



CITY OF MANITOWOC

WISCONSIN, USA
www.manitowoc.org



October 11, 2018

18-1090

CONSENT

TO: Mayor and Common Council

FROM: Board of Public Works

SUBJECT: Request to Reduce Noxious Weed Charge for Property Located 1795 Nagle Ave.

Dear Mayor and Common Council:

At the October 10, 2018 Board of Public Works meeting, the Board met to review the request to reduce a noxious weed charge for a property located at 1795 Nagle Avenue.

"Moved by City Attorney Kathleen McDaniel, seconded by Finance Director/Treasurer Steve Corbeille, and unanimously carried to deny this request. Ayes, 6. Nays, none."

Very Truly Yours,

DEBORAH NEUSER
Secretary Board of Public Works

Mackenzie Reed-Kadow

From: Deborah Neuser
Sent: Tuesday, September 18, 2018 11:18 AM
To: Mackenzie Reed-Kadow
Subject: FW: Assessment ID# - WC2018-0094
Attachments: JM Lawn Seeding Invoice.pdf; 8085 - 1795 NAGLE AVE.jpg; JM Lawn Mowing Invoice.pdf; Notice by City.jpg; Gary Roeh Email 08.16.2018.pdf; City of Manitowoc Invoice.pdf

From: Tim Frey [<mailto:timfrey@vistacare.org>]
Sent: Tuesday, September 18, 2018 11:01 AM
To: Deborah Neuser
Subject: Assessment ID# - WC2018-0094

Hi,

I'm managing member of Harley Estates, LLC and emailing to contest the Weed Cutting Violation for 1795 Nagle Avenue (Parcel # 818-402-013).

This is the timeline of events:

- 1) Property was under construction and construction was halted earlier this year
- 2) Harley Estates (Vista Care previously TLC Homes) developed a plan with the city if construction resumed or was stopped completely. In early August it was decided the home was not going to be built.
- 3) 8/15 - Dirt was leveled and top soil spread (see attachment Gary Roeh Email 08.16.2018
- 4) 8/17 - Seed was placed (see attachment JM Lawn Seeding Invoice)
- 5) Per Josh Bower, owner of JM Services it rained on 8/20, 8/21, 8/24, 8/27 & 8/28
- 6) 8/31 Lawn was cut by City (see attachment City of Manitowoc Invoice)

Additional items that are relevant:

- 1) Freshly seeded grass shouldn't be cut for the first 4 - 6 weeks.
- 2) The grass was at 8" but wasn't a nuisance (see attachment 8085 - 1795 Nagle Ave)
- 3) The City's subcontractor grossly overcharged for this project. \$650 versus the \$105 charged by JM Services (see attachment JM Lawn Moving Invoice).
- 4) The process of placing a notice on a vacant lot requesting action is flawed. My contact information is all over the place with the city and I've always been a responsive corporate citizen. Further the notice wasn't even completed (see attachment Notice by City).

Until this morning I wasn't aware that I had to reply by 3pm today. I knew the meeting was tomorrow. I apologize for the very short and direct email. My schedule is full the rest of the day but could find time tomorrow to discuss if you want. My cell number is 920-980-484.

I'm asking for the invoice to be completely forgiven. Also I want to voice my displeasure with the City's contractor that provides the mowing service. That they charged \$650 for a service that is about a \$100 service is an abuse of the system.

Thank you for considering my appeal. Again contact me at anytime.

Sincerely,



Timothy A. Frey
President & CEO - Vista Care
633 St.Clair Ave. Sheboygan, WI 53081
P 920.694.1102 F 920.694.4685
timfrey@vistacare.org www.vistacare.org



J & M Professional Services LLC



Harley Estates

18th and Nagle
Manitowoc, Wisconsin 54220

First Half of September Property Services 2018

Invoice #4912

From **J & M Professional Services LLC**
920-698-0361
JMServices18@yahoo.com
www.jmprofessionalservices.com
739 Warbler Road
Howards Grove, WI 53083

Client Phone (920) 980-4894

Bill To 633 St Clair
Sheboygan, WI 53081

Issued 2018-09-17

Due **2018-09-17**

| SERVICE / PRODUCT | DESCRIPTION | QTY. | UNIT COST | TOTAL |
|-------------------|--|------|-----------|----------|
| 2018-09-14 | | | | |
| Cut, Trim, Blow | Weekly or as needed lawn cutting, trimming, and blowing hard surfaces clear. Cuttings are done very 7-10 day based on seasonal growth rates. Price is per cutting. | 1 | \$100.00 | \$100.00 |

*J&M PROFESSIONAL SERVICES, LLC, SHALL HAVE THE RIGHT TO WITHDRAW THIS PROPOSAL AT ANY TIME PRIOR TO ACCEPTANCE. IT SHALL ALSO HAVE THE RIGHT TO CANCEL THE REMAINDER OF THIS CONTRACT UPON BUYER'S DEFAULT IN PAYMENT. A PAST DUE ACCOUNT SHALL HAVE A CARRYING CHARGE OF 5% PERCENT PER MONTH AND AN ADDITIONAL 18 % PER ANNUM, ON THE DECLINING UNPAID BALANCE UNTIL PAID IN FULL. ANY COLLECTION AND/OR LEGAL EXPENSES SHALL BE PAID BY THE DEBTOR. THIS CONTRACT MAY BECOME VOID IF NOT COMPLETED WITHIN SIX MONTHS.

| | |
|------------------|-----------------|
| Subtotal | \$100.00 |
| Sales Tax (5.5%) | \$5.50 |
| Total | \$105.50 |

Harley Estates

633 St Clair
Sheboygan, WI 53081

First Half of September Property Services 2018

Invoice #: 4912
Due Date: 2018-09-17
Amount Due: \$105.50
Amount Enclosed: _____

Mail To:

J & M Professional Services LLC
739 Warbler Road
Howards Grove, WI 53083



CITY OF MANITOWOC
 900 QUAY ST.
 MANITOWOC, WISCONSIN 54220
www.manitowoc.org



INVOICE

09/05/2018

HARLEY ESTATES LLC,
 633 ST CLAIR AVE
 SHEBOYGAN, WI 53081

Due Date: Upon Receipt

| Assessment Information | Amount |
|--|----------|
| Parcel #: 818-402-013 Customer #: 42149 Assessment ID#: WC2018-0094 Weed Cutting Violation Date Cut: 8/31/2018 1795 NAGLE AVE | \$625.49 |

This is your notice that a special charge/assessment has been made against the above described lot in the City of Manitowoc in accordance with the Municipal Code and WI State Statutes. Payment may be made at the office of the Manitowoc City Treasurer. If the amount above is not paid by November 1 of the current year, the full amount will be included on the 1st installment of your next property tax bill.

If you have questions regarding the invoice, please call (920) 686-6510.

Please detach and remit with payment

HARLEY ESTATES LLC,

S/A: WC2018-0094
 Parcel: 818-402-013
 Customer #: 42149

Due: Upon Receipt
 Amount Due: \$625.49

Amount Paid \$ _____

Remit to:
 City of Manitowoc
 900 Quay Street
 Manitowoc, WI 54220



Tim Frey <timfrey@vistacare.org>

Fwd: Nagle

1 message

Gary Roeh <gary.roeh@gmail.com> Thu, Aug 16, 2018 at 1:13 PM
To: Tim Frey <timfrey@tlchomes.net>

Tim,

Site is ready for your landscaper to seed. Silt fence needs to stay until germination and two mowings.

Thank you,

Gary Roeh
Roeh Excavating LLC

----- Forwarded message -----

From: **Chad Roeh** <chad.roeh@gmail.com>

Date: Thu, Aug 16, 2018 at 7:43 AM

Subject: Nagle

To: Gary Roeh <gary.roeh@gmail.com>

Topsoil is spread

2 attachments

20180815_172641.jpg



3974K



20180815_172635.jpg
3649K



Issue #: _____
Date: _____ Time: _____ am/pm
Address: _____
Parcel Number: _____

Dear Property Owner OR Resident:

The City of Manitowoc has received a complaint regarding long weeds or grasses at your property.

If the weeds or grasses longer than 8" in length are not cut within 48 hours of the date of this notice, the City's contractor will cut the property and the City will assess the costs to the property owner. The minimum assessment in a three-year period is: 1st violation - \$300, 2nd violation - \$600, 3rd and subsequent violations - \$900. For any weed or grass cutting that takes longer than 60 minutes, there will be an additional charge of time and material at the full-time rate.

If weeds or grasses fall to within 200' of any dwelling unit or commercial building, the entire parcel must be cut. They must also be cut between the curb and sidewalk and 10' back from the inside portion of the sidewalk. If there is no sidewalk, they must be cut 10' from the curb or termination of edge of roadway.

You will not receive additional notices for subsequent complaints.

For questions or concerns, contact:
City of Manitowoc - Streets Division
900 Quay St., Manitowoc, WI 54220
Phone: (920)686-6550
Office hours: Weekdays 8 AM—4 PM
Website: www.manitowoc.org

J & M Professional Services LLC



Harley Estates

18th and Nagle
Manitowoc, Wisconsin 54220

Seeding Vacant Lot

Invoice #4749

From **J & M Professional Services LLC**
920-698-0361
JMServices18@yahoo.com
www.jmprofessionalservices.com
739 Warbler Road
Howards Grove, WI 53083

Client Phone (920) 980-4894
Bill To 633 St Clair
Sheboygan, WI 53081
Issued 2018-08-20
Due ~~2018-08-20~~

| SERVICE / PRODUCT | DESCRIPTION | QTY. | UNIT COST | TOTAL |
|-------------------------|--|------|-----------|----------|
| 2018-08-17 | | | | |
| Landscaping | Seed, fertilize, and straw cover 30k sq ft of rough graded top soil. Includes quick growing contractor Rye grass mixed with Kentucky Blue Grass, 12 bales of straw, and lawn starter fertilizer. | 11 | \$50.00 | \$550.00 |
| Materials - Landscaping | Costs: \$136.06 - Seed (Menards) \$109.51 - Fertilizer (Menards) \$89.16 - Straw (Badger Hatchery and Fleet Farm) | 1 | \$334.73 | \$334.73 |

| | |
|------------------|-----------------|
| Subtotal | \$884.73 |
| Sales Tax (5.5%) | \$48.66 |
| Total | \$933.39 |

*J&M PROFESSIONAL SERVICES, LLC, SHALL HAVE THE RIGHT TO WITHDRAW THIS PROPOSAL AT ANY TIME PRIOR TO ACCEPTANCE. IT SHALL ALSO HAVE THE RIGHT TO CANCEL THE REMAINDER OF THIS CONTRACT UPON BUYER'S DEFAULT IN PAYMENT. A PAST DUE ACCOUNT SHALL HAVE A CARRYING CHARGE OF 5% PERCENT PER MONTH AND AN ADDITIONAL 18 % PER ANNUM, ON THE DECLINING UNPAID BALANCE UNTIL PAID IN FULL. ANY COLLECTION AND/OR LEGAL EXPENSES SHALL BE PAID BY THE DEBTOR. THIS CONTRACT MAY BECOME VOID IF NOT COMPLETED WITHIN SIX MONTHS.

Harley Estates
633 St Clair
Sheboygan, WI 53081

Seeding Vacant Lot

Invoice #: 4749
Due Date: 2018-08-20
Amount Due: \$933.39
Amount Enclosed: _____

Mail To:
J & M Professional Services LLC
739 Warbler Road
Howards Grove, WI 53083

Mackenzie Reed-Kadow

From: Sue Reilly
Sent: Tuesday, September 18, 2018 8:02 AM
To: 'Tim Frey'
Cc: Chad Scheinoha; Karen Dorow; Sandy Ronski; Billy Hutterer; Sonja Birr; Mackenzie Reed-Kadow; Deborah Neuser
Subject: RE: GRASS CUTTING - NAGLE AVENUE

Good morning,

As we discussed during our phone conversation, you need to right a letter to the Board of Public Works (900 Quay Street, Manitowoc, WI 54220) or email dneuser@manitowoc.org by 3 p.m. today stating why you believe the charges should be rescinded.

At this time, you need to get this information to us as soon as possible to be added to the agenda for tomorrow night.

Sue Reilly

City of Manitowoc DPI
Administrative Support Specialist
Streets & Sanitation, Parks,
Cemetery, Buildings & Grounds
Office: (920)686-6550
Fax: (920)686-6525
Shop: (920)686-6526

From: Tim Frey [<mailto:timfrey@vistacare.org>]
Sent: Monday, September 17, 2018 6:00 PM
To: Sue Reilly
Cc: Chad Scheinoha; Karen Dorow; Sandy Ronski; Billy Hutterer; Sonja Birr
Subject: Re: GRASS CUTTING - NAGLE AVENUE

Sue,

I'm requesting information on the correct way to appeal the lawn cutting fee assessed to my property. It is due by the 19th and I have other projects that need my attention.

Please reply.



Timothy A. Frey
President & CEO - Vista Care
633 St.Clair Ave. Sheboygan, WI 53081
P 920.694.1102 F 920.694.4685
timfrey@vistacare.org www.vistacare.org



On Sat, Sep 15, 2018 at 6:49 AM, Tim Frey <timfrey@vistacare.org> wrote:
Sue,

I'm planning on appealing both that the lawn should have cut at that time and the fee. Is replying all to this email group an appropriate method of appealing?



Timothy A. Frey
President & CEO - Vista Care
633 St.Clair Ave. Sheboygan, WI 53081
P 920.694.1102
F 920.694.4685
timfrey@vistacare.org www.vistacare.org

On Sep 13, 2018, at 1:01 PM, Sue Reilly <sreilly@manitowoc.org> wrote:

Attached please find the picture you requested regarding the cutting of your property on Nagle Avenue.

Sue Reilly

City of Manitowoc DPI

Administrative Support Specialist

Streets & Sanitation, Parks,

Cemetery, Buildings & Grounds

Office: (920)686-6550)

Fax: (920)686-6525

Shop: (920)686-6526

<8085 - 1795 NAGLE AVE - 1 - 20180831_090342_resized.jpg>

Issue #(8085)

City of Manitowoc

CK PROPERTY DATE: _____

Department of Public Infrastructure
Noxious Weed Complaint and Cutting Form

| | |
|--|--|
| Location: 1795 NAGLE AVE | Complaint Date: 8/30/2018 12:00:00 AM 0 |
| Parcel Number: 818402013 (Lot #12673) | Complainant Name: |
| Owner Name: HARLEY ESTATES LLC | Complainant Phone: |
| Owner Address: 633 ST CLAIR AVE SHEBOYGAN WI 53081 | Subsequent Complaint (circle if applicable) If circled proceed to compliance inspection |

| |
|--------------------------------|
| Action taken: door hanger hung |
| Date door hanger hung: / / |

Owner to get 48 hours from time door hanger hung to comply.

COMPLIANCE INSPECTION DATE/TIME/INITIALS: ___/___/___ :___:___ COMPLIANCE: YES NO

| COMPLIANCE YES OR NO | DATE CUT | EMPLOYEE | START TIME | END TIME | TOTAL HRS | DUMP TIME | DATE BILLED | MINIMUM CHARGE | ADDIT'L CHARGES |
|-------------------------|-------------|----------|---------------|-------------|--------------|--------------|----------------|-------------------|---------------------|
| No | 8-31-18 | LM BS | 1:15 | 2:30 | 1.25 | .25 | | \$600 | 3/4 @ 33.99 = 25.49 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | Total | \$625.49 |

For DPW office use only

DATE/TIME GIVEN TO ECO-TECH ___/___/___ :___:___ AM/PM



80.85

1795 Nagle Ave.

Issue #(7767)

City of Manitowoc

CK PROPERTY DATE: 7/13/18

Department of Public Infrastructure
Noxious Weed Complaint and Cutting Form

| | |
|--|--|
| Location: 1795 NAGLE AVE | Complaint Date: 7/12/2018 12:00:00 AM 0 |
| Parcel Number: 818402013 (Lot #12673) | Complainant Name: |
| Owner Name: HARLEY ESTATES LLC | Complainant Phone: |
| Owner Address: 633 ST CLAIR AVE SHEBOYGAN WI 53081 | Subsequent Complaint (circle if applicable) If circled proceed to compliance inspection |

| |
|--------------------------------|
| Action taken: door hanger hung |
| Date door hanger hung: 7/11/18 |

Owner to get 48 hours from time door hanger hung to comply.

COMPLIANCE INSPECTION DATE/TIME/INITIALS: 7/13/18 DN 10⁵⁰ AM COMPLIANCE: YES NO

| COMPLIANCE YES OR NO | DATE CUT | EMPLOYEE | START TIME | END TIME | TOTAL HRS | DUMP TIME | DATE BILLED | MINIMUM CHARGE | ADDIT'L CHARGES |
|-------------------------|-------------|----------|---------------|-------------|--------------|--------------|----------------|-------------------|-----------------------|
| No | 7-16-18 | LMBS | 2:30p | 6:00 | 3.5 | .25 | | \$300 | 5.25 @ 33.99 = 178.45 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | Total | 478.45 |

For DPW office use only

DATE/TIME GIVEN TO ECO-TECH 1 1 : AM/PM

| |
|---|
| Issue #: <u>7767</u> |
| Date: <u>7-11-18</u> Time: <u>1050</u> <input checked="" type="radio"/> am <input type="radio"/> pm |
| Address: <u>Nagle / Magnolia s/w corner</u> |
| Parcel Number: <u>818-402-013</u> |

mp\CM20180712029016.sbw 7/12/2018





Issue

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