

Village of Fox Point Tree Commission

Minutes of December 14, 2017

A meeting of the Village of Fox Point Tree Commission was held in the Village Hall Conference Room on Thursday, December 14, 2017, at 4:00 p.m.

1. Roll Call

Present: Trustee Eric Fonstad (Chair), Karen Grube, Judy Shirley & Louise Petering

Ex Officio: John Gall, Village Forester

The meeting notice was mailed to the *North Shore Now* and to all others as required by the State open meeting laws, and posted on the Village website and bulletin boards.

Trustee Fonstad called the meeting to order at 4:00 p.m. Also in attendance for the entire meeting was Ramsey Radaicavich and for the first portion of the meeting Kate Kaiser. No persons indicated that they wished to address the Commission.

2. Approval of Minutes.

After making a correction, the minutes of the September 14, 2017 meeting were approved. Forester Gall noted that the minutes of the Tree Commission are now being posted to the village website.

3. Old Business

a. Status of Emerald Ash Borer (EAB) Infestation in the Village

Forester Gall reported that he has not seen a noticeable uptick in EAB infestations in the village. He recommends that the village continue with the EAB management program developed about five years ago. He noted that 167 village ash trees are scheduled to be removed over the winter season. He also noted that it is important to continue to educate the public about the EAB infestation.

b. Arbor Day Planning

Ms. Grube reported that there have been no further developments on Arbor Day plans for 2018. Forester Gall noted that a Hackberry tree will be planted as part of the 2018 Arbor Day program.

c. Indian Creek Woods - Ash Removal and Replanting

The members of the Commission discussed at length how best to address ash trees in the Indian Creek Woods. Mr. Radaicavich shared information about Milwaukee County's practices with regard to ash trees in wood lots and parks. He noted that in some instances it makes sense to let nature take its course. In other areas, aesthetic or safety concerns may warrant selective or complete removal. Forester Gall stated that, due to staffing and budget constraints, it was not reasonable to expect that the village DPW staff would be able to address the Indian Creek ash trees. He suggested that he could ask a contractor to look at the woods with him in order to get a ball park figure for how much it might cost to remove the ash trees.

The Commission members discussed access points to the woods, whether it is necessary to try to protect existing vegetation in the woods, and whether paths in the woods are maintained by

the village or simply “social” paths. Forester Gall and Ms. Shirley plan to walk through the woods over the winter to better gauge the number, size and location of ash trees that are candidates for removal. It is anticipated that the most cost effective way to address the Indian Creek ash trees will be to prepare an RFP to identify a contractor to remove the ash trees under a lump sum, not to exceed, contract.

d. Stormonth and Mapledale Response to EAB

Forester Gall reported that he is still trying to schedule a meeting with Stormonth to talk about how the school is planning to address the many ash trees on their property.

e Proposal for Village Green Infrastructure Committee

Mr. Fonstad provided background information about this proposal. He reviewed the initial proposal presented to the village board at its August 2017 meeting, noting that this proposal would have replaced the Tree Commission with a “Green Infrastructure Committee”. That proposal was discussed by the village board. More than one trustee expressed concerns that the proposal was too broad and vague, did not add value to the community, and unnecessarily burdened village staff. Mr. Fonstad also reported that he recommended that the Tree Commission has a well defined mission, has been effective in addressing village tree issues, and should be retained in its current form.

At the August 2017 village board meeting, staff was directed to prepare an alternate proposal. This alternate proposal was presented and discussed at the September 2017 village board meeting and envisioned a committee whose mission was primarily one of serving as an information clearing house. Several trustees expressed concerns about this proposal because they felt the proposed committee would duplicate other resources available in the community and would burden staff with additional work without a clear benefit.

Mr. Fonstad reported that at the September 2017 village board meeting he again argued in favor of retaining the Tree Commission in its present form and noted that the issue is not whether the village supports green infrastructure initiatives but whether the proposed committee would add value to the village. He reported that he listed a number of topics that are related to green infrastructure that are not strictly within the mission of the Tree Commission but which warrant attention, including:

- (i) village rain gardens
- (ii) Indian Creek cattails
- (iii) roadside and median planting beds
- (iv) vegetation in the ROW and along paths (pedestrian safety)
- (v) ditch and culvert maintenance (stormwater)
- (vi) bluff and ravine maintenance
- (vii) water use
- (viii) herbicide and insecticide use
- (ix) invasive plants
- (x) nuisance animals (deer, turkeys, geese, coyotes).

No action was taken at the September 2017 village board meeting and it was noted that the village board is carrying over the proposal to a later meeting. The proposal was not on the

agendas of the November or December village board meetings. Several residents spoke in favor of forming a Green Infrastructure Committee at the November meeting.

Mr. Fonstad also reported that the village board adopted an “Unwelcome Weeds” ordinance at its November meeting and that he distributed a paper entitled “Tackling Barriers to Green Infrastructure - An Audit of Local Codes and Ordinances” issued by the Wisconsin Sea Grant with support from the NOAA Coastal Storms Program to the other trustees. He circulated a copy of this paper to the members of the Tree Commission.

After discussing this matter at length, it was the consensus of the Tree Commission that village staff already does a good job of addressing the matters that would be included in a Green Infrastructure Committee and of balancing environmental needs and limited village resources and that any proposal for a green infrastructure committee needs to be focused and to clearly add value without needlessly burdening village staff.

Ms. Kaiser left the meeting at 5:08 p.m.

3. New Business

a. Village “Unwelcome Weeds” Ordinance

Forester Gall distributed copies of the Unwelcome Weeds ordinance adopted by the village board. Mr. Fonstad reported that the new ordinance declares that garlic mustard and common buckthorn to be unwelcome in the village of Fox Point. An alternate ordinance also considered and not adopted by the board would have listed garlic mustard and common buckthorn as noxious weeds under the existing noxious weed ordinance. By declaring these plants as unwelcome weeds, the village emphasis will be more on encouraging property owners to remove them. Forester Gall noted that, following the adoption of this ordinance, complaints about common buckthorn are to be referred to the village Weed Commissioner.

Ms. Petering left the meeting at 5:15 p.m.

b. Village Liability for Damage from Falling Trees

It was noted that this subject was discussed in the context of the removal of ash trees in the Indian Creek Woods under agenda Item 3.c. Generally, a falling tree is an “Act of God”. These situations are very fact specific but the village should have no liability unless it can be shown that the village knew that the tree was in imminent danger of falling and damaging private property. The village carries liability insurance designed to protect it from these claims.

c. Forester’s Activities Report

Forester Gall reported that the village plans to apply for another Great Lakes grant in 2018. The village received a \$8,300 grant in 2017 to plant additional trees. Forester Gall stated that he sent information on the Milwaukee Bucks/American Transmission Corporation “Threes for Trees” program to Stormouth and Mapledale schools. This program donates a tree for each three-point shot made by the Bucks during the basketball season. By participating in this program, the schools will become eligible to receive some of these trees.

Forester Gall reported that, because of unusually warm weather this fall, the village was able to plant an additional fourteen trees in 2017. The village plans to plant 126 trees in the spring.

The village's application to continue in the Tree City program has been submitted. Ms. Grube noted that the Garden Club will be providing a check to the village to support the 2018 Bird City application.

e. Discuss Future Meeting Dates and Topics

The next meeting date is Thursday, March 29, 2018, at 4:00 p.m.

5. Any other matters that may come before the Tree Commission (informational only – no action taken).

Ms. Shirley asked Forester Gall to report on tree plans for the redevelopment of the Dunwood site. Forester Gall distributed an aerial view of the site and presented large scale drawings showing the trees that will be removed, trees that will be retained, and trees that will be planted. It was noted that all the ash trees on the site will be removed and that it appears that most if not all of the buckthorn in the southwest corner of the site will also be removed.

Forester Gall reported that he is continuing to review the Dunwood plans.

The meeting was adjourned at 5:45 p.m.