

**MINUTES OF THE MEETING OF THE  
TOWN OF SHEBOYGAN TOWN BOARD  
TUESDAY, AUGUST 18<sup>TH</sup>, 2020 @ 5:15 PM**

A Town of Sheboygan Town Board meeting was held on Tuesday, August 18<sup>th</sup>, 2020 in open session at the Town of Sheboygan Fire Department, 3911 County Road Y, Sheboygan, Wisconsin 53083, Sheboygan County, Wisconsin.

The meeting was called to order by Town Chairman Dan Hein. The following were also present at the meeting: Supervisors John Wagner, Alexandra Nugent, Char Gumm, Director of DPW Bill Blashka, Clerk Peggy Fischer, Ordinance Enforcement Officer Mark Heronymus, Town Engineer Tom Holtan, and Attorney Michael Bauer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places.

Upon motions duly made and seconded, the Town of Sheboygan Town Board unanimously adopted the attached resolutions unless noted otherwise and made a part of these minutes by reference.

There being no further business the meeting was adjourned.

**TOWN OF SHEBOYGAN TOWN BOARD**

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DANIEL W. HEIN, CHAIRMAN

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CHAR GUMM, SUPERVISOR

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JOHN WAGNER, SUPERVISOR

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ALEXANDRA NUGENT, SUPERVISOR

**MOTIONS DULY MADE AND SECONDED, THE FOLLOWING RESOLUTIONS WERE ADOPTED UNANIMOUSLY BY THE TOWN OF SHEBOYGAN TOWN BOARD IN OPEN SESSION**

Dan Hein called the meeting to order at 5:17pm

The Pledge of Allegiance was said.

Introductions were given.

**Motion Wagner, second Nugent to approve the agenda. Motion carried.**

Approval of minutes from July 14<sup>th</sup> and July 15<sup>th</sup>, 2020 Town Board Meeting. **Motion Wagner, second Gumm to approve the minutes from July 14<sup>th</sup> and July 15<sup>th</sup>, 2020. Motion carried.**

Atty. Bauer opened the public hearing and noted that the Conditional Use Permit and Rezoning Application have had a public hearing previously at the Plan Commission meeting.

**PUBLIC HEARING –** Discontinuance of a public right-of-way known as Venture Drive located in the Town of Sheboygan, Sheboygan County, Wisconsin, pursuant to Wisconsin Statute 66.1003. Atty. Bauer was approached by SM Landmark Properties, LLC regarding the expansion and vacation of Venture Drive. SM Landmark owns the property on both sides of the road. Herb Binkowsky, Owner of Professional Supply was present with his Attorney, Eric Zufelt. Atty. Zufelt explained that his client objects to the discontinuance of the road and feels that he should be refunded money for the road and land that he dedicated to the Town. Atty. Zufelt said that he would need to review more documents and that a resolution would be likely. **Motion Gumm, second Wagner to close the public hearing. Motion carried.**

Atty. Bauer opened the public hearing. Atty. Bauer explained that SM Landmark Properties, LLC is proposing an addition to the Miesfeld's. This would allow for the expansion of the retail, coolers, processing, warehouse. This would include mechanical upgrades. No public comments.

**PUBLIC HEARING – Conditional Use Permit**

Petitioner: Quasius Construction, Inc. c/o SM Landmark Properties, LLC  
Petitioner Address: 1202A North 8<sup>th</sup> Street, Sheboygan, WI 53081  
Property Owner: SM Landmark Properties, LLC  
Property Owner Address: 5210 Vanguard Drive, Sheboygan, WI 53083  
Property Address: 4811 Venture Drive  
Property Zoning: B-3  
Parcel Size: Approx. 2.46 Acres  
Parcel Number: 59024342051  
Purpose of Petition: Proposing an addition to facility to expand retail, coolers, processing, warehouse and mechanical upgrades to Miesfeld's Triangle Market, Inc. **Motion Nugent, second**

**Wanger to close the public hearing. Motion carried.**

Atty. Bauer opened the public hearing. Atty. Bauer explained the rezoning necessary since it was residential and Miesfeld's would like to use the area for additional parking and a pavilion for brat fries.

**PUBLIC HEARING – Rezoning Application**

Petitioner: Quasius Construction, Inc. c/o SM Landmark Properties, LLC  
Petitioner Address: 1202A North 8<sup>th</sup> Street, Sheboygan, WI 53081  
Property Owner: SM Landmark Properties, LLC  
Property Owner Address: 5210 Vanguard Drive, Sheboygan, WI 53083  
Property Address: 4811 Venture Drive  
Property Zoning: R-3  
Proposed Zoning: B-3  
Parcel Size: Approx. 1.2 Acres  
Parcel Number: 59024342054, 59024342055, 59024342056  
Purpose of Petition: Proposed use is business for Miesfeld's Triangle Market, Inc. The current residential zone area would become a parking lot and pavilion. **Motion Gumm, second**

**Wagner to close the public meeting. Motion carried.**

1. Discontinuance of a public right-of-way know as Venture Drive located in the Town of Sheboygan, Sheboygan County, Wisconsin, pursuant to Wisconsin Statute 66.1003. **Motion Wagner, second Nugent to approve the resolution regarding the Discontinuance of a public right-of-way known as Venture Drive. Roll call vote all ayes. Motion carried.**
2. Conditional Use Permit for Quasius Construction, Inc. c/o SM Landmark Properties, LLC for Miesfeld's Triangle Market, Inc. at 5210 Vanguard Drive, Sheboygan, WI 53083 for the purpose of an addition to the facility to expand retail, coolers, processing, warehouse and mechanical upgrades. **Motion Wagner, second Gumm to approve the Conditional Use Permit for Quasius Construction for Miesfeld's Triangle Market, Inc.at 5210 Vanguard Drive. Motion carried.**
3. Rezoning Application for Quasius Construction, Inc. c/o SM Landmark Properties, LLC for Miesfeld's Triangle Market, Inc. at 5210 Vanguard Drive, Sheboygan, WI 53083 for parcels 59024342054, 59024342055, 59024342056. The purpose of the rezoning from R-3 to B-3 is to use the parcels as a parking lot and pavilion for the business. **Motion Nugent, second Gumm to approve the Rezoning application for Quasius Construction for SM Landmark Properties, LLC for Miesfeld's Triangle Market Inc at 5210 Vanguard Drive, Sheboygan, WI from R-3 to B-3. Motion carried.**
4. Approve Certified Survey Map for Peter Arthurs, Tax Parcel Nos. 59024350750, 59024350700, 59024350436, 59024350690, 59024350470, conditioned upon execution of Driveway and Utility Encroachment Agreement for North 42nd Street unimproved right-of-way. Peter Arthurs was present and gave the original stamped survey to Atty. Bauer. Atty. Bauer gave Arthurs a draft of the agreement for review. **Motion Gumm, second Nugent to approve the Certified Survey Map for Peter Arthurs as well as the Driveway and Utility Encroachment Agreement. Motion carried.**
5. Approve revised Master Site Grading Plan for Windmor Subdivision Lots 57 and 58. Atty. Bauer explained that the issue regarding the Master Site Grading Plan has been resolved between the neighbors. **Motion Gumm, second Wagner to approve the modification of the Master Site Grading Plan for Windmor Subdivision Lots 57 and 58. Motion carried.**
6. Proposed Ordinance Repealing and Recreating Section 10.8(c) of the Municipal Code defining the Allowable Square Footage of Accessory Use Structures. **Motion Nugent, second Wagner to refer the Proposed Ordinance Repealing and Recreating Section 10.8 (c) of the Municipal Code defining the Allowable Square Footage of Accessory Use Structures back to the Plan Commission. Motion carried.**
7. Ordinance Enforcement Officers Report. Mark Heronymus spoke about two current issues. The first was at 830 N. 37<sup>th</sup>, Street, Sheboygan Atty. Bauer was directed to send a letter to 830 N. 38<sup>th</sup> Street. Fischer was later directed to send both letters to Vang and Sawicki. The Board also requested a letter be sent to Marcus Krugel regarding his personal property being in the right-of-way on the corner of Heather Valley and Enterprise.
8. Department of Public Works Report. Bill Blashka reported on drainage and road issues.
9. Amendment No.2 to Addendum to Joint Sewage Treatment Agreement. Atty. Bauer explained that this is a cleanup agreement between the City of Sheboygan and Town of Sheboygan Sanitary District #2. **Motion Gumm, second Wagner to approve the agreement. Motion carried.**
10. General Engineering Services budget increase of \$30,000. Tom Holtan was present and explained the need to increase the budget. **Motion Wagner, second Gumm to approve an increase in general engineering services budget of \$30,000. Motion carried.**
11. Dan Welsch, 4022 N. 50<sup>th</sup> Street, Sheboygan, WI is requesting permission to hunt the Town owned land on Mueller Road. Dan Welsch was present. Welsch explained that he has bow hunted the land in the past and would like to bow hunt the land this year. Welsch does not live far from the land and would like to put cameras up and he would keep an eye on the land as well. Per Atty. Bauer, he will need to provide insurance and the Bow Hunting license would expire in one year. **Motion Gumm, second Wagner to approve Welsch bow hunting only on the Town owned land on Mueller Road for one year and must give proof of insurance. Motion carried.**
12. Wisconsin Bank and Trust, Pledged Securities Control Agreement request. Atty. Bauer explained the agreement request. Atty. Bauer has requested more information and has not received any additional information at the point so there will be no action.
13. **Closed Session** The Town of Sheboygan Town Board may convene into Closed Session pursuant to Section 19.85 (1)(c) of the WI Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Roll call vote completed. All ayes.

14. **Open Session** the Town of Sheboygan Town Board will convene into Open Session to make decisions on Closed Session items. No action taken.
15. **Closed Session** The Town of Sheboygan Town Board may convene into Closed Session pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session:
- a. Van Horn Development, LLC;
  - b. Engineering Realty Group Property;
  - c. Horizon Development Group, Inc.; and
  - d. 4020 Technology Parkway
16. **Open Session** the Town of Sheboygan Town Board may reconvene in Open Session to act on any or all the Closed Session items.  
**Motion Nugent, second Gumm, to Have the Town Chairperson and Town Attorney develop an agreement with Van Horn Development, LLC. Motion carried.**  
**Motion to approve the purchase of Engineering Realty Group Property for \$850,000. Motion carried.**  
**No action regarding Horizon Development Group, Inc.**  
**Motion Wagner, second Nugent to approve the purchase of 4020 Technology Parkway for \$600,000.**
17. Correspondence-None to report
18. Reports a. Financial Reports b. Approval of Bills c. Plan Commission  
**Motion Wagner, second Gumm to approve the reports. Motion carried.**
19. **Motion Wagner, second Char to adjourn the meeting at 6:35 pm. Motion carried.**

Peggy Fischer, Clerk