

MINNEAPOLIS TREE ADVISORY COMMISSION

Meeting of November 17, 2022

Held remotely via Zoom

Decision/Consensus/Assignment items are set out in bold.

COMMISSION MEMBERS ARE RESPECTFULLY REQUESTED TO REVIEW THESE MINUTES CAREFULLY FOR ASSIGNMENT AND ACTION ITEMS PERTAINING TO THEM

The meeting of the Minneapolis Tree Advisory Commission (MTAC) of the Minneapolis Park and Recreation Board (MPRB) convened at 5:30 p.m. on November 17, 2022, with the following Commission Members in attendance: Co-Chair Peggy Booth, Co-Chair Peter MacDonagh (U of M liaison), Steve Nicholson (MN Shade Tree Advisory Committee), Tim Keane), Giuseppe Marrari, Don Willeke (Mayor's Representative), Carol Sersland, Linea Palmisano (City Council), Ralph Sievert (MPRB Forestry Director)

Not in attendance: Susan Olmsted, Steve Collin (Public Works), Curt Hartog (Executive Director for MPS Facilities, School Board Representative), MPRB Commissioner Steffanie Musich (District 5 MPRB Commissioner).

Guests in attendance: Carrie Christensen (MPRB Senior Planner), Philip Potyondy (MPRB Sustainable Forestry Coordinator), Danielle Schumerth (Forestry Outreach Coordinator), Mitchel Hanson (Outreach Director Harrison Neighborhood Association) and neighborhood residents that he invited: Jane O'L, Amoke Kubat, Felicia Perry, Mary Magers (Forestry Dept. Admin. Asst.), Roxanne O'Brien (Ms Kubat's daughter)

CALL TO ORDER AND MINUTES

Co-Chair Booth called the meeting to order. **The MTAC meeting minutes for September 15, 2022, were approved.** Note: Because of the field trip on October 20th there are no official minutes from that meeting.

Introduction of meeting attendees.

EMERALD ASH BORER (EAB) TREE ASSESSMENT & REMOVAL COSTS

Presentation of HNA Cost Concerns by Mitchel Hansen

Mr. Hansen, explained that he is interested in what goes on with the MTAC. He has done research reviewing work that Nicholson has done as well as MacDonagh, and has talked with Sievert about the issue (EAB and the "massive funding gap"). He's also been in contact with Molly and Valerie at the MnDNR. Mr. Hansen presented the communities concern about the cost of ash tree removal on private property because of emerald ash borer (EAB). Residents are caught off guard by the nature of the condemnation process because of their unfamiliarity with the issue of EAB and its repercussions. The main concern is finding a way to finance the tree removal expense for low-income communities and senior homeowners. Or are there alternatives to removal like tree maintenance (injecting?).

Discussion/Feedback from MTAC Commissioners

Chair Booth provided background on the efforts the Park Board has made in slowing the effect of EAB on private landowners through proactively removing ash trees from public spaces. She expressed the Commission's appreciation of hearing perspectives from the private owners'

perspective. She clarified that insecticide/pesticides may be used by private owners. Though the City Council, several years ago, took action to discourage pesticide use by the City.

The MPRB only has authority over the public areas, but worked with the City to address the removal assessments through setting up payment plans. The impact of EAB, however, is outpacing financing capabilities.

Willeke mentioned the danger of EAB death (vs elm or oak) and the consequences of the tree falling apart and falling.

Nicholson explained that the cost of preemptively treating ash trees may be expensive also, though not as high as having to remove the tree later. Booth added that a professional assessment needs to be done to evaluate if a tree is a candidate for treatment or if the disease is too far progressed to be effectively treated

Hansen replied that there is the issue of trust, and understanding the reason for the special assessment. The experts seem to be saying there are several different strategies for managing EAB. Then there is the challenge of having multiple contractors with varying estimates. It becomes an affordability issue. Booth mentioned that experts agree that all the ash trees will eventually be infected and succumb.

Sievert further described reasoning behind the method for identifying diseased trees early because of the way EAB affects the tree. The tree loses all structural integrity with the disease even before it is dead. A dead ash tree can cost more to remove because of greater dangers in its removal. Though cost is still an issue.

Ms. Amoke, homeowner, having moved in after recently purchasing a home in the Harrison Neighborhood, has an ash in the backyard condemned. She said there was no paperwork. The estimates for removing the large tree range from \$7,000 to \$11,000. The tree condemnation, removal, and assessment was a complete surprise and presents a hardship. She is not seeing a standard of what qualifies a tree as needing removal and then there's the issue of contractor behavior. There was no offer of methods of saving the tree.

Booth made apologies that time for this agenda item was up (MTAC had not been informed that many neighborhood people would be attending) and for need to move on in the meeting.

GUIDANCE FOR CREATING MTAC BY-LAWS

Carrie Christensen shared information about the updated community engagement policy which includes information about standing advisory committees (commissions) like the MTAC and the new requirements for by-laws. See MPRB Community Engagement Policy¹. Ms. Christensen provided background on the Policy and then moved on to Procedures. The MTAC falls under the category of "MPRB Advisory Committee". She then presented the updated Community Engagement procedures and Policy Direction. Sievert is the MPRB staff lead for MTAC.

¹ https://www.minneapolisparcs.org/park-care-improvements/park-projects/community_engagement/#:~:text=The%20Minneapolis%20Park%20and%20Recreation,our%20stated%20mission%20and%20vision.

Ms. Christensen presented on what the Bylaws need to include. This included language (10.c.), which is “committee members shall attend an introductory training on the MPRB, ethics, and racial equity.” Further new items concerned meeting requirements. Training is scheduled for new 2023 members.

A question was asked of Ms. Christensen about the annual appointment method that only applies to the citizen members, will this appointment method be applied to the “unappointed” members as well? Unknown at this time. **She will check on this method and get back to us.** For example, the Minnesota Shade Tree Advisory Committee standing appointee is Nicholson.

The MTAC doesn’t just advise the park board, but also the City Council and the Mayor. Therefore, is their policy the same? Willeke made the point that we are not a Park Board entity, but a joint entity of the mayor, the City Council, and the Park Board, with the citizen members being appointed by Park Board.

There was discussion and Feedback on Bylaws by MTAC Commissioners and how to develop By Laws for the MTAC. **Ms. Christensen will meet with Booth, MacDonagh, and Sievert to draft MTAC bylaws and bring this back to MTAC.**

MPRB FORESTRY DEPARTMENT UPDATE

Ralph Sievert shared updates like the creation of job-brief forms to abide by the OSHA rules for safety requirements and follow up in the event of an incident. Tree inspectors and arborists (41) conduct inspections of public and private properties. This has become more technical with the Tree Keeper software. The plan is to create 29 arborists with 12 tree inspectors. Pruning trees and tree removal is continuing with activity recorded in Tree Keeper.

Sievert introduced Danielle Schumerth, the new Forestry Outreach Coordinator as of October 31st. Schumerth shared her professional background. For the last 6 ½ years she has been with the City of Minneapolis. She and Potyondy are working on Arbor Day 2023 planning: April 28th at Windom Park.

MTAC BUSINESS

Co-Chairs Booth and MacDonagh

MTAC 2023

Five citizen members are up for reappointment: Booth, Marrari, Olmsted, Sersland, and Keane. Booth (with 18 years of service) is not reapplying. But she has been in contact with others from her District. Keane, Marrari and Sersland are re-applying.

Future meeting topics

The following ideas for future MTAC meeting topics were brought up.

Master Planning and Tree Protection Protocols with MPRB President Meg Forney and Asst. Superintendent Michael Schroeder as guests. MPRB tree removal during Bryn Mawr Meadows Park reconstruction. Sievert reported about his meeting with Commissioners Schafer and Musich. They are discussing an approach for the planning staff and then meet with Cliff Swenson, MPRB Director of Design and Project Management, to see if implementation can be more transparent and reduce the surprise element. Keane proposed a tree impact analysis that is completed at the beginning of all projects. How to get information on proposed and planned projects BEFORE they are implemented? Booth asked about how to approach implementation of the process? Perhaps Booth and MacDonagh would make this request to meet with Forney and Schroeder.

Mpls Dept of Health, which administers the City Trees Program. Sidney Schaaf is interested in meeting with the MTAC. They are reviewing expanding other aspects of the City Tree program funding and support for EAB removal. There's a new position proposed in the Mayor's budget for more work on the City's behalf for funding and support for EAB removal. Mayor's budget for the City Tree Program?

Invite Angela Gupta with the MnDNR for a presentation on the topic of shade trees.

Tree removal for Hennepin Avenue and how Public Works are affecting trees and tree canopy.

How to respond to Council Member Rainville's question about what to look for in Minneapolis Planning Commission Site Plan Review and what questions the Council Member should ask. This is in response to the Annual Report presentation to the Council.

Follow-up on private tree condemnation and assessments. What will happen when the bills show up on EAB removal for private property owners?

Thanks to Chair Booth for her many years of fabulous service!

What to focus on in December and January? The Commission will need to prioritize the issues that want to do at the end of the year and prepare for 2023.

MacDonagh will prepare an invitation MPRB Commissioner Forney to MTAC's January meeting.

FOLLOW UP TO INITIAL AGENDA ITEM: COST OF TREE REMOVAL

City Council Member, Linea Palmisano

During the meeting, in the Zoom Chat there was discussion about how to pay for private property owners' tree removal. City Council Member, Linnea Palmisano, asked since the MTAC is not necessarily the entity to help, where can their concerns be heard and addressed?

Willeke offered that the EAB trees are a public nuisance and addressed by the City Council. He indicated that these people go to the Council regarding nuisance abatement. Sievert explained the process: a) notification of a condemned private tree comes from the Forestry Department, b) if the tree is still standing after a "certain amount of time, the Forestry Department assigns a contractor to remove the tree. All communications directed to the property owner are from the Forestry Department.

With regard to payment, the assessment can be paid or spread out over 5 years or 10 years. If the property owner meets certain qualifications the assessment can be deferred until the property is sold. The Finance Department does the notification and then the assessment goes through the County property tax process (similar to a street improvement assessment).

If the owners are needing cost relief, would it be a City action? Or a Park Board action? For assessments on private property, public funds can't be used to pay for private tree removal.

In response to what the Council might be able to do: Every year there's a public hearing addressing tree assessment. This year's was on November 2nd. Attendees at this meeting were also at the November 2nd meeting to express concerns about the costs. Because public funds can't be used to pay for private tree removal (or other issues deemed to be violating public ordinances like unmowed grass or unshoveled sidewalks) there was no resolution.

Because the MTAC is advisory, this commission is unable to provide the necessary answers/solutions to the citizens attending. Ms. O'Brien described her efforts at contacting multiple agencies for relief. She has started the process to file a civil rights complaint that asserts black women are being targeted by this process. This is an issue in which people could lose their homes. Palmisano offered to try to determine a path that offers a solution. Hopefully, there will be a solution to the property owners that this is affecting.

ACTION ITEMS FROM NOVEMBER MEETING AND RESULTS

- 1. Regarding by-laws for MTAC: the annual appointment method that only applies to the citizen members, will this appointment method be applied to the "unappointed" members as well? Unknown at this time. Carrie Christensen will check on this method and report back. Ms. Christensen will meet with Booth, MacDonagh, and Sievert.**
- 2. Booth will follow up with Ms. Schaaf regarding a short presentation on City Trees program.**
- 3. Palmisano offered to return to the December meeting with what she has found out about solutions to the EAB removal assessment and payment issue**

ACTION ITEMS FROM AUGUST AND RESULTS

- 4. Question about the Number of trees that have been condemned on private property? Potyondy can check on this.**
- 5. Booth is looking for volunteers to follow through on City Council ordinance on proactive ash removal and planting. Note: Booth subsequently got some information from Sydney Schaaf (Interim Environmental Services Supervisor, Minneapolis Department of Health) and spoke on this at presentation.**

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ADJOURNMENT

The Commission's Meeting was adjourned at approximately 7:05 p.m.
Respectfully submitted: Carol Sersland – Commission Secretary