

ITEM #: 30

DEPT: ADMIN

Staff Report

TREE REMOVAL AT 624 DUFF AVENUE

May 12, 2026

BACKGROUND:

At its meeting on March 10, 2026, the City Council directed that a matter related to a tree removal at 624 Duff Avenue be placed on a future agenda for discussion.

On November 18, 2025, the City Forester received an email from an Iowa State Professor regarding a dead tree at 624 Duff Avenue questioning who the responsible party would be if the tree failed and fell into Duff Avenue. The Forester viewed the tree and found it to be an imminent danger due to there being a hole through the center of the tree. As a result, the Forester asked Inspections to open a code case for the tree.

Inspections staff contacted the City's Legal Department to confirm there was support to move forward with abatement of the tree under emergency abatement procedures. Legal staff responded that they were supportive if the Forester was willing to testify to the imminent status. The Forester agreed to testify to the imminent status and to draft an official assessment for the record.

The Community Codes Liaison opened a case on November 18, 2025. As with any imminent case, staff attempted to make contact with the owner through all available resources. Staff were unable to make contact via phone calls and text messages. A voice message left with the property owner explained the tree had been declared an imminent danger, the City would be removing the tree immediately, and that all charges associated with removal would be assessed to the property.

Weiss Tree Service was contacted for tree removal. Weiss agreed the tree was a danger and understood the expedited timeline for removal. They agreed to remove the tree the next day and coordinated traffic control to shut down the eastern lane of Duff Avenue and with the Electric Department to protect adjacent power lines.

On November 19, 2025, Inspections staff had not yet made contact with the property owner so they attempted an on-site visit prior to the scheduled tree removal. The owner was not home at the time so staff remained on-site through the removal process. The Forester was on-site conducting the damage assessment and commented that the property owner had reached out in September asking if there were any cost-share programs for tree removal.

The owner called staff on November 20, 2025 and was happy to have the tree removed, but uncertain about her ability to pay. The Community Codes Liaison sent the property owner a copy of the invoice for \$8,025 on November 22, 2025 and directed them to the Finance

Department to discuss the possibility of a payment plan."

Subsequent to the removal of the tree, the City Manager received a call from Mrs. Robinson, who identified herself as the owner of the property from which the tree was removed. She was concerned by the amount of the bill, \$8,000, and the fact she was not given enough advance warning for her to solicit bids from other contractors that, she believed, could have been less than the amount she is being billed.

Staff is sympathetic to her concerns. The significant cost apparently was due to the fact it was a large tree complicated by the requirement that Duff Avenue had to be closed down during the removal process. In this instance, there was not sufficient time for alternate bids to be solicited by the property owner. Unfortunately, there is no way to determine how much less, if any, the bids would have been if Mrs. Robinson had been able to seek alternate bids.

OPTIONS:

Staff believes it is appropriate for the City Council to provide direction regarding how much to charge the property owner in this unusual case. The following options (and others) could be considered by the Council:

Amount	\$8,000	\$6,000	\$4,000
	Current Billed Amount	25% Reduction	50% Reduction
Term	5 years	5 years	5 years
Interest Rate	3.53%	3.53%	3.53%
Annual Payment	\$1,774	\$1,330	\$887
Term	10 years	10 years	10 years
Interest Rate	4.09%	4.09%	4.09%
Annual Payment	\$991	\$743	\$495

STAFF COMMENTS:

This is an unusual tree removal situation. This large tree was found by the City Forester to be an imminent danger, and therefore removal was warranted. The tree removal required the closure of traffic lanes to safely proceed, which increased the cost associated with the removal. Despite attempts to make contact with the resident, staff was unable to make contact between the time the tree was identified as a hazard and when it was taken down.

The resident believes that had she been provided an opportunity to do so, she would have been able to obtain competitive quotes for the removal of the tree. Unfortunately, it is not possible to determine after-the-fact whether this would have been the case. The City Council may believe in this instance that a reduction in the amount owed for the tree removal is warranted.

This topic was initially on the March 24, 2026 Council agenda. At the time, the homeowner was unable to attend, and Council requested to defer this to a future meeting. At the same meeting, there was a motion passed by Council for the Legal Department to review the options

for securing the financial obligation should an agreement be reached. Attached is the follow-up memo from the City Attorney.

ATTACHMENT(S):

[Memo on options of securing payment.pdf](#)