

MOSCOW TREE COMMISSION



Deborah Kadlec
Commission Chair

Minutes

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**Tuesday
July 2, 2019**

5:00 PM

**Mayors Conference Room
206 E 3rd Street**

The meeting was called to order at 5:00 PM.

PRESENT: Daniel Cronan; Clark J Filip, Vice Chair; Lauren Goss; Mary Jo Hamilton, Secretary; Debbie Kadlec, Chair; David Rauk.
ABSENT: Gina Taruscio, City Council Liaison.
STAFF Donna Howard; Tyler Palmer, Acting Public Works Director; David Schott, Parks & Recreation Assistant Director; Steve Schulte, Street and Storm Manager.
OTHER: Parks and Recreation Commissioner Mark Heinlein.

1. Announcements

2. Approval of Minutes from May 7, 2019 (ACTION ITEM) - Kadlec

ACTION: Approve minutes as presented.

Filip motioned and Goss seconded approval of the minutes as presented. Acclamation vote: Ayes: Cronan, Filip, Goss, Hamilton, Kadlec. Nays: None. Abstentions: Rauk. Motion carried.

Schott requested a good faith motion to move the report from the City's Public Works Department up to the next agenda item; Kadlec agreed, all were in favor.

3. Report: Pruning Public Right of Way Trees within the City of Moscow – Kadlec / Schott

Schott introduced Palmer and Schulte and invited them to explain how City staff prunes public right of way (ROW) trees in order to be compliant under Moscow City Code. Palmer appreciates the many benefits of tree lined streets and wants his staff to protect the City's ROW trees. The ROW Inspection Program ensures that public safety isn't compromised by incorrectly planted or maintained trees and shrubs. The City's Public Works Department also needs access to curbs to clean debris and prevent pollution from entering local waterways as the curb system is part of the storm water conveyance system. Pollutants, such as phosphorus from plant and leaf litter as well as heavy metals from vehicle emissions, enter the waterways via rain runoff if not properly handled. The City will soon be MS4 Permitted, requiring documentation to DEQ and EPA that the Paradise Creek and the South Fork of the Palouse River waterways are not being polluted via the storm drains. In order to maintain the ROW vegetation, the city was divided into four areas and one quadrant is inspected each year. Each zone is checked for issues and adjacent homeowners are given the opportunity to perform required maintenance. The Streets Department's method for communicating with citizens about pending inspections evolved based on best practices, trial and error and now runs like a well-oiled machine. Palmer and the City's administration is open to feedback and willing to make changes to the process based on public input. Palmer said the process continues to improve, gets smoother each year, the City's entire ROW has now been inspected twice and staff are now beginning the third inspection cycle. Each fall property owners are mailed a postcard that their neighborhood is scheduled for inspection the following spring. The postcard contains information about compliance requirements and allows the homeowner to prepare for any needed pruning. Two weeks before the crews are scheduled to be in the designated neighborhoods, a second notice in the form of a door hanger alerts homeowners as to when City staff will be working in their area. A third notice is distributed two days before the inspections. After inspections are complete, minor trimming follows as City crews work to bring the ROW into compliance. The crew does as little trimming

as possible to maintain the health of the vegetation while getting the location compliant. For areas needing more than 30 minutes of work, the homeowner is notified and then given ten days to bring their property up to code. Fines and legal action will follow if the work is not completed. Citizens are becoming more familiar with the program, most areas that were long neglected have been brought up to code and now minor trimming is usually all that is needed. Schulte added that since this program's inception in 2010 the staff continues fine tuning the process; trained full time employees (FTE's) do the pruning and seasonal staff assist by removing debris. Palmer said that the FTE's are required to pass the certified tree worker test administered by the City's Parks and Recreation Department. Schulte showed before and after photos of areas that were so overgrown the street sweeper wasn't able to access the curb line. After the pruning was completed the area becomes accessible to the street sweeper as well as pedestrians and people using wheelchairs, strollers and bicycles. Schulte also shared photos of an alley that Streets staff trimmed to become passable and a residential corner brought into sight triangle compliance. Both Schulte and Palmer expressed appreciation for citizens' willingness to change their landscaping. They shared a video from the City's website intended to help explain to the public the need for proper vegetation management. In addition to safety, proper maintenance means the City will be able to meet MS4/DEQ permit requirements for storm water management. Palmer would like to see the City evolve from reactive to proactive infrastructure management and anticipates the need for operational changes, including more cleaning and testing of outflows. Palmer then invited questions from the MTC members. Filip asked if the City's carbon dioxide emission data factored in the urban forest's contribution to the reduction program. Palmer wasn't sure and will ask the City's Sustainability Coordinator, Kelli Cooper, and respond to the MTC via email. Rauk suggested replacing the word "trim" with "prune" wherever possible; Palmer will incorporate that in the next literature update. Rauk also recommended having at least one ISA Certified Arborist on staff to provide a greater knowledge base on the proper maintenance of ROW trees. Palmer asked about the requirements for becoming ISA certified and will further investigate that possibility. Rauk shared an ISA flyer with Palmer. Rauk observed that there seemed to be overlap in the City's ROW oversight; the Parks Department handles nuisance trees, approves planting and removal permits, while the Streets Department maintains the ROW and sight triangle trees and shrubs for safety and regulatory compliance. Schott acknowledged that new ROW planting may be non-compliant with the view requirements for a few years after planting and Palmer agreed that the inspectors needed to be aware of this. Palmer asked Schott about the City's GIS tree data; Schott said the database exists but there hasn't been staff to update it and it is out of date. Cronan mentioned the iTree program, felt it could help with the inventory, and then voiced his appreciation for the multiple attempts to communicate with adjacent property owners as well as the City's educational video. Rauk mentioned that the laterals of newly planted trees could obstruct sight triangles and asked if an exception could be made in certain cases; Schulte replied the staff tries to remove as little as possible in those circumstances but they need to get it compliant. Often they will contact the homeowner and ask them to follow up and prune as soon as possible. Rauk agreed a good compromise could be having the homeowner take the laterals off gradually. If the Streets staff thinks a tree is the wrong one for the location, Schulte will consult Schott. A discussion ensued about exceptions; Palmer stated that he strives for fairness when allowing deviations but the standards need to be upheld. Kadlec asked if there was a process for granting exceptions as some residents might desire alternate landscaping. Palmer replied that the Street Department is frequently contacted by homeowners and will visit the site when needed; as long as the homeowner's landscaping is within the City's Code requirements there won't be an issue. Citizens often apologize to Palmer about bothering him but he prefers to have the conversation before a situation escalates. He interacts with the public as often as possible, never considers it a bother. Cronan asked about MS4/DEQ permitting for storm water retrofits and how the requirements for green infrastructure best practices could affect how the City manages storm water runoff. Palmer's staff has been preparing for the MS4 requirements for a long time, has been structuring operations to comply with the EPA's oversight and specification processes but admitted there will be some major operational changes. Currently the City's street sweeping program is largely compliant but the system maintenance is reactive. Palmer also said that routine inspections and maintenance will significantly ramp up over the course of the next six months. Kadlec suggested making subsequent videos with advancing levels of information;

Palmer liked that idea. He then emphasized that this is an inspection process, not primarily a trimming operation, and that's why it is called Right of Way Vegetation Management. He shared a story of a shrub that had been growing in a bad location for years, causing water retention and collecting debris which damaged the sidewalk and eventually diverted pollutants into the catch basin. Often people are upset about removing trees and shrubs but Palmer finds that they are usually at peace with the decision once they understand why. Filip then asked how the City handled trees uprooting and damaging the sidewalks; Palmer replied that was a different department's purview. The City's Engineering Department handles sidewalk complaints and notifies the adjacent homeowner. Palmer mentioned that recently the sidewalk at City Hall was being damaged by tree roots; this was addressed by raising the sidewalk, an unusual and creative option that isn't appropriate for many circumstances.

ACTION: No Action.

4. Public Comment Period

Only for items not listed on the agenda, including responses to previous comments/questions from the public. There were none.

5. Consideration of Tree Commission Goals / Five Year Plan (ACTION ITEM) - Filip

The Tree Commission reviewed and discussed the 2019 through 2024 goals. Filip shared his version of the MTC's goals from May 2019 which he modified and reorganized. Schott displayed on the room's TV Filip's version and the previous edition. After discussing, the final approval of the goals was postponed to a future meeting. Filip asked for the MTC members to provide input on his revision no later than one week before the August meeting to allow him time to incorporate their suggestions.

ACTION: No Action.

6. Consideration of a Core Development Team Member (ACTION ITEM) - Schott

Schott requested assistance appointing an MTC member to the Core Development Team (CDT) due to Kadlec's resignation. Schott asked who was willing or able to serve on the CDT and Filip volunteered.

ACTION: Approve appointing Filip to the Core Development Team.

Hamilton motioned and Kadlec seconded Filip joining the CDT. Acclamation vote: Ayes: Cronan, Goss, Hamilton, Kadlec and Rauk. Nays: None. Abstentions: Filip. Motion carried.

7. Report: Pruning Practices within the City of Moscow (ACTION ITEM) - Rauk

Rauk expressed concern over tree topping and trees being pruned in a way that is described as lion's tailing. Rauk said these practices damage and weaken trees, creating potential hazards within city limits. While Moscow's City Code prohibits this on public ROW trees, the ordinance doesn't protect trees on private property. The only exception allowed to ROW tree-topping is for maintaining areas around utility wires. Rauk was unaware of any cities that extended this protection to non-ROW trees. He would like the MTC to consider establishing a protocol to broach the subject with those businesses he's observed performing these services. Filip asked if City staff was doing this type of pruning and Rauk replied no, to his knowledge they were all contractors for hire. Schott said the City of Moscow requires individuals to pass a test to become a Certified Tree Worker, requires that person be on site performing or supervising all pruning, planting and removals and all contractors must be licensed before working in city limits. Otherwise the ordinance only refers to public trees in the ROW and the City has no jurisdiction over private trees. Rauk recognized that the City's certification test was based on ISA's but believes additional training, continuing education and certification for the licensed contractors and certified tree workers could curb these activities. He added that the City of Lewiston requires tree workers to carry an ISA certification. Schott was recently contacted by a contractor who was hired by a homeowner to top trees in the ROW and refused. Schott appreciated that the business owner was ethical but recognized that if the trees had been on private property the outcome may have been different. Rauk will give the topic further thought and asked for it to reappear on a future agenda for further discussion and consideration.

ACTION: No Action.

8. Report: Harvest Park Status Report - Schott

The joint commission meeting to consider the conceptual plan for the future Harvest Park is scheduled for next Wednesday, July 10 at 5:30 PM at the HIRC. The Core Development Team and the Parks and Recreation Commission will discuss the existing design; Scott invited the MTC members to attend this public meeting. Should the meeting produce a final park plan recommendation it would then go to City Council for their approval.

ACTION: No Action.

Open Discussion:

Kadlec read aloud from emails she received from former MTC member and Chair Nils Peterson regarding concerns he had over the City's ROW tree trimming practices. Peterson was unable to attend this meeting but his inquiry prompted today's report from Palmer and Schulte. According to his email, Moscow Affordable Housing Trust (MAHT) is the owner of property at Southview and Nursery Streets and Peterson has been carefully pruning the ROW oak trees to maintain and establish healthy growth while meeting the City's code requirements. To his dismay, City staff removed whole limbs from the trees with little regard to his goal of establishing central leaders. He has also mentioned an issue with replacement trees at Palouse Prairie Charter School's new location. Kadlec offered to meet on site and Peterson declined as it was impossible to see what he had been working toward since the trees had been pruned by City staff. In the email thread, Kadlec asked Peterson what outcome he hoped for from the MTC; he requested better training and more sensitivity on the part of the crew to ROW tree pruning. Peterson had a similar issue with fruit trees along Travois Way; he had been working with former City Arborist Roger Blanchard to ameliorate issues with maintaining the area beneath the apple trees when City staff came through and pruned the trees, allowing room for riding mowers. This resulted in Peterson giving up on tending those trees. Kadlec opened a discussion regarding this situation. Filip suggested that if the Streets crew sees fresh cuts on a tree it should be an indication that is being maintained and removing more could damage or kill it. Rauk said the crew should be aware of the importance of the terminal buds on trees; these release hormones which promote root system development. Further discussion ensued about methods for avoiding future issues. Schott suggested Peterson should contact Steve Schulte and Tyler Palmer to discuss what happened at the MAHT site and felt communication was the best tool for preventing similar occurrences. He recognized that the Streets crew walks a fine line between code compliance and tree care. Kadlec agreed and reiterated that Peterson requested the Streets staff to receive more training, be more cognizant of the long term approach to ROW tree care and less focused on solely bringing trees into strict compliance with the code. She will email Peterson what was discussed at today's meeting.

Filip asked if the MTC Mountain Bike Tree Tour had been included in the upcoming P&R brochure; Schott wasn't certain, he will check and let Filip know. Filip recently learned that a local bike shop was required to get a conditional use permit for using a Latah County Park for a class; he was concerned that his proposed class could experience a similar obstacle.

Flip then asked about the next MTC Farmers Market volunteering commitment; Kadlec wasn't sure but Schott will check and email the members.

The meeting was adjourned at 6:32

Next meeting: August 6, 2019

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Minutes Approved On


Clerk/Deputy Signature