

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON
TUESDAY, AUGUST 31, 2021

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 5:35 pm

Present: Denise Collins, Bruce Bailey, Pamela Akers, Shirley Saryan

Excused: Karl Kastner

Also present: Jennifer Goergen, City Clerk; Andrew Stern, Planner

Alderperson Collins announced Brews & Bites tonight, Sat 9/11 12-4 car show at Konkel park and 9/18 final movie in the park, which is Soul.

Mayor Neitzke announced one of our officers was shot a few weeks ago. He's made it through a couple of surgeries and is doing well. Mayor Neitzke watched the squad and body cam footage and is extremely proud of our officers. Anyone who sees the footage will be very proud of the officers for using such professionalism and following their training.

B. Public Hearings

1. Public Hearing on a Special Use Permit for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC. (Tax Key No. 609-9995-002) PC-7/13/21 Kastner

Andrew Stern, Planner, presented the zoning, proposed hours of operation, services and the number of dogs present during operating hours. Andrew also presented the proposed dog play yard, fencing, parking lot and lighting. The building has been vacant for some time and repairs will be made to fix some of the deterioration to the building. Mayor Neitzke explained the Special Use for a used car lot has expired and this is a desirable use for this property.

No one spoke or registered to speak.

Motion by Alderperson Pamela Akers, seconded by Alderperson Denise Collins to close the public hearing. Motion carried unanimously.

- a. Approve a Special Use Permit for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC. (Tax Key No. 609-9995-002) PC- 7/13/21 Kastner

Mayor Neitzke explained the reason the Special Common Council meeting needed to be held was because the Greenfield Southwest Now did not publish the notice for the previously scheduled hearing. This has happened many times in the past and this information has been shared with our legislators and State Senators. Representative Kuglitsch is working on a remedy that will be presented when they come back into

session. Towns and villages are subject to different notice requirements than cities. The reality is that nobody reads the newspaper anymore and our newspaper doesn't really report about our City news, including publishing the notices we pay to put in the paper.

Aldersperson Akers asked about the residence next door and if the noise from the dogs would be a problem. The applicant stated the owners of that residence have several dogs who are out all day and he doesn't think they will have any issues with this. The applicants have a second location on 12th and Layton and are able to keep noise down. The applicant plans to open by the pre-thanksgiving rush since they are now two weeks behind because of the mistake. The mistakes of the newspaper have an economic impact on those trying to open a business in our City.

Motion by Aldersperson Bruce Bailey, seconded by Aldersperson Denise Collins to approve. On a roll call vote, motion carried unanimously.

- b. Approve Site, Landscaping, and Architectural Plans for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC. (Tax Key No. 609-9995-002) PC-7/13/21 and 8/10/21 Kastner

Mayor Neitzke asked the applicants to discuss the site and landscaping plans. Gregg Paweiski and "Kazz" architects explained what is planned. Andrew Stern explained the existing site drains will be fine if we curb and gutter and allow the parking lot to sheet drain. Mayor Neitzke stated they will have to work with staff to make sure there is proper drainage in the parking lot and on the sidewalks so there is no standing water or ice.

Motion by Aldersperson Bruce Bailey, seconded by Aldersperson Pamela Akers to approve. Motion carried unanimously.

Under discussion, aesthetics do not concern the Mayor, but proper drainage does.

C. New Business

1. Discussion and decision to approve a side letter agreement between the City of Greenfield and the Greenfield Police Association (GPA) for an amendment pertaining to the legal representation for GPA under the 2019 - 2021 Collective Bargaining Agreement (J. Foley)

Motion by Aldersperson Pamela Akers, seconded by Aldersperson Denise Collins to approve. On a roll call vote, motion carried unanimously.

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

D. Adjourn

Motion by Alderperson Pam Akers, seconded by Alderperson Denise Collins to adjourn at 5:56 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Lisa Pelkey, Deputy Clerk

Distributed: September 1, 2021

RESOLUTION NO. 3818

Special Use Permit for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC. (Tax Key No. 609-9995-002)

WHEREAS, Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC, 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 dog boarding business at 4333 S. 108 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 31, 2021, at 5:30 p.m. or soon thereafter 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, Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, resides at S76W18130 Janesville Court, Muskego, WI 53150.
2. The property is owned by Greenfield Investments LLC, 8771 S. 27 St., Franklin, WI 53132.
3. Playtime Doggy Daycare III will occupy approximately 5,955 sq. ft. of the commercial building located at 4333 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Southeast 1/4 of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin, which is bounded and described as follows:

Commencing at a point in the East line of said ¼ Section, 200 feet South of the Northeast corner of said ¼ Section, thence South 144.50 feet to a point; thence West 330 feet to a point; thence North 138.60 feet to a point; thence East 330.05 feet to the point of beginning. Excepting those parts taken for public street purposes.

Tax Key No. 609-9995-002

Said land being located at 4333 S. 108 St.

4. The applicant is proposing to establish a dog boarding business within the existing commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits Pet boarding services 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 mixed uses. Properties to the north and south are developed as commercial. Properties to the east are developed as recreational. Properties to the west are developed as residential.

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 Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC, and Todd Reardon, d/b/a Greenfield Investments LLC, to establish a dog boarding business, to be located at 4333 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 July 13, 2021 and August 10, 2021 and by the Common Council on August 31, 2021. 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 Playtime Doggy Daycare III will be 6:00am-7:30pm, seven (7) days/week.
4. Off-Street Parking. The proposed dog boarding business requires thirteen (13) off-street parking spaces. Eighteen (18) off-street parking stalls are to 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 spills from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light spill. 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.

Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC

Todd Reardon, d/b/a Greenfield Investments LLC

Provided to applicant on the
_____ day of _____, 2021

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 31st day of August, 2021.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk