

CITY OF FRANKLIN

ENVIRONMENTAL COMMISSION MEETING

Wednesday, August 26, 2020 – 7:00 P.M.

Franklin City Hall - Inspection Services Conference Room

9229 West Loomis Road, Franklin, Wisconsin

AGENDA

- I. CALL TO ORDER AND ROLL CALL**
- II. CITIZEN COMMENT**
- III. APPROVAL OF MINUTES**
 - A. Minutes of the regular meeting of May 27, 2020
- IV. UNFINISHED BUSINESS**
 - A. Ways to improve and expand Arbor Day 2021; involvement of Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program in Arbor Day celebration; Arbor Day event(s) planning.
- V. NEW BUSINESS**
 - A. Review of articles for the City of Franklin Newsletter, from the Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program [this item/event is in process due to COVID-19 related restrictions].
 - B. Wisconsin Department of Natural Resources programs for presentation at the City of Franklin Library-dates/schedule [this item/event is in process due to COVID-19 related restrictions].
 - C. Presence of Buckthorn (invasive species) in the City of Franklin.
 - D. Presentation on and discussion of City of Franklin Natural Resource Protection Standards (Unified Development Ordinance Part 4 Natural Resource Protection).
- VI. SCHEDULE NEXT MEETING**
 - A. September 23, 2020
- VII. DISCUSSION OF FUTURE AGENDA ITEMS**
 - A. Environmental Commission involvement in the City of Franklin's National Night Out program 2021.
- VIII. ADJOURNMENT**

Notice is given that a majority of the Common Council may attend this meeting to gather information about an Agenda item over which they have decision making responsibility. This may constitute a meeting of the Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

Notice is given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's office at (414) 425-7500.

CITY OF FRANKLIN
ENVIRONMENTAL COMMISSION MEETING
MINUTES
May 27, 2020

unapproved

CALL TO ORDER & ROLL CALL

- I. Chairman Arthur Skowron called the May 27, 2020 regular meeting of the Environmental Commission to order at 7:00 p.m. in the Common Council Chambers, Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

On roll call, the following were in attendance: Chair Skowron, Commissioner Cieslak and Hritz and Assistant Planner Ecks attended the meeting in the Common Council Chambers, Franklin City Hall. Alderman Mayer and Commissioners Horn and Pomahac participated remotely.

CITIZEN COMMENT

- II. The citizen comment period opened at 7:00 p.m. and closed at 7:12 p.m.. One citizen present.

APPROVAL OF MINUTES

Minutes of the regular meeting of April 22, 2020.

III.

- A. Commissioner Hritz moved and Alderman Mayer seconded approval of the April 22, 2020 regular meeting minutes. On roll call vote, all voted 'aye'. Motion carried (6-0-0).

UNFINISHED BUSINESS

Johns Disposal Service, Inc. recycling program for the City of Franklin presentation.

IV.

- A. Nate Austin, Municipal Account Manager, Johns Disposal Service, Inc. gave an overview of services for the recycling program provided to the residents of the City of Franklin. Discussion only. No action taken.

Ways to improve and expand Arbor Day 2021; involvement of Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program in Arbor Day celebration; Arbor Day event(s) planning.

- B. Discussion only. No action taken.

NEW BUSINESS

Review of articles for the City of Franklin Newsletter, from the Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program.

V.

- A. The current June 2020 newsletter contains an article titled "Being Stormwater Friendly" by Nan Calvert, Root-Pike Watershed Initiative Network. The article was provided by the City of Franklin Environmental Commission. Discussion only. No action taken.

Wisconsin Department of Natural Resources programs for presentation

- B. A topic that discusses wildlife in urban settings will be considered for a future fall 2020 presentation at the

at the City of Franklin Library-dates/schedule.

Election of Officers: Chairman, Vice-Chairman and Chairman's appointment of the Secretary.

Franklin Public Library. Discussion only. No action taken.

- C. Chairman**
Arthur Skowron was nominated by Alderman Mayer and seconded by Commissioner Pomahac. On roll call vote all voted 'aye'. Vote carried (6-0-0).

Vice Chairman
Commissioner Hritz nominated Commissioner Linda Horn for Vice Chairman, seconded by Commissioner Pomahac. On roll call vote all voted 'aye'. Vote carried (6-0-0).

Secretary
Commissioner Pomahac was appointed, and accepted, appointment of Secretary.

SCHEDULE NEXT MEETING

- VI.**
A. June 24, 2020

DISCUSSION OF FUTURE AGENDA ITEMS

Environmental Commission involvement in the City of Franklin's National Night Out program.

- VII.**
A. Per Planner Ecks, there is a nationwide cancellation of all National Night Out programs.

ADJOURNMENT

Notice is given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's office at (414) 425-7500.

- VIII.** Alderman Mayer moved and Commissioner Cieslak seconded to adjourn the Environmental Commission meeting on May 27, 2020 at 7:59 p.m.. On roll call vote, all voted 'aye'. Motion carried (6-0-0).



MEMORANDUM:**FROM: City Development**

DATE: August 31, 2012
TO: City of Franklin Common Council
FROM: Department of City Development
SUBJECT: Public Nuisance Invasive Plants and Weeds in Franklin

Introduction:

At the June 4th Common Council meeting, Mr. Andy Pelkey submitted a letter that outlined his concerns with the spread of both noxious and subnoxious plant species in the City. Mr. Pelkey was particularly concerned with the spread of garlic mustard (noxious) and buckthorn (subnoxious) plants from a neighboring property onto his property. In his letter, Mr. Pelkey asked the Common Council to consider changing Section 178-3(F)(3) of the Franklin Municipal Code so that it requires the destruction of all subnoxious weeds within 100 feet of the border on land which such person owns, occupies or controls. This would be a significant change in how the City currently regulates subnoxious weeds, since Section 178-3(F)(2) of the Municipal Code currently only encourages their removal.

This memo addresses the problem of noxious and subnoxious weeds, summarizes the City's current regulations for controlling noxious and subnoxious weeds, evaluates different options for controlling subnoxious weeds (particularly buckthorn), and provides a policy recommendation to the Common Council.

Background:

Invasive plant species and weeds have long been recognized as a potential environmental and public nuisance issue. According to Section 178-3(F) of the Municipal Code, public nuisance invasive plants and weeds are classified as either noxious or subnoxious. Noxious weeds must be destroyed by cutting or other manner by the landowner, or whoever controls or occupies the property where they are located. Furthermore, noxious weeds shall be kept cut to a height not to exceed 18 inches, and in platted subdivisions which have buildings on more than 50% of the lots, noxious weeds shall be kept cut to a height not to exceed six inches. Noxious weeds in Franklin include Canada thistle, Purple loosestrife (*Lythrum salicaria*) Garlic mustard (*Alliaria petiolata*) and Common burdock (*Actium miunus*), among others.

According to the Franklin Municipal Code, subnoxious weeds are "plants which have the potential to invade wild areas, out-compete native species and degrade habitats. Subnoxious weeds are prohibited within any landscape plan as may be required by the City of Franklin Unified Development Ordinance; however, the removal or destruction of existing subnoxious weeds by a landowner is encouraged, but not required". Subnoxious weeds include Multiflora Rose (*Rosa multiflora*), Common buckthorn and Norway maple (*Acer platanoides*), among others.

The problem defined:

Of all the public nuisance weeds defined by the City's Municipal code, buckthorn is particularly problematic and widespread in Franklin. This is not surprising, as Thomas Boos of the Wisconsin DNR has stated that Wisconsin is ground zero for buckthorn. Buckthorn out competes other native tree and shrub species (i.e., it grows thick and grabs all the sunlight), thereby making it difficult for native plants to grow. Several residents in the City of Franklin have voiced their concerns regarding this intractable problem, and some, including Mr. Pelkey, have offered solutions on how to control its spread.

Characteristics of buckthorn:

Buckthorn changes the soil by leaving high amounts of nitrogen. It is dioecious – that is, only female trees bear fruit and provide seeds, and this occurs after they reach a more mature stage. In the past, some tree nurseries in Wisconsin and other states have sold buckthorn as a tree that could be used for screening purposes. The sale of buckthorn is now prohibited throughout Wisconsin, pursuant to state regulations.

How buckthorn is spread:

Buckthorn often grows in dense thickets, since berries that fall to the ground from mature female trees disperse seeds and cause more buckthorn to grow in the immediate vicinity. Buckthorn is also spread through the dispersal of seeds by birds. Birds will eat the berries/seeds, digest them and release the seeds over the areas where they travel, thereby spreading them beyond the immediate area where they were eaten.

Potential options for regulating and controlling subnoxious weeds such as buckthorn:

The following are four potential options for controlling buckthorn that could be considered:

1. **Classify buckthorn as a noxious weed.** With this option, all buckthorn in the City would need to be destroyed. Alternatively, it would need to be kept cut to a height not to exceed 18 inches, and in platted subdivisions which have buildings on more than 50% of the lots, kept cut to a height not to exceed six inches. If it is not destroyed or cut, all properties containing buckthorn would be in violation of the City's public nuisance ordinance.
2. **Require the removal of buckthorn within 50 to 100 feet of all property lines.** With this alternative, property owners, or whoever controls or occupies the property, would be required to remove buckthorn within a 50 to 100 foot buffer from all property lines on the property, but not from the entire property.
3. **Continue to classify buckthorn as a subnoxious weed.** With this option, the City would not make any changes to how it regulates buckthorn.
4. **Continue to classify buckthorn as a subnoxious weed, but initiate a public outreach/education effort for identifying and removing buckthorn.**

The following is an evaluation of the four potential options:

1. **Classify buckthorn as a noxious weed.** Thomas Boos from the DNR has said that classifying buckthorn as a noxious weed would be problematic because it is so widespread in Franklin. Eradication efforts would require large amounts of resources (i.e., time and money) from the City and private landowners. The Nature Conservancy has estimated that it would cost

approximately \$500-\$700 per acre to control buckthorn in forested sites in southern Wisconsin. If Franklin classified buckthorn as a noxious weed, all property in the City with buckthorn would then be in violation if it is not removed or cut within the stated time frames outlined in the Municipal Code. Due to buckthorn's widespread problem, the City's Weed Commissioner would likely have difficulty keeping up with complaints, and with removing dense thickets of buckthorn on properties found to be in violation.

Other states, including Minnesota and Iowa, classify buckthorn as a noxious weed. However, buckthorn is not a widespread problem in these states. Minnesota takes the approach of trying to prevent its spread to other areas of the state, rather than trying to eradicate it in problem areas.

2. **Require the removal of buckthorn within 50 to 100 feet of all property lines.** Requiring the removal of buckthorn within 50-100 feet of all property lines would be a challenging and possibly ineffective solution. If buckthorn is only removed around the perimeter of all properties in the City, the buckthorn remaining in adjacent areas will still bear fruit, and the seeds from those trees could still germinate in the immediate area, or be transported by birds to other properties. Enforcement efforts could be problematic and time consuming if property lines and distances had to be marked and measured by the Weed Commissioner, and if the Weed Commissioner had to remove dense thickets of buckthorn on properties found to be in violation. Removal of buckthorn could be costly, especially for large properties. As previously mentioned, The Nature Conservancy has estimated that it would cost approximately \$500-\$700 per acre to control buckthorn in forested sites in southern Wisconsin. With this scenario, buckthorn would likely continue as a recurring problem.
3. **Continue to classify buckthorn as a subnoxious weed.** With this option, the removal of buckthorn would continue to be recommended, but not required. This alternative, by itself, will not substantially reduce or help control the buckthorn problem beyond current levels.
4. **Continue to classify buckthorn as a subnoxious weed, but initiate a public outreach/education effort for identifying and removing buckthorn.** With this option, the removal of buckthorn would continue to be a recommendation. Public outreach could include any of the following:
 - a. Organize or support community efforts to remove buckthorn from City-owned property using best management practices. The City currently has a group (Friends of Franklin's Parks) that schedules buckthorn removal in City parks (<http://www.friendsoffranklinsparks.webs.com/>). The last buckthorn removal date occurred on June 9th, 2012. Another buckthorn removal event will occur this fall (date TBD).
 - b. Ask the Environmental Commission to invite an education specialist from UW Extension to hold a seminar that describes best management practices for the control of buckthorn. One possible solution is to focus on killing/removing only female buckthorn, since only female buckthorn bears fruit. If the seed source can be reduced/eliminated, the spread of buckthorn will be reduced.
 - c. Include information in the City Newsletter and/or provide information on the City website on how to identify/control/destroy buckthorn. This is important because buckthorn looks

similar to some of Wisconsin's native trees (e.g., black cherry), and because simply cutting buckthorn is not necessarily effective, as it can grow back in greater strength than before. Buckthorn should be cut at a certain time of year and treated with an herbicide. After buckthorn is removed, it should then be replaced with a native plant/tree species if there are no other native plants/trees in the area. Otherwise, it will be an inviting place for other invasive plants to populate.

- d. Explore opportunities for grants that would provide incentives or reimbursement funds to property owners who wish to remove buckthorn on properties where buckthorn is particularly problematic and widespread.

Recommendation:

Staff recommends that the Common Council choose to implement Option 4, which calls for public outreach and education efforts as a way to control buckthorn. There are several public education/outreach efforts that the City may wish to consider as a way to control buckthorn, as outlined in this memo. The Common Council may wish to pursue other ideas as well. It can be noted that Commissioner Howard Phillipson made a presentation on controlling and removing buckthorn at the August 22, 2012 Environmental Commission meeting.

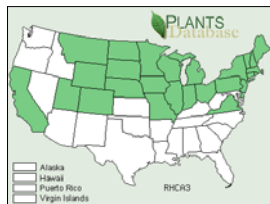


Common Buckthorn *Rhamnus cathartica* L.

Common names: common buckthorn, European buckthorn, Hart's thorn, European waythorn, Rhineberry

Native Origin: Eurasia, introduced as an ornamental

Description: Common buckthorn is a shrub or small tree in the buckthorn family (Rhamnaceae) that can grow to 22 feet in height with a 10-inch wide trunk. The crown shape of mature plants is spreading and irregular. The grey to brown bark is rough textured when mature and may be confused with that of plum trees. The inner bark is yellow and the heartwood is pink to orange. Twigs are often tipped with a spine. Leaves are broadly oval, rounded or pointed at the tip, with 3-4 pairs of up curved veins, and have jagged, toothed margins. Leaves appear dark, glossy green on the upper surface and stay green late into fall, after most other deciduous leaves have fallen. In spring, dense clusters of 2 to 6, yellow-green, 4-petaled flowers emerge from stems near the bases of leaf stalks. Small black fruits are about 1/4 inch in cross-section, contain 3-4 seeds, and form in the fall.



Habitat: Common buckthorn prefers lightly shaded conditions. An invader mainly of open oak woods, deadfall openings in woodlands, woods edges, roadsides, prairies and open fields. It is tolerant of many soil types, well drained sand, clay, poorly drained calcareous, neutral or alkaline, wet or dry.

Distribution: This species is reported from states shaded on Plants Database map. It is reported invasive in CO, CT, IA, IL, IN, MD, MA, MI, MN, MO, MS, ND, NH, NJ, NY, PA, RI, SD, TN, VA, VT, WI, and WY.

Ecological Impacts: Dense thickets form, crowding and shading out native shrubs and herbs, often completely eradicating them. Dense seedlings prevent native tree and shrub regeneration. In fire-adapted ecosystems such as savannas and prairies, the lack of vegetation under buckthorn prohibits fires.

Control and Management:

- **Manual-** Remove plants before producing fruit by hand pulling or digging; use control burning in spring and fall, burning may need repeating annually or biannually for two to three years to deplete the seed bank.
- **Chemical-** It can be effectively controlled using any of several readily available general use herbicides such as glyphosate or triclopyr. Retreat foliage of re-sprouts. Follow label and state requirements.
- **Biocontrol:** Europe research has found several insects for biocontrol. The earliest release of these insects in North America is expected to be between 2007 and 2010.



References: <http://plants.usda.gov>, www.nps.gov/plants, Czarapata, Elizabeth J. Invasive Plants of the Upper Midwest: An Illustrated Guide to their Identification and Control, 2005, p. 35-41, www.forestryimages.org