

15-713

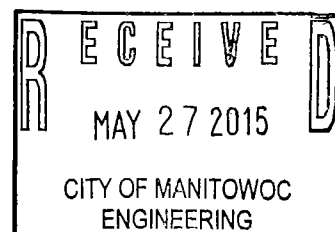
To whom it may concern,

I recently purchased 1436 N. Rapids Rd in Manitowoc, the property north of the city property, and I was advised to ask for permanent access to that city property. I would like this access due to the fact that I have many fallen trees and garbage in my back yard which is wooded. I would like to use the city property so I can use my atv to haul up these fallen trees to my front yard and also be able to walk on the city property to haul up what I can by hand. Due to the steep downgrade on my property it makes it impossible to use an atv for that use on my property which would result in injuries and walking up and down it is VERY difficult. I would be very pleased to use that as an access to make it look more appealing on the eyes and would also help take care of the garbage and if any fallen trees on the city side as well. Thanks for your time.

Sincerely,



Jared Smith



Greg Minikel

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:20 PM
To: David Soeldner
Cc: Chad Scheinoha; Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

I guess our main concern would be damaging the grass areas on our property, possible sediment tracking issues onto the shoulder of Rapids Rd. or erosion of the hillside into the pond if it is not kept properly seeded.

Is there an issue with liability and indemnification for the City?? The City should be indemnified if he were to get hurt on City property.

Chad,

Did you have any other issues or concerns with this access??

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

From: David Soeldner
Sent: Wednesday, May 27, 2015 3:12 PM
To: Greg Minikel
Subject: RE: City Property access at Rapids rd storm pond

Hi Greg,

Weird! I do believe that we can act on this on the 15th as long as it gets to the Clerk's office in time. Does the staff have any problem granting access?

Thanks;

Dave Soeldner | Alderman, District 8 | City of Manitowoc | 920-629-6444 | www.manitowoc.org

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:09 PM
To: David Soeldner
Cc: Dan Koski; Chad Scheinoha; Sonja Birr; Randy Junk; Dan Koski; Jill Erickson; Liza Rezach; Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

Timing is everything I guess. The property owner just came into the office at about 2:30 pm and dropped off the attached letter requesting the access.

I told him that there may not be a meeting on Monday. If there was, we would e-mail or call him.

Is there any way that this letter could be acted on at the June 15th Council Meeting if we give the letter to the Clerk's Office??

If approved, I am assuming that the Council would want the Attorney's office to draft some type of simple agreement.

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

From: Greg Minikel
Sent: Wednesday, May 27, 2015 10:39 AM
To: David Soeldner
Cc: Greg Minikel; Dan Koski; Chad Scheinoha; Sonja Birr
Subject: FW: City Property access at Rapids rd storm pond

Hi Dave,

Here is the string of emails about the Rapids Pond. A new property owner recently moved into the house abutting the north side of the City's pond property. He called Chad about accessing the City's land to get down to the bottom of his property with his ATV.

This is City land and not ROW and therefore the access over unimproved ROW would not apply in this case.

Knowing that we have had many issues in the past with the property owner to the south (Mark Meyer), I do not want to be the one granting permission.

I think that there should be an agreement approved by the Committee and/or Council.

To my knowledge we have not received a letter as of today.

Until we receive a letter with his written request for access, I guess it will be on hold.

Chad,

Do you have any additional information??

From: Greg Minikel
Sent: Wednesday, May 20, 2015 9:31 AM
To: Dan Koski ; Jill Erickson; Liza Rezach (lrezach@manitowoc.org); Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Cc: Chad Scheinoha
Subject: FW: City Property access at Rapids rd storm pond

FYI:

I told Chad to have them submit a letter as this is City owned land and not ROW. Therefore, access over unimproved ROW would not work.

If this gets used a lot, I am concerned that the neighbor to the south (Mark Meyer) will not be happy and therefore I want the property owner to have the City Council approval.

From: Chad Scheinoha

Sent: Wednesday, May 20, 2015 9:14 AM
To: 'gallo_conspiracy@yahoo.com'
Cc: Greg Minikel; Dan Koski
Subject: City Property access at Rapids rd storm pond

Jerod,

Please send a letter to 900 Quay street "City of Manitowoc".

Write it to the "Department of Public Infrastructure Committee". State your entire request and reason for the request.

They will discuss this at the June meeting which will be held at city hall on June 8th at 6:30pm. You are welcome to attend and speak if you wish.

If you have any questions feel free to contact our city clerk at 686-6950.

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402

Greg Minikel

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:42 PM
To: David Soeldner; Chad Scheinoha
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

I would still like to see the Council approve the request, but I guess the property owner could just sign our standard liability waiver that Chad mentioned.

I guess the permission could be revoked by the City at any time if he causes damage to the City's property and does not restore it or any other issues that he does not want to address.

So, maybe it does not need a formal attorney drafted agreement.

Actually, my biggest concern is what Mark Meyer's reaction will be to his new neighbor running an ATV down the hillside on the City's property. So, if he gets Council permission and signs the waiver we are probably good.

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

From: David Soeldner
Sent: Wednesday, May 27, 2015 3:35 PM
To: Chad Scheinoha; Greg Minikel
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

I would like to protect the City however you best see fit. Does this need any kind of formal access agreement from the Attorney's office?

Dave Soeldner | Alderman, District 8 | City of Manitowoc | 920-629-6444 | www.manitowoc.org

From: Chad Scheinoha
Sent: Wednesday, May 27, 2015 3:23 PM
To: Greg Minikel; David Soeldner
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

I don't have any objections. I have also allowed limited access with volunteers and ATV's/tractors on park areas in the past and have not had any issues.

We could/should have him sign a general liability waiver to cover us on the liability end.

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402

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

From: Greg Minikel

Sent: Wednesday, May 27, 2015 3:20 PM
To: David Soeldner
Cc: Chad Scheinoha; Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

I guess our main concern would be damaging the grass areas on our property, possible sediment tracking issues onto the shoulder of Rapids Rd. or erosion of the hillside into the pond if it is not kept properly seeded.

Is there an issue with liability and indemnification for the City?? The City should be indemnified if he were to get hurt on City property.

Chad,

Did you have any other issues or concerns with this access??

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

From: David Soeldner
Sent: Wednesday, May 27, 2015 3:12 PM
To: Greg Minikel
Subject: RE: City Property access at Rapids rd storm pond

Hi Greg,

Weird! I do believe that we can act on this on the 15th as long as it gets to the Clerk's office in time. Does the staff have any problem granting access?

Thanks,

Dave Soeldner | Alderman, District 8 | City of Manitowoc | 920-629-6444 | www.manitowoc.org

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:09 PM
To: David Soeldner
Cc: Dan Koski; Chad Scheinoha; Sonja Birr; Randy Junk; Dan Koski; Jill Erickson; Liza Rezach; Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

Timing is everything I guess. The property owner just came into the office at about 2:30 pm and dropped off the attached letter requesting the access.

I told him that there may not be a meeting on Monday. If there was, we would e-mail or call him.

Is there any way that this letter could be acted on at the June 15th Council Meeting if we give the letter to the Clerk's Office??

If approved, I am assuming that the Council would want the Attorney's office to draft some type of simple agreement.

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

From: Greg Minikel
Sent: Wednesday, May 27, 2015 10:39 AM
To: David Soeldner
Cc: Greg Minikel; Dan Koski; Chad Scheinoha; Sonja Birr
Subject: FW: City Property access at Rapids rd storm pond

Hi Dave,

Here is the string of emails about the Rapids Pond. A new property owner recently moved into the house abutting the north side of the City's pond property. He called Chad about accessing the City's land to get down to the bottom of his property with his ATV.

This is City land and not ROW and therefore the access over unimproved ROW would not apply in this case.

Knowing that we have had many issues in the past with the property owner to the south (Mark Meyer), I do not want to be the one granting permission.

I think that there should be an agreement approved by the Committee and/or Council.

To my knowledge we have not received a letter as of today.

Until we receive a letter with his written request for access, I guess it will be on hold.

Chad,

Do you have any additional information??

From: Greg Minikel
Sent: Wednesday, May 20, 2015 9:31 AM
To: Dan Koski ; Jill Erickson; Liza Rezach (lrezach@manitowoc.org); Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Cc: Chad Scheinoha
Subject: FW: City Property access at Rapids rd storm pond

FYI:

I told Chad to have them submit a letter as this is City owned land and not ROW. Therefore, access over unimproved ROW would not work.

If this gets used a lot, I am concerned that the neighbor to the south (Mark Meyer) will not be happy and therefore I want the property owner to have the City Council approval.

From: Chad Scheinoha
Sent: Wednesday, May 20, 2015 9:14 AM
To: 'gallo_conspiracy@yahoo.com'
Cc: Greg Minikel; Dan Koski
Subject: City Property access at Rapids rd storm pond

Jerod,

Please send a letter to 900 Quay street "City of Manitowoc".

Write it to the "Department of Public Infrastructure Committee". State your entire request and reason for the request.

They will discuss this at the June meeting which will be held at city hall on June 8th at 6:30pm. You are welcome to attend and speak if you wish.

If you have any questions feel free to contact our city clerk at 686-6950.

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402

Greg Minikel

From: Chad Scheinoha
Sent: Wednesday, May 27, 2015 3:45 PM
To: David Soeldner; Greg Minikel
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

Just to add my comments.

I know the county allows access on county owned land for things like this as well and they don't do formal agreements. My opinion is that a waiver is enough, but it can't hurt to confirm with the attorney.

Greg,
Can you check?

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402

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

From: David Soeldner
Sent: Wednesday, May 27, 2015 3:35 PM
To: Chad Scheinoha; Greg Minikel
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

I would like to protect the City however you best see fit. Does this need any kind of formal access agreement from the Attorney's office?

Dave Soeldner | Alderman, District 8 | City of Manitowoc | 920-629-6444 | www.manitowoc.org

From: Chad Scheinoha
Sent: Wednesday, May 27, 2015 3:23 PM
To: Greg Minikel; David Soeldner
Cc: Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

I don't have any objections. I have also allowed limited access with volunteers and ATV's/tractors on park areas in the past and have not had any issues.

We could/should have him sign a general liability waiver to cover us on the liability end.

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402

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

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:20 PM
To: David Soeldner
Cc: Chad Scheinoha; Dan Koski; Sonja Birr; Matt Smits
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

I guess our main concern would be damaging the grass areas on our property, possible sediment tracking issues onto the shoulder of Rapids Rd. or erosion of the hillside into the pond if it is not kept properly seeded.

Is there an issue with liability and indemnification for the City?? The City should be indemnified if he were to get hurt on City property.

Chad,

Did you have any other issues or concerns with this access??

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

From: David Soeldner
Sent: Wednesday, May 27, 2015 3:12 PM
To: Greg Minikel
Subject: RE: City Property access at Rapids rd storm pond

Hi Greg,

Weird! I do believe that we can act on this on the 15th as long as it gets to the Clerk's office in time. Does the staff have any problem granting access?

Thanks,

Dave Soeldner | Alderman, District 8 | City of Manitowoc | 920-629-6444 | www.manitowoc.org

From: Greg Minikel
Sent: Wednesday, May 27, 2015 3:09 PM
To: David Soeldner
Cc: Dan Koski; Chad Scheinoha; Sonja Birr; Randy Junk; Dan Koski; Jill Erickson; Liza Rezach; Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Subject: RE: City Property access at Rapids rd storm pond

Hi Dave,

Timing is everything I guess. The property owner just came into the office at about 2:30 pm and dropped off the attached letter requesting the access.

I told him that there may not be a meeting on Monday. If there was, we would e-mail or call him.

Is there any way that this letter could be acted on at the June 15th Council Meeting if we give the letter to the Clerk's Office??

If approved, I am assuming that the Council would want the Attorney's office to draft some type of simple agreement.

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

From: Greg Minikel
Sent: Wednesday, May 27, 2015 10:39 AM
To: David Soeldner
Cc: Greg Minikel; Dan Koski; Chad Scheinoha; Sonja Birr
Subject: FW: City Property access at Rapids rd storm pond

Hi Dave,

Here is the string of emails about the Rapids Pond. A new property owner recently moved into the house abutting the north side of the City's pond property. He called Chad about accessing the City's land to get down to the bottom of his property with his ATV.

This is City land and not ROW and therefore the access over unimproved ROW would not apply in this case.

Knowing that we have had many issues in the past with the property owner to the south (Mark Meyer), I do not want to be the one granting permission.

I think that there should be an agreement approved by the Committee and/or Council.

To my knowledge we have not received a letter as of today.

Until we receive a letter with his written request for access, I guess it will be on hold.

Chad,

Do you have any additional information??

From: Greg Minikel
Sent: Wednesday, May 20, 2015 9:31 AM
To: Dan Koski ; Jill Erickson; Liza Rezach (lrezach@manitowoc.org); Matt Smits; Mike Zimmer; Sonja Birr; Steve Herzog
Cc: Chad Scheinoha
Subject: FW: City Property access at Rapids rd storm pond

FYI:

I told Chad to have them submit a letter as this is City owned land and not ROW. Therefore, access over unimproved ROW would not work.

If this gets used a lot, I am concerned that the neighbor to the south (Mark Meyer) will not be happy and therefore I want the property owner to have the City Council approval.

From: Chad Scheinoha

Sent: Wednesday, May 20, 2015 9:14 AM
To: 'gallo_conspiracy@yahoo.com'
Cc: Greg Minikel; Dan Koski
Subject: City Property access at Rapids rd storm pond

Jerod,

Please send a letter to 900 Quay street "City of Manitowoc".

Write it to the "Department of Public Infrastructure Committee". State your entire request and reason for the request.

They will discuss this at the June meeting which will be held at city hall on June 8th at 6:30pm. You are welcome to attend and speak if you wish.

If you have any questions feel free to contact our city clerk at 686-6950.

Chad J. Scheinoha
Parks – Cemetery – Bridges
City of Manitowoc, Department of Public Infrastructure
(920) 686-6512
(920) 374-0402