

Sonja Birr

From: Chad Scheinoha
Sent: Wednesday, September 11, 2019 8:03 AM
To: Dan Koski; Greg Minikel
Cc: StreetConcerns
Subject: FW: Grass letters on Rapids Road
Attachments: Rapids road letter B to property owners 2019.doc; Rapids road letter C to property owners 2019.doc; Rapids road letter A to property owners 2019.doc; weed ordinance.docx

I received one upset phone call from a residents across from Fleet Farm. I thought that if we got any that this would be the area. They are upset that they have to cut this additional area and can't use it for anything. I told them that I don't write the ordinance, that I just have to enforce it and that if they were interested in changing it or requesting a waiver that they should contact their alderman.

I am not sure that we want to bring this to committee for only one phone call. My thoughts are that if we get more and they are all upset then we could consider altering the ordinance here with a discussion at committee and committee support. Basically the city would cut this area. The only problem with this is where do you stop?

Greg,
 This is the house on the corner of Vista/Custer/Rapids, so they have frontage on 3 roads. I know wheel tax now did away with some assessments now. In the past how did you determine if a property owner was assessed or not for road work? Would this house have been assessed for all three roads? This may be a deciding factor if we consider cutting the Rapids frontage.

Thoughts?

Chad J. Scheinoha

City of Manitowoc, Dept. of Public Infrastructure
 Operations Division Manager
 Mobile (920)374-0402
 Office (920)686-6512
www.manitowoc.org

From: Chad Scheinoha
Sent: Friday, September 06, 2019 4:00 PM
To: Jeremiah Novak; Scott McMeans - D2; James Brey - D4; Mike Howe; Lee Kummer - D5; Eric Sitkiewitz - D6; Todd Lotz; Michael Williams - D8; Steven Czekala - D9; Bruce Jacobs; Justin Nickels; Stacey Groll
Cc: Dan Koski
Subject: FW: Grass letters on Rapids Road

FYI

Chad J. Scheinoha

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From: Chad Scheinoha

Sent: Wednesday, September 04, 2019 12:41 PM

To: Sue Reilly

Cc: Karen Dorow; Lynn Hoffman; Sandy Ronski; Marc Holsen; Dan Koski; Greg Minikel; Kathleen McDaniel

Subject: Grass letters on Rapids Road

Sue,

As discussed, please send grass letters out the below resident by the end of the day this Friday. Also include a copy of Ordinance #13.050

Letter A to:

- 4757, 4753, 4747, 4741, 4729 Vista Rd
- 4720 Vista regarding the vacant parcel that they own 826402280
- 4626 Custer Lane
- 702 Hessel CT
- 9050, 960, 1125, and 1235 Rapids Rd

Letter B to:

- 867, 864, 861, 858, 854, 801 Rapids Rd

Letter C to:

- 1515 Randolph CT
- 4931 Expo DR
- 1818 S Rapids Rd
- 4606 Calumet Avenue

Chad J. Scheinoha

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September 2, 2019

Dear City of Manitowoc Property Owner:

As you are likely aware Manitowoc County Highway Department, along with WISDOT and the City of Manitowoc have recently reconstructed and urbanized a 1 mile section of Rapids Rd /CTH R. Prior to this reconstruction the maintenance responsibility of this road fell within Manitowoc County's jurisdiction, thus Manitowoc County Codes applied. Moving forward, all maintenance on Rapids Road from Broadway Street to Custer Street will fall under the City of Manitowoc jurisdiction and now The City of Manitowoc Municipal Codes will apply to residents. With this transfer of responsibility there will be a couple changes for property owners adjacent to Rapids Road.

Those of you receiving this letter don't own a parcel of land within the city limits, thus city code cannot be enforced. However, you are strongly encouraged to follow the below city municipal code.

First and most notable will be the green space maintenance or grass cutting. MMC 13.050 states: In the case of property adjacent to a street right-of-way, any grasses, lawns or weeds of any kind over eight inches in height are declared to be noxious weeds if they are located in either of the following areas: In areas where there is no sidewalk, within 10 feet from the curb or other termination of the edge of the roadway; or in areas with sidewalk, between the sidewalk and the curb and within 10 feet from the inside portion of the sidewalk. Every person shall destroy all noxious weeds on every parcel of land which he/she owns, occupies or controls. In other words, the adjacent property owners will be responsible to cut the grass up to the curb on Rapids Road.

On the east side of rapids road there is a recreational trail. This is different than a standard city sidewalk, which the adjacent property owner would be required to maintain. The City of Manitowoc will maintain all aspects of the new recreational trail to include snow removal. However, the grass up to, and between the trail and the curb will to be the responsibility of the adjacent property owner.

The city will provide the first cutting up to the curb as a courtesy. After the first cutting it will be the adjacent property owner's responsibility to maintain the grass up to the curb as stated above.

In addition to these changes in grass cutting you will now see city maintenance vehicles to include street sweepers, plows, and other maintenance. Thank you for your cooperation during this transition.

If you have any questions, please contact our Operations Division of The Department of Public Infrastructure at (920) 686-6550.

Sincerely,



Chad Scheinoha
Operations Division Manager, City of Manitowoc DPI

September 2, 2019

Dear City of Manitowoc Property Owner:

As you are likely aware Manitowoc County Highway Department, along with WISDOT and the City of Manitowoc have recently reconstructed and urbanized a 1 mile section of Rapids Rd /CTH R. Prior to this reconstruction the maintenance responsibility of this road fell within Manitowoc County's jurisdiction. Moving forward, all maintenance on Rapids Road from Broadway Street to Custer Street will fall under the City of Manitowoc jurisdiction. There have also been major upgrades and changes south of Custer Street, with the addition of Crawford Blvd. and Miejer Lane.

Throughout this transformation of the roads the city has updated maintenance plans for this entire section of Rapids Road. **If you are receiving this letter it is to inform you that the city will no longer be cutting the grass on the frontage up to the curb adjacent to your property on Rapids Rd. This will now become the property owner's responsibility.**

MMC 13.050 states: In the case of property adjacent to a street right-of-way, any grasses, lawns or weeds of any kind over eight inches in height are declared to be noxious weeds if they are located in either of the following areas: In areas where there is no sidewalk, within 10 feet from the curb or other termination of the edge of the roadway; or in areas with sidewalk, between the sidewalk and the curb and within 10 feet from the inside portion of the sidewalk. Every person shall destroy all noxious weeds on every parcel of land which he/she owns, occupies or controls. In other words, the adjacent property owners will be responsible to cut the grass up to the curb on Rapids Road.

The city has been cutting up to the curb as a courtesy. After receiving this letter, it will be the adjacent property owner's responsibility to maintain the grass up to the curb as stated above. Thank you for your cooperation during this transition.

If you have any questions, please contact our Operations Division of The Department of Public Infrastructure at (920) 686-6550.

Sincerely,



Chad Scheinoha
Operations Division Manager, City of Manitowoc DPI

CS:gm

13.050 Removal of Noxious Weeds.

(1) Definitions.

(a) **Noxious Weeds.** In addition to those noxious weeds listed in Wis. Stat. § 66.0407, the following are hereby declared to be noxious weeds in the City of Manitowoc:

1. Perennial sow thistle;

2. Wild and Indian mustard;

3. Quack grass; and

4. Ragweed.

5. In addition, any grasses, lawns or weeds of any kind over eight inches in height are declared to be noxious weeds, unless no portion of the tax parcel on which they are located lies within 200 feet of any other owner's dwelling unit or commercial building. In the case of property adjacent to a street right-of-way, any grasses, lawns or weeds of any kind over eight inches in height are declared to be noxious weeds if they are located in either of the following areas:

A. In areas where there is no sidewalk, within 10 feet from the curb or other termination of the edge of the roadway; or

B. In areas with sidewalk, between the sidewalk and the curb and within 10 feet from the inside portion of the sidewalk.

(b) **Dwelling unit** shall mean a structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.

(c) **Roadway** shall mean the traveled upon portion within the established right-of-way.

(2) Destruction of Noxious Weeds Required. Every person shall destroy all noxious weeds on every parcel of land which he/she owns, occupies or controls.

(3) Notice to Destroy Noxious Weeds.

(a) The Weed Commissioner or his designee shall publish a notice annually on or before May 15th, as required by Wis. Stat. § 66.0407, that every person is required by law to destroy all noxious weeds on lands in the City which he owns, occupies or controls.

(b) Upon receipt of a noxious weed complaint, the Weed Commissioner or his designee shall, on the first violation of the season, place a 48-hour written notice to destroy noxious weeds on the violating property. Notice may be placed on the entrance door of a primary building of the property or, if the property is vacant, on a sign placed on the property at a location visible from an adjacent sidewalk or road.

If the party responsible for the property fails to destroy the noxious weeds within 48 hours after receiving written notice, the City may proceed as set forth in subsection (4)(b) of this section. Subsequent violations will be addressed by the City without notice.

(4) Destruction of Noxious Weeds by City.

(a) The Weed Commissioner, who shall be the Director of Public Infrastructure, or his designee, shall have the powers and duties enumerated in this section and in Wis. Stat. § 66.0517.

(b) The Weed Commissioner or his designee shall investigate the existence of noxious weeds in the City. If a person neglects to destroy noxious weeds as required by this section and Wis. Stat. § 66.0407(3), the Weed Commissioner or his designee shall destroy, or have destroyed, the noxious weeds in the most economical manner. The Weed Commissioner or his designee is empowered to enter upon public and private lands and to cut or remove noxious weeds as defined in subsection (1) of this section or Wis. Stat. § 66.0407(1)(b).

(5) Cost of Removal. If the Weed Commissioner or his designee removes noxious weeds, the property owner shall be assessed for the cost of removal. Assessments shall be set annually by resolution of the Council, a copy of which shall be available at the City Clerk's office. For any weed/grass cutting that takes longer than 60 minutes, there will be an additional charge of time and material at a full-time rate. Charges will be collected as a tax pursuant to Wis. Stat. § 66.0517.

(6) Appeals. A person who is ordered to control noxious weeds and/or is charged for the cost of noxious weed control shall have the right to appeal the decision to control and the cost of the control by filing a written appeal on a form provided by the Municipal Clerk's office with the Board of Public Works within 20 days of the date of the control activity. The Board of Public Works shall hear such appeal at the next scheduled board meeting. After such hearing, the Board of Public Works shall make a recommendation to Common Council for action. [Ord. 19-456 § 1, 2019; Ord. 18-180 § 1, 2018; Ord. 12-396 §§ 1, 2, 3, 2012. Prior code § 13.05]

September 2, 2019

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Sincerely,



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