

River Heights City

COUNCIL MEETING AGENDA

Tuesday, March 3, 2020

Notice is hereby given that the River Heights City Council will hold its regular council meeting beginning at 6:30 p.m. in the River Heights City Office Building at 520 S 500 E.

Opening Remarks (Milbank) and Pledge of Allegiance (Thatcher)

Adoption of Previous Minutes and Agenda

Reports and Approval of Payments (Mayor, Council, Staff)

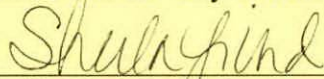
Public Comment

Tree City USA Presentation by David Thunell

Review Capital Projects and Repairs

Adjourn

Posted this 27th day of February 2020



Sheila Lind, Recorder

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov).

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

Council Meeting

March 3, 2020

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8 Present: Mayor Todd Rasmussen
9 Council members: Doug Clausen
10 Sharlie Gallup
11 Chris Milbank
12 Blake Wright
13
14 Recorder Sheila Lind
15 Public Works Director Clayton Nelson
16 Treasurer Wendy Wilker
17
18 Excused: Councilmember Elaine Thatcher
19 Finance Director Cliff Grover
20
21 Others Present: David and Eryn Thunell, Mark Malmstrom, Dane
22 Gyllenskog, Heather Lehnig

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25 The following motions were made during the meeting:

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27 Motion #1

28 Councilmember Wright moved to “adopt the evening’s agenda.” Councilmember Milbank
29 seconded the motion, which passed with Clausen, Gallup, Milbank, Thatcher, and Wright in favor. No
30 one opposed. Thatcher was absent.

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32 Motion #2

33 Councilmember Clausen moved to “pay the bills as listed.” Councilmember Milbank seconded
34 the motion, which passed with Clausen, Gallup, Milbank, and Wright in favor. No one opposed.
35 Thatcher was absent.

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37 Motion #3

38 Councilmember Gallup moved to “move forward to become a Tree City USA.”
39 Councilmember Clausen seconded the motion, which carried with Clausen, Gallup, Milbank and
40 Wright in favor. No one opposed. Thatcher was absent.

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42 Motion #4

43 Councilmember Wright moved to “adopt the February 18, 2020 minutes with changes as
44 discussed.” Councilmember Gallup seconded the motion, which carried with Clausen, Gallup,
45 Milbank and Wright in favor. No one opposed. Thatcher was absent.

Proceedings of the Meeting:

The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in the River Heights City Building on Tuesday, March 3, 2020 for their regular council meeting.

Opening Remarks and Pledge of Allegiance: Councilmember Milbank opened the meeting with a thought and Councilmember Clausen led the group in the Pledge of Allegiance.

Adoption of Previous Minutes and Agenda: Councilmember Wright had a number of changes to the February 18, 2020 minutes. Mayor Rasmussen requested they have this discussion at the end of the meeting.

Councilmember Wright moved to “adopt the evening’s agenda.” Councilmember Milbank seconded the motion, which passed with Clausen, Gallup, Milbank, and Wright in favor. No one opposed. Thatcher was absent.

Reports and Approval of Payments (Mayor, Council, Staff):

Public Works Director Nelson

- The 400 South Road Project notice will go out March 5, 7 and 14. The bid opening is scheduled for March 17. Councilmember Clausen was concerned if there would be enough time for contractors to get the irrigation ditch piped before the water is let in in May. Mr. Nelson said it is possible, but couldn’t be sure because it will depend on what bids come in. Mr. Clausen discussed the timing. There was discussion on whether this deadline was in the bid. Mr. Clausen asked if they will choose the contractor that can get the pipe installed before the 15th of May. Mr. Nelson didn’t feel the city should award the bid to a contractor whose price may be higher, in order to get the pipe installed by the 15th, to the benefit of 8-10% of the city’s residents. Mr. Clausen was frustrated the ad wasn’t posted 2 months ago. He will check with Engineer Rasmussen to make sure the contractors know there is a May 15 completion date for the irrigation construction.

Finance Director Grover was absent.

Treasurer Wilker

- She presented the list of bills to be paid.

Councilmember Clausen moved to “pay the bills as listed.” Councilmember Milbank seconded the motion, which passed with Clausen, Gallup, Milbank, and Wright in favor. No one opposed. Thatcher was absent.

Councilmember Thatcher was absent.

Councilmember Milbank

- He reported that he and Councilmember Wright discussed the park by the cemetery. There is \$60,000 in the budget and he would like to move forward with improvements. He asked about the final layout. Mr. Wright stated the council will make this decision. If they don’t feel they want to spend the money this year, it could be moved to another budget, where there was a greater need. He suggested they decide on a layout before installing infrastructure. He will check with Mike Kelly (the person who submitted the designs a few years ago) to see if he can draft a few more plans to consider. He doubted they would spend \$60,000 before July. He had

93 hoped to get started on infrastructure and get cost estimates from the engineer this year, but it hasn't gotten to this point yet.

95
96 Mark Malmstrom asked if there will be an opportunity for public input before a plan is decided
97 on. Councilmember Wright informed there have been two public hearings and there will be
98 another one, as well.
99

- 100 • Discussion was held on the park in Saddlerock Subdivision. There is \$10,000 in the budget for
101 a covered pavilion. Mr. Milbank will check into some designs and PWD Nelson will work on
102 getting some bids. Mr. Nelson reminded they have a rock for the park which they were going
103 to engrave the name on, but an official name hadn't been decided. They all agreed to name it
104 Saddlerock Park. Part of the \$10,000 will go towards the engraving.
105

106 Councilmember Clausen didn't have anything.
107

108 Councilmember Gallup

- 109 • She has scheduled an ambassador meeting this week to get the youth involved in planning
110 community events this summer. She is hoping for six youth activities and 3 concerts in the
111 park for all residents. She has a number of interested teens (ages middle school through high
112 school) who are spreading the word to get more to join.
113

114 Councilmember Wright didn't have anything.
115

116 Recorder Lind

- 117 • She asked what was decided at the last meeting, in regards to TV/projector setup for the council
118 room. She was told FD Grover was going to get a name to PWD Nelson of someone who
119 could give another bid. Mr. Nelson said the last bid they received was the lowest it's ever
120 been. Mayor Rasmussen said he would get with FD Grover to find out who he recommended
121 and then give the information to Mr. Nelson to set up a time to get a bid.
122

123 Mark Malmstrom and David Thunell expressed support for the projector system and felt the
124 public would benefit from it.
125

126 Mayor Rasmussen didn't have anything.
127

128 Public Comment: There was none.

129 Tree City USA Presentation by David Thunell: Mr. Thunell introduced himself and fellow
130 arborists Mark Malmstrom and Dane Gyllenskogg, all three of whom are residents of River Heights.

131 Mr. Malmstrom explained the Tree City USA Program. After cities meet certain requirements
132 they can achieve the designation of a Tree City USA. He noted other surrounding cities which belong.
133 He discussed the benefits of trees in communities. He hoped River Heights would adopt a quality tree
134 ordinance. The program educates people about trees and improves community pride.

135 Mr. Gyllenskogg handed out and discussed the standards for being a Tree City USA: 1) Create a
136 tree board. He offered the three of them to serve on this board, and suggested recruiting the public
137 works director, someone from the council and some residents. 2) A tree care ordinance is required.
138 He can get sample ordinances from other cities and was willing to help. A sample was handed out. 3)

139 \$2/resident is required in the city's budget. In the case of River Heights, this amount would be \$4,000.
140 It was pointed out that this amount is already being spent on upkeep and maintenance. 4) Observe
141 Arbor Day (last Friday in April).

142 Councilmember Milbank pointed out that the General Plan states that River Heights will apply
143 to be a Tree City USA.

144 Mr. Thunell discussed the four standards in more detail, by giving ideas on how River Heights
145 could meet these goals. He again offered their help to work with city officials and employees. Total
146 Tree Care was willing to sponsor the city's first Arbor Day celebration. They could have arborists
147 come to teach residents how to prune trees. Zollinger's Tree Farm was also interested in being a co-
148 sponsor to the event. The youth ambassadors could also be involved in plantings. They asked the
149 council to consider becoming a Tree City USA.

150 Councilmember Wright suggested the city's current street tree section in our ordinance and tree
151 guide could be used as a starting point.

152 Mayor Rasmussen asked how this program will benefit residents. Discussion was held on what
153 an Arbor Day Celebration looks like. Mr. Malmstrom said it raises awareness, education and shows
154 we care about trees.

155 Mr. Gyllenskog noted there is a yearly lunch sponsored for each of the cities involved, which
156 the mayor would be invited to.

157 **Councilmember Gallup moved to "move forward to become a Tree City USA."**
158 **Councilmember Clausen seconded the motion, which carried with Clausen, Gallup, Milbank and**
159 **Wright in favor. No one opposed. Thatcher was absent.**

160 Mr. Malmstrom said they will begin plans for an Arbor Day celebration and bring it to the
161 council. Mayor Rasmussen asked that they work with Councilmember Milbank and PWD Nelson.
162 Mr. Nelson suggested Councilmember Thatcher may want to be involved because of street trees.
163 Councilmember Gallup said the ambassadors will volunteer to help with the celebration.

164 Councilmember Wright reminded, the ordinance would need to start with the planning
165 commission.

166 Review Capital Projects and Repairs: Mayor Rasmussen reminded that FD Grover asked the
167 council to review the list of projects and make adjustments as needed.

168 PWD Nelson guessed the 600 South repairs will cost close \$70,000. If the council decides to
169 go ahead with this project, he recommended doing it as soon as school gets out. He originally thought
170 they would just fix the dip on 750 East, but after looking at it closer it was noted the road around it is
171 in bad shape. In front of the school is the worst part of the road. Chip seal was discussed as a possible
172 option for 600 South.

173 The budgeted \$60,000 for Stewart Hill Park may not all be spent, but they agreed to leave it as
174 a place holder for now.

175 PWD Nelson informed that the electric water reading meters are now 10 years old. They are
176 meant to last 10-15 years. He met with Mueller, the company who supplied the meters. They
177 informed they are doing upgrades on their software and electronic heads. After so long, all electronic
178 heads will need to be changed over. Through the end of this month the equipment that goes in the
179 truck to electronically read the meters is on sale for \$6,000. After this month, it will cost double. He
180 would also like to add another \$9,000 for new meters to change out the 30 bad ones and to have a few
181 on hand. Some meters will be covered by warranty. A new meter costs about \$200. He was hoping to
182 wait until July to put this in the budget, but the discount encourages us to do it sooner.

183 Councilmember Clausen agreed. Councilmember Wright suggested getting the figures on paper from
184 PWD Nelson for the next meeting. Mr. Clausen agreed.

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Councilmember Clausen informed he will probably come to the council later to ask for \$60,000 to inspect the sewer system and fix leaks. It's not currently in the budget. There is currently \$5,000 in operations and maintenance.

Councilmember Wright brought up the \$10,000 that is usually budgeted for sidewalk improvements each year. For some reason, this item didn't get put in this year's budget. PWD Nelson pointed out there is money in the roads budget that he was going to use for the top priority sidewalk repairs. Mayor Rasmussen will ask Councilmember Thatcher to propose an amount for the budget adjustments. Discussion was held on a bad sidewalk spot on Stewart Hill Drive, which Mr. Nelson informed was a high priority.

Councilmember Wright discussed his changes to the February 18, 2020 council meeting minutes.

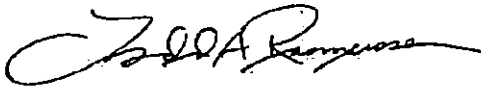
Councilmember Wright moved to "adopt the February 18, 2020 minutes with changes as discussed." Councilmember Gallup seconded the motion, which carried with Clausen, Gallup, Milbank and Wright in favor. No one opposed. Thatcher was absent.

It was brought up that the Old Church proposal is expiring soon. Mayor Rasmussen said he is still working with Tony Johnson on this.

The meeting adjourned at 8:45 p.m.



Sheila Lind, Recorder



Todd A. Rasmussen, Mayor

River Heights City Bills To Be Paid

3/3/2020

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	Cache County Corporation	2020 Trail Coordinator Fees						\$905.80			\$905.80
2	Cache Valley Publishing	Ad for Compliance Officer in 07-2019	\$344.50								\$344.50
3	Century Equipment Company	Backhoe Service						\$340.33	\$170.16	\$170.16	\$680.65
4	City of Logan	911-Garbage-Sewer	\$14,415.76			\$2,016.00				\$14,450.50	\$30,882.26
5	Comcast	Business Internet	\$28.24						\$28.23	\$28.22	\$84.69
6	Dominion Energy	Gas	\$99.81		\$98.21			\$91.12	\$399.27	\$91.13	\$779.54
7	Ferguson, Inc.	Blue Stake Paint							\$80.28		\$80.28
8	IPACO, Inc.	Ryan's Place Repairs-Bolt			\$6.38						\$6.38
9	It Works	Network Upgrade to Handle Caselle	\$2,089.25								\$2,089.25
10	Joe Ames	City Minutes	\$40.00								\$40.00
11	Logan City	Water Consumption							\$213.48		\$213.48
12	Mueller Co., LLC								\$884.52		\$884.52
13	Sam's Club	Office Copy Paper	\$74.44								\$74.44
14	U.S. Postmaster	Postage	\$41.66						\$41.67	\$41.67	\$125.00
15	Utah Local Government Trust	Monthly Workers Comp.	\$21.54		\$33.09			\$101.04	\$127.98	\$134.72	\$418.37
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Page 1 SubTotals			\$17,155.20		\$137.68	\$2,016.00		\$1,438.29	\$1,945.59	\$14,916.40	\$37,609.16

River Heights City
 Capital Budget
 Fiscal 2019-20

Budget Items	Parks	Roads	Budget Water	Sewer	Total
400 South Improvements		500,000.00			500,000.00
600 South Repairs / 750 EAST		70,000.00			70,000.00
Public Works Shop			1021 65,000.00	1021 65,000.00	130,000.00
Well Engineering			15,000.00		15,000.00
New Truck			done 15,850.00	done 15,850.00	31,700.00
Saddle Rock Park	10,000.00				10,000.00
Stewart Hill Park	60,000.00				60,000.00
Stewart Hill Park Right of Way	10,000.00				10,000.00
Mower	done 5,400.00				5,400.00
Upgrade Lower Well	-	- 1021?	200,000.00	-	200,000.00
Total Budget Items	85,400.00	570,000.00	295,850.00	80,850.00	462,100.00
Additional Increases (Decreases)					
Snow Plow/Spreader		done 10,000.00			10,000.00
Tennis Court	done 34,315.36				34,315.36
10th East		done 33,648.64			33,648.64
New Truck (Paid FY 2018-19)	-	-	(15,850.00)	(15,850.00)	(31,700.00)
Total Additional Increases (Decreases)	34,315.36	43,648.64	(15,850.00)	(15,850.00)	46,264.00
Adjusted Total	119,715.36	613,648.64	280,000.00	65,000.00	508,364.00
Net Change	34,315.36	43,648.64	(15,850.00)	(15,850.00)	46,264.00

Standard 1

A Tree Board or Department

Someone must be legally responsible for the care of all trees on city- or town-owned property. By delegating tree care decisions to a professional forester, arborist, city department, citizen-led tree board or some combination, city leaders determine who will perform necessary tree work. The public will also know who is accountable for decisions that impact community trees. Often, both professional staff and an advisory tree board are established, which is a good goal for most communities.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

Standard 2

A Tree Care Ordinance

A basic public tree care ordinance forms the foundation of a city's tree care program. It provides an opportunity to set good policy and back it with the force of law when necessary.

A key section of a qualifying ordinance is one that establishes the tree board or forestry department—or both—and gives one of them the responsibility for public tree care (as reflected in Standard 1). It should also assign the task of crafting and implementing a plan of work or for documenting annual tree care activities.

Ideally, the ordinance will also provide clear guidance for planting, maintaining and removing trees from streets, parks and other public spaces as well as activities that are required or prohibited. Beyond that, the ordinance should be flexible enough to fit the needs and circumstances of the particular community.

For tips and a checklist of important items to consider in writing or improving a tree ordinance, see [Tree City USA Bulletin #9](#).

Standard 3

A Community Forestry Program With an Annual Budget of at Least \$2 Per Capita

City trees provide many benefits—clean air, clean water, shade and beauty to name a few—but they also require an investment to remain healthy and sustainable. By providing support at or above the \$2 per capita minimum, a community demonstrates its commitment to grow and tend these valuable public assets. Budgets and expenditures require planning and accountability, which are fundamental to the long-term health of the tree canopy and the Tree City USA program.

To meet this standard each year, the community must document at least \$2 per capita toward the planting, care and removal of city trees—and the planning efforts to make those things happen. At first this may seem like an impossible barrier to some communities. However, a little investigation usually reveals that more than this amount is already being spent on tree care. If not, this may signal serious neglect that will cost far more in the long run. In such a case, working toward Tree City USA recognition can be used to reexamine the community's budget priorities and redirect funds to properly care for its tree resources before it is too late.

Standard 4

An Arbor Day Observance and Proclamation

An effective program for community trees would not be complete without an annual Arbor Day ceremony. Citizens join together to celebrate the benefits of community trees and the work accomplished to plant and maintain them. By passing and reciting an official Arbor Day proclamation, public officials demonstrate their support for the community tree program and complete the requirements for becoming a Tree City USA!

This is the least challenging—and probably most enjoyable—standard to meet. An Arbor Day celebration can be simple and brief or an all-day or all-week observation. It can include a tree planting event, tree care activities or an award ceremony that honors leading tree planters. For children, Arbor Day may be their only exposure to the green world or a springboard to discussions about the complex issue of environmental quality.

The benefits of Arbor Day go far beyond the shade and beauty of new trees for the next generation. Arbor Day is a golden opportunity for publicity and to educate homeowners about proper tree care. Utility companies can join in to promote planting small trees beneath power lines or being careful when digging. Fire prevention messaging can also be worked into the event, as can conservation education about soil erosion or the need to protect wildlife habitat.

The sample ordinance was designed for use in Midwestern communities of average population. The ordinance that your community ultimately develops should be designed to fit its specific needs.

**SAMPLE
CITY
TREE ORDINANCE**

Be it ordained by the City Commission of the City of:

(City) _____

(State) _____

Section 1. Definitions

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park Trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Section 2. Creation and Establishment of a City Tree Board

There is hereby created and established a City Tree Board for the City of:

(City) _____

(State) _____

which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the Commission.

Section 3. Term of Office

The term of the five persons to be appointed by the mayor shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 4. Compensation

Members of the board shall serve without compensation.

Section 5. Duties and Responsibilities

It shall be the responsibility of the Board to study, investigate, council and develop and/or update annually, and administer 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 City Commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of:

(City) _____

(State) _____

The Board, when requested by the City Commission, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

Section 6. Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 7. Street Tree Species to be Planted

The following list constitutes the official Street Tree species for:

(City) _____

(State) _____

No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Board.

SMALL TREES	MEDIUM TREES	LARGE TREES
Apricot	Ash, Green	Coffeetree, Kentucky
Crabapple,	Hackberry	Maple, Silver
Flowering (sp)	Honeylocust	Maple, Sugar
Golden Rain Tree	(thornless)	Oak, Bur
Hawthorne (sp.)	Linden or	Sycamore
Pear, Bradford	Basswood (sp.)	Sycamore, London
Redbud	Mulberry, Red	plantree
Soapberry	(fruitless, male)	Cottonwood
Ullac, Jap. Tree	Oak, English	(Cottonless,
Peach, Flowering	Oak, Red	male)
Plum, Purpleleaf	Pagodatree,	
Serviceberry	Japanese	
	Pecan	
	Birch, River	
	Osageorange	
	(Male,	
	thornless)	
	Porsimmon	
	Poplar, White	
	Sassafras	

** Please note: The above species are offered as size-class examples only and may not be suitable for planting in your area. Please check with local sources to develop a species list for your area.*

Section 8. Spacing

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect.

Section 9. Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 10. Distance from Street Corners and Fireplugs

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted closer than 10 feet of any fireplug.

Section 11. Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 12. Public Tree Care

The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 7 through 11 of this ordinance.

Section 13. Tree Topping

It shall be unlawful as a normal practice for any person, firm, or city department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than

three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the City Tree Board.

Section 14. Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign.

Section 15. Dead or Diseased Tree Removal on Private Property

The City shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City Tree Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owners property tax notice.

Section 16. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 17. Interference with City Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the City Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees, Park Trees, or trees on private grounds, as authorized in this ordinance.

Section 18. Arborists License and Bond

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or loving sweet or park trees within the City without first applying for and procuring a license. The license fee shall be \$25 annually in advance; provided, however, that no license shall be required of any public service company or City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of \$50,000 for bodily injury and \$100,000 property damage indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

Section 19. Review by City Commission The City Commission shall have the right to review the conduct, acts and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Commission who may hear the matter and make final decision. **Section 20. Penalty**

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$ _____