

**Berkley Tree Board
Meeting Minutes
Monday, November 8, 2021**

Present: D. Hennen, K. Karlis, B. Penkala, L. Fritsch, T. Losey, B. Lathrop, M. Leneway, S. Bard

Absent: D. Schueller, S. Sekora, M. Grassa

Additional visitors: None

Meeting was called to order at 7:05 p.m.

Review and Approval of Meeting Minutes –Sept. 13, 2021 meeting minutes reviewed and approved.

Review and Approval of Agenda – K. Karlis presented agenda and members approved as proposed.

Public Comments- none

Holiday Lights Parade – D. Hennen confirmed the City has approved the 2021 Holiday Lights Parade for Saturday December 4th and Derrick has submitted the DPW and Tree Board entry. K. Karlis asked for volunteers to walk in the parade. Line up begins at 5 pm in front of the DPW office on Bacon. The parade continues down 12 Mile Rd and ends at the gazebo in front of City Hall. K. Karlis called out for volunteers to walk with her in the parade. Both Bob Penkala and Bob Lathrop responded they were available. Additional volunteers can confirm outside of this meeting.

Update from DPW - Derrick Schueller -- Despite D. Schueller being unable to attend the meeting, K. Karlis had a list of items D. Schueller sent to include in his update his absence.

- Prohibitive Tree List – D. Schueller spoke with the city manager and Judd Hart on this item. Much of the focus on the 2009 document is on prohibited trees in the right of way. This seems unnecessary as residents are not allowed to plant trees in the right of way. The arborist selects trees to plant. D Schueller senses the future of this document is to regulate trees planted on private property and is open to board thoughts as private trees are handled under the Community Development Department.

D. Hennen said the current list we have prohibits trees on public property. He asked if we want to prohibit trees on private property. He is not sure if we are able to. If there were a list, it would be community development that would enforce it. K. Karlis confirmed this is listed under the Tree Board website and not the DPW open forestry site. “the city manager and its designation has the power to control all trees in this listing which may be planted in the boundaries of the city. The City Manager and its organization shall prepare and maintain and annually update a schedule of prohibited species of trees. Public trees, private trees and official.” Further down the ordinance it reads the intent of the City of Berkley is to assist if requested if requested any property owner with a selection of landscape trees that may be planted on private property along with various things to consider.

D. Hennen gave an example of him recently reporting a tree of heaven on private property. Code enforcement checked, and there is also another prohibited tree. Code enforcement was going to try to enforce but was unsure if he can enforce. It came down to us not having a list of prohibited private trees. K. Karlis pointed out that the ordinance says we have a prohibited list of private trees, but when you get down to part number two, there isn't a list. T. Losey and B. Penkala suggested we make the existing list both public and private. M. Leneway pointed out that some species prohibited for public use shouldn't be prohibited for private use like oaks planted on the street. Some of the trees on the list are on Michigan's invasive species list like buckthorn and tree and heaven. T. Losey suggested maybe we just put known invasives on the private prohibited species list. K. Karlis suggested we come back and re-address this after looking at Oakland County's wording for invasive species. B. Lathrop suggested we put something on the list even if it can't be enforced to detour someone. D. Hennen pointed out that things on a state prohibited list will be the easiest to enforce.

- Fall Planting / Tree Brochure- D. Schueller wrote that we are on track with Marine City Nursery to plant 200 trees in late November and early December. He thinks the total is 214 new trees and all locations have been vetted with respect to utilities and overhead lines. He writes "I have made all the changes suggested from the board members to the Tree Maintenance Checklist and plan on using this new version with the fall planting".

OAKSTEM Grant – Derrick writes we plan on using OAKSTEM and DTE grants and new trees as part of the spring 2022 planting keeping it separate from the fall 2021 planting hopefully making it easier to track and monitor. The grants do require follow-up for the extended warranty.

K. Karlis pointed out that \$13,155.00 is the amount we got from the OAKSTEM grant. D. Hennen said that all these trees must be planted in greenbelts. T. Losey asked if there was something residents had to sign if they requested a tree. K. Karlis suggested they check something on the application saying the resident will maintain the tree when they sign up requesting one. K. Karlis pointed out that we had 400 people apply for trees and that we will plant 300 between fall and spring and the next 100 will be planted next fall, so we are on hold for advertising for tree planting. S. Bard agreed it is a good idea to have people sign off on the tree maintenance checklist in the future if they are getting a tree. D. Hennen said people previously had to print out the application for a tree, fill it out, take a pic of it and send it in. He said there is an online version of it, but we haven't used it yet because we are 400 into 300 trees but it is ready to go when we are ready for it. K. Karlis said this would be a good place to add the wording of receipt of the Checklist.

K. Karlis thanked T. Losey because she knows the master plan is coming before the city for approval next week, and thank you for representing the tree board on it.

Tribute Tree Update – B. Penkala, M. Leneway and Maybelle Fraser went looking throughout Berkley to locate and document the location of known tribute trees (35 trees in total). B. Penkala compiled the information in a spreadsheet. At this time, six of the trees have been removed and the location of twelve of the trees is unknown. Pictures were taken of each of the tribute trees that were found along with markers, if present. B. Penkala said he is just about done with the tribute tree spreadsheet. When he completes what he can, the document will be housed at DPW. Out of 35 trees, a total of 17 were able to

be located and have every item on their line on the spreadsheet filled in. (Doner, Location, who it is in honor of, etc.) Maybelle was a huge help. 7 of the tribute trees are known to be removed. The areas highlighted in yellow are still being worked on. There are still a lot of “holes” in the spreadsheet. Many likely won’t be filled. B. Penkala proposed there were 2 big questions moving forward on tribute trees. The first is what we think about identifying trees to take the place of tribute trees we can’t find. The second question is do we want to mark the additional 7 unmarked tribute trees. Only 9 currently have markers.

K. Karlis said we have a question from the city manager about what we are doing about markers. She asked if future tribute trees should have markers and thinks they should. She also is wondering what we should do about the current unmarked tribute trees and asked about an inexpensive way to mark trees. B. Penkala suggested a smaller generic marker for unmarked known trees. K. Karlis thinks we should find an inexpensive one and ask the City to purchase. The Tree Board thinks all tribute trees should have markers. Going forward we are going to recommend people getting tribute trees buy the markers, and we will have a list of recommendations but for prior tribute trees, we recommend this less expensive option. D. Hennen doesn’t think this will be a problem. He would prefer a marker that can’t be carried away.

K. Karlis thinks markers should be put on all tribute trees to be maintained by the city. B. Penkala pointed out that D. Schueller thinks the donors should maintain the tribute trees. K. Karlis likened it to a cemetery plot in that some are maintained by families, and some are not.

K. Karlis asked what we do about tribute trees that are removed. B. Penkala thinks tribute trees that die shouldn’t be replaced but if they are removed, the city should be responsible for replacing it. K. Karlis agrees if the city removes a tribute tree for some reason, they should replace it. M. Leneway pointed out if someone pays for a tribute tree, it is not the City’s responsibility to make sure that tree exists in perpetuity and there needs to be a year limit where the city will be responsible. K. Karlis asked what a reasonable timeframe would be. D. Hennen suggested sending a letter out to the last known address of a tribute tree purchaser if a tree gets removed and see what their response is, or even just to let them know if it died.

K. Karlis suggested putting the next 2 topics on a future agenda. 1) should we place information about tribute trees on the tree board or social media site. 2) What is the future of tribute trees. B. Penkala agreed.

B. Penkala pointed out we never discussed what to do about tribute trees we couldn’t locate. He thinks its our responsibility to decide on those. He suggested identifying replacement trees in the existing landscape. T. Losey asked if that meant we would have to purchase 10 additional markers. B. Penkala said we would. B. Lathrup asked if someone on the list was asking about this. B. Penkala said no one is. K. Karlis said we should establish a reasonable timeframe and recommended 20 years. B. Penkala asked about all the unknowns on the list and how that will look to the public. K. Karlis said she didn’t see why the list had to go out to the public.

Tree Board Communication Plan – K. Karlis provided Torri with an article to publish in the City’s newsletter for October to inform the community regarding the approval of the OAKSTEM grant. Although it missed the deadline to publish in the October newsletter, Torri did schedule a news release, which was reported by C and G News in the Oct. 13, 2012 publication of the Woodward Talk. D. Hennen has promoted thru his communications. T. Losey has promoted thru Facebook. K. Karlis said there are currently no new communications currently planned. T. Losey said she would like to include educational items on the Facebook page because of the fall planting coming up. K. Karlis said she will work with T. Losey to put something together after the OAKSTEM grant trees are planted and will share with additional Facebook groups. S. Bard said he has some pictures he could contribute.

Visioning Workshop- Vision Statement – K. Karlis modified the Tree Board Vision Statement as follows: “The Tree Board will advocate to preserve and expand the City’s tree canopy and to promote tree diversification by engaging the City government and the community with education, collaborative conversations, and the execution of events and programs.” All members of the Tree Board present unanimously agreed.

Federal Court Ruling against Tree Protection Ordinance – B. Lathrop send out an article that says there will be some problems with our ordinance. D. Hennen pointed out that our ordinance doesn’t apply here because it involves replacing private trees and we specifically avoided anything about private trees in our ordinance. K. Karlis pointed out that we have builders. D. Hennen said where it is builders, its related to public trees. T. Losey said that builders need to do a tree survey and if they remove a certain caliper of tree, they have to put money into our tree fund. D. Hennen said that may be an issue. T. Losey proposed this be on the next agenda. K. Karlis said when Dan Hill, the Public Policy Assistant, came to this meeting and did the workshop with us, he would look into it. When K. Karlis followed up with him about 2 weeks ago, he said he had been unable to get back with her due to an illness.

K. Karlis read that other City Managers are aware of this 6th circuit court ruling and are assessing their ordinances from a legal standpoint. Dennis agreed to give a heads up to Matt and have him talk to our City Attorney.

Future Meeting Minutes? No one volunteered to do the minutes at the next meeting. K. Karlis said she would reach out to members via email to determine.

The next meeting is currently scheduled for January 24th 2022. The next meeting was originally scheduled for January 10, 2022. D. Hennen proposed changing the meeting day from the 2nd Monday of the month to the 4th Monday of the month. Everyone in attendance agreed that would be fine. K. Karlis suggested all board members think about the frequency of meetings for 2022 and for all members to come up with goals for the following year. S. Bard suggested K. Karlis send out an email reminding the board to come up with strategy for the following year prior to the meeting.

D. Hennen asked if any board members had a recommendation for the student member opening. Since there were no additional recommendations, he said he would look into the student's application M. Leneway recommended to see if they are still interested and if not, then we would open it up to the public.

S. Sekora has notified the Tree Board that she is resigning. B. Penkala asked about Sandy's opening. K. Karlis asked if we could tap into the list of people who have already submitted applications this year. D. Hennen said we could if they applied in the last 6 months and the policy is to open the position up each time, so it will be publicized.

Meeting adjourned at 8:16 p.m.