

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, APRIL 18, 2023

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:15 PM.

Present: Alderpersons Andrew Drzewiecki, Bruce Bailey, Karl Kastner, Pamela Akers, Shirley Saryan

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

B. Opening Prayer

An opening prayer was given by Pastor Rogers.

C. Pledge of Allegiance

Mayor Neitzke deferred to agenda item E.

D. Approval of the April 5, 2023 Common Council minutes

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

Mayor Neitzke went to agenda item F.

E. Mayor's Report

Mayor Neitzke spoke about the Veteran's Memorial that is being constructed in front of the Greenfield Public Library and thanked Dan Jansen Fest for sponsoring it.

Mayor Neitzke went back to agenda item D.

F. Aldermanic Reports

G. Announcements

Mayor Neitzke replied that the Greater Greenfield Lions Club will have their car show on Memorial Day at Kulwicki Park, and Alan Kulwicki's car will be shown.

Alderperson Bailey announced that Arbor Day is coming up. Mayor Neitzke continued that Little League opening day as well.

Alderperson Akers commented that the Farmer's Market will start the first weekend of May.

H. Citizen Commentary

District 11 County Supervisor, Kathleen Vincent, 6803 W. Grange Avenue, Greendale, WI, formerly introduced herself and spoke about her history within Greenfield; she thanked Mayor Neitzke; she congratulated Alderperson Bailey and Alderperson Drzewiecki for being elected; and she said that she is available if the Common Council or residents need anything.

District 9 County Supervisor, Patti Logsdon, 12100 W. Belmar Drive, Franklin, WI, formerly introduced herself and spoke about her history with Greenfield; she talked about the Greenfield Parks and Recreation Banquet; she welcomed Alderperson Drzewiecki and congratulated Alderperson Bailey; and she said that she welcomes any questions or concerns to her office.

Former Alderperson David Scherbarth, 4341 S. 60th Street, spoke about wanting to serve on the Board of Public Works and spoke about his time on that board as an alderperson. He talked about how the state income tax was discontinued and how marijuana revenue could have been used.

Mayor Neitzke said that Victor H., 4531 W. Forest Home Avenue, signed up, but they will speak later about the related public hearing items.

I. Public Hearings

1. Public Hearing on a Special Use Permit for a communications tower to be located at 12100 W. Howard Ave., submitted by Derek Dye, d/b/a Bridge Tower Corporation and Michael Long d/b/a Husch Blackwell LLP. (Tax Key No. 564-9982-001) (PC-3/14/23 Kastner)

The public hearing was opened by Mayor Neitzke.

Kristi Porter, the Community Development Manager, presented the site, which houses several other communication towers, a building with offices, and a parking lot. The applicant is proposing to construct a 150-foot-tall monopole for Dish Network. Dish is new to entering the field. They would be a competitor to Verizon, AT&T, and T-Mobile. They would put their equipment on the monopole near the proposed antennas by Dish Wireless. There would be room for future antennas on that monopole. This type of use requires a Special Use Permit; hence, the public hearing this evening for I, which is the Institutional Zoning District. The monopole will lease a 50-foot by 50-foot fenced-in compound with equipment on the ground. They would install their equipment as 5G equipment, with room for additional equipment on the pole. Mrs. Porter showed it and said that this is a planned view of the 50-foot by 50-foot compound. It will be fenced in, and they will be constructing a 123-foot-long paved access drive from the parking lot. The lease compound proposed would be enclosed with a 6-foot-tall board-on-board fence and landscaping around the fenced-in enclosure. They had shown the property line and building clearance from the 150-foot fall zone in their plan, indicating that there is clearance. It would not pass the property line and would not hit the building if the monopole were to fall. They are providing a bond or an irrevocable letter of credit for use by the City for the removal of the antenna facilities. If the facilities are ever abandoned or no longer used, we will record a deed with the Milwaukee County Register of Deeds to remove the tower within twelve months after the discontinuance. The Plan Commission reviewed this and recommended approval at its March 14th meeting. We have received one letter of objection to date.

Mayor Neitzke stated that the one being proposed was the black square. He said that Jeff Tyler, 1924 Windleston Way, was speaking in favor. He is with the applicant and may answer questions.

Mayor Neitzke continued that there were three people who registered to speak for information only: Robert Tomaszewski, 12225 W. Black Oak Drive; Randy Sherer; and Chris Dadtka.

Mr. Tomaszewski asked about an environmental study being completed prior to getting the recommendations for this tower or if it was allowed to be built at that location. Environmentally, it could impact the land, animals, and birds. He spoke about his talks with Alderperson Kastner and the drainage easement on the north side of the field. Prior to the easement being completed, it underwent an environmental study. It found that there could have been garter snakes and frogs, and that it was not to be interrupted. At that time, it was also said that it was a protected species. He asked if there had been a safety or security study conducted on the new antenna and its 50-foot by 50-foot plat. He continued that he is concerned about radiofrequency (RF) radiation and how it is going to be monitored. He asks if a study was done at any other location to know what low-level radiation would be at that site. He said he referenced SafetyManagementGroup.com for the information that he obtained. This low-level RF radiation could lead to the development of tumors and certain cancers. He said he knows people in his subdivision who are suffering from cancer. He is wondering how it will impact his community and asks if any studies have been done. He wonders how many more panels that are placed on the tower will increase the radiation and how it is going to be monitored. He asks that before the tower is built, that information would be provided and to make the recommendation be made to the Plan Commission then. He asks if there will be cameras on that tower or on any of the other towers. He thanked Mayor Neitzke for the new Veteran's Memorial.

Mayor Neitzke introduced Michael Long, 511 N. Broadway, #11, Milwaukee, WI, who is the applicant for the Special Use Permit and will speak in favor later.

Mayor Neitzke spoke about an email from Randy Sherer, 3737 S. River Ridge Boulevard, that was sent to Alderperson Kastner on April 18, 2023. He said that it sounds like there was communication before this, based on the same kinds of topics. Alderperson Kastner said that the same questions were asked. Mayor Neitzke read into the record his email that said, "After our conversation last week I did some additional

reading on health effects from RF radiation from communication towers. As a result, I'm less concerned about the new tower, and so I'm not planning to attend the Common Council meeting tonight. You may have seen this material already, but I thought I'd pass along two of the articles I found - one from the IEEE [Institute of Electrical and Electronics Engineers] and one from the American [C]ancer [S]ociety. (... it might be nice to be able to cite some specific resources if you end up getting a lot of push-back .) Regards, Randy Sherer, 3737 S. River Ridge Blvd." Those are the people who were registered to speak for informational purposes only. Mayor Neitzke explained that he is doing registrations for those speaking for information, then for those in favor, and then for those who registered against.

Mayor Neitzke introduced Chris Dadtka, 12191 W. White Oak Drive, who was speaking for informational purposes only. She said that when she moved into her subdivision, there were a lot of landline telephone, TV, and radio problems because of the towers that were there. She was wondering if there had been a study done on technology interference for the new tower.

Jeff Kruse, 12205 W. Howard Avenue, came up to the podium and said that he had an issue with the map that was sent to him and the map that was on the screen. Alderperson Kastner explained that the map that he received was the zoning map with the "I" symbol. It's an "I" for institutional zoning. Multiple audience members said that was misleading. Mr. Kruse said that it is right in front of his house. Mayor Neitzke asked to see the notice that he received since it was different than what was on the projector. Mr. Kruse brought it up to Mayor Neitzke, and Mayor Neitzke said that it was an "I". He asked if Mr. Kruse would like to register against it, and Mr. Kruse confirmed yes.

Mayor Neitzke explained the different zones on the zoning map. An audience member asked Mayor Neitzke if he would like it in front of his house. Mayor Neitzke said that he is not there to decide for or against it and that he is there to conduct a public hearing. Mayor Neitzke explained the notice sent, which had different colors, and each one of them said "R1", "PR" or "MFR3". The one that you thought was going to be the tower was "I", and that stands for institutional. It looks like an "I" with a dot underneath it, like an exclamation point, but that's actually the underline. It's similar to that of "PR" or "R1". We apologize for that. The idea is to change this to institutional, which would support the tower. The tower itself isn't underneath the other towers; it is consistent with this drawing.

Mayor Neitzke said that those registered against but not speaking were Jeff and Julie Kruse, 12205 W. Howard Avenue; Adele Huff, 3707 S. River Ridge Boulevard; and Mark Huff, 3707 S. River Ridge Boulevard.

Mayor Neitzke said that he received two emails, one from Adele Huff and one from Mark Huff. Mayor Neitzke read the first email as follows: "I'm writing to you regarding the request for a communications tower to be located at 12100 W. Howard Ave., in Greenfield. The proposed placement of the tower will directly abut with my property. We currently live in a blanket of low-level radiation. We have a 5G tower on our lot in the front yard, radio towers in our back yard and now we are being asked to pile on additional layer to drastically lower our property values and possibly effect our health and that of our family. Cell towers emit low-energy radiation, and experts say a developing child's brain is vulnerable to electromagnetic radiation, and concerns about the health effects are increasing. The distance needed to reduce exposures down to the General Public Precautionary Level of 100 microwatts per meter squared is often around a quarter of a mile (1320 feet) or more. Individuals with EMF [electromagnetic field] hypersensitivity or other serious health issues may want to consider a much greater safety distance, perhaps a half mile, or even more. Caution around cell towers is recommended until health impacts are more clear. No person, especially a parent should be ok with taking this risk. The effects of a cell tower have been classified as a possible human carcinogen. Though they emit low-levels of exposure they have a cumulative effect in the whole body. All research regarding cell towers suggests that further evaluation is required to determine the safety of towers placed near subdivisions. Due to the uncertainty and to protect our families, please err on the side of caution and do not approve this communications tower." That was from Adele Huff, but it came from Mark Huff's email. This is Mark Huff's email that came from Adele's: "To

The Community Development Division and Whom It May Concern, I'm writing to you regarding the request for a communications tower to be located at 12100 W. Howard Ave., in Greenfield. The proposed tower will be in my back yard. A home is one of the biggest investments we make in a lifetime. I'd like to protect my investment. Transmissions from towers are concerning to many people and reduce property values. The Appraisal Institute is the largest global professional organization for appraisers. The study indicated that home buyers would pay from 10%-19% less to over 20% less for a property if it were in close proximity to a cell tower. Even buyers who believe that there are no adverse health effects from cell towers, knowing that other potential buyers might think the reverse, will seek a price discount for a property. I don't want to see my property and my neighbor's properties plummet," Mayor Neitzke adds, "I think in value." He continues reading their email. "Also, cell towers are suspected to cause inflammatory responses in the body. Such disturbances would increase the risks for various diseases, including cancer. Based upon property values and health concerns I ask that you do not approve the tower to be built at 12100 W. Howard Ave."

Mr. Michael Long, the applicant's attorney, 511 N. Broadway, Milwaukee, WI 53202, said that he and Mr. Jeff Tyler are present. Mr. Tyler represents and is the president of the Wisconsin market for iHeart Radio, which is the property owner where the tower will be located. He said that, per the law, they needed to do an environmental study before the tower went up. Typically, it is a Phase One study and NEPA (National Environmental Policy Act) checklist, which are pursuant to federal law. If the Phase One study comes back and says that there may be an environmental condition on the property, then a Phase Two study is done. He is unsure if the applicant has performed those yet. Typically, they get done after zoning approval is obtained, simply because of the expense that is associated with doing one. Attorney Long said that he can assure the residents that if there is an environmental problem with the site, the tower won't go up unless there are some things that are done to remediate the environmental condition on the property. He continues that, in regards to the RF, the 5G technology operates very similarly to the 4G and 3G technologies that are out there now in the wireless industry. It operates at a different frequency than 4G and 3G technologies, but the concept is the same. It would emit a signal from an antenna that is above a device, and that device would communicate back and forth with the antenna at the site. The FCC has determined that the 5G technologies are safe, provided that they are operated within the required power frequency ranges that are set by the FCC. They have indicated that there is not any evidence of any type of adverse effect on humans when these transmitters are operated at the right power requirements. Under state law, the issue of health effects from wireless communication sites is really something for the FCC. It is not something that local governments can consider when making a decision on an application for a tower or for an antenna site.

Mr. Tyler added that the concern about radio signals going into homes is a fact and can happen. Most of those towers were built well before the neighborhoods were built, and neighborhoods built up around those towers. He said that he has seen dozens of situations like this across the country and that it is not unusual.

Mrs. Kruse asked about adding another pole. Mayor Neitzke said that we can't engage in debate and that if you have any questions or concerns following up, please go to the microphone and express them.

Mr. Tyler continued that in Fitchburg, there was a similar situation near Madison. We warned the home builders that were building near the towers to use shielded cable to keep that signal from getting into telephones, and they didn't do it. That is sometimes the results. It is the nature of the array and that AM tower. Other than that, there aren't any proven dangers.

Attorney Long replied that the applicant has done a RF tuning study for the site. They have determined and looked at whether or not a new tower would interfere with the signals from the existing antenna array on the property. They will have to detune the new tower by putting a small wire down the side of the tower to make sure the signals from the existing towers to the north are not distorted. The reason they

are putting the tower there is that, besides the existing WOKY AM towers that are above ground, there are significant wires and grounding systems that are buried all around the north end of the property. Therefore, they were prevented from putting anything on the north end of the property near those existing towers. Mr. Tyler added that the ground cable is about a foot underground and goes out as far as the tower is high. So if a tower is 200 feet high, the wire goes out about 200 feet and is buried about a foot underground and every three degrees all the way around.

Attorney Long mentioned that the towers are not lit. This proposed site will not be lit. The FAA (Federal Aviation Administration) study showed that because of the tower's height, it will not need to be lit.

Gina DeRosso, 12191 W. White Oak Drive, registered to speak against. She asked that he said that as long as it is within a certain range, there are no effects, but who's to monitor that to make sure that it stays in those ranges? The houses were being built around the towers in Fitchburg, but here there is an existing community. Now you are putting a tower in our backyard. They did say it could affect all of our phones and TV reception. If that tower goes up, now we can't even enjoy TV or have issues making phone calls in our own house.

Mrs. Kruse said that there wasn't a legend on the map, so the residents didn't know how to read it. There aren't a lot of houses there, and we have big properties across the street. We've been there for 20 or so years. We play well with them, even though their garbage trucks come at 6 a.m., banging stuff; they were there first. She said that they understood that and asked, "Why another tower?" She replied that it's so close to the road and that it is going to be 400 feet from her house. She asked the Council if they would put a tower in front of their house that's 400 feet away, that's that tall, and that's emitting, they don't know. She says she thinks it's safe, but when they bought their house 20 or so years ago, they thought they wouldn't have any problems living there. They lived there for a week and found out all the pipes under the house were whittled. They had copper pipes with holes because of the emissions from their tower. They understood they bought the house, and that was going to happen. But now it's another tower 400 feet in front of their house. If the neighbors had been able to read that map, she said she was sure that there would be even more people present. But they read it like she did, that it was going to go behind. They wouldn't really be able to see it, and it would be kind of farther away from them, but now it's going to be right there. She asked the Council if they would want it there. Mayor Neitzke said that she doesn't get to ask questions but that it was a good rhetorical question. Mrs. Kruse continued that there aren't that many houses, so there aren't enough people to say that they don't want it. If Morgan Oaks were affected by this, she is sure that there would be more people here. If they had been able to read the map, there would have been a lot more people.

An audience member spoke from the audience. Mayor Neitzke replied that the law states that the map and the public notice hearing gets distributed within 400 feet of the outer boundaries of the property line. 400 feet around this parcel is where this notice gets distributed by ordinance. Some people say it should be more, but there's all sorts of case law, and 400 feet is a reasonable amount to provide notice. He said that Mrs. Kruse stated her concerns very eloquently and objectively. Mayor Neitzke said that there may be more follow-up, but this isn't going to be a dialog going back and forth and everyone getting angry. Public hearings can be extended. The Common Council can vote tonight to approve or not approve it.

Ms. Dadtka asked if the tower that is going up is 150 feet tall. Mayor Neitzke confirmed that yes, it is. Ms. Dadtka asked about the height of the other towers that are there. Mayor Neitzke said that someone else can answer that question, but it is usually 10 or 11 feet per story. So this tower is about a 15-story tower. The others are well beyond that.

Mr. Tomaszewski said that he is from Morgan Oaks and represents the community as he talks to Alderperson Kastner all the time. With respect to the antenna field, they understand the progress and respect that as well. But as they are going through this development and putting all this together, it would

be very kind of the committee to keep them informed as to the progress of the study and RF monitoring. He asked about how they are going to monitor continuously or if it is going to be during the initial set-up. Mayor Neitzke said that the applicant would have to answer that. Mr. Tomaszewski said that when they pick up the phone, they need to have a filter on the line because of the interference. He asked how that was going to impact the neighbors with Dish antennas. He has a unique set-up in his house with his TV and antenna, and he asked about how that would be impacted. With the additional panels that will be placed on that tower, it will increase the RF radiation. He asked about how they were going to continually monitor that type of radiation. He said that moving forward in this world has to be done very safely and cautiously.

Attorney Long said that the height of the existing AM towers that are out there now are 247 feet, which is a little under 100 feet taller than what is proposed. As far as the interference issue, the presence of the cell tower will not cause any further interference with anything related to television or radio, and it won't exasperate any interference that the residents around the area are experiencing now. That is related to the operation of the AM station, and it won't have anything to do with the operation of this wireless communications tower. There is a distinction between Dish Network's television programming entity and the Dish wireless communications entity. The first tenant for this tower is going to be Dish Network, but it's their mobility division. They will be offering a service similar to what AT&T, Verizon Wireless, or T-Mobile would be offering if they were at this site. Dish Network is in the process of building a nationwide wireless communications network to compete against Verizon, AT&T, and T-Mobile. Attorney Long continued that it is not the tower owner's function on the issue to monitor compliance with RF safety. It is the carriers that operate on the sites. The tower owner isn't broadcasting any signals from the site; it would be the tenants. The tenants are all federally licensed, and they are prohibited from doing anything in violation of their license. They would get shut down or fined. By the laws of physics, the equipment on site is incapable of broadcasting at a level that would cause any type of danger or interference. Provided that the equipment goes in as installed, it's incapable of actually being turned on or used in such a way that it can be hazardous.

Mayor Neitzke asked about Verizon putting up black poles that are about the size of street lights and why they aren't doing that instead of putting up a 150-foot tower.

Attorney Long replied that the little poles (small cells) that Verizon has throughout the City, are part two of a wireless network. Part one would be the macro towers, like the one being proposed, which is a taller tower. As the home telephone phases out, the small cells are deployed. It's taken Verizon and AT&T almost 25 years to get to the point where they need to have small cell sites deployed. The small cells work in conjunction with a larger site. The smaller ones are deployed to offload traffic. They're not designed to be a replacement for a macro site. It's working as a compliment technology with a macro or a much larger site like the one that is being proposed.

Mayor Neitzke asked if Dish Mobility is an existing cellular service right now.

Attorney Long answered that they have not launched. They are in the process of building the network, so they can get to a launch.

Mayor Neitzke asked if they are building out the network because it's part of a merger agreement with AT&T or something where they had to create a network.

Attorney Long said that is correct and that it was the merger between T-Mobile and Sprint. The Justice Department wouldn't allow it to go forward unless a fourth nationwide competitor had to step forward and develop a fourth network. Dish was in the process and stepped forward. They said they would have it up and running by a certain date. The federal government, the Department of Justice, the FCC, and a couple of other agencies got together and struck this agreement with Dish.

Mayor Neitzke replied that he sits on the Plan Commission, saw this, and then drove to the site. This is sort of in the front yard of the towers. The neighborhoods have built around it, but this is in the front yard and pretty close to the road.

Attorney Long commented that it is about 160 feet from the road.

Mayor Neitzke said that you can't really see to the left, where the dotted lines are-not the driveway side or sidewalk side, but the other side. It's about 150 or 160 feet from the people's houses, too.

Attorney Long responded that it's about 180 feet.

Mayor Neitzke said that it's a lot closer than the AM towers, which are in the middle of the field.

Mayor Neitzke said that he would give the people who have already spoken one more chance if they wanted to say something, but not to repeat anything that has been stated.

Mr. Kruse asked if it is approved and built, how it will run, if there will be diesel generators if the power goes out, and if it will be loud. He said that from the radio station, they can hear something running when the power goes out. He asked about the stuff that is on the backside of the property that is coming to the front and what they are going to do about it. They've had corrosion in the pipes and had to put copper in because of the current in the ground.

Attorney Long replied that he is unaware of Dish putting a generator on the site; however, the carriers want the sites to work in a power outage. They do install generators and battery systems at the site. At this particular site, and in his experience dealing with sites in residential areas, an almost silent generator can be placed. They test once a week for ten minutes, and it would be used in case of a power outage.

Mayor Neitzke asked if there are any guide wires in this tower.

Attorney Long said that there aren't any guide wires on this site. If there are any wires attached to the site, it would be a tuning wire that runs along the side, based on the study that was done at the site.

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

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

- a. Approve a Resolution for a Special Use Permit for a communications tower to be located at 12100 W. Howard Ave., submitted by Derek Dye, d/b/a Bridge Tower Corporation and Michael Long d/b/a Husch Blackwell LLP. (Tax Key No. 564-9982-001) (PC-3/14/23 Kastner)

Mayor Neitzke said that there isn't a reason to approve site plans and architectural plans if they don't approve a resolution.

City Attorney, Christopher Geary, stated that the reality is that the legislature preempted this entire area probably six or seven years ago. Under state law with respect to cell towers like this one, political subdivisions may no longer "[i]mpose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers." Municipalities may also no longer "[e]nact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision." Another one among the 28 conditions that we can no longer impose is to "[p]rohibit the placement of emergency power systems." [Attorney Geary read the statutes into the record from Wis. Stat. § 66.0404(4)]. He continued that for all the concerns that were addressed tonight, the legislature has determined that, in their estimation, those are issues that can't be considered anymore. There's very little left to localities in terms of regulating these things.

Mayor Neitzke said there has been a public hearing, which is a statutory right. There doesn't need to be any action regarding the public hearing, so an action doesn't need to take place.

Attorney Geary confirmed that was correct.

Mayor Neitzke said that if the Council doesn't take any action, there isn't a decision. In the law that the City Attorney referenced, there are about 24 things that can't be taken into account. The legislature had most of those things that were brought up this evening, like placement in the front yard and immediately adjacent to people's homes. There may be some wiggle room with regards to placement. The Council can't take action to object based on the 24 or 25 things that we can't take into consideration, but the Council doesn't have to act.

Aldersperson Saryan asked about what the consequences would be if no action was taken.

Mayor Neitzke said that it's not approved.

Attorney Geary replied that the ball is back in the applicant's court, and the applicant can take it as they deem appropriate.

Mayor Neitzke said that it could be through legal action that the applicant could come forward, saying that the Council took into account these 25 things. The Council is not, because they are not voting on it and are not rejecting it because of the 25 items either.

No action was taken.

Mayor Neitzke said that this means that for those who want to put up this tower will likely have to pursue some action to require the Council to vote. He said that he is unsure what that action is. That doesn't mean this is necessarily over. He encourages the neighbors to look at the latest version of Wis. Statute § 66.0404.

Attorney Geary said that the statute allows a 90-day window for action on a completed application. He said that he was looking for language in the statutes that the legislature built in saying that if an application is completed and it hasn't been actioned upon in a certain period of days, then it is deemed to be approved. He said that he hadn't found it in the section yet.

- b. Approve Site and Architectural Plans for a communications tower to be located at 12100 W. Howard Ave., submitted by Derek Dye, d/b/a Bridge Tower Corporation and Michael Long d/b/a Husch Blackwell LLP. (Tax Key No. 564-9982-001) (PC-3/14/23 Kastner)

No action taken.

- 2. Public Hearing on a Special Use Permit for Weatherization Services, LLC, a proposed weatherization contractor business to be located at 10941 W. Layton Ave., submitted by Devin Hawthorne d/b/a Weatherization Services, LLC. (Tax Key No. 612-8998-001) (PC-3/14/23 Kastner)

The public hearing was opened at 8:27 PM.

Mayor Neitzke said that the applicant was present.

Mrs. Porter presented the site information, a description of the business, hours of operation, site improvements, and recommendations from the Plan Commission. There weren't any letters of objections received.

Mayor Neitzke said that one of the biggest things at the Plan Commission meeting were the red lines. There has always been a water problem to the east. This was the greatest objection, and he thanked the applicant for working towards a good solution.

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

Motion by Aldersperson Akers, seconded by Aldersperson Kastner to close the public hearing at 8:32 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Weatherization Services, LLC, a proposed

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weatherization contractor business to be located at 10941 W. Layton Ave., submitted by Devin Hawthorne d/b/a Weatherization Services, LLC. (Tax Key No. 612-8998-001) (PC-3/14/23 Kastner) Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.

Mayor Neitzke said that I2a and I2b should have been taken together.

The maker of the motion, Alderperson Bailey, agreed to approve agenda items I2a and I2b. On a roll call vote, motion carried unanimously.

- b. Approve Site, Landscaping and Architectural Plans for Weatherization Services, LLC, a proposed weatherization contractor business to be located at 10941 W. Layton Ave., submitted by Devin Hawthorne d/b/a Weatherization Services, LLC. (Tax Key No. 612-8998-001) (PC-3/14/23 Kastner) Approved under agenda item I2a.

- 3. Public Hearing on a Special Use Permit for Granny Smith Tattoo, a proposed tattoo business to be located at 5170 S. 76 St., submitted by Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner)

The public hearing was opened at 8:34 PM.

Mrs. Porter presented the site information, the description of the business, hours of operation, parking, and recommendations from the Plan Commission. There weren't any letters of objections received.

Mayor Neitzke said that the applicant was present.

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

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 8:35 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Granny Smith Tattoo, a proposed tattoo business to be located at 5170 S. 76 St., submitted by Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve agenda items I3a and I3b. On a roll call vote, motion carried unanimously.

- b. Approve Site Plan Review for Granny Smith Tattoo, a proposed tattoo business to be located at 5170 S. 76 St., submitted by Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner) Approved under agenda item I3a.

- 4. Public Hearing on a Special Use Permit for Firefly Therapeutic Massage, a proposed massage therapy business to be located at 5170 S. 76 St., submitted by Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner)

The public hearing was opened at 8:36 PM.

Mayor Neitzke said that it is, essentially, the same thing except that it is a therapeutic massage within the same building with all of the same conditions and site plan review.

He said that the applicant was in attendance.

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

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Firefly Therapeutic Massage, a proposed massage

Minutes are not official until formally approved by the Common Council at the next scheduled meeting.

therapy business to be located at 5170 S. 76 St., submitted by Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner)

Motion by Alderperson Bailey, seconded by Alderperson Akers to approve agenda items I4a and I4b.

Under discussion, Alderperson Kastner asked the City Attorney if we could not allow the ugly green garbage covers.

Mayor Neitzke said that an ordinance could be created to specify garbage can colors, and Attorney Geary agreed. Mayor Neitzke said he would not recommend it.

On a roll call vote, motion carried unanimously.

- b. Approve Site Plan Review for Firefly Therapeutic Massage, a proposed massage therapy business to be located at 5170 S. 76 St., submitted by Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009) (PC-3/14/23 Kastner)
Approved under agenda item I4a.

J. 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.

K. New Business

1. Appointment of Council President for a one year term (currently Shirley Saryan).

Alderperson Akers nominated Alderperson Saryan.

Alderperson Kastner nominated Alderperson Bailey.

Attorney Geary said it is at the discretion of the Council to see who goes first and to do a roll call.

Motion by Alderperson Akers to approve the nomination of Alderperson Saryan as Council President. On a roll call vote, motion carried 3-2, with Alderperson Bailey and Kastner opposed. Those in favor were Alderpersons Drzewiecki, Akers, and Saryan.

2. 2023 Council Representative appointments to various committees and commissions:

a. Council appointments:

- i. Three members to the Finance & Human Resources Committee (currently Saryan, Bailey, Kastner)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to reconfirm the current positions. On a roll call vote, motion carried unanimously.
Alderpersons Saryan, Bailey, and Kastner were reappointed to the Finance & Human Resources Committee.
- ii. Three members to the Legislative Committee (currently Collins, Bailey, Saryan)
Alderperson Saryan nominated Alderpersons Drzewiecki, Bailey, and Saryan. Motion carried unanimously.

Minutes are not official until formally approved by the Common Council at the next scheduled meeting.

Aldersperson Drzewiecki was appointed and Alderspersons Bailey, and Saryan were reappointed to the Legislative Committee.

- iii. One member to the Park & Recreation Board (currently Collins)
Aldersperson Saryan nominated herself. Motion carried unanimously.

Aldersperson Saryan was appointed to the Park & Recreation Board.

- iv. One member to the Plan Commission (currently Kastner)
Aldersperson Akers nominated Aldersperson Kastner. Motion carried unanimously.

Aldersperson Kastner was reappointed to the Plan Commission.

b. Mayor appointments, confirmed by Council:

- i. One member to the Board of Health for a term to expire 4/15/24 (currently Akers)
Mayor Neitzke reappointed Aldersperson Akers.

Motion by Aldersperson Kastner, seconded by Aldersperson Drzewiecki to confirm appointment.
Motion carried unanimously.

Aldersperson Akers was reappointed to the Board of Health for a term to expire 4-15-2024.

- ii. One member to the Community Development Authority for a term to expire 4/20/26 (currently Bailey)
Mayor Neitzke re-nominated Aldersperson Bailey.

Motion by Aldersperson Kastner, seconded by Aldersperson Akers to confirm appointment.
Motion carried unanimously.

Aldersperson Bailey was reappointed to the Community Development Authority for a term to expire 4-20-2026.

- iii. One member to the Public Library Board for a term to expire 4/15/24 (currently Saryan)
Mayor Neitzke nominated Aldersperson Drzewiecki.

Motion by Aldersperson Akers, seconded by Aldersperson Kastner to confirm appointment.
Motion carried unanimously.

Aldersperson Drzewiecki was appointed to the Public Library Board for a term to expire 4-15-2024.

- iv. Three members to the Board of Public Works for a term to expire 4/15/24 (currently Akers, Bailey, Collins)
Mayor Neitzke nominated Alderspersons Akers, Bailey, and Drzewiecki.

Motion by Aldersperson Akers, seconded by Aldersperson Bailey to confirm appointment. Motion carried unanimously.

Alderspersons Akers and Bailey were reappointed and Aldersperson Drzewiecki was appointed to the Board of Public Works for a term to expire 4-15-2024.

Mayor Neitzke said that the Board appoints the citizen members.

- v. One member to the Tree Commission for a term to expire 4/14/25 (currently Bailey)
Mayor Neitzke re-nominated Aldersperson Bailey.

Motion by Aldersperson Kastner, seconded by Aldersperson Akers to confirm appointment.
Motion carried unanimously.

Aldersperson Bailey was reappointed to the Tree Commission for a term to expire 4-14-2025.

3. Appointments to various committees and commissions:

a. Council appointments:

- i. One member to the Board of Public Works for a term to expire 5/1/25 (formerly John Rivera)
Aldersperson Akers nominated Denise Collins.

Motion by Aldersperson Akers, seconded by Aldersperson Saryan to appoint Denise Collins. On a roll call vote, motion carried unanimously.

Denise Collins was appointed to the Board of Public Works for a term to expire 5-1-2025.

b. Mayor appointments, confirmed by Council:

- i. Three members to the Civil Service Commission for a term to expire 5/1/26 (currently Robert Sherwood, David Shore, Veronica Wallace-Kraemer)

Mayor Neitzke reappointed all existing members that are actively serving on the committees and commissions. Aldersperson Drzewiecki will be a citizen member of the Tree Commission.

Motion by Aldersperson Akers, seconded by Aldersperson Bailey to confirm reappointments for agenda items K3bi-K3bv. Motion carried unanimously.

Robert Sherwood, David Shore, and Veronica Wallace-Kraemer were reappointed to the Civil Service Commission for a term to expire 5-1-2026.

- ii. One member to the Fire & Police Commission for a term to expire 5/1/28 (currently Francis Springob)

Reappointment confirmed under agenda item K3bi.

Francis Springob was reappointed to the Fire & Police Commission for a term to expire 5-1-2028.

- iii. One member to the Board of Review for a term to expire 5/1/28 (currently Jerry Wielichowski)

Reappointment confirmed under agenda item K3bi.

Jerry Wielichowski was reappointed to the Board of Review for a term to expire 5-1-2028.

- iv. Two members to the Tree Commission for a term to expire 5/1/25 (currently Robert Hansen, Andrew Drzewiecki)

Reappointment confirmed under agenda item K3bi.

Robert Hansen and Andrew Drzewiecki were reappointed to the Tree Commission for a term to expire 5-1-2025.

- v. Two members to the Zoning Board of Appeals for a term to expire 5/1/26 (currently Michael Braswell, formerly John Rivera)

Reappointment confirmed under agenda item K3bi.

Michael Braswell was reappointed to the Zoning Board of Appeals for a term to expire 5-1-2026.

Place formerly John Rivera on next agenda.

c. Mayor appointments:

- i. Two members to the Plan Commission for a term to expire 5/1/26 (currently Brian Weis, Robert Krenz)

Mayor Neitzke reappointed Brian Weis and Robert Krenz as the two members of the Plan Commission for a term to expire 5-1-2026.

- ii. Designation of Chairperson of Zoning Board of Appeals (currently Michael Braswell)

Mayor Neitzke would like to reappoint Michael Braswell as the Chairperson of the Zoning Board of Appeals.

4. Notice of Circumstances Giving Rise to Claim filed by Jon D. Monson of Schott, Bubnitz & Engel S.C. on behalf of Andrew and Jennifer Drzewiecki. (Goergen)
Referred to the City Attorney.
5. Approve application for a 2022-2023 Coin Operated or Automatic Dry Cleaning and/or Washing Machine License received from Mega Laundromat LLC, Amanda Ann Ahmed, Agent, for the property at 4101 W. Howard Ave. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Saryan to approve. Motion carried unanimously.
6. Approve applications for 2022-2023 operator licenses (Goergen)
Motion by Alderperson Bailey, seconded by Alderperson Akers to approve. Motion carried unanimously.
7. Consideration and possible approval of a resolution amending the current policy for borrowing from the City's sewer fund. (Geary)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried 4-1, with Alderperson Bailey opposed. Those in favor were Alderpersons Drzewiecki, Kastner, Akers, and Saryan.
8. Approve a three party design engineering agreement with the Wisconsin Department of Transportation and Ayres Associates for design of the Howard Avenue bridge. (Katz)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
9. Approve the Outdoor Special Event application for Cinco de Mayo, to be located at Kalibres Restaurant & Bar at 4555 W. Forest Home Ave., May 7, 2023. Application includes the following combination of licenses/permits: OSE (Porter)
Alderperson Kastner said that the date was a misnomer.

Alderperson Akers asked if it was the former Burger King location, and Mrs. Porter responded that it was. Alderperson Akers spoke about the neighbor's concerns about their unlicensed outdoor events in the past.

Mayor Neitzke said that they have been doing well since the instructional public hearing.

Mrs. Porter said that this is a Sunday event from 12 PM to 7 PM. They will have outdoor DJ and music, but it ends at 7 PM.

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

Mrs. Porter said that they will be coming back to extend the hours of operation.

On a roll call vote, motion carried unanimously.
10. Approve the Outdoor Special Event application for the House of Harley Support the Troops Ride event, to be located at 6221 W. Layton Ave., May 20, 2023. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" Retailer's License (beer), and Food. *Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.* (Porter)
Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve. Motion carried 4-1, with Alderperson Akers opposed. Those in favor were Alderpersons Drzewiecki, Bailey, Kastner, and Saryan.
11. Approve the Outdoor Special Event application for the Cruisin' Car Show, to be located at Kulwicki Park at 10777 W. Cold Spring Rd., May 27, 2023, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: OSE. (Porter)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. Motion carried unanimously.

12. Approve the Outdoor Special Event application for the House of Harley Hometown Rally event, to be located at 6221 W. Layton Ave., July 10-July 17, 2023. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" License (beer), 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)

Alderson Akers asked if Layton Avenue would be shut down, and Mayor Neitzke said yes.

Motion by Alderson Kastner, seconded by Alderson Drzewiecki to approve. On a roll call vote, motion carried 4-1, with Alderson Akers opposed. Those in favor were Aldersons Drzewiecki, Bailey, Kastner, and Saryan.

13. Approve the Outdoor Special Event application for the Ethan's Run Against Addiction event, to be located at Konkell Park at 5151 W. Layton Ave., August 5, 2023, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: OSE, Parade (organized run/walk). (Porter)

Motion by Alderson Akers, seconded by Alderson Drzewiecki to approve.

Under discussion, Alderson Akers asked if they were restricting the entrance to the apartments off of Edgerton Avenue, as that is the only way in and out. They had officers in the past to let cars come and go.

Mayor Neitzke said that he didn't hear any complaints. They give cars access and protect the runners.

Motion carried unanimously.

14. Approve a Special Use Review and Site Plan Review for an ownership change to Mega Laundromat, an existing business located at 4101 W. Howard Ave., submitted by Amanda Ahmed, d/b/a Mega Laundromat. (Tax Key No. 575-8953-000) (PC-4/11/23 Kastner)

Motion by Alderson Akers, seconded by Alderson Drzewiecki to approve. Motion carried unanimously.

15. Approve Site and Architectural Plans for proposed construction of a patio and pergola at the Greenfield Public Library located at 5310 W. Layton Ave., submitted by Sheila O'Brien, Library Director. (Tax Key No. 602-9975-002) (PC-4/11/23 Kastner)

Motion by Alderson Saryan, seconded by Alderson Akers to approve. Motion carried unanimously.

16. Discussion and decision to approve revised Fire Chief job description (4/12/23 F&HR S. Saryan)

Motion by Alderson Saryan, seconded by Alderson Bailey to approve agenda items K16 - K18. On a roll call vote, motion carried unanimously.

17. Approval of schedules of disbursements in the amount of \$1,735,138.51. (4/12/23 F&HR S. Saryan)

Approved under agenda item K16.

18. Approval of mileage reimbursements in the amount of \$694.37. (4/12/23 F&HR S. Saryan)

Approved under agenda item K16.

19. Motion to go into closed session pursuant to Wis. Stat. § 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, pertaining to sex offender residency ordinance restrictions. (Geary)

Motion by Alderson Akers, seconded by Alderson Drzewiecki to go into closed session at 8:56 PM. On a roll call vote, motion carried unanimously.

20. Adjourn closed session and reconvene into open session.

Motion by Alderson Akers, seconded by Alderson Kastner to adjourn closed session and reconvene into open session at 9:08 PM. Motion carried unanimously.

21. Take action, if any, on matter discussed in closed session. (Geary)

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Attorney Geary said that his advice would be not to enforce the City's original domicile restriction of the sex offender ordinance in the foreseeable future, pending additional clarity from the federal courts.

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

Under discussion, Mayor Neitzke said that there is potential legal jeopardy with the ordinance and that it has to work its way through the appellate process.

Attorney Geary said that the motion should reflect that.

Alderperson Akers said that she concurs.

Alderperson Bailey said that it could be said, "At this time".

Motion carried unanimously.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Bailey, seconded by Alderperson Akers to adjourn at 9:09 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 4/27/2023

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. | Kathken Vincent | 6803 W. Grange Ave. Greendale |
| 2. | Patti Snyder | 12100 W. Blumar Dr. Franklin |
| 3. | Dore Schenk | 4341 S 80TH |
| 4. | Victor Heyke | 4531 W. Forest Home Av. |
| 5. | | |
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RESOLUTION NO. 3911

Special Use Permit for Weatherization Services, LLC, a proposed weatherization contractor business to be located at 10941 W. Layton Ave., submitted by Devin Hawthorne d/b/a Weatherization Services, LLC. (Tax Key No. 612-8998-001)

WHEREAS, Devin Hawthorne d/b/a Weatherization Services, 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 weatherization contractor business at 10941 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 18, 2023, 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, Devin Hawthorne d/b/a Weatherization Services, LLC, has offices at 1101 W. Layton Ave., Milwaukee, WI 53221.
2. The property is owned by Weatherization Services Real Estate, LLC, 1101 W Layton Ave, Milwaukee, WI 53221.
3. Weatherization Services, LLC will occupy the entire 14,838 sq. ft. commercial building located at 10941 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 of Certified Survey Map No. 803, being a part of the Northeast ¼ Section 30, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin

Tax Key No. 612-8998-001

Said land being located at 10941 W. Layton Ave.

4. The applicant is proposing to establish a weatherization contractor business within the existing commercial building and on the entire property.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits Drywall and Insulation Contractors 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 W. Layton Ave. corridor that is developed for mixed uses. Properties to the north are developed as residential. Properties to the

east and west are developed as commercial. Properties to the south are developed as right-of-way.

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 Devin Hawthorne d/b/a Weatherization Services, LLC, to establish a weatherization contractor business, to be located at 10941 W. Layton Ave., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on March 14, 2023 and by the Common Council on April 18, 2023. No outdoor storage of materials or vehicles shall be permitted on site without an approved site plan showing screening and dedicated outdoor storage areas. 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 Weatherization Services, LLC, will be 7:00am – 5:00pm, seven (7) days/week.
4. Off-Street Parking. The proposed weatherization contractor business requires fourteen (14) off-street parking spaces. Fifty (50) 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 spills from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light spill. 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.

Devin Hawthorne d/b/a Weatherization Services, LLC

Provided to applicant on the
_____ day of _____, 2023

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th
day of April, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3912

Special Use Permit for Granny Smith Tattoo, a proposed tattoo business to be located at 5170 S. 76 St., submitted by Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009)

WHEREAS, Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield, 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 tattoo business at 5170 S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 18, 2023, 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, Jonathan Zyga, d/b/a Granny Smith Art Collective LLC resides at 1725 E. Kane Pl, Apt 201, Milwaukee, WI 53202.
2. The applicant will lease a portion of the multi-tenant commercial building owned by BR Of Wisconsin LLC, PO Box 13125, Milwaukee, WI 53213-0125.
3. Granny Smith Tattoo will occupy approximately 138 sq. ft. of the multi-tenant commercial building located at 5170 S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 6117, being a part of the Southwest ¼ Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin

Tax Key No. 650-8998-009

Said land being located at 5170 S. 76 St.

4. The applicant is proposing to establish a tattoo business 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 Offices of Other Personal Care Services (tattoo parlors) 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 Jonathan Zyga, d/b/a Granny Smith Art Collective LLC and John Weiss d/b/a My Salon Suite of Greenfield, to establish a tattoo business, to be located at 5170 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 March 14, 2023 and by the Common Council on April 18, 2023. 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 Granny Smith Tattoo will be 10:00am – 8:00pm, seven (7) days/week.
4. Off-Street Parking. The proposed tattoo business tenant spaces requires two (2) off-street parking spaces. Remaining tenant spaces require 101 off-street parking spaces for a total of 104 off-street parking stalls required for the entire building under the category of “Beauty Parlors, Salons, or Barber Shops.” Forty-seven (47) 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.

Jonathan Zyga, d/b/a Granny Smith Art Collective LLC

Brian Riordan, d/b/a BR Of Wisconsin LLC

Provided to applicant on the
_____ day of _____, 2023

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th
day of April, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3913

Special Use Permit for Firefly Therapeutic Massage, a proposed massage therapy business to be located at 5170 S. 76 St., submitted by Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009)

WHEREAS, Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield, 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 massage therapy business at 5170 S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 18, 2023, 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, Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage resides at 3403 E. Allerton Ave, Cudahy, WI 53110.
2. The applicant will lease a portion of the multi-tenant commercial building owned by BR Of Wisconsin LLC, PO Box 13125, Milwaukee, WI 53213-0125.
3. Firefly Therapeutic Massage will occupy approximately 120 sq. ft. of the multi-tenant commercial building located at 5170 S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 6117, being a part of the Southwest ¼ Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin

Tax Key No. 650-8998-009

Said land being located at 5170 S. 76 St.

4. The applicant is proposing to establish a massage therapy business 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 Offices of All Other Misc. Health Practitioners (massage therapists) 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 Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage and John Weiss d/b/a My Salon Suite of Greenfield, to establish a massage therapy business, to be located at 5170 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 March 14, 2023 and by the Common Council on April 18, 2023. 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 Firefly Therapeutic Massage will be 8:00am – 8:00pm, seven (7) days/week.
4. Off-Street Parking. The proposed massage therapy business tenant spaces requires two (2) off-street parking spaces. Remaining tenant spaces require 101 off-street parking spaces for a total of 104 off-street parking stalls required for the entire building under the category of “Beauty Parlors, Salons, or Barber Shops.” Forty-seven (47) 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.

Carrie Premetz, CMT, d/b/a Firefly Therapeutic Massage

Brian Riordan, d/b/a BR Of Wisconsin LLC

Provided to applicant on the
_____ day of _____, 2023

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th
day of April, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

CITY OF GREENFIELD
MILWAUKEE COUNTY, WISCONSIN

COMMON COUNCIL RESOLUTION NO. 3914

WHEREAS, in 1997, by Resolution No. 2771, the City of Greenfield initiated a policy pursuant to which the City was authorized, under certain specified conditions, to internally fund a limited number of public infrastructure improvements from the City's sewer fund reserves ("Sewer Fund"); and,

WHEREAS, a copy of Resolution No. 2771 is attached hereto; and,

WHEREAS, the City now deems it desirable and in the public interest to expand the scope of the circumstances in which the City may borrow from the Sewer Fund, so as to minimize City residents' overall borrowing costs and to maximize the potential sewer use customer base and future sewer revenues.

NOW, THEREFORE, BE IT RESOLVED that the Sewer Fund borrowing policy set forth in Resolution No. 2771 is hereby amended as follows:

1. Sewer Fund monies may be borrowed by the City for any public purpose that the City Common Council determines is in the long-term best interests of the City and the Sewer Fund, including, without limitation, investing in property acquisition and incentivizing developments that are likely to generate new or increased sewer usage.
2. No funds shall be moved from the Sewer Fund until the underlying project has been fully and finally approved pursuant to the steps of its particular required approval process, which could include a plan commission recommendation and/or a public hearing.
3. Except as set forth herein, the Sewer Fund policy memorialized by Resolution No. 2771 remains in effect.

ADOPTED: April 18, 2023

APPROVED: April 18, 2023

Jennifer Goergen, City Clerk

Michael Neitzke, Mayor