

City of Apalachicola Tree Committee
Meeting Minutes
February 20, 2018, 3:00 pm
Battery Park Community Center

1. Attendees:

Wilbur Bellew, Code Enforcement Officer,
Holly Brown, Committee member and note taker for this meeting,
Anita Grove, City Commissioner,
Pam Richardson, Committee member,
Dennis Winterringer, Committee chair person.

2. Adoption or revision of attached draft summary for the Committee's January 18, 2017, meeting. Adopted without revision.

3. Planning for March 24, 2018, Arbor Day/Earth Day celebration at the Farmer's Market.

Discussion led by coordinator Anita Grove on what she has planned and help she needs. Anita has flyers ready to print. Event will be 9 am to 11 am. Anita will notify newspaper, radio and ask Lee Mathes to put announcement on city website. Dennis will try to locate historic tree map started at last Arbor Day. Anita will bring two tents. Holly will let vendors know, Pam will ask Karen Kessell about Bring Me a Book reading about trees station.

For ceremonial tree planting, locations for planting the two live oaks obtained from the Florida Forestry Service will be one at Lafayette Park and one at Scipio Creek. Dennis, Pam and Holly will look for an appropriate site for the Scipio Creek one this weekend at the Farmers Market.

4. Continued review of 2011 tree protection ordinance and 2015 proposed revisions (never adopted) for the purpose of proposing revisions.

a. Attached copy of the 2011 ordinance showing revisions that were proposed by the Tree Committee in 2015.

b. Attached list of issues for discussion in deciding how to revise the proposed ordinance (Dennis Winterringer).

1. Removal of trees on City property (ordinance section IV.C).

- The 2015 ordinance states "Before any tree located on City Property can be removed, relocated or substantially altered, a permit application must be completed and on file with the City."
 - This applies to owners of private land who for safety or nonsafety reasons wish to remove or substantially alter a tree on adjacent City property.

- Does this also apply to City utility departments that want to remove or substantially alter trees on City property (e.g., Water Department working on a water line)?
Yes... Wilbur says he issues permits in these instances and cited examples.

- How has the City handled this situation? For instance, is Wilbur, the code enforcement officer, consulted before a protected tree is removed or substantially altered? If so, does he issue a permit prior to the work? If Wilbur is not involved, shouldn't he?
Wilbur says if the city deems it appropriate to take the tree down the city does it at city expense, but the city will deny the request if need to remove is not proven.

2. Utility easement trimming (ordinance section VII).

- This section includes some utility easement procedures and standards for power company trimming along power lines.
 - Wilbur says that Duke Energy has been cooperative but that there is no written agreement between the City and Duke Energy. Where did these procedures come from? Are they enforceable if the power company doesn't want to cooperate?
Dennis wanted to know if there is a standard width for utility lines. Wilbur answered it is six feet from the mainline on either side for hot wires. Dennis also wanted to know if there is right of way easement for the utilities. Wilbur said he doesn't know of one.

Anita produced a copy of the email from Broadspectrum concerning the route 98 tree trimming last October, where Broadspectrum stated it considered that email to be a blanket permit for any work in the future.

- This section does not include procedures and standards for Florida Department of Transportation trimming along the highway and restrictions for tree plantings in rights of way (obstruction of vision safety hazard).
 - At the Tree Committee's August 17, 2017, meeting about the Tree Beautification project along the highway, Jim Bachrach said that, to avoid unsafe, obstructed views at intersections, the Florida Department of Transportation (DOT) has rather strict requirements on where tree plantings can be made on highway rights of way.
 - In an attempt to find out what DOT's planting requirements are, Dennis sent an e-mail message to Jim, but he didn't respond. Anita, during your tenure as the Tree Committee chair person, did you receive any information from Jim? If not, we will not be able to reference the DOT planting requirements (if they exist) in the revised Tree Ordinance.
Dennis will ask Augusta West if she knows the answer. If she doesn't he will try to contact the DOT, or ask Sam Hand.

3. Requirement for tree care contractors to have city licenses (ordinance section IX).

- The 2011 ordinance states the following.
"Any commercial tree care contractor or general contractor must be licensed by the City in order to conduct business within the City. Two or more violations of any provision of

this Ordinance by any commercial tree care contractor or general contractor may result in revocation of such person's license to do business within the City."

- Dennis submitted a public records request at City Hall to find out whether Duke Energy's tree-trimming contractor (Burford's Tree in the past) and the Florida DOT's maintenance (including tree trimming) contractor (Broadspectrum) have City licenses. Cortni Bankston, the City employee responsible for issuing licenses, responded that:
 - Duke Energy has a license but its contractor Burford's Tree doesn't.
 - Florida DOT is not required to have a license, and its contractor Broadspectrum doesn't have a license.
- When a tree removal or alteration application is received, does Wilbur ensure that the contractor has a current license? The application has a line for the contractor's name but not a line for the contractor's City license number. Shouldn't it?
Wilbur says he does ensure that the contractor has a current license.

4. Exemptions (ordinance section V).

- Although not exempted activities, indicate somewhere in the ordinance that removal or substantial alteration of trees are allowed in the following situations, but permits are required.
 - Disease- or pest-infested protected tree.
 - Protected tree adjacent to a building, if roots endanger the building foundation, or limbs are going to damage the structure.
 - Protected tree whose roots interfere with a buried utility.

5. Next meeting.

- a. Scheduled for March 20, 2018, 3 p.m.
- b. Agenda items – final planning for Arbor Day/Earth Day celebration; continuation of discussion on proposed revisions to the tree protection ordinance.