Common Council Chambers – City Hall Room 100
7325 W Forest Home Ave, Greenfield, Wisconsin

COMMON COUNCIL MEETING AGENDA

Wednesday, February 16, 2022 - 7:00 PM

A. Call to Order & Roll Call

B. Opening Prayer

C. Pledge of Allegiance

D. Approval of the February 1, 2022 Common Council minutes

E. Mayor's Report

F. Aldermanic Reports

G. Announcements

H. Citizen Commentary

I. Old Business

1. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

i. One member to the Board of Health for a term to expire 6/1/2022 (formerly Allen Owen)

ii. One member to the Tree Commission for a term to expire 5/1/23 (formerly Lew Silva)

iii. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)

b. Mayor appointments:

i. One alternate member to the Plan Commission for a term to expire 5/31/2025 (formerly Robert Krenz)

J. New Business

1. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

i. Three members to the Community Development Authority for 4-year terms to expire February 17, 2026 (currently Steven Pietroske, Donald Carlson and Robert Selin)

2. Claim received from Tocarra Johnson. (Goergen)
3. Resolution Allowing the Claim of Tocarra Johnson for Vehicle Damage. (Goergen)
4. Approve applications for 2021-2022 operator licenses (Goergen)
5. Renewal of appointment of Jon Majdoch as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025. (Porter)
6. Renewal of appointment of Todd Reardon as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025. (Porter)
7. Approve a Special Use Review and Site Plan Review for a 102 CBD Vape Smoke, a proposed business to be located at 6229 S. 27 St., submitted by Mayur Vagadia, d/b/a Niki Aanya, Inc. (Tax Key No. 691-9841-016) (PC-2/8/22 Kastner)
8. Resolution for a Special Use Permit for 102 CBD Vape Smoke, a proposed CBD and tobacco store to be located at 6229 S. 27th St, submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 691-9841-016) (PC-2/8/22 Kastner)
9. Approve a Special Use Review and Site Plan Review for expanded hours of operation for CBD Vape Smoke, a CBD and tobacco store to be located at 6403 W. Forest Home Ave., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 572-8992-006) (PC- 2/8/22 Kastner)
10. Resolution to amend Resolution No. 3774 to adjust the hours of operation for CBD Vape Smoke, an existing business 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-2/8/22 Kastner)
11. Approve Site Plan Amendment for Church & Chapel Pre-Planning Center, a proposed funeral pre-planning office, to be located at 4200 W. Layton Ave., submitted by Fred Carlson, d/b/a i-design, and Ted Larson and Pam Larson, d/b/a Church and Chapel Real Estate, LLC. (Tax Key No. 600-9946-000) (PC- 2/8/22 Kastner)
12. Discussion and decision to approve transferring $40,000 from reserves to purchase materials for a building to store and protect equipment. (2/9/22 F&HR S. Saryan)
13. Approval of mileage reimbursements in the amount of $242.35 (2/9/22 F&HR S. Saryan)
14. Investments and reinvestments for December 2021 (2/9/22 F&HR S. Saryan)
15. Approval of schedules of disbursements in the amount of $28,668,833.85 (2/9/22 F&HR S. Saryan)

K. Items for future agenda

L. 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.

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. _____

A RESOLUTION ALLOWING THE CLAIM OF TOCARRA JOHNSON
RELATING TO AUTOMOBILE DAMAGE

WHEREAS, Tocarra Johnson submitted a claim to the City on February 7, 2022 in which she alleges certain damage to her 2011 Chevrolet Equinox resulting from spike stirps being placed in the road in an attempt to stop a different vehicle that was fleeing the police on January 25, 2022; and

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and recommended that the Common Council allow the claim; and

WHEREAS, Wis. Stat. § 893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and

WHEREAS, after considering the facts and circumstances of the claim, the Common Council desires to pay the amount of the actual loss;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the undated claim of Tocarra Johnson filed with the City on February 7, 2022 relating to alleged damage to her 2011 Chevrolet Equinox is hereby allowed in an amount not to exceed $530.26.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim to the claimant upon receipt of a signed release of claims from the Claimant.

Approved: _____
Michael J. Neitzke, Mayor

Date Approved: February 16, 2022

This is to certify that the foregoing resolution as adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 16th day of February, 2022.

_____
Jennifer Goergen, City Clerk

CITY OF GREENFIELD
OPERATOR LICENSE APPLICANTS

OPERATOR'S REGULAR

NAME	ADDRESS	CITY, STATE, ZIP
Jennifer Lee Flannery	1113 S 36th ST Upper Unit	Milwaukee, WI 53215
Jeremy Nealand Schoeberle	2032 E Howard AVE	St Francis, WI 53235
Katelyn Taylor Bakhtiari	363 W Lagoon LN 1708	Oak Creek, WI 53154
Katherine Jane Ernst	7827 35th AVE	Kenosha, WI 53142
Lisa Ann Nowakowski	3867 S 13th ST	Milwaukee, WI 53221
Mark John Skrobis	3703 S 46th PL	Greenfield, WI 53220
Stephanie R McClain	1715 9th ST	Racine, WI 53403

Committee: Common Council, February 16, 2022 Item Number:

Introduced By: Kristi Porter – Community Development Manager

Date Introduced: February 16, 2022

RELATING TO:

Renewal of appointment of Jon Majdoch as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025.

Renewal of appointment of Todd Reardon as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025.

SUMMARY:

Reassignment of current member Renewal of Board Membership

The 27th Street Business District Association is proposing to make the following board member modifications:

1. Renew appointment of Jon Majdoch to BID #1, whose three-year term will be renewed to 3/5/25.
2. Renew appointment of Todd Reardon to BID #1, whose three-year term will be renewed to 3/5/25.

One board position remains open for BID #1.

Recommendation: Approve three-year board member renewals for Jon Majdoch and Todd Reardon to BID #1.

ATTACHMENTS: **KEY ISSUES ___ BACKGROUND _X__ RESOLUTION ___ FISCAL NOTE ___**

MOTION ___ OTHER _X__

- **AS PROPOSED**: Overall BID Board #1 & #2 membership/terms/addresses

South 27th Street Business District Association

BID #1 (Howard to Grange)

					Term Begins	Term Expires	
OPEN (previously Gregg Butts)							
Jon Majdoch	4251 S. 27th St.	Greenfield	WI	53221	3/5/2022	3/5/2025	
Todd Reardon	4201 S. 27 St.	Greenfield	WI	53221	3/5/2022	3/5/2025	
Mark Kivley	5431 S. 27th St.	Greenfield	WI	53221	2/6/2021	2/6/2024	
Sara Albee	4333 S. 27th St.	Greenfield	WI	53221	2/6/2021	2/6/2024	

BID #2 (Ramsey to College)

					Term Begins	Term Expires	
Kevin Scholz	5052 S. 58 St.	Greenfield	WI	53220	2/17/2021	2/17/2024	
Troy Chowanec	5420 S. Honey Creek Dr.	Greenfield	WI	53221	2/17/2021	2/17/2024	* ad-hoc

Committee: Common Council, February 16, 2022 Item Number:

Introduced By: Kristi Porter – Community Development Manager

Date Introduced: February 16, 2022

RELATING TO:

Renewal of appointment of Jon Majdoch as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025.

Renewal of appointment of Todd Reardon as Board of Directors to the South 27th Street Business District Association, District 1, his three-year term to expire March 5, 2025.

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One board position remains open for BID #1.

Recommendation: Approve three-year board member renewals for Jon Majdoch and Todd Reardon to BID #1.

ATTACHMENTS: **KEY ISSUES ___ BACKGROUND _X__ RESOLUTION ___ FISCAL NOTE ___**

MOTION ___ OTHER _X__

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Troy Chowanec	5420 S. Honey Creek Dr.	Greenfield	WI	53221	2/17/2021	2/17/2024	* ad-hoc

RESOLUTION NO. ____

Special Use Permit for 102 CBD Vape Smoke, a proposed CBD and tobacco store, to be located at 6229 S. 27 St., submitted by Mayur Vagadia, d/b/a 102 CBD Vape Smoke. (Tax Key No. 691-9841-016)

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 6229 S. 27 St.; and,

WHEREAS, the Plan Commission, at its February 8, 2022 meeting, recommended approval of a Special Use Review for 102 CBD Vape Smoke, who is proposing to occupy an existing CBD and tobacco store, without a public hearing, as the building has been vacant less than one (1) year; and,

WHEREAS, 102 CBD Vape Smoke is requesting hours of operation modifications different than the last tenant (approved by the Plan Commission on March 12, 2013 and by the Common Council on March 19, 2013), and the Plan Commission on February 8, 2022, deemed that the request did not merit a public hearing; and,

WHEREAS, the Common Council, having carefully considered the evidence presented 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 College Venture JV, LLC, 833 E Michigan St Ste #500, Milwaukee, WI 53202.

3. 102 CBD Vape Smoke will occupy approximately 1,600 sq. ft. of the multi-tenant commercial building located at 6229 S. 27 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 2007, being a part of the Southeast ¼ of Section 36, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, excepting those parts taken for public right-of-way from Document No. 10325582.

Tax Key No. 691-9841-016

Said land being located at 6205-6271 S. 27 St.

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 PUD Planned Unit Development under the Zoning Ordinance of the City of Greenfield, which permits CBD and tobacco stores 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. 27 St. corridor that is developed for commercial uses. Properties to the north and east are developed as commercial. Properties to the south are developed as commercial and residential. 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 Mayur Vagadia, d/b/a 102 CBD Vape Smoke, to establish a CBD and tobacco store, to be located at 6229 S. 27 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 March 12, 2013, and by the Common Council on March 19, 2013. 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 102 CBD Vape Smoke will be 9:00am – 10:00pm, seven (7) days/week.

4. Off-Street Parking. The two buildings, under the category of "Miscellaneous retail stores," requires three hundred and seventeen (317) off-street parking stalls. Three hundred and fourteen (314) 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

_____
J.J. Alaily, d/b/a College Venture JV LLC

Provided to applicant on the
_____day of _____, 2022

_____
Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the _____ day of _____, 2022.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. ____

A Resolution to amend Resolution No. 3774 to adjust the hours of operation for CBD Vape Smoke, an existing business 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, the Common Council, on November 17, 2020, approved Resolution No. 3774 for a Special Use Permit for CBD Vape Smoke, an CBD and tobacco store, located at 6403-05 W. Forest Home Ave.;

WHEREAS, the approved hours of operation in Resolution No. 3774 were 9:00am – 7:00pm, seven (7) days/week;

WHEREAS, the applicant, Mayur Vagadia, d/b/a 102 CBD Vape Smoke, has requested extended business hours, to remain open until 10:00am.

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 amend Resolution No. 3774 by establishing amended hours of operation at CBD Vape Smoke at 6403-05 W. Forest Home Ave., to 9:00am – 10:00pm, seven (7) days/week, be, and is hereby granted, and all other terms as established in Resolution No. 3774, remain in effect.

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 _____, 2022

_____
Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the _____ day of _____, 2022.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

Finance and Human Resources Meeting Item Number:

Introduced By: Public Works (Laskoski)

Date Introduced: February 9, 2022

RELATING TO:

Discussion and decision to **approve transferring $40,000 from reserves to purchase materials for a building to store and protect equipment.**

SUMMARY:

As part of the yard Improvements at DPW, we would like to purchase construction materials for a building to store and protect equipment.

Public Works staff will erect the building, resulting in significant savings over hiring a contractor.

Funds for the base wood structure and steel siding were approved previously. This request is for the remaining materials needed to complete the building. Those materials include concrete and steel reinforcement for the foundation and floor, doors, electrical wiring and fixtures.

The building will store equipment seasonally. For example salters in the summer and mowing equipment in the winter. Storing the equipment indoors protects it from the weather and extends the life. Currently this equipment is stored outside.

FINANCIAL:

Funds would come from reserves.

RECOMMENDATION:

Approve transferring $40,000 from reserves to purchase materials for a building to store and protect equipment.

ATTACHMENTS: **KEY ISSUES ___ BACKGROUND ___ RESOLUTION ___ FISCAL NOTE ___**

MOTION ___ OTHER ___

City of Greenfield GIS

DISCLAIMER: The City of Greenfield does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives. Greenfield GIS map data is for tax and real property listing purposes and does not represent a plat of survey.

City of Greenfield
7325 West Forest Home Ave.
Greenfield, WI 53220

SCALE: 1" = 24 '

Print Date: 2/10/2022

LOCAL GOVERNMENT INVESTMENT POOL

December 2021 Statement

November Ending Balance		$	9,305,840.14
0 Deposit (s) in December			-
0 Withdrawal(s) in December			-
December Interest Earnings @ 0.06%			473.82
	TOTAL	$	9,306,313.96

DECEMBER 2021
INVESTMENTS

Institution	Princ Amt Invested	Investment Date	Maturity Date	Yield	Interest Earned	ID #
Money Mkt/Tri-City Bank	$2,441,588.02	12/31/2001	variable		$44.21	21901270
Money Mkt/BMO Harris Bank	$0.00	6/28/2011	12/2/2021		$0.00	46370511
Ehlers Investment Partners X-2055705 GRD GEN INV	$6,667,058.98	12/9/2014	variable			
Ehlers Investment Partners X- GRD 2021A INV	$3,718,851.01					
Ehlers Investment Partners X- GRD 2021B	$3,399,780.86	7/1/2021	variable			
Ehlers Investment Partnes X - ARPA	$1,936,209.80					
Associated Bank Investments	$6,488,412.35	12/10/2014	variable			
Totals	$24,651,901.02				$44.21	

PACKETS FOR WEDNESDAY, 2 / 9 / 2022 FINANCE MEETING

AP DISBURSEMENT SCHEDULES:

AP CHECKS - TAX REFUNDS	1/24/2022	$	15,729.33
AP CHECKS - TAX REFUNDS	1/25/2022		4,519.08
AP CHECKS - TAX REFUNDS	1/26/2022		5,354.46
AP CHECKS - TAX REFUNDS	1/27/2022		1,732.15
AP CHECKS	1/28/2022		597,028.20
AP CHECKS - TAX REFUNDS wk of 1/31	1/31/2022		9,408.52
AP CHECKS	2/4/2022		122,814.55
WIRE TRANSFERS - JAN 2022		$	27,678,454.84
P-CARDS - JANUARY 2022		$	233,792.72
	TOTAL	$	28,668,833.85

CC: PAULA

CC; FINANCE FOLDER