

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, MAY 3, 2022

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 PM.

Present: Alderpersons Denise Collins, Karl Kastner, Pamela Akers, Shirley Saryan.

Excused: Bruce Bailey\*

Also present: Brian Sajdak, City Attorney; Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Kristi Porter, Community Development Manager.

B. Opening Prayer

An opening prayer was given by Chaplain Leggett.

C. Pledge of Allegiance

D. Approval of the April 19, 2022 Common Council minutes

Motion by Alderperson Collins, seconded by Alderperson Akers to approve. Motion carried unanimously.

E. Mayor's Report

1. Appointment of Weed Commissioners

Mayor Neitzke reappointed John Nehm and Mark Gregory and/or their assigns as Weed Commissioners.

F. Aldermanic Reports

Alderperson Collins stated that the Farmer's Market started Sunday and it was well attended. Maple Grove Elementary collected the most plastic and won first place in the region with a total of 2,616 pounds of plastic. They will receive a plastic bench from Trex Recycling. In addition to the bench, they are receiving a check for \$2500 and the PTO matched that for a total of \$5000. The impact coach was asked to sit on a panel at a recycling conference in Chicago. Mayor Neitzke thanked Meijer and Pick 'n Save for recycling the plastic and Festival Foods for donating plastic.

Mayor Neitzke said that Saturday May 7th, 2022 is opening day for Little League at Kulwicki Park. This weekend is also Arbor Day at the Greenfield High School. Alderperson Saryan will read the proclamation at the event due to Mayor Neitzke's absence.

G. Announcements

\*Alderperson Bailey arrived at 7:05 PM.

H. Citizen Commentary

I. Public Hearings

1. Public Hearing on the discontinuance of right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd. (PC-4/12/22 Kastner)

The public hearing was opened at 7:06 PM.

Kristi Porter, Community Development Manager, presented the site information and recommendations from the Plan Commission. There was a letter of objection from the Department of Transportation.

Motion by Alderperson Kastner, seconded by Alderperson Collins to close the public hearing at 7:09 PM.

Under discussion, Alderperson Kastner and Mayor Neitzke discussed the DOT's requested piece of land and the DOT's issues with I-894. Mayor Neitzke said that the DOT is making these provisions, as if it will rebuild I-894 someday, and that we really do need sound barriers. Especially in the neighborhoods roughly between 45th Street to 51st Street, 60th Street to the apartments, there's an area in Alderperson Bailey's district that needs it, and 104th Street between Howard Avenue and Morgan Avenue. Those areas can't make it another 10 to 20 years, under the \$15,000,000 maintenance project. Especially the neighborhood between Loomis Road and 51st Street. The Common Council is appreciative and would like some appreciation in return when it comes to the sound barriers. Common Council will continue to be strong advocates for the sound barriers.

Motion carried unanimously.

- a. Approve a Resolution for the discontinuance of right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd. (PC-4/12/22 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve as presented. On a roll call vote, motion carried unanimously.

#### J. 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)  
Place on next agenda.
- ii. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)  
Place on next agenda.

#### K. New Business

##### 1. Award bid for publishing legal notices. (Goergen)

Motion by Alderperson Collins, seconded by Alderperson Akers to award bid to Gannett - Southwest NOW.

Under discussion, Mayor Neitzke said that over the last year, as our official newspaper, they have missed multiple public hearing notice publications, and spoke on the effects of the missed publications.

On a roll call vote, motion carried unanimously.

##### 2. Claim received from Evona Brandt on behalf of Maria Brandt. (Goergen)

Referred to City Attorney.

##### 3. Approve applications for 2021-2022 operator licenses (Goergen)

Motion by Alderperson Collins, seconded by Alderperson Saryan to approve. Motion carried unanimously.

##### 4. Approve application for 2021-2022 "Class A" beer and "Class A" liquor (cider only) license for Hasham Petroleum LLC, Khadija Inayat, Agent, for the property at 5235 W. Loomis Rd. (Hasham Citgo), all alcohol will be sold in the cooler and shelf and records will be kept in the office. (Goergen)

Motion by Alderperson Collins, seconded by Alderperson Kastner to approve beer and cider only. Motion carried unanimously.

5. Approve applications for the following licenses to expire June 30, 2023: Class "A" Fermented Malt Beverage, "Class A" Liquor (Cider Only), Class "B" Fermented Malt Beverage, Combination "Class B" Fermented Malt Beverage & Liquor, Class C Wine, Combination "Class A" Fermented Malt Beverage & Liquor, Reserve Combination "Class B" Fermented Malt Beverage & Liquor, Dry Cleaning/Washing Machine, Entertainment, and Operator's Licenses (approval of licenses should be subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges). (Goergen)

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve subject to code compliance and payment of all delinquent taxes and charges. Motion carried unanimously.

Mayor Neitzke continued to agenda item K6.

Brian Sajdak, the City Attorney, advised the Common Council to make a motion to reconsider not renewing the alcohol license for Route 100 Saloon and the operator's license for Riley Placke.

Motion by Alderperson Akers, seconded by Alderperson Saryan to reconsider. Motion carried unanimously.

Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve all the licenses as presented with the exception of the Combination "Class B" Fermented Malt Beverage & Liquor license for Twinz Inn Inc. d/b/a Route 100 and the operator's license for Riley Placke. Those will be referred to a potential hearing on non-renewal. On a roll call vote, motion carried unanimously.

Mayor Neitzke went to agenda item K10.

6. Approve an Outdoor Special Event application for the House of Harley Support the Troops Ride, to be located at 6221 W. Layton Ave, May 21, 2022. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Porter)

Motion by Alderperson Collins, seconded by Alderperson Kastner to approve agenda items K6, K7, and K9.

Under discussion, Common Council talked about the event times and agenda items K6, K7, K9 are 11:00 AM to 5:00 PM. The Food Truck Tour event is 3:00 PM to 9:00 PM.

Motion carried 4-1 with Alderperson Akers opposed. Those in favor were Alderperson Collins, Alderperson Bailey, Alderperson Kastner, and Alderperson Saryan.

7. Approve an Outdoor Special Event application for the House of Harley Music Series Law Enforcement Ride, to be located at 6221 W. Layton Ave, June 4, 2022. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Porter)

Approved under agenda item K6.

8. Approve an Outdoor Special Event application for the House of Harley Food Truck Tour #1, to be located at 6221 W. Layton Ave, June 7, 2022. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Porter)

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

Aldersperson Akers stated that there isn't live music for this event. The applicant spoke about the Food Truck Tour and how it goes to different municipalities.

Common Council circles back to agenda item K5.

9. Approve an Outdoor Special Event application for the House of Harley Firefighter Ride, to be located at 6221 W. Layton Ave, June 18, 2022. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Porter)

Approved under agenda item K6.

10. Approve an Outdoor Special Event application for the Ethan's Run Against Addiction event, to be located at 5151 W. Layton Ave, August 6, 2022, and waive all application fees. Application includes the following combination of licenses/permits: Outdoor Special Event, and Parade. (Porter)

Motion by Aldersperson Collins, seconded by Aldersperson Saryan to approve and waive the fees.

Under discussion, Aldersperson Akers and Aldersperson Bailey had concerns about Edgerton Avenue closing during the run and Mayor Neitzke confirmed that Edgerton Avenue isn't going to be closed.

Motion carried unanimously.

11. Discussion and decision to approve a Tree Maintenance Covenant with Milwaukee Metropolitan Sewerage Commission. (Katz)

Jeff Katz, the Director of the Department of Neighborhood Services, said the agreement states that the City is responsible for maintaining the trees planted last year.

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

12. 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 2021-2022 operator license to the following:

- a. Scott Anothony Skibosh
- b. Jordan Thomas Mathiebe

Motion by Aldersperson Akers, seconded by Aldersperson Collins to go into closed session at 7:31 PM. On a roll call vote, motion carried unanimously.

13. Common Council to remain in 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 2022-2023 operator license to the following:

- a. Yana Marie Gensler

Place on next agenda.

14. Adjourn closed session and reconvene into open session.

Motion by Aldersperson Collins, seconded by Aldersperson Saryan to adjourn closed session and reconvene into open session at 8:06 PM. Motion carried unanimously.

15. Decision re: Scott Anothony Skibosh

Attorney Sajdak said that the recommended motion should be to table the request of the applicant with the direction to the applicant to provide additional evidence identified within the statute to establish that Mr. Skibosh has been rehabilitated and has the fitness to engage in licensed activities. Things that Mr. Skibosh might want to bring to the Common Council or submit it to the Clerk's Office,

a copy of his probation and parole records; letters of reference from friends, family, AA, and present employer - anybody that he thinks can speak to his character and fitness; and anything that he thinks is relevant.

Mayor Neitzke asked Mr. Skibosh to work directly with the City Attorney on this matter prior to returning to the Common Council.

Motion by Alderperson Kastner, seconded by Alderperson Akers to table with direction to the applicant. Motion carried unanimously.

16. Decision re: Jordan Thomas Mathiebe

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

17. Decision re: Yana Marie Gensler

Place on next agenda.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Collins, seconded by Alderperson Bailey to adjourn at 8:08 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 5/9/2022

RESOLUTION NO. 3859

Resolution Discontinuing right-of-way in the vicinity of W. Loomis Rd. and the east-bound I894 on-ramp within the 4300 block of W. Loomis Rd.

WHEREAS, the City owns excess right-of-way in the general vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp, of which a portion is improved S. 43 St. right-of-way, at the northwest corner of Tax Key No. 601-1002-000; and

WHEREAS, following due notice and publication the Common Council has conducted a public hearing to determine whether it is appropriate to discontinue the S. 43 St. right-of-way and general right-of-way at the northwest corner of Tax Key No. 601-1002-000; and

WHEREAS, based upon the materials on file and the comments received at the public hearing, the Common Council has determined that the public interest requires the vacation of S. 43 St. right-of-way and general right-of-way at the northwest corner of Tax Key No. 601-1002000 that is more specifically shown and described in the attached Exhibit A; and

WHEREAS, the Common Council further finds that the public road right-of-way which is hereby to be vacated lies within one-quarter mile of a state trunk highway or connecting highway, and does not contain a railroad crossing within its boundaries;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield, that the 480 feet of the S. 43<sup>rd</sup> Street right of way that is more specifically shown and described in the attached Exhibit A is hereby vacated and discontinued.

BE IT FURTHER RESOLVED, that right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd. so vacated and discontinued shall, upon passage and publication of this Resolution, forever vest in the owner of the lands which immediately abut thereto, and shall be annexed thereto, free and clear of any right, title or interest in the public as road right of way except for the rights of the public to a public purpose easement for utilities within the vacated area pursuant to the provisions of sections 66.1003 and 66.1005 of the Wisconsin Statutes.

INTRODUCED by the Common Council of the City of Greenfield on the 15<sup>th</sup> day of March, 2022.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 3<sup>rd</sup> day of May, 2022.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

cc:     Engineering Division

## **Exhibit A**

### **Legal Description:**

Being a part of the Southeast  $\frac{1}{4}$  of Section 23, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast  $\frac{1}{4}$ ; thence North  $00^{\circ}20'39''$  West along the East line of said  $\frac{1}{4}$  Section 448.56 feet to a point; thence South  $88^{\circ}38'51''$  West, 24.75 feet to the point of beginning of lands to be described; thence South  $88^{\circ}38'51''$  West, 102.47 feet to a point on the Southeasterly right-of-way line of West Loomis Road; thence North  $33^{\circ}55'29''$  East along said Southeasterly right-of-way line, 36.72 feet to a point; thence North  $37^{\circ}32'05''$  East along said Southeasterly right-of-way line, 81.29 feet to a point; thence North  $74^{\circ}31'29''$  East along said Southeasterly right-of-way line, 58.66 feet to a point on the East line of said  $\frac{1}{2}$  Section; thence South  $00^{\circ}20'39''$  West along said East line, 17.58 feet to a point on the North line of Lot 1 of Certified Survey Map No. 9375; thence South  $89^{\circ}39'21''$  West along said North line, 24.75 feet to a point; thence South  $00^{\circ}20'39''$  East along the Westerly line of said Certified Survey Map, 90.46 feet to the point of beginning. Retaining therefrom, the entire described area as a Municipal Purpose Easement.

Map of Right-of Way Discontinuance:

