask if straws are wanted instead of automatically handing them out.**

4) **Mark Brechbill – Detroit Avenue; Commented that we have a serious plastics problem, suggests the City develop an environmental co-op with funding from membership fees and fines used to educate the public.**

5) **Pricilla Speicher – Notes Music Room business owner on Colorado Avenue; In favor of straws Ordinance, does not use straws at her business. Suggests other green options such as trees and greenery on roof tops. If task force develops, would be interested.**

Commissioner Glass Leighton commented to specifically discuss how chain restaurants who do not have the local authority to make the decisions to remove items would be handled.

6) **Dale Rakefeller – Culvers franchise owner; Biggest issue is that they serve shakes and straws are needed for this product, becoming an operational issue. Culvers has 720 restaurants throughout the Country, and they are working on solutions. Operationally, it would take time to transition, deplete inventories, supply chain, delivering. Already Styrofoam free but their concerns involve the straws for shakes.**

Commissioner Meier agrees to reasonable exceptions, but suggests on line 1 of page 11, contemplate an exemption in a.ii Drive-Thru Exemption Requirements and contemplate in a separate section on page 12, line 1 and list possible exemptions. Section 22.10.b.ii is redundant and be stricken. List in Ordinance is a good list

Commission discussion included "to go" establishments, straws available upon request only, exemptions, warning and grace periods, violations, and enforcement.

City Manager Dyess conformation: A and B stay, D's up for further discussion, and replacing C to provide and application process for additional exemptions by establishments.

If Ordinance goes into effect, a letter would be sent to the related business community stating the information, timeframe, and exemption process. The warnings to include information on how to apply for exemptions, and information added to website.

Commissioner Glass Leighton conformation review: Keep A hospitals/assisted living facilities, keep B, table D and add a line item to determine the exceptions. Staff will determine exemptions and bring back to the Commission for a vote. Application Process for an exemption.

Commissioner Meier commented on the remedy timeline, on page 11, line 17, strike section C. Correction of situation is immediate. Meier clarified his request: No straws provided unless requested, no single use plastic straw may be provided. 2021 fines imposed. No straw unless requested and no plastic straw unless requested until 2021. Server asks if straw is wanted.

Commission direction to strike the word "bring" on page 6, line 14.

Discussion included an educational component and language to include "permitted events".

Public Comment:

7) **Nancy Turrell – Coconut Avenue; Manages Arts Fest - Suggested the events community get notices before the next Plastics workshop. Wants clarity on what is and is not recyclable so they may properly notify vendors.**

8) **Christine Maldonado – SE 7th Street; Suggests Styrofoam be added to the straw ban. Easier than banning plastics.**

9) **Kyle Gibson – Resident of Ft. Lauderdale - Suggests taking time and not rushing so that it is a fair decision that is economical.**

10) **Cathy Rethmeier – St. Lucie Blvd.; think solutions, in favor of the Ordinance.**

11) **Chantel Hazel, Flagler Ave – Restaurant Manager of Pelican Café – they already have implemented the ideas of what has been discussed. Moving toward echo-friendly products. In favor of Ordinance.**

12) **Christina de la Vega – Stypmann Blvd.; In favor of Ordinance, thinks there should be no exceptions.**

13) **Lisa Beagle – Ridge Avenue, Jensen Beach; Surfrider Foundation representative. Explained the process of Ocean Friendly restaurant designation violations. In favor of the ban of straws.**

14) **Rachel Snyder – Flagler Ave., Local event coordinator – Happy about this but needs clarification to help those who operate events.**

City Manager Dyess announce that another workshop on this topic will be scheduled for September.

5:36 PM ADJOURNMENT:

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Mary R. Kindel, City Clerk **Rebecca S. Bruner, Mayor**

Minutes to be approved at the Regular Commission Meeting this 26th day of August, 2019.