

## **TREE COMMISSION MINUTES**

**JUNE 21, 2016 - 5:30 P.M.**

### **PARKS AND RECREATION HEADQUARTERS**

#### **MEMBERS**

X	Dr. Maurice Holt, Chair
	Terry Plauche, Vice-Chair
X	William Rooks, Treasurer
X	Dr. Rip Pfeiffer
X	Cleve Formwalt
X	Jesse McDaniel

#### **STAFF**

X	Urban Forestry	Gerard McCants
X	Alabama Power	Blake Jarrett
X	Planning & Zoning	Richard Olsen
X	Legal	Melissa Mutert

The Chairman called the meeting to order at 5:31 P.M. He noted that there was a quorum present.

#### **TREASURER'S REPORT:**

Mr. Rooks read the Treasurer's Report with an ending balance of \$14,454.57. A motion was made by Mr. Formwalt to accept the Treasurer's Report as presented. The motion was seconded by Dr. Pfeiffer. The motion carried unanimously.

#### **PERMIT REQUESTS:**

#### **WITHDRAWN**

Application was received late and was incomplete.

Upon receiving more information, it was determined the tree was in fact on private property, and thus not under the purview of the Tree Commission.

#### **CERTIFICATIONS:**

##### **111 S Royal St and 65 Government St**

Acknowledgement of receipt of Certifications by Mayor Stimpson and issuance of permits for removal of eight live oak trees in front of the History Museum at 111 South Royal Street, two live oak trees on the south side of the History Museum on Church Street, and seven live oak trees on the north side of the Gulf Coast Exploreum along Government Street.

Colby Cooper, Chief of Staff for the City of Mobile, 205 Government Street, Mobile, AL, represented the Mayor's Certification. Mr. Cooper stated that the request for removal was

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necessary because the trees were damaging the sidewalks causing a safety hazard for those using the sidewalks as well as damaging utility infrastructure located underneath the sidewalks. He stated that Cart Blackwell, the City's Architectural Historian, would lead a group to put appropriate trees in appropriate spaces to maintain the beauty of the City. They may re-plant trees in the same wells, but that had not been determined.

The Commission acknowledged the Mayor's Certification.

### **OTHER BUSINESS**

Mr. Olsen referred to the ongoing process of reviewing suggested By-Law changes and suggested that if they did not review all of them at that time they might at a minimum address the conflicts with State Code and combining the Secretary and Treasurer positions.

Mr. Rooks asked if Mr. Cummings would be replaced on the Commission.

Mr. Olsen replied that Councilman Daves had asked for recommendations and that the person may or may not live in the district.

Mr. McDaniel stated that he was in favor of bringing their By-Laws in line with State Code.

Mr. Olsen discussed recommended revisions to Article V that included membership, terms of service and vacancies.

Mr. Rooks asked if changing the number of members would affect the number required for a quorum.

Mr. Olsen replied that it should or could.

Ms. Mutert noted that the wording was a majority of the number of members.

Mr. Rooks commented on tree protection by saying that he would make a recommendation about requests regarding nuisance trees be put in the By-Laws.

Mr. Olsen commented that removal of nuisance trees such as, but not limited to, water oaks, camphor or popcorn trees should always be done by an arborist, not a citizen.

Mr. Rooks made a motion, seconded by Dr. Pfeiffer to accept the changes to Articles V and VI.

The motion carried.

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Members and staff discussed the conflicts in the State Code regarding Mayoral Certifications about the difference in an application which require a vote to approve or deny a request versus language stating that Commissioners “shall approve” certifications.

### **ANNOUNCEMENTS**

Dr. Holt announced that a member did have a new addition.

Mr. McDaniel stated that his second child, a baby girl, was born six days ago.

### **ADJOURNMENT**

With no further business, the meeting was adjourned at 6:37 P.M.

## **TREE COMMISSION MINUTES**

**July 19, 2016- 5:30 P.M.**

### **PARKS AND RECREATION HEADQUARTERS**

#### **MEMBERS**

X	Dr. Maurice Holt, Chair (arrived 5:39 P.M.)
X	Terry Plauche, Vice-Chair
	William Rooks, Sec/Treasurer
X	Dr. Rip Pfeiffer
X	Cleve Formwalt
X	Jesse McDaniel

#### **STAFF**

	Parks and Recreation	Matthew Capps
X	Urban Forestry	Gerard McCants
X	Alabama Power	Blake Jarrett
X	Planning & Zoning	Richard Olsen
X	Legal (arrived 5:47 P.M.)	Melissa Mutert

Mr. Plauche called the meeting to order and confirmed that the numbers of members present constituted a quorum.

#### **TREASURER'S REPORT:**

Mr. Plauche presented the Treasurer's Report with an ending balance of \$14,454.57. A motion was made by Mr. Formwalt to accept the Treasurer's Report as presented. The motion was seconded by Mr. McDaniel. The motion carried unanimously.

#### **PERMIT REQUESTS:**

##### **P-2016-007**

Billy Allen for Kathy Miller  
14 North Monterey Street  
(East side of North Monterey Street, 60"± South of New Hamilton Street)  
Trim a 24"± Live Oak

Billy Allen, 8050 Domain Street, Mobile, AL 36619, spoke on behalf of the property owner and stated that the request was to clean the crown and raise the canopy over the driveway as the tree was encroaching on her property and dropping debris on her car.

A motion was made by Mr. Formwalt, with second by Dr. Pfeiffer, to approve the request, subject to the following conditions:

1. All work is to be done by a certified, licensed and bonded arborist;
2. All work is to be coordinated with the Forestry Unit of Parks and Recreation Department;
3. All work in the right-of-way requires a right-of-way permit;
4. No work is to be done until the Trimming Permit is obtained from the Planning and

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Zoning Department.

The motion carried unanimously.

**ANNOUNCEMENTS:**

Mr. Formwalt announced that he had received a call to serve on a Tree Advisory Committee for the City. They have had one meeting and will meet again next Friday. They went to the museum where trees had been cut down and also to Mardi Gras Park and made recommendations as to where and what the City might plant.

Mr. Olsen announced that Councilman Daves had asked for recommendations for filling the vacant position on the Commission. Mr. Olsen forwarded a recommendation made by David Daughenbaugh to Mr. Daves. Mr. Olsen stated that he didn't know if Councilman Daves would follow-up on the recommendation or if Mr. Eubanks would be interested in serving. Mr. Olsen suggested that Commission members might make recommendations as well.

**ADJOURNMENT:**

With no further business before the Commission, the meeting was adjourned at 5:50 P.M.

## **TREE COMMISSION MINUTES**

**September 20, 2016- 5:30 P.M.**

### **PARKS AND RECREATION HEADQUARTERS**

#### **MEMBERS:**

X	Dr. Maurice Holt, Chair
X	Terry Plauche, Vice-Chair
X	William Rooks, Sec/Treasurer
	Dr. Rip Pfeiffer
X	Cleve Formwalt
X	Jesse McDaniel
X	Evan Cox

#### **STAFF:**

	Parks and Recreation	Matthew Capps
X	Urban Forestry	Gerard McCants
X	Alabama Power	Blake Jarrett
X	Planning & Zoning	Richard Olsen
X	Legal	Melissa Mutert

Dr. Holt called the meeting to order and confirmed that the number of members present constituted a quorum.

#### **APPROVAL OF MINUTES:**

A motion was made by Mr. Rooks and seconded by Mr. Formwalt to approve minutes from the following meetings: September 15, 2015; October 20, 2015.

The motion carried unanimously.

#### **TREASURER'S REPORT:**

Mr. Rooks presented the Treasurer's Report with an ending balance of \$14,454.57 and no activity. A motion was made by Mr. McDaniel to accept the Treasurer's Report as presented. The motion was seconded by Mr. Rooks. The motion carried unanimously.

#### **PERMIT REQUESTS:**

##### **P-2016-008**

**Eugene McCreary**  
**104 Randolph Street**  
**Remove Sycamore**

Eugene McCreary, 104 Randolph Street, Mobile, AL, spoke on his own behalf and requested approval to remove the tree due to the damage it was causing to his wheelchair ramp.

Mr. Olsen noted that there wasn't sufficient room to build the ramp elsewhere to meet code and

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**September 20, 2016**

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save the tree.

After discussion, Mr. Rooks made a motion, seconded by Mr. McDaniel, to approve removal of the tree subject to the following conditions:

1. All work is to be done by a certified, licensed and bonded arborist;
2. All work is to be coordinated with the Forestry Unit of Parks and Recreation Department;
3. All work in the right-of-way requires a right-of-way permit.

The motion passed unanimously.

### **P2016-009**

**Costorde, LLC**

**2700 Spring Hill Avenue**

**Remove Two ~6" Live Oaks**

Denise Sanderson, Costorde, LLC, 9764 Whithorn Drive, Houston, TX, as agent for Fikes Wholesale, presented a revised site plan and revised the request to relocate two live oaks and one crepe myrtle in the ROW. They wanted relocate them to preserve the health of the trees due to new construction including a drive and addition of a sidewalk.

After discussion, a motion was made by Mr. Plauche based on the revised site plan submitted at the hearing, with second by Mr. Rooks, to approve the request, subject to the following conditions:

1. Trees to be relocated per the revised site plan;
2. If the trees cannot be relocated, they are to be replaced with 6" caliper trees;
3. All work is to be done by a certified, licensed and bonded arborist;
4. All work is to be coordinated with the Forestry Unit of Parks and Recreation Department;
5. All work in the right-of-way requires a right-of-way permit.

The motion carried unanimously.

### **P2016-010**

**Rob Myers/Hutchinson, Moore & Rauch, LLC**

**2989 Dauphin Street**

**Trim Two Live Oaks and Remove One Live Oak.**

Tom Clark, Clark, Geer, Latham and Associates, Inc., 3901 Spring Hill Ave, Mobile, AL, represented the application on behalf of the property owner, Rob Myers.

After discussion, a motion was made by Mr. Formwalt, with second by Mr. Plauche, to deny the

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request to remove the live oak with the understanding that the applicant may re-apply for a permit for removal should Traffic Engineering deem its location to be a line of sight hazard.

The Commission approved the request to trim two Live Oaks, subject to the following conditions:

1. Approval of the PUD by the Planning Commission;
2. No work to occur until after the PUD has been approved and the appeal period has expired;
3. If the trees are not trimmed by Urban Forestry, all work must be done by a licensed and bonded arborist, and coordinated with Urban Forestry;
4. All work in the right-of-way requires a right-of-way permit.

The motion carried unanimously.

### **P2016-011**

**Sharon James**

**4719 Firestone Drive S**

**Remove Two Palm Trees**

Sharon James, 4719 Firestone Drive South, Mobile, AL, spoke on her own behalf and made the following points in support of the request:

- One of the palm trees is on top of one of her water meters;
- The trees are an eyesore;
- They block the view from her window.

After discussion, a motion was made by Mr. McDaniel, with second by Mr. Formwalt to deny the request.

The motion carried unanimously.

The Commission recommended that the applicant call 311 and request trimming of the trees by Urban Forestry.

### **OTHER BUSINESS:**

- Mr. McCants explained that Alabama Power was given Administrative Approval to trim two live oaks and one water oak in the right of way on Conception Street between State Street and St. Anthony Street so that new power lines may be installed to accommodate the removal of other lines due to the construction of the new Federal Courthouse.



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- Commission and staff discussed the allowance of administrative approval for removal or trimming water oaks, camphor trees, and popcorn trees. Mr. Formwalt advised that the Right Tree, Right Place committee will help establish the types of trees that are desirable and the size of planting area needed for each type of tree.

### **ANNOUNCEMENTS:**

- Mr. Olsen announced that a request for funding of \$ 1,000 for a planting project at the McGregor Avenue roundabout will be on the October agenda. The request was not received in time to be on the current agenda.
- Dr. Holt welcomed new member, Evan Cox, to the Commission.

### **ADJOURNMENT:**

With no other business before the Commission, the meeting was adjourned at 6:36 P. M.

## TREE COMMISSION MINUTES

OCTOBER 18, 2016- 5:30 P.M.

### PARKS AND RECREATION HEADQUARTERS

#### MEMBERS

X	Dr. Maurice Holt, Chair
X	Terry Plauche, Vice-Chair
X	William Rooks, Sec/Treasurer
X	Dr. Rip Pfeiffer
X	Cleve Formwalt
X	Jesse McDaniel
X	Evan Cox

#### STAFF

	Parks and Recreation	Matthew Capps
X	Urban Forestry	Gerard McCants
X	Urban Forestry	Peter Toler
X	Alabama Power	Blake Jarrett
X	Alabama Power	Eric Garrett
X	Planning & Zoning	Richard Olsen
X	Legal	Melissa Mutert

Dr. Holt called the meeting to order at 5:35 P.M. and confirmed that the number of members present constituted a quorum.

#### TREASURER'S REPORT:

Mr. Rooks presented the Treasurer's Report with an ending balance of \$14,454.57 and no activity. A motion was made by Mr. McDaniel to accept the Treasurer's Report as presented. The motion was seconded by Mr. Plauche.

The motion carried unanimously.

#### PERMIT REQUESTS:

##### P-2016-012

**City of Mobile**

**Carter Avenue, between Main Street and Jessie Street.**

**Remove various trees for Trinity Gardens ditch closure project.**

Nick Amberger, City of Mobile Engineering Department, 205 Government Street, Mobile, AL, represented the application and made the following points in favor of the request:

- This is Phase 2 of a Capital Improvements Project where the Council Representative wants to close the ditches in Trinity Gardens.
- Construction is underway on two streets now;
- There are a number of trees either in the ditch line or in the top rear of the ditch that need to be removed;
- There is a 60' ROW on the street;

## **Tree Commission Minutes**

### **October 18, 2016**

- It is possible that some trees could be replanted post-construction. The work is being contracted out, and there is nothing in the contract about tree replacement;
- The job will take four to six months.

After discussion, a motion was made by Mr. McDaniel, with second by Mr. Plauche, to approve the request, subject to the following conditions:

1. Provision of replacement trees in a quantity equal to the number of trees removed, said replacement trees to be of an appropriate species from the recently developed *Right Tree, Right Place* list of trees;
2. Tree removal and replanting to be coordinated with the Forestry Unit of Parks and Recreation.

#### **P-2016-013**

##### **City of Mobile**

**East side of Florida Street, between Old Shell Road and Dauphin Street**

**Remove one 60" Oak, one 36" Oak, and one 33" Oak due to damage to existing infrastructure and interference with new improvements to the drainage system and sidewalks.**

Nick Amberger, City of Mobile Engineering Department, 205 Government Street, Mobile, AL, represented the application and made the following points in favor of the request:

Mr. Olsen stated that Mr. McCants determined that the two water oaks, closer to Old Shell Road, are on private property, so they are no longer part of the application.

Mr. McCants advised that one is a water oak and one is a live oak.

Mr. Amberger made the following points in support of the application:

- The storm water drainage on Florida Street is inadequate;
- The whole street will be reconstructed as the road has concrete underneath it that has caused the asphalt to fail;
- This project is an \$800,000 project;
- City Engineering has been working with a consultant on the project for over a year.

After discussion, a motion was made by Dr. Pfeiffer, to approve the request provided the City replant 20 trees along the ROW within the City of Mobile with the Tree Commission paying for the trees.

Mr. McDaniel suggested that the motion be amended to state that the trees were to be planted in District 1.

Dr. Pfeiffer amended his motion to approve the request, and the motion was seconded by Mr.

**Tree Commission Minutes**  
**October 18, 2016**

Plauche. Approval was given, subject to the following conditions:

1. Provision of 10 replacement trees to be planted in District 1, said replacement trees to be of an appropriate species from the recently developed *Right Tree, Right Place* list of trees;
2. Tree removal and replanting to be coordinated with the Forestry Unit of Parks and Recreation.

The motion passed unanimously.

**OTHER BUSINESS:**

- A request was made by Dan Miller for a donation from the Tree Commission to plant a replacement tree at 213 Lanier Avenue for a Heritage Live Oak that was uprooted and totaled two vehicles.

A motion was made by Mr. McDaniel, with second by Dr. Pfeiffer, to donate a replacement live oak tree, size to meet City standards, to be planted by the City.

The motion carried unanimously.

- A request was made by Linda St. John on behalf of The Village of Spring Hill that the Tree Commission help the purchase and installation of eighteen (18) Live Oak trees to be planted within the boundaries of the Village of Spring Hill. After she met with and received approval from the EMA Board, John Olive, Mr. McCants, Traffic Engineering, and Mayor Stimpson, she amended the request to twelve (12) live oaks for better spacing. The Live Oaks will be planted on public rights-of-way around the perimeter of the roundabout on North McGregor Avenue and Museum Drive.

A motion was made by Mr. Rooks, with second by Dr. Pfeiffer to donate \$1200.00 for twelve (12) Live Oaks per the above request.

The motion carried unanimously.

**ANNOUNCEMENTS:**

Blake Jarrett introduced Eric Garrett as the arborist that will represent Alabama Power on the Tree Commission going forward.

**ADJOURNMENT:**

With no further business before the Commission, the meeting was adjourned at 6:23 P.M.

**TREE COMMISSION MINUTES**

**DECEMBER 20, 2016- 5:30 P.M.**

**PARKS AND RECREATION HEADQUARTERS**

**MEMBERS**

X	Dr. Maurice Holt, Chair (arrived at 5:48 P.M.)
X	Terry Plauche, Vice-Chair
X	William Rooks, Sec/Treasurer
X	Dr. Rip Pfeiffer
X	Cleve Formwalt
X	Jesse McDaniel
	Evan Cox

**STAFF**

X	Parks and Recreation	Matthew Capps
X	Urban Forestry	Gerard McCants
X	Alabama Power	Eric Garret
X	Planning & Zoning	Richard Olsen
X	Legal	Melissa Mutert
X	Legal	Ricardo Woods

Mr. Plauche called the meeting to order at 5:32 P.M. and confirmed that the number of members present represented a quorum.

**APPROVAL OF MINUTES:**

A motion was made by Mr. Rooks, with second by Dr. Pfeiffer, to approve the minutes from the following meetings:

- November 17, 2015;
- December 15, 2015;
- January 19, 2016.

The motion carried unanimously.

**TREASURER'S REPORT:**

Mr. Rooks presented the Treasurer's Report with an ending balance of \$13,154.57. A motion was made by Mr. McDaniel, with second by Mr. Formwalt, to approve the Treasurer's Report.

The motion carried unanimously.

**PERMIT REQUESTS:**

**P-2016-14**

**Mystic Stripers Society  
1000 S Conception Street  
Remove two 13" live oaks.**

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**December 20, 2016**

Don Blanchard, President and Bill Evatt, Chairman of Buildings and Grounds Committee of the Mystic Stripers Society, 100 S. Conception Street, Mobile, AL, represented the application.

Mr. Evatt stated that there are two live oaks that they were required to plant when the buildings was constructed 20 years ago. The trees were destroying the sidewalk, and the Stripers were concerned with liability in the event that someone were to trip and fall. They were also concerned that as the trees continue to grow, they will begin to damage the wheelchair ramp attached to the building. Mr. Evatt stated that they would be willing to replace the trees with a less invasive species.

Mr. Formwalt stated that if they allowed every tree to be removed where a sidewalk was damaged, there would be no trees in the city. He advised that they could cut the roots that go under the building and install a barrier to prevent damage to the building.

After discussion, a motion was made by Dr. Pfeiffer, with second by Mr. Formwalt, to deny the request.

The motion carried with Mr. Plauche in opposition.

### **P-2016-15**

**Lamar Advertising**

**3667 Airport Boulevard**

**Trim three 10"-12" live oaks located in the median between Airport Boulevard and the Service Road, at approximately 3767 Airport Boulevard.**

Bob Pittenger, Lamar Advertising, 3353 Halls Mill Road, Mobile, AL, spoke in support of the request and stated that there are three trees in the median that they would like to trim the tops for visual aspect of the westbound traffic.

After discussion, a motion was made by Dr. Pfeiffer, with second by Mr. McDaniel, to deny the request to trim three live oak trees at the above referenced location.

It was recommended that the applicant call 311 and request trimming of the trees by Urban Forestry.

The motion carried unanimously.

### **OTHER BUSINESS:**

- Mr. McCants advised the Commission of Administrative Approval granted to Alabama Power Company to trim trees located in the right-of-way in front of the vacant lot on Pecan Street directly across from 568 Patton Avenue, per the

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- existing city wide permit to trim trees that are interfering with the safe and efficient provision of service.
- 2017 Meeting and Deadline Schedule

A motion was made by Mr. Plauche, with second by Mr. Rooks, to adopt the 2017 Meeting and Deadline Schedule as presented.

The motion carried unanimously.

- Mr. Olsen introduced Ricardo Woods, City of Mobile Legal Department, who discussed with the Commission the various types of authorizations needed for removal of trees depending on whether the work was being done in the right-of-way or within a public park. Dr. Pfeiffer and Mr. Woods agreed that the removal of a cedar tree from Public Safety Park used at the Trump rally at Ladd-Peebles Stadium was not within the jurisdiction of the Tree Commission.
- Mr. Rooks read a letter of appreciation from the Village of Spring Hill for the \$1200.00 donation for planting trees around the perimeter of the roundabout at McGregor Avenue and Museum Drive.

### **ADJOURNMENT:**

With no further business before the Commission, a motion was made by Mr. McDaniel, with second by Mr. Plauche, to adjourn the meeting.

The motion carried unanimously, and the meeting was adjourned at 6:09 P.M.