MINUTES OF THE COMMON COUNCIL MEETING HELD VIA ZOOM MEETING ON TUESDAY, APRIL 21, 2020

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 p.m.
Present: Alderpersons Shirley Saryan, Denise Collins, Pamela Akers, Karl Kastner, Bruce Bailey.
Also present: Brian Sajdak, City Attorney; Jeff Katz, Director, Neighborhood Services; Kristi Porter, Community Development Manager; Jay Johnson, Police Chief; Jennifer Goergen, City Clerk.

B. Opening Prayer

A prayer was given by Pastor Steve Rogers.

C. Pledge of Allegiance

D. Approval of the April 8, 2020 Common Council minutes

Motion by Ald. Kastner, seconded by Ald. Akers, to approve. Motion carried unanimously.

E. Mayor's Report

Mayor Neitzke said Greenfield received a $1.2 million grant today for the Powerline trail, to extend the trail along the WEPCO-ATC right of way from roughly S. 60th to S. 105th Streets.
Dan Jansen Fest is canceled this year due to COVID-19.
July 4th fireworks are uncertain - the city will wait as long as possible to decide whether to have them.
The city has started a food outreach program with a consortium of churches to supplement the Hunger Task Force's stock box program. They are working with Meijer on this. They hope to start a weekly program that could serve 500 families per week. Initial funding would provide food for 3 weeks. The churches will raise resources to supplement it in the future. He thanked Julie Foley, John Laskoski and Jon Cohn for their work on this project.
Work has started on the Kulwicki Park trail, from the Ridge parking lot to Kulwicki Park. The City of Franklin provided assistance (use of bulldozer, free clay, free topsoil).
Mayor Neitzke noted a recent serious motorcycle accident on Hwy 100, and encouraged people to use caution.
There also was a fire in apartments on the northwest corner of W. Loomis Rd. and W. Layton Ave. and some intense police response incidents. The Mayor thanked everyone who helped with this.
Little League - It is unknown if opening day is postponed.
Arbor day has been cancelled, although there will still be some trees planted at Kulwicki Park.

F. Aldermanic Reports

Ald. Bruce Bailey reported on behalf of the Tree Commission that 362 trees have been planted as of last fall, funded by a Milwaukee Metropolitan Sewerage District grant; another MMSD grant has been requested. An additional 25 trees were planted through an urban forestry grant. Ald. Bailey said 400 trees are being treated for the Emerald Ash Borer. City Forester Dennis Fermenich applied for and received a $25,000 grant from the Department of Natural Resources that will be matched by the city. The Dept. of Public Works will hire a summer intern to do a tree inventory.

Ald. Saryan said one of her constituents is disappointed that liquor stores can be open, but her dog groomer is closed.

Mayor Neitzke said business shutdowns are having an impact, but Greenfield is under the Governor's orders. Businesses not following the Governor's orders will be "visited."

Ald. Kastner said Grandpa Franks will operate a drive-thru window for flowers.

Ald. Bailey said Greenfield has filed its Bee City USA application.

G. Announcements

None.

H. Citizen Commentary

Mayor Neitzke said public comment should be provided in writing by email to ClerkDept@greenfieldwi.us or via the dropbox by 5:30 p.m. on the day of the meeting.

No public comment was submitted for this meeting.

I. Public Hearings

1. Public Hearing on a Special Use Permit for Heights Finance Corporation, a consumer lending business to be located within the multi-tenant commercial building at 3831 S. 108 Street, submitted by Sharlette Metts, d/b/a Heights Finance Corporation. (Tax Key No. 563-9990-002) (PC-4/14/20 Kastner)

   Community Development Manager Kristi Porter said this consumer lending business wants to move to the former Hallmark space in this multi-tenant commercial building. Hours of operation are 8:30 a.m. to 5:30 p.m., Monday through Friday. They are a traditional installment loan provider. They are not a payday loan type of business. Ninety-two percent of their loans are direct to the consumer. Their consumer base is made up primarily of sub-prime borrowers. Their typical loan terms are 13 - 60 months. The property owner has agreed to do some site cleanup. There is sufficient parking - 78 spaces are required, and 83 are provided. The Plan Commission recommended approval. No objections have been received.

No one spoke for or against the special use.

Motion by Ald. Kastner, seconded by Ald. Akers, to close the public hearing. Motion carried unanimously.

a. Adopt a Resolution for Heights Finance Corporation, a consumer lending business to be located within the multi-tenant commercial building at 3831 S. 108 Street. (Tax Key No. 576-9978-000) (PC-4/14/20 Kastner)

Motion by Ald. Kastner, seconded by Ald. Collins, to adopt Resolution No. 3746 [resolution at end of minutes]. On a roll call vote, the motion was approved unanimously.

b. Approve a Site Plan Review for Heights Finance Corporation, a consumer lending business to be located within the multi-tenant commercial building at 3831 S. 108 Street. (Tax Key No. 563-9990-002) (PC-4/14/20 Kastner)

Motion by Ald. Kastner, seconded by Ald. Collins, to approve, incorporating staff comments. Motion carried unanimously.

J. New Business

1. Appointment of Council President for a one year term (currently Karl Kastner)

Motion by Ald. Bruce Bailey, seconded by Ald. Kastner, to reappoint Ald. Karl Kastner as Council President. Motion carried unanimously.

2. 2020 Council Representative appointments to various committees and commissions:

a. <u>Council appointments:</u>

Motion by Ald. Kastner, seconded by Ald. Akers, to make the Council appointments as specified under agenda items J.2.a.i. – J.2.a.iv:

i. Three members to the Finance & Human Resources Committee for a term to expire 4/19/21 (Currently Bailey, Kastner, Saryan)

Appoint Ald. Bailey, Kastner and Saryan.

ii. Three members to the Legislative Committee for a term to expire 4/19/21 (currently Bailey, Lubotsky, Saryan)

Appoint Ald. Bailey, Collins, and Saryan.

iii. One member to the Park & Recreation Board for a term to expire 4/19/21 (currently Akers)

Appoint Ald. Collins.

iv. One member to the Plan Commission for a term to expire 4/19/21 (currently Kastner)

Appoint Ald. Kastner.

Motion carried unanimously.

b. Mayor appointments, confirmed by Council:

Motion by Ald. Kastner, seconded by Ald. Akers, to confirm the following Mayor appointments, as specified under agenda items J.2.b.i. - J.2.b.v:

i. One member to the Community Development Authority for a term to expire 4/17/23 (currently Bailey)

Appoint Ald. Bailey.

ii. One member to the Board of Health for a term to expire 4/19/21 (currently Akers)

Appoint Ald. Akers.

iii. One member to the Public Library Board for a term to expire 4/19/21 (currently Lubotsky)

Appoint Ald. Collins.

iv. Three members to the Board of Public Works for a term to expire 4/19/21 (currently Saryan, Bailey, Lubotsky)

Appoint Ald. Saryan, Bailey, Akers.

v. One member to the Tree Commission for a term to expire 4/20/22 (currently Bailey)

Appoint Ald. Bailey.

Motion carried unanimously.

3. Appointments to various committees and commissions:

a. Council appointments:

Motion by Ald. Kastner, seconded by Ald. Akers, to approve the Council appointments as listed in agenda items J.3.a.i. – J.3.a.ii:

i. One member to the Board of Public Works for a term to expire 5/1/22 (currently Richard Kasza)

Appoint Richard Kasza.

ii. A.D. #1

One member to the Park & Recreation Board for a term to expire 5/31/22 (currently Denise Collins)

Appoint Arika Graham, 3615 W. Cold Spring Rd., Greenfield, WI 53221.

Motion carried unanimously.

b. Mayor appointments, confirmed by Council:

Motion by Ald. Kastner, seconded by Ald. Collins, to confirm the Mayor's reappointment of all willing members as listed in agenda items J.3.b.i. - J.3.b.viii:

i. Three members to the Civil Service Commission for terms to expire 5/1/23 (currently Robert Sherwood, David Shore, Veronica Wallace-Kraemer)

Appoint Robert Sherwood, David Shore, Veronica Wallace-Kraemer.

ii. One member to the Fire & Police Commission for a term to expire 5/1/25 (currently Steve Brown)

Appoint Steve Brown.

iii. One member to the Board of Review for a term to expire 5/1/25 (currently Donald Reid)

Appoint Donald Reid.

iv. One member to the Board of Review for a term to expire 5/1/21 (formerly Gregory Krog)

To be placed on the **NEXT AGENDA**.

v. One alternate member to the Board of Review for a term to expire 5/1/25 (newly created position)

To be placed on the **NEXT AGENDA**.

vi. Two members to the Tree Commission for a term to expire 5/1/22 (currently Joan Stevens, Terry Krell)

Appoint Joan Stevens, Terry Krell.

vii. One member to the Tree Commission for a term to expire 5/1/21 (formerly Michael Wendt)

To be placed on the **NEXT AGENDA**.

viii. Two members to the Zoning Board of Appeals for a term to expire 5/1/23 (currently Audrey Ellison, formerly Don Kopp)

Appoint Audrey Ellison.
Remaining opening - to be placed on the **NEXT AGENDA**.

c. Mayor appointments:

Mayor Neitzke reappointed people as listed in agenda items J.3.c.i. - J.3.c.iii:

i. Two members to the Plan Commission for a term to expire 5/1/23 (currently Brian Weis, Christine Hallen)

Appoint Brian Weis, Christine Hallen.

ii. Designation of Chairperson of Zoning Board of Appeals (currently Audrey Ellison)

Appoint Audrey Ellison.

iii. One alternate member to the Zoning Board of Appeals for a term to expire 5/1/21 (formerly Denise Kunz)

To be placed on the **NEXT AGENDA**.

4. Approve Architectural Plans for exterior façade improvements to various buildings at the Greenbrook Terrace Apartments, located at 4905-4980 and 5000-5080 S. Greenbrook Terrace, subject to Plan Commission and staff comments. Tax Key Nos. 619-9998-004 and 619-9998-003. (PC-4/14/20 Kastner)

Motion by Ald. Akers, seconded by Ald. Kastner, to approve. Motion carried unanimously.

5. Vehicle Lease Approval - Police Department seeking approval for lease of vehicle used by DEA Task Force Officer for undercover work.

Mayor Neitzke said this will be paid for by DEA grant money.

Motion by Ald. Akers, seconded by Ald. Saryan, to approve. On a roll call vote, the motion was approved unanimously.

6. Discussion and decision to transfer the clearing account balance in excess of 7% of the total escrow fund (Fund 825) to GENRES in the amount of $18,000 (P. Schafer)

Motion by Ald. Saryan, seconded by Ald. Kastner, to approve. On a roll call vote, the motion was approved unanimously.

7. Discussion and decision to establish the 2020 Sewer Service Rates as proposed in the 2020 Budget (P. Schafer)

Motion by Ald. Kastner, seconded by Ald. Collins, to approve. On a roll call vote, the motion was approved unanimously.

8. Approve resolution relating to temporarily suspending late fees and penalties for sanitary sewer and storm water utility bills (P. Schafer)

Motion by Ald. Akers, seconded by Ald. Collins, to adopt Resolution No. 3747 [resolution at end of minutes]. On a roll call vote, the motion was approved unanimously.

9. Approval of mileage reimbursements in the amount of $691.18 (P. Schafer)

Motion by Ald. Saryan, seconded by Ald. Kastner, to approve agenda items J9 and J10. On a roll call vote, motion carried unanimously.

10. Approval of schedules of disbursements in the amount of $2,104,278.39 (P. Schafer)
    Approved under agenda item J9.

K. Items for future agenda

Ald. Akers verified that the city is not enforcing any regulations that would prevent temporary signs advertising businesses that are still open.

Mayor Neitzke said the city is bound to follow the governor's order, unless court rulings determine otherwise.

Ald. Bailey thanked Rob Dempze, Lisa Pelkey and Tim Lemmers for their assistance with the virtual meeting.

Ald. Collins said she looks forward to working with the Mayor and Alderpersons.

L. Adjourn

Motion by Ald. Kastner, seconded by Ald. Bailey, to adjourn the meeting at 7:44 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: April 21, 2020

RESOLUTION NO. 3746

SPECIAL USE PERMIT FOR HEIGHTS FINANCE CORPORATION, A CONSUMER LENDING BUSINESS TO BE LOCATED WITHIN THE MULTI-TENANT COMMERCIAL BUILDING AT 3831 S. 108 ST., SUBMITTED BY SHARLETTE METTS, D/B/A HEIGHTS FINANCE CORPORATION (TAX KEY NO. 563-9990-002)

WHEREAS, Sharlette Metts, d/b/a Heights Finance Corporation, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish a consumer lending business at 3831 S. 108 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 21, 2020, at 7:00 p.m. or soon thereaftaer, in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Sharlette Metts, d/b/a Heights Finance Corporation, has offices at 7707 N. Knoville Ave., Ste 201, Peoria, IL 61614.

2. The property is owned by Robert A. Knackert, d/b/a Norbert J Knackert Revocable Trust, 9049 S. 83 St., Franklin, WI 53132.

3. Regional Finance Corporation of Wisconsin will occupy approximately 2,262 sq. ft. of the multi-tenant commercial building located at 3831 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Southeast ¼ of Section 18, and the Northeast ¼ of Section 19, all being a part of Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said Southeast ¼ of Section 18; thence North to the centerline of West Beloit Road; thence Southwesterly along said centerline, 318 feet to a point; thence Southeasterly 55 feet to a point; thence Southwesterly 125 feet to a point; thence Southeasterly 467.23 feet to a point; thence Easterly to the East line of said Northeast ¼ of Section 19; thence North to the point of beginning. Excepting those parts taken for public street and highway purposes.

Tax Key No. 563-9990-002

Said land being located at 3813-3833 S. 108 St.

4. The applicant is proposing to establish a consumer lending business within the existing multi-tenant commercial building.

5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits Consumer Lending as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the S. 108 St. corridor that is developed for commercial uses. Properties to the north and east are developed as commercial. Properties to the west and south are developed as open space/parkway.

7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Sharlette Metts, d/b/a Heights Finance Corporation, to establish a consumer lending business at 3831 S. 108 St., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on April 14, 2020 and by the Common Council on April 21, 2020. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.

2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.

3. Hours of Operation. The allowable hours of operation for Regional Finance Corporation of Wisconsin will be 8:30am – 5:30pm, Monday through Friday.

4. Off-Street Parking. The entire building, under the category of "Shopping Centers," requires 78 off-street parking stalls. Heights Finance Corporation requires 11 of the 78 spaces. Eighty-three (83) off-street parking stalls are provided on site.

5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.

6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation

thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.

9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view by the existing fence/enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a $350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin

or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

_____
Sharlette Metts, d/b/a Heights Finance Corporation

_____
Robert A. Knackert, d/b/a Norbert J Knackert Revocable Trust

Provided to applicant on the
_____day of_____, 2020

_____
Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 8th day of April, 2020.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3747

A RESOLUTION RELATING TO THE IMPOSITION OF LATE FEES AND PENALTIES FOR SANITARY SEWER AND STORM WATER UTILITY BILLS

WHEREAS, in December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world, including every state in the United States; and

WHEREAS, on January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern; and

WHEREAS, there has been a state of emergency by the federal, state and city government in response to the COVID-19 pandemic; and

WHEREAS, the Wisconsin Public Service Commission issued a ruling prohibiting regulated utility from imposing late fees during the pendency of the State declaration of emergency; and

WHEREAS, there have been unprecedented levels of unemployment claims resulting from the COVID-19 pandemic; and

WHEREAS, the municipal code provides for the imposition of a 4.5% penalty to late payments for sanitary sewer and storm water utility accounts; and

WHEREAS, the Common Council has determined that it is appropriate to waive the penalty on these accounts during the pendency of the state of emergency;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Greenfield that the sanitary sewer and storm water utilities shall temporarily suspend the imposition of penalties on late payments until the end of the City's declaration of emergency.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of April, 2020.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk