



# The Wisconsin Transparency Project

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Madison, WI 53707-7857

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## VERIFIED COMPLAINT UNDER WIS. STAT. § 19.97(1)

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Complainant Peter Tharp, by his attorney Thomas C. Kamenick of the Wisconsin Transparency Project and Kamenick Law Office, LLC, hereby makes this verified complaint under Wis. Stat. § 19.97(1) against the Village of Roberts, alleging as follows:

1. This complaint alleges that the Village violated the Open Meetings Law by failing to provide notice of about 90 meetings in 2020 as required by Wis. Stat. § 19.84, failing to publish notices of those meetings in the Village's official newspaper as required by Roberts Ord. sec. 2-35 and Wis. Stat. § 985.05, and failing to publish notices of annual budget hearings for 2019 and 2020 at least 15 days prior to the hearing as required by Wis. Stat. § 65.90.
2. This complaint is made to the District Attorney for St. Croix County and to the Attorney General for the State of Wisconsin, asking them to bring charges against the Village seeking a declaration that it violated Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et*

*seq.*, and such other legal and equitable relief as appropriate, including voiding any improper action taken by the Board at any unlawful meeting, as provided in § 19.97(3).

3. Complainant Peter Tharp is an adult resident of the Village of Roberts residing at 105 West Ash Street, Roberts, Wisconsin 54023. He is a Village taxpayer and also Municipal Judge for the Village.

4. The Village of Roberts is an incorporated village of the State of Wisconsin with a business address of 107 East Maple Street, Roberts, Wisconsin 54023.

5. The Village of Roberts Board is the governing body of the Village of Roberts and, as a “local . . . board” is a “governmental body” under Wis. Stat. § 19.82(1).

6. This Verified Complaint also identifies several boards, committees, and commissions of the Village of Roberts, all of which are “governmental bodies” under Wis. Stat. § 19.82(1) as well.

## **FACTS**

7. The Village’s Code of Ordinances requires that “[a]ll regular and special meetings shall be announced to the public by publication in the official newspaper . . . .” Sec. 2-35. A true and accurate copy of Sec. 2-35 is attached as Exhibit A.

8. On May 9, 2005, the Board adopted the Central St. Croix News as the official newspaper for the Village. A true and accurate copy of the minutes from the Board’s May 9, 2005 meeting, with additional handwritten comments, is attached as Exhibit B.

9. On February 12, 2018, the Board changed the official newspaper of the Village to the New Richmond News. A true and accurate copy of a page from the minutes from the Board’s February 12, 2018 meeting, with additional handwritten comments, is attached as Exhibit C.

10. In August, 2019, the New Richmond News, the River Falls Journal, and the Hudson Star Observer were consolidated into one newspaper, the Star Observer. The Star Observer is published weekly on Thursdays.

11. After that consolidation, the Village continued to treat the Star Observer as its official newspaper, publishing notices for various public hearings (board of appeals hearings, plan commission hearings, and joint review board hearings, for example) in that paper, as well as budgetary notices.

12. The Village has not revoked or amended its official paper designation since February 12, 2018.

13. However, the Village does not publish notices of public meetings in the Star Observer or any other newspaper, nor does the Village send notice of public meetings to the Star Observer or any other newspaper.

14. For example, in July of this year I reviewed every issue of the Star Observer from January 2, 2020 through July 2, 2020, and found notices for only eight meetings, all public hearings. A true and accurate copy of those notices, with additional handwritten comments, is attached as Exhibit D.

15. During that same time period, the Village held 51 total meetings.

16. On October 27, 2020, my attorney sent a record request under Wis. Stat. §§ 19.31-19.39 to the Village. A true and accurate copy of that request is attached as Exhibit E.

The request asked for the following records:

- a. Each notice of a public meeting sent to any newspaper or other media from January 1, 2020 to the present;
  - b. Each cover letter, email or other transmittal notice accompanying each such notice; and
  - c. A check duplicate, invoice, receipt, or other evidence of payment for the publication of each such notice.
17. On November 16, the Village provided 116 pages of responsive records.

18. On reviewing the responsive records and comparing them to the meetings I am personally aware of through having attended them and/or collected agendas for them, I identified about 90 meetings for which no notice had been sent to any newspaper, including meetings of the Library Board, the Plan Commission, the Public Works Committee, the Community Development Authority, the Park Board, the Negotiation Committee, the Finance Committee, the Zoning Board of Appeals, the Roberts/Warren Fire Association, and the Village Board

19. Regular and special meetings of the Village Board are not published in any newspaper to my knowledge. Instead, they are generally published physically outside Village Hall and electronically on the Village's website.

20. Based upon my regular review of newspaper notices for the Village, the Village stopped publishing notices of Village meetings in September, 2018. That change was never discussed at a Village Board meeting and I am unaware of any explanation for the change.

21. Upon information and belief, therefore, an unknown number of meetings were improperly noticed in 2019 as well.

22. Statutorily-required notices of the Village's proposed annual budgets and public hearings on the same were published less than 15 days prior to the hearings in 2019 and 2020.

23. The 2020 budget hearing was held on November 26, 2019. The notice for the hearing was published in the Star Observer on November 14, 2019, 12 days before the hearing.

24. The 2021 budget hearing was held on November 30, 2020. While the notice was sent to the Star Observer on November 11, 2020 for publication, because the paper is only published on Thursdays, it was not published until November 19, 2020, 11 days before the hearing.

## LEGAL CLAIMS

### **First Claim – Violations of Wis. Stat. §§ 19.83(1), 19.84(1); Failure to Give Notice**

25. Under § 19.83(1), “Every meeting of a governmental body shall be preceded by public notice as provided in s. 19.84.”

26. “Meeting” is defined as “the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.” § 19.82(2).

27. Wis. Stat. § 19.84(3) requires such notice to be given at least 24 hours before the meeting.

28. Under Wis. Stat. § 19.84(2), “[e]very public notice of a meeting of a governmental body shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof.”

29. Wis. Stat. § 19.84(1) explains how “[p]ublic notice of all meetings of a governmental body shall be given.”

30. First, it requires that public notice shall be given “[a]s required by any other statutes.” Wis. Stat. § 19.84(1)(a).

31. Second, it requires the chief presiding officer of the governmental body to communicate the notice to three different groups: (1) “to the public”; (2) “to those news media who have filed a written request for such notice”; and (3) “to the official newspaper designated under ss. 985.04, 985.05 and 985.06 or, if none exists, to a news medium likely to give notice in the area.” Wis. Stat. § 19.84(1)(b); *see* 2019 Wis. Act 140.

32. In a recent addition to the Open Meetings Law, the statute also explains that notice “to the public” must be given in one of three ways: (1) three physical notices in public

places; one physical notice in a public place and on the body's website; or (3) paid publication in a local news medium. Wis. Stat. § 19.84(1)(b)1.-3.

33. The Village's posting of agendas on its website and in one physical location, so long as they are done at least 24 hours prior to the noticed meeting, satisfies the requirement of notice "to the public." It is unknown whether any news media have filed a written request for notices, so that requirement is not challenged.

34. Although it was not required to do so, the Village designated an official newspaper under Wis. Stat. § 985.05(1). *See* Exhibit C.

35. None of the records produced by the Village indicate it sent any notices to the Star Observer or any other paper for about 90 meetings in 2020.

36. The Village has failed to provide notice to its official newspaper or any other local news medium for about 90 meetings in 2020 alone.

37. The Village has also failed to provide notice to its official newspaper or any other local news medium for an unknown number of meetings in 2019.

38. Therefore, by failing to provide notice of about 90 meetings in 2020 and unknown number of meetings in 2019, the Village violated Wis. Stat. §§ 19.83(1) and 19.84(1)(b).

**Second Claim – Violation of Wis. Stat. §§ 19.83(1), 19.84(1), 65.90(3); Failure Publish Adequate Notice of Budget Hearings**

39. As previously noted, Wis. Stat. § 19.83(1) requires public notice to proceed all meetings and Wis. Stat. § 19.84(1)(a) requires notice to be given "as required by any other statutes."

40. Wis. Stat. § 65.90 sets forth requirements for municipal budgets.

41. Wis. Stat. § 65.90(3)(a) requires a budget summary, notice of the place where the budget can be inspected in detail, and notice of the time and place for holding a public hearing

on the annual budget to be “published as a class 1 notice, under ch. 985, in the municipality at least 15 days prior to the time of the public hearing.”

42. Wis. Stat. § 65.90(4) establishes that the public hearing on the annual budget cannot be held earlier than 15 days after publication of the § 65.90(3)(a) notice.

43. In both 2019 and 2020, the Village failed to publish the required notices more than 15 days prior to the public budget hearings.

44. Therefore, the Village violated Wis. Stat. § 65.90(3)(a) by publishing the notice less than 15 days before the hearing and § 65.90(4) by holding the hearing less than 15 days after the notice.

45. Furthermore, because Wis. Stat. § 19.84(1)(a) requires notice to be given “as required by any other statutes,” the Village’s violation of Wis. Stat. § 65.90(3)(a) is also a violation of Wis. Stat. §§ 19.83(1) and 19.84(1)(a).

WHEREFORE, Complainant requests that the District Attorney of St. Croix County or the Attorney General of the State of Wisconsin investigate the above allegations and issue charges as appropriate under Wis. Stat. § 19.97(1) seeking a declaration that the Village violated the Open Meetings Law, forfeitures against any members of governmental bodies who attended meetings of such bodies held in violation of the Open Meetings Law under § 19.96, and such other legal or equitable relief as appropriate, including voiding any improper action taken by Village governmental bodies at any unlawful meetings, as provided in § 19.97(3). Complainant reserves his right to bring an action under § 19.97(4) seeking any or all of those remedies if the

District Attorney fails to commence an action within 20 days after receiving this verified complaint.

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**VERIFICATION**

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I hereby swear that I have read the foregoing complaint and that it is true and correct to the best of my knowledge.

\_\_\_\_\_  
Peter Tharp, Complainant

\_\_\_\_\_  
Date

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My Commission \_\_\_\_\_

Drafted by:

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## Sec. 2-35. - Meetings.

- (a) *Regular meetings.* Regular meetings of the village board shall be held on the second Monday of each calendar month, at 7:00 p.m. Any regular meeting falling on a legal holiday shall be held on the next following secular day, at the same hour and place. All meetings of the board, including special and adjourned meetings, shall be held in the village hall.
- (b) *Special meetings.* Special meetings of the village board may be called by the village president or any two trustees in writing filed with the clerk-treasurer at least 24 hours prior to the time specified for such meeting. The clerk-treasurer shall immediately notify each trustee of the time and purpose of such meeting by causing a written notice thereof to be delivered to each trustee personally, if he can be found, or, if he cannot be found, then by leaving a copy of such notice at the home of such trustee. The clerk-treasurer shall cause an affidavit showing service of such notice as herein provided to be filed in his office prior to the time fixed for such special meeting. Special meetings may be held without such notice when all members of the village board are present in person or consent in writing to the holding of such meeting, such written consent to be filed with the clerk-treasurer prior to the beginning of the meeting. Any special meeting attended by all the trustees shall be a regular meeting for the transaction of any business that may come before such meeting.
- (c) *Notice.* All regular and special meetings shall be announced to the public by publication in the official newspaper or, if there is not enough time, over a local radio station.
- (d) *Adjournment.* The board may, by a majority vote of those present, but not less than three affirmative votes, adjourn from time-to-time to a specific date and hour.

(Code 1980, § 2.02)

• **County Materials Update – Approval to Sell Top Soil**

Motion to permit County Materials to sell top soil by Delsart, seconded by Gerhardt. Motion carried.

Discussed 70<sup>th</sup> Avenue project. Progress is very slow.

• **Annexation Ordinance Amendment for Elk Creek Properties**

Motion to approve Annexation Amendment for Elk Creek Properties by Pizzi, seconded by Delander. Motion carried.

• **Committee Appointments**

Motion to approve the Committee Appointments by Delander, seconded by Kapaun. Motion carried.

Discussed Mark's appointment to the Plan Commission. It was felt that he needs to be an advisor, not a voting member. Board would recommend changing Section 1.28(1) to read that the head of Department of Public Works shall be a member of the Plan Commission as advisory only and not have voting rights. This will be on the June Village Board Meeting.

Discussed compensation for all citizen committee members in a monthly amount.

• **Operator's License**

Motion to approve Operator's License for Margaret Wolske, Douglas Kruschke, Deanna Lindahl, Joseph Kaner, and Deborah Suzan by Delsart, seconded by Gerhardt. Motion carried.

• **Temporary Operator's License – Roberts Lions Club**

Motion to approve Temporary Operator's License for Roberts Lions Club.

• **L&M's Extension of Liquor License – June 11, 2005**

Motion to approve L&M's extension of Liquor License for June 11, 2005 by Pizzi, seconded by Delsart. Motion carried. Motion to amend previous motion to include June 12, 2005 by Pizzi, seconded by Kapaun. Motion carried. Delander – Abstain.

• **Sidetrack Saloon – Good Neighbor Days**

Motion to approve Sidetrack Saloon's request for Good Neighbor Days to use four parking spots and four barricades on Vine Street by Kapaun, seconded by Delander. Motion carried.

• **Roberts-Warren Fire – Water Fight – June 4, 2005 – 12:00 PM**

The Fire Department will close Main Street between Locust and Vine Street. The water fight will start at 1:00 and last 1-2 hours.

Motion to approve water fight for Roberts-Warren Fire by Delander, seconded by Pizzi. Motion carried.

• **Reading of Liquor License Applications**

L&M's Bar & Grill – Matt Delander

C&L Bar Limited (aka Sidetrack Saloon) – Constance Gillis

SSG Corporation (aka Northland Liquors) – Burton Nordstrand

SSG Corporation (aka Holiday) – Burton Nordstrand

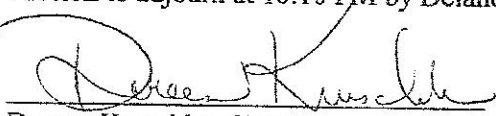
• **Designation of Newspaper**

10M  
Motion to approve Central St. Croix News as the official newspaper for the Village of Roberts by Kapaun, seconded by Delander. Motion carried. Motion to amend motion effective as of July 1, 2005 by Kapaun, seconded by Delander. Motion carried

• **Payment of Bills**

Motion to pay the bills by Delander, seconded by Gerhardt. Motion carried.

Motion to adjourn at 10:10 PM by Delander, seconded by Pizzi. Motion carried.

  
Doreen Kruschke, CMC  
Clerk/Treasurer

6/13/2005  
Date Adopted:



compliance or the State would have stepped in to do the reassessment. There are certain numbers that we have to hit. These numbers are out August 15<sup>th</sup>. If you do not hit these numbers this could also cause the state to come out and reassess. This is the reason that the reassessment was done later in the year. Once these notices are posted with the new amounts, Kleven still has to wait 30 days before we can hold board of review. Stork clarified that Kleven goes off of what the State but because of reevaluation this would not happen again this year? Kleven explained that this won't happen until we are out of compliance again. The percentage of change was around 20%. Kleven explained that the market does not affect everyone the same way. The newer houses went up more than Main Street. Stork asked if every house was entered for this reevaluation. Kapuan also asked how the values are arrived at. Are the building permits looked at for part of this evaluation? Kleven reminded the board that before the evaluation was done, the questions were asked of when we wanted this done and the amount of work that was needed to be done. This will all effect the cost of the job. With going thru the properties, they will find work done without permits but is this worth the extra cost? In looking back with the amount of sales and all of the pictures that are on the internet due to the sales of these properties. These pictures were kept to review so that we did not have to walk thru the houses. Starting this year, the Department of Revenue has made changes to the walk thru of these properties. Now there will be extra mailings that are required by the DOR stating the homeowner's rights. Moeri asked why the state takes so long to get the numbers out? Kleven is not sure but if he had to guess it would be because they are working on sales for 2017 now to get information for this year. The State asks for square footage of the property that was sold, if the transaction is an arm-length sale, etc. This information was just due to the State last week.

We should not have to reassess for a minimum of six years. The market is still going up and we could be out of compliance and can be out of compliance for six years before we are required to do anything. This is discussed every year at board of review so that the board knows where we are at.

**Approval of Roberts Good Neighbor Days – May 31 – June 3, 2018**

Motion to approve having Roberts Good Neighbor Days May 31<sup>st</sup> – June 3<sup>rd</sup> by Kapuan, seconded by Svacina. Motion carried.

**Approval of Roberts Lion Club Picnic License for May 31 – June 3, 2018**

Motion to approve Roberts Lions Club Picnic License for May 31 – June 3, 2018 by Kapaun, seconded by Shemon. Motion Carried.

**Discussion/Approval of Changing Ordinance No 2008-4 VB regarding Open Burning.**

In Roberts we require residents to have their fire pits inspected where other municipalities the onus is on the owner. Question came up regarding if a homeowner's insurance would cover if their fire pit was to cause a fire. It was discussed that if you follow the ordinance your house should be covered that you burned down. Warren Township is also looking at revising this also. Motion to send this to the Plan Commission to formally adopt an ordinance by Pizzi, seconded by Kapaun. Motion carried.

**Discussion on having a 5k/10k in the Village This Summer (route to be determined)**

Not discussed.

**Discussion/Approval of Designation of Official Newspaper.**

Motion to move toward online posting and at the designated locations and designating the New Richmond News for the official newspaper for the required postings and slowly letting others know they can find the minutes by Kapaun, seconded by Shemon. Motion carried.

Motion to convene into closed session per Wisconsin State Statute 19.85(1) c Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding potential payout to resigned employee by Kapaun, seconded by Shemon. Roll call: Waughtal – Aye, Stork – Aye, Shemon – Aye, Moeri – Aye, Svacina – Aye, Kapaun – Aye, Pizzi- Aye. Motion carried.

**Motion to adjourn closed session and reconvene into open session by Pizzi, seconded by Shemon.**

Roll call: Waughtal – Aye, Stork – Aye, Shemon – Aye, Moeri – Aye, Svacina – Aye, Kapaun – Aye, Pizzi- Aye, Motion carried.

**Action determined in closed session if necessary - none**

**Discussion/approval to hire Bakke Norman Law Office to Update Employee Handbook**



**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**ZBA**

**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**EXHIBIT**

**D**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 12th day of March, 2020 at 6:00 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

Appeal of Todd Radunzel:

LOT 9 BLK M VIL ROBERTS

The parcel is located at 107 S. Locust St, Roberts, WI.

Appeal of 247 Logistics - Steve McFarland:

SEC 33 T29N R18W 20A PRT NW NW EXC HWY & EXC  
042-1093-10-000 PCL 513C ANNEXED 09/14/07 (860482) FKA  
042-1092-95-000 (513B) M&B LEGAL SEE 1052389

And

SEC 33 T29N R18W PT NE NW N OF HWY ANNEXED 09/14/07  
(860482) FKA 042-1092-80-000(512B) EXC PT TO HWY PROJECT  
1020-07-20-4.03 (PARCEL 7) (1.740AC)) M&B LEGAL SEE 1052389

These parcels are located on 70th Avenue, West of Highway 65.

This hearing will be held at the Roberts Village Hall, 107 E Maple Street, Roberts, WI at 6:00 PM on Thursday, March 12, 2020.

Dated this 21st day of February, 2020.

Megan Dull, Village Clerk

(Pub. 02/27/20 - 03/05/20) WNAXLP

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(Pub. 02/27/20 - 03/05/20) WNAXLP

**Rescheduled to Mar 26, 2020, R**

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BOARD OF APPEALS  
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**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

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These parcels are located on 70th Avenue, West of Highway 65.

This hearing will be held at the Roberts Village Hall, 107 E Maple Street, Roberts, WI at 6:00 PM on Thursday, March 12, 2020.

Dated this 21st day of February, 2020.

Megan Dull, Village Clerk

(Pub. 02/27/20 - 03/05/20) WNAXLP



SO, Mar 12 2020 R

**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**ZBA**

SO, Mar 19 2020 R

**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 26th day of March, 2020 at 6:00 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Todd Radunzel:**

Todd Radunzel is appealing for the following variance: Section 70-111 - RS-7 Single Family Residential District (5)a to increase the size of 185 square feet in area to add an addition to the existing garage by 1,426 square feet and (6)c to lower the rear yard setback from not less than 35 feet to less than three feet.

The parcel is located at 107 S. Locust Street - LOT 9 BLK M VIL ROBERTS  
Parcel 176-1022-60-000

**Appeal of 247 Logistics - Steve McFarland:**

247 Logistics - Steve McFarland is appealing for the following variance: Section 70-128 - M-3 General Industrial District (5) a to increase the building height from 35 feet to 40 feet to allow them to operate a business to business warehouse needing a large crane to move large material in and out of the building.

The parcel is located at 70th Avenue - VORANMAPLEWOOD LLC - SEC 33 T29N R18W 20A PRT NW NW EXC HWY & EXC 042-1093-10-000 PCL 513C ANNEXED 09/14/07 (860482) FKA 042-1092-95-000 (513B) M&B LEGAL SEE 1052389 parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW N OF HWY ANNEXED 09/14/07 (860482) FKA 042-1092-80-000(512B) EXC PT TO HWY PROJECT 1020-07-20-4.03 (PARCEL 7) (1.740AC)) M&B LEGAL SEE 1052389 Parcel 176-1088-20-050

**Appeal of Harris Rebar:**

Harris Rebar is appealing for the following variance: Section 70-131.A. - M-7 Industrial Rail Park District (5)a to increase the building height from 35 feet to 40 feet to allow them to operate a steel distribution business needing a large crane to move large pieces of steel.

The parcel is located at 130th Street - 1 lot subdivision - Crane I Holdings of parcel 176-1070-40-000.

This hearing will be held at the Roberts Village Hall, 107 E Maple Street, Roberts, WI at 6:00 PM on Thursday, March 26, 2020.

Megan Dull, Village Clerk  
(Pub. 03/12/20 - 03/19/20) WNAXLP

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 26th day of March, 2020 at 6:00 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Todd Radunzel:**

Todd Radunzel is appealing for the following variance: Section 70-111 - RS-7 Single Family Residential District (5)a to increase the size of 185 square feet in area to add an addition to the existing garage by 1,426 square feet and (6)c to lower the rear yard setback from not less than 35 feet to less than three feet.

The parcel is located at 107 S. Locust Street - LOT 9 BLK M VIL ROBERTS  
Parcel 176-1022-60-000

**Appeal of 247 Logistics - Steve McFarland:**

247 Logistics - Steve McFarland is appealing for the following variance: Section 70-128 - M-3 General Industrial District (5) a to increase the building height from 35 feet to 40 feet to allow them to operate a business to business warehouse needing a large crane to move large material in and out of the building.

The parcel is located at 70th Avenue - VORANMAPLEWOOD LLC - SEC 33 T29N R18W 20A PRT NW NW EXC HWY & EXC 042-1093-10-000 PCL 513C ANNEXED 09/14/07 (860482) FKA 042-1092-95-000 (513B) M&B LEGAL SEE 1052389 parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW N OF HWY ANNEXED 09/14/07 (860482) FKA 042-1092-80-000(512B) EXC PT TO HWY PROJECT 1020-07-20-4.03 (PARCEL 7) (1.740AC)) M&B LEGAL SEE 1052389 Parcel 176-1088-20-050

**Appeal of Harris Rebar:**

Harris Rebar is appealing for the following variance: Section 70-131.A. - M-7 Industrial Rail Park District (5)a to increase the building height from 35 feet to 40 feet to allow them to operate a steel distribution business needing a large crane to move large pieces of steel.

The parcel is located at 130th Street - 1 lot subdivision - Crane I Holdings of parcel 176-1070-40-000.

This hearing will be held at the Roberts Village Hall, 107 E Maple Street, Roberts, WI at 6:00 PM on Thursday, March 26, 2020.

Megan Dull, Village Clerk  
(Pub. 03/12/20 - 03/19/20) WNAXLP

**NOTICE  
Village of Roberts  
Public Hearing**

Notice is hereby given of a public hearing to be held by the Village of Roberts Plan Commission on Thursday, April 2, 2020 at 6:00 PM at the Roberts Village Hall.

The purpose of the hearing:  
To rezone property owned by Voren Maplewood LLC.  
Parcel 1 from Medium Density Residential to M-3 General Industrial and  
parcel 2 from Industrial and/or Commercial to M-3 General Industrial.

The legal description of said property is as follows:  
SEC 33 T29N R18W 20A PRT NE NW  
Parcel ID #176-1088-20-050

And

SEC 33 T29N R18W 20A PRT NW NW  
Parcel ID #176-1088-30-000

Megan Dull  
Village Clerk

SO  
03-19-20

(Pub. 03/19/20 - 03/26/20) WNAXLP

**NOTICE  
Village of Roberts  
Public Hearing**

Notice is hereby given of a public hearing to be held by the Village of Roberts Plan Board on Thursday, April 2, 2020 at 6:45 PM at the Roberts Village Hall.

The purpose of the hearing:  
To rezone property owned by Voren Maplewood LLC from Agriculture to M-3 General Industrial. The legal description of said property is as follows:

SEC 33, T29N, R18W PT NE NW  
Parcel I.D. Number 176-1088-20-050

and

SEC 33, T29N, R18W 20A PRT NW NW  
Parcel I.D. Number 176-1088-30-000

Petitioner: Voren Maplewood LLC  
Megan Dull  
Village Clerk

SO  
03-19-20

(Pub. 03/19/20 - 03/26/20) WNAXLP

**NOTICE  
Village of Roberts  
Public Hearing**

Notice is hereby given of a public hearing to be held by the Village of Roberts Plan Board on Thursday, April 2, 2020 at 6:45 PM at the Roberts Village Hall.

The purpose of the hearing:  
To rezone property owned by Voren Maplewood LLC from Agriculture to M-3 General Industrial. The legal description of said property is as follows:

SEC 33, T29N, R18W PT NE NW  
Parcel I.D. Number 176-1088-20-050

and

SEC 33, T29N, R18W 20A PRT NW NW  
Parcel I.D. Number 176-1088-30-000

Petitioner: Voren Maplewood LLC  
Megan Dull  
Village Clerk

SO  
03-26-20

(Pub. 03/19/20 - 03/26/20) WNAXLP

~~May 07 2020 R, V, H, MD~~



**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**ZBA**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 2nd day of April, 2020 at 6:00 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Vorman Maplewood LLC:**

Vorman Maplewood LLC is appealing for the following variance of Section 70-128 - M-3 General Industrial District (5)a to increase the building height from 35 feet to 40 feet for a new building to operate a warehouse needing a 36' clear height within the building to be able to move product.

The parcels are described as follows  
SEC 33 T29N R18W 20A PRT NW NW  
Parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW  
Parcel 176-1088-20-050

Megan Dull  
Village Clerk

*SO*  
*03-19-20*

(Pub. 03/19/20 - 03/26/20) WNAXLP

*Meeting  
Cancelled  
Not yet  
re-zoned*

**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**ZBA**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 2nd day of April, 2020 at 6:00 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Vorman Maplewood LLC:**

Vorman Maplewood LLC is appealing for the following variance of Section 70-128 - M-3 General Industrial District (5)a to increase the building height from 35 feet to 40 feet for a new building to operate a warehouse needing a 36' clear height within the building to be able to move product.

The parcels are described as follows  
SEC 33 T29N R18W 20A PRT NW NW  
Parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW  
Parcel 176-1088-20-050

Megan Dull  
Village Clerk

*SO*  
*03-26-20*

(Pub. 03/19/20 - 03/26/20) WNAXLP

*EBH Held*

*50*  
*Apr 09 2020*  
**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 23rd day of April, 2020 at 6:30 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Vorman Maplewood LLC:**

Vorman Maplewood LLC is appealing for the following variance of Section 70-128 - M-3 General Industrial District (5)a to increase the building height from 35 feet to a maximum of 45 feet for a new building to operate a warehouse needing a 36' clear height within the building to be able to move product and equipment.

The parcels are described as follows  
SEC 33 T29N R18W 20A PRT NW NW  
Parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW  
Parcel 176-1088-20-050

**Appeal of Crane 1 Holdings LLC:**

Crane 1 Holdings, LLC is appealing for the following variance: Section 70-131.A - M-7 Industrial Rail Park District (5)a to increase the building height from 35 feet to 45 feet to allow them to operate a steel fabrication /rebar business needing the hook height greater than 35 feet to allow the cranes to pick the material off the rail cars and move the material into the building for fabrication. This allows them to work with longer lengths of steel for rebar fabrication.

The parcel is located as part of a two-lot subdivision owned by Crane 1 Holdings described as follows:

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 22, TOWNSHIP 29 NORTH, RANGE 18 WEST, VILLAGE O FROBERTS, ST. CROIX COUNTY, WISCONSIN. Part of parcel 176-1070-30-000.

Megan Dull, Village Clerk  
(Pub. 04/09/20 - 04/16/20) WNAALP

*5*  
*Apr 16 2020*  
**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

**VILLAGE OF ROBERTS  
BOARD OF APPEALS  
PUBLIC HEARING NOTICE**

NOTICE IS HEREBY GIVEN that the Village of Roberts Zoning Board of Appeals will meet and conduct a public hearing on the 23rd day of April, 2020 at 6:30 PM, at the Village Hall, 107 East Maple Street, Roberts, WI 54023, to hear the following matter:

**Appeal of Vorman Maplewood LLC:**

Vorman Maplewood LLC is appealing for the following variance of Section 70-128 - M-3 General Industrial District (5)a to increase the building height from 35 feet to a maximum of 45 feet for a new building to operate a warehouse needing a 36' clear height within the building to be able to move product and equipment.

The parcels are described as follows  
SEC 33 T29N R18W 20A PRT NW NW  
Parcel 176-1088-30-000

and

SEC 33 T29N R18W PT NE NW  
Parcel 176-1088-20-050

**Appeal of Crane 1 Holdings LLC:**

Crane 1 Holdings, LLC is appealing for the following variance: Section 70-131.A - M-7 Industrial Rail Park District (5)a to increase the building height from 35 feet to 45 feet to allow them to operate a steel fabrication /rebar business needing the hook height greater than 35 feet to allow the cranes to pick the material off the rail cars and move the material into the building for fabrication. This allows them to work with longer lengths of steel for rebar fabrication.

The parcel is located as part of a two-lot subdivision owned by Crane 1 Holdings described as follows:

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 22, TOWNSHIP 29 NORTH, RANGE 18 WEST, VILLAGE O FROBERTS, ST. CROIX COUNTY, WISCONSIN. Part of parcel 176-1070-30-000.

Megan Dull, Village Clerk  
(Pub. 04/09/20 - 04/16/20) WNAALP



**NOTICE OF PUBLIC HEARING  
AND JOINT REVIEW BOARD MEET-  
ING REGARDING THE PROPOSED  
CREATION OF TAX INCREMENTAL  
DISTRICTS NO. 2 AND 3  
IN THE VILLAGE OF ROBERTS,**

**WISCONSIN**

Notice is Hereby Given that the Village of Roberts will hold an organizational Joint Review Board meeting on May 7, 2020 at 6:00 p.m. The purpose of this meeting is to organize a Joint Review Board for purposes of considering the proposed creations of, and proposed project plans for, Tax Incremental Districts No. 2 and 3 (the "District's").

Notice is also Hereby Given that the Plan Commission of the Village of Roberts will hold a public hearing on May 7, 2020 at 7:00 p.m. for the purpose of providing the community a reasonable opportunity to comment upon the proposed creation of the Project Plans for the Districts.

The meetings will be held at the Roberts Village Hall, located at 107 E. Maple Street.

You may also join the meetings from your computer, tablet or smart-phone via <https://global.gotomeeting.com/join/555139317> New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/555139317>

Or you can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

*Apr 30 2020 R*  
**Star-Observer**

United States (Toll Free):  
1 866 899 4679

- One-touch :  
tel:+18668994679,555139317#

United States: +1 (669) 224-3318  
- One-touch :

tel:+16692243318,555139317#

- Access Code: 555-139-317

- Join from a video-conferencing room or system.

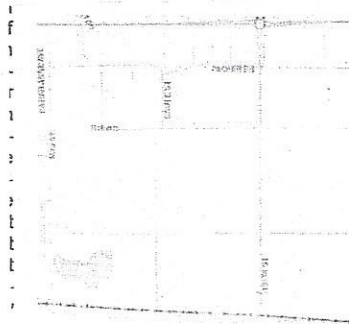
2 Dial in or type: 67.217.95.2 or in-roomlink.goto.com

Meeting ID: 555 139 317

Or dial directly:  
555139317@67.217.95.2 or

67.217.95.2##555139317

Tax Incremental District No. 2 is expected to be an industrial district based on the identification and classification of the property proposed to be included within the District. Proposed projects costs include various public improvements and cash grants to owners or lessee or developers of land located within the district (development incentives) and professional and organizational services, administrative costs, and finance costs. The proposed costs include projects within the proposed boundary and within a ½ mile radius of the proposed boundary of the District. The proposed boundary of the District would be within an area generally detailed on the map below.



**Crane 1 Holdings map:**

Tax Incremental District No. 3 is expected to be a mixed-use district based on the identification and classification of the property proposed to be included within the District. Proposed projects costs include various public improvements and cash grants to owners or lessee or developers of land located within the district (development incentives) and professional and organizational services, administrative costs, and finance costs. The proposed costs include projects within the proposed boundary and within a ½ mile radius of the proposed boundary of the District. The proposed boundary of the District would be within an area generally detailed on the map below.



low.

**247 map:**

All interested parties will be given a reasonable opportunity to express their views on the proposed creation of the Districts, the proposed boundaries of the Districts, and the proposed Project Plans thereof. A copy of the Project Plans, including a description of the proposed boundaries, will be available for viewing in the offices of the Village Clerk at the Roberts Village Hall, located at 107 E. Maple Street, during normal business hours and will be provided upon request. A copy of the Project Plan, including a description of the proposed boundaries, will also be available on the Village's web site at <https://www.robertswisconsin.com/>

Such hearing shall be public and citizens and interested parties shall then be heard. This hearing may be adjourned from time to time.

By Order of the Village of Roberts,  
Wisconsin  
(April 23 & 30, 2020) 2835118



**NOTICE OF PUBLIC HEARING  
AND JOINT REVIEW BOARD MEETING  
REGARDING THE PROPOSED CREATION OF  
TAX INCREMENTAL DISTRICT NO. 3  
IN THE VILLAGE OF ROBERTS, WISCONSIN**

Notice is Hereby Given that the Village of Roberts will hold an organizational Joint Review Board meeting on June 25, 2020 at 6:00 p.m. The purpose of this meeting is to organize a Joint Review Board for purposes of considering the proposed creation of, and proposed project plan for, Tax Incremental District No. 3 (the "District").

Notice is also Hereby Given that the Plan Commission of the Village of Roberts will hold a public hearing on June 25, 2020 at 7:00 p.m. for the purpose of providing the community a reasonable opportunity to comment upon the proposed creation of the Project Plan for the District.

The meetings will be held at the Roberts Park Building, located at 312 N. Park Street.

You may also join the meetings from your computer, tablet or smartphone via <https://global.gotomeeting.com/join/421394397> New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/421394397>

Or you can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 877 568 4106

- One-touch: tel:+18775684106,421394397#

United States: +1 (312) 757-3129

- One-touch: tel:+13127573129,421394397#

Access Code: 421-394-397

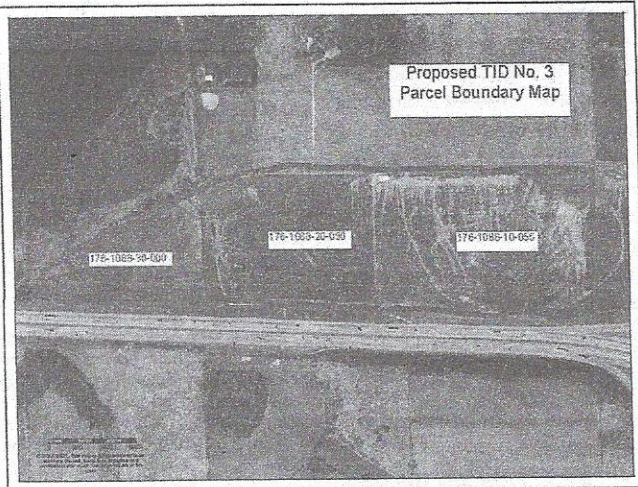
Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 555 139 317

Or dial directly: 421394397@67.217.95.2 or 67.217.95.2##421394397

The District is expected to be a mixed-use district based on the identification and classification of the property proposed to be included within the District. Proposed projects costs include various public improvements and cash grants to owners or lessee or developers of land located within the district (development incentives) and professional and organizational services, administrative costs, and finance costs. The proposed costs include projects within the proposed boundary and within a ½ mile radius of the proposed boundary of the District. The proposed boundary of the District would be within an area generally detailed on the map below.



All interested parties will be given a reasonable opportunity to express their views on the proposed creation of the District, the proposed boundaries of the District, and the proposed Project Plan thereof. A copy of the Project Plan, including a description of the proposed boundaries, will be available for viewing in the offices of the Village Clerk at the Roberts Village Hall, located at 107 E. Maple Street, during normal business hours and will be provided upon request. A copy of the Project Plan, including a description of the proposed boundaries, will also be available on the Village's web site at <https://www.robertswisconsin.com/>

Such hearing shall be public and citizens and interested parties shall then be heard. This hearing may be adjourned from time to time.

By Order of the Village of Roberts, Wisconsin  
Published June 11, 2020 and June 18, 2020

(June 11 & 18, 2020) 2843037

WNAXLP

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Thursday, June 11, 2020 B5

**NOTICE  
Village of Roberts  
Public Hearing**

Notice is hereby given of a public hearing to be held by the Village of Roberts Plan Board on Thursday, June 25, 2020 at 5:30 PM at the Roberts Park Building located at 312 N Park St.

The purpose of the hearing:

To rezone property owned by Crane 1 Holdings, LLC from Industrial, M-3 to Urban Institutional District, I-1. The legal description of said property is as follows:

- Lot 2 of CSM Volume 30 Page 6798 described as follows: Part of the Southeast Quarter of the Northeast Quarter and Part of the Northeast Quarter of the Northwest Quarter, Section 22, Township 29 North, Range 18 West, Village of Roberts, St. Croix County, Wisconsin. This property is located East of Grupe Street and West of 130th Street in the Village of Roberts.

Petitioner: Crane 1 Holdings, LLC

Megan Dull

Village Clerk

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/119717629>

Call in information: 1 877 309 2073

Access Code: 119-717-629

(June 11 & 18, 2020) 2843037

WNAXLP

Both notices in 50 on  
Jun 11, 2020, R  
9  
Jun 18, 2020, R

Jun 25, 2020, R:

3 mtgs:

1) JRB req @ 6:00 pm

2) PC-PH @ 5:30 pm

3) PC-PH @ 7:00 pm



# The Wisconsin Transparency Project

EXHIBIT

E

Kamenick Law Office, LLC  
Attorney Tom Kamenick, President & Founder  
1144 Noridge Trail  
Port Washington, WI 53074  
(262) 365-7434  
[www.wiopenrecords.com](http://www.wiopenrecords.com)  
[tom@wiopenrecords.com](mailto:tom@wiopenrecords.com)

Megan Dull, Clerk/Treasurer  
Village of Roberts  
107 E. Maple St.  
Roberts, WI 54023  
[vilofrbt@baldwin-telecom.net](mailto:vilofrbt@baldwin-telecom.net)  
**VIA EMAIL & FIRST CLASS MAIL**

October 27, 2020

**Re: New Peter Tharp Record Request**

Dear Ms. Dull:

This letter is a request, on behalf of my client, Peter Tharp, made under Wisconsin's Open Records Law, Wis. Stat. §§ 19.31-19.39, for the following records:

1. Each notice of a public meeting sent to any newspaper or other media from January 1, 2020 to the present;
2. Each cover letter, email, or other transmittal notice accompanying each such notice; and
3. A check duplicate, invoice, receipt, or other evidence of payment for the publication of each such notice.

The Open records Law defines "record" expansively, including information that is maintained either on paper or electronically. Wis. Stat. § 19.32(2). If these records are stored electronically, please provide them in that electronic format, as required by law, via email to [tom@wiopenrecords.com](mailto:tom@wiopenrecords.com). See *Lueders v. Krug*, 2019 WI App 36.

The Open Records Law "shall be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest, and only in an exceptional case may access be denied." Wis. Stat. § 19.32(1). If you deny any portion of my request, the law requires you to do so in writing and to state what part of the law you believe entitles you to deny my request. Wis. Stat. § 19.35(4)(a).

The Open Records Law states that you may charge for "the actual, necessary and direct cost" of locating records, if this exceeds \$50, for reproducing copies, and for postage. Wis. Stat. § 19.35(3). All work should be charged at the rate for the lowest-paid employee capable of performing that work, regardless of whether somebody else actually performs that work. Wis. Att'y Gen., Open Records Compliance Guide at 68, May 2019. Once the records are located,

you may not charge for any time spent reviewing or redacting the records. *Milwaukee Journal Sentinel v. City of Milwaukee*, 2012 WI 65.

The Attorney General has opined that the cost of photocopying should be calculated on a per-page basis using your actual cost for purchasing paper and photocopier costs based on your photocopier lease or the expected lifetime output of your copier. Wis. Att’y Gen., Aug. 8, 2018, *Office of Open Government Advisory: Charging Fees under the Wisconsin Public Records Law*. For example, the DOJ’s actual cost is approximately one cent for black & white pages and six cents for color.

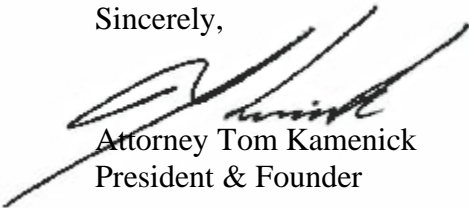
Please advise me before processing this request if there will be a cost incurred.

You must treat this, as all record requests, as a priority. The law requires you to respond to this request “as soon as practicable and without delay.” Wis. Stat. § 19.35(4)(a).

If you are not the records custodian for this information, please forward this request to the appropriate person.

Also, please contact me if I can help clarify or refine this request.

Sincerely,



Attorney Tom Kamenick  
President & Founder

**Cc:** Attorney Paul Mahler  
Village Attorney, Village of Roberts  
[PMahler@bakkenorman.com](mailto:PMahler@bakkenorman.com)