

## MEETING CALLED TO ORDER

**MAYOR:** I would like to welcome you and call to order the **December X, 20XX (Your City)** City Council regular meeting. (gavel). Please stand and join me in the Pledge of Allegiance.

**MAYOR:** BUSINESS ITEM A. The removal of a big tree from 1515 Oak Ave

**MAYOR:** The first item on the agenda allows City of Port Orchard's Public Works Department to remove a big tree near the sidewalk at 1515 Oak Ave. Here is the Public Works Director to describe the problem and explain why the Public Works Department thinks the tree should be removed.

**Public Works Director:** The tree at 1515 Oak Ave is very old and very large. Its roots have spread so much, it is breaking up the concrete on the sidewalk. If we don't cut down the tree, the sidewalk will crack more and more. Someone walking on the sidewalk could trip and fall.

**MAYOR:** The Council Members have a few questions to ask staff. Council Member #1 do you have a question?

**COUNCIL MEMBER #1:** this question is for the Public Works Director. Has anyone fallen yet or been hurt?

**PUBLIC WORKS DIRECTOR:** Not that we know of.

**MAYOR:** Council Member #2 What would you like to say?

**COUNCIL MEMBER #2:** I would like to ask the Attorney a question. If someone fell on the crack on the sidewalk and broke their leg, could they sue the city?

**ATTORNEY:** Yes. Since the tree is on a public right-of-way, the city could be sued for a lot of money. I believe the Mayor remembers that happening once.

**MAYOR:** Yes, that happened many years ago, two children were biking on a sidewalk where an old tree had caused the concrete to break up. One of the children fell off her bike and broke her arm. Her parents sued the city for the medical costs. They won the lawsuit.

**MAYOR:** Council Member #3 What is your question, please?

**COUNCIL MEMBER #3:** I am worried about this issue. I don't want someone to sue the city. Even more important, I don't want anyone to get hurt.

**MAYOR:** Council Member #4 What would you like to say?

**COUNCIL MEMBER #4:** I agree. What if a mother walking her baby in a stroller hit that part of the sidewalk? The baby could be badly injured!

**MAYOR:** I have a question for the Public Works Director. It seems like cutting down the tree is an extreme solution. Is that our only option?

**PUBLIC WORKS DIRECTOR:** I will ask the Public Works Supervisor to answer that question.

**PUBLIC WORKS SUPERVISOR:** As a certified arborist, I am an expert on trees. I have examined this tree very carefully. Although the tree is very old and very beautiful, I believe that its root structure is dangerous. Even if we cut some of the branches, the roots would continue to grow and spread.

**MAYOR:** Thank you. To help guide us in making a decision about the tree, the City Council asked the Planning Commission to look into the matter. The Commission prepared a report. I would like the Commission Chairperson to tell what they found.

**PLANNING COMMISSION CHAIRPERSON:** The members of our commission looked at the tree and the sidewalk. We talked to the Parks Supervisor and staff. We reviewed what other cities have done about this problem. We recommend that the city cut down the tree. It's not dangerous yet, but it could be in the future.

**MAYOR:** Thank you. Have any people come to this meeting to speak about the tree issue?

**CITY CLERK:** Yes. People on both sides of the issue have signed up to speak on the issue. The first group to speak is the Lopez Family.

**LOPEZ FAMILY** (Four Members)

**[Family Member #1]** We are the Lopez family. We live at 1515 Oak Avenue, in the house by the tree.

**[Family Member #2]** We love the tree! It gives us shade in the summer.

**Family Member #3]** [We enjoy looking at it from our window. We walk on that part of the sidewalk all the time and we don't think it's dangerous.

**[Family Member #4]** You just have to be careful and watch where you're going.

**[Family Member #1]** We are always careful when we ride our bike past the tree.

**[Family Member #2]** We think the tree is very beautiful.

**[Family Member #3]** Yes, and it is a very old tree.

**[Family Member #4]** I would feel very sad if the tree was cut down.

**[Family Member #1]** So would I.

[Family Member #2] That's why the Lopez Family believes you should save the tree.

MAYOR: Thank you for sharing your thoughts. Is there anyone else who has requested to speak?

CITY CLERK: Yes. The Johnson Family

JOHNSON FAMILY (Four Members)

[Family Member #1] We are the Johnson family. We live at 1530 Oak Avenue, across the street from the tree.

[Family Member #2] We agree with our neighbors, the Lopez Family, that the tree is beautiful.

[Family Member #3] But we think the tree situation is dangerous. We think the tree will get even more dangerous as time goes by and the crack on the sidewalk gets bigger and bigger.

[Family Member #4] We like to skateboard on that sidewalk with our friends.

[Family Member #1] Even though we wear helmets and safety gear, if someone hits that crack, they could get hurt. We don't want that to happen.

[Family Member #2] Our family would feel awful if someone got hurt.

[Family Member #3] And we would not like it if the city were sued.

[Family Member #4] If the city were sued, it might lose money it could otherwise spend fixing streets and building parks.

[Family Member #1] We love trees, but we also love parks.

[Family Member #2] And we really want people to be safe.

[Family Member #3] That's why the Johnson Family believes you should cut down the tree.

MAYOR: Thank you for sharing your thoughts. Before we vote, I would like to say that all of us believe that trees add to the beauty of the City of Port Orchard. We do not want to cut down a tree unless it is absolutely necessary. Yesterday afternoon, I took a walk down Oak Avenue to look at the tree. It is a beautiful tree, but I believe the situation is dangerous.

COUNCIL MEMBER #6: I too, took a good look at the tree. In my opinion, the crack in the sidewalk is not very big and does not pose a serious danger. I think we should wait a few years before making a decision to cut down this tree.

**COUNCIL MEMBER #7:** I would like to ask the Planning Commission Chairperson how old the tree is.

**PLANNING COMMISSION CHAIRPERSON:** We believe the tree is one of the oldest trees in Port Orchard. It is more than 90 years old.

**COUNCIL MEMBER #3:** Wow. Port Orchard has been a city for more than 100 years - so the tree is almost as old as the City! Maybe we should not cut it down until we investigate other ways of making the sidewalk safe.

**COUNCIL MEMBER #4:** It is a shame to cut down an old and beautiful tree that is part of our city's past. But public safety is also important.

**MAYOR:** Is there any further discussion or are we ready to vote?

**COUNCIL MEMBER #5:** I make a motion to cut down the tree at 1515 Oak Avenue. Or I make a motion to direct staff to keep the tree at 1515 Oak Ave.

**COUNCIL MEMBER #6:** I second the motion.

**MAYOR:** All in favor of cutting down the tree raise your right hand Or All in favor keeping the tree raise your right hand

**ALL COUNCIL MEMBERS VOTE:**

**MAYOR:** All not in favor raise your right hand

**ALL COUNCIL MEMEBRS MAY VOTE:**

**MAYOR:** Outcome of the vote