

## **VILLAGE OF WRIGHTSTOWN VILLAGE BOARD**

A regular bi-monthly meeting of the Board of Trustees, of the Village of Wrightstown, was held in the Community Room, at Wrightstown Village Hall, 352 High St., Wrightstown, WI, 54180, on **Tuesday, June 7, 2022**, and convened at 6:14 p.m., after the conclusion of the Committee of the Whole meeting.

Roll Call: Present – President Dean J. Erickson; Trustee Sue Byers; Trustee Mark Leonard (*arrived at 6:59 p.m.*); Trustee Andy Lundt; Trustee Terry Schaeuble; Trustee Dan Segerstrom; Trustee Keith Wendlandt.

Also present: Brian Roebke (Wrightstown Spirit); Administrator Travis Coenen; Public Works Director Andy Vickman; Clerk/Treasurer Michelle Seidl; Police Chief Greg Deike, Officers Amanda Alberts, Gary DeWinter and Breten Vande Hey; Fire Chief Mike Schampers; Fire Inspector Nathan Helbing; Adam Kersin and Bret Victor (Tower Point); John Trautman, Principal State & Local CPA from Clifton Larson Allen, LLP (*arrived at 6:27 p.m.*); Aaron Alberts and his 3 children; Karen Tremblay; Robert Tremblay

Motion made by A Lundt with a second made by S Byers to move up the swearing in of NEW Part Time Police Officer Amanda M. Alberts, from the Finance & Personnel portion of the agenda. **Motion carried.**

NEW Part Time Police Officer, Amanda M. Alberts, was sworn in. Amanda is originally from the Green Bay area but comes to the Village with experience from the St. Croix Sheriff's Department and Osceola and Roberts Police Departments. Welcome Amanda!

### **PUBLIC INFORMATION MEETING**

Village of Wrightstown was awarded funding, as part of the 2022 Biden Administration Bi-Partisan Infrastructure Law, for upgrades to Alison Ct. and Sharla St. The grant process requires that residents be given two opportunities to obtain project information and that all work be completed in the next 12 months. Because the infrastructure, utilities and sub base of Alison Ct. and Sharla St. are sound, these roads perfectly fit the timeline. Total project cost is \$207,524.96 with 20% being the village's responsibility to fund. The second informational meeting will be held on Monday, June 13<sup>th</sup> as part of the Planning Commission monthly meeting.

Deadline for the 2023–2026 Bi-Partisan Funding requests was on Friday, June 3, 2022. Applications were submitted for Short, Janet, Debra, Linda and Nancy streets curb, gutter and road upgrades, all of which are included in the Village's current 5 year capital improvement plan for 2024.

### **UTILITY COMMISSION MONTHLY MEETING**

Motion made by K Wendlandt with a second made by D Segerstrom to open the June 2022 Utility Commission Monthly Meeting. **Motion carried.**

### **WATER UTILITY**

- Average of 214,032 gallons of water pumped daily in the month of May. A large amount of water was purchased wholesale by Northeast Asphalt for the repaving of HWY 57.
- Service leak, due to deteriorating copper, was found on Butterfield Ct. The repair was completed on May 9<sup>th</sup>
- Backflow preventers were tested at the Waste Water Treatment Plant
- Meter was tested at Thunder Wash Car & Pet Wash and was found to be within normal operating parameters. Continuing to work with owner Dave Vande Hei to determine the cause of the Q1 high consumption
- Lateral inspections done for 7 new residential homes in May

## **SEWER UTILITY**

- Average of 238,680 of waste water treated daily through May 31, 2022
- New aerator seals were installed in May
- D.O. probe was replaced, due to failure, and was put back on line today
- 2021 CMAR completed

## **2021 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)**

- Annual maintenance report provided to the Department of Revenue outlining prior year influent concentrations, power usages, meter calibrations, gas consumption etc... and the DOR then applies a grade. Only one 5 pt. deduction was received due to a one day BOD design overage in August of 2021. Grade result was 4.0!

New phosphorus limits went into effect in January. Discharge results under the new limits have been very favorable.

**MINUTES** – Motion made by D Segerstrom with a second made by S Byers to approve the Tuesday, May 17, 2022 Village Board Meeting Minutes. **Motion carried.**

**VOUCHERS** - Motion made by S Byers with a second made by T Schaeuble to approve the vouchers from May 12, 2022 – June 1, 2022, totaling \$165,506.30. **Motion carried.**

**SCHEDULED APPEARANCES** – John Trautman, Principal State & Local Government CPA for Clifton Larson Allen, LLP, presented the Village of Wrightstown's 2021 Financial Statement and Governance Communication Letter.

The Village received a clean, unmodified auditor's opinion. Internal controls, provided through Caselle Connect software, allowed 2021 data to be reported within the required control standards.

### **General Fund Balances** *(as of December 31, 2021)*

|                               |             |
|-------------------------------|-------------|
| <i>Assets</i>                 |             |
| Cash & Investments            | \$2,318,038 |
| Restricted Cash & Investments | \$ 14,802   |
| Taxes & Special Charges       | \$2,274,168 |

|                      |                    |
|----------------------|--------------------|
| Accounts             | \$ 3,763           |
| Special Assessments  | \$ 63,750          |
| Long Term Loans      | \$ 129,622         |
| Due from other funds | <u>\$1,397,769</u> |
|                      | \$6,201,912        |

*Liabilities*

|                          |                 |
|--------------------------|-----------------|
| Accounts Payable         | \$ 133,052      |
| Due to Other Governments | \$ 5,461        |
| Special Deposits         | <u>\$ 1,570</u> |
|                          | \$ 140,083      |

*Deferred Inflows of Resources*

|   |                  |
|---|------------------|
| Property Taxes Levied for Subsequent Year | \$2,330,372      |
| Long Term Loans Receivable                | \$ 129,622       |
| Special Assessments                       | <u>\$ 63,750</u> |
|   | \$2,523,744      |

**TOTAL FUND BALANCE \$3,538,085**

|                      |                     |
|----------------------|---------------------|
| <i>(Nonspendable</i> | <i>\$ 47,519)</i>   |
| <i>(Restricted</i>   | <i>\$ 14,802)</i>   |
| <i>(Committed</i>    | <i>\$ 182,248)</i>  |
| <i>(Unassigned</i>   | <i>\$3,293,516)</i> |

Unassigned fund balance is high due to unspent 2021 bond proceeds.

2021 end of year General Fund revenues were \$4,075,960. 2021 end of year General Fund expenditures were \$3,592,642, which left an excess of \$483,318. This amount, plus the addition of long-term debt proceeds, capital lease proceeds, debt premium issued, transfers in and transfers out totaling \$819,620, added to the January 1, 2021 fund balance of \$2,235,147, equals the **TOTAL FUND BALANCE (shown above) of \$3,538,085**

The General Fund ended 2021 \$78,918 under what was budgeted.

\$2,665,000 was borrowed in 2021, split, by fund, as follows:

|                             |             |
|-----------------------------|-------------|
| General Fund                | \$ 890,000  |
| Tax Incremental District #3 | \$1,491,000 |
| Other                       | \$ 284,000  |

Combined December 31, 2021 Water and Sewer Utility Net Position = \$11,031,397 which is a \$620,828 increase over 2020 year end. However, \$6,474,079 of the net position is due to the Village's capital assets. Water Utility cash decreased \$44,818. Sewer Utility cash increased \$36,685.

Journalist Brian Roebke made the Village Board aware that (2) two kayaks, owned by the Village of Kimberly, in agreement with Kayak Wisconsin, were stolen, since the Village of Wrightstown also contracts with Kayak Wisconsin

**WALK-INS** – None

**CORRESPONDENCE** - None

### **ADMINISTRATOR’S REPORT**

- Working on wrapping up amendments to the zoning ordinance
- Received sample application and permit forms for short term rentals from the Village of Ashwaubenon. Once Village of Wrightstown forms have been created, property owners of existing rentals will be contacted to make sure they operate in compliance with the new regulations
- Creating an article about the benefits of living in the Village of Wrightstown. Once completed, it will be published in the Wrightstown Spirit and possibly the Brillion News
- Summer events have kicked off!
- Attending the Wisconsin City Managers Conference in Lake Geneva for the remainder of this week

### **CLERK/TREASURER’S REPORT**

2022 Board of Review was held from 3:00 p.m – 5:00 p.m. today.

- 2021 assessment for Outagamie County was \$63,858,000. 2022 assessment is \$68,557,300
- 2021 assessment for Brown County was \$216,617,800. 2022 assessment is \$227,991,100

### **COMMITTEE REPORTS**

#### **FINANCE/PERSONNEL - -**

- **Greenleaf Bank Term Credit Agreement Resolution** – Motion made by S Byers with a second made by T Schaeuble to approve the Term Credit Agreement Resolution, from Greenleaf Bank, for \$360,000 in General Obligation financing, for a term of 10 years at a rate of 4%, for the Alliance Railroad Spur project. This \$360,000 is the Village’s portion of the TEA grant match. **Motion carried.**
- **Tower Point Letter of Intent** – Motion made by S Byers with a second made by D Segerstrom to approve the letter of intent (LOI) to purchase interest in the Village’s wireless site at 520 Meadow St. (tower A) from Tower Point. This \$650,000, paid out over 10 annual installments of \$65,000, will give Tower Point the rights to all Water Tower A lease agreements. Currently, the Village receives approximately \$25,000 a year in annual payments.

Adam Kersin, Vice President of Tower Point, addressed the Village Board. He indicated that the \$650,000 being paid is for the purchase of the telecommunication leases during the “useful” life of the Village’s Water Tower A. A 50% revenue share clause has been included in the agreement for any new tenants coming on board. The benefit to the Village is that the income, which otherwise would have taken 20+ years to collect, would be collected in 10 years and be guaranteed even if the existing cell lease contracts terminate prior to the Tower Point agreement

end date. There is a risk to Tower Point, in that if the existing cell lease contracts terminate prior to approximately year 20, they could suffer a loss.

The Village experiences the same risk if the Tower Point LOI is not signed, since the existing revenue stream will stop if the lease contracts are not renewed.

The Tower Point Letter of Intent can be modified to add additional language, for the safety of the Village, upon request. Attorney Bob Gagan is reviewing the Letter of Intent and Easement Agreement.

Trustee Andy Lundt stated that the Village is assuming technology is going to phase out the need for cell towers, therefore, signing the LOI would guarantee revenue that would not otherwise be available from future cell tower lease contracts. However, Tower Point is betting that cell tower technology will stay in place long enough to make a healthy profit, even after paying their obligation to the Village of Wrightstown.

Adam Kersin from Tower Point noted that there is a chance that cell technology will evolve, eliminating the need for water tower lease contracts. However, they own enough sites to mitigate the risk.

Trustee Sue Byers asked how often new leases are on boarded, resulting in the 50% revenue share. Response by Mr. Kersin was that it totally depends on the circumstances surrounding each individual water tower.

Trustee Mark Leonard stated that the position of Water Tower A is centrally located, unlike the Village's Tower B. Therefore, it is highly probable that the current cell leases will not relocate since Tower A is their best option to serve the growing Village population. He also noted that Tower Point would not be interested in pursuing an agreement with the Village of Wrightstown unless the probability of the site being viable, long term, is high.

Administrator Coenen stated that the current lease agreement(s) include an annual escalation clause, with the ability to renegotiate the lease terms every 4-5 years. Over the course of 20 years, the ability to negotiate higher payments could net more than the \$650,000 being offered by Tower Point.

Trustee Mark Leonard believes it would be better to not sign the Tower Point Letter of Intent and possibly look into improving the Water Tower A cell site so the Village maintains control and the opportunity to negotiate a larger profit long term.

The question is whether to accept the immediate reward and forgo the potential long term benefits.

Several years ago the Village of Lomira signed a Letter of Intent with Tower Point. It was a very good move on their part as Tower Point was required to fulfill the agreement terms even though the cell site went defunct very early into the contract.

Administrator Coenen presented the option of signing the Tower Point Letter of Intent because satellite technology may very well reduce the need for cell towers in the coming years. The decision to approve or reject the contract is a risk, either way.

Trustee Mark Leonard expressed concern about how the Water Utility will make up the \$65,000 a year revenue loss at the end of the 10 years.

Signing the Tower Point Letter of Intent will potentially raise revenues enough that the Public Service Commission will not force a rate increase since the Water Utility ended 2021 with a deficit. However, in 2024, current debt will start dropping off, reducing the Utility's payment obligations.

President Dean Erickson feels that with the changing technology, it would be safer to guarantee the offered revenue.

Trustee Dan Segerstrom stated that the Village Board needs to consider the equivalent value of both options over a period of 10, 11 or 20 years.

Trustee Andy Lundt feels that these leases will only become more valuable to the Village and should be held on to.

Call of roll: 4 yes votes: Trustee Sue Byers, Trustee Terry Schaeuble, Trustee Dan Segerstrom, and Keith Wendlandt. 3 no votes: Dean J. Erickson, Mark Leonard and Andy Lundt. **Motion carried.**

## **PARKS, RECREATION & REGIONAL PLANNING - -**

- **Introduction to Resolution 08022022 Vacating a Portion of Pamela Street** – Motion made by T Schaeuble with a second made by S Byers to schedule a public hearing date for August 2, 2022, and have Attorney Robert Gagan file a Lis Pendens with the Brown County Register of Deeds, so action can be taken on Resolution 08022022 during the Tuesday, August 2, 2022 Village Board Meeting, to vacate a portion of Pamela St. The request to vacate was made by an adjacent property owner who would like to construct an outbuilding. Wrightstown Manufacturing has also agreed to the vacation. **Motion carried.**
- **Resolution 06072022 to Adopt the 2021 Compliance Maintenance Annual Report** - Motion made by T Schaeuble with a second made by D Segerstrom to approve Resolution 06072022 to adopt the 2021 Compliance Maintenance Annual Report (CMAR). **Motion carried.**
- **Storm Sewer Later at 1051-1053 Main Street** – When Main St. was upgraded, the existing drain tile used to move rain water away from the duplex at 1051-1053 Main St. was abandon. Due to current drainage issues, the property owner has requested financial assistance to correct.

Since there is no storm main running in front of the structure, a lateral could be attached to the curb inlet running on the same side of the street. However, this area is shallow and will restrict the depth in which the line can be laid. There is potential for freezing in the colder months. A second option would be to directional drill across the street and hook into the existing catch basin, for a cost of approximately \$7,800. This option would allow for 5 ft. of ground cover.

The home at 1107 Main St., owned by Carlton and Patricia Rossal, is experiencing the same issue and had made a prior request, to the Village, to correct.

There is currently \$5,000 budgeted for 2022 for storm infrastructure maintenance that could be used toward the project if approved.

Trustee Dan Segerstrom suggested that a lateral, up to the right of way line, be installed at the Village's cost. The property owners would then cover the cost of hookup, which is current Village policy. The work could be added into the 2023-2024 DOT project.

Because laterals were not connected to existing drain tile when the 96 installation was completed, the Village will determine the cost of running the lateral and property owner hookups with the Department of Transportation, as part of their current roadwork project, to determine what cost to potentially contribute.

## **PUBLIC SAFETY - -**

### **Fire Department Comments**

- Quiet month!

### **Police Department Comments**

- Amanda participating in Wrightstown Police Department field training

## **DEPARTMENT OF PUBLIC WORKS**

- Annual weed notices sent out to owners of vacant properties
- Storm sewer has been installed about  $\frac{3}{4}$  of the way up Lock Rd. There will be a closure on Hwy 96 for the week of June 20<sup>th</sup> for installation on this section of Lock Rd.
- Public Works/Wastewater Operator Andy Pieper submitted a 2-week resignation notice today. A job opening notice will be published shortly

Trustee Lundt asked if the Village should have entertained offers for the cell tower lease agreement, to determine if the contracted amount was fair. Is it required to obtain offers when the dollar amount is over a certain threshold?

The League of Wisconsin Municipalities answers page indicates that a municipality may, but is not required, to use competitive bidding when selling an asset.

## **CLOSED SESSION**

Motion made by A Lundt with a second made by K Wendlandt to proceed into **CLOSED SESSION**,

pursuant to Wisconsin State Statute **19.85(1)(e)** 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, for:

- **Economic Development – Development Negotiations**

And, Wisconsin State Statute **19.85(1)(g)** Conferring with legal counsel for the governmental body which is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved

- **Village of Greenleaf Incorporation**

(Call of roll: 7 yes votes) **Motion carried.**

### **OPEN SESSION**

Motion made by M Leonard with a second made by S Byers to reconvene into open session. Call of roll: 6 yes votes (*Trustee Dan Segerstrom left the meeting during the closed session*). **Motion carried.**

### **NO ACTION TAKEN AS A RESULT OF CLOSED SESSION**

Motion made by S. Byers with a second made by T. Schaeuble to adjourn at 9:00 p.m. **Motion carried.**

Michelle Seidl

Clerk/Treasurer

*Posted: 06/22/2022 MS*