

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, OCTOBER 18, 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; Kristi Porter, Community Development Manager.

B. Opening Prayer

An opening prayer was given.

C. Pledge of Allegiance

D. Approval of the October 4, 2022 Common Council minutes

Motion by Alderperson Collins, seconded by Alderperson Bailey to approve. Motion carried 4-1, with Alderperson Akers abstaining due to an excused absence.

E. Mayor's Report

Mayor Neitzke circled back from agenda item J5.

Mayor Neitzke spoke about the upcoming election, open records requests, convicted felons, and thanked Jennifer Goergen, the City Clerk, for not quitting.

Mayor Neitzke continued to agenda item J6.

F. Aldermanic Reports

Alderperson Akers said that leaf collection has begun.

Alderperson Bailey spoke about the Tree Commission Report.

Alderperson Kastner spoke about working with MMSD and planting trees.

Mayor Neitzke thanked the staff involved in seeking grants and working with MMSD.

Alderperson Akers and Mayor Neitzke spoke about the ribbon cutting for the Powerline Trail.

Mayor Neitzke spoke about how Alderperson Kastner is the longest serving City official and that he was on the Plan Commission before he was an alderperson. Alderperson Kastner spoke about when he was a Plan Commission member and organizing the collaboration for the bike trail link between the YMCA and the Oak Leaf Trail. Mayor Neitzke said that the path is a culmination of over 30 years of trying to get funding, it is a great amenity to the City, and thanked the staff involved in obtaining the grant.

G. Announcements

H. Citizen Commentary

Mayor Neitzke introduced Ronald Janick, 4840 S 124th Street, but he left after speaking to Alderperson Kastner about a gravel issue on 124th Street. Alderperson Kastner said there was dirt coming off the dump truck tires and asked if the streets could be cleaned near 124th Street so people could walk without tripping.

Mayor Neitzke expressed that if residents have any complaints to contact their alderperson.

I. Old Business

1. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

- i. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)  
Place on next agenda.
- ii. One alternate member to the Tree Commission for a term to expire 5-1-24 (formerly Chloe Selkirt)  
Place on next agenda.

2. Approve a Resolution for a Special Use Permit to establish a drinking place within The Woods – GreatLife Senior Community, to be located at 11800-02 W. Edgerton Ave., submitted by Greg Petruski, d/b/a GLPropCo-Greenfield, LLC. (Tax Key No. 611-8964-000) (PC-8/09/22 Kastner; CC-10/04/22) REQUEST WITHDRAWN BY APPLICANT, NO ACTION REQUIRED.

Mayor Neitzke said agenda items I2 - I4 were withdrawn by the applicant and no action was taken.

3. Approve Site and Architectural Plans for proposed construction of a gazebo to house a drinking place at The Woods – GreatLife Senior Community, to be located at 11800-02 W. Edgerton Ave., submitted by Greg Petruski, d/b/a GLPropCo-Greenfield, LLC. (Tax Key No. 611-8964-000) (PC-8/09/22 Kastner; CC-10/04/22) REQUEST WITHDRAWN BY APPLICANT, NO ACTION REQUIRED.

Withdrawn by the applicant and no action taken.

4. Approve application for 2022-2023 Combination "Class B" fermented malt beverage and liquor license for The Woods - A Greatlife Community, Gregory James Petruski, Agent, for the property at 11800 W. Edgerton Ave. (Infinity Development, LLC), outdoor gazebo amenity with lockable primary entrance door. Gazebo will have lockable, opening garage doors providing access to an adjacent patio area to be included in licensed area. Gazebo will house all records for sales, service, consumption, and provide storage of alcohol beverages and other records located at 11800 W. Edgerton Ave. (Goergen) (CC-10-04-22) REQUEST WITHDRAWN BY APPLICANT, NO ACTION REQUIRED.

Withdrawn by the applicant and no action taken.

J. New Business

1. Approve applications for 2022-2023 operator licenses (Goergen)  
Motion by Alderperson Collins, seconded by Alderperson Akers to approve. Motion carried unanimously.
2. Approve application for a Temporary Class "B" Beer and "Class B" Wine Retailer's License received from Greenfield Education Foundation to sell fermented malt beverages and wine indoors at Greenfield Education Foundation Trivia Night on January 20, 2023 from 6:30 PM - 10:00 PM at 7215 W. Cold Spring Road. (Goergen)  
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. Motion carried unanimously.
3. Approve application for 2022-2023 Entertainment license for Daniels Palace, Rachel Daniels, Agent, for the property at 3800 S 108th St (Daniels Palace) (Indoor: Bands, DJ, jukebox. Outdoor: n/a) (Goergen)

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

Under discussion, Mayor Neitzke spoke about the closed session communications with the City

Attorney, Brian Sajdak, and the owner of the property that is leasing the building, and they understood the gravity of the situation.

Motion carried unanimously.

4. Approve application for a 2022-2023 Secondhand/Pawnbroker Article Dealer license received from Greenfield Range Operations LLC, Gregory Allen Kurtz, Agent, for the property at 10557 W. Layton Ave. (Range USA) (Goergen)

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

Under discussion, Mayor Neitzke said that there are City ordinances and state laws that Range USA has to abide by and they are working closely with the Greenfield Police Department.

Motion carried unanimously.

5. 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 circled back to agenda item E.

6. Adopt an Ordinance amending the secondhand article dealer fee in section 3.12(3) of the Greenfield Municipal Code fee schedule. (Goergen)

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

7. Approve application for 2022-2023 Combination "Class A" fermented malt beverage and liquor license for Jens Beer and Liquor, Sukhwinder Singh, Agent, for the property at 4312 W Howard Ave. (Singh Aish Inc), Alcohol beverages are in the main cooler which is an 8 door slide cooler. There are 4 aisles in the store where all the alcohol beverages are shelved. There is extra storage in the basement. There are 5 shelves where there is extra liquor stored and there is some extra beer stored in the cooler. Documents will be stored in the office located at 4312 W Howard Ave. (Goergen)

Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve agenda items J7 and J8 as presented.

Under discussion, Mayor Neitzke said that they have done everything that they were supposed to, albeit it took a while. He said he didn't know if the sidewalk was in, but the fence and the dumpster enclosures are done, the lighting has been changed, they are keeping the place tidy, and it's been a dramatic difference.

On a roll call vote, motion carried unanimously.

8. Approve a Special Use Review and Site Plan Review for Jen's Beverage Center, an existing business located at 4312 W. Howard Ave., submitted by Sukhwinder Singh d/b/a Singh Aish Inc. (Tax Key No. 555-8979-000) (PC-10/11/22 Kastner)

Approved under agenda item J7.

9. Approve Site Plans for a proposed parking lot at The Lokal, a proposed business to be located at 8415 Sura Ln., submitted by Scott J. Yauck d/b/a Cobalt Partners, LLC. (Tax Key No. 606-0053-008) (PC-10/11/22 Kastner)

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

Under discussion, Alderperson Kastner said that there haven't been any changes to the plan since

the last time. Mayor Neitzke said that it still has to come back for architecture on the buildings. They are trying to get some of the infrastructure and site work completed this year so construction can start in the spring. Alderperson Akers asked about which buildings are Cafe Hollander and Feisty Loon. Mayor Neitzke confirmed that Cafe Hollander is the one on the corner and Feisty Loon is the one to the west. Scott Yauck, the applicant, clarified from the audience.

Motion carried unanimously.

10. Approve a Certified Survey Map for proposed combination of five parcels located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez. (Tax Key No. 531-0000-900) (PC-10/11/22 Kastner)  
Motion by Alderperson Kastner, seconded by Alderperson Collins to approve. On a roll call vote, motion carried unanimously.

11. Approve Site and Architectural Plans for proposed exterior modifications to Walmart, and a Signage Plan Appeal for Walmart an existing business located at 10600 W. Layton Ave., submitted by Ed Wilson d/b/a LK Architecture and Richard Goff d/b/a Walmart Stores. (Tax Key No. 608-9995-010) (PC-10/11/22 Kastner)

Mayor Neitzke spoke about how the Plan Commission did not approve the re-coloring of the building but approved the signs. Alderperson Akers asked about increasing their tax basis and Mayor Neitzke spoke about imminent domain and pot holes by the Ridge.

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

12. Approve a Special Use Review and Site Plan Review for Sm:)e FX Dental, an existing business located at 6919 W. Forest Home Ave., submitted by Samantha Castoreno and Glenn L. Gequillana, DDS d/b/a Sm:)e FX Dental, LLC. (Tax Key No. 571-8958-000) (PC-10/11/22 Kastner)  
Motion by Alderperson Akers, seconded by Alderperson Collins to approve. On a roll call vote, motion carried unanimously.

13. Approve a Special Use Review and Site and Architectural Plans for Welk's Automotive, a proposed business to be located at 7500 W. Layton Ave., submitted by Michael Dobson d/b/a Welk's Automotive. (Tax Key No. 604-9966-002) (PC-10/11/22 Kastner)  
Motion by Alderperson Kastner, seconded by Alderperson Collins to approve with staff comments about colors. On a roll call vote, motion carried unanimously.

14. Adopt a resolution in support of applying for a grant from the Wisconsin Department of Natural Resources for Urban Forestry. (Katz)  
Motion by Alderperson Akers, seconded by Alderperson Collins to approve. On a roll call vote, motion carried unanimously.

15. Approve an Outdoor Special Event application for the Memorial United Methodist Church Family Fun Fest event, to be located at 3450 S. 52 St., October 30, 2022, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: Outdoor Special Event, Electrical Permit. (Porter)  
Motion by Alderperson Collins, seconded by Alderperson Akers to approve. Motion carried unanimously.

16. Adopt a Resolution approving a Fourth Amendment to the Development Agreement by and between the City of Greenfield, Greenfield Development Partners, Inc. and Greenfield Development Partners Holdings, LLC (collectively, "Developer"), for development of the area known as The Lokal within the 84 South Development. (Porter)

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

Under discussion, Mayor Neitzke spoke about the locations of Cafe Hollander and Feisty Loon and said that they will have to come back for site and landscaping approvals.

Alderperson Bailey expressed his concerns about loud music and events in that area. Mayor Neitzke said that it will be subject to site and landscaping, the Special Use Permit, which will be in the future. There might be outdoor events in the center but Mayor Neitzke doesn't think there will be any intention of loud music or any of those kinds of things that are hosted at the Amp. Scott Yauck, from Cobalt Partners, spoke about it being small, and wouldn't have big concerts by any stretch.

On a roll call vote, motion carried unanimously.

17. Discussion and action relative to the approval of the South 27<sup>th</sup> Street Business Improvement District 2023 Proposed Operating Plan. (Porter)

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

18. Resolution Approving an Agreement with Colbalt Loomis, LLC for Use of Billboard located at the Northeast Corner of the I-894 and Loomis Road Interchange (Sajdak)

Mayor Neitzke spoke about it formerly being a Lamar sign, its location, rent, and that funds are going to The Turf.

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

19. Discussion/decision regarding agreement with Klemme Floats LLC. (10/12/22 F&HR S. Saryan)

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

20. Decision to approve the UnitedHealthcare health, dental, vision, flexible spending account, health reimbursement account and Cobra benefits as presented for 1/1/2023 through 12/31/2023 and authorize Mayor to sign Acceptance of UnitedHealthcare Offer of Coverage letter. (10/12/22 F&HR S. Saryan)

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

Under discussion, Mayor Neitzke expressed his gratitude to Julie Foley, the Human Resources Director.

On a roll call vote, motion carried unanimously.

21. Decision to approve settlement agreement between the City of Greenfield and Romell Jackson and authorize the Mayor to sign. (10/12/22 F&HR S. Saryan)

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

22. Discussion/decision regarding agreement with SeatYourself for the Spring 2023 dance recital. (10/12/22 F&HR S. Saryan)

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

23. Accept August 2022 financial statements. (10/12/22 F&HR S. Saryan)

Motion by Alderperson Collins, seconded by Alderperson Saryan to approve agenda items J23-J25. On a roll call vote, motion carried unanimously.

24. Approvals of schedules of disbursements in the amount of \$1,448,151.89. (10/12/22 F&HR S. Saryan)

Approved under agenda item J23.

25. Approval of mileage reimbursement in the amount of \$1,196.20. (10/12/22 F&HR S. Saryan)

Approved under agenda item J23.

26. Common Council to go into closed session pursuant to Wis. Stat. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and/or Wis. Stat. § 18.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and may reconvene into open session to take such action as it deem appropriate.

Motion by Alderperson Akers, seconded by Alderperson Collins to go into closed session at 7:29 PM. On a roll call vote, motion carried unanimously.

27. Adjourn closed session and reconvene into open session.

Motion by Alderperson Bailey, seconded by Alderperson Akers to adjourn closed session and reconvene into open session at 9:03 PM. Motion carried unanimously.

28. Discussion/Decision related to the annual employment contracts for those employees who are contract employees.

Motion by Alderperson Kastner, seconded by Alderperson Akers for HR to proceed as directed; to accept the resignation agreement pursuant to the terms of that agreement for the Health Director; and to approve a separation agreement contingent on its terms for the Nurse Supervisor. On a roll call vote, motion carried unanimously.

K. Items for future agenda

L. Adjourn

Motion by Alderperson Collins, seconded by Alderperson Akers to adjourn at 9:05 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 10/21/2022

SIGN UP SHEET  
CITIZEN COMMENTARY OF COMMON COUNCIL AGENDA

TO OPERATE IN AN ORDERLY AND EFFECTIVE FASHION, THE COMMON COUNCIL IS GOVERNED BY RULES THAT ESTABLISH CLEAR PROCEDURES FOR TONIGHT'S MEETING.

SPEAKING BEFORE THE COMMON COUNCIL IS A PRIVILEGE AFFORDED UNDER THE RULES. THE COMMON COUNCIL BY ITS RULES, HAS ALLOTTED 30 MINUTES FOR CITIZEN COMMENTARY. WE ASK THAT ANYONE WISHING TO SPEAK BE RESPECTFUL AND COURTEOUS. THREATENING, DEMEANING, INSULTING, DISRUPTIVE AND DISRESPECTFUL COMMENTS AND/OR ACTIONS DURING THE MEETING WILL NOT BE TOLERATED AND THE INDIVIDUAL RESPONSIBLE WILL BE RULED OUT OF ORDER. WHEN ADDRESSING THE COMMON COUNCIL, STATE YOUR NAME AND ADDRESS FOR THE RECORD AND DIRECT ALL REMARKS TO THE COUNCIL.

THANK YOU FOR YOUR COOPERATION.

|     | <u>Name</u>   | <u>Address</u> |
|-----|---------------|----------------|
| 1.  | Ronald Junick | 4840 S 0124 ST |
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RESOLUTION NO. 3877

RESOLUTION APPOINTING ADDITIONAL ELECTION  
INSPECTORS FOR 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 Telinda Wilson, Natalija Radisich, Mary Hauke, Donald Doss, Diane Loos, and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the appointments of the following individuals and adds them to the list of Election Officials for the 2022-2023 election cycle:

Telinda Wilson, 4229 S. 81<sup>st</sup> Street, Greenfield, WI 53220  
Natalija Radisich, 5238 S. Acorn Lane, Greenfield, WI 53221  
Mary Hauke, 9405 W. Howard Ave. #282, Greenfield, WI 53228  
Donald Doss, 7241 W. Squire Ave., Greenfield, WI 53220  
Diane Loos, 3651 W. Wanda Ave., Greenfield, WI 53221

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18<sup>th</sup> day of October, 2022.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

ORDINANCE NO. 3009

AN ORDINANCE AMENDING THE SECONDHAND ARTICLE DEALER FEE IN SECTION 3.12 (3)  
OF THE GREENFIELD MUNICIPAL CODE FEE SCHEDULE

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

PART I. Section of 3.12 (3) of the Municipal Code is hereby amended to read as follows:

SECONDHAND ARTICLE DEALER..... \$200.00

PART II. 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 III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of October, 2022.

APPROVED:

\_\_\_\_\_  
Michael J. Neitzke, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Goergen, City Clerk

Published: October 26, 2022

RESOLUTION NO. 3878  
AUTHORIZING RESOLUTION FOR  
AN URBAN FORESTRY GRANT

WHEREAS, the applicant, the City of Greenfield, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects specified in s. 23.097(1g), Wis. Stats.; and

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the applicant, the City of Greenfield, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project; and

BE IT FURTHER RESOLVED, the applicant hereby authorizes and empowers the Director of the Department of Neighborhood Services, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Obtain Council authorization to enter into a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of October, 2022.

APPROVED:

\_\_\_\_\_  
Michael J. Neitzke, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Goergen, City Clerk

RESOLUTION NO. 3879

Resolution approving a Fourth Amendment to the Development Agreement by and between the City of Greenfield, Greenfield Development Partners, Inc. and Greenfield Development Partners Holdings, LLC (collectively, “Developer”), for development of the area known as The Lokal within the 84 South Development.

WHEREAS, the Developer owns the property located at 8415, 8425, 8445, 8475 and 8515 W. Layton Ave. (Tax Key No. 606-0053-008) (the “Property”) and intends to develop the Property with two (2) new buildings and open two (2) new restaurant concepts and a common outdoor event space, known as “The Lokal,” a conceptual plan for which the Lokal Project is attached hereto as Exhibit A; and,

WHEREAS, the Property is located within Greenfield Tax Increment District (“TID”) No. 6 which was approved by the Common Council by Resolution No. 3518 on August 11, 2015; and,

WHEREAS, the City and the Developer have negotiated the terms of a Fourth Amendment to the Development Agreement related to the development of the Property including various incentives through TID No. 6; and,

WHEREAS, Wisconsin Statutes require that the provision of any incentives through a TID requires a development agreement between the City and the developer.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A Fourth Amendment to the Development Agreement by and between the City of Greenfield and Developer for development of the area known as The Lokal within the 84 South Development in the form as attached is hereby approved subject to any revisions deemed non-material and necessary by the City Attorney to effectuate the purposes of the Development Agreement.
2. The Mayor, City Clerk and other necessary officers are hereby authorized and directed to execute and deliver the aforesaid Fourth Amendment to the Development Agreement on behalf of the City of Greenfield.
3. The Mayor, City Clerk and other necessary officers are further authorized to execute any documents approved by the City Attorney which are, in the opinion of the City Attorney, reasonably contemplated by the Fourth Amendment to the Development Agreement or necessary to effectuate the purposes of the same.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18<sup>th</sup> day of October, 2022.

APPROVED:

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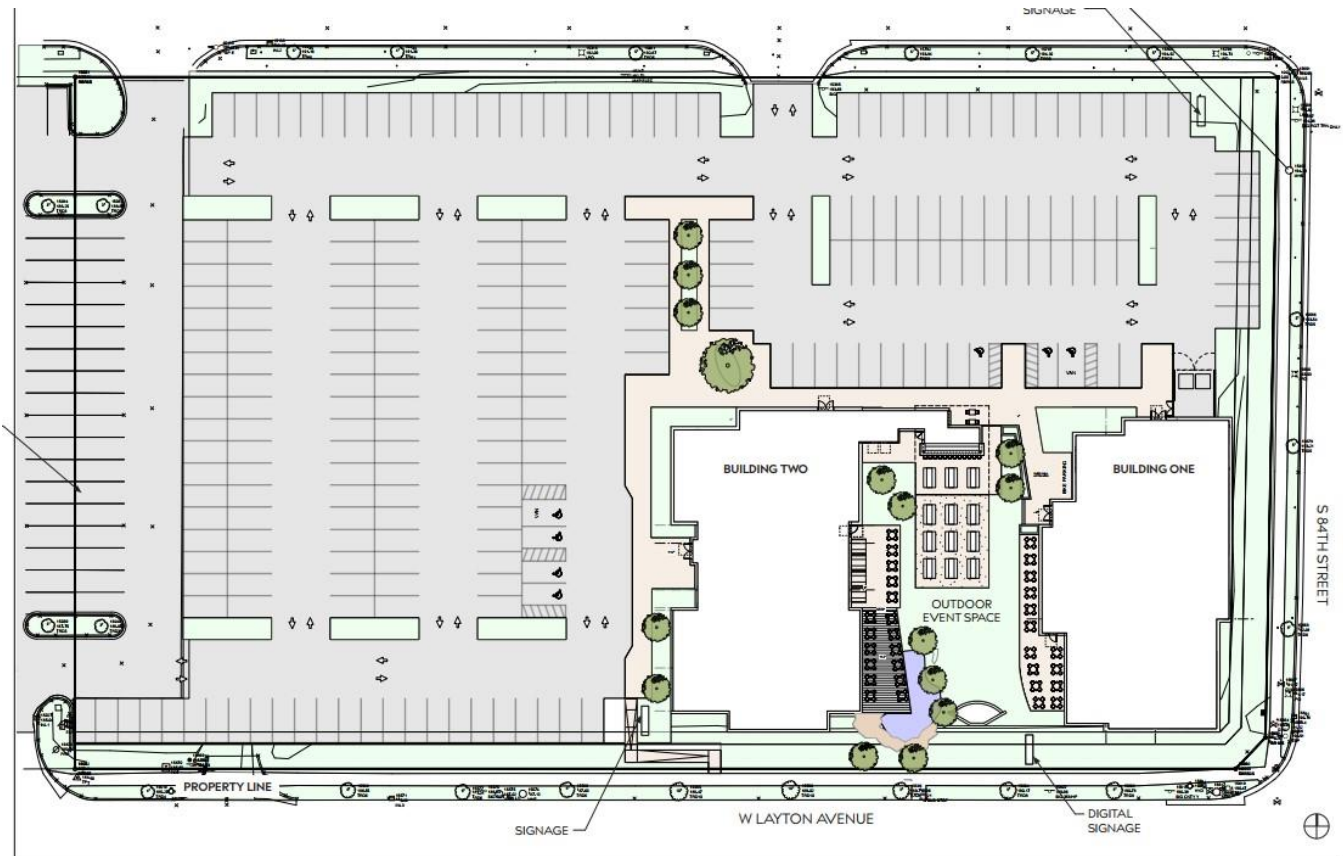
Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

# EXHIBIT A



COMMON COUNCIL  
OF THE  
CITY OF GREENFIELD

RESOLUTION NO. 3880

A RESOLUTION APPROVING AN AGREEMENT WITH COBALT LOOMIS, LLC  
FOR USE OF THE BILLBOARD LOCATED AT THE NORTHEAST CORNER  
OF THE I-884 AND LOOMIS ROAD INTERCHANGE

WHEREAS, the City previously leased a portion of its land located at the northeast corner of the I-894 and Loomis Road interchange for billboard purposes; and

WHEERES, the City has terminated that lease and has sought to exercise the option to purchase the billboard structure pursuant to said lease; and

WHEREAS, the City wishes to lease the billboard to Cobalt Loomis, LLC for use during the development of its project on the adjacent lands;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Greenfield that the Billboard Agreement in the form as attached is approved subject to any technical, typographical or other non-substantive changes deemed necessary and appropriate by the City Attorney.

BE IT FURTHER RESOLVED that the Mayor and appropriate City staff are authorized and directed to execute and deliver the same.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18<sup>th</sup> day of October, 2022.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk