



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft HABITAT STEWARDSHIP SUBCOMMITTEE

Tuesday, April 20, 2010

4:00 PM

210 M L King Jr. Blvd. Room 103A

NOTE: LOCATION CHANGE

I. CALL TO ORDER / ROLL CALL

Present: 5 -

Janet Parker; Steven R. Bassett; Evelyn A Howell; Brock E. Woods and Daniel Einstein

A meeting of the Habitat Stewardship Subcommittee of the Park Commission was held on Tuesday, April 20, 2010 in the City-County Building, 210 Martin Luther King, Jr. Blvd., Room 108. Chair Einstein called the meeting to order at 4:02 p.m. A quorum was present and the meeting was properly noticed. Happy Earth Week!

Parks Staff Present: Marla Eddy, Russ Hefty, Jim Weinstock, LaVonne LaFave, Kay Rutledge

II. APPROVAL OF MINUTES

A motion was made by Parker/Einstein to approve the Minutes of March 9, 2010 Meeting. MOTION CARRIED UNANIMOUSLY.

III. PUBLIC COMMENT

Registered Speaker for item not on Agenda:

Jim Powell Fireworks in city parks, particularly in Warner Park

A motion was made by Parker/Howell to include fireworks displays in parks on the next agenda.

IV. PUBLIC HEARING ~~ 4:05 p.m.

Madison Gas & Electric's 2010 Line Clearance Request

Chair Einstein declared the public hearing on Madison Gas & Electric's 2010 Line Clearance request open.

Registered Speaker:

Lu Kummerow Her trees

Following the speaker, Chair Einstein declared the public hearing closed.

A motion was made by Howell/Bassett to approve Madison Gas & Electric's 2010 Line Clearance Request and to have the City Forester issue the annual permit. MOTION CARRIED UNANIMOUSLY.

Following the public hearing, the subcommittee returned to the public comment topic. The motion was restated: A motion was made by Parker/Howell to include fireworks displays in parks on the next agenda. MOTION CARRIED UNANIMOUSLY. Staff was requested to contact someone from Public Health or other appropriate agencies regarding fireworks smoke issues.

V. NEW BUSINESS

18046

Authorizing the execution of a Declaration of Public Water Main Easement pertaining to lands located within Knollwood Conservancy Park.

Applicant to present more detailed plans identifying all species and size and location of all vegetation to be disturbed.

Adam Wiederhoeft of the Madison Water Utility reported this Easement is in conjunction with the Cannonball Run ped-bike project that will include the installation of a public water main. The Cannonball Run Pipeline project follows the railroad corridor between Fitchburg and Madison. It is a four phase bicycle project that will run from Greenway View in the Arbor Hills neighborhood along the railroad corridor to the boundary between the Arboretum and Knollwood Conservancy Park. Ultimately the project will connect to the Military Ridge Trail and run north to Fish Hatchery Road.

The reason the Water Utility is involved is because the Arbor Hills neighborhood is supplied by only one water main, and is experiencing inadequate water flow for fires. The Cities of Madison and Fitchburg are cooperating to install the water main down the Cannonball corridor bike path. One proposal is a connector from the railroad right of way through Knollwood Park to Westview Lane. The city is working with SEH design consultants on this project.

The proposed path will require some vegetation clearing in the park for the water main. Because this is a conservancy it is a sensitive area. There are some existing footpaths in the area and culverts that go over the creek bed. The water main would be located down the center of the connection path from the creek bed to Westview Lane and would then parallel an existing path but will require some clearing. The Water Utility's survey staff will stake this area to allow Parks to view the area. The Park is about 15 acres and it appears there may be 10 to 15 trees that will be affected along the path covering about 1/5 of an acre.

The water main easement was drafted by the city Real Estate Section and covers the same surface as the Cannonball Run. The two projects would be built on the same contract as the bike path. SEH is under a design contract

and their plans are to be advertised by May 7, 2010. Water Utility is piggybacking onto the city Engineering contract and is under the impression that it has already been established. The amount of disturbance would be the same whether or not the water main is constructed. The only difference is the water main will be put in first and then the path would be put in so there will be only one set of clearings required.

Hefty interjected that he has spoken with Fernandez regarding the construction of the path and its proximity to the sand prairie located in the conservancy.

There will be a deviation from the current opening at Westview to the railroad corridor. That was set before the Water Utility was involved. It is believed that curve is needed to conform to bike path requirements. It will be difficult to predict damage until the species and diameters of the trees are determined. Hefty has not viewed the area because it has not yet been marked.

Habitat Stewardship has been included because the path will run through the conservancy. The Easement is for the water main located under the path. The issue of the water main doesn't further impact the park beyond the path that will be constructed, requiring that the trees be cleared. Members indicated they wanted further information regarding the diameter and species of trees to be impacted before making any recommendation.

A motion was made by Howell/Parker to refer Resolution ID#18046 Authorizing the execution of a Declaration of Public Water Main Easement pertaining to lands located within Knollwood Conservancy Park until information regarding the diameter and species of trees and any other vegetation to be removed and/or disturbed are known. MOTION CARRIED UNANIMOUSLY.

V. OLD BUSINESS

Effigy Mounds Management Plan

Hefty reported that the recommendations described in the printed material are what have been recommended by State Historical representatives. Members are satisfied that the recommendations describe current practices and set forth policies and guidelines to follow under different circumstances. Staff is cognizant of the fact they are a valuable cultural resource and want to do the best they can to protect them and to respect the mounds so they are not disturbed.

There was a brief discussion regarding the diameter of trees growing on mounds. Those that are 14" or less will be removed. Those that are larger will remain unless they are deemed hazardous, dead or damaged, in that they would harm the integrity of the mound.

A motion was made by Parker/Woods to approve the Management Recommendations for the care of Effigy Mounds in City of Madison Parklands. MOTION CARRIED UNANIMOUSLY.

Parks Vegetation Management Plans

Hefty reported this was originally discussed by the Subcommittee and determined that initially, a vegetation management plan for Owen Park would

be prepared for review. Good data was obtained from a UW student but putting it in a final format has not been accomplished. The Lakeshore Nature Preserve Plan could be used as a guideline. The preparation of a specific management plan for the recently acquired north unit of Cherokee Marsh would be a good test model since no master plan is in place that addresses trails and vegetation management. It may be a good location to use a process where a contractor does biomass harvesting to thin out exotics and end up with a cleaner landscape. The goal is to have a draft available in the fall that could be implemented this coming winter when ground is frozen.

Registered Speakers:

NAME	Support	Oppose
Jim Carrier	Warner Park	Wildlife preserve Mowing
Jim Powell	Warner Park	Habitat protection/Mgt R&B & mega events
Delores Kester	Warner Park	Better balance of activities
Maria Powell – not speaking	Warner Park	“” “”

The Park Commission had a request from the airport to deal with Canada geese because of the number of geese showing up at the airport. The Commission asked staff to develop long term guidelines up with the Airport to deal with geese in a more comprehensive manner. A primary method will be vegetation management, expansion of the no mow areas by the waterways to discourage goose activity and planting native wildflowers and aggressive prairie plants that are a visual barrier by the water. Trees and shrubs could also be planted in key locations by the water that would also benefit other wildlife. Other management tools will be used to discourage nesting success, such as oiling or adding eggs with the permission of the DNR. Hefty went out on the Warner lagoon to determine where geese are nesting. They are on the higher elevation of the island by the cottonwood/reed canary forest. Staff will be presenting options at the next Park Commission meeting.

Staff has only been directed to create a management plan regarding geese and not to create a management plan for all vegetation in Warner Park. Parks staff will be meeting with Airport personnel to discuss the geese management.

Howell inquired about the document from the Ad Hoc Waterfowl Committee several years ago and suggested it be reviewed for the current issue. It is important to talk about vegetation and wildlife more generally. She recommended that staff be directed to look at other issues in conservation management, in addition to the geese. Such as, what would happen to vegetation if something were done or if nothing were done, etc. This would tie in to what was heard earlier regarding events in the park. There is no written management plan for the conservation areas in Warner Park, nor are the written management plans for conservations areas in other city parks such as Elver, Garner and Hoyt Parks, due to a lack of resources/staff. Conservation parks are the best of the best for wildlife management and the work in general parks is done almost exclusively by volunteers.

Members indicated that it was time for the master plan to be redone for Warner Park. The neighborhood plan touched on some of those issues but that just pointed out how much a master plan is needed. Rutledge added that a Master Plan for Warner Park is a very big effort and not in our program for 2010 but is proposed for the budget in 2011. In response to a question about whether

Parks staff should start meeting monthly with the neighborhoods, it was stated that those meetings work better in concert with the budget master planning process with an emphasis on dealing with wildlife.

Parks staff are preparing a list of options for the Park Commission in order to develop a long term plan to deal with geese after the Airport conducts its rounds up in June.

A motion was made by Parker/Howell to request that the Parks Division place the Master Plan for Warner Park in the budget for 2011 and in the interim to ask staff to develop management approaches and strategies covering a range of habitat issues for wildlife and vegetation to balance the natural areas with the developed areas. MOTION CARRIED UNANIMOUSLY. A suggestion was made that in the interim, Parks staff discuss general parks maintenance practices that will protect wildlife.

A motion was made by Howell/Parker to take Madison Fruits & Nuts out of order. MOTION CARRIED UNANIMOUSLY.
Madison Fruits and Nuts

Registered Speakers:

NAME	SUPPORT	OPPOSE
Percy Mather	XX	
Jim Winkle	XX	
Judy Skog	XX	
Twink Jan McMahon		XX

The general guidelines and review process to evaluate plantings in city parks was distributed. A new section on managed meadows was added. This document identifies the various information Parks staff needs to review applications. Based on the initial application, additional information would be requested that includes a planting plan based on recommended species as well as maintenance and harvest plans for the plantings. If the review is favorable, an agreement would be entered into to use the park. The City Attorney and Risk Manager have recommended the use of a lease similar to that used for Community Gardens.

If there is a perceived conflict in location, staff would identify an alternate location or option. If the applicants disagree they have the option of appealing to the Park Commission. The Park Commission could refer the appeal to this subcommittee. Parks Planning personnel, forestry and conservation staff comprise the review team.

A motion was made by Howell/Bassett to approve the process as outlined and to forward it to the Park Commission for their approval.

A lengthy discussion took place regarding the type of legal document to be used. A lease might preclude some groups from applying because of the fee and need for insurance. The Margaret Pohle Garden volunteer project was mentioned. That application specifically states that if volunteers choose not to continue to maintain an area, the Parks Division could mow it down and turn it back to turf. If volunteers no longer wanted to care for fruit trees, would the Parks Division remove them and then how would that be viewed by citizens.

An agreement about maintenance should discuss that the trees don't become a nuisance or attract unwanted wildlife. The Lease was suggested because tree plantings are more permanent than a flower garden. An alder can request that the lease fee be waived. It was also noted that the community gardens participants take their produce home and pay rent for their plots. If the fruit trees were fenced for the use of specific individuals, a lease would be more appropriate, but in this instance the fruit would be available to any citizen who wanted to pick it. Some members were uncomfortable going against the advice of the City Attorney and Risk Manager without knowing their reasons. The Risk Manager looks at all aspects of potential problems, such as rotting fruit or nut trees and allergies. Real Estate and the City Attorney would need to weigh in on whether or not any provisions in the Community Garden lease could be modified for this type of application.

It was not known what type of agreement is used in other cities for fruit orchards. It is believed that many cities operate with the type of agreement used for the Margaret Pohle Gardens. One city plants them as street trees.

Frustration was expressed regarding the need for a lease and the level of review for this project. The subcommittee does not weigh in on tree plantings in parks as it does for street trees. There are already fruit and nut trees in parks. Some members indicated they had no problem with the city asking for some type of agreement for this project. If the \$200 is an insurmountable hurdle, it could be waived. The volunteer groups should formulate some type of plan and agreement on what will be done – who's going to harvest the fruit, where will it go, can it be sold, etc.

A motion was made by Parker/Wood to substitute the words "Memorandum of Understanding" in place of "Lease Agreement" in the guideline process and to work out the terms of the MOU so there is a clear understanding of what the steward group is to do, delete the box referring to the Lease Agreement, and to add a box regarding conflict resolution and the appeal process. In response to a request for separation of the two concepts in this motion, the maker and seconder agreed. A vote was taken on the conflict resolution/appeal process portion of the motion. MOTION CARRIED UNANIMOUSLY. A vote was then taken on the first portion of the motion to substitute the words Memorandum of Understanding in place of Lease Agreement. Parker and Woods voted Aye; Howell, Bassett, Einstein voted Nay. MOTION FAILED.

The City Attorney and Risk Manager felt a community garden type of lease would be appropriate because of the liability issue of fruit trees in parks, the need for pruning, maintenance, etc. It was suggested that the Risk Manager and City Attorney be invited to the Park Commission meeting to address their concerns.

In April, the Park Commission approved those projects where grant applications had already been submitted, to allow them to move forward. The other groups interested in starting planting projects are looking at 2011. The Park Commission did not take any action on the actual agreements in terms of guidelines because this subcommittee had not fully reviewed those guidelines and made a recommendation. When consensus is reached on how to move forward with the program, it will then go back to the Park Commission for its approval. An agreement needs to be in place before the plantings occur.

The original motion was restated: A motion was made by Howell/Bassett to approve the process as outlined and amended above and to forward it to the Park Commission for their approval. MOTION CARRIED with Parker voted Nay.

A motion was made by Howell/Parker to approve the species list as recommended for the fruits and nuts plantings. MOTION CARRIED UNANIMOUSLY.

Members requested that they view the species list on all plantings. Applicants could petition to have other species added to this list.

The remaining agenda items were deferred to the next meeting.

No signs in Trees

Mulching of Trees

Trimming Trees Near Solar Panels

Olin-Turville Conservation Efforts

VI. Next Meeting

Due to the need for a response to the Knollwood Water Utility Easement a request was made to hold the next meeting before the May Park Commission meeting so the Habitat Stewardship recommendation can be forwarded to the Park Commission.

May 4, 2010 at 4:00 p.m. The fireworks question will be added to that agenda.

VII. ADJOURNMENT

On motion of Parker/Bassett the meeting adjourned at 6:27 p.m.