

VILLAGE OF WRIGHTSTOWN
BOARD MEETING MINUTES

The regular bi-monthly meeting of the Village 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, April 16, 2024**, and convened at 6:39 pm at the conclusion of the Committee of the Whole meeting.

Roll Call: Present – Village President Dean J Erickson, Trustees: Sue Byers, Mark Leonard, Ryan Roebke, Terry Schaeuble, and Julie Sigmund. Absent – Trustee: Andy Lundt.

Also present: Brian Roebke (Wrightstown Area Spirit), Administrator Travis Coenen, Public Works Director Andy Vickman, Police Chief Greg Deike, Fire Chief Mike Schampers, Fire Inspector Nathan Helbing, Municipal Court Judge Evan Mathu, Deputy Clerk-Treasurer Heather Mc Ewen, Clerk-Treasurer Shelia Bowers, and Brian Roemer (Ehlers Public Finance Advisors). Residents: Keith Wendlandt, Len Riehl, Dar Roebke, Dan Segerstrom, Brad Sigmund, Brian Mathu (virtual), Jason Gerend (virtual), Guest (virtual), and Guest (virtual).

REGULAR SESSION

OPEN MEETING – Motion made by T Schaeuble with a second made by S Byers to open the Regular Session Meeting. **Motion carried.**

MINUTES – Motion made by T Schaeuble with a second made by S Byers to approve the Tuesday, April 3, 2024, Village Board Meeting Minutes, as submitted. **Motion carried.**

VOUCHERS – Motion made by S Byers with a second made by T Schaeuble to approve the vouchers from March 29, 2024, through April 10, 2024 totaling \$983,636.61. **Motion carried.**

SCHEDULED APPEARANCES: Brian Roemer, Senior Municipal Advisor from Ehlers presented the Presale Report for the 2024A General Obligation Promissory Notes during the Committee of the Whole meeting.

WALK INS: None

CORRESPONDENCE: None

ADMINISTRATOR’S REPORT: None

CLERK/TREASURER’S REPORT:

Monthly Clerk/Treasurer’s **Team Meeting** was held on Wednesday, April 10th, we discussed the following topics:

- Banking, we’ll be switching over to Nicolet National Bank for the Village’s main checking.
- Clerk’s office responsibilities, are the right people doing the jobs they are best at?
- Job procedures and cross training.
- Our next meeting is scheduled for Tuesday, May 14, 2024.

Election updates:

- April 2nd 2024 Spring Election went good, with the weather being one of the unexpected challenges.
- 2024 Spring Election – Green Division, Municipal Voter Challenge recipient was Town of Rockland – **47.7%** of Registered Voters who Voted, Village of Wrightstown had **42.2%** of registered voters who voted.
- Q1 2024 “mover’s postcards” were mailed on Friday, March 29th. If a Movers postcard comes back to the clerk’s office as undeliverable, and the clerk would like to deactivate the record, they are required to send the voter the Undeliverable 30-Day Notice letter to the address the voter is registered to in WisVote.

2024 Board of Review:

- Open Book is scheduled for May 23, 2024 from 1:30 – 3:30 pm.
- Board of Review is scheduled for June 3, 2024 at 2:00 pm.

Clifton Larsen Allen LLP (CLA) will be filing the 2024 Municipal Financial Reports on behalf of the Village, prior to the May 1st deadline. Amber Drewieske from CLA will be at the May 21st Village Board meeting to present the audit and financial reports.

COMMITTEE REPORTS:

FINANCE/PERSONNEL

Presentation To Village Trustee Dan Segerstrom – J Sigmund presented a Recognition Award to Village Trustee Dan Segerstrom in recognition of his eight years of dedicated service to the Village of Wrightstown and thanked him for his commitment.

Resolution #04162024, \$3,450,000 General Obligation Promissory Notes – Motion made by S Byers with a second made by T Schaeuble on Resolution #04162024 Providing for the Sale of Approximately \$3,450,000 General Obligation Promissory Notes, Series 2024A. Call of roll: 6 yes votes. **Motion carried.**

Peters Concrete Company – Motion made by S Byers with a second made by T Schaeuble on approving Peters Concrete Company Inv# 4979 in the amount of \$40,929.40 for TID No. 3 Expense - ditching work done on Golf Course Drive. Call of roll: 6 yes votes. **Motion carried.**

State of Wisconsin Department of Administration – Motion made by S Byers with a second made by T Schaeuble on approving the State of Wisconsin Department of Administration Invoice #20211 for \$733,013.56 for principal and interest payments on the Village’s:

- Water System Revenue Bonds, Series 2013 (Safe Drinking Water Fund Loan) Project ID 4942-03 for **\$80,058.63**
- Water System Revenue Bonds, Series 2015 (Safe Drinking Water Fund Loan) Project ID 4942-04, paid via Certificate & Direction, dated April 16, 2024, requesting that the Associated Bank escrow agent disburse **\$369,552.19**, from the Village’s escrow account, on Friday, April 19, 2024, to the State of Wisconsin Safe Drinking Water Loan Program, for payment of debt service on the Village’s Water System Revenue Bonds, Series 2015, due May 1, 2024, per the June 24, 2015 Escrow Agreement.

Sewer System Revenue Bonds, Series 2009 (Clean Water Fund Loan) Project ID 4356-04, for \$283,402.74. Call of roll: 6 yes votes. **Motion carried.**

Greenleaf Bank Sewer Revenue Bank Note – Motion made by S Byers with a second made by T Schaeuble on approving Greenleaf Bank Statement for Loan 810132003, for \$34,455.88, for principal and interest payments on the Village’s \$337,619 Sewer Revenues Bank Note. Call of roll: 6 yes votes. **Motion carried.**

Greenleaf Bank Water Revenue Bank Note – Motion made by S Byers with a second made by T Schaeuble on approving Greenleaf Bank Statement for Loan 810132004, for \$44,630.92, for principal and interest payments on the Village’s \$437,320.00 Water Revenues Bank Note. Call of roll: 6 yes votes. **Motion carried.**

MM Green Bay Cold Storage LLC – Motion made by S Byers with a second made by T Schaeuble to approve the Denial of Claim of Excessive Assessment relating to MM Green Bay Cold Storage LLC, warehouse located at 701 County Highway DDD in the Village of Wrightstown. Call of roll: 6 yes votes. **Motion carried.**

Committee Appointments - Motion made by J Sigmund with a second made by S Byers on **Appointment** of the following Committee Positions:

- CDA
 - Vacant
- Planning Commission
 - Ryan Macario
 - Ryan Roebke
- Board of Appeals
 - Glen Buntin
 - Quin Cavanaugh (Alternate)
- Committee of Whole - Chairs
 - Julie Sigmund – Personnel
 - Ryan Roebke – Village Planning Commission
& Brown County Planning Commission
 - Terry Schaeuble – Park and Recreation
 - Mark Leonard – Public Works
 - Sue Byers – Finance
 - Andy Lundt – Public Safety. **Motion carried.**

PARKS, RECREATION AND REGIONAL PLANNING

Royal St Pat’s Development – Motion made by T Schaeuble with a second made by M Leonard to Receive and Place on File and Adopt as the Position of the Village of Wrightstown.

The Village of Wrightstown received a legal opinion on April 16, 2024 from Remzy D. Bitar and Paul Alexy from Municipal Law & Litigation Group, addressed as the Village Position Statement on Royal St. Patrick Development Issues. The three-page legal opinion was read in its entirety by Travis Coenen and will be included as part of the minutes. Call of Roll: 6 yes votes.

Motion carried.

Royal St Patrick’s Residential Development – Motion made by T Schaeuble with a second made by S Byers to Receive and Place on File the Revised Declaration of Conditions, Protective Covenants and Easements for the Royal St Patrick’s Residential Development, Wrightstown WI. Call of Roll: 6 yes votes. **Motion carried.**

Wrightstown Golf Course LLC & Matriarch Ventures LLC – Motion made by T Schaeuble with a second made by S Byers to Receive and Place on File the recorded Declarations of Subdivision Developer, one executed by Wrightstown Golf Course LLC and the other executed by Matriarch Ventures LLC. Call of Roll: 6 yes votes. **Motion carried.**

PUBLIC SAFETY

Fire Department –

Chief Schampers submitted the March 2024 fire department report with the following details:

For the month of March the FD responded to 5 calls.

- Car accident at round-a-bout U and Van Dyke, the driver fell asleep and crashed through the intersection, no injuries.
- CO Alarm sounding in resident home, found outdated unit, false alarm sounding.
- Fire Alarm at business in Village, canceled at arrival, workers performing duties activated alarm.
- Oven Fire at residence, self-cleaning oven started on fire, removed oven from residence.
- CO Alarms at apartments on U, suspect occupants with car running in garages too long, just purchased a high-pressure fan that was able to be put to use at the apartments.

March Training, the department members taking the Red Cross CPR and AED training to get recertified. The department welcomed a new member in March, we now have 27 in the department. Also, ongoing we have 10 members attending Driver Operator certification training at Town of Lawrence with their members to gain state certification per the new requirements.

The usual monthly meeting was held, truck checks and inventories were completed. During March, Lucky’s Pub hosted a Fire Department Meat Raffle Fund Raiser which was well attended and successful.

OATH OF OFFICE – Shelia Bowers administered the Oath of Office to the following April 2, 2024 elected officials:

- Evan Mathu – Municipal Court Judge
- Terry Schaeuble – Village Trustee
- Ryan Roebke – Village Trustee
- Julie Sigmund – Village Trustee

Police Department –

Chief Deike submitted the March 2024 police department report with the following details:

03/07/2024 Coffee w/a Cop – Open Discussion

03/11/2024 Active Shooter Training for Election Officials

03/27/2024 Wellness Fair – Wrightstown Fitness Center

WELLNESS FAIR

WPD had the opportunity to, again, be a part of this year's Wellness Fair put on by the Wrightstown Wellness Center. It was a great opportunity to meet people in our community and provide crime prevention ideas. Congratulations to Mary Pennenberg on winning the drawing for a Ring Doorbell.

EVIDENCE ROOM AUDIT

Maintaining an evidence room is a very important and detailed task. As you can understand, chain of custody is a very important step in any court case. The Wrightstown Police Department has been using an evidence program called Progressive Micro Technologies for many years. When the police department switched our records management system to Green Bay Electronic Reporting Program (GERP) at the end of 2020, it included an evidence-tracking program. To be efficient, we needed to transfer evidence from the old to the new program. To ease in this process, we wanted to destroy, or return, all evidence that was no longer needed for cases. There are specific State Statutes and State Protocols for this, which had to be strictly followed. Officers Heather Martin and Zach Schultz worked together with Police Administrative Clerk Leona Hermsen and Court Clerk Neil Basten to determine case statuses on whether we needed to keep evidence. Once all the evidence was sorted, all evidence that needed to be saved from the old system was transferred to the new system. This process cleared out a lot of space in our evidence room from years of collected evidence.

UPDATED SECURITY SYSTEM

The Village Board approved security upgrades for this year. Currently, the Village Halls Cameras and Digital Video Recorder have been replaced and operational. We will be adding video cameras out at the department of Public Works in the very near future. Interestingly, the computer that ran the program for the old video system died just prior to the new system being installed. Talk about timing.

NATIONAL NIGHT OUT

It is official!!! The Wrightstown Police Department is excited to host their first annual National Night Out on Tuesday August 6th from 5pm – 8pm at the back lot of the Wrightstown Elementary School. I would like to give a shout out to Officer Amanda Albert who has taken the lead over this event. Officer Alberts is working with several community volunteers who are helping in getting funding, ideas, and promoting the event. Thank you to all who are involved in making this event possible.

This event is solely funded by the community. If you or your organization is interested in donating to this event, please send donations to the Wrightstown Police Department 352, High Street, Wrightstown, WI 54180. **Please mark that it is for National Night Out.** Or go to: <https://wrightstown.us/police-crime-prevention-programs/national-night-out/> and you can make a Venmo Payment (be aware that Venmo does take a small percentage of the donation).

PUBLIC WORKS

Andy Vickman provided the following updates to the Village Board:

- Took advantage of the nice weather yesterday and successfully installed the docks at Mueller Park.
- We are busy getting the parks ready for summer events.
- Starting the Poplar Street project next Monday.

- Hauling fill from the old compost site on Van Dyke Street to our new compost site on Mallard Street.
- Getting quotes for excavating and asphalt work around the new facility.

Royal St Patrick's Update on Building Permits –

T Coenen added the following educational addition for the Royal St Patrick's subdivision:

- Phases 1 & 2 will continue to be approved by the HOA and the Village's building permit process.
- Phases 3, 4, & 5 will be approved by the respective developer and the Village's building permit process.

ADJOURN:

Motion made by S byers with a second made by J Sigmund to adjourn the meeting at 7:20 pm.

Motion carried.

Shelia Bowers, Clerk/Treasurer

Posted: May 8, 2024 SB

Municipal LAW

& L I T I G A T I O N G R O U P

DALE W. ARENZ (1935-2022)
DONALD S. MOLTER, Jr. (Retired)
JOHN P. MACY
H. STANLEY RIFFLE (Court Commissioner)
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GREGORY M. PROCOPIO
BENJAMIN CROCKETT
ADAM J. MEYERS

STEPHEN J. CENTINARIO, JR.
MICHAEL J. MORSE
JAMES P. WALSH

April 16, 2024

VIA EMAIL ONLY

Village of Wrightstown Board of Trustees and Village Administrator
c/o Travis Coenen, Village Administrator
352 High St.
Wrightstown, WI 54180

RE: Village Position Statement on Royal St. Patrick Development Issues

Ladies and Gentlemen:

You have asked us to provide our opinion with respect to what position the Village of Wrightstown should take concerning a controversy between the Homeowner's Association for Royal St. Patrick's Development (HOA) and the current developers Wrightstown Golf Course LLC and Matriarch Ventures LLC (Developer). Our understanding is that the wellspring of issues in this controversy involve, at a general level, questions about who currently has rights to control and approve the undeveloped portions of the subdivision, whether the original visions for architectural integrity of the subdivision are being met, and the effect of various amendments to the originally recorded Declaration of Conditions, Protective Covenants and Easements.

We also understand that there is concern that their controversy has, and will continue to, spillover to the Village, including with respect to a potential negative impact on future tax increment generated by this development, such that the Village is being requested by both sides and the community to take a position.

At the outset, please note that our review concerning these matters has been limited to those documents that have been provided to us by the Village. Those

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ARENZ, MOLTER, MACY, RIFFLE, LARSON & BITAR**

documents include, but are not limited to, the Royal St. Patrick’s-related Development Agreement, Project Plan for TID No. 4, the 2002 declaration and covenants (and subsequent amendments thereto), as well as the “Declaration of Subdivision Developer” by the Developer which we understand was recently created and recorded. We have not undertaken any independent investigation beyond the review of the documents provided, and we have assumed that the documents provided to us constitute all of the documents relevant to the questions posed to us. Subject to these limitations, this letter sets forth our opinions based upon our review to date.

In our opinion, it appears the controversy between the HOA and Developer is creating pressure for the Village Board to “pick a side.” We recommend that the Village not do so because their controversy appears to be one that the courts will need to resolve; meaning the court will ultimately pick sides, not the Village. At this time, neither party has brought their controversy to a head by way of a claim or lawsuit, let alone one that implicates the Village in any way.

Having said this, we recommend that the Village abide by its contractual obligations to the Developer. We also recommend that the Village Board urge the Developer and the HOA to voluntarily resolve their issues and agree on a recording that will clear up the chain of title. Absent such cooperation, regardless of whether these parties take their controversy to the court by way of a quiet title action, one for declaratory relief or some other legal cause of action, only a court can settle the competing viewpoints of the respective parties’ and adjudge their rights and obligations.

As part of our review, we have been asked to provide an opinion on one claim repeatedly presented by the HOA. In particular, the HOA adopted an amendment to Article I, Section 2 within the Third Amendment to the Declaration of Conditions, Protective Covenants and Easements, which asserts as follows: “Since the previous Developer sold all remaining lots, as of July 2018, and with lot ownership a requirement for membership in the Homeowners Association, there is no longer a Developer, and in the absence of any such Developer, a Special meeting of lot owners was held on October 9, 2019 to activate the Royal St. Patrick’s Homeowner’s Association and elect Directors for the Homeowners Association.”

Based upon our review, this assertion will likely need to be resolved by a court but, in our opinion, it appears flawed for at least two reasons. First, the term “Developer” is defined in Article I, Section 1.2(D) of the (original) 2002 declarations as follows:

D. “Developer” shall mean ROYAL ST. PATRICK’S DEVELOPMENT CORPORATION, *as well as any Successor-Developer.* [Emphasis added.]

The term “Successor Developer” is also defined in Article I, Section 1.2(R) to mean:

R. “Successor-Developer” shall mean any person, corporation, partnership or other entity to which Developer expressly assigns or otherwise transfers

its rights and obligations hereunder, or any successor to the Developer by operation of law.

Given these defined terms, in our opinion the mere assertion that the “previous Developer sold all remaining lots” is factually insufficient to support a conclusion that there is also no “Successor-Developer.”

Second, regardless of whether the HOA believed that the buyer was a “Successor-Developer,” it appears apparent that such buyer would have still fallen within the definition of “Lot Owner” in Article I, Section 1.2(K):

K. “Lot Owner,” “Lot Owners” or “Co-Owners shall mean the holder(s) of a legal or equitable ownership interest in fee simple record title to a Lot, regardless of the type of tenancy or estate and shall include land contract vendees and vendors, but shall not include the holder of any leasehold interest or any mortgage or consensual lien prior to acquisition of legal or equitable title.

By virtue of the status of “Lot Owner,” the successor in title to the original Developer “automatically” became a member of the HOA and entitled to one vote for each Lot owned under Article III, Section 3.3(A), including with right to vote on the issues raised in the Third Amendment, the same rights granted on a per-Lot basis to the Developer under Section 3(C).

In conclusion, in our opinion, the Village should follow and abide by its contractual obligations in the Developers Agreement and/or goals as contained in the Development Agreement and the TID Project Plan.

Yours Very Truly,

MUNICIPAL LAW & LITIGATION GROUP, S.C

s/ Remzy D. Bitar

s/ Paul Alexy

Remzy D. Bitar

Paul Alexy