

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, AUGUST 16, 2022

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:02 PM.

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

Also present: Brian Sajdak, City Attorney; 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 July 19, 2022 minutes

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

E. Mayor's Report

Mayor Neitzke said that this Friday is the last Food Truck Friday at Konkel Park. The Car Show is coming up in September. The budget process is starting. There are formulas for how taxes are paid and raised within the City and the total that is collected. He spoke about net new construction percentages, levying taxes, what is needed to manage the budget, surrounding municipalities' net new construction percentages, and with the elections coming up, the people running should be asked what they are going to do to help. It doesn't matter how many apartments we build, that doesn't help. The City's new evaluation said that we are a 4 billion dollar City of total taxable value and to get to 3 percent of 4 billion is a lot.

F. Aldermanic Reports

Alderperson Bailey spoke about the Tree Commission Report, which is on target to plant 500 trees this year. Mayor Neitzke said that the budget for the trees comes from grant money, not from taxes.

Alderperson Kastner said that regardless of the apartment location, he would like to see that the tree dedicated to Loretta Kleczka be preserved somewhere on that site.

G. Announcements

H. Citizen Commentary

Mayor Neitzke introduced former alderperson, Tom Pietrowski, 4801 S. 94th Street, who spoke about when he was a Common Council member, he collected WRS and is still collecting it. He spoke about the salary raises and that the Common Council doesn't receive a salary raise and he doesn't think they get enough credit. He spoke about the public hearing for the 92nd Street Cobalt Development and the number of residents notified. He said he didn't feel like those that opposed the development were heard. He spoke about apartment residents not being notified, Cobalt writing the PUD, and park fees.

I. Public Hearings

1. Public Hearing on a Special Use Permit for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC. (Tax Key No. 563-9990-002) (PC-7/12/22 Kastner)

Mayor Neitzke said that he doesn't vote unless there is a tie and usually presides over the public hearings. He said he will not preside over the PUD #4 hearing since he cannot be impartial; therefore, Alderperson Saryan will preside over that one. He spoke about the public hearing

process.

The public hearing was opened at 7:20 PM.

Kristi Porter, Community Development Manager, presented the site information, description of business, hours of operation, parking, and site improvements. The Plan Commission recommended denial. There weren't any letters of objections or support received.

Mayor Neitzke said that those in favor, but not speaking, and are representing Xavier Bitseedy, are Kodi Hernad, Martina Wolters, Zach Rowe, and Bob Knackert. Bob Knackert is the owner of the unit and will speak if there are questions. Bob Knackert said that Mr. Bitseedy is renting out one of their spaces, and spoke about the parking lot work getting done, and the angle of the lights.

No one else spoke for or against it or for informational purposes.

Motion by Alderperson Kastner, seconded by Alderperson Akers to close the public hearing at 7:24 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC. (Tax Key No. 563-9990-002) (PC-7/12/22 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Collins to approve agenda items I1a and I1b as proposed and accepted. On a roll call vote, motion carried 4-1 with Alderperson Akers opposed. Those in favor were Alderperson Collins, Alderperson Bailey, Alderperson Kastner, and Alderperson Saryan.

- b. Approve a Site Plan Review for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC. (Tax Key No. 563-9990-002) (PC-7/12/22 Kastner)

Approved under agenda item I1a.

2. Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4). (Tax Key No. 619-9997-003) (PC-7/12/22 Kastner)

Mayor Neitzke said that Alderperson Saryan is now presiding.

Alderperson Kastner asked the City Attorney, Brian Sajdak, about voting and giving the chair back to Mayor Neitzke or is it at the Mayor's will.

Alderperson Saryan said that she will chair the meeting and will vote.

Mayor Neitzke commented that with his understanding, when the public hearing closes, that he would resume to chair the meeting and call the items.

Council President Alderperson Saryan thanked everyone for coming and appreciated that they cared about their community, and spoke about the public hearing process.

The public hearing was opened at 7:30 PM.

Kristi Porter, Community Development Manager, presented the technicality of the ordinance and rezoning. Ms. Porter said that Ogden would present their proposed product. She spoke about the site information and zoning, permitted and special uses, the Comprehensive Land Use Plan, the Planned Unit Development requirements, the Site Plan, and recommendations from the Plan Commission. There were thirty-nine letters of objection and eight letters of support received as of 6:56 PM.

The second part of the presentation was given by Peter Ogden, Ogden and Company. He spoke about the company's background and introduced Jason Korb, the architect. Jason Korb, Korb and Associates, spoke about the parcel up for sale, the Comprehensive Plan, the Site Plan, parking, topography, landscaping, amenities, targeted residents, and design.

Council President Alderperson Saryan introduced those that were registered against, but not speaking. She introduced Mary Ann Hazelwood, 5284 Woodbridge Lane S. Ms. Hazelwood said that she had a question for Ogden regarding the increased auto pollution. Council President Alderperson Saryan said that Ogden would answer the questions at the end.

Attorney Sajdak reiterated that Council President Alderperson Saryan is reading off only those that were registered against, but not speaking. Council President Alderperson Saryan continued to introduce Jon Mauer, 4602 S. 62nd Street; Courtney Parker, 4602 S. 62nd Street; Amanda Gonzales, 4645 S. 47th Street, Dianne Myers, 4667 S. 45th Street, Sandy Dickmann, 5951 W. Cold Spring Road, #6; Andrew Moringello, 4555 S. 48th Street; Jennifer Moringello, 4555 S. 48th Street; Linda Cutting, 4380 S. Placid Drive; Robert T. Koss, 4664 S 45th Street; Holly Szaniawski, 4590 S. 69th Street; Jeff Szaniawski, 4590 S. 69th Street; Sandy Knapper, 4645 S. 49th Street; Michael Dunn, 5000 S. 107th Street, Apt. 2B; Ann Rantanen, 4345 S. Placid Drive; Robert Rantanen, 4345 S. Placid Drive; Carol Ricard, 4636 S. 46th Street; Mark Ricard, 4636 S. 46th Street; Jane Cieslak, 5285 S. 49th Street; Elsa Krah, 4828 S. 39th Street; Fritz Krah, 4828 S. 39th Street; Deborah Hensiak, 6943 W. Layton Avenue; Susan Feeley, 3223 W. Cold Spring Road; Paul Duwe, 5417 W. Allerton Avenue; Judith Duwe, 5417 W. Allerton Avenue; Victor Sawdy, 4632 W. Layton Avenue; Susan Kofler, 4550 S. 51st Street; Vern Doonan, 4161 W. Carpenter Avenue; Kathleen Doonan, 4161 W. Carpenter Avenue; Barbara Rutkowski, 5020 S. 55th Street, Apt. 329; Pat Purdy, 5020 S. 55th Street, Apt. 322; Lynn Friedman, 4376 S. Placid Drive; Jeff Friedman, 4376 S. Placid Drive; John Janasik, 4560 S. 51st Street; Jean Steinbach, 5456 Morningside Lane; Nancy McGee, 5533 W. Allerton Avenue; Tom McGee, 5533 W. Allerton Avenue; Ben Pacheco, 4677 S. 48th Street; Lester Kowalski, 4940 S. Greenbrook Terrace; Maxine Pais, 4940 S. Greenbrook Terrace; Margie Krueger, 4748 S. 47th Street; Dale Bruss, 4953 S. 36th Street; Rose Porter, 4920 S. 36th Street; Alice Hatzenbeller, 4376 S. 52nd Street; Judi Schauer, 6327 W. Allerton Avenue; and James S. Schauer, 6327 W. Allerton Avenue.

Council President Alderperson Saryan introduced Andrew Drzewiecki, 3579 S. 45th Street; and Kathy MacAvaney, 4441 W. Loomis Road. Ms. MacAvaney said that she would like to speak, not for or against, but was hoping to see more multi-bedroom units. Council President Alderperson Saryan said that she will call on Ms. MacAvaney when she gets to speaking for informational purposes only. Mr. Drzewiecki said he is voicing his opinion in support of the project and would like to speak.

Council President Alderperson Saryan invited Ms. MacAvaney to return to the podium to speak for informational purposes only. Ms. MacAvaney said that she had concerns over the small units and the location, and will be changing her registration to speaking against.

No one was added to the registered against, but not speaking list.

Council President Alderperson Saryan introduced those who wanted to speak in favor. She introduced Larry Kleczka, 16850 Hood Hollow Lane, Richland Center, WI. Council President Alderperson Saryan said that he may speak but his letter was received. Mr. Kleczka spoke about his history, his ownership of River Falls Family Fun Center, the future of the property, and the revenue that the apartments could generate. Council President Alderperson Saryan confirmed that what Mr. Kleczka said was also in his letter.

She introduced Katarina Djokic's letter of support, but Ms. Djokic preferred to speak. Ms. Djokic, 3344 S. 76th Street, Milwaukee, WI, spoke about her history, the Greenfield community, that events wouldn't be taken away, tenants would be staying within Greenfield, and extra revenue for other Greenfield businesses.

Council President Alderperson Saryan read and summarized the following letters of support:

Heather Dorfler included their history, people migrating to Greenfield from other cities, future developments, and additional taxes.

Patrick Casey included their history, it would bring new residents, and community growth opportunities.

Antonio Barrios' included their history, it would bring diversity, workers, and real estate taxes.

Layla Freckmann, 5025 S. 41st Street, included their history, positive growth, and taxes.

The letter from Heidi Price, Bear Construction Company, 633 W. Wisconsin Avenue, Suite 330, Milwaukee, WI 53203; was not attached in the email.

Brian Peters included their concerns about the housing shortage, Ogden's history, the Land Use Plan, and accessible housing for those who have disabilities.

Attorney Sajdak read the support letter from Heidi Price, 8211 W. Bottsford Avenue, which included their history, City growth, young tenants, and increase in the Walk Score.

Council President Alderperson Saryan introduced Andrew Drzewiecki, 3579 S. 45th Street, as speaking in favor. Mr. Drzewiecki spoke about housing availability and young tenants, and the City's deficit.

Council President Alderperson Saryan read and summarized the following letters of opposition:

Carla Jones included fundraising and expansion of other family businesses that could buy the lot.

Paul & Jeanette Stassi, 12120 W. Holmes Avenue, stated their concerns about the location, the building's appearance and design, and they would prefer something that benefits all residents.

Michael Gierl stated their concern about the location.

Javier Zamora, 8942 W. Waterford Square S, stated their concerns about apartment complexes and over development.

Gail Reck, 4195 S. Squire Avenue, stated their concerns about the City having too many apartments and proximity to Konkel Park.

Julie and Dale Rome stated their history, noise complaints, it increases taxes due to increased service calls, and they would receive a tax break.

Beth Fleischhacker stated her concerns about too many apartments and the City's perception.

Tony Sciorba, 4630 S. 69th Street, stated their concern about the quality of life.

Mark and Carol Ricard, 4636 S. 46th Street, stated their concern about the location.

Ken Kitten, 4132 S. 99th Street, stated their concern about the location.

Jean and Gary Steinbach, 5456 Morningside Lane, stated their concern about the location.

Dan and Linda Rawling stated their concerns about the appearance and that the space needs to be

more community oriented.

Lynn Friedman, 4376 S. Placid Drive, stated their concern about needing more green space.

Holly Szaniawski, 4590 S. 69th Street, stated their concerns about the quality of life, property crime, and traffic.

Donna Karin and Jim Pelczynski, 6324 W. Leroy Avenue, stated their concern about green spaces.

Bonnie Norwood stated their concerns about the green spaces, traffic, and the quality of life.

Jim and Sharon Sabinash stated their concerns about the location, and better uses for this parcel.

Dave and Dawn Goeb, 5621 W. Cold Spring Road, stated their concern about the apartment's appearance.

Patricia Garrity and John Misorski, 6238 W. Woodview Court, stated their concern about the site being too small.

Jean and Dave Schwonek, 5018 S. 37th Street, stated their concerns about what is best for residents, Konkell Park, and Layton Avenue closures.

Toshiba Allen stated their concerns about the location, traffic, and overcrowding at Konkell Park.

Sara Torres, Tesch Avenue, stated their concerns about green space and parking.

Fritz and Elsa Krah stated their concerns about limited space and traffic.

Julie Fischer, 4021 W. Bernard Avenue, stated their concern about the location.

Vernon and Kathleen Doonan, stated their concerns about the location, traffic, Layton Avenue closures, impact on Konkell Park, and park fees.

Amy Bruzan, 4980 S. 36th Street, stated their concerns about the congestion in traffic and parking.

Dave Musky stated their concern about the location.

Russell and Stefanie Richter, 3920 S. 124th Street, stated their concerns about parking, existing apartment developments, and other uses should be considered.

Colin and Laura Stahovic, stated their concerns about the landscaping, location, and congestion.

Nicholas Pauc stated their concerns about the congestion, pollution, and put stress on the fire and police departments.

Roy Stuesser stated their concerns about the projects at Konkell Park that should be finished, and the drainage system by the ball diamonds.

Jill Palama stated no, no, no on the apartments.

Kristine Fejes, 3847 S. 56th Street, stated their concern about parking.

Council President Alderperson Saryan read and summarized the following letters of opposition that have been stated already:

Jayne Harmon, 7015 W. Layton Avenue; Dale and Karen Faust; Patty Hiegel, 8256 W. Plainfield Avenue; Morgan Pauc; Katie White; and Steven Keiller, 3666 S. 53rd Street.

Alderperson Akers said that the alderpersons received copies of the letters and had opportunities to read them.

Council President Alderperson Saryan introduced the following that were registered to speak in favor:

Former alderperson Mr. Scherbarth, 4341 S 60th Street, spoke about his history, Konkell Park, other areas and housing types to develop, and wants younger residents here.

Barbara Welniak Bury, 4956 S. 40th Street, spoke about her history, the land, and the runoff into Honey Creek.

Council President Alderperson Saryan introduced the following that were registered as speaking against:

Larry Sayles, 4916 S. 36th Street, said he was thankful and spoke about the tenants' median income, Konkell Park, grants, the run off, sewage, and tax dollars.

Jeanette Janasik, 4560 S. 51th Street, spoke about the parking, Layton Avenue, the amenities, other Ogden apartments, young tenants, Konkell Park, Harley Davidson, and the importance of parks.

Gary Steinbach, 5456 Morningside Lane, spoke about Konkell Park, traffic, noise, and better locations.

Mark Daniels, 4554 S. 51st Street, spoke about his history, quality of life, young tenants, traffic, litter, run off, the parcel's history, rental and home values, other developmental opportunities, and other uses.

Jeff Bauer, 4551 S. 51st Street, spoke about his history, events, City improvements, and young professionals.

William Gallatin, 4452 S. 66th Street, spoke about his history, young professionals, the height of the proposed building, and consideration of a roof top option.

Michael Walsh, 7117 W. Allerton Avenue, spoke about his history, Konkell Park's lights, and the location.

Cathy Walsh, 7117 W. Allerton Avenue, represented her friends, Linda and Bob Chernastic. She spoke about her history, rezoning as mixed use, Common Council duties, the City acquiring the property, parking, Konkell Park's lights, noise, and City resources.

Cindy Gaffney, 5223 W. Allerton Avenue, spoke about Konkell Park's lights, her history, Konkell Park's history, and the location.

Michael Gaffney, 5223 W. Allerton Avenue, spoke about his history, parking, location, and his preference for a family-orientated business.

Judy Koss, 4664 S. 45th Street, represented her neighbors, Kris and Wendy Zynell. She spoke about other apartment developments, schools, and the City purchasing the property.

Mike Myers, 4667 S. 45th Street, spoke about traffic, property size, and the building height.

Anne Feyen, 5060 S. Greenbrook Terrace, said that she agreed with those that spoke and wrote in opposition.

Dave Goeb, 5621 W. Cold Spring Road, spoke about being in favor of expanding Konkell Park and was opposed to the apartments.

Mark Wojak, 7130 W. Carpenter Avenue, spoke about the location, was in agreement with those that spoke and wrote in opposition, other Ogden developments, and his history.

Danielle Wojak, 7130 W. Carpenter Avenue, spoke about her history, traffic, the demographic, and the location.

Mayor Michael Neitzke, spoke as a citizen of Greenfield about the project being beautiful but in the wrong location, Ogden, and the River Falls Family Fun Center.

Council President Alderperson Saryan announced a three minute recess at 10:00 PM.

Common Council reconvened at 10:04 PM.

Council President Alderperson Saryan introduced Peter Ogden, Ogden and Company, who introduced Aaron Koch, Pinnacle Engineering Group, to discuss the mechanics of the development. Mr. Koch spoke about the run-off plan and traffic. Jason Korb, Korb & Associates, spoke about the building height, 46 units are two or three bedroom units, sprinklers, the sanitary system, market rate, and the Comprehensive Plan. Mr. Ogden spoke about Konkel Park's lights, damage from being near the baseball diamonds, and the lease agreement. Mr. Ogden introduced Monica Maas-Skellie, Director of Multi-Family and New Development at Ogden. Ms. Maas-Skellie spoke about pool and guest limitations, Layton Avenue parking entrance and exit for events, and parking. Mr. Ogden introduced Mike Testa, Ogden and Company, who spoke about the future of the property and reserve funds. Mr. Ogden said that they are in for the long run, they have no plans to sell it, thinks the location is solid, and meets the Comprehensive Plan.

Mr. Daniels returned to the podium and spoke about Southridge, the soil analysis, the sanitary system, the run-off, Honey Creek, and the quality of life.

Mr. Klezcka returned to the podium and spoke about only selling the property one time and it is going to be sold to someone, and the revenue would help the City's shortfalls.

No one else spoke for or against it or for information purposes.

Motion by Alderperson Akers, seconded by Alderperson Collins to close the public hearing at 10:20 PM. Motion carried unanimously.

Mayor Neitzke resumed chairing the meeting.

- a. Approve an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4). (Tax Key No. 619-9997-003) (PC-7/12/22 Kastner)

Motion by Alderperson Kastner to approve. Motion died due to lack of a second.

Motion by Alderperson Bailey, seconded by Alderperson Akers to deny.

Under discussion, Alderperson Kastner said that it's hard for those that are in favor to quantify.

Mayor Neitzke spoke about his lack of social media, his public comments to the Milwaukee Journal/Gannett and to the Patch, the Plan Commission meeting, how it would be very difficult to pass, Konkel Park grants, donations, park fees, the youth of the community, and other areas available for development.

Alderperson Bailey said that he didn't like it due to the location and called the question.

Alderperson Akers spoke about her history, asked other residents for feedback on this issue, and loves the project but has concerns about the location. She's there to represent her constituents as that is her job, while also trying to do what's best for the City to the best of her ability.

Alderperson Saryan said that a high-density Planned Unit Development District is not compatible

with the surrounding park and government buildings and it would not be a good fit.

On a roll call vote, motion carried to deny the rezoning 4-1, with Alderperson Kastner opposed. Those in favor of denial were Alderperson Collins, Alderperson Bailey, Alderperson Akers, and Alderperson Saryan.

- b. Approve Site, Landscaping and Architectural Plans for Verde Terrace Apartments, a proposed new construction multi-family housing development, to be located at 5401 W. Layton Ave., submitted by Michael A. Testa, d/b/a Ogden & Company, Inc., and Jonathan Ross d/b/a Ogden & Company Investment Partners LLC. (Tax Key No. 619-9997-003) (PC-7/12/22 Kastner)
No action.

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)
Mayor Neitzke appointed Danielle Stachowiak, 9620 W. Barnard Avenue. Motion by Alderperson Akers, seconded by Alderperson Saryan to confirm for a term to expire 6/1/2024. Motion carried unanimously.
- ii. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)
Place on next agenda.
- iii. One alternate member to the Tree Commission for a term to expire 5-1-24 (formerly Chloe Selkirt)
Place on next agenda.
- iv. One member to the Zoning Board of Appeals for a term to expire 5-1-23 (formerly Audrey Ellison)
Mayor Neitzke appointed Mike Braswell as a member and the Chair. Motion by Alderperson Akers, seconded by Alderperson Kastner to confirm as a member and the Chair. Motion carried unanimously.

K. New Business

- 1. Letter of resignation received from David Schilz for the following: Community Development Authority, Park & Recreation Board, Zoning Board of Appeals. (Goergen)
No action.

2. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

- i. One alternate member to the Community Development Authority for a term to expire 2/19/25 (formerly David Schilz)
Place on next agenda.
- ii. One member to the Zoning Board of Appeals for a term to expire 5/1/24 (formerly David Schilz)
Place on next agenda.

b. Council appointments:

- i. One member to the Park & Recreation Board for a term to expire 5/31/26 (formerly David Schilz)

Place on next agenda. Mayor Neitzke said that Zach Marshall, by ordinance, became a member of the Plan Commission since he is Chair of the Park and Recreation Board.

3. Approve applications for 2022-2023 operator licenses (Goergen)

Motion by Alderperson Akers, seconded by Alderperson Collins to approve subject to all the disclaimers. Motion carried unanimously.

4. Approve an application for a Parade License, and request to waive the license fee, received from the Greenfield High School to conduct a parade on September 23, 2022 from 3:30 PM to 6:30 PM. (Assemble at 3:30 PM at South 51st Street (dead end) and west to Edgerton Avenue; with parade to begin at 5:00 PM moving on Edgerton westward to South 60th Street then proceeding north on South 60th Street to Greenfield High School.) (Goergen)

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

5. Notice of Injury and Claim received from Aman Singh. (Goergen)

Referred to the City Attorney.

6. Resolution appointing additional election inspectors for 2022-2023. (Goergen)

Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously. Mayor Neitzke said that Alderperson Collins, Alderperson Bailey, Alderperson Saryan did not have to abstain because there was not a conflict of interest since their names were not on the list.

7. Approve a Special Use Review and Site Plan Review for an ownership change of the existing BP gas station and convenience store located at 4715 S. 27 St., submitted by Bilal Amjad, d/b/a Ali's Investments, LLC. (Tax Key No. 622-9999-000) (PC-8/09/22 Kastner)

Ms. Porter confirmed that the new owner has to make changes to the site by October 31, 2022. Mayor Neitzke said that the owner asked him for an extension on the landscaping due to a hard time finding contractors. Mayor Neitzke said the owner asked until next June or July. There was a discussion between Alderperson Kastner, Alderperson Akers, and Mayor Neitzke about the timing of the landscaping and what should be put in.

Motion by Alderperson Saryan, seconded by Alderperson Akers to approve to pull the weeds and clean up the property to be completed by July 1, 2023. On a roll call vote, motion carried unanimously.

8. Approve Architectural Plans for proposed exterior modifications to Rosen Nissan of Greenfield, an existing business located at 5505 S. 27 St., submitted by Jim Triatik, d/b/a Sullivan Design Builds. (Tax Key No. 668-9000-012) (PC-8/09/22 Kastner)

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

9. Approve Site and Landscaping Plans for proposed site modifications to Kingdom Hall of Jehovah's Witnesses, an existing place of worship located at 12165 W. Layton Ave., submitted by Mark Falk d/b/a Falk Property Improvements LLC. (Tax Key No. 611-8989-001) (PC-8/09/22 Kastner)

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

10. Approve Site and Architectural Plans for proposed site modifications to Ray's Butcher Shoppe, an existing business located at 4640 W. Loomis Rd., submitted by Tim Zellner d/b/a J&J Contractors LLC and Scott Podd d/b/a Ray's Butcher Shoppe. (Tax Key No. 620-6656-002) (PC-8/09/22 Kastner)
Motion by Alderperson Collins, seconded by Alderperson Saryan to approve. Motion carried unanimously.
11. Approve Architectural Plans for proposed exterior modifications to Gordie Boucher Nissan, an existing business located at 4141 S. 108 St., submitted by Chad Kemnitz d/b/a Professional Consultants, Inc. and Dan Nienhuis d/b/a Boucher Holdings, LLC. (Tax Key No. 566-9960-002) (PC-8/09/22 Kastner)
Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve. Motion carried unanimously.
12. Approve an Outdoor Special Event application for the House of Harley MFD Local #215 Retiree event, to be located at 6221 W. Layton Ave., August 17th, 2022. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12.* (Porter)
Motion by Alderperson Collins, seconded by Alderperson Kastner to approve.

Under discussion, Alderperson Bailey and Alderperson Akers asked about the hours. Ms. Porter said that they were 10 AM - 6 PM.

Motion carried 4-1 with Alderperson Akers opposed. Those in favor were Alderperson Collins, Alderperson Bailey, Alderperson Kastner, and Alderperson Saryan.
13. Approve an Outdoor Special Event application for Friends Fest, an event to be located at Friends on Forest Home at 5614 W. Forest Home Ave., September 2-3, 2022. Application includes the following combination of licenses/permits: OSE, extension of premises (beer, live music, car show), food, and commercial building, electrical and plumbing. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12.* (Porter)
Motion by Alderperson Kastner, seconded by Alderperson Collins to approve. Motion carried unanimously.
14. Approve an Outdoor Special Event application for the House of Harley Hometown Rally event, to be located at 6221 W. Layton Ave., September 1 – September 5, 2022. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" License (beer), Food, and Commercial building, electrical and plumbing. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12.* (Porter)
Alderperson Akers said that she found an internal error in the attached memo for agenda item K14, which had a typo in the date. Ms. Porter confirmed that it was an error and that Saturday, 9/23 was supposed to be Saturday, 9/3. The hours are 9 AM - 9 PM. Ms. Porter confirmed that there will not be any street closures even though it is on the application.

Motion by Alderperson Kastner, seconded by Alderperson Collins to approve without the street closures. On a roll call vote, motion carried unanimously.
15. Approve an Outdoor Special Event application for the House of Harley Fisher House Charity Ride event, to be located at 6221 W. Layton Ave., September 10, 2022. Application includes the following combination of licenses/permits: OSE, and Temporary Class "B" License (beer), and Food.

Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12. (Porter)

Mayor Neitzke said that the hours are 10 AM - 4 PM. Motion by Alderperson Collins, seconded by Alderperson Kastner to approve. Motion carried unanimously.

16. Approve an Outdoor Special Event application for the House of Harley Ride for Raymond event, to be located at 6221 W. Layton Ave., September 17, 2022. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12. (Porter)*

Mayor Neitzke said that the hours are 10 AM - 4 PM. Motion by Alderperson Collins, seconded by Alderperson Kastner to approve. Motion carried unanimously.

17. Discussion and decision to approve an agreement with Assessment Technologies of Wisconsin, LLC for a Market Update Revaluation for the 2024 assessment year. (8/10/22 F&HR S. Saryan)
Place on next agenda.
18. Discussion and decision to approve the extension option of the agreement approved in August 2020 with Grota Appraisals, LLC for assessment services through 2025. (8/10/22 F&HR S. Saryan)
Motion by Alderperson Saryan, seconded by Alderperson Collins to approve agenda items K18-K27. On a roll call vote, motion carried unanimously.
19. Discussion and decision to close the Greenfield Crossing Redevelopment Project (GCROSS) and transfer the balance of \$61,077.50 to the General Fund. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
20. Discussion and decision to approve Access and Use Agreement between Milwaukee County, CentralSquare Technologies, and Greenfield Fire Dept. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
21. Discussion and decision to approve Consent to Assignment of Software License Agreement between Milwaukee County, CentralSquare Technologies, and Greenfield Fire Dept. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
22. Approve project to replace the fence and gate along the south side of the trash and recycling drop off center. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
23. Approve project to rehabilitate the salt storage dome, and transfer \$65,000 from the salt and sand account 010-1910-530.5900 to a capital account. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
24. Accept June 2022 financial statements. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
25. Approval of mileage reimbursements in the amount of \$1,114.73. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
26. Approval of schedules of disbursements in the amount of \$7,257,248.19 (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.
27. Investments and reinvestments for May and June 2022. (8/10/22 F&HR S. Saryan)
Approved under agenda item K18.

L. Items for future agenda

Agenda item K17

M. Adjourn

Motion by Alderperson Collins, seconded by Alderperson Akers to adjourn at 10:55 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 8/23/2022

RESOLUTION NO. 3868

Special Use Permit for DankHouse, a proposed CBD retailer to be located within the multitenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC.
(Tax Key No. 563-9990-002)

WHEREAS, Xavier Bitseedy, d/b/a DankHouse, 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 CBD retailer at 3829 S. 108 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 16, 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 applicant, Xavier Bitseedy, d/b/a DankHouse, LLC, resides at 3621 E. Martin Ave., Cudahy, WI 53110.
2. The property is owned by Robert A. Knackert and Norbert J Knackert Revocable Trust, 9049 S 83rd St., Franklin, WI 53132.
3. DankHouse will occupy approximately 1,500 sq. ft. of the multi-tenant commercial building located at 3829 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Southeast $\frac{1}{4}$ of Section 18, and the Northeast $\frac{1}{4}$ of Section 19, all being a part of Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said Southeast $\frac{1}{4}$ of Section 18; thence North to the centerline of West Beloit Road; thence Southwesterly along said centerline, 318 feet to a point; thence Southeasterly 55 feet to a point; thence Southwesterly 125 feet to a point; thence Southeasterly 467.23 feet to a point; thence Easterly to the East line of said Northeast $\frac{1}{4}$ of Section 19; thence North to the point of beginning. Excepting those parts taken for public street and highway purposes.

Tax Key No. 563-9990-002

Said land being located at 3813-3833 S. 108 St.

4. The applicant is proposing to establish a CBD retailer 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 All Other Miscellaneous Store Retailers as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 108 St. corridor that is developed for mixed uses. Properties to the north and east are developed as commercial and residential. Properties to the south and west are developed as park.
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 Xavier Bitseedy, d/b/a DankHouse, LLC, to establish a CBD retailer, to be located at 3829 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 recommended by the Plan Commission on July 12, 2022 and by the Common Council on August 16, 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 DankHouse will be 9:00am – 9:00pm, seven (7) days/week.
4. Off-Street Parking. The proposed CBD retailer tenant spaces requires eight (8) offstreet parking spaces. Remaining tenant spaces require 40 off-street parking spaces

for a total of 48 off-street parking stalls. Eighty-three (83) 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 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.

Xavier Bitseedy, d/b/a DankHouse, LLC

Robert A. Knackert, owner

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 16th day of August, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3869
RESOLUTION APPOINTING ADDITIONAL ELECTION
INSPECTORS 2022-2023

WHEREAS, Wis. Stats. 7.30(4)(a) requires the governing body to appoint election officials no later than the last regular meeting in December of each odd numbered year for the 2022-2023 election cycle; and

WHEREAS, appointments were made, but in addition to the appointments already made, the Common Council desires to add Marie Custer and Mary Limon to the list of Election Officials;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the appointment of: Marie Custer, 4656 S. Woodland Dr., Greenfield, WI 53220 and Mary Limon, 7007 W. Cold Spring Road, Greenfield, WI 53220 and adds them to the list of Election Officials for the 2022-2023 election cycle.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 16th day of August, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk