

Memorandum

TO: City Council
FROM: Krista Billerbeck , Natural resources manager
DATE: January 6, 2025
SUBJECT: Diseased tree abatement - 646 Mound Ave
ITEM NUMBER: 11.a
SECTION: GENERAL BUSINESS

REQUESTED MOTION

To adopt Resolution 25-01, approving the abatement of diseased trees pursuant to section 22-2(20), property located at 646 Mound Ave

INTRODUCTION

The city council is being asked to order the removal of diseased trees for the properties at 646 Mound Ave. The council has the authority to declare and abate nuisances, including diseased trees, that do not comply with the city's shade tree management ordinance. The cost of the abatements will be billed to the property owner.

DISCUSSION

Ordinance Requirements

In accordance with section 115-53, efforts shall be made to control the spread of shade tree diseases, such as oak wilt, to prevent the loss of trees throughout the city. Section 22-2(20) declares diseased shade trees to be a nuisance to be abated according to section 22-24.

Section 22-24, abatement procedure, outlines the notification and hearing process. When city staff determines a public nuisance exists on a property, staff shall notify in writing the owner on record or occupant of the nuisance and order the nuisance to be terminated and abated. This notice shall specify the timeframe in which the nuisance must be abated. The property owner and resident were notified that the trees needed to be removed by the end of the year. If the nuisance remains, the city council will hold a hearing to order the abatement. The property owner has the right to appear at the hearing.

If the council orders the abatement, the city will abate the nuisance and the cost will be charged to the property owner and certified against the property for collection with taxes if the bill is not paid.

Oak Wilt

Oak wilt is caused by a non-native, invasive fungus that can infect and kill oak trees. An oak wilt infection can either be spread above ground by sap beetles or below ground by connected roots. Red oak trees are particularly susceptible and die within one growing season once infected. When oak wilt is suspected, it is recommended to submit a sample for testing

through the University of Minnesota Plant Disease Clinic.

Property Conditions

646 Mound Ave

Staff were made aware of red oak trees that were dead and dying with signs characteristic of oak wilt in June 2024. A letter was sent on June 26th informing the property owner that removal of the dead trees would be required and recommending testing for oak wilt.

One tree closest to the road fell within the city boulevard and six trees are located on the private property. City staff submitted an actively wilting branch from the boulevard tree to the UMN Plant Disease Clinic for testing and it came back positive for oak wilt. A tree contractor hired by the city removed this tree in early November.

A letter was sent to the property owner and the resident on August 26th stating the removal of the six trees on private property was required to be completed by December 31, 2024 and the removal method/plan needed to be provided by November 1st. A reminder letter about the required removals was then sent on November 4th. Staff received an email from the property owner and provided information about the issue. The property owner stated that the trees would not be removed by the required deadline and acknowledged the property would be abated. An abatement notice was issued to the property owner, Invitation Homes, on December 18th.

RECOMMENDATION

Staff recommends the city council conduct the required hearing and adopt resolution 25-01 pursuant to section 22-2(20) approving the abatement of diseased trees for the property at 646 Mound Ave if nuisance conditions remain present on the date of the meeting and costs will be billed to the property owner.

ATTACHMENTS

[Resolution 25-01 646 Mound Ave.pdf](#)