Minutes are not official until formally approved by the Common Council at the next scheduled meeting.

MINUTES OF THE COMMON COUNCIL MEETING HELD VIA ZOOM MEETING AT THE GREENFIELD CITY HALL ON TUESDAY, NOVEMBER 17, 2020

A. Call to Order & Roll Call

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

B. Opening Prayer

A prayer was given by Pastor Joe McFadden.

C. Pledge of Allegiance

D. Approval of the November 4, 2020 Common Council minutes

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

E. Mayor's Report

Mayor Neitzke said city officials met internally yesterday regarding making sure city government functions during this big spike of COVID. We need redundancy in each department. The election is over, but we have tax collection ahead of us. We encourage payment online as much as possible. A number of employees or their family members have positive COVID results, and it's a challenge right now.

F. Aldermanic Reports – none

G. Announcements

Mayor Neitzke said there will be a tree in city hall, but no formal tree lighting ceremony. The ice rink will go up, as it is an outdoor activity. There may be a recount of the November 3, 2020 election, which will be a big effort.

H. Citizen Commentary – none

I. Public Hearings

1. Public hearing on the proposed 2021 Budget

Mayor Neitzke gave a summary of the proposed city budget. Most of it is subject to state statute and control. The city is allowed to raise the levy by $848,397 or 3.19%. The city is raising it by almost that much (to within about $385 of the cap). In 2021 the city will get some $758,000 in state aid under the Expenditure Restraint Program (ERP), which it did not receive this year due to exceeding the spending cap during the previous year after

hiring 7 additional public safety personnel authorized by the passage of a referendum.

In this budget, with a reset baseline, the city is allowed to raise expenditures by more than $913,000, or 2.831%, Mayor Neitzke said. The city is under that cap by some $667,000. We did not increase our expenditures, even though we could have, he said. The proposed tax rate is $9.28 this year, which is a 10 cent per $1,000 increase, excluding the tax incremental districts, equivalent to a 1.06% increase. In effect, there would be a $20 increase in taxes for a $200,000 home, for the city's portion of the total tax bill. The city's portion is approximately 36% of the total tax bill. The county, the school district and the sewer district account for the rest of the tax bill, Mayor Neitzke said.

We don't have a final assessed value yet, so the rate is subject to change, but it should be a minor amount, Mayor Neitzke said. The use of fund balance was $1.8 million dollars in 2020. Much of that was because of loss of the ERP state aid, which we are getting back for the upcoming year. For 2021, approximately $927,000 in fund balance will be used, "which kind of returns us back to normal." The use of fund balance is designed to balance everything. We are taking a conservative approach - we are not using as much fund balance and we are not increasing our ERP ceiling. We run things frugally throughout the city. Much of our budget is people and health insurance. This year the health insurance had a 0% increase. Our new carrier is United Healthcare. The budget includes a 2% increase in wages. Police and fire departments are the majority of cost of our budget and are subject to collective bargaining and they have a 2% increase in their contracts. We try to treat all of the employees the same. We do not want animosity among departments. We run a tight ship. We want two people in each department and want to keep them separated so if one goes down the other can step in. There is one new position in the Health Department, a public health supervisor. This is to create redundancy in leadership, to deal with the pandemic, and to look for grant money for COVID. There are a number of positions we are not filling in Finance, the Department of Neighborhood Services and Human Resources. One position was brought back in the Planning Dept. to create redundancy for the Community Development Manager and to help get a Tax Incremental Financing district project off the ground at W. Loomis Road. A laid-off staff person will be brought back for that position.

We try to run the city like a business, but it is difficult to do with levy limits imposed by an outside party, Mayor Neitzke said. It's becoming harder each year to find efficiencies when expenditures and taxes cannot be raised and services must still be provided. The levy of $848,000 is essentially pay increases and health insurance. Everything else has to be done creatively. Paying for capital equipment is very difficult. Out of $2 million in capital equipment requests, only about $650,000 - $700,000 was funded, not including a major sewer-related expenditure which will come out of the sanitary sewer fund, not property taxes. He is trying to persuade legislators to remove capital expenditures from the levy limit.

No one spoke at the public hearing.

Motion by Ald. Kastner, seconded by Ald. Akers, to close the public hearing at 7:34 p.m. Motion carried unanimously.

a. Decision regarding 2021 budget and adoption of resolution levying property taxes

Motion by Ald. Kastner, seconded by Ald. Saryan, to adopt Resolution No. 3772 levying property taxes 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 budget [resolution at end of minutes]. On a roll call vote, motion carried unanimously.

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

Motion by Ald. Kastner, seconded by Ald. Saryan, to reaffirm. On a roll call vote, motion carried unanimously.

Finance Director Paula Schafer said tax notices will go out between December 10 and December 15.

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)

The public hearing was opened at 7:37 p.m.

Community Development Kristi Porter said Educators Credit Union has an offer to purchase the Servo Motors & Drives property to the south. They need more land to offer a 900-sq. ft. drive-up teller building. The south building will be used as a professional development training center, with ancillary use for office supplies and storage. They need to shift the shared lot line and they need a rezoning for the Servo parcel to change the M-1 Light Manufacturing District zoning to C-2 Community Commercial District, which would be consistent with the Comprehensive Plan's Land Use Map.

There would be six lanes for the drive through and a seventh lane for the ATM. Some of the lanes may be manned by remote staff. The existing roof over the drive through lanes would be demolished. There would be one entry to the site, off of the

west side off of W. Cold Spring Rd. There would be one access on the east drive off of W. Cold Spring Rd. There would be no new curb cuts on W. Loomis Rd.

The Plan Commission requests a waiver be granted on a front yard setback, allowing a 30-foot setback instead of a 50-foot setback, for the ATM structure.

Drive through hours would be Monday through Friday from 8 a.m. to 6 p.m., and Saturday from 8 a.m. to 1 p.m., with a 24/7 night-deposit box. Staff has asked for landscaping to help visually screen the view from W. Loomis Rd. The parking lot on the new parcel would be repaved.

Professional development training would be offered at the site for ECU staff from all of their locations on weekdays from 8 a.m. to 5 p.m.

Forty parking spaces would be provided, and the resolution must be amended before adoption to reflect this, Ms. Porter said. A sidewalk will be installed for the entire length of both parcels.

Ms. Porter showed the design of the new 900 sq. ft. teller building. Plan Commission recommended approval. No letters of objection have been received.

ECU representatives Jim Cairns and Glenn Brusky were present.

Ms. Porter said two property owners to the north called her who said they had drainage and water issues from the Servo parcel. ECU representatives will contact them to try to resolve that issue once they own the property. Ms. Porter said she has asked for some higher, taller landscaping.

No one spoke for or against the proposal.

Motion by Ald. Kastner, seconded by Ald. Collins, to close the public hearing at 7:48 p.m. Motion carried unanimously.

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)

Motion by Ald. Kastner, seconded by Ald. Collins, to approve agenda items I(2)a - I(2)d, including the resolution amendment to reflect the 40 parking spaces, and the change to the taller landscaping [Ordinance No. 2962 and Resolution No. 3773 at end of minutes]. On a roll call vote, motion carried unanimously.

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)

Approved under agenda item I(2)a.

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)

Approved under agenda item I(2)a.

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)

Approved under agenda item I(2)a.

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)

The public hearing was opened at at 7:48 p.m.

Ms. Porter said the applicant will lease about 2,200 square feet in a multi-tenant commercial building. Hours of operation would be 9 a.m. to 7 p.m. daily, and 2-3 people would be employed. The applicant owns a similar store on S. 27th St. between W. Edgerton Ave. and W. Grange Ave. in Milwaukee.

Eighteen parking spaces are provided; 28 are required. Council may waive the parking shortage. Staff asked for a plan for dumpster enclosure. Plan Commission recommends approval, and no letters of objection have been received.

No one spoke for or against the proposal.

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

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)

Motion by Ald. Kastner, seconded by Ald. Collins, to approve agenda items I(3)a and I(3)b [Resolution No. 3774 at end of minutes].

Mayor Neitzke reminded the applicant they must submit the dumpster enclosure plan before occupancy, and comply with the dumpster enclosure and signage requirements within the 2-year time frame.

On a roll call vote, motion carried 4-1, with Ald. Collins, Bailey, Kastner and Akers voting yes, and Ald. Saryan voting no.

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)

Approved under agenda item I(3)a.

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)

The public hearing was opened at 7:54 p.m.

Ms. Porter said Festival Foods has purchased the former Target location. She found an odd island of C-3 zoning in middle in the parking lot, which needs to be "cleaned up" by rezoning to match the surrounding property.

No one spoke for or against the proposal.

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

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)

Motion by Ald. Saryan, seconded by Ald. Akers, to adopt Ordinance No. 2963 [ordinance at end of minutes]. On a roll call vote, motion carried unanimously.

J. Old Business

1. Appointments to various committees and commissions:

a. <u>Mayor appointments, confirmed by Council</u>:

i. One alternate member to the Board of Review for a term to expire 5/1/25 (newly created position) - to be placed on the **<u>NEXT AGENDA</u>**.

b. <u>Mayor appointments</u>:

i. 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**.

K. New Business

1. Claim received from Jessica Mendoza (Goergen)
   Referred to the City Attorney.

2. Approve applications for 2020-2021 operator licenses (Goergen)
   Motion by Ald. Kastner, seconded by Ald. Saryan, to approve. Motion carried unanimously.

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)
   Motion by Ald. Kastner, seconded by Ald. Collins, to approve.

   Mayor Neitzke said the business should exercise discretion and carry out their plans in a socially responsible way due to COVID.

   On a roll call vote, motion carried unanimously.

4. Approval of mileage reimbursement in the amount of $972.96
   Motion by Ald. Saryan, seconded by Ald. Kastner, to approve agenda items K4 and K5. On a roll call vote, motion carried unanimously.

5. Approval of schedules of disbursements in the amount of $1,728,412.06
   Approved under agenda item K4.

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)
   Motion by Ald. Kastner, seconded by Ald. Collins, to approve. Mayor Neitzke said the extension is until 2025. Motion carried unanimously.

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)
   Motion by Ald. Kastner, seconded by Ald. Akers, to approve. On a roll call vote, motion carried unanimously.

8. Discussion/decision to approve construction contract for emergency dorm remodel at Fire

Station 92 (Cohn)

Chief Jon Cohn said the eating and sleeping dorms for firefighters are communal style but need to be transitioned to six individual dorm rooms due to COVID, "cruise ship style" so that people are not sharing air space. They recommend the contractor who could start in the next two weeks and finish by Christmas. They are not asking for additional money, as they already have it put aside in their building maintenance fund in their 2020 operating budget. The other fire station is older and much more difficult to divide due to the ventilation station; they are not tackling that.

Chief Cohn recommends accepting the bid of Limitless at $43,637.27. Mayor Neitzke noted the other bid of $38,340 did not include all of the work, and the highest bid was nearly $82,000.

Assistant Chief George Weber said the contractor would pull the necessary permits but that permit fees should be waived for a municipal project.

Ald. Bailey asked since this is not the lowest bid, doesn't the city need to justify it? City Attorney Brian Sajdak said the city needs to take the lowest responsible bid.

Chief Cohn said due to the itemization, it is a turnkey project, and the city is paying $3,000 more to get it done quicker, with the hope of preventing the need to pay overtime to cover shifts if additional firefighters get COVID, which could be far more expensive. Mayor Neitzke said the itemization also makes it more likely that no additional costs will be incurred for items not included in the bid.

Ald. Collins said the city needs to consider the health and safety of the firefighters. It's best to address it as soon as possible.

Ald. Bailey said taking the lowest bid would also take care of the problem.

Chief Cohn said the contractor submitting the lowest bid could not start until late December or early January.

Assistant Chief Weber said the lowest bidder would just move a door within a wall, while Limitless would reconstruct the wall. The lowest bidder also did not include a cost for moving a sprinkler system, so fire officials estimated that amount based on another company's bid.

Motion by Ald. Kastner, seconded by Ald. Akers, to accept the bid of Limitless at $43,637.27. On a roll call vote, motion carried 4-1, with Ald. Collins, Kastner, Akers and Saryan voting yes, and Ald. Bailey voting no.

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

Motion by Ald. Kastner, seconded by Ald. Akers, to go into closed session at 8:21 p.m. Motion carried unanimously.

10. Adjourn closed session and reconvene into open session.

Motion by Ald. Akers, seconded by Ald. Collins, to adjourn closed session and reconvene into open session at 8:40 p.m. Motion carried unanimously.

11. Decision regarding issuance of a 2020-2021 operator license to Gamaliel Vilchis Rocha

No decision or action taken.

L. Items for future agenda

Mayor Neitzke said the issue of what election workers should be paid should be discussed at either the next Finance & Human Resources Committee (F&HR) meeting or the next Council meeting. The 11/25/20 F&HR meeting had already been cancelled, so the consensus was to do a "Finance Committee of the Whole" meeting at 6:30 p.m. on December 1.

Mayor Neitzke said all alderpersons should be at the 12/15/20 Council meeting, because there will be many public hearings.

Ald. Collins said she would like an organizational chart with names and phone numbers on it for city staff.

Ald. Saryan said she would like to see Greenfield addresses be indicated as Greenfield addresses, not as Milwaukee addresses, by the postal system. Mayor Neitzke said he has been working on this for a long time, but Greenfield does not have its own zip code. Mayor Neitzke said the solution is we need an act of Congress to say that the Post Office should follow the census data tract when assigning a municipality to a parcel in Milwaukee County. Ald. Saryan and Collins said they would pursue that. Mayor Neitzke said certain zip code and parcel numbers need to be assigned to Greenfield as a municipality rather than to the City of Milwaukee. A resolution should be done to legislators. It requires action in the House, not the Senate.

M. Adjourn

Motion by Ald. Akers, seconded by Ald. Collins, to adjourn the meeting at 8:58 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: December 1, 2020

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

RESOLUTION NO. 3772

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 17th day of November, 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
REVENUES							
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%
EXPENDITURES							
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

Revised 11/10/2020

RESOLUTION NO. 3773

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. Forty (40) 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 17th day of November, 2020.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 3774

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 17th day of November, 2020.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

ORDINANCE NO. 2962

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 Statues; 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

Published: November 25, 2020

ORDINANCE NO. 2963

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 Statues; 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

Published: November 25, 2020