



REVISED COMMON COUNCIL MEETING AGENDA

Tuesday, November 17, 2020 - 7:00 PM

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting will be held virtually through the Zoom platform with each member accessing the meeting remotely as detailed below.

Public comments will be accepted in writing only.

Public comments should be directed at least 2 hours prior to the meeting to the City Clerk's Office in advance by email at clerkdept@greenfieldwi.us or by leaving a written public comment addressed to the intended committee in the drop box at City Hall, 7325 W. Forest Home Ave., Greenfield, by 4:30 p.m. on the day of the meeting. Comments received timely will be forwarded to all members of the body for their consideration.

Reasonable accommodations will be made for those citizens who are unable to attend the meeting in the method identified below upon at least two hours' notice. Notice can be given to the City Clerk's Office at 414-329-5219.

To register to attend the meeting, please go to:

https://zoom.us/webinar/register/WN_qa3JmHdfQoe2qUWvmei-7g

Please contact the City Clerk's office at 414-329-5219 if you do not have access to a computer to register for the meeting.

Recordings of the meeting will also be placed on the City's YouTube Account after the meeting.

- A. Call to Order & Roll Call
- B. Opening Prayer
- C. Pledge of Allegiance
- D. Approval of the November 4, 2020 Common Council minutes
- E. Mayor's Report

- F. Aldermanic Reports
- G. Announcements
- H. Citizen Commentary
- I. Public Hearings
 - 1. Public hearing on the proposed 2021 Budget
 - a. Decision regarding 2021 budget and adoption of resolution levying property taxes
 - 2. Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4040 W. Loomis Rd. from M-1 Manufacturing District to C-2 Community Commercial District and Special Use Permit for a professional development training center for Educators Credit Union, to be located at 4040 W. Loomis Rd., submitted by Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union. (Tax Key No. 600-9971-002) (PC-10/13/20 Kastner)
 - a. Approve an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4040 W. Loomis Rd. from M-1 Manufacturing District to C-2 Community Commercial District. (Tax Key No. 600-9971-002) (PC-10/13/20 Kastner)
 - b. Approve a Resolution for a Special Use Permit for a professional development training center for Educators Credit Union, to be located at 4040 W. Loomis Rd., submitted by Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union. (Tax Key No. 600-9971-002) (PC-10/13/20 Kastner)
 - c. Approve a Certified Survey Map to modify parcels for the properties located at 4040 W. Loomis Rd. and 4000 W. Loomis Rd., submitted by Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union. (Tax Key Nos. 600-9971-002 and 600-9971-003) (PC-10/13/20 Kastner)
 - d. Approve the Site, Landscaping and Architectural Plans for a proposed construction of a drive-up building for Educators Credit Union, to be located at 4000 W. Loomis Rd., submitted by Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union. (Tax Key No. 600-9971-003) (PC-10/13/20 Kastner)
 - 3. Public Hearing on a Special Use Permit for CBD Vape Smoke, a CBD and tobacco store to be located at 6403-05 W. Forest Home Ave., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 572-8992-006) (PC-10/13/20 Kastner)
 - a. Approve a Resolution for a Special Use Permit for CBD Vape Smoke, a CBD and tobacco store to be located at 6403-05 W. Forest Home Ave., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 572-8992-006) (PC-10/13/20 Kastner)
 - b. Approve a Site Plan Review for CBD Vape Smoke, a CBD and tobacco store to be located at 6403-05 W. Forest Home Ave., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 572-8992-006) (PC-10/13/20 Kastner)
 - 4. Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the properties located at 4777 S. 27 St. and 4861-89 S. 27 St. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District. (Tax Key Nos. 622-9988-016 and 622-9988-012) (PC-10/13/20 and PC-11/10/20 Kastner)

- a. Approve an Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the properties located at 4777 S. 27 St. and 4861-89 S. 27 St. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District. (Tax Key Nos. 622-9988-016 and 622-9988-012) (PC-10/13/20 and PC-11/10/20 Kastner)

J. Old Business

1. Appointments to various committees and commissions:
 - a. Mayor appointments, confirmed by Council:
 - i. One alternate member to the Board of Review for a term to expire 5/1/25 (newly created position)
 - b. Mayor appointments:
 - i. One alternate member to the Zoning Board of Appeals for a term to expire 5/1/21 (formerly Denise Kunz)

K. New Business

1. Claim received from Jessica Mendoza (Goergen)
2. Approve applications for 2020-2021 operator licenses (Goergen)
3. Application for a Temporary Class "B" Retailer's License received from Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages indoors at "Photos with Santa & Therapy K9s" event on November 28, 2020 from 9 a.m. - 4 p.m. at 6221 W. Layton Ave. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Goergen)
4. Approval of mileage reimbursement in the amount of \$972.96
5. Approval of schedules of disbursements in the amount of \$1,728,412.06
6. Approve a Request for an extension of time to complete site improvements at Oh Yeah Chicken & More, an existing business located at 3322 W. Loomis Rd., submitted by Adnan Bin-Mahfouz, d/b/a Oh Yeah Chicken & More. (Tax Key No. 553-0436-001) (PC-11/10/20 Kastner)
7. Approve a Special Use Review and a Site Plan Review for a tenancy change to Wheels Plus Gas & Grocery, an existing gas station and convenience store located at 6745 W. Forest Home Ave., submitted by Ehab Mohany, d/b/a Wheels Plus Gas & Grocery, LLC. (Tax Key No. 572-8976-000) (PC-11/10/20 Kastner)
8. Discussion/decision to approve construction contract for emergency dorm remodel at Fire Station 92 (Cohn)
9. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(b) & (f), considering licensure, social or personal history, or medical information, for purposes of issuing a 2020-2021 operator license to the following:
 - a. Gamaliel Vilchis Rocha
10. Adjourn closed session and reconvene into open session.
11. Decision regarding issuance of a 2020-2021 operator license to Gamaliel Vilchis Rocha

L. Items for future agenda

M. Adjourn

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Department of Human Resources at 329-5208, (FAX) 543-6158, TDD 1-800-947-6644 (Wisconsin Telecommunications Relay System), or by writing to the Director of Human Resources/ADA Coordinator at Greenfield City Hall, 7325 West Forest Home Avenue, Room 101, Greenfield, WI 53220. Greenfield City Hall is wheelchair accessible from the west and south entrances, Greenfield Police Department from the main entrance and Greenfield Fire Department, Station #2, from the main entrance.

RESOLUTION NO. _____

WHEREAS, the City of Greenfield has prepared an Annual Budget for the 2021 fiscal year in accordance with the requirements of the City of Greenfield Municipal Code; and

WHEREAS, the Common Council has reviewed the proposed revenues from all sources and the proposed expenditures for all purposes and has directed that the proposed budget be adjusted accordingly; and

WHEREAS, a public hearing on the Annual Budget was held November 17, 2020 after due and proper notice of said hearing having been given in accordance with the provisions of Section 65.90, Wisconsin Statutes; and

WHEREAS, it is necessary to levy a property tax in the amount of \$27,411,955 (exclusive of the TIF levy) to fund the expenses of the City of Greenfield contained in the 2021 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield, Wisconsin, as follows:

1. That the 2021 Annual Budget, a summary of which is attached hereto and made a part hereof, be and is hereby approved;
2. That the property tax is hereby levied in the amount of \$27,411,955 (exclusive of the TIF levy) on all taxable property within the City of Greenfield as returned by the Assessor in the year 2020, for the purposes as set forth in the budget.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the _____ day of _____, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

City of Greenfield
Proposed 2021 Budget
Statement of Revenues and Expenditures and Tax Levy

REVENUES/EXPENDITURES CATEGORY	Year Ending 12/31/18	Year Ending 12/31/19	Actual YTD 7/31/20	Est. Year Ending 12/31/20	2020 Budget	Proposed 2021 Budget	Percent Change
<i>REVENUES</i>							
GENERAL PROPERTY TAXES	16,772,928	18,076,763	18,148,789	18,148,789	18,144,790	18,945,189	4.41%
INTERGOVERNMENTAL REVENUES	3,813,718	3,963,255	2,144,638	4,045,952	3,378,240	4,144,513	22.68%
LICENSES & PERMITS	1,381,871	1,331,631	718,477	1,369,124	1,353,665	1,225,740	-9.45%
FINES, FORFEITURES & PENALTIES	634,504	597,174	365,509	733,000	733,000	733,000	0.00%
PUBLIC CHARGES FOR SERVICES	1,637,463	1,646,493	877,892	1,529,546	1,511,500	1,523,100	0.77%
INTERGOVERNMENTAL CHARGES	1,175,702	1,199,854	557,674	1,265,824	1,265,824	1,254,193	-0.92%
MISCELLANEOUS REVENUES	428,915	487,528	139,762	369,161	353,969	346,944	-1.98%
OTHER FINANCING SOURCES	24,683	207,003	-	22,250	1,856,844	949,462	-48.87%
TOTAL REVENUES	25,869,784	27,509,701	22,952,741	27,483,646	28,597,832	29,122,141	1.83%
<i>EXPENDITURES</i>							
GENERAL GOVERNMENT	3,641,328	3,784,289	2,152,738	4,233,080	4,179,818	3,898,124	-6.74%
PUBLIC SAFETY	17,100,571	17,634,588	10,143,920	18,619,424	18,512,634	19,099,488	3.17%
DEPT OF NEIGHBORHOOD SERVICES	3,802,626	3,848,508	2,462,339	3,972,475	3,821,562	3,811,459	-0.26%
DEPT OF NEIGHBORHOOD SERVICES (Community Development)	110,763	215,649	74,834	163,326	194,047	223,893	15.38%
HEALTH & HUMAN SERVICES	641,743	700,906	406,036	796,235	795,359	916,769	15.26%
RECREATION & EDUCATION	986,040	974,758	560,096	1,058,618	1,080,161	1,157,408	7.15%
OTHER FINANCING USES	124,000	160,700	-	15,000	15,000	15,000	0.00%
TOTAL EXPENDITURES	26,407,071	27,319,398	15,799,963	28,858,158	28,598,581	29,122,141	1.83%

All Governmental Funds Combined	Estimated Fund Balance 1/1/21	2021 Total Revenue	2021 Total Expenditures	Other Financing Sources (Uses)	Estimated Fund Balance 12/31/21	Property Tax Contribution
General Fund	8,524,951	29,122,141	29,122,141	(927,212)	7,597,739	18,910,654
Special Revenue Funds	5,838,135	12,248,023	11,065,941	-	7,020,217	2,836,046
Enterprise Funds	27,785,548	6,782,480	6,782,480	-	27,785,548	-
Capital Project Funds	2,873,793	3,713,648	7,730,100	3,519,000	2,376,341	558,500
Debt Service Funds	11,413	7,353,808	7,394,308	35,500	6,413	5,106,755
TOTAL	45,033,840	59,220,100	62,094,970	2,627,288	44,786,258	27,411,955

ORDINANCE NO. ____

Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4040 W. Loomis Rd. from M-1 Light Manufacturing District to C-2 Community Commercial District.
(Tax Key No. 600-9971-002)

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing virtually through the Zoom format on Tuesday, the 17th day of November, 2020, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 4040 W. Loomis Rd. from M-1 Manufacturing District to C-2 Community Commercial District; and,

WHEREAS, Notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes; and,

The Common Council of the City of Greenfield do ordain as follows:

PART I. The Official Greenfield Zoning Map described in Section 21.04.0102 of the Municipal Code is hereby amended to provide that the following described land shall be and is hereby rezoned from M-1 Manufacturing District to C-2 Community Commercial District to-wit:

Parcel 2 of Certified Survey Map No. 6869, being a part of the Southwest ¼ Section 22, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Said land contains approximately 3.47 acres, more or less, including the respective rights-of-way and is located at:

4040 W. Loomis Rd. (Tax Key No. 600-9971-002)

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of November, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

RESOLUTION NO. ____

Special Use Permit for a professional development training center for Educators Credit Union, to be located at 4040 W. Loomis Rd., submitted by Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union. (Tax Key No. 600-9971-002)

WHEREAS, Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union, 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 professional development training center for Educators Credit Union, to be located at 4040 W. Loomis Rd.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 17, 2020, at 7:00 p.m. or soon thereafter, virtually through the Zoom platform, 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, Glenn Brusky, d/b/a Educators Credit Union, has offices at 1326 Willow Rd., Mt. Pleasant, WI 53177.
2. Educators Credit Union has an offer to purchase the property at 4040 W. Loomis Rd., Greenfield, WI 53221.
3. Educators Credit Union will occupy the entire building located at 4040 W. Loomis Rd., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 6869, being a part of the Southwest ¼ Section 22, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 600-9971-002

Said land being located at 4040 W. Loomis Rd.

4. The applicant is proposing to utilize a portion of the building for a professional training center and a portion for storage of office equipment.
5. The aforesaid premise was rezoned from M-1 Light Manufacturing District to C-2 Community Commercial District on November 17, 2020. C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, permits professional and management development training facilities, 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 W. Loomis Rd. commercial corridor. Properties to the west are developed as single-family and light manufacturing. Properties to the north, east and south are developed as commercial.

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 Jim Cairns, d/b/a Bukacek Construction and Glenn Brusky, d/b/a Educators Credit Union, to establish a professional and management development training facility, to be located at 4040 W. Loomis Rd., 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 October 13, 2020 and by the Common Council on November 17, 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 hours of operation for the professional training facility will be 8:00am –5:00pm weekdays.
4. Off-Street Parking. A total of 25 off-street parking stalls are required for the training facility and warehousing uses. Twenty-five (25) off-street parking stalls will be 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 must be 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 by a four-sided board-on-board refuse 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.

Glenn Brusky, d/b/a Educators Credit Union

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 _____
day of _____, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. ____

Special Use Permit for CBD Vape Smoke, a proposed CBD and tobacco store, to be located at 6403-05 W. Forest Home Ave., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke.
(Tax Key No. 572-8992-006)

WHEREAS, Mayur Vagadia, d/b/a 102 CBD Vape Smoke, 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 CBD and tobacco store at 6403-05 W. Forest Home Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 17, 2020, at 7:00 p.m. or soon thereafter, virtually through the Zoom platform, 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, Mayur Vagadia, d/b/a 102 CBD Vape Smoke, has a business address at 2131 W. Layton Ave., Milwaukee, WI 53221.
2. The property is owned by AJM Enterprises, LLC, 8530 W. McMyron St., West Allis, WI 53214.
3. CBD Vape Smoke will occupy approximately 2,200 sq. ft. of the multi-tenant commercial building located at 6403-05 W. Forest Home Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No.674, being a part of the Northeast ¼ Section 22, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 572-8992-006

Said land being located at 6403-05 W. Forest Home Ave.

4. The applicant is proposing to establish a CBD and tobacco store within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C-3 Highway and Commercial Service Business District under the Zoning Ordinance of the City of Greenfield, which permits All Other Miscellaneous Store Retailers 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 W. Forest Home Ave. corridor that is developed for mixed uses. Properties to the north, south, and east are developed as multi-family residential. Properties to the west are developed as commercial.

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 Mayur Vagadia, d/b/a 102 CBD Vape Smoke, to establish a CBD and tobacco store, to be located at 6403-05 W. Forest Home Ave., 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 October 13, 2020 and by the Common Council on November 17, 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 CBD Vape Smoke will be 9:00am – 7:00pm, seven (7) days/week.
4. Off-Street Parking. The entire building, under the category of “Miscellaneous retail stores,” requires twenty-eight (28) off-street parking stalls. Eighteen (18) off-street parking stalls are to be provided on site. The Common Council may waive the parking shortage.
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.

Mayur Vagadia, d/b/a 102 CBD Vape Smoke

Anthony J. Mlinar, AJM Enterprises, LLC

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 _____
day of _____, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

ORDINANCE NO. ____

Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the properties located at 4777 S. 27 St. and 4861-89 S. 27 St. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District.
(Tax Key Nos. 622-9988-016 and 622-9988-012)

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing virtually through the Zoom format on Tuesday, the 17th day of November, 2020, at 7:00 p.m. or soon thereafter, upon a proposal to rezone a portion of the properties located at 4777 S. 27 St. and 4861-89 S. 27 St. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District; and,

WHEREAS, Notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes; and,

The Common Council of the City of Greenfield do ordain as follows:

PART I. The Official Greenfield Zoning Map described in Section 21.04.0102 of the Municipal Code is hereby amended to provide that the following described land shall be and is hereby rezoned from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District to-wit:

That part of the Northeast one-quarter of Section 25, T6N, R21E, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point which is 1,020 feet South of the North line and 510 feet West of the East line of said one-quarter section; thence West parallel to the North line of said one-quarter section 110 feet to a point; thence South parallel to the East line of said one-quarter section 160 feet to a point; thence East parallel to the North line of said one-quarter section 110 feet to a point; thence North parallel to the East line of said one-quarter section 160 feet to the point of commencement.

Said land contains approximately 0.40 acres, more or less, and is located at:

4777 S. 27 St. (Tax Key No. 622-9988-016), and;
4861-89 S. 27 St. (Tax Key No. 622-9988-012)

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of November, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

CITY OF GREENFIELD
OPERATOR LICENSE APPLICANTS

11/12/2020

Dana Renee Schilz

10365 W Plum Tree CIR 202

Hales Corners, WI 53130

Matthew Richard Ploch

350 N 67th ST

Milwaukee, WI 53213

FIHR 11/11 was cancelled & moved to CC 11/17/20

PACKETS FOR WEDNESDAY, 11 / 11 / 2020 FINANCE MEETING
(MEETING CANCELLED) NOW DIRECT TO COMMON COUNCIL

AP DISBURSEMENT SCHEDULES:

AP CHECKS	10/23/2020	\$	669,239.17
AP CHECKS	10/30/2020	\$	279,119.96
AP CHECKS	11/6/2020	\$	235,651.90

WIRE TRANSFERS - OCTOBER 2020	\$	380,343.30
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P-CARDS/ OCT 2020 STATEMENT	\$	164,057.73
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TOTAL \$	1,728,412.06
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CC: PAULA

CC; FINANCE FOLDER