1. Tree Commission Agenda 9-9-2020

   Documents:

   TREE COMMISSION AGENDA 9-9-2020.PDF

2. Tree Commission Meeting Summary 06 10 2020

   Documents:

   TREE COMMISSION MEETING SUMMARY 06 10 2020.PDF

3. September - Summary Of Proposed Items (With Attachment)

   Documents:

   SEPTEMBER - SUMMARY OF PROPOSED ITEMS (WITH ATTACHMENT).PDF

TREE COMMISSION
AGENDA

Wednesday, September 9, 2020, at 4:30 PM
Virtual Meeting:
https://www.facebook.com/westminstermd/
www.WestminsterMD.gov

I. Call to Order (Chair Allgeier)

II. Approval of Minutes

June 10, 2020

III. Old Business

A. Review of the City Comprehensive Tree Plan (Mr. Gray)

IV. New Business

B. Tree Commission Rules (Mr. Gray)
C. Hold the December Commission meeting in November (Mr. Gray)

V. Commission Comments

VI. Staff and Public Comments

2020 Arbor Day Celebration (Mr. Gray)
Tree Grate Replacement (Mr. Schlitzer)

VII. Adjournment

Posted September 4, 2020

CITY OF WESTMINSTER
TREE COMMISSION MEETING SUMMARY

Wednesday, June 10, 2020, at 4:30 PM

Virtual Meeting via Zoom and broadcasted live on the City Facebook Page
Westminster, Maryland 21157

A meeting of the City of Westminster Tree Commission was held virtually via Zoom and broadcasted live on the City Facebook Page, on June 10, 2020, at 4:30 PM.

Chair Steve Allgeier, Vice-Chair Cindy May, and Commissioner Tim Bangerd were present. City staff Mark Depo, Andrea Gerhard, Andrew Gray, Eric Schlitzer, and Samantha Schlitzer were present.

The following members of the public were present: Dr. Robert Wack.

Approval of Minutes
Chair Allgeier requested a motion to approve the meeting summary of March 11, 2020. Commissioner Bangerd motioned to approve the meeting summary. Commissioner May seconded. The motion passed unanimously.

New Business
Chair Allgeier opened Item A – Tree Buffer Planting along Copps Branch. Chair Allgeier recognized Dr. Robert Wack, present on behalf of the Westminster High School Environmental Action Club (EAC). Dr. Wack explained that the project had 12-15 actively participating students who are learning about stream ecology. Chair Allgeier added that the EAC is in search of activity related to the project and proposed planting trees to improve the riparian buffer along the stream. An informal presentation was given to the Mayor and Common Council in 2019.

Dr. Wack stated that the City could engage in a tree banking program and sell forest bank credits to land developers for future development. Chair Allgeier noted that the City will not lose access to the property and will benefit by not having to mow the property as much. He shared his excitement that the new activity would enhance the forest area and improve water quality.

Chair Allgeier asked if mowing could be further reduced by using herbicidal treatments. Mr. Schlitzer inquired as to the distance from the stream that the trees would be planted. Dr. Wack stated approximately 20 feet on either side, an area would be marked off to plant some trees each year. Chair Allgeier added that the student volunteers could also do weeding and additional maintenance as part of the project.

Vice-Chair May motioned to move forward with the EAC providing a formal proposal to the Mayor and Common Council for consideration of planting a tree buffer along Copps Branch. Commissioner Bangerd seconded the motion. The motion passed unanimously.

Chair Allgeier opened Item B – 2020 Urban and Community Forestry Workshop. Ms. Schlitzer stated that she and Mr. Gray had been in communication with Bartlett Tree Experts to explore the option of a virtual workshop if a physical one was not available due to COVID-19 restrictions. The Commission unanimously agreed to further discussion between City staff and Bartlett to host a virtual workshop.

Chair Allgeier opened Item C – 2020 Arbor Day Celebration – Mr. Gray stated that due to COVID-19, the City was unable to hold its annual Arbor Day celebration. After speaking with Maryland Department of Natural Resources representative Anne Gilbert, many communities are hosting virtual Arbor Day celebrations and conducting plantings on the six-month Arbor Day anniversary, which is October 24, 2020.

Mr. Schlitzer stated his intention for Arbor Day was to replace several trees on the grounds of City Hall that were damaged in the February 2020 tornado. Mr. Gray added that the physical plantings would be completed by City staff, and no members of the public would be present. Ms. Schlitzer suggested streaming a Facebook Live video for people to watch from home.

The Commission unanimously agreed to replant lost trees at City Hall and live-stream the event.

Chair Allgeier opened Item D – Review of the City Comprehensive Tree Plan. Mr. Gray mentioned that the Commission review the Comprehensive Tree Plan and provide any comments to improve the Plan by August 3, 2020. City staff will review comments to incorporate them into the draft document for consideration of approval during the September 2020 meeting.

Chair Allgeier opened Item E – 2020 Commission Elections. Mr. Gray mentioned that the Commission has not conducted an election since at least 2015, and since that time, one new Commission member has been appointed by the Mayor and confirmed by the Common Council.

Commissioner Bangerd motioned to re-elect Steve Allgeier to the position of Tree Commission Chair. Commissioner May seconded the motion. The motion passed 2-0 with one recusal from Chair Allgeier.

Chair Allgeier motioned to re-elect Cindy May to the position of Tree Commission Vice-Chair. Commissioner Bangerd seconded the motion. The motion passed 2-0 with one recusal from Vice-Chair May.

Staff and Public Comments

Mr. Gray mentioned that the Tree Commission currently has no known rules of order and procedure. City staff will draft a set of proposed rules of order and procedure for the Commission to review at its September 2020 meeting. He then reminded the Commission members to participate in the 2020 United States Census if they have not already done so.

Mr. Schlitzer presented photos of trees that had been planted along Main Street and Pennsylvania Avenue for Arbor Week, including two Service Berry trees, a Cherry tree, and a Hawthorne tree.

Chair Allgeier inquired if the City still maintained the parking lot garden along West Main Street across from Carroll Street. Mr. Schlitzer stated that the City no longer maintains it.

Mr. Depo reported that Governor Hogan's latest update on the Maryland Roadmap to Recovery included restaurants opening indoor dining at 50% capacity, as well as outdoor ceremonies, pools, and other outdoor venue types. This will help the City in coordinating future events.

The Commission adjourned at 5:21 PM.

To: Westminster Tree Commission

From: Andrew R. Gray, Comprehensive Planner

cc: Mark A. Depo, Director of Community Planning and Development
Eric Schlitzer, City Arborist
Samantha Schlitzer, Executive Assistant

Date: September 4, 2020

Subject: Summary of Agenda Items

The following is a brief summary of the Old Business Agenda Items for the September 9, 2020 Westminster Tree Commission ("Commission") meeting:

A. **Review of the City Comprehensive Tree Plan –** Pursuant to Chapter 148 Trees, Section 6 A., of the Charter and Code of the City of Westminster:

> *"It shall be the responsibility of the City Tree Commission to study, investigate, counsel, develop and/or update annually and recommend to the Mayor and Common Council a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the Mayor and Common Council. Upon its review, the Mayor and Common Council may modify and amend such proposed plan and adopt it by resolution as the official comprehensive City tree plan."*

On February 25, 2019, the Mayor and Common Council voted to approve Resolution No. 19-08 "Adopting a City of Westminster Comprehensive Tree Plan". In June, Community Planning and Development (CPD) staff asked the Commission to review the Comprehensive Tree Plan and provide any comments they may have to improve this plan no later than August 3, 2020.

On July 7, 2020, City staff reached out to Dr. Jason Scullion, Associate Professor and Department Chair of Environmental Studies at McDaniel College to inquire if student volunteers would be interested in helping with surveying the street trees within the City. On August 4, 2020, Staff subsequently sent a "Student Project Request Letter" to Dr. Scullion containing more information on what help the City is looking for from two student volunteers which includes the following: (1) type of tree (2) location via GPS, (3) diameter at breast height, (4) overall height, (5) any sidewalk upheaval or any other hazards. The students would be expected to collect this information and return their findings to CPD staff before October 7, 2020.

Request:

CPD staff requests the Commission hold off on taking any action on the City Comprehensive Tree Plan until McDaniel College Student volunteers have a chance to assist with the update.

Link to the current City of Westminster, Comprehensive Tree Plan

The following is a brief summary of the New Business Agenda Items for the September 9, 2020 Westminster Tree Commission meeting:

B. **Tree Commission Rules –** Pursuant to Chapter 148 Trees, Section 5 B.:

"The Commission shall adopt its own rules of procedure and keep a record of the proceedings."

Currently there are no known Commission rules. CPD staff have drafted a set of Commission Rules for review and approval which are attached below. Please note that the meeting months have been listed as March, June, September, and November.

Request:

CPD staff requests the Commission review and approve the attached draft Rules of Order and Procedure for the Tree Commission.

C. **Hold the December Commission meeting in November –** CPD Staff would like to move the December Commission meeting to November to provide McDaniel College student volunteers the chance to compile information for the Comprehensive Tree Plan and provide the Mayor and Common Council more time to review the Tree Plan before the end of the year.

The following is a brief summary of City staff comments for the September 9, 2020 Tree Commission meeting:

2020 Arbor Day Celebration – Due to COVID-19, the City was unable to host the annual Arbor Day Celebration this spring. The City is committed to hosting some type of celebration this year to commemorate Arbor Day. During the Commissions June 10, 2020 meeting, the Commission unanimously agreed to replant lost trees at City Hall and live-stream the event. City staff will discuss the date and time for the 2020 Virtual Arbor Day Celebration during the meeting.

Tree Grate Replacement – Mr. Schlitzer will be providing more information during the meeting**.**

RULES OF ORDER AND PROCEDURE
FOR
THE WESTMINSTER TREE COMMISSION

CITY OF WESTMINSTER, MARYLAND

Westminster Tree Commission
Mr. Steve Allgeier, Chair
Ms. Cindy May, Vice-Chair
Mr. Tim Bangerd, Commissioner
Mr. Richard Wilbur, Commissioner

Department of Community Planning and Development
Mark A. Depo, Director of Community Planning and Development
Sandy Anderson, Main Street Manager
Andrea Gerhard, Comprehensive Planner
Andrew R. Gray, Comprehensive Planner

City Attorney
Elissa Levan

Effective Date: _____

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Section 1. Authorization

A. The Westminster Tree Commission (Commission) is established by Chapter 148 of the City Code.

B. These Rules of Order and Procedure (Rules) are required pursuant to Section 148-5B. of the City Code.

Section 2. Commissioners and Officers

A. The City Code provides for five regular members. At least one of the voting members shall have a background in horticulture, arboriculture, forestry or a related field.

B. The City Code provides for two non-voting City staff members (comprised of Community Planning and Development Department and Public Works Department staff).

B. Annually, at its regularly scheduled meeting in the month of June, the Commission will elect from among its members a Chair and Vice-Chair to serve for the term of one year each. A majority vote of the members present is required to elect members as officers (Section 148-5 A.). In the event of a resignation of the Chair or Vice-Chair, the remaining members will elect another member to complete the remaining vacant term in question.

C. The Chair will preside over all meetings of the Commission; call all regular and special meetings as needed; interpret these Rules; and, in general preside over meetings of the Commission while it is in session. The Chair may also represent the Commission at other meetings upon the affirmative majority vote of the members present at a given meeting.

D. The Chair and Vice-Chair may make motions and vote on any item before the Commission.

E. The Vice-Chair will have all of the powers, duties and responsibilities of the Chair in the Chair's absence.

F. A temporary Chair may be elected by the affirmative majority vote of the members present at the meeting of the Commission to serve for a single meeting or as may be necessary during any absence of both the Chair and Vice-Chair.

G. The Director of Community Planning and Development or the Director's designee will act as the Secretary to the Commission. The Secretary will notify Commission members of meetings, both regularly scheduled and special; prepare any required notice; and, maintain the required records of meetings for the Commission.

H. The Legal Advisor will be the City Attorney and/or another legal professional as designated by the City Attorney. The Legal Advisor may attend and participate in the meetings of the Commission, as may be deemed necessary by the City Attorney or upon the request of the City Administrator or the Director of Community Planning and Development.

I. No member of the Commission with a personal, financial or equity interest in the outcome of a decision on an application may speak or vote on the matter during the Commission's deliberations. Members absent from meetings due to recusal will be considered as excused.

J. Except as may otherwise be provided by law or these Rules, a member of the Commission may not engage in ex-parte communications with any party with respect to the subject of any pending or potential application.

K. Commissioners shall conduct themselves in a fair, understanding, kind, and gracious manner. Commissioners shall seek to be considerate of all persons, attitudes, and differences of opinion involved in all Commission business.

Section 3. Meetings

A. The Commission meets the second Wednesday of the months of March, June, September, and November unless the date of the meeting is altered by the affirmative majority vote of the Commission or, in an emergency by the Chair, or unless the meeting is canceled pursuant to subsection B and C of this Section.

B. If there are no items on the agenda, the Chair will determine whether to hold the regularly scheduled quarterly meeting.

C. No vote shall occur without a quorum. A quorum shall be three voting members (Section 148-5C.). If it is determined by staff that a quorum will not be available for a scheduled Commission meeting, the Chair may cancel the meeting and any applicants will be notified as soon as possible. No applications may be reviewed in the absence of a quorum.

Link to the Agenda Center - http://westminstermd.gov/agendacenter

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Section 4. Proceedings

A. The following configuration shall be the normal order of the Commission Agenda:

1. Call to Order
2. Approval of Minutes
3. Old Business
4. New Business
5. Commission Comments
6. Staff and Public Comments
7. Adjournment

Section 5. Application Procedures

A. Any applications to be reviewed by the Commission must be submitted to staff, with all required information, no less than fifteen (15) days prior to a regularly scheduled Commission meeting.

B. An application is deemed to be complete when it has been accepted as such by the Commission at a meeting.

C. The Commission will review all materials in the application and all materials presented before and during the meeting before it makes any decision.

D. The applicant or the applicant's authorized agent must appear at all meetings at which the application is scheduled to be considered. In the absence of any personal appearance on behalf of the applicant, the Commission will either continue the application until the next regularly scheduled meeting or deny the application.

E. If the applicant or the applicant’s authorized agent is absent for two consecutive meetings, the application will be considered withdrawn and another application, together with any applicable review fee, will be required for further consideration of the matter.

Section 6. Order of Presentation

A. The following is the order for the presentation of an item before the Commission:

1. Government officials and agency representatives
2. Applicant or petitioners
3. Other supporting testimony
4. Organizations or groups opposing the application
5. Individuals opposing the application
6. Rebuttal
7. Sub-rebuttal
8. Closing statements by applicant or petitioners
9. Closing statements by Government officials and agency representatives

B. Members of the Commission may ask questions of any person speaking on a current agenda item at any time during the presentation of said item is before the Commission.

C. The Commission may require witnesses to testify under oath or affirmation. The Chair shall administer any oath or affirmation.

"Do you solemnly swear or affirm that the responses given and statements made in this meeting before the Westminster Tree Commission will be the whole truth and nothing but the truth? If so, answer, I do".

Section 7. Who May Be Heard

A. Any interested person may be heard by the Commission before it reaches any decision on any matter.

B. Any person wishing to be heard before the Commission shall clearly state the following:

1. Their full legal name
2. Their full legal address

C. The Chair shall enforce time limits for all persons wishing to speak at any meeting.

1.	Applicant initial presentation	5 minutes
2.	Applicant rebuttal presentation	5 minutes
3.	Individual public testimony	3 minutes
4.	Group public testimony	5 minutes

Section 8. Decisions

A. After the conclusion of the meeting, the Commission shall file with the Director of Community Planning and Development a written decision indicating its approval, modification or rejection of the application and plans submitted to it for review. The decision shall include findings of fact. No work shall commence on any application until after the Director of Community Planning and Development has received confirmation from the Commission that the application was approved.

B. The Commission shall advise the applicant of any proposed modifications that should be considered for approval at a subsequent meeting.

Section 10. Special Meeting

A. Under unusual circumstances, the Chair may call a special meeting of the Commission.

B. For special meetings, an agenda will be posted on the City webpage at least twenty-four hours prior to the meeting. The agenda will include the date, time, place of the meeting, a list of items to be reviewed, and the date the agenda was posted.

Section 11. Custody of Records

The Department of Community Planning and Development shall maintain the records of the Commission.

Section 12. Appeals

An appeal from the Commission's decision may be taken to the Mayor and Common Council within ten (10) days after receipt of such decision. Decisions from the Mayor and Common Council shall be final.

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These Rules of Order and Procedure relating to The Tree Commission have been adopted this _____ day of _____, 2020, by the Tree Commission of the City of Westminster.

_____

Steve Allgeier, Chair
Tree Commission of the City of Westminster

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