

**CITY OF BILOXI
TREE COMMITTEE MEETING**

**Minutes
May 14, 2018**

Members in attendance: Robin Rodolfich (1), Tracy Wyman (2), Matt Dubaz (3), Geneva Dummer (4), Carroll Campbell (5), Bernie Marinovich (6), Brian Lamar (7)
Members not present: None
City Council Representation: Robert Deming (4), Dr. Paul Tisdale (5)
Public Representation: Deanne Stephens

I. Call to Order 4:06 p.m.

II. Reading and approval of April 2018 Minutes

Minor grammatical and spelling changes were made to the April minutes, as well as referenced Appendices being added. A motion to approve and accept the April 2018 Meeting Minutes as revised was made by Matt Dubaz. The motion was seconded by Robin Rodolfich. Motion carried.

III. Welcome

City Council and public representatives were welcomed, along with new Tree Committee nominees Geneva Dummer (Ward 4) and Brian Lamar (Ward 7).

IV. Ongoing Business:

A. Current Issues & Code Violations

1) Code Violation Standard / Windshield Survey Procedures revised and updated.

- a. Each Committee Member received a Windshield Survey Folder for their Ward that included:
- Biloxi Ward Map
 - Map with their Ward highlighted
 - Code Violations Reporting Form

Each member is to take relevant photos and note any code infractions as related to City of Biloxi Trees on the Form. They are to report the violation directly to their Councilperson (or the Councilperson of the Ward in which the violation exists). All images and email correspondence is to be printed and attached to the back of the form for reporting to the Committee at the next month's regular Tree Committee Meeting. Each Committee member is responsible for follow-up with their Councilperson until the code violation is resolved.

- b. Soliciting Volunteers - Each Committee Member is encouraged to solicit volunteers from their Ward to be on the watch for tree-related issues, reporting issues to their Ward's Tree Committee Member.

Tracy Wyman will contact Vincent Creel regarding placing announcement in the B-Mail to solicit Tree Committee Volunteers.

Bernie Marinovich made a motion that the updated reporting procedure be adapted, and that an announcement go out via B-Mail to solicit Ward volunteers. Robin Rodolfich seconded the motion. Motion carried.

2) Windshield survey reports by Ward Representatives.

Please note that properties reported by a representative do not necessarily fall within their Ward.

a. Ward 1 Report by Robin Rodolfich:

(1) Sawgrass property.

Issue: Parking trailer beneath tree canopy.

Reporting Status: Reported to City

City Response: Issue resolved.

(2) Tony Lee property on Briarfield.

Issue: Trash, vegetation, hazardous trees.

Reporting Status: Reported to City

Outstanding Action Needed: Tree Committee will follow-up to be sure City requires property owner to submit a mitigation plan for the three trees cut.

(3) La Quinta Inn property.

Issue: Excessive tree removal without permit and no tree protection fencing was in place.

Reporting Status: Reported to City.

City Response: "The developer only removed 4 protected trees from site so tree permit is not required."

Discrepancy: According to the City of Biloxi Land Development Ordinance.

[Outstanding Action Needed: The Tree Committee will pursue fines and mitigation.

(4) 1245 Kensington Drive.

Issue: Storage beneath canopy.

Reporting Status: Reported to City

City Response: "It wasn't enough to be a problem."

Outstanding Action Needed: Tree Committee will investigate whether this is in conflict with the LDO, and if so, pursue fines.

(5) 1264 Kensington.

Issue: Dumpster beneath canopy.

Reporting Status: Reported to City

City Response: "The dumpster was atop a former drive." This explanation is justifiable and presents no issue and is thus considered resolved.

(6) Circle K Property on Cedar Lake.

Issue: Property was clear-cut without Tree Committee notification or review. The best live oak on the property's SE corner was retained.

Reporting Status: Reported to City.

City Response: Acknowledgement of non-compliance to the City of Biloxi Land Development Ordinance.

Outstanding Action Needed: The Tree Committee will ask City to pursue fines and mitigation as per LDO.

(7) Finish Line property at McDonald, Hwy 90 and Irish Hill.

Issue: Storage beneath tree canopy.

Reporting Status: Reported to City
City Response: Issue resolved.

- b. Ward 2 Report by Tracy Wyman: None.
 - c. Ward 3 Report by Matt Dubaz:
 - (1) Hyatt Place property next to the cemetery.
Current Status: Mitigation in place with several 3" live oaks noted.
 - d. Ward 4 Report: None.
 - e. Ward 5 Report by Carroll Campbell:
 - (1) White House Hotel property.
Issue: A substantial and protected live oak, perceived to be living by Tree Committee Member, was cut down on 4/29/18.
Reporting Status: Reported to City.
City Response: "The tree was dead."
Tree Committee Response: Upon revisiting the photograph provided, the Tree Committee Member agreed the tree was dead. Issue Resolved.
Outstanding Action Needed: This case brings to question the LDO allowance for removal of dead trees without a permit. The topic will be considered as the revisions to the LDO are drafted.
 - (2) Davis & Davis property.
Issue: The Tree Committee formally reviewed this property and recommended retaining some of the trees. All have been cleared.
Reporting Status: The Tree Committee will report this to the City, and follow-up regarding mitigation.
 - f. Ward 6 Report by Bernie Marinovich: None.
 - g. Ward 7 Report: None.
- 3) Other Issues of Concern.
- a. The Tree Committee is still not receiving Tree Permit Applications as stipulated in the LDO, and as requested. Carroll will follow-up on this with the City Arborist.
 - b. Mitigation Plans in need of tracking include Hilton Garden; Hyatt Place; LaQuinta; Davis & Davis; possibly White House Hotel; Sawgrass; Circle K on Cedar Lake.
 - c. Matt Dubaz raised the question as to what penalties regarding tree issues have been served to property owners. He will reach out to the City Arborist and/or necessary parties, and obtain a list of all penalties regarding trees that have been issued since February 2016.
- B. Public Meetings Reports
- 1) DRC Meeting Report by Bernie Marinovich and Robin Rodolfich.
 - a. Pedestrian Overpass on Hwy 90 at WW2 Monument.
The proposed design was reviewed with Tree Committee Members and the City Arborist on 3-22-2018. The Tree Committee recommended 3 alternative locations to the City in order to protect one healthy 42" DBH Live Oak at the WW2 Memorial

(See April 2018 Tree Committee Minutes, Appendix A). These alternatives and others were discussed in the DRC meeting, assessing the pros and cons of each. A tentative plan allows for protection of the tree in question with only minimal adjustments to the initial design. Tree Committee should watch for this issue to be addressed at a future DRC Meeting.

- b. Blake @ Biloxi on Poppo Ferry Road.
No known tree issues. Tree Committee should watch for issues that may surface at the next DRC Meeting.
- c. FunTime USA Property.
The project was reviewed by DRC. The property is zoned appropriately for the project, and the developer is interested in retaining as much shade as possible stating that only minimal trees will be removed. The Tree Committee will schedule a site visit with the City Arborist to review the site plan.

- 2) Planning Commission Report by Carrol Campbell.
 - a. Wash Fayard Subdivision with frontage on John Lee Road.
Application has been returned to DRC for redesign due to driveway issues resulting from the triangle-shaped lots which present challenges. The Tree Committee should keep a watch on this.

- b. Property bordering LaQuinta has been tabled until 7/5/2018.

- 3) AHRC – No report

- 4) City Council – No report

- C. Sites Reviewed

- No sites were reviewed by the Tree Committee this month.

V. **Current Business**

- A. Agenda/Minutes Publication Update.

- Tracy Wyman reported that all Agenda and Minutes from January 2018 forward are now uniformly formatted and uploaded to the City Website. Minutes dating from June 2016 will be uploaded as time allows, with a goal of this task being complete by the June 2018 meeting.

- B. Tree Mitigation System Development Update.

- Tracy Wyman reported that the Mitigation System Development has not moved forward. The following agreed to take on this task in a team or sub-committee approach: Tracy Wyman, Carroll Campbell, Brian Lamar, Matt Dubaz, and Geneva Dummer. The Mitigation System Sub-committee will schedule a time to work out the details of developing a system, and present the draft plan to the Tree Committee in the June 2018 Meeting.

- C. LDO Revisions Update.

- Tracy Wyman reported that the Draft LDO Verbiage has not yet been compiled for delivery to Councilman Tisdale. Tracy Wyman and Carroll Campbell will work to draft the compiled revision recommendations and provide the draft to the Tree Committee in the June 2018

meeting. Bernie Marinovich brought our attention to the Tree Permit Application which requires a 7-day turn-around and review by the Tree Committee. Currently, the LDO requires a 10-day review by the Tree Committee for site plans. This verbiage will be revised for consistency and be reflected in our draft LDO revisions.

Additionally, it was noted that it would be helpful to add a hyperlink to the Tree Permit Application on the Tree Committee Page of the City website. Tracy Wyman will send this requested revision to Vincent Creel.

- D. Attendance at DRC, Planning Commission, AHRC, and City Council Meetings.
In order to more equitably distribute the responsibilities of meeting attendance and reporting, the following members volunteered to be responsible for public meeting attendance as follows:

DRC Meetings: Robin Rodolfich and Bernie Marinovich.

Planning Commission & BZA Meetings: Carroll Campbell, others needed.

AHRC Meetings: Matt Dubaz (1 per month), others needed.

City Council Meetings: Carroll Campbell and Brian Lamar.

We will continue to try and fill additional slots.

- E. Tree Committee Officer Roles Defined.

The need to clearly define Committee officer roles was presented and discussed.

After discussion, the following was proposed:

- 1) Chair (Carroll Campbell): Spokesperson (to City) on behalf of the Tree Committee, Present Quarterly Reports to City Council, Finalization of Meeting Agenda, Meeting Facilitation, Oversight of Sub-committees.
- 2) Vice-Chair (Bernie Marinovich): Oversight of Public Meeting Attendance Schedule and/or Calendar; Fill duties of Chair in their absence, or as needed and requested by Chair.
- 3) Secretary: Take notes at regular Tree Committee Meetings; Prepare and disseminate Agenda and Minutes to Committee Members and for City Website.
- 4) Community Outreach Liaison (Brian Lamar): Coordinates and informs volunteers; Maintains volunteer list, contact information, and hours worked, oversees public communications such as press releases.

Carroll Campbell made a motion to accept the Tree Committee Officer Roles as defined above, including the addition of the Community Outreach Liaison position to be filled by Brian Lamar. Matt Dubaz seconded the motion. The motion carried.

- F. Tree Committee Representation Updates.

- 1) Ward 4. Geneva Dummer has been nominated by the Ward 4 Councilperson Robert Deming, pending approval by City Council.

- 2) Ward 7. Brian Lamar has been nominated by the Ward 7 Councilperson Nathan Barrett, pending approval by City Council.

Tracy Wyman will get the two new Tree Committee Members copies of all past minutes and documentation to bring them up to speed on the work of the Committee thus far.

VI. Public and Additional Comment

- A. Deanne Stephens attended and spoke out about the two years' work that occurred prior to the establishment of the Tree Committee (from 2014-2016), and acknowledged her understanding of the difficult task of the Committee from 2016 to present. She shared stories of how the 'pre-committee' met in homes of concerned citizens, invited City Council members and City staff into their homes to find a way to address issues of Biloxi's natural resources—trees, not being valued. She sat through the entire two-hour Tree Committee meeting before expressing her voice on this matter. She concluded with expressing her gratitude to see the matters the Tree Committee is currently addressing being in alignment with much of what was spoken in those early home meetings. The Tree Committee is truly grateful for concerned citizens who will team with us to protect Biloxi's natural and historic heritage—our trees.
- B. Councilman Tisdale directed the Committee to investigate the City's GIS feature on its website. Councilman Tisdale also mentioned that Code Enforcement maintains a practice of video-taping on-site. The video footage may be available for our use if needed.
- C. With swaths of area in Woolmarket with no roads, Brian Lamar noted the GIS feature may well be extremely helpful, and noted that Google maps has started adding meta data which includes date of photo which may also aid as we conduct our Windshield Surveys.
- D. Matt Dubaz suggested the Public Comment section be moved to the beginning of the Agenda. This will be added to the June Agenda for discussion and consideration.

VII. Meeting Adjournment 6:04