

Laurie Mueller

From: Luke Martell <lmartell@ammr.net>
Sent: Thursday, August 27, 2026 12:21 PM
To: Stephanie Wallace
Cc: Laurie Mueller; Tim Gorseger; Paul Blount
Subject: Re: EXCLUSION AREAS MAP

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Hi Stephanie,

The revised ordinance looks good. My feedback is as follows:

1. Section 3.D(1) uses a list of locations that is different than our defined "Child Safety Location". We should replace the list with our defined term, otherwise our map and the prohibition will not match.
2. I like that we have created a residence review board but we also need to add specifics as to membership, appointing authority, terms, etc... I have used the following language in another community: *The Residence Board shall consist of three citizens residing in the Village. Members shall be selected by the Village Board. Members shall serve for a term of five years and shall serve no more than two consecutive terms. The terms for the initial members of the Residence Board shall be staggered with one member serving one year, a second serving three years and the third serving five years. The appointment terms shall commence on May 1 of the year appointed.*
3. Section 5(3) still references the Plan Commission, which should be removed. 5(3)(f) has Palmyra misspelled.
4. The loitering rewrite is much more defensible, however, I must still caution about Section 3.C. I still believe that this is likely to be considered a content and speaker-based restriction and will draw *Reed v. Town of Gilbert* scrutiny. The safer course is still repeal of § 3.C but if the Board wants to keep an activity ban, I would narrow it to something more similar to Lisbon or Genessee's holiday conduct prohibition, keep the parent/guardian carve-out, and add findings in the preamble that tie that specific conduct to the risk.
5. Adding churches as Child Safety Locations while also restricting religious-organization events creates risk for a challenge. Even with the worship-attendance exception, I think this creates an unnecessary Free Exercise issue.
6. I would recommend incorporating a WHEREAS preamble more similar to Genessee's. If I remember correctly, our firm was involved in drafting that ordinance. The more studies, especially recent studies, you have supporting the reasoning for the restrictions, the more defensible the ordinance will be if ever

challenged. This is especially important post *Hoffman*. The one portion we should not incorporate is their original domicile findings.

If you would like me to draft the preamble or any other language related to the above feedback once we have the housing-availability percentages, I would be happy to do so.

Thanks,

Luke

LUKE A. MARTELL

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On Aug 25, 2026, at 5:14 PM, Stephanie Wallace <trustee5@vi.palmyra.wi.gov> wrote:

Hi Luke,

Thank you for taking the time to review this and provide guidance. Attached is the redlined Sex Offender Ordinance reflecting the revisions I made based on your feedback.

One area where I was less certain is the update to the WHEREAS preambles. Laurie forwarded the attached Town of Genesee's ordinance to me, and I noticed that their preamble is structured somewhat differently and includes references to more recent case law in the footnotes. Do you think it would make sense for us to model our preamble after theirs, or would you prefer that we retain our current structure?

Please note that we are still working on calculating the percentage of residential parcels and dwelling units that would remain available outside of the Child Safety Zone. Once that analysis is complete, the Board will be able to review the information and make a determination regarding the appropriate distance requirement.

I look forward to your thoughts.

Best,

Stephanie Wallace | Village Board Trustee, Chair – Budget & Finance Committee

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From: Laurie Mueller <clerk@vi.palmyra.wi.gov>

Sent: Thursday, July 9, 2026 11:00 AM

To: Stephanie Wallace <trustee5@vi.palmyra.wi.gov>

Subject: FW: EXCLUSION AREAS MAP

From: Luke Martell <lmartell@ammr.net>

Sent: Thursday, July 9, 2026 10:27 AM

To: Laurie Mueller <clerk@vi.palmyra.wi.gov>

Cc: Stan Riffle <sriffle@ammr.net>

Subject: Re: EXCLUSION AREAS MAP

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Hi Laurie,

Attached is my memo reviewing the proposed sex offender ordinance.

Please let me know if you have any additional questions or need anything else in this regard.

Thanks,

Luke

LUKE A. MARTELL

<image001.png>

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On Jul 8, 2026, at 8:21 AM, Laurie Mueller <clerk@vi.palmyra.wi.gov> wrote:

From: Tim Gorseger <villpres@vi.palmyra.wi.gov>
Sent: Tuesday, July 7, 2026 9:42 PM
To: Laurie Mueller <clerk@vi.palmyra.wi.gov>; Stan Riffle <sriffle@ammr.net>;
Stephanie Wallace <trustee5@vi.palmyra.wi.gov>
Subject: EXCLUSION AREAS MAP

Good evening,

Attached is the updated exclusion area map with the three distances that are mentioned in the proposed sex predator ordinance (500, 750, and 1000 ft).

Any questions, please ask.

Thanks,

Tim

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<DRAFT - Ordianace Establishing Sex Offender Residency Prohibited Activities and Loitering Restrictions (SW Draft - For Legal Review 8.25.26).docx><Ordinance 23-1 to recreate sex offender restrictions.docx>