



MUNICIPAL BEAUTIFICATION COMMISSION/TREE BOARD
April 4, 2023 Meeting Minutes

Time: Tuesday, April 4, 2023, 1:00 pm
Place: Charleston Municipal Parking Building #1
Commissioners: Anna Forbes, Chair
Brenda Craig-Ellis, Vice Chair (absent)
Marjorie Cooke, Secretary
Donna Graham, Treasurer
Lois Crichton
Marlene Dial
Lisa Dobbins (absent)
Jane Powell
Susan Shumate
John Casto
Alex Franklin

Staff and Guests: Mike Davis, Public Grounds Deputy Director
Brent Webster, Public Works Director
Chris Higgins, City/Spring Hill Arborist
Derek Lambert, Kanawha City Resident
Maurice Graham, BID Ambassador
Barbara Rose, Kanawha Garden Club Member
Mary Ellen O'Farrell, City Resident

Ms. Forbes called the meeting to order at 1:00 pm and noted the meeting was being recorded.

Approval of Minutes: The minutes of March 7, 2023 meeting were circulated to commissioners prior the meeting and presented for approval. Lois Crichton made a motion to approve, Alex Franklin seconded, and the motion to accept the minutes as written was ***approved***.

Treasurer's Report: Treasurer Donna Graham presented Treasurer's reports for December 2022 and January and February 2023, and March 2023. John Casto made a motion to approve, Marlene Dial seconded, and the motion to accept the Treasurer's reports as presented was ***approved***.

Davis Park Benches: Ms. Forbes moved for the amendment of a previously approved (September 2022) motion to purchase 10 benches for Davis Park at a cost of \$12,000, plus shipping. The City was able to purchase a total of 14 benches as a result of a bulk purchase

discount. The MBC previously earmarked \$18,000 for the purchase of Davis Park benches. The total cost of all 14 benches is \$17,854.75, just under the \$18,000 earmark. Ms. Forbes's motion carried by acclamation.

Tree Board Business: Presentation of Lambert Petition

The MBC heard an appeal of the Division of Public Grounds' denial of a request by Kanawha City resident, Derek Lambert, that the City remove at the City's expense two trees in Mr. Lambert's front yard (near 4001 Staunton Ave, SE). The trees are in the City's right of way and, thus, are "public trees" under the City code.

Lois Crichton read Mr. Lambert's appeal. Mr. Lambert was previously given a copy of the City Arborist's report detailing the health and condition of the trees. Mr. Lambert was given an opportunity to address and expound on his complaint. Mr. Lambert spoke of his frustration and the nuisance of having two chestnut trees in the City right of way in front of his property. He claimed injury and harm to people and animals, difficulty and time cleaning up thorny chestnuts, and annoyance of trespassers foraging chestnuts in his yard (example of 3 vans, 12 people on one occasion). Mr. Lambert has lived at this address since July of 2020 and was aware of the chestnut trees, though not aware of the prolific number of chestnuts and the challenges the trees would present.

Mike Davis was called upon for the City's response, who reiterated the City's initial finding that the trees were healthy and did not pose a current risk of serious harm to people or property.

Commissioners then asked Mr. Lambert several questions. After thanking Mr. Lambert for coming to the meeting, Ms. Forbes noted that closed session deliberations on the appeal would take place towards the end of the meeting. She noted, however, that no vote would occur in the closed session. Rather, the Commissioners' vote would occur after returning to public session at the end of today's meeting. Mr. Lambert was told that he would receive written decision explaining the reasons for the decision within a month.

MBC General Matters

MBC Funding in 2024 Budget: Ms. Forbes announced that the City had approved \$100,000 for the commission in its 2024 budget.

Ruffner Park Update: Mike Davis reported that ground prep was to start in next few days, noting that his crews had been busy cleaning up from the recent windstorm that downed many trees and limbs. Ms. Forbes updated commissioners of the Ruffner Park \$64,000 estimate from GAI for project installation, water foundations, lights, and enhanced entrance to the park. After researching the costs for the enhanced entrance (\$24,000), Kanawha Garden Club's intended donation (\$14,000) would not cover this entire expense. Ms. Forbes, Ms. Shumate, Ms. Dial and Kanawha Garden Club member Barbara Rose will continue discussions and possibly work with a private donor to help cover additional cost. Path work and planting will begin soon in the park.

MBC Van Trip: Ms. Forbes noted that a maximum of five will be sought for reschedule of van trip for exploration of 25 more flower basket locations. Mr. Davis is working to have baskets planted prior to mid-May and held indoors until time to hang. Watering was discussed as a time-consuming job for City crews. MBC has approved 100 hanging flower baskets, 50 of which were installed last year, with an additional 25 to be installed this year. Ms. Forbes asked commissioners to be looking for an email with a new date/time for a van trip to assess future hanging basket locations.

West Side Project Update: Ms. Graham reported that she and Lisa Dobbins went to Barton Street Garden, recommending that it needs a good cleanup, but not an overhaul. She noted overgrown bushes collecting trash. They recommended removing bushes, fertilizing the grass and tending to the roses, repairing the retaining wall, and suggested a mural. Mike Davis and Brent Webster agreed to take a look and clean up the garden.

Public Grounds Director's Report: Mike Davis, Deputy Director of Public Grounds reported on work mowing, garden bed planting, and windstorm clean up. He noted that his City tree foreman retired, and that he has one tree worker out on sick leave, slowing down City tree work considerably. Mr. Webster noted that City can contract out tree removal and work if necessary. Mr. Davis and Mr. Webster did take a drive with Beth Robey, looking at a number of dangerous trees in South Hills. Mr. Davis reported 21 trees coming down in recent windstorm.

Mr. Webster spoke to Ric Cavender of West Side Main Street about lighting issues, noting that he would be happy to make a presentation to the Commission. Ms. Forbes asked for his availability next month.

Additional Tree Board Matters:

Tree City USA Update: The City has approved Arbor Day Tree Celebration and Planting of a dogwood (instead of the Sugar Maple) at Mary C. Snow on April 14th at 12:30 pm. Ms. Forbes invited the commissioners and noted she had invited the City's Green Team.

Closed Session: Deliberation on legal and other aspects of Derek Lambert petition.

Public Session: Vote on Derek Lambert's Petition

Upon a motion by Susan Shumate, seconded by Donna Graham, the commissioners voted to affirm the City's denial of Mr. Lambert's request to remove two chestnut trees from City right of way. It was noted that City ordinance allows Mr. Lambert to pursue obtaining a permit through the Division of Public Grounds to remove the trees at his own expense, should he wish to proceed.

Additional Business

Maurice Graham, the BID ambassador, presented the commission with a packet of sources for shade installation possibilities for City Center.

The next MBC/Tree Board meeting is scheduled for May 2, 2023 at 1 pm.

Adjournment

Submitted by Marjorie Cooke,
MBC Secretary