

**FAIRVIEW MUNICIPAL TREE COMMISSION
MINUTES**

Meeting, Tuesday, 07 July 2015
7:00 pm

1. Chairperson, Debby Rainey called the July 2015 meeting to order at 7:01 PM.
2. Roll was taken. A quorum was present.
In attendance: Debby Rainey, Chairperson; Larry Richards–Vice Chairperson; Toney Sutton, Vice Mayor; Jack Cannon; Mike Berkley, City Arborist; Jane Woodall, Secretary.
Absent: Patti Carroll, Mayor; Lisa Anderson, Planning Commission Chairperson;
Guests: Wayne Hall, City Manager
Andrew Kraeger, Lose Associates, representing RoadScapes Project;
John Goff, representing Meeting Place Assembly of God Church (Hwy 96)
3. Approval of Agenda: Per request from City Manager, WHall, the following items were requested to be added to the agenda: 6.1 – Meeting Place Assembly of God Church revised landscape plan (the current agenda item numbered 6.1 will be moved to 6.2). TSutton made a motion to approve the amended agenda. LRichards seconded the motion. The Tree Commission voted to approve the agenda for the July 2015 meeting with amendments; none opposed.
4. Approval of Minutes:
TSutton moved to approve the minutes of the previous meeting; LRichards seconded the motion. The Commission approved the minutes for the June 2015 meeting as is; none opposed.
5. Old Business
 - 5.1. Mapco Property Mapco Property noncompliance - Follow-up on landscape compliance. (MBerkley)
MBerkley noted there are still 5 dead trees in the plantings. Four trees were replaced with < 2inch caliper trees; the plan is now coming up short on tree density requirements. MBerkley suggests they add more trees or add funds to the Tree Bank. In addition, some of the redbuds in front are in need of pruning. (Contact person: Neil Weber 615-435-1458) MBerkley to forward information to WHall.
 - 5.2. Walmart Landscape – Follow-up on landscape compliance. Follow-up on landscape compliance (required inspection by City Arborist). (MBerkley)
MBerkley contacted landscaper David Jones with Chaparral Gardens about 1 month ago that did replacement work and requested that Mr. Jones contact Walmart on behalf of the Tree Commission and let them know the issue and follow-up. Mr. Jones sent MBerkley a letter saying that Walmart is going back and contacting LSI (initial landscapers). There have been two landscapers – the initial planting and the replacement landscaper - no one wants to take responsibility. Both landscaping companies are saying it is Walmart's responsibility – Walmart will need to hire them; MBerkley does not know if there is any warranty on the work between Walmart and the contractors.

Tommy Debord is putting the responsibility on the home store; they were responsible to come in and water twice; he told both managers the situation that they need to turn the water on and nothing was done. He was going to type up something to send to MBerkley (on correspondence to Walmart) will get another letter from Mr. Debord to send to MBerkley.

DRainey - so the situation is because Walmart failed to do their part, the trees are dead, and landscapers are not responsible, so do we now go back to Walmart? WHall said it took him 5 telephone calls before reaching the proper person. She was going back to contractor with Walmart and when she found out the warranty had run out, but that we had the City still holds a maintenance bond, they will need to step up and take care of this. Toney Sutton asked what kind of time limit on holding the

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maintenance bond. JWoodall to check to see what time limits have already been given to Walmart on this issue. MBerkley noted the planting depends on the season and the weather. Roughly \$3800-\$4000 worth of plan material. Not sure what kind of irrigation there is, but whatever, it seems they did not even turn it on.

JCanon noted that Walmart was working to replace these this spring. MBerkley said they still have 19 dead Virginia pines.

MBerkley sent Codes a letter dated August 19, 2014, noting an inventory of the dead trees and FHumber said that Walmart is already aware of this. The Tree Commission approved to provide a list of the dead trees to Walmart immediately and they replace them within 90 days of the meeting (meeting January 6, 2015). Walmart did replace the trees, but these trees are now dead. MBerkley agreed to call and talk with the person at Walmart. MBerkley reiterated that these are the most drought tolerant trees they have so they must have been mishandled from the beginning. Back on the agenda the next meeting.

5.3. Update on the Road Scapes project on Hwy 100 and Hwy 96 junction in Fairview. (WHall and MBerkley)

Andrew Kraeger, Lose Associates, Nashville, TN, representing RoadScapes Project (Lose Associates is the "Project Manager" on this project to see that it is completed and facilitating getting the project done) provided the Commission with an update: There is one issue with grants in general in that there is no delineation of projects - no fast track. For this project, there is a signed license agreement; they have completed the post excess land committee checklist. Earlier this spring, most of these items were completed; they are currently waiting on the utility certification.

He met with WHall and FHumber on some of the plant material. They pulled the plant schedule from the original plan and made some changes to the plant schedule to make the project more hardy – some replacements were due to some not being on the tree list (and no redbuds included, but now there are), for cultural issues (lack of irrigation, location close to asphalt), and some were for the standing water concern (without drains, the depressed areas are too wet); they will plant further out from the center of these areas. There are not plants that will be a problem for traffic and these will be behind the medium. The wet areas range from are 2 feet to 6 feet in length. They spread the plants out and staggered the plantings rather than having everything in a straight row.

They are just waiting on the certifications now. At that point, the bid specs will go out. From the time of advertising (date ad stops running in the paper), there is a 3 week delay to open the bids. Then there is a 2 to 3 week period to coordinate with TDOT representatives before they can have a kick-off meeting. There is still about 2.5 months to put the process to get in the ground. We should be able to plant this Fall. Comments will come from TDOT. TDOT has updated their bid specs, so there may be some changes. Once the planting starts, it is usually about 90 days to get things planted. Mr. Kraeger is hoping to get starting in October or November 2015 if there are no more delays or too many comments.

The cost proposal – clearing and grubbing, cost of the beds, not changing the grade, but mulching, mowing between the beds (existing grass to be left); There is a 1 year warranty enforced by the state. It appears that they have stayed under the project budget.

WHall had a question on maintenance other than cutting the turf: maintenance includes mowing, mulch replacement (approximately every 6 months), weed eating and some tree/shrub pruning.

How does this project stand out from other similar projects?

- Interest in the project
- Diverse plant palette
- More concentrated effort

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- A lot more plant material (MBerkley pointed out that included is the Virginia spirea which is a federally protected plant)

JCannon asked: What is the plant availability? MBerkley replied: There is a big demand on plant material. Availability will be an issue. MBerkley would like to be included to hear the comments on this at that time. Booming economy in Nashville has put a large demand on plant material and a lot of the plant material is really popular at this time. Mr. Kraeger noted there would be no substitutes allowed during the bid, but can make changes and do a "change order" at the end if really needed.

MBerkley made a notation of a correction on the plans – the Gray Owl juniper is a shrub (2feet – 5 feet) and it is noted as a 2" caliper tree (Mr. Kraeger made a manual correction on the plans)

JCannon asked: What about prairie grass seed – can this be substituted in the grassy areas? MBerkley: Some areas were left for drainage problem and some as a visual break; but also the cost to put in any additional plant material. JCannon concerned about mowing throwing grass into the beds and also that some prairie grass can be food for birds. The width of the edge of the bed to the road is about 10 feet. The area between the beds is about 30-40 feet. But the drainage is a big concern. Mr. Kraeger can look into this but there is also a concern about where we can plant and possibly changing plans requiring additional time to get approval and licensing.

WHall asked: Spoke with TDOT regarding the sign to honor Dan Kubat and was told to get with the landscaper to see the best place to put the sign. WHall said he could get a 2-sided sign large enough to be seen from both directions. It has to be a break-away. The Tree Commission is to come up with the verbiage for the sign. WHall would like to dedicate this in September 2015 even if the sign is placed temporarily then and more permanently when the project is completed later. Mr. Kraeger agreed to talk with the program director about this.

Mr. Kraeger will be in touch with WHall whenever time comes to get the project on the street. The state requires to advertise for bids in 3 types of paper – regional, local and minority and to run the ad a minimum for 10 days. There will be 21 days from the end of the advertising before they open the bids. Sometimes hard to find contractors to do the project. He will be glad to also notify some local TDOT-certified landscapers as well if we can recommend some to him. This will not need to go back to the BOC unless they go over the budget. WHall will just need to go to the BOC for appropriations when it reaches that point.

5.4. Official City Shrub list - Follow-up from recommendation to BOC on the final list. (JWoodall)

JWoodall reported that the BOC voted to adopt the suggested shrub list recommended by the Tree Commission. JCannon reminded that we were going to be included in the packet to be handed out to developers. JWoodall to provide a final copy to the City Recorder.

5.5. Review and provide additional details and information on recommendations sent to the BOC from the April 2015 Tree Commission meeting. Updates remain deferred to August 2015 meeting. There were some committees that were going to meet to discuss; some persons were on vacation and also these will be affected by the changing of the commission seats.

5.6. Term expirations/appointees: (JCannon, JWoodall terms expired on 30 June 2015; the BOC decision was moved to the 16 July 2015 BOC Meeting and terms were extended until the BOC makes a decision.) Appointees will be invited to attend the August Tree Commission meeting. (Update following this July Tree Commission meeting – the decision to replaced expiring seats was moved to the 06 August 2015 BOC meeting.)

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6. New Business

6.1. Review of Title 13, Chapter 4, Section 13. Special review to be given to responsibilities in Section 404 (3), page 13-14, the Tree Commission is tasked "To compose and annually review a community tree plan that shall include but not be limited to such elements as an authorized tree specimen list; a tree protection plan, including a tree replacement schedule; and a city tree bank." (See 5.6 above) Appendix-item D provides: "Community Tree Plan - To Be Developed." (Location of Appendix D of the Tree Board Ordinance (referenced in the ordinance) - deferred to the April 2015 meeting. (Note: Appendix D refers to the "Community Tree Plan" noted in the footnote of the Ordinance is 'To Be Developed.' "Community tree plan" shall mean written documents that guide the work of the tree commission.") (ALL)

TSutton moved to postpone this discussion until after the commission seat appointments; JCannon seconded the motion. All approved – the motion passed. This was deferred to the August 4 Tree Board meeting after expiring positions on the commissions are filled. (Update following this July Tree Commission meeting – the decision to replaced expiring seats was moved to the 06 August 2015 BOC meeting.)

6.2. Meeting Place Assembly of God Church revised landscape plans - John Goff, representing Meeting Place Assembly of God Church (Hwy 96).

JWoodall had a question on the Tree Density Worksheet and this was discussed. Additionally, the number and type of trees (deciduous vs. evergreen) used for screening was discussed at length.

A motion was made, seconded, and passed by the Tree Commission to approve the revised plans contingent on the following:

- 1) Adjusting the planting on the buffering zones with the tree type from the official tree list (Fairview Municipal Code Title 13 Chapter 4 Section 13-421), and
- 2) Adjusting the tree density of the buffering zones to be complaint with the Fairview Design Review Manual Section 2-106, 2-106.3; and
- 3) Inclusion of a permanent irrigation system to be complaint with the Fairview Design Review Manual Section 2-105.10; and
- 4) Revision and correction of the Tree Density Worksheet (revised to correct the trees being removed, specifically the 1-22" oak that was listed incorrectly and taking into consideration the additional plantings noted in Items 1 and 2 of this motion); and
- 5) Review and approval by the City Arborist.

7. Update on Tree Bank funds – WHall reported that the current amount is the same as last month - \$97,576.

8. Citizen Comments: None

8.1. JCannon had a general question on irrigation requirements: WHall will try to handle this with the current staff.

8.2. WHall wanted to know a date and timeline to have items placed on the next agenda. He noted that at times, he may not know until after a deadline is passed, but would try to get all materials to the Tree Commission in a timely manner for review if requesting an item be added to the agenda for consideration.

8.3. WHall wanted to make a public note of thanks to Frank Humber for his service as Codes Manager and for bringing the Roadscapes project to fruition.

9. Adjournment: With no further business, DRainey adjourned the meeting at 8:50 PM. The next scheduled meeting will be 04 August 2015.