

Legislation Text

File #: 18-0255, **Version:** 1

Summary

To: Mayor & Commissioners
From: JP Murphy
Date: 8/31/2018

Subject: Hallett Park Maintenance

Summary:

The Town is in receipt of a letter (see attached) where Mr. Whiddon and his surrounding neighbors have offered to have Boen's Tree service, trim the bluff. Their proposed methodology would trim 6 to 12 inches above grade, down the bluff and remove invasive species and trees smaller than 4". This one-time maintenance would be provided at their shared expense. Staff would recommend that the project, if approved, be executed as a grant-funded project, with project management and oversight conducted by Public Works.

Previous Commission Action: The Commission previously approved simply conducting reach mower cuts as far as practical. The means and methods being proposed are more invasive than a simple "trim off the top" if you will, but staff does not believe it will affect the stability of the bluff. The vendors the town solicited to do the work last time declined to bid on the work again citing safety concerns. Mr. Allison previously spoke with Mr. Boen and was assured that they thought they could do the job safely.

Background/Problem Discussion: The Master Landscape Plan (Adopted in 1997, Sec. 50-2 in code of ordinances), gives direction on how the bluff edge at Hallett Park should be maintained. The exact language is summarized below:

"The Grounds Maintenance Personnel shall mow the existing slope vegetation of the Hallett Park embankment with a 12 to 15 foot reach sickle bar mower. Mowing frequency will be as soon as the vegetation within the reach of the mower blade is 2 feet above the top of the slope. More frequent mowing may occur at the direction of the Town to maintain a clear "view shed" of the waterway. The mowing shall be at an angle of - 30 degrees to the top of the slope to minimize mowing frequency. Maintenance of the "view" shall include the full length of the linear park and any other peripheral areas as directed by the Town.

Regular maintenance will be restricted to mowing or trimming vegetation other than desirable trees and shrubs or protected species at the top 12 - 15 feet of the embankment only. Trimming of any protected species shall be done at direction of the Town and only after all proper permits have been acquired. No work on the slope of the embankment, other than routine maintenance operations, shall be undertaken without the express direction from the Public Works Director and the Town Engineer"

Based on the fact that neither the land development code, nor the Comprehensive Plan carry any jurisdiction over the activity in question, staff has to look to the general section of the Code of Ordinances for guidance. That guidance very clearly states the means and methods of mowing the embankment, and provides for deviation only with the authorization of the Town Commission. Since the Commission previously ruled on a methodology, they will have to also find that this trimming would be appropriate for this one-time. The

trimming likely cannot wait until the town takes delivery of the Urban Forestry Truck, Though Boen's may be able to cut the bluff this way. Staff is reaching out to Boen's for more information. More information can be found by following the related files links on the agenda site.

Expenditure Challenges: We do not currently have estimates for the work. I would suggest that the town cooperatively fund this project either through amounts from the maintenance budget and/or through in-kind services.

Recommendation: N/A

Proposed Motion: N/A