

## Louisville Metro Council City Agency Request

- Neighborhood Development Fund (NDF)
- Capital Infrastructure Fund (CIF)
- Municipal Aid Program (MAP)
- Paving Fund (PAV)

**Primary Sponsor:** Jeff Hudson

**Amount:** \$3,217

**Date:** Jun 5, 2024

**Description of program/project including public purpose, additional funding sources, location of project/program and any external grantee(s):**

Appropriating \$3,217 in Neighborhood Development Funds to Metro Parks for the removal of 2 dead trees in the right of way at 7406 Cooper Chapel Rd. One replacement tree will also be planted with these funds.

The property owner at 7406 Cooper Chapel is also contributing \$2,717 to the removal of the trees. The total cost of the tree removal and tree replacement is \$5,934.

**City Agency:** Metro Parks

**Contact Person:** Barry Edgar

**Agency Phone:** 574-7634

**I have reviewed this request for an expenditure of city tax dollars, and have determined the funds will be used for a public purpose and have the attached documentation from the receiving department concerning the project/expenditure.**

23

District #

  
Council Member Signature

\$3,217

Amount

Jun 5, 2024

Date

**Approved by:** \_\_\_\_\_  
Appropriations Committee Chairman Date

**Clerk's Office & OMB Use Only:**

Request Amount: \_\_\_\_\_ Amended Amount: \_\_\_\_\_

Reference #: \_\_\_\_\_ To OMB: \_\_\_\_\_

Budget Revision #: \_\_\_\_\_

Account #: \_\_\_\_\_

To Project Manager: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Actual Cost: \_\_\_\_\_ Funds Returned: \_\_\_\_\_

<b>Department/Project:</b> Metro Parks/Tree removal at 7406 Cooper Chapel Rd
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### **Additional Signatures**

**I have reviewed this request for an expenditure of city tax dollars, and have determined the funds will be used for a public purpose.**

#### **Council Member Signature and Amount**

District 1	_____	\$ _____
District 2	_____	\$ _____
District 3	_____	\$ _____
District 4	_____	\$ _____
District 5	_____	\$ _____
District 6	_____	\$ _____
District 7	_____	\$ _____
District 8	_____	\$ _____
District 9	_____	\$ _____
District 10	_____	\$ _____
District 11	_____	\$ _____
District 12	_____	\$ _____
District 13	_____	\$ _____
District 14	_____	\$ _____
District 15	_____	\$ _____
District 16	_____	\$ _____
District 17	_____	\$ _____
District 18	_____	\$ _____
District 19	_____	\$ _____
District 20	_____	\$ _____
District 21	_____	\$ _____
District 22	_____	\$ _____
District 23	_____	\$ _____
District 24	_____	\$ _____
District 25	_____	\$ _____
District 26	_____	\$ _____

## NDF, CIF, MAP OR PAV INTERAGENCY CHECKLIST

**Interagency Name:** Metro Parks

**Program/Project Name:** Tree Removal at 7406 Cooper Chapel Rd

**Yes/No/NA**

**Request Form:** Is the Request Signed by all Council Member(s) Appropriating Funding?

Yes

**Request Form:** If matching funds are to be used, are they disclosed with account numbers in the request form description?

NA

**Request Form:** If matching funds are to be used, does the amount of the request exclude the matching fund amount?

NA

**Request Form:** If other funds are to be used for this project, are they disclosed with account numbers in the request form description?

No

**Funding Source:** If CIF is being requested, does Metro Louisville own/will own the real estate, building or equipment? If not, the funding source is probably NDF.

NA

**Funding Source:** If CIF is being requested, does the project have a useful life of more than one year? If not, the funding source is probably NDF.

NA

**Ordinance Required:** Is the NDF request to a Metro Agency greater than \$5,000? If so, an ordinance is required.

No

**Ordinance Required:** Is the request a transfer from NDF to cost center? If so, is the amount given for the fiscal year \$25,000 or less?

NA

**Supporting Documentation:** Does the attachment include a valid estimate and description of cost?

Yes

**Submitted by:** John Torsky

**Date:** Jun 5, 2024

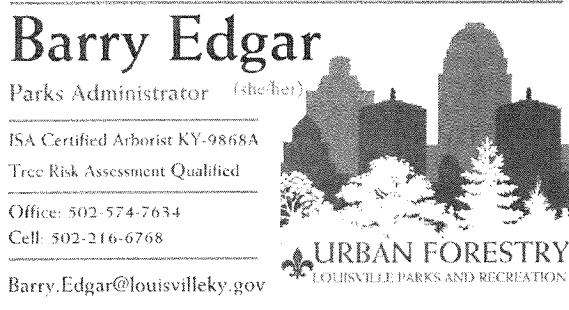
## Torsky, John

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**From:** Edgar, Barry  
**Sent:** Tuesday, June 4, 2024 2:44 PM  
**To:** Torsky, John; Ozyurekoglu, Mesude  
**Cc:** Veeneman, Andrea; Nonemaker, Grace  
**Subject:** Re: 7406 Cooper Chapel Rd - Tree Removal

Hi John,  
We accept.

Thanks!  
Barry



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**From:** Torsky, John <John.Torsky@louisvilleky.gov>  
**Sent:** Tuesday, June 4, 2024 2:26 PM  
**To:** Edgar, Barry <Barry.Edgar@louisvilleky.gov>; Ozyurekoglu, Mesude <Mesude.Duyar@louisvilleky.gov>  
**Cc:** Veeneman, Andrea <Andrea.Veeneman@louisvilleky.gov>  
**Subject:** 7406 Cooper Chapel Rd - Tree Removal

Ms. Mesude and Ms. Edgar,

Councilman Hudson would like to use NDF to pay for this. Will Metro Parks accept \$3,217 in NDF for removal of trees from the right of way at 7406 Cooper Chapel Rd. \$2,717 will be used to pay half of the cost of tree removal and \$500 will cover the cost of tree replacement.

The remaining \$2,717 will be paid for by the property owner.

Thank you,  
John Torsky

*John Torsky  
Legislative Assistant  
District 23 Metro Councilman Jeff Hudson*

502-574-1123 - Office  
502-574-3468 - Direct



# Bob Ray Company Inc.

"No Job Too Small, No Tree Too Tall"  
www.bobrayco.com

## Proposal

### Lou Metro Parks & Recreation 20

Friday, May 10, 2024

#### Billing Address

Lou Metro Parks & Recreation

1297 Trevilian Way  
Louisville, KY 40213  
Phone: 502-794-6178

**Arborist:** William McLaughlin

(502) 762 - 4037

mmclaughlin@bobrayco.com

#### Job Location:

7406 Cooper Chapel Rd  
Louisville, KY 40229

#	Item	Description	Qty	Cost
1	Ash	Removal of 27 inch , 27 inch , 33 inch and 20 inch dead ash trees . Cut low as possible . Traffic control will be needed to protect pedestrians and crew members .	4	\$4,962.00
2	Ash	Grind 27 inch stump 8-10 inches below grade. Haul excess and leave lay .	1	\$472.00
			<b>Subtotal:</b>	\$5,434.00
			<b>Tax:</b>	\$0.00
			<b>Total:</b>	<b>\$5,434.00</b>



# **Bob Ray Company Inc.**

The following terms and conditions are part of the confirmation of work to be performed by Bob Ray Co. Inc. for the authorizing part (Client), and with the information on the preceding page(s), constitute the entire agreement.

Bob Ray Co., Inc. is insured for liability resulting from injury to persons or property, and all its employees are covered under workers compensation insurance.

Bob Ray Co., Inc. assumes no liabilities or responsibilities for any cracking, breaking, puncturing, depressing, or any other damage to any driveway, patio or any other paved, bricked, stoned, concrete or asphalted surface resulting from trucks and equipment being used to access the job.

Bob Ray Co., Inc. is not responsible for damage to irrigation lines, drain lines, invisible fences, cables or any other underground utilities, unless the systems are accurately marked and mapped by the client and a copy is presented to Bob Ray Co., Inc. before the work is performed.

Bob Ray Co., Inc. will not be held responsible for any unforeseen or abnormal reaction to any trees, shrubs or lawns resulting from the proper application of chemicals and formulations according to their appropriate labels.

Clean-up shall include removing wood, brush, clippings and raking of the entire area affected by the specified work, unless noted otherwise in this proposal.

Stump removal is not included in the tree removal price unless specified in this agreement. Surface and subsurface roots beyond the stump are not removed unless specified.

Cables and braces reduce, but do not remove the risk of branch and trunk failure. All supplemental support systems have a finite life and should be inspected annually or after any significant weather event. It is the client's responsibility to contact Bob Ray Co., Inc. to schedule this service for an additional fee.

Trees inherently pose a certain degree of hazard and risk from breakage, failure or other causes and conditions. Recommendations made are intended to minimize or reduce such hazards. There can be no guarantee that efforts to discover or correct unsafe conditions will prevent future breakage or failure, nor can there be any guarantee that all hazardous conditions have been detected. The client shall not infer that a tree is safe either because work has been done to reduce risk, or because no work has been recommended on a specific tree.

Any additional work required to complete the work specified, caused by the client's failure to make known or caused by previously unknown foreign material in the trunk, branches, underground, or any other condition not apparent in estimating the work, shall be paid for by the client on a time and material basis.

Client affirms all trees and vegetation upon which work is to be performed are owned by the client, or that authorization for the work has been obtained from the rightful property owner. Furthermore, Client shall be responsible for compensating Bob Ray Co., Inc. for any and all damages collected against Bob Ray Co., Inc. by any third party demonstrating actual ownership of the trees and vegetation upon which the work was performed.

Client is responsible for obtaining and paying for all required local permits necessary to perform work described in this agreement. Estimates older than 45 days are subject to change.

Payment is to be received upon completion of the work and receipt of invoice. In the event the scope of the work changes, Bob Ray Co., Inc. will be paid for all items on this proposal that have been completed.

Both the Client and Bob Ray Co., Inc. agree to attempt to work out any disputes regarding this agreement through direct negotiation and/or mediation prior to seeking any other legal remedy.

Payment not received within thirty days of date billed is subject to an additional charge of 1.5% per month. In addition, the customer is responsible for the cost and expense of collection, including reasonable attorney fees incurred in the collection process. There will be a fee of \$30 for all returned checks.

\*ANSI A300 standards are the generally accepted industry standards for tree care practices

## ANSI A300 Pruning Specifications

**Crown Cleaning-** Selective pruning to remove one or more of the following parts: dead, diseased, and/or broken branches.

**Crown Thinning-** Selective pruning to reduce density of live branches.

**Crown Raising-** Selective pruning to provide vertical clearance.

**Crown Reduction-** Selective pruning to decrease height and/or spread.

**Crown Restoration-** Selective pruning to improve the structure, form and appearance of trees that have been severely headed, vandalized, or damaged.

**Vista Pruning-** Selective pruning to allow a specific view.

## Stump Grinding Standards

**Grind and Leave Lay-** Grind 8-10" below grade, leaving grindings where they land.

**Grind and Backfill All-** Grind 8-10" below grade and put chips back in hole, although there will sometimes be excess chips.

**Grind and Haul Excess-** Grind 8-10" below grade and haul excess chips leaving hole at or near ground level.

**Grind and Soil Backfill-** Haul away all chips and fill hole with topsoil.

**Add Visible Surface Roots-** same specifications as above.

**Total Grind-** Grind a minimum of 18", or enough to allow replacement of the tree.

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## Deep Water Your Plants

From May through October your trees are actively growing and depend on water to carry out their daily processes. We do not have optimum rainfall during these months.

You hear different opinions on how to water your trees and most of them are guesses. The Tree Care Industry Association says that a mature shade tree has the capability of absorbing 80 to 100 gallons of water from the soil every 24 hours that the tree supports green foliage. One of the primary purposes of tree roots is to absorb the needed amount of water-if you take care of the roots, you're taking care of an essential part of the tree.

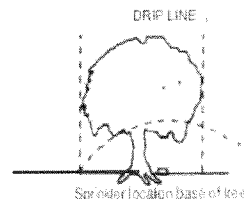
The soil environment determines root growth. 90% of a tree's absorbing roots will usually be found within the upper 12 to 15 inches where soil conditions are closest to ideal. Both too little and too much soil moisture can be a problem for roots. When absorbing roots use up all the available moisture nearby, they stop taking up water and root tip growth stops. If re-watered immediately after growth stops, new root growth may not take place for a week. If water is withheld longer, root growth can take up to five weeks to resume, and some of the smaller roots may die.

Prolonged soil saturation fills spaces normally occupied by air. In most soils, if less than eight to ten percent oxygen is available, roots are killed and cannot take up moisture, this results in wilted/droopy leaves that are dry to the touch - the same symptoms as drought.

*Soaker hoses* in landscape beds once every three weeks for four to six hours will promote excellent health. *Sprinklers* are necessary for trees. Root systems spread far beyond the branch tips if soil is available and the entire root zone should be watered. An eight hour soaking once every four to five weeks-May through October enables enough roots to absorb this water and have a reserve that will last until the next watering about one month later. In some situations you may need to adjust the length of time: hillsides may take longer, low areas less. Prolonged windy conditions increase the amount of moisture lost from leaves. This may result in a need to increase frequency i.e. from every five weeks to every four.

Lack of watering or watering for short periods of time can cause new roots to come to the surface where they are more vulnerable to drying.

For recently transplanted trees, only the root ball needs to be watered. One to two gallons of water per inch of trunk caliper (measured six inches above the soil) is the proper amount. A five-gallon bucket with holes punched in the bottom will allow you to measure the amount as well as slowly apply the water. Landscape sized trees (less than 4 inches) planted in the Spring should be watered twice weekly for two to five months, then weekly until established. It takes 12 months per inch of trunk caliper to establish the tree. Increase volume cannot make up for lack of frequency, and watering soon after transplanting is a priority-playing catch-up doesn't work.



CUSTOMER COPY

## Torsky, John

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**From:** Edgar, Barry  
**Sent:** Friday, May 10, 2024 3:56 PM  
**To:** Torsky, John  
**Cc:** Ozyurekoglul, Mesude; Karl, Kate  
**Subject:** 7406 Cooper Chapel Rd  
**Attachments:** LouMetroParksRecreation20240510\_\_f7cb74e2-94b0-486f-9b5c-0527d50f056e.pdf

Hi John,

Attached is the tree removal estimate. This does not include tree replacement. 1 Tree will be required to be replaced, the others will be waived due to the wooded lot.

The replacement cost would be an additional \$500.

Have a nice weekend,  
Barry

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### Barry Edgar

Parks Administrator (she/her)

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ISA Certified Arborist KY-9868A

Tree Risk Assessment Qualified

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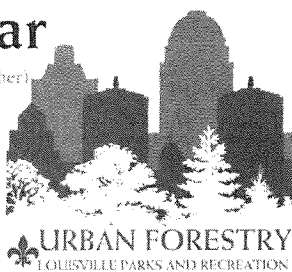
Office: 502-574-7634

Cell: 502-216-6768

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Barry.Edgar@louisvilleky.gov

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## Torsky, John

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**From:** Edgar, Barry  
**Sent:** Thursday, April 25, 2024 3:10 PM  
**To:** Torsky, John; Ozyurekoglu, Mesude  
**Subject:** Re: 7406 Cooper Chapel Rd

Hi John,

The 3 ash trees are dead and in the public right of way. They do need to be removed. Would you like us to send a permit to Ms. Emly and see if she qualifies for Tree Assistance fund?

Or would you like us to proceed by getting a cost estimate and you will fund the removals?

If the trees are removed 2 trees will need to be replaced; one replacement is waived due to the heavily wooded section.

Best,  
Barry

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**Barry Edgar**

Parks Administrator (she/her)

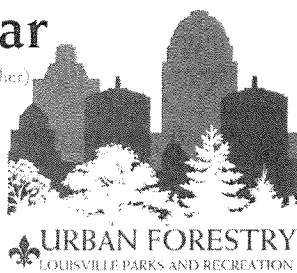
ISA Certified Arborist KY-9868A

Tree Risk Assessment Qualified

Office: 502-574-7634

Cell: 502-216-6768

Barry.Edgar@louisvilleky.gov



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**From:** Torsky, John <John.Torsky@louisvilleky.gov>  
**Sent:** Friday, April 19, 2024 6:02 PM  
**To:** Ozyurekoglu, Mesude <Mesude.Duyar@louisvilleky.gov>  
**Cc:** Edgar, Barry <Barry.Edgar@louisvilleky.gov>  
**Subject:** RE: 7406 Cooper Chapel Rd

I thought about putting it in Metro311 but I was worried it would just go to codes enforcement. Figured they would just go over and tell them they have a dead tree that needs to be removed which why I reached out to you first.

#SR-TREE-24-050562

Thanks!  
John

-----Original Message-----

**From:** Ozyurekoglu, Mesude <Mesude.Duyar@louisvilleky.gov>  
**Sent:** Friday, April 19, 2024 5:43 PM  
**To:** Torsky, John <John.Torsky@louisvilleky.gov>  
**Cc:** Edgar, Barry <Barry.Edgar@louisvilleky.gov>  
**Subject:** Re: 7406 Cooper Chapel Rd

Dear Mr. Torsky,

We are happy to inspect the trees and let you know our findings before we send out permit letters. You are correct, if the trees are on right of ways it is the homeowners responsibility to maintain them. Please place 311 call in to keep a record of the request and inspection results to be recorded.

Thank you and have a great day!

Sent from my iPad

> On Apr 19, 2024, at 2:42 PM, Torsky, John <John.Torsky@louisvilleky.gov> wrote:

>

> Ms. Ozyurekoglu,

>

> Councilman Hudson was contacted by Ms. Pat Emily of 7406 Cooper Chapel Rd. She is on a double driveway and her niece lives next door at 7404 Cooper Chapel. There are 2 dead trees at the end of each of driveways, one on each property. Ms. Emily is concerned they could come down in a storm and fall on the road or possibly take out powerlines. She thinks the trees should be removed. She thinks they are in the right of way so Metro should be responsible for removing them.

>

> I provided her with the tree ordinance that says abutting property owners are responsible for trees in the right of way. I told if it's something Metro is responsible for, we can work on that but most likely this is going to be the responsibility of the property owner (her and her niece).

>

> Councilman Hudson said he's willing to split the cost of taking the trees down if it's determined that the trees are in the right of way. I met Ms. Emily onsite and attached are photos I took of the trees in question. Ms. Emily doesn't want any letters saying the trees have to be removed going to her niece at 7404, she wants everything directed to her.

>

> Can you determine if these trees are in the right of way and if it would be appropriate for Metro to assist in removal? Would you be able to provide an estimate for that?

>

> I don't know if you are the right person to ask this question to or not? Please direct me to someone else if it's not you.

>

> Thanks for your help,

> John Torsky

>

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> John Torsky

> Legislative Assistant

> District 23 Metro Councilman Jeff Hudson

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> 502-574-1123 - Office

> 502-574-3468 - Direct

>

>

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> <20240412\_140340\_resized\_1.jpg>

## Golden, Amy

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**From:** Meador, Kathryn  
**Sent:** Monday, June 17, 2024 8:55 AM  
**To:** Harward, Sonya; Bell, LaTonya J.  
**Cc:** Golden, Amy  
**Subject:** RE: NDF Allowable?

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sonya,

Hollie and I discussed and we are ok with this going on the agenda. According to the NDF application, this tree is in the public right of way and poses a danger. LaTonya also provided our office with examples of MC using NDFs in the past to fund similar requests. Please let us know if you need anything else from us.

Kathryn

**From:** Meador, Kathryn  
**Sent:** Friday, June 14, 2024 11:02 AM  
**To:** Harward, Sonya <Sonya.Harward@louisvilleky.gov>; Bell, LaTonya J. <LaTonya.Bell2@louisvilleky.gov>  
**Cc:** Golden, Amy <Amy.Golden@louisvilleky.gov>  
**Subject:** RE: NDF Allowable?

Sonya,

I would like to talk to Hollie about this one. She is on her way out of town so we won't be able to discuss until Monday. Is it ok if we touch base with you then?

Kathryn

**From:** Harward, Sonya <[Sonya.Harward@louisvilleky.gov](mailto:Sonya.Harward@louisvilleky.gov)>  
**Sent:** Friday, June 14, 2024 9:58 AM  
**To:** Bell, LaTonya J. <[LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)>; Meador, Kathryn <[Kathryn.Meador@louisvilleky.gov](mailto:Kathryn.Meador@louisvilleky.gov)>  
**Cc:** Golden, Amy <[Amy.Golden@louisvilleky.gov](mailto:Amy.Golden@louisvilleky.gov)>  
**Subject:** NDF Allowable?  
**Importance:** High

LaTonya and Kathryn,  
Just making sure this is allowable before we process it since we just had a similar question about dead trees on private property.

Thanks,  
Sonya



*Sonya Harward*

Louisville Metro Council Clerk

601 W. Jefferson Street, Ste. 103

Louisville, KY 40202

(502) 574-2704 (direct)

(502) 574-3902 (office)