



## **Green Practices Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 863-9146

# **A G E N D A** **GREEN PRACTICES COMMISSION MEETING**

**Thursday, March 10, 2022 at 5:30 – 7:00 p.m.**  
**Heman Park Community Center, 975 Pennsylvania Ave.**

- 1. MEETING CALLED TO ORDER**
- 2. ROLL CALL**
- 3. OPENING ROUND**
- 4. APPROVAL OF MINUTES:** *2/10/2022* draft minutes attached
- 5. SPECIAL PRESENTATION**
- 6. CITIZEN PARTICIPATION**
- 7. NEW BUSINESS**
- 8. OLD BUSINESS**
  - a. Sustainability Strategic Plan in Draft Form – Discussion proposed to begin for Biodiversity and Energy/Emissions sections (see Attachment #1)
  - b. Mosquito Control (spraying and larvicide application) – Update from Chairman Solodar (see Attachment #2).
  - c. Dark Skies Ordinance – Discussion
- 9. COUNCIL LIAISON UPDATE**
- 10. CLOSING ROUND**
- 11. ADJOURNMENT**

Please call (314) 505-8572 or email [salpaslan@ucitymo.org](mailto:salpaslan@ucitymo.org) to confirm your attendance.



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### Green Practices Commission

Meeting Minutes – University City Green Practices Commission

February 10, 2022, **DRAFT**

Location: Zoom

Attendees Present: John Solodar (Chairperson), Jonathan Stitelman, Barbara Brain, Adam Staudt, Mathew Emden, Tim Schmalz, Sinan Alpaslan (Staff Liaison), Stacy Clay (Council Liaison)

Attendees Absent: None.

1. Meeting called to order at 5:32pm
2. No Opening Round conducted.
3. Approval of Minutes from November 11, 2021 and January 13, 2022: Commissioner Brain noted that Kathy Freese's letter needed to be added to the January 13 minutes for approval. The attachments to the minutes were revised and the letter attached (also attached to this document). Commissioner Brain moved to approve, seconded by Commissioner Stitelman and unanimously approved.
4. Special Presentation: None.
5. No citizens were present at the meeting. One public comment was received (letter from Mitch Leachman dated January 13, 2022) and made a part of this document.
6. New Business:
  - a. Discussion on future in-person meetings was considered first in this section of the agenda by the Commission and Chairman Solodar, Commissioners Brain, Stitelman, Emden, Staudt favored in-person meetings over virtual. No opposition was received. Commissioner Schmalz inquired about a member's attendance virtually during an in-person meeting and staff Alpaslan said that he would check with City Clerk on that item.
  - b. Veregy Energy Assessment Report, Next Steps: A Request for Qualifications (RFQ) document copy was included in the agenda packet. This document would be used for soliciting qualifications from consultants in the type of a service similar to what Veregy proposed during their presentation last month. Questions about Annex-Trinity Building project were discussed and Commissioner Emden's review comments were received by the Commissioners as additional information. Commissioners commented on the Veregy proposal and added that it might be advisable to collect bids from others before proceeding further with this project. The Commission additionally agreed to review the City Hall and Centennial Commons components of the Veregy Energy Assessment Report and provide letter to staff with comments to factor into improvement project planning in those facilities.
7. Old Business
  - a. Sustainability Strategic Plan in Draft Form: Commissioner Brain stated that Biodiversity section needed some work and would get document together to send to Commission for discussion and recommendation of actions. Commissioner Schmalz offered his work on the Energy and Emissions section for development of recommendations.
  - b. Mosquito Control: Commissioner Brain discussed her conversation on the item with Jean Ponzi, Green Resources Manager at Earthways Center of Missouri Botanical Garden. St. Louis County has a science-based and conservative service. They test for the mosquitos to detect the West Nile virus and fog those areas where they are found as present. The method utilizes an



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ultra-low volume calibrated sprayer to minimize the amount of pesticide droplets and reduce chance of harm to other pollinators. Jim Sayes is the Vector Control Supervisor at the County and Ms. Ponzi reached out to Mr. Sayes on this topic. The County Vector Control also performs larviciding as part of their regular service. Commissioner Brain, after talking to Ms. Ponzi, recommends continuing to receive the County's mosquito control services and encouraging residents to eliminate mosquito breeding sites. Commissioner Solodar offered to provide a letter to staff including information on the St. Louis County's service to be used in case complaints arise about it. Commissioner Brain also mentioned that residents could still request to be placed on the no-fogging list, if they don't desire that near their residence.

- c. **Dark Skies Ordinance:** Commissioner Brain searched municipal ordinances, didn't find many. There are 19 states with laws to reduce light pollution. Tucson has ordinance for not impeding with astronomical observations. Ellisville has regulations for outdoor lighting on nonresidential new development. Ozark, Missouri has standards for dark skies design to preserve the visibility of the night sky. Pittsburgh also passed a similar dark skies ordinance also to promote energy conservation. Commission Schmalz also completed research as for the experiences of other regions with this type of regulation. Stacy Park in Olivette has also recently been designated as an urban dark sky park. Commissioners further discussed the impact of a dark skies implementation on safety and ways to do it safely. Commissioner Schmalz will send info from his research into this topic.
8. **Council Liaison Update:** Councilmember Clay stated that the City is moving forward with a Proposed Proposition F (a  $\frac{1}{4}$  cent sales tax that will be on the April ballot). A survey is being circulated for this item through the community with the purpose of gathering impressions about public safety (fire specifically) and the proposed ballot measure. The information gleaned from it will be used to prepare informational materials for the community. A Visioning process survey is also ongoing. The Proposition F is for a dedicated fire protection sales tax.
9. **Closing Round**  
No additional discussion.
10. **Adjournment 6:52pm**

**From:** [Barbara Brain](#)  
**To:** [Sinan Alpaslan](#)  
**Subject:** Fwd: Comments for Citizen Participation of GPC Jan 13, 2022,  
**Date:** Thursday, February 10, 2022 5:38:42 PM  
**Attachments:** [BCH Letter of Support .pdf](#)  
[FogelLetter.pdf](#)

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from my iPhone

Begin forwarded message:

**From:** Kathy Freese <kathyfreese@sbcglobal.net>  
**Date:** February 10, 2022 at 9:27:33 AM CST  
**To:** Barb Brain <bdbrain@gmail.com>  
**Subject:** Fwd: Comments for Citizen Participation of GPC Jan 13, 2022,

Forwarding you exactly what I sent last month.

Sent from my iPhone

Begin forwarded message:

**From:** Kathy Freese <kathyfreese@sbcglobal.net>  
**Date:** January 13, 2022 at 10:55:14 AM CST  
**To:** salpaslan@ucitymo.org  
**Subject:** Comments for Citizen Participation of GPC Jan 13, 2022,

Dear Mr. Alpaslan,

The following letter is our “comments” for the Citizen Participation of the Green Practices Commission tonight, Jan 13.

I am not sure if this is an agenda item or not.

Thank you for allowing us to voice my concerns in this fashion.

Sincerely,  
Kathy Freese and Richard Chase  
6669 Kingsbury Blvd.

To the Green Practices Committee:

My name is Kathy Freese and my husband is Richard Chase.

We have lived at 6669 Kingsbury since 1980 and our 3 children attended U.City public schools.

We have been cited (ID #: 21-02466) for:

-Grass/Weeds exceeding 7 inches (developed) (220.290

DISAGREE

-Vegetation Dead 240.20-302.4

DISAGREE

-Voluntary Overgrowth (220.290)

DISAGREE

-Grass/Weeds/Voluntary Growth - Nuisances (220.290-302.4.91

DISAGREE

- Building Numbers-Front (240.020-304.3)

AGREE

My decorative house numbers are not hi contrast, I have added 4 in hi contrast house numbers front and back.

We believe we were cited mostly under Part A of the following ordinance, but we should be exempt under Part B.

220.290 A & B <https://ecode360.com/28291021> which says:

[R.O. 2011 §8.40.010; Ord. No. 6621 §1, 2006; Ord. No. 6983 §1, 3-23-2015]

A. It is unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of such owner, lessee or occupant of any lot, ground or premises or any part thereof to allow or maintain a growth of any weeds or turf grasses to a height of seven (7) inches or more upon any lot, land or premises in the City or upon the street or upon the right-of-way adjoining such premises or upon any adjoining sidewalk, excepting unimproved parcels of land upon which a maximum growth of weeds or grasses shall be not more than twelve (12)

inches in height. Weeds and turf grasses that exceed the height restrictions contained in this Section shall be declared a public nuisance.

- B. Weeds shall not include cultivated flowers, gardens and plants native to this region used for aesthetic and/or wildlife enhancement, and/or to offset and control any soil loss problems either occurring or predicted. Cultivated flowers, gardens and plants native to this region are exempt from height restrictions in all City parks or private property, provide they do not obstruct sight distance for pedestrian, bicycle or vehicular traffic; encroaches upon neighboring property; or create a clear and present hazard to public health or safety.

My inspector Cherie Young and her supervisor Tim Scott have both agreed that all standing vegetation in my yard that is “dead” must be cut back to below 7in. Mr. Scott said he would have no problem with my yard if it were the growing season, but now, it is “dead” and must be cut back.

About my Landscape.....

Over the years I have replaced some of my turf with native plant gardens. My turf grass is neatly mowed and below 7in. I have 3 rain gardens (2 in front and 1 in back) that were partly funded (\$4,000) by Project Clear. I have a Bring Nature Home Conservation Gold level award with a small sign in my front yard. I have participated in ShutterBee, a citizen science project measuring restoration of native bees in yards that provide habitat for bees. I no longer do the traditional “fall cleanup” of cutting back every perennial to the ground and removing every leaf. Those plant materials all have a winter function.

This is why I DISAGREE

+++MSD’s Project Clear required that I sign a maintenance contract and my schedule is NOT to trim back any vegetation in and around my rain gardens until the month of March when new vegetation is appearing. The presence of the spent stalks and leaves catches the fallen tree leaves and together provides insulation for the ground. This allows better capture and penetration of rain water into the freezing ground. More than half of my gutters have been diverted (at my expense) to my rain gardens so my property contributes significantly less to the storm water problem in this community. All native plant beds in my landscape (not just the rain gardens with

diverted gutters) help capture rain water at a better rate than turf.  
This is consistent with a city goal to reduce storm water flooding and property damage.

<https://portal.laserfiche.com/Portal/DocView.aspx?id=2223136&repo=r-a96260ce>

Go to page 14 of this MSD handbook.

+++The Audubon Society Bring Conservation Home Program teaches replacing some lawn with a diverse group of native plant garden beds and allowing them to remain Through The Winter is beneficial for the birds.

+++Project Shutterbee is a SLU BEE lab research project to understand what populations of native bees are in urban yards. Native bees are in severe decline and my winter landscape practices provide habitat for the bees. My attached expert letter, Nina Fogel, recommends I keep all of my standing winter vegetation until June.

Thanks for your attention to this matter. I believe these citations are incorrect. The focus only on height of winter vegetation is wrong and misleading if. There is lots of evidence in my yard that my garden is intentional and beneficial to the environment.

Kathy Freese and Richard Chase

Kathy,

January 13, 2022

I wanted to follow-up on our recent correspondence regarding your citation from University City about your landscape. I am hopeful you can reach a resolution directly with the City, but fear you will need the help of the attorney at the Great Rivers Environmental Law Center with whom you have already spoken.

I am not an attorney and have no legal training. So, I have no intention of providing legal advice or commentary on the legality of your citation. Still, I would like to applaud the U City Municipal Code Section 220.290 “Weeds Prohibited” which Dianne Benjamin shared with you as the section her group helped create some years back. It seems very well-conceived. Section A details the need for landowners to “cut their grass,” while Section B makes clear that cultivated gardens, native or not, are exempt from those height restrictions as long as those gardens do not impinge on other property, public rights of way or create a hazard like blocking vehicle visibility.

The referenced code does not appear to require city staff have any special training in horticulture or botany. If vegetation is causing a safety issue by obstructing visibility at an intersection or driveway, it should be removed or at least cut enough to eliminate the issue. It matters not the species of the offending plants. Similarly, if plants are growing into a neighboring yard, whether they are invasive bush honeysuckle or native black chokeberry, the neighbor has every right to cut them back or ask they be addressed. Lastly, if plants are flopping onto a public sidewalk, they should be cut back or controlled to eliminate the obstruction; it matters not whether the plants are non-native creeping ground covers or native grasses.

I think this point about education and training is important. As a taxpayer and homeowner in Maryland Heights, I have no interest in tax-supported city staff policing the species composition of the garden beds in my yard or anyone else. Traditional turf grass and non-native plant landscapes have not been policed; no one was monitoring if the hostas, peonies, burning bushes or other ornamentals were “acceptable.” I can think of no reason for highly functional, inspirational and sustainable native plant landscapes to be policed that way either.

Stepping away from the code itself, I want to respond to part of your citation. City staff have demanded you clear “dead vegetation.” This would make perfect sense if the dead plant was a dead tree with risk to the public or neighboring property. This would also make sense if the plants were clearly dead during the growing season, present for some time, and gave indication of neglect of landscape maintenance. Absent that, I can conceive of no reason for the demand at this time of the year.

First, given our zone and dominance of deciduous plants that drop their leaves or go dormant over the winter, it is very hard for anyone without horticultural training to know if a plant is dead at this time of the year. In fact, nearly all plants in native perennial gardens are simply dormant. The above-ground growth will be replaced during the next growing season, but the plant below ground is very much alive.

There are many reasons to leave the above-ground plant material including its ability to help “insulate” the ground layer and root zone. A garden cleared of above-ground vegetation in the fall is wind-blown all winter and may even suffer erosion and loss of organic matter. In addition, plant stems harbor the eggs and larvae of many native insects, including species of native bees essential to the pollination of many plants. Those same stems hold the seeds from the previous year’s flowers which are valuable food for dozens of species of native birds during the winter. Finally, some of those birds will find shelter within the very same plant material, increasing their chances of surviving the winter and raising a new generation of songbirds the next year.

This might imply that perennial gardens could be cut back in the spring. Yes, they can, but why should they be? Why should city officials police the detailed aesthetic management decisions of individual landowners? Some owners will cut back their native perennials in March. Some will do so in April or



May. Some will cut the plants to the ground, but many will leave 10, 15 or 20 inches of plant stem to help support those same native insects referenced above. Some owners will not cut their plants at all.

This last decision might seem questionable, but many mature native perennials grow so quickly that it can be hard to see the previous year's vegetation just a short time into the new growing season. Also, I want to reiterate the critical importance of native perennial seeds to our native songbirds. While much of those seeds are eaten over the winter, plenty are still sought in spring well before any new plants would be producing seed. This is critical to our native songbird the American Goldfinch which is vegetarian and does not eat any animal matter.

I understand city staff might want to look at garden beds filled with previous year's plant material as a sign of neglect of the landscape. I will acknowledge that could be the case, but that a thorough review of the landscape and the owner's maintenance approach would be required to make a full determination. In my own landscape, I retain most all the perennial plant material through the winter, yet the public sidewalk is clear and accessible. I retain fallen leaves around the base of my oak tree, yet the leaves are confined within a hard-scape defined border around that same tree. I have planted the "tree lawn" strip between the public walk and the street, but done so with low-growing ground covers and keep them from encroaching on the walk and street. Further, I have "traditional" turf grass in between my various garden beds which I manage by mowing. The point being it would be hard for anyone to suggest my standing dormant plant material means I do not maintain my landscape.

Finally, I would suggest that no inspector would demand a deciduous tree or shrub be removed in the winter simply because it lacked leaves. In fact, many experienced gardeners will wait until spring to remove a suspected dead shrub. This allows the opportunity to determine if the plant has retained any root energy and has potential to re-sprout.

In summary, I feel the U City "Weeds Prohibited" code is very good as written and should not require special training of city staff to enforce. The demand that you clear "dead vegetation" does not appear supported by that code, and I believe their narrow focus on dormant plant material is ill-informed for all the reasons I noted.

While I've addressed my comments to you personally, please feel free to share my thoughts as you see fit to support this cause. Further, I stand ready to engage with city staff, commissions or elected officials should you think it might be helpful.

Most sincerely,

Mitch Leachman

[mleachman2000@gmail.com](mailto:mleachman2000@gmail.com)

314.599.7390

P.S. I am the owner of the Leachman Consulting Group and seek creative ways to inspire people to utilize native plants in their landscape. In 2012, I co-founded the St. Louis Audubon Society's Bring Conservation Home program and led the effort until early 2021. In that time, the program delivered over 1,400 on-site landscape consultations with the potential of over 600 acres of wildlife habitat. I am currently leading the creation of the St. Louis Open Yards program which will provide an online searchable listing of native plant landscapes available for visitation by the public; the program will be live in spring 2022. I have delivered over 150 presentations and seminars on native plants and gardening for wildlife. I have been gardening with native plants for nearly 20 years and currently manage a yard with over 80 species of native plants.

## Ecosystems/Habitat/Biodiversity

### Why It Matters

Plants help clean our air, absorb excess water, store carbon and provide food and shelter for wildlife that provide the essential ecosystem services without which our planet would be unlivable.

**Goal:** To maximize biodiversity and minimize ecosystem/habitat degradation.

**Strategy 1:** Remove invasive plant species from public land and replace with locally adapted native plants.

**Responsible party/parties:** Parks Department staff, Forestry Department staff, volunteers.

**Metric:** Reduction of numbers of invasive species.

Increase in numbers of native species.

Increase in biodiversity/pollinators, etc.

(Need baseline measure of invasives?)

**Additional Resources:** Continue/strengthen partnerships with Bring Conservation Home, UCity in Bloom.

**Due Date:** Ongoing.

**Strategy 2:** Increase urban tree canopy and promote native tree planting by residents to offset loss of trees due to age, disease (eg. Emerald Ash Borer), etc.

**Responsible party/parties:** Forestry Department staff, Parks Department staff, Residents, Volunteers, GPC, Urban Forestry Commission.

**Metric:** Healthy, diverse tree canopy.

Increased number of residents planting native trees.

Residents have easy access to information on appropriate tree species, planting, care and the importance of trees.

**Additional Resources:** Continue partnerships with Bring Conservation Home, UCity in Bloom. Develop education resources.

**Due Date:** Ongoing.

**Strategy 3:** Promote inclusion of a variety of locally adapted native plants on public and private land.

**Responsible party/parties:** Parks Department staff, UCity in Bloom, Residents, Volunteers, GPC.

**Metric:** Increased biodiversity/habitat.

More attractive parks and back yard.

Reduction in use of pesticides/herbicides.

Reduced potential insect/disease impact.

Residents have easy access to information on appropriate plants and their benefits, pesticide impact, etc.

(Establish a baseline pesticide/herbicide use number from the city.)

**Resources:** Partnerships with Bring Conservation Home, UCity in Bloom, Wild Ones, *Bringing Nature Home* by Doug Tallamy- educational component.

## Mosquito Spraying

### Green Practices Commission

The commission has received inquiries about having University City end its mosquito control contract with St Louis County Vector Control. The county uses both larvicide treatment on standing water and spraying of adult mosquitoes. These inquiries have been based upon the inquirers desire to prevent spraying from killing beneficial insects as collateral damage which we understand. The inquirers assumed that the county is employing widespread spraying on a regular all-summer basis.

The commission set out to determine when the county sprays and how widespread is the spraying. We consulted with James Sayers, Vector Control Services Supervisor as well as Jean Ponzi, Green Resources Manager of the Earthways Center of Missouri Botanical Garden. We did note that two nearby communities have terminated their relationship with Vector Control and undertaken their own mosquito control programs.

Our recommendation is that University City maintain its contract with St Louis County Vector Control. The county does not spray indiscriminately all summer long. Rather, the service offered is science based, conservative and based on the need to protect residents from disease. Vector Control tests for the Culex mosquitoes that carry West Nile Virus and sprays **only** when West Nile Virus is detected. When they do spray, they make sure that their equipment is calibrated so that the droplets of insecticide are very small which reduces the chance of harm to pollinators and other non target species. In addition, landowners can request that spraying not be conducted adjacent to their land. Thus the spraying is limited in time and very selective as to area.

St Louis County is well equipped to handle what would be a major undertaking for University City. We feel that St. Louis County Vector Control offers an excellent, science based service that helps prevent the spread of West Nile Virus while reducing collateral damage to pollinators as much as possible.

In conclusion, we would like to recommend that University City encourage residents to be vigilant about standing water that provides mosquito breeding areas on their own properties.