

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JUNE 21, 2022

A. Call to Order & Roll Call

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

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

Also present: Brian Sajdak, City Attorney; Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Andrew Stern, City Planner.

B. Opening Prayer

An opening prayer was given by Chaplain Leggett.

C. Pledge of Allegiance

D. Approval of the May 17, 2022 Common Council minutes

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

E. Approval of the May 31, 2022 Special Common Council minutes

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

F. Mayor's Report

Mayor Neitzke said that the Kulwicki Car Show was very well attended and thanked the Greater Greenfield Lions Club. Alderperson Collins did the 50/50 raffle. In addition, Jansen Fest was a great success, especially on Sunday night. The Britins and Renee Vanselow's retirement from the City was at Konkel Park on Tuesday, June 21, 2022. He received emails about the Touch-A-Truck Event and they said it was a wonderful event.

G. Aldermanic Reports

Alderperson Collins spoke about the Touch-A-Truck Event and that it reminded people of Dozer Days. She was really impressed that Travis Steuber, Recreation Supervisor, came up with this idea and that he and Morgan Kruger, Recreation Coordinator, worked on this event. It was awesome that the leadership of Parks and Recreation, Department of Public Works, Police, and Fire worked well together on the event.

H. Announcements

Alderperson Bailey said that he was in touch with an arborist from WE Energies, and he is willing to join the Tree Commission.

Alderperson Kastner encouraged the residents to water the trees that were planted last year during this heat and drought.

Mayor Neitzke spoke about No Mow May and that with amount of rain and the growing conditions that we had this year, he wouldn't recommend doing it next year.

He spoke about the Powerline Trail Transition Phase. From 60th to 105th Street, the City will be responsible to mow our portion of the path. The previous ATC contractor is still mowing but they are behind schedule. Eastward of 60th to about 35th Street, which we haven't taken over yet, is still ATC's responsibility. We are aware that the grass is really tall and we are working on it. There is a transition phase between responsibilities.

I. Citizen Commentary

J. Public Hearings

1. Public Hearing on an Ordinance to amend Section 21.04.0450 of the Municipal Code regarding permitted uses within Planned Unit Development District (PUD #2) and to replace all Planned Development District text. (PC-5/10/22 Kastner)

The public hearing was opened at 7:15 PM.

Andrew Stern, City Planner, explained that Cobalt is requesting to modify the permitted and special uses ordinance within PUD #2, as a backup plan since the use may change. Plan Commission recommended approval. There weren't any letters of objections received.

Motion by Alderperson Kastner, seconded by Alderperson Collins to close the public hearing 7:17 PM. Motion carried unanimously.

- a. Approve an Ordinance to amend Section 21.04.0450 of the Municipal Code regarding permitted uses within Planned Unit Development District (PUD #2) and to replace all Planned Development District text. (PC-5/10/22 Kastner)

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

2. Public Hearing on a Special Use Permit for Blaze Tobacco Shop, LLC, a proposed business to be located at 4642 S. 76 St., submitted by Bassam Al-Ramahi, d/b/a Ramahi 4640, LLC. (Tax Key No. 604-9971-000) (PC-5/10/22 Kastner)

Mayor Neitzke opened the public hearing at 7:18 PM.

Mr. Stern presented the site information, description of business, hours of operation (staff recommended hours to be changed from 7 AM - 11 PM daily to 8 AM - 10 PM), parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objections received.

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

- a. Approve a Resolution for a Special Use Permit for Blaze Tobacco Shop, LLC, a proposed business to be located at 4642 S. 76 St., submitted by Bassam Al-Ramahi, d/b/a Ramahi 4640, LLC. (Tax Key No. 604-9971-000) (PC-5/10/22 Kastner)

Motion by Alderperson Collins, seconded by Alderperson Kastner to approve agenda items J2a and J2b with staff recommendations noted, including Mayor Neitzke's recommendation for a bollard or two to be placed near the ramp. On a roll call vote, motion carried unanimously.

- b. Approve Site, Landscaping, and Architectural Plans for proposed exterior modifications to the existing multi-tenant commercial building located at 4640-44 S. 76 St., submitted by Bassam Al-Ramahi, d/b/a Ramahi 4640, LLC. (Tax Key No. 604-9971-000) (PC-5/10/22 Kastner)

Approved under agenda item J2a.

K. 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.
- iii. Three members to the Board of Health for a term to expire 6-1-24 (currently Leon Saryan, Richard Dettman; formerly A. Owen)

Motion by Alderperson Akers, seconded by Alderperson Collins to confirm the reappointment of Leon Saryan and Richard Dettman. Motion carried unanimously.

- iv. One alternate member to the Tree Commission for a term to expire 5-1-24 (formerly Chloe Selkirt)

Place on next agenda.

- v. One member to the Zoning Board of Appeals for a term to expire 5-1-23 (formerly Audrey Ellison)

Place on next agenda.

- 2. Approve an Outdoor Special Event application for the Salvation Army – Outdoor Worship Service event, to be located at 2900 W. Cold Spring Rd., every Sunday from June 26 – September 4, 2022, and waive all application fees. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)

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

L. New Business

- 1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:

- i. Two members to the Public Library Board for a term to expire 7-1-25 (currently Brittany Haiser and Melissa Mendoza)

Motion by Alderperson Saryan, seconded by Alderperson Akers to confirm the reappointment of Brittany Haiser and Melissa Mendoza. Motion carried unanimously.

- 2. Claim received from Jashema Wallace. (Goergen)

Referred to City Attorney.

- 3. Claim received from Penny Howland. (Goergen)

Referred to City Attorney.

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

- 4. Approve an agreement with Milwaukee County for the Greenfield share of the cost to operate and maintain a traffic signal at the intersection of 112th Street (Howard Avenue) & Beloit Road. (BPW-5/24/22-Ald. Bailey)

Motion by Alderperson Collins, seconded by Alderperson Akers to approve agenda items L4 and L5.

Under discussion, Alderperson Kastner was concerned about the future costs. Jeff Katz, Director of Neighborhood Services, said that the operational costs are electricity and bulb replacement and to fix it, it would be half of the actual cost. Mayor Neitzke asked that the Common Council to be notified if there are any obnoxious costs that the City shouldn't be paying.

On a roll call vote, motion carried unanimously.

- 5. Approve an agreement with Milwaukee County for the Greenfield share of the cost to operate and maintain a traffic signal at the intersection of 47th Street & Layton Avenue. (BPW-5/24/22-Ald. Bailey)
Approved under agenda item L4.
- 6. Adopt a resolution verifying review and authorizing submittal of the Wisconsin Department of Natural Resources 2021 Compliance Maintenance Annual Report (CMAR), Project 2022 #2. (Katz)

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

7. Adopt a resolution extending certain City of Greenfield municipal purpose easement rights to the City of Milwaukee Water Works. (Katz)

Mr. Katz explained that when 43rd Street was abandoned, there were utilities there, like the sanitary sewer and Milwaukee Water Works lines. We have a municipal purpose easement over the old 43rd Street so we can maintain our system. Milwaukee Water Works wanted to be specifically named as a utility that has rights there.

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

8. Approve an agreement with the Wisconsin Department of Transportation accepting a grant for the design and construction of the Powerline Trail Phase 2. (Katz)

Mayor Neitzke said that this is, roughly, the portion from 35th Street to 60th Street.

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

9. Approve an agreement with STC Five LLC for the existing cell tower on the city's Turf Skatepark property. (Katz)

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

Under discussion, Mayor Neitzke explained that when the property was bought from the Wisconsin Department of Transportation, there was a leased cell tower and billboard on it. A better lease is being negotiated for the cell tower. Mr. Katz spoke about the details of the lease. Alderperson Kastner, Mayor Neitzke, and Mr. Katz discussed that the revenue from the cell tower has to go into the Turf account. The revenue from the leased items has to go towards a park, because that is the land's purpose from the understanding with the DOT.

On a roll call vote, motion carried unanimously.

10. Discussion/decision regarding agreement with Klemme Floats LLC. (Jaquish)

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

11. Discussion / decision to approve Memorandum of Understanding with Interim Assistant Fire Chief (Sajdak)

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

12. Approve Site and Architectural Plans for a proposed gazebo at The Salvation Army, an existing business located at 2900 W. Cold Spring Rd., submitted by Kiran Kuhn, d/b/a The Salvation Army Cold Spring. (Tax Key No. 576-9980-000) (PC-6/14/22 Kastner)

Motion by Alderperson Akers, seconded by Alderperson Collins to approve agenda items L12, L14-L16. On a roll call vote, motion carried unanimously.

13. Approve Site and Architectural Plans for Tesla vehicle chargers at Meijer, an existing business located at 5800 W. Layton Ave., submitted by Sarah Honeycutt, d/b/a GPD Group Inc. and Meron Demissie d/b/a Tesla, Inc. (Tax Key No. 602-9947-004) (PC-6/14/22 Kastner)

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

Under discussion, Alderperson Kastner asked if it is a taxable item and if it is business personal property or if it's considered part of the building. Mayor Neitzke asked Brian Sajdak, City Attorney, to find out

and let the Common Council know.

Motion carried unanimously.

14. Approve a Special Use Review and Site Plan Review for Area 414, a proposed full-service restaurant and catering business to be located at 5110 W. Loomis Rd., submitted by Mario Trisic d/b/a Area 414, LLC. (Tax Key No. 648-0031-003) (PC-6/14/22 Kastner)
Approved under agenda item L12.
15. Approve Architectural Plans for McDonald's, an existing business located at 4550 S. 108 St., submitted by Mark Smith, d/b/a Axis Infrastructure and Joseph Minorik d/b/a McDonald's Corporation. (Tax Key No. 608-9995-007) (PC-6/14/22 Kastner)
Approved under agenda item L12.
16. Approve Revised 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. (Tax Key No. 609-9995-002) (PC-6/14/22 Kastner)
Approved under agenda item L12.
17. Approve applications for 2021-2022 operator licenses. (Goergen)
Motion by Alderperson Collins, seconded by Alderperson Akers to approve agenda items L17 and L18.
On a roll call vote, motion carried unanimously.
18. Approve application for Pawnbroker/Secondhand Article Dealer to expire June 30, 2022. (Goergen)
Approved under agenda item L17.
19. Approve application for 2022-2023 Combination "Class B" Fermented Malt Beverage & Liquor license for Area 414, LLC, Mario Trisic, Agent, for the property at 5110 W. Loomis Rd. (Area 414, LLC), there are 2 connected venues/rooms: event venue + bar/restaurant. In each venue/room there is a bar where alcohol will be stored and sold to customers. Customers will be consuming alcoholic beverages on premises, specifically in event venue and bar/restaurant areas. There is an extra storage room next to the bar in the bar/restaurant area where any additional/extra alcohol will be stored, if there is no space at the bars. All records/documentation will be stored in an office attached to the event venue, at the entrance of the building. (Goergen)
Motion by Alderperson Collins, seconded by Alderperson Akers to approve agenda items L19 and L20.
Motion carried unanimously.
20. Approve application for 2022-2023 Entertainment license received from Area 414, LLC, Mario Trisic, Agent, for the property at 5110 W. Loomis Rd. (Area 414, LLC)(Indoor: bands, singers and/or DJ's for the events. Outdoor: N/A). (Goergen)
Approved under agenda item L19.
21. Approve applications for the following licenses to expire June 30, 2023: Combination "Class B" Fermented Malt Beverage & Liquor, Entertainment, Pawnbroker/Secondhand, 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 Collins, seconded by Alderperson Kastner to approve agenda items L21 and L22.
Motion carried unanimously.
22. Approve applications for Amusement licenses to expire July 31, 2023. (Goergen)
Approved under agenda item L21.
23. Approve an Outdoor Special Event application for the Greenfield July 4th Celebration, to be located at Konkell Park, 5151 W. Layton Ave., July 4, 2022, and waive all applicable license/permit fees. Application

includes the following combination of licenses/permits: Outdoor Special Event, Temporary Operator's License, Temporary Class "B" Retailer's License (beer), Parade License, Food, and Commercial Building/Electrical/Plumbing. *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 Akers to approve. Motion carried unanimously.

24. Approve an Outdoor Special Event application for Milwaukee Armenian Fest, to be located at St. John the Baptist Armenian Apostolic Church, located at 7825 W. Layton Ave., July 21, 2022, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" Retailer's License (beer), Temporary Operator's License, Food, and Commercial Building/Electrical/Plumbing. *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 Saryan, seconded by Alderperson Akers to approve. Motion carried unanimously.
25. Discussion and decision to approve an agreement with a collection agency to collect non-ambulance debts. (6/8/22 F&HR S. Saryan)
Motion by Alderperson Saryan, seconded by Alderperson Collins to approve agenda items L25-L34. On a roll call vote, motion carried unanimously.
26. Discussion and decision to approve a grant agreement with the State of Wisconsin Department of Health Services. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
27. Discussion and decision on Amendment No. 3 to Intergovernmental Agreement for Emergency Medical Services. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
28. Discussion/decision regarding agreement SESAC (Society of European Stage Authors & Composers) for the authorized use of musical compositions on City Premises (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
29. Discussion and decision regarding approval and acceptance of the City of Greenfield 2021 Financial Statements and Independent Auditor's Report and Baker Tilly US, LLP reporting and insights from the 2021 audit. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
30. Election of Chairperson and Vice-Chairperson of the Finance and Human Resources Committee. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.

Mayor Neitzke said it was Alderperson Saryan and Alderperson Bailey and continued to agenda item L35.
31. Approve fund transfers between Engineering Division capital improvement accounts. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
32. Approval of the April 2022 Investments and Reinvestments. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
33. Approval of schedules of disbursements in the amount of \$7,786,348.97. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.

34. Approval of mileage reimbursements in the amount of \$263.89. (6/8/22 F&HR S. Saryan)
Approved under agenda item L25.
35. 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 2022-2023 licenses to the following:
- a. Combination "Class B" Fermented Malt Beverage & Liquor license for Twinz Inn Inc. d/b/a Route 100 at 3800 S. 108 St.
 - b. Operator's license for Riley Placke
- Mayor Neitzke circled back to agenda item L30.
- Motion by Alderperson Kastner, seconded by Alderperson Akers to go into closed session at 7:54 PM.
On a roll call vote, motion carried unanimously.
36. Adjourn closed session and reconvene into open session.
Motion by Alderperson Bailey, seconded by Alderperson Collins to adjourn closed session and reconvene into open session at 8:19 PM. Motion carried unanimously.
37. Decision re: 2022-2023 Combination "Class B" Fermented Malt Beverage & Liquor license for Twinz Inn, Inc. d/b/a Route 100 at 3800 S. 108 St.
Motion by Alderperson Kastner, seconded by Alderperson Collins to approve agenda items L37 and L38.
On a roll call vote, motion carried 4-1 with Alderperson Bailey opposed. Those that were in favor were Alderperson Collins, Alderperson Kastner, Alderperson Akers, and Alderperson Saryan.
38. Decision re: 2022-2023 Operator's license for Riley Placke
Approved under agenda item L37.

M. Items for future agenda

N. Adjourn

Motion by Alderperson Collins, seconded by Alderperson Akers to adjourn at 8:21 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant
Distributed: 6/29/2022

ORDINANCE NO. 3001

ORDINANCE TO AMEND SECTION 21.04.0450 OF THE MUNICIPAL CODE
REGARDING PERMITTED USES WITHIN PLANNED UNIT DEVELOPMENT DISTRICT
(PUD #2) AND TO REPLACE ALL PLANNED DEVELOPMENT DISTRICT TEXT.

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

PART I. All “Planned Development District” and “PDD” text in Section 21.04.0450 is hereby replaced to read as “Planned Unit Development District” or “PUD.”

PART II. Table 21.04.0450.B.1 is hereby amended to read as follows:

Permitted Uses	Special Uses
General commercial retail	Gas station/convenience store/car wash
Professional services	Contractor services with outdoor storage
General office	
Medical office/general medical	
Recreational/entertainment	
Restaurants, with or without drive-thru	
Multi-family residential housing	
Billboard	
Parking structure	
Distribution/transportation/logistics services	
Warehousing/storage/fulfillment (not including self-storage) services	
Light industry/assembly services	

PART III. Subsection 21.04.0450.C. is hereby amended to read as follows, with all non-listed uses to remain unaltered:

C. It is the intent of Planned Development District # 2 to establish the following:

* * *

9. Distribution/transportation/logistics/light industrial/assembly/warehousing/storage/fulfillment/contractor services (up to 400,000 sq. ft. north of the I-894 interchange in the vicinity of the park-n-ride parcel, not to exceed sixty feet (60’) in height).

PART IV: 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 V: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART VI: This ordinance shall take effect and be in force upon its passage and on the day after its publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this 21st day of June, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Published : June 29, 2022

RESOLUTION NO. 3862

Special Use Permit for Blaze Tobacco Shop, LLC, a proposed business to be located at 4642 S. 76 St., submitted by Bassam Al-Ramahi, d/b/a Ramahi 4640, LLC.
(Tax Key No. 604-9971-000)

WHEREAS, Bassam Al-Ramahi, d/b/a Ramahi 4640, 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 tobacco store business at 4642 S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 21, 2022, at 7:00 p.m. or soon thereafter, in the Common Council Chambers 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 property is owned by the applicant, Bassam Al-Ramahi, d/b/a Ramahi Investment, LLC, 9621 S. Bluegrass Pl., Oak Creek, WI 53221.
2. Blaze Tobacco Shop, LLC will occupy approximately 1,100 sq. ft. of the multi-tenant commercial building located at 4642 S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Southwest $\frac{1}{4}$ of Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point in the West line of said $\frac{1}{4}$ Section 261.85 feet North of the Southwest corner of said $\frac{1}{4}$ Section; thence North 75 feet to a point; thence East 363 feet to a point; thence South 60 feet to a point; thence West 133 feet to a point; thence South 15 feet to a point; thence West 230 feet to the point of beginning. Excepting therefrom the West 60 feet for public street purposes.

Tax Key No. 604-9971-000

Said land being located at 4640-4646 S. 76 St.

3. The applicant is proposing to establish a tobacco store within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits 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. 76 St. corridor that is developed for commercial uses. Properties to the north, south, east, and 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 Bassam Al-Ramahi, d/b/a Ramahi 4640, LLC, to establish a tobacco store, to be located at 4642 S. 76 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 May 10, 2022 and by the Common Council on June 21, 2022. 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 Blaze Tobacco Shop, LLC will be 8:00am – 10:00pm, seven (7) days/week.
4. Off-Street Parking. The tobacco store requires six (6) off-street parking spaces. Remaining tenant spaces require thirteen (13) off-street parking spaces for a total of 19 off-street parking stalls required. 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.

Bassam Al-Ramahi, d/b/a Ramahi 4640, 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 21st day of June, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3863

A RESOLUTION DISALLOWING THE CLAIM OF
PENNY HOWLAND DATED MARCH 25, 2022

WHEREAS, Penny Howland submitted a claim dated March 25, 2022 to the City on June 13, 2022 in which she alleged certain damages to her 2008 Toyota Yaris resulting from a traffic accident where a Deputy Sheriff of the Milwaukee County Sheriff's Department struck her vehicle on January 4, 2022; and

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and therefore recommended that the Common Council disallow the claim because the City had no role in the accident other than to investigate and write the accident report and that the Sheriff's Department would be the potentially liable party; 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, the claimant further failed to comply with the terms of § 893.80 by filing the claim more than 180 days from the date of the loss and also failing to serve the City clerk as required by statute;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the claim of Penny Howland dated March 25, 2022 relating to alleged damage to her 2008 Toyota Yaris is hereby disallowed.

BE IT FURTHER RESOLVED that the City Clerk's office is directed, pursuant Wis. Stat. § 893.80(1g), to provide Ms. Howland with written notice of disallowance.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

June 21, 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 21st day of June, 2022.

Jennifer Goergen, City Clerk

RESOLUTION NO. 3864

RESOLUTION VERIFYING REVIEW AND AUTHORIZING SUBMITTAL OF THE
2021 WISCONSIN DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR),

WHEREAS, Public sanitary sewer collection is a basic responsibility of local, county and state governments; and

WHEREAS, It is the responsibility of local, county and state governments to properly operate and manage wastewater collection systems so as to protect public safety and health; and

WHEREAS, Proper inspection, rehabilitation, and operation and maintenance of the sanitary sewer collection system would promote cost-effective performance of the system over its design life; and

WHEREAS, Revisions to Chapter NR 208, Wisconsin Administrative Code became effective January 2006 requiring permitted wastewater collection systems to submit a Compliance Maintenance Annual Report (CMAR) with a resolution verifying Common Council review, statement of corrective actions if necessary and authorization of submittal.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby verifies its review and authorizes the submittal of the 2021 Compliance Maintenance Annual Report (CMAR) for the City of Greenfield.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Wisconsin Department of Natural Resources (DNR).

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this 21st day of June, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3865

RESOLUTION EXTENDING CITY MUNICIPAL PURPOSE EASEMENT RIGHTS
TO CITY OF MILWAUKEE WATER WORKS

WHEREAS, the City previously established Municipal Purpose Easements by way of City Resolution No. 3812, recorded on December 8, 2021 as Document No. 11195561, and City Resolution No. 3859, recorded on May 12th, 2022 as Document No. 11246470;

NOW, THEREFORE, BE IT RESOLVED, the City agrees to extend our Municipal Purpose Easement rights established by City Resolution No. 3812 and City Resolution No. 3859 to the City of Milwaukee for its municipal water distribution system needs (construction, operation, maintenance, inspection, repair, enlargement, reconstruction, replacement and relocation of facilities as Milwaukee deems necessary), excluding therefrom the following legally described area:

LEGAL DESCRIPTION OF EXCLUDED AREA

That part of the Southeast 1/4 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 1/4; thence North 00°20'39" West along the East line of said 1/4 Section 448.56 feet to a point; thence South 88°38'51" West, 24.75 feet to the point of beginning of lands to be described; thence South 88°38'51" West, 102.47 feet to a point on the Southeasterly right-of-way line of West Loomis Road; thence North 33°55'29" East along said Southeasterly right-of-way line, 36.72 feet to a point; thence North 37°32'05" East along said Southeasterly right-of-way line, 81.29 feet to a point; thence North 74°31'29" East along said Southeasterly right-of-way line, 33.07 feet to a point on a line that is 24.75 feet West of an parallel to the East line of said ½ Section; thence South 00°20'39" West, 101.35 feet to the point of beginning.

BE IT FURTHER RESOLVED, that this resolution will be recorded with the Milwaukee County Register of Deeds.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of June, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk