



SUPERIOR

WISCONSIN


Living up to our name.

Parks, Recreation & Forestry

1316 North 14th St., 2nd Floor, Room 200
Superior, WI 54880
Web site: www.ci.superior.wi.us

Phone: 715-395-7270
Fax: 715-395-7346
TTY: 715-395-7521

TO: Urban Forestry Tree Board Members

FROM: Linda M Cadotte, Director 

DATE: January 11, 2019

RE: **Urban Forestry Tree Board Meeting**
Thursday, January 17, 2019, 4:30 p.m.
Conference Room 204, Government Center

The Urban Forestry Tree Board shall advise the common council on matters of the urban forestry program. The urban forestry program shall include planning for planting, maintenance and removal of trees located in city boulevards and public areas and educating citizens about the city's tree resource.

Please make every effort to attend. I would appreciate a phone call (715-395-7279) if you are unable to attend.

The agenda will consist of the following:

1. Approval of the April 19, 2018 minutes
2. 2019 tree planting
3. Gravel bed
4. Tree dump wood bid
5. Letters/door knockers
6. Arbor Day Celebration – 20th Year Tree City
7. Cabling and bracing public trees
8. Municipal Forest management plan
9. Article II – Pesticides
10. Parks, Recreation & Forestry Director's Report
11. Next tentative meeting April 18, 2019 @ 4:30 p.m.

The City of Superior complies with the Americans with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Parks, Recreation & Forestry Department at 715-395-7270, or email parks@ci.superior.wi.us by 4:30 p.m. on the day prior to the scheduled meeting. The City will attempt to accommodate any request depending on the amount of notice we receive.

In compliance with Wisconsin Open Meetings Law, this agenda was posted: Government Center, Court House, & Public Library, Emailed to: Daily Telegram, Public Library, January 11, 2019.

URBAN FORESTRY TREE BOARD PROCEEDINGS
Thursday, April 19, 2018
Room 204, Government Center

Members Present: Nick Nelson, Jane Anklam, Ruth Ludwig, Richard Kaufman, Vivian Markley

Members Excused: Mary Kehoe, Robert-Jan Quene

Also present: Linda Cadotte, Angie Harker, Russ Behlings

1. Approval of the January 18, 2018 minutes.

MOTION by Markley, seconded by Anklam, and carried to approve the Urban Forestry Tree Board Minutes of January 18, 2018.

2. Arbor Day Celebration.

Parks, Recreation and Forestry Director Linda Cadotte indicated the Arbor Day Celebration will be held on Tuesday, May 29th at the park at 18th and Oakes Avenue. The celebration will be held in conjunction with the renaming celebration of the park to "18 Oaks." The time will be set once staff finish coordinating with the student who submitted the winning name. He is being invited to the celebration, along with his homeroom. 18 oak trees, which are balled and burlapped trees, will be planted prior to the event. We have just received delivery of the trees, and this will give them time to establish prior to the ceremony. The 9th Annual Fallen Worker's Memorial Service and tree planting will also be held at the park on April 25th, and the Superior Federation of Labor is contributing one of the oak trees for this event.

3. Largest Tree Competition.

Cadotte reported that the only submissions thus far for the largest tree competition have been from park staff. The information was sent to the schools, promoted on our website and Facebook. These submissions have been placed on a map, which was handed out and will be publicized, so that others can check out some of the largest trees in the city. The deadline for submissions is Arbor Day, April 22nd, therefore it is still possible that more entries could be received.

4. Spring 2018 Tree planting areas/maps.

The spring 2018 tree planting maps were reviewed. Park Superintendent Russ Behlings informed the board that five apple trees will be planted in Central park. He explained that he learned about the benefits of urban planting of fruit trees at an arborist conference. The trees to be planted in the park will be dwarf varieties of Haraldred and Cortland and will be planted in the area of the disc golf course. Cadotte indicated that this will be considered a trial planting, as there can be issues with dropped fruit, vandalism, etc. The department will evaluate success/problems with this planting to determine if we would plant more fruit trees in the future. Behlings also discussed this year's tree quote process and indicated that 20 requests for quotes were sent out, and 8 vendors responded. Schichtel's was selected as they were able to give us many varieties and were able to meet our full order. Behlings used the 18 oak trees as an example in that Schichtel's offers 4 varieties of oak trees, versus just one variety offered by the others and planting a variety has proven to be extremely important. Additionally, we had a credit with Schichtel's for the ivory silk lilacs that failed last year. In the end we were able to purchase

225 trees for the same price as 218. Behlings also indicated that the trees have arrived and although they were supposed to be 1 ¼ inch trees, most are 2 plus inch trees and are in fantastic shape. The crew has 150 stakes in the ground already. The largest planting area is along East 5th Street, but we are also planting in Hayes Court, on North 21st Street by the college, at Fairlawn Mansion, East 6th and Willow Streets and around Central Park neighborhoods.

5. Tribute Trees.

Cadotte informed the board that three tribute trees were purchased for 2018 and we will plan on two ceremonies for the first or second week of June (one donor does not want a ceremony). Cadotte noted that the tribute tree fund is being depleted and encouraged board members to consider approaching businesses to encourage corporate participation in the program. This item will be placed on a future agenda for further discussion.

6. Parks, Recreation & Forestry Superintendent's Update.

Behlings gave an update on the status of burning the brush pile. He explained the multiple contacts that he has had with various departments within the Wisconsin DNR and noted that we are approved to do a one-time burn with snow cover and a one-mile radius would need to be notified (there are no homes in that radius). Due to the loss of snow cover at this point and the last minute councilor request to send out notices to homeowners, we are unable to complete the burn at this time. He has also been seeking tub grinder quotes. Behlings also discussed options for the larger woodpiles, such as offering them for sale to craft and woodworking companies and working with the Douglas County Forestry Department with their timber sales.

The new brush pickup regulations were discussed and Behlings indicated that he and members of the crew have been meeting with citizens who are placing larger than specified brush piles and thus far everyone has been very understanding of the reasons for the new regulations. We have also ordered door knockers to be used as needed during the brush pick up if someone's pile is passed over.

Behlings has been exploring a new tree software program which is called Tree Keeper 8 offered through the Davey Tree Company. The City of Wausau uses the software as does Minneapolis Minnesota. The program gets good reviews and offers a reasonable price package (\$2500 - \$3000).

Two of our employees will be taking their certified arborist testing in June and if they pass, we will have three arborists on staff.

7. Parks, Recreation & Forestry Director's Report.

Cadotte indicated she did not have any additional items to report on.

Ruth Ludwig announced the meeting adjourned at 5:30 p.m.

The next meeting will be held, July 19, 2018 @ 4:30 p.m.

Minutes submitted to the Council Meeting of May 1, 2018.

ARTICLE II. - PESTICIDES

Sec. 62-16. - Pesticide.

The use or misuse of pesticides may have profound affects upon indigenous flora and fauna, surface water and groundwater, as well as unintended effects upon persons frequenting treated areas for recreational or other purposes. It is the express policy of the city to refrain from the use of pesticides upon property it owns, uses or controls, excepting only those situations posing an imminent threat of serious injury to persons, property or agriculture, or where the proper use of pesticides will have a minimal impact upon the treated area, water resources or persons frequenting.

(Code 1971, § 17-13)

Sec. 62-17. - Definitions.

As used in this article, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City lands means any land in which the city owns a fee simple interest.

Pesticide means any substance or mixture of substances labeled or intended for use or used for:

- (1) Preventing, destroying, repelling or mitigating any insect, rodent, nematode, fungus, weed or any other form of terrestrial or aquatic plant or animal life or virus, or other micro-organism (except viruses, bacteria or other micro-organisms on or in living persons or other living animals) declared to be a pest under federal or state law (7 USC 136 et seq., and regulations issued under those laws); or
- (2) Defoliating plants, inhibiting plant growth or accelerating the drying of plant tissue.

Sensitive areas means all lands within 300 feet of lands incorporating schools, daycare centers, hospitals, medical clinics, nursing homes, playgrounds, parks or similar public areas or facilities, navigable waterways and wetlands.

(Code 1971, § 17-14)

Sec. 62-18. - Use of pesticides.

- (a) No city department, except the Nemadji Golf Course, shall use or authorize the use of pesticides except as permitted by this article and upon prior approval given by the common council. No person may apply pesticides to city lands except upon prior approval of the common council. No council or council committee shall approve the use of pesticides except at a duly noticed meeting of the body. Authorization for pesticide use shall not be given except upon consideration of the alternatives to pesticide use, potential property damage, potential effects upon ground or surface water, the proximity of the application to sensitive areas or other impacts upon the human environment, or any other factor the committee may choose to consider.
- (b) Any pesticide application authorized under this chapter shall be administered in accordance with all state and federal statutes and applicable administrative regulations.

(Code 1971, § 17-15)

Sec. 62-19. - Posting.

- (a) *Warning signs.* Whenever pesticides are to be applied to any city lands subject to this chapter, the responsible department or person shall post warning signs that meet the requirements of section 62-

18 and this section herein at least 48 hours prior to application and shall be left in place for at least 72 hours after actual application or until expiration of any time of safe reentry as indicated by the pesticide label, whichever is longer.

- (b) *When posting is not required.* Posting is not required if pesticides are to be applied to an area that is sufficiently fenced or secured to prevent access to anyone other than city personnel except as provided in section 62-21.
- (c) *Sign dimensions.* All signs required under this section shall be at least 8½ inches by 11 inches in size. Signs shall be attached to the upper portion of a dowel or other supporting device so that the bottom of the sign is not less than 12 inches and the top of the sign is not more than 48 inches above the ground. The signs shall be of rigid material substantial enough to be easily read for at least the length of time required after application under all weather conditions.
- (d) *Lettering and required text of signs.* All signs under this section shall contain red lettering upon a white background. The signs shall have lettering not less than 2½ inches in height and shall be conspicuous and clearly legible. All signs shall bear the words "DANGER - AREA TREATED WITH PESTICIDE - DO NOT ENTER. FOR MORE INFORMATION CALL _____ " or words or symbols having the same meaning and effect.
- (e) *Application of posting requirements.* The posting requirement under this section applies to fields or other outdoor areas only to the extent that the target area to be treated with pesticide borders within 100 feet of a public road, residences of concerned individuals or within 300 feet of sensitive areas. Placards shall be posted at regular intervals along the border between the treated area and the public road, residences of concerned individuals or other sensitive areas, and at normal points of access. Treated areas bordering a public road, residences of concerned individuals or other sensitive areas shall be posted with at least one placard.
- (f) *Persons employed in or around areas to be treated.* Persons employed in or around areas treated with pesticides whose labels prescribe time intervals for safe reentry following application shall be given clear notice and warning of each application, including a description of the treated area and the time interval required for safe reentry into the area. Notice shall be given in such a manner as to be received and readily understood by all employees who may have access to the treated area, including persons of limited English language ability. Compliance with the posting requirement under this section does not relieve any person of the duty to comply with this section.

(Code 1971, § 17-16)

Sec. 62-20. - Notification of concerned individuals.

- (a) *Registry.* The office of the city clerk shall maintain a registry which shall list all persons who request advanced notice of pesticide application. This registry shall record the names, addresses and requests of:
 - (1) Persons who request preapplication notice of any pesticide application by the city to any property within 150 feet of property owned by that person if a sufficient description of said property is maintained with the registry.
 - (2) Individuals who are medically-sensitive to pesticides and who request preapplication notice of any pesticide application by the city with in 150 feet of their residence.
- (b) *Current address and property descriptions.* Concerned individuals shall maintain current and adequate addresses and property descriptions or their names will be removed from the registry.
- (c) *Preapplication notice.* Concerned individuals shall be entitled to preapplication notice through December 31 of the year in which they make their request.
- (d) *Notice of pesticide application.* At least 24 hours prior to pesticide application, notice shall be provided to all persons indicated by the registry as falling under the requirements of section 62-16 in relation to the specific application. The notice shall state the name, address and telephone number

of the applicator, the location of the property due to have pesticide applied, the date and time of application, and the pesticides expected to be applied. The applicator is also responsible for supplying the information as indicated in this section upon request.

- (e) *State and federal requirements.* Fulfilling this requirement shall not relieve the applicator of any requirements for prior notification imposed by state or federal law or other sections of this article.

(Code 1971, § 17-17)

Sec. 62-21. - Emergency situations and exemptions.

- (a) *Exempted property* . The common council may exempt a pesticide application from some or all requirements of this article, upon a showing by the city department or person seeking the exemption, that the potential for any adverse effect upon the public or to adjoining property is minimal and compliance with the terms of this article is unduly burdensome or impractical. The council must consider the following factors before granting an exemption from any or all of the requirements of this article:
 - (1) Whether the area to which pesticides are to be applied is sufficiently removed from residences, sensitive areas or other places frequented by the public so that the potential of drifting airborne chemicals poses no danger to persons or property.
 - (2) Whether access to the area to be exempted is sufficiently restricted or remote that members of the public are unlikely to come into contact with pesticides applied to the exempted area.
 - (3) Whether the type of pesticide application to be performed is so highly controlled or so extremely localized that it is highly unlikely the application will expose other persons or property to the pesticides during or after application.
- (b) *Emergency situations* . Time frames for notice and posting requirements under this article shall not apply when a city department or other person makes an appropriate showing to the council with the jurisdiction that emergency conditions warrant exemption from these requirements. Emergency situations shall be defined by the council with jurisdiction and shall be limited to those cases where the application of pesticides is needed to control a life threatening situation or situation which poses an imminent threat of serious injury to persons, property or agriculture.
- (c) *Emergency application of pesticides.* Upon emergency application of pesticides, posting and notice in conformity with this chapter shall take place contemporaneously with or as soon after application as practicable or as otherwise required by law.

(Code 1971, § 17-18)

Secs. 62-22—62-30. - Reserved.