

**Sonja Birr**

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**From:** Paul Steinbrecher <paul@smimanitowoc.comcastbiz.net>  
**Sent:** Thursday, August 20, 2020 7:28 AM  
**To:** Greg Minikel; 'Jeff Dewane'; Adam Tegen; Dan Koski  
**Cc:** Sonja Birr; Bill Vachon; Michael Maples; Richard Lamers; Jeff Maples; paul@smimanitowoc.com; Kathleen McDaniel  
**Subject:** RE: Vinton Construction Company Potential Acquisition of Albert Drive Property  
**Attachments:** RADANDT\_DR\_ACCESS.docx; radandt\_dr\_access.pdf

Attached are the description and map for the access over the unimproved right of way of Radandt Drive for Vinton. Get back to me with any questions or comments. I will be in the office until 10 today, back in Monday morning.

Paul

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**From:** Greg Minikel <gminikel@manitowoc.org>  
**Sent:** Monday, August 17, 2020 2:36 PM  
**To:** Paul Steinbrecher <paul@smimanitowoc.comcastbiz.net>; 'Jeff Dewane' <jdewane@vintonwis.com>; Adam Tegen <ategen@manitowoc.org>; Dan Koski <dkoski@manitowoc.org>  
**Cc:** Sonja Birr <sbirr@manitowoc.org>; Bill Vachon <bvachon@vintonwis.com>; Michael Maples <mmaples@vintonwis.com>; Richard Lamers <rlamers@vintonwis.com>; Jeff Maples <jmmaples@vintonwis.com>; paul@smimanitowoc.com  
**Subject:** RE: Vinton Construction Company Potential Acquisition of Albert Drive Property

FYI:

The PI Comm. would likely endorse or approve the Temp. Access Agreement on Sept. 2<sup>nd</sup> and then the actual Temp. Access Agreement will have to be drafted by the attorney's office and then signed and notarized.

So, hopefully, we could get everything completed for Council Approval on Sept. 21<sup>st</sup>.

Just wanted all to know the estimated timeline for final approval. Thanks.

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**From:** Paul Steinbrecher [<mailto:paul@smimanitowoc.comcastbiz.net>]  
**Sent:** Monday, August 17, 2020 1:29 PM  
**To:** Greg Minikel; 'Jeff Dewane'; Adam Tegen; Dan Koski  
**Cc:** Sonja Birr; Bill Vachon; Michael Maples; Richard Lamers; Jeff Maples; [paul@smimanitowoc.com](mailto:paul@smimanitowoc.com)  
**Subject:** RE: Vinton Construction Company Potential Acquisition of Albert Drive Property

I met with Bill Vachon of Vinton this morning. I will get the city a map and description soon.

Paul

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**From:** Greg Minikel <gminikel@manitowoc.org>  
**Sent:** Monday, August 17, 2020 1:22 PM  
**To:** 'Jeff Dewane' <jdewane@vintonwis.com>; Adam Tegen <ategen@manitowoc.org>; Dan Koski <dkoski@manitowoc.org>  
**Cc:** Sonja Birr <sbirr@manitowoc.org>; Bill Vachon <bvachon@vintonwis.com>; Michael Maples <mmaples@vintonwis.com>; Richard Lamers <rlamers@vintonwis.com>; Jeff Maples <jmmaples@vintonwis.com>;

5780-05  
[paul@smimanitowoc.com](mailto:paul@smimanitowoc.com)

**Subject:** RE: Vinton Construction Company Potential Acquisition of Albert Drive Property

Jeff,

I have forwarded your e-mail to the PI Comm. Chairman Ald. Novak requesting it to be on the Sept. 2<sup>nd</sup> agenda.

I would expect him to approve this as an agenda item.

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**From:** Jeff Dewane [<mailto:jdewane@vintonwis.com>]

**Sent:** Monday, August 17, 2020 12:40 PM

**To:** Greg Minikel; Adam Tegen; Dan Koski

**Cc:** Sonja Birr; Bill Vachon; Michael Maples; Richard Lamers; Jeff Maples; [paul@smimanitowoc.com](mailto:paul@smimanitowoc.com)

**Subject:** Vinton Construction Company Potential Acquisition of Albert Drive Property

Hi Greg, Dan and Adam,

Thank you for your response.

It is our intent to only use future Radandt Drive after Carew.

Attachments:

1. CUP visual plan (FINAL FIGURE 7-29-2020.pdf) for use of the site including future berms and operation of crushing/batch plants on future potential street.
2. Parcel map with surrounding area (PARCEL MAP-.pdf).
3. Google Maps view (date of image is unknown).
4. 2 Vinton Photos showing the future road entrance in the property that is currently gated.
  - a. Vinton Photo from Property facing West with gate closed
  - b. Vinton Photo from Radandt Road facing East with gate closed

Radandt Drive does not appear to be continued as you proceed east at the bottom of the "U" since the width and surface seem inferior to Radandt road from Carew to Albert Drive.

**Your comments Greg from earlier email in black bold:**

**If this is on the portion that is totally unimproved, then I believe that the proper procedure would be to request a Temporary Access Easement Agreement Over Unimproved Right-of-Way. We usually take these requests to the Public Infrastructure (PI) Committee prior to them going to the Common Council. Their next scheduled meeting is Sept. 2<sup>nd</sup> at 5:30 pm**

**This agreement will require a Registered Land Surveyor (RLS) to draft a legal description and map showing the area that will be utilized.**

The usage of the area is totally unimproved, thus a Temporary Access Easement Agreement Over Unimproved Right-of-Way is your solution. Does the fact that this parcel owner would control both sides of the future Radandt Drive matter since Manitowoc Disposal transfer station is the only parcel that would border the future Radandt Drive and it has direct access to Albert Drive. It would appear that the property owner of this parcel would control the timing of the future road as a practical matter given the amount of frontage controlled on each side of the future Radandt Drive.

Given the current time frame how can we insure we get this matter on the Sept. 2<sup>nd</sup> meeting you referenced in Black Bold. We contracted Paul Steinbrecher at SMI Civil and Structural Engineers to provide a legal description and map showing the area that will be utilized as of this morning per your instructions on Friday afternoon.

Please advise us of our next steps to move this project forward, as our due diligence window is limited to purchase the property and this matter will require resolution in order to close.

Thank you,

Jeff.

Jeff Dewane  
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(920) 328-4333 Cell  
[jdewane@vintonwis.com](mailto:jdewane@vintonwis.com)



**VINTON CONSTRUCTION COMPANY...Road Contractors**

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Office 920-682-0375 Fax 920-682-2838

**From:** Greg Minikel [<mailto:gminikel@manitowoc.org>]  
**Sent:** Friday, August 14, 2020 3:49 PM  
**To:** Adam Tegen <[ategen@manitowoc.org](mailto:ategen@manitowoc.org)>; Dan Koski <[dkoski@manitowoc.org](mailto:dkoski@manitowoc.org)>; Jeff Dewane <[jdewane@vintonwis.com](mailto:jdewane@vintonwis.com)>  
**Cc:** Sonja Birr <[sbirr@manitowoc.org](mailto:sbirr@manitowoc.org)>  
**Subject:** RE: Vinton Construction Company

Hi Jeff,

Can you get me some type of map or drawing showing the portion of Radandt Dr. that you would be using?? Is this on the gravel portion of Radandt Dr. or is this on the east leg that is not at all improved?? If this is at or near the location where Carew is located at and is on the gravel roadway portion, then I am not sure if you would even need an agreement. I guess we would consider the gravel portion improved. Carew does not have any agreement to my knowledge.

If this is on the portion that is totally unimproved, then I believe that the proper procedure would be to request a Temporary Access Easement Agreement Over Unimproved Right-of-Way. We usually take these requests to the Public Infrastructure (PI) Committee prior to them going to the Common Council. Their next scheduled meeting is Sept. 2<sup>nd</sup> at 5:30 pm

This agreement will require a Registered Land Surveyor (RLS) to draft a legal description and map showing the area that will be utilized.

I have attached a previous agreement so you can see what they look like.

Thanks.

Greg Minikel, P.E.  
Engineering Division Manager  
Dept. of Public Infrastructure  
City of Manitowoc  
900 Quay Street  
Manitowoc, WI 54220  
Ph. (920) 686-6910  
E-mail: [gminikel@manitowoc.org](mailto:gminikel@manitowoc.org)

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**From:** Adam Tegen  
**Sent:** Wednesday, August 05, 2020 3:36 PM  
**To:** Dan Koski; Greg Minikel  
**Subject:** FW: Vinton Construction Company

Good afternoon,

Paul and I have been working with Vinton on their potential acquisition of property on Albert Drive/Radandt Road (see some of the email communication below). One of the questions that came up was their desire to be able to utilize the unimproved portion of Radandt Road. Based on other conversations we have had, it is my understanding that there is an agreement that exists that would allow them to utilize the public right-of-way. Can you reach out to Jeff and lead him through that process?

If there is anything else I can assist with, please let me know.

Adam

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**From:** Jeff Dewane [<mailto:jdewane@vintonwis.com>]  
**Sent:** Tuesday, August 4, 2020 11:46 AM  
**To:** Adam Tegen  
**Cc:** Bill Vachon; Paul Braun  
**Subject:** RE: Vinton Construction Company

Good morning Adam,

In late May we were discussing the potential land purchase by Vinton Construction Company of some property on Albert Drive. We are in the due diligence phase of the purchase to get all necessary approvals to use the property.

In your email below (inserted a portion in red):

Item 1. Is being addressed with Paul Braun and the CUP Process.

Item 2. However, where should we start in the City for the use of unimproved, right-of-way? We are specifically looking at unimproved Radandt Road that would finish the "U" pattern road with only Manitowoc Disposal bordering a small portion which uses direct access to Albert Drive. The remainder of the property would be part of this parcel.

Regarding Item 2. Although unimproved, the right-of-way for Radandt Road would still trigger the need to follow setbacks for any new structures. If there is a desire to utilize a portion of the right-of-way for other uses other than a structure, the cleanest method would be to secure a separate agreement with the City for use of the unimproved right-of-way. The alternative would be to pursue the vacation or discontinuance of the right-of-way.

Thank you,

Jeff.

Jeff Dewane  
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**From:** Adam Tegen [<mailto:ategen@manitowoc.org>]  
**Sent:** Wednesday, May 27, 2020 2:21 PM  
**To:** Jeff Dewane <[jdewane@vintonwis.com](mailto:jdewane@vintonwis.com)>  
**Subject:** RE: Vinton Construction Company

Good afternoon Jeff,

As requested in our earlier conversation, I wanted to provide a summary for your records.

Regarding Item 1. As you noted, the property is currently zoned I-2. Based upon your proposed uses, there would be a need to pursue a Conditional Use. The most similar uses are currently listed as Conditional Uses in the I-1 District (15.330(4)(b)) which is referred back to by the I-2 Conditional Use listing (Section 15.350(3)(z)).

Regarding Item 2. Although unimproved, the right-of-way for Radandt Road would still trigger the need to follow setbacks for any new structures. If there is a desire to utilize a portion of the right-of-way for other uses other than a structure, the cleanest method would be to secure a separate agreement with the City for use of the unimproved right-of-way. The alternative would be to pursue the vacation or discontinuance of the right-of-way.

If there are any additional questions or clarification required, please let me know.

Sincerely,



Adam Tegen  
Community Development Director  
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[www.manitowoc.org](http://www.manitowoc.org)

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**From:** Jeff Dewane [<mailto:jdewane@vintonwis.com>]  
**Sent:** Thursday, May 21, 2020 2:02 PM  
**To:** Adam Tegen  
**Subject:** Vinton Construction Company

Good afternoon Adam,

Vinton Construction Company is interested in purchasing a piece of property owned by Michels. We have concluded initial discussions and agreed upon a price if the parcel can be used for our purposes.

We are trying to get a few questions answered about:

1. Allowed use in I-2 zoning
2. Unused road right of way

Attached:

3. Manitowoc County Parcel Information
4. I-2 Zoning Code for the City of Manitowoc
5. Aerial Photo of property

Item 1. Zoning:

Our intent is to use the property as it is currently being used today. Store broken concrete/asphalt and recycle it into various aggregate. We may want to put a portable concrete batch plant on site. We may store excess soil/material on the site.

In reviewing the I-2 zoning code it is not completely clear that this is an allowed use without requiring a CUP.

Please clarify what we need to do for the above stated activities/uses?

Item 2. In the aerial photo the picture of a future road on the East side of the property (opposite side of Radandt Road

It would appear from the aerial that the parcel would control the implementation of this portion of the street (appears to end at Assist to Transport currently).

My question is: Can we continue to use the property including a future road area for the property as is currently being done? Or are we subject to setbacks and other constraints as if the road existed?

Thank you,

Jeff.

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August 19, 2020

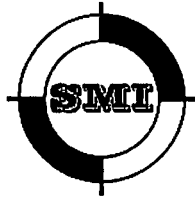
VINTON CONSTRUCTION ACCESS OVER UNIMPROVED RIGHT OF WAY

RADANDT DRIVE

An access over unimproved right of way located in the NW ¼ of the NE ¼ of Section 17, T.19N., R.24E., City of Manitowoc, Manitowoc County, Wisconsin. The centerline of 66-foot road affected by this access is described as follows:

Commencing at the North ¼ corner of said Section 17, thence S89°51'56"E (recorded as S89°00'00"E) along the section line 337.42 feet to the centerline of Radandt Drive extended to the section line, thence S00°08'04"W (recorded as S01°00'00"W) along said centerline 713.28 feet to the point of curvature of a 165 foot radius centerline curve to the left, thence southeasterly along the arc of said curve 231.09 feet (chord S39°59'19"E 212.66 feet) to the point of real beginning, thence continue along the arc of said curve 82.45 feet, (chord N85°34'21"E 81.60 feet), thence N71°15'24"E (recorded as N72°07'20"E) 118.02 feet to the point of curvature of a 244.37 foot radius centerline curve to the left, thence Northeasterly along the arc of said curve 303.34 feet (chord N35°41'44"E (recorded as N36°33'40"E) 284.24 feet, thence N00°08'04"E (recorded as N01°00'00"E) 560.00 feet to the south right of way of East Albert Drive the point of termination.





**SMI**

CIVIL AND STRUCTURAL ENGINEERS  
102 REVERE DRIVE  
MANITOWOC WI 54220-3147  
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August 19, 2020

VINTON CONSTRUCTION ACCESS OVER UNIMPROVED RIGHT OF WAY

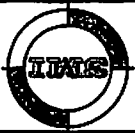
RADANDT DRIVE

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**ESTABLISHED IN 1947**

SMI  
 CIVIL AND STRUCTURAL ENGINEERS  
 102 REVERE DRIVE  
 MANTOWOC, WISCONSIN 54220-3147  
 PHONE 920-684-5583 FAX 920-684-5584



CLIENT: VINTON CONSTRUCTION  
 ADDRESS: PO BOX 1978  
 MANTOWOC WI 54221-1978  
 DATE: 8/18/20 JOB NO.: 20265MS  
 920-682-0375

ACCESS OVER UNIMPROVED RIGHT OF WAY FOR RADANDT DRIVE - EXHIBIT A

