

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Monday, April 20, 2015. Mayor Peggy Dunn presided.

Councilmembers Present: Debra Filla, Chuck Sipple, Lou Rasmussen, Jim Rawlings, Julie Cain, Carrie Rezac, Andrew Osman and James Azeltine

Councilmembers Absent: None

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Joe Johnson, Public Works Director	Chris Claxton, Parks & Rec. Director
Mark Andrasik, Info. Services Director	Brian Anderson, Parks Superintendent
Richard Coleman, Com. Dev. Director	Dustin Branick, Horticulture/Forest Supv.
Debra Harper, City Clerk	Cindy Jacobus, Assistant City Clerk

Others Present: Tom Jacobs, Environmental Programs Director, Mid-America Regional Council [MARC]
Alicia Jennings, Sustainability Advisory Board Member
Meg Gilmore, Vice President, Leawood Estates Home Owners Association
Brittany Lane, Kansas City Star, Special Reporter (arrival at 6:52 P.M.)

Safeguarding Our City’s Trees

Mayor Dunn called the meeting to order at 6:03 P.M. and introductions were made.

Councilmember Filla introduced guests, Mr. Jacobs, Ms. Jennings and Ms. Gilmore. She presented slides illustrating large tree removal in northern Leawood.

Meeting Document I, “Summary of Issues and Concerns”, was created as a result of a City meeting held April 1, 2015, attended by Mr. Jacobs, Ms. Jennings, members of the Leawood Estates and Leawood Home Owner Associations [HOAs], Councilmembers Filla and Cain, Mr. Anderson and Mr. Branick. Reasons for tree loss are disease, aging, development, weather and untrained/uncertified tree services. Other concerns are lack of education, true economic value of trees and replacement trees, and the need for species diversification. Two-thirds of the City’s street trees are one of three genus [Elm, Oak and Ash].

Councilmember Filla stated reasons for tree loss are dynamic as well as dependent on location with the City. In the past, main loss reasons were aging and development. Current loss reason would be the Emerald Ash Borer [EAB]. About 27% of street trees are Ash, and these trees can be sustained with treatment estimated to cost \$100 for two years. EAB will leave an area with strong, resistant trees.

Mr. Jacobs expressed appreciation for the invitation to share information about forestry, which is his passion, and about environmental stewardship while spurring economic development.

Mr. Jacobs stated a study on the value of Kansas City trees and tools to protect them was funded by a grant from the U.S. Department of Agriculture – Forest Service. Highlights of the study report titled “Assessing Urban Forest Effects and Values: the Greater Kansas City Region” [see **Meeting Document II.**], as follows:

- A. The region studied in 2011 included nine counties.
- B. The counties have one-quarter of a billion trees providing a canopy cover of 18% of the land, with 44% in residential areas and 9% to 11% in commercial areas.
- C. Kansas City has 72,000 linear miles of streams and creeks, with 225,000 adjacent [riparian] acres.
- D. The trees provide \$320 Million in benefits each year through pollution removal, carbon storage, carbon sequestration, building energy conservation, habitat and stormwater run-off.

Some lessons learned as a result of the study:

- A. Need to aspire to “big things, taking the elevator to the top” in regard to forestry initiatives.
- B. Importance of forestry integration in community development.
- C. Need for urban tree education.
- D. Worldwide efforts are made. In Croatia, couples wishing to wed must provide proof of planting five olive trees. These trees will not produce in their lifetime, but are for future generations.
- E. Draft “Forest Policy and Planning Framework” was developed February 16, 2012, as a tool for local governments wishing to raise natural resource stewardship and integrate it into their land management and community development. The matrix and examples of action from the policy/framework document, as follows:
 - 1. Policy and Planning – Actions: Adopt canopy coverage goal [MARC has goal of 10% for the region]; landscaping, land disturbance, zoning and tree preservation ordinances, local tree inventory
 - 2. Urban Design – Actions: Stormwater and transportation system design; public land management
 - 3. Operations and Maintenance – Actions: Create partnerships, pest and disease mitigation, inspection and enforcement
 - 4. Engagement and Education – Actions: Volunteer recruitment, public education on the benefits of trees, media outreach, staff cross-training

Mr. Jacobs stated many cities are taking first steps to become “nature aware”, and have tools and resources now available to assist, that were not available in the past. Some cities that had taken action long ago, for example Savannah, Georgia, have lost focus. Savannah’s older areas have oaks that were planted 100 years ago, but newer areas of the City have few plantings.

Many tools and resources can be found on the MARC website www.marc.org/Environment/Natural-Resources. “The Nature of Greater Kansas City – Conservation, Restoration and Enhancement of Our Land, 2014” booklet provides details of the Natural Resource Inventory [NRI]. The NRI provides accessible information in a Geographic Information System [GIS] database of land cover types, soils, topography and hydrography for the Kansas City metropolitan area. The database can be used to generate maps from summer 2012 data.

Meeting Document III., “iTrees – Canopy Land Survey,” was prepared by Mr. Anderson and Mr. Branick. Land cover for the City consists of approximately 36% trees, 36% grass and open ground, 26% impermeable surface, and 1% water. Land cover for north Leawood consists of approximately 51% trees, 25% grass and open ground, 24% impermeable surface and 1% water.

The iTrees survey provides a list of benefits for gases, ozone and particulate matters, by amount and dollar value. The survey also contains data from a 2011 Leawood HOA street tree survey by species, diameter, canopy size and condition. A list of benefits for rainfall interception, electrical savings, natural gas, air quality, carbon dioxide, carbon sequestration and aesthetics, by amounts and dollar value for the Leawood HOA street trees is also included. The final page of the survey presents a benefit comparison of a 30 inch old-growth Pin Oak tree versus a 2 inch replacement Pin Oak tree, for stormwater control, air quality, energy savings and carbon sequestration, over a period of 10 years.

Councilmember Rawlings invited Ms. Gilmore to share Leawood Estates HOA experience. Ms. Gilmore stated the HOA reviews construction plans after the developer meets with the City. Leawood Estates HOA has found that developers are generally receptive to their review comments. In Leawood Estates, teardowns are more of an issue than remodels, while the Leawood HOA has more trees, smaller lots and more remodels.

Meeting Document IV., “The Large Tree Argument – The Case for Large-Statute Trees vs. Small-Statute Trees,” was prepared by the U.S. Department of Agriculture – Forest Service. A large tree is eight times more beneficial to the environment than a small tree. The Leawood Development Ordinance [LDO] requires trees of 4 inch caliper to be planted. Although their canopies are larger than a 2 inch caliper tree, the root system may not be able to sustain the transplanted tree, and the tree may be lost.

Councilmember Rasmussen inquired if 2 inch caliper trees can be planted under the canopy of existing mature trees, and if older trees such as those planted in 30 to 35 years ago in north Leawood have an estimated life expectancy. Staff will research and provide the answers.

Prairie Village Ordinance No. 2075 and Prairie Village City Council Policies CP215 and CP216 are provided in **Meeting Document V.a.** Ordinance No. 2075 established the city’s Tree Board of nine members who meet monthly. The Tree Board conducted Prairie Village’s EAB survey. The City Council Policies address storm-damaged trees, and the planting, maintenance, removal and replacement of trees.

Councilmember Azeltine questioned if a Tree Board function could be performed by existing Leawood Sustainability Advisory Board and/or Parks & Recreation staff. Councilmember Filla would prefer a Tree Board comprised of volunteers, who would make recommendations.

Meeting Document V.b. is Mission Hills' City Code, Public Areas, Chapter XI, Articles 2, 3 and 4. These articles define right-of-way and the duties of their Park Board. The purpose of the Mission Hills tree ordinance is to preserve and protect trees on both public and private property, and address tree damage, removal and ensure appropriate replacement of trees. Mission Hills employs a full-time arborist, who meets with contract tree services. Mission Hills has a tree survey process and does not allow tree-topping.

Mr. Jacobs recalled a workshop two years ago, where a consultant had shared information about the City of Webster Groves, Missouri. In 2000, Webster Grove's drafted their policy, focused on trees and walkability. Their process was substantial. Additional information can be found on the web.

Meeting Document V. is a sample tree ordinance. The ordinance provides for diversification of street tree species.

It was noted that through the "TreesForMyCity" tree fund, every dollar donated to plant a tree will be doubled, up to \$10,000, by the Dunn Family Foundation.

Mr. Anderson was asked to provide his comments. He stated that several City departments have a niche role in support of trees. The goal of the LDO is to have an impactful landscape, but perhaps some flexibility needs to be added in regard to the size of trees planted. The development of landscape plans is more complex than street tree maintenance. In some older areas of Leawood, there was no original landscape plan. Codes Enforcement deals with hazards and concerns from citizens, on both public and private property. Public Works handles street projects and many tree issues. A Tree Board would provide a central, overarching group. He stated that change, even procedural, is not without cost.

Councilmember Filla stated that HOAs can remove trees and plant any tree species they wish. She would like to establish a volunteer Tree Board, require site/tree protection plans and educate contractors.

Councilmember Rezac stated the City's Parks & Recreation Department and two arborists are great resources to educate contractors and an excellent place to start.

Mr. Lambers stated the focus should be on trees that remain, so that no tree is removed inadvertently. Street trees are privately owned, but City staff can assist if requested. However, decisions regarding private trees should not be made by the City.

Councilmember Rasmussen stated the City passed an ordinance granting the City the right to remove diseased trees. Mayor Dunn stated the City is empowered only if in regard to a public safety issue.

Mayor Dunn stated the information provided was beneficial, but would also like be presented with what is currently being done in Leawood in this regard. This would include review of the LDO, a survey of different sizes of trees in the City, current staff procedures, and any additional staff recommendations. She will take under advisement the establishment of a Tree Board.

There being no further business, the work session was adjourned at 7:23 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk