

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JUNE 20, 2023

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:04 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.

B. Opening Prayer

An opening prayer was given by Pastor Rogers.

C. Pledge of Allegiance

D. Approval of the May 16, 2023 Common Council minutes

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

E. Approval of the May 26, 2023 Special Common Council minutes

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

F. Approval of the June 1, 2023 Special Common Council minutes

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

G. Mayor's Report

Mayor Neitzke spoke about the Veteran's Memorial in front of the Greenfield Public Library; the garbage truck that was on fire on the freeway, and he thanked the West Allis firefighters for assisting; the three police chases; that the City purchased the Spring Mall and the goals for the site, and he thanked Paula Schafer, the Finance Director, and Tim Sowinski, the Deputy Comptroller; he thanked the sponsors for the first concert at Konkell Park, and he spoke about how those events are funded.

H. Aldermanic Reports

I. Announcements

J. Citizen Commentary

Mayor Neitzke jumped to agenda item M27.

K. Public Hearings

1. Public Hearing on a Special Use Permit for Greenfield Maranatha Community Center, a proposed community center to be located at 4515 W. Forest Home Ave., submitted by Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. and Michael Christenson, d/b/a MSA Professional Services, Inc. (Tax Key Nos. 531-0000-100 and 531-0000-200) (PC-5/9/23 Kastner)

Mayor Neitzke spoke about the public hearing process.

The applicant, Juan Carlos Viruet, and his attorney, Attorney Vincent Bobot, were in attendance.

Kristi Porter, the Community Development Manager, opened the public hearing at 7:15 PM.

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

Mayor Neitzke introduced those who were speaking for informational purposes only: Curt Hart, 4454 W. Midland Dr., Milwaukee, WI 53219; Brian Higbee, 4514 W. Midland Dr., Milwaukee, WI 53219; and Megan Higbee, 4514 W. Midland Dr., Milwaukee, WI 53219. Mr. Hart requested that Milwaukee Alderperson Mark Borkowski speak first.

Alderperson Mark Borkowski, 3650 S. Sunset Dr., Milwaukee, WI 53220, was registered as speaking against and spoke about his background and the Forest Home Avenue developers.

Mayor Neitzke confirmed that it is not a church with the applicant, Mr. Viruet.

Milwaukee Alderperson Borkowski talked about developer interest; that it should have economic benefit; land usage; his disappointment with the United Senior Center; and that it needs a fence. He spoke about Kalibres [please see agenda item K2].

Mayor Neitzke resumed from agenda item K2.

Mayor Neitzke reintroduced Mr. Hart. Mr. Hart spoke about needing a fence; events and renting facilities; and the debris. He spoke about Kalibres [please see agenda item K2].

Mayor Neitzke resumed from agenda item K2.

Mayor Neitzke introduced those who registered against but are not speaking: Colleen Hart, 4454 W. Midland Dr., Milwaukee, WI 53219; and Kaitlin Corrao, 4528 W. Midland Dr., Milwaukee, WI 53219.

Mayor Neitzke introduced those who registered in favor but are not speaking: Elizabeth Alindato, 3120 S. 43rd St., Milwaukee, WI 53219; Lillian Santiago, 8431 S. Verdev Dr., Oak Creek, WI 53154; Ruben Santiago, 8431 S. Verdev Dr., Oak Creek, WI 53154; Maricela Rocha, 324 Prospect Ave., Waukesha, WI 53188; Erryn Pratt, 1803 E. Main St. Apt. 304, Waukesha, WI 53186; Maritza Gonzalez, 1414 S. 65th St., West Allis, WI 53214; Amy Jaap, 214 E. Holt Ave., Milwaukee, WI 53207; Reynaldo Gonzalez, 1414 S. 65th St., West Allis, WI 53214; Maria Deliz, 4567 S. 23rd St. Apt. 3, Milwaukee, WI 53221; Ada Saez, 15635 Anders Ct., Brookfield, WI 53005; Emily Viruet, S73W15030 Candlewood Ln., Muskego, WI 53150; Veronica Ortiz, 3532 S. 121st Ct., Greenfield, WI 53228; Benjamin Blahnik, 627 College Ave., South Milwaukee, WI 53172; and Minerva Santiago, 2145 S. 63rd St., West Allis, WI 53219.

Mayor Neitzke introduced Jill Cruz, 2576 S. Howell Ave., Milwaukee, WI 53207, who registered to speak in favor. She asked if Christine Smith, 4237 S. 122nd St., Greenfield, WI 53228, could join her at the podium on behalf of the United Seniors. Ms. Cruz spoke about supporting the community center and Dorothy Seeley and her vision.

Mayor Neitzke spoke about the businesses similar to this and their outlines of operations and community outreach.

Mr. Viruet spoke about his background, the location, the leadership and opening of the community center, the programs offered, the partnership within the community, that it would be nonprofit, and the funding. Attorney Bobot spoke about not having alcohol and the restricted hours. Mayor Neitzke commented on the restrictive operating hours, a neighboring restaurant business, treating residents and nonresidents of Greenfield equally, the Greenfield Community Center hours, and event hours of operation. Mr. Viruet said that the hours were until 11:30 PM for cleaning purposes after a 10:00 PM banquet. Mayor Neitzke replied that the concern would be nosy people in parking lots immediately adjacent to neighbors that don't have a fence. Attorney Bobot and Mayor Neitzke discussed whether the hours of operation could end at 11:00 PM or 10:00 PM. Mr. Viruet stated that it would be 11:00 PM.

Mayor Neitzke spoke about the fencing issue, site improvements that are needed, and the Plan Commission recommendations. Alderperson Kastner talked about the Landscaping Plans. Mr. Viruet said that all the contractors have responded that the improvements will be completed within the timeframe given by Mrs. Porter. Mayor Neitzke asked about the timelines, and Mrs. Porter responded that the complete resurfacing of the parking lot is June 2025. Mayor Neitzke replied that it will be completed by November 1st, 2025. The asphalt plants close in November, so it will give them an extra four months of time.

Alderperson Akers asked if this included the fence. Mrs. Porter stated that there wasn't a fence proposed. Mayor Neitzke talked about the fence being a requirement for Kalibres and said that it could be required. Attorney Bobot spoke about the sewer line permit issue. Mayor Neitzke said that our engineer will reach

out to the City of Milwaukee.

Mayor Neitzke spoke about the fence and asked about the applicant's thoughts. Mr. Viruet said that if enough time is given, then yes. He said that he wants the center to open, so grants can begin and if the center is closed, the grants won't come in. Mayor Neitzke spoke about the timeframe given by the Plan Commission, that similar projects had significantly higher standards applied, and the site improvements. Attorney Bobot spoke about their concerns about the permit timeframe. Mayor Neitzke talked about how, at their own risk, people are leasing and starting improvements to buildings that may not be zoned for their intended use. Mrs. Porter read the Plan Commission's required conditions prior to an Occupancy Permit being issued.

Attorney Bobot said that they have top-of-the line architects. Mayor Neitzke commented that we need a plan, and good-faith efforts.

Victor Huyke, 4531 W. Forest Home Avenue, Greenfield, WI 53219, spoke about his location, children playing, Forest Home Avenue traffic, the fence, and that the parking lot party was Kalibres' Cinco de Mayo celebration, and he applied for the permit on their behalf.

Mr. Hart spoke about the fence and asked if there was a permit for the church in the basement of El Conquistador. Mayor Neitzke said that he was not aware of any churches located there. Mr. Huyke talked about the background of the church that rented the space from the United Seniors.

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

Motion by Alderperson Akers, seconded by Alderperson Kastner to close the public hearing at 8:06 PM.

Motion withdrawn by Alderperson Akers.

Alderperson Saryan asked about the fence. Mr. Viruet spoke about the traffic, the fence, and timing.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 8:08 PM.

Motion carried unanimously.

Mayor Neitzke went to agenda item K1b.

- a. Approve a Resolution for a Special Use Permit for Greenfield Maranatha Community Center, a proposed community center to be located at 4515 W. Forest Home Ave., submitted by Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. and Michael Christenson, d/b/a MSA Professional Services, Inc. (Tax Key Nos. 531-0000-100 and 531-0000-200) (PC-5/9/23 Kastner)

Mayor Neitzke said that the Special Use Permit would contain the approved Site and Landscaping Plans to be provided, that temporary or permanent occupancy is not to be provided until those plans arrive, and that the hours of operation would be the hours open to the public. It wouldn't include the time to clean.

Alderperson Akers and Alderperson Kastner said it would be 7:00 AM - 11:00 PM.

Mayor Neitzke said that there isn't any alcohol, and that is part of the Special Use Permit. He spoke about the hours of operation and how employees and volunteers cleaning after the hours of operation are okay since it wouldn't be open to the public. The hours of operation should be consistent.

An audience member asked about the Greenfield Community Center's hours. Another audience member responded that music stops at 11:00 PM.

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve with the hours of operation being 7:00 AM to 11:00 PM. On a roll call vote, motion carried 4-1, with Alderperson

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

Bailey opposed. Those in favor were Alderpersons Drzewiecki, Kastner, Akers, and Saryan. Mayor Neitzke went to agenda item K2.

- b. Approve a Certified Survey Map for proposed land combination of 4515 & 45** W. Forest Home Ave., submitted by Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. and Michael Christenson, d/b/a MSA Professional Services, Inc. (Tax Key Nos. 531-0000-100 and 531-0000-200) (PC-5/9/23 Kastner)

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

- c. Approve Site and Landscaping Plans for Greenfield Maranatha Community Center, a proposed community center to be located at 4515 W. Forest Home Ave., submitted by Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. and Michael Christenson, d/b/a MSA Professional Services, Inc. (Tax Key Nos. 531-0000-100 and 531-0000-200) (PC-5/9/23 Kastner)

Mayor Neitzke spoke about needing the plan and good-faith efforts.

Alderperson Saryan asked about a due date for the plan. Mayor Neitzke replied that once a plan has been received, staff has reviewed it, and staff says it's good, then you can get occupancy. But you don't have occupancy until you do that. They have two and a half years to construct the fence and the parking lot, but a plan is needed to see what the parking lot is going to look like, where the fence is going in, and what the landscaping is going to look like.

Alderperson Bailey asked about the operating hours. Mayor Neitzke said that goes into the Special Use Permit, and, right now, it's about the properties themselves, which would be agenda item K1a.

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve it with the fence and with the timeline of November 1, 2025, and the greatest condition of occupancy is the presentation of the final plans to be approved by staff.

Under discussion, Alderperson Bailey asked if some of the stuff was premature. He mentioned that Milwaukee Alderperson Borkowski has weight and that he is leery.

Alderperson Drzewiecki spoke of his history, the high standard of redevelopment, he heard the concerns, the church, the location, the approval process, Forest Home Avenue businesses, and the traffic.

Mayor Neitzke talked about his experiences with past businesses and the plans for that area.

Alderperson Kastner said that the businesses in Milwaukee could continue the fence along the alley. Milwaukee Alderperson Borkowski talked about his vision for Forest Home Avenue, and said that he is happy to work together on the sewers and with his constituents.

Motion carried unanimously.

Mayor Neitzke went to agenda item K1a.

- 2. Public Hearing on a Special Use Review for proposed hours of operation change to Kalibres, an existing full-service restaurant located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar, LLC. (Tax Key No. 531-0000-900) (PC-5/9/23 Kastner)

Milwaukee Alderperson Mark Borkowski, 3650 S. Sunset Dr., Milwaukee, WI 53220, was registered as speaking against and spoke about how Burger King let the building decay, the previous owners did not notify him about its availability, Kalibres' alcohol license, and speeding on Forest Home Avenue.

Mayor Neitzke went back to agenda item K1.

Curt Hart, 4454 W. Midland Dr., Milwaukee, WI 53219, who was registered as speaking against, spoke about the parking lot event and debris.

Mayor Neitzke went back to agenda item K1.

The public hearing opened at 8:26 PM.

Mrs. Porter presented the previous and modified hours of operation and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Mayor Neitzke and Mrs. Porter discussed the Site Plan Review and said that agenda item K2b is unnecessary because they are in compliance with what the Plan Commission required last year.

The applicant, Alejandro Hernandez, was in attendance.

Mayor Neitzke said that only the applicant registered in favor.

He introduced those who registered against but not speaking: Kelly Shurilla, 4528 W. Midland Dr., Milwaukee, WI 53219; Kaitlin Corrao, 4528 W. Midland Dr., Milwaukee, WI 53219; Colleen Hart, 4454 W. Midland Dr., Milwaukee, WI 53219; Brian Higbee, 4514 W. Midland Dr., Milwaukee, WI 53219; Megan Higbee, 4514 W. Midland Dr., Milwaukee, WI 53219; Mark and Jean Kurzynski, 4520 W. Midland Dr., Milwaukee, WI 53219.

Mayor Neitzke said those who registered to speak against were Milwaukee Alderperson Mark Borkowski, 3650 S. Sunset Dr., Milwaukee, WI 53220, and Curt Hart, 4454 W. Midland Dr., Milwaukee, WI 53219.

Milwaukee Alderperson Borkowski spoke about the original Kalibres' public hearing, that he is opposed to the modified hours, and his reasoning.

Mr. Hart talked about the first public hearing a year ago; he asked what had changed, stated his concerns about the liquor license, and a closed session for it. Mayor Neitzke indicated that there was not a closed session for Kalibres. Mayor Neitzke talked about how you need a Special Use Permit in order to sell and serve alcohol. Mayor Neitzke said that the Special Use was approved because Kalibres has hours of operation until 11:00 PM. Mayor Neitzke and Mr. Hart discussed how and where to obtain an alcohol license and a Special Use Permit.

Mr. Hart continued that he compared other Greenfield restaurants, was opposed to the hours of operation, and had safety concerns.

Mayor Neitzke clarified the hours of operation, the Special Use, and the liquor license.

The applicant, Alejandro Hernandez, spoke about the first public hearing, the neighbors, other restaurants hours of operation, Burger King, Kalibres' reviews, and that he's trying to have positive neighbor interactions and modifying their hours.

Colleen Hart said that the neighbors are happy with the restaurant but have problems with the hours of operation. She spoke about Mian's gas station, that the neighbors want a quiet neighborhood, and the effect of extending hours of operation for this business and other nearby businesses.

Mayor Neitzke spoke about grandfathered bars in the area.

Alderperson Akers said she receives complaints from residents about restaurants and bars often.

Mayor Neitzke said that Special Uses are rights that are attached to the property and spoke about the sale process of a property.

Brian Higbee spoke about Burger King, the noise from Forest Home Avenue, the fence, the drive-thru, the alley traffic, his alcohol-related concerns, that a guard rail is needed by the alley, and the modified hours of operation.

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

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to close the public hearing at 8:48 PM.
Motion carried unanimously.

- a. Approve a Resolution for a Special Use Review for proposed hours of operation change to Kalibres, an existing full-service restaurant located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar, LLC. (Tax Key No. 531-0000-900) (PC-5/9/23 Kastner)
Alderperson Bailey said that he would like it to stay the same.

Motion by Alderperson Bailey, seconded by Alderperson Akers to deny the extended hours of operation; Kalibres should continue to operate during the existing hours.

Alderperson Kastner said that the other locations have a significant amount of landscaping between them and the residents.

Alderperson Drzewiecki asked if the applicant was leasing the building, and Mr. Hernandez confirmed that they are.

On a roll call vote, motion carried unanimously to deny.

- b. Approve a Site Plan Review for Kalibres, an existing full-service restaurant located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar, LLC. (Tax Key No. 531-0000-900) (PC-5/9/23 Kastner)

No action taken.

3. Public Hearing on a Special Use Permit for Luxury Auto, a proposed automotive glass replacement shop, to be located at 4640B S. 76 St., submitted by Uthman Shalhout, d/b/a U&L Investments, LLC. (Tax Key No. 604-9971-000) (PC-5/9/23 Kastner)

The public hearing opened at 8:50 PM.

The applicant's partner was present, Sam Ramahi.

Mrs. Porter presented the site information, the description of the business, the location of the garage, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Mayor Neitzke and Mrs. Porter discussed using the back accessory building. Mayor Neitzke spoke about another location with similar circumstances. He continued that it was better to keep it all in the building.

Alderperson Kastner spoke about the length of time that passed from when it went to the Plan Commission to now, and it's at the same stage.

Mayor Neitzke spoke about the location and the building code.

Sam Ramahi, the building owner and business partner, spoke about the delay, a fire wall, and that they are waiting for the plan approval so they can proceed. Mrs. Porter said that she was unaware of a plan submittal through E-Plan; Mr. Ramahi confirmed, and Mrs. Porter said that they didn't have an answer. Mr. Ramahi said that they would like it to be in the same building. He talked about the sprinkler system, the back garage, the last communication, and the firewall.

Mrs. Porter explained the third party that does the plan review and the building code. Mayor Neitzke spoke about fire codes. Mr. Ramahi spoke about how it was brought down as a car repair shop. Mrs. Porter said that it is a change of use for the basement and the building code. Mr. Ramahi spoke about the Occupancy Permit, the building code, that cars are not running in the building, the time frames and cost for tint and wrap jobs, not being a car repair place, and the types of vehicles. Mayor Neitzke said that the concern was cars with gasoline and mufflers in buildings. Mr. Ramahi discussed the sprinklers and the firewall.

Mayor Neitzke iterated that the Special Use needs to be attached to the main building. Mr. Ramahi and

Mayor Neitzke discussed the back building.

Mayor Neitzke spoke about the zoning code and adding auto tinting, and car wrapping and that it has to be defined in the record that it is under this NAICS code, but it is specifically limited to tinting and car wrapping, which are low-volume activities. Mr. Ramahi added that it is set by appointment only and went on to define car wrapping. Mayor Neitzke spoke about the Site Plan.

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 9:04 PM.

Motion carried unanimously.

Mayor Neitzke went to agenda item K3b.

- a. Approve a Resolution for a Special Use Permit for Luxury Auto, a proposed automotive glass replacement shop, to be located at 4640B S. 76 St., submitted by Uthman Shalhout, d/b/a U&L Investments, LLC. (Tax Key No. 604-9971-000) (PC-5/9/23 Kastner)

Mayor Neitzke said that it is a proposed automotive glass replacement shop pursuant to the NAICS codes, but in this case, it is specific and limited by the applicant to car wrapping and window tinting. Mrs. Porter said that it is also in the resolution.

Alderperson Kastner asked if it's narrowed down to one location. Mayor Neitzke said it was narrowed down to the basement of the western building, subject to building and fire code approval. Mr. Ramahi stated that he agreed. Mrs. Porter and Mayor Neitzke said that the resolution will need to be modified to reflect that.

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

Mayor Neitzke went to agenda item K4.

- b. Approve a Site Plan Review for Luxury Auto, a proposed automotive glass replacement shop, to be located at 4640B S. 76 St., submitted by Uthman Shalhout, d/b/a U&L Investments, LLC. (Tax Key No. 604-9971-000) (PC-5/9/23 Kastner)

Mayor Neitzke said the site hasn't changed except for the five parking stalls added to the back.

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

Mayor Neitzke circled back to agenda item K3a.

4. Public Hearing on a Special Use Permit for Holey Mackerel, a proposed amusement and recreational establishment with a bar/tavern, to be located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a The Lost Whale, and Shaun Sullivan, d/b/a Envision Design Architects. (Tax Key No. 619-9997-003) (PC-5/9/23 Kastner)

The public hearing opened at 9:06 PM.

Mrs. Porter presented the site information, the business name, the Special Use process, hours of operation, and recommendations from the Plan Commission. There weren't any letters of objection or support received. She spoke about the Phase Two improvements that will go to the Plan Commission in July, with a second public hearing for the Common Council in August. This public hearing is for Phase One.

The applicants were in attendance.

Alderperson Akers said that there has been a lot of verbal support.

Alderperson Saryan asked if there was any feedback on the alcohol aspect. Alderperson Akers responded that it was something that she spoke about with the neighbors, that she hasn't heard anything, and that

there's alcohol served at the Amp.

Mrs. Porter spoke about the bar/tavern that is being added. Mayor Neitzke spoke about the hours of operation being modified to 11:00 AM to 11:00 PM so they are consistent.

The Council discussed the location and whether there were residents nearby.

Mrs. Porter asked the applicant, Tripper Duval, if there was a potential to be open before 11:00 AM. Mayor Neitzke suggested 7:00 AM to 11:00 PM and that it doesn't mean that you have to be; it just means that you can be open. Mr. Duval said that he will take any hours that the Council suggests.

Aldersperson Saryan asked about non-alcoholic and alcoholic snow cones and asked about minors. Mr. Duval said that it would be presented separately, very clearly, and that the production of it would not have alcohol in it unless a legal-age adult who has been identified comes to the bartender and asks for a snow cone with alcohol. Aldersperson Akers asked if there would be different containers that varied to show the difference between the alcoholic and nonalcoholic snow cones. Mr. Duval said that the container, the garnishing, and the presentation would be different.

Aldersperson Saryan and Mr. Duval discussed the name Holey Mackerel.

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

Motion by Aldersperson Bailey, seconded by Aldersperson Akers to close the public hearing at 9:14 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Holey Mackerel, a proposed amusement and recreational establishment with a bar/tavern, to be located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a The Lost Whale, and Shaun Sullivan, d/b/a Envision Design Architects. (Tax Key No. 619-9997-003) (PC-5/9/23 Kastner)
Motion by Aldersperson Akers, seconded by Aldersperson Kastner to approve with the adjusted hours of 7:00 AM to 11:00 PM. On a roll call vote, motion carried unanimously.

Mr. Duval talked about the positive community support.

L. Old Business

1. Appointments to various committees and commissions:

- a. Council appointments:
 - i. Confirmation of the Whitnall School District appointment to the Park & Recreation Board for a term to expire 5/31/24 (Quin Brunette)
Aldersperson Kastner nominated Quin Brunette. Motion by Aldersperson Kastner, seconded by Aldersperson Saryan to confirm appointment. Motion carried unanimously.
- b. 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.
 - iii. One member to the Zoning Board of Appeals for a term to expire 5/1/26 (formerly John Rivera)
Place on next agenda.

M. New Business

1. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

- i. Two members to the Public Library Board for a term to expire 7/1/26 (currently Amber Lococo, Marie Cardenas)
Mayor Neitzke reappointed Amber Lococo and Marie Cardenas. Motion by Alderperson Kastner, seconded by Alderperson Bailey to confirm appointments. Motion carried unanimously.

2. Claim received from Manuel Rodriguez. (Goergen)
Referred to the City Attorney.
3. Consider/approve resolution allowing claim of Manuel J. Rodriguez. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
4. Claim received from Raghunandan Galimudi. (Goergen)
Referred to the City Attorney.
5. Consider/approve resolution allowing the claim of Raghunandan Galimudi. (Goergen)
The Council discussed the claim, and Mayor Neitzke said that it was to be approved per the City Attorney's recommendation and negotiation.

Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
6. Approve application for a 2022-2023 Amusement Device Owner/Distributor License received from Lake States Vending Inc., Chad Goeman, Agent, N173W21298 Northwest Passage. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. Motion carried unanimously.
7. On the Edge Sports Bar, Chris Grabowski, Agent, requests an extension of the licensed premises of their Combination "Class B" Fermented Malt Beverage and Liquor License and Entertainment License to include: Dunk tank and cornhole will be located on the front lawn and lawn on the North side of the property across the parking lot. Alcohol sales will be in the bar, customers will be carrying drinks to the entertainment areas which will be roped off at 5175 S. 27 St., Saturday, July 8, 2023, 12 PM - 2:30 AM. (Goergen)
Mayor Neitzke said that the hours would need to be modified.

Jennifer Goergen, the City Clerk, said that this is to extend the liquor license to take it outside of his bar for the activities listed. It was what he requested, and it's consistent with the bar hours.
The Council discussed that the hours needed to be changed to 12:00 PM to 11:00 PM.

Motion by Alderperson Bailey, seconded by Alderperson Kastner to approve with modified hours of 12:00 PM until 11:00 PM. Motion carried unanimously.
8. Approve applications for 2023-2024 operator licenses (Goergen)
Motion by Alderperson Bailey, seconded by Alderperson Kastner to approve. Motion carried unanimously.
9. Approve application for a Temporary Class "B" Fermented Beverage & "Class B" Wine Retailer's License received from Greenfield Professional Fire Fighters Benevolence & Charities, 5330 W. Layton Ave., for Toasting for Charity Event on September 16, 2023 from 6:00 PM to 11:00 PM at 7215 W. Cold Spring Rd. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve and waive the fees. Motion carried unanimously.
10. Approve application for 2023-2024 "Class B" fermented malt beverage and liquor Retailer's License for Holey Mackerel LLC, Richard Duval, Agent, for the property at 5401 W. Layton Ave. (Holey Mackerel). Holey Mackerel is a Family Entertainment Center. Its highest revenue streams will be 18 Hole Mini Golf

Course, 7 Batting Cage bays, and interior arcade. We will offer the sale of alcohol at two different locations inside the Clubhouse (main building). The first location will be a full service bar when you enter the clubhouse. The second location being more limited to Beer, Canned Wine, and other Ready to drink options from small coolers behind the activities counter, where you purchase the clubs and bats for outdoor activities. Once anyone purchasing alcoholic beverages are ID'd and checked, they will be allowed to take their beverages throughout the areas where the activities are held (I.E. mini golf course, Batting cages, and arcade). There will be no alcohol allowed anywhere outside of the fenced in property/activity areas of Holey Mackerel. All Alcohol will be locked and stored in our "Bar Room" which is a room located in between the Bar and Activities Counter. The only people allowed to access are owners and managers on duty. All Alcohol related invoices, will be kept organized in the "Owners Office" located just past the Activities Counter, next to the maintenance room located at 5401 W. Layton Ave. (Goergen)

Motion by Alderperson Akers, seconded by Alderperson Kastner to approve to the extent that it is required with the hours of operation as contained in the Special Use. Motion carried unanimously.

11. Approve application for a 2023 - 2024 Entertainment License received from Holey Mackerel for the property located at 5401 W. Layton Ave. (Indoor: Arcade Outdoor: Batting Cages, 18 hole Mini Golf Course). (Goergen)

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

12. Approve renewal applications for the following licenses to expire June 30, 2024: Class "B" Fermented Malt Beverage, Combination "Class B" Fermented Malt Beverage & Liquor, "Class C" Wine, Entertainment, Pawnbroker/Secondhand Article Dealer, and Operator's Licenses (approval of licenses should be subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges). (Goergen)

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

13. Approve applications for Amusement licenses to expire July 31, 2024. (Goergen)

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

14. Discussion/decision to transfer funds from CE2219 and CE reserve to CE2330 (John Deere Gator). (Jaquish)

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

15. Approve Nightingale Notes Application Subscription Agreement with Champ Software Inc. (Gorecki)

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

16. Approve Calvin University Internship Agreement (Gorecki)

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

17. Approve a purchase order for project 2228, Salt Dome Rehabilitation, with Holton Brothers Contractors in the amount of \$ 67,815.00. (Katz)

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

18. Adopt a resolution verifying review and authorizing submittal of the Wisconsin Department of Natural Resources 2022 Compliance Maintenance Annual Report (CMAR). (Katz)

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

19. Approve granting construction easements and statements of non-reimbursement to the Wisconsin Department of Transportation (BPW-5/23/23-Ald. Bailey)

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

20. Approve a Special Use Review and Site Plan Review for Burger & Burger, a proposed full-service restaurant to be located at 6231 S. 27 St., submitted by Ahmad Alsmadi, d/b/a Burger Company, Inc. (Tax Key No. 691-9841-016) (PC-6/13/23 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve agenda items M20 - M26. On a roll call vote, motion carried unanimously.

21. Approve a Special Use Review and Site Plan Review for proposed hours of operation change and outdoor seating for Melt n Dip, an existing full-service restaurant located at 7820 W. Layton Ave., submitted by Jafar Jaraba, d/b/a Wadha, LLC, and Emad Nadi, d/b/a Etn Engineering. (Tax Key No. 605-9956-005) (PC-6/13/23 Kastner)

Approved under agenda item M20.

22. Approve a Final Subdivision Plat for Parkview Estates, a proposed single-family development to be located at S. 35 St. and W. Barnard Ave., submitted by Calvin K. Klimeck, d/b/a Pioneer Engineering and Surveying, LLC, and Raul A. Gonzalez, d/b/a First West Realty, LLC. (Tax Key No. 622-9988-018) (PC-6/13/23 Kastner)

Approved under agenda item M20.

23. Approve a Special Use Review for proposed hours of operation change and Site Plan Review for Wheel Plus, an existing gas station and convenience store located at 6745 W. Forest Home Ave., submitted by Ehab Mohany, d/b/a Wheels Plus Gas & Grocery, LLC. (Tax Key No. 572-8976-000) (PC-6/13/23 Kastner)

Approved under agenda item M20.

24. Approve Site and Architectural Plans for proposed construction of a pergola at Clement Manor, located at 9339 W. Howard Ave., submitted by Daniel Brown, d/b/a Palladium Patios and Landscaping. (Tax Key No. 568-9999-009) (PC-6/13/23 Kastner)

Approved under agenda item M20.

25. Approve Site, Landscaping and Architectural Plans for proposed new construction of Baggott Dental, to be located at 3130 S. 103 St., submitted by Timothy Baggott, DDS, d/b/a Baggott Dental, and Eric Draskowski, P.E., d/b/a Excel Engineering. (Tax Key No. 524- 8986-037) (PC-6/13/23 Kastner)

Approved under agenda item M20.

26. Approve a Special Use Review and Site Plan Review for Reyes Auto Repair, a proposed automotive repair business, to be located at 4805 W. Forest Home Ave., submitted by Moises Reyes Ignacio, d/b/a Reyes Auto Repair. (Tax Key No. 531-1134-000) (PC-6/13/23 Kastner)

Approved under agenda item M20.

Mayor Neitzke went to agenda item M28.

27. Consideration and possible action on a Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 8. (Porter)

Mayor Neitzke spoke about how the locksmith's parcel on Loomis Road would be added to the TIF.

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

Mayor Neitzke circled back to agenda item K1.

28. Approve an Outdoor Special Event application for the Greenfield July 4th Celebration, to be located at Konkel Park, 5151 W. Layton Ave., July 4, 2023, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Operator's License, Temporary Class "B" Retailer's License (beer), Parade License, Food, and Commercial building, electrical, and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)

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

29. Approve an Outdoor Special Event application for Armenian Fest, to be located at St. John the Baptist Armenian Apostolic Church, located at 7825 W. Layton Ave., July 16, 2023, and waive all applicable license/permit fees. Application includes the following combination of licenses/permits: OSE, Temporary Class "B" Retailer's License (beer), Temporary Operator's License, Food, and Commercial building, electrical, and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)
Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve. Motion carried unanimously.
30. Approve an Outdoor Special Event application for the Salvation Army – Outdoor Family Movie Nights events, to be located at 2900 W. Cold Spring Rd., August 4, 2023 and August 11, 2023, and waive all application fees. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. Motion carried unanimously.
31. Approve an Outdoor Special Event application for the House of Harley Music Series #3, to be located at 6221 W. Layton Ave, July 1, 2023. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Food and Commercial building, electrical and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)
Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve agenda items M31 - M34.
Alderperson Bailey asked about the hours of operation. Mrs. Porter answered that they all end at 5:00 PM.
Motion carried unanimously.
32. Approve an Outdoor Special Event application for the House of Harley Music Series #4, to be located at 6221 W. Layton Ave, July 29, 2023. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Food, and Commercial building, electrical and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)
Approved under agenda item M31.
33. Approve an Outdoor Special Event application for the House of Harley Local #215 Annual Retiree Lunch, to be located at 6221 W. Layton Ave, August 16, 2023. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Food, and Commercial building, electrical and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)
Approved under agenda item M31.
34. Approve an Outdoor Special Event application for the House of Harley Oscar Mike Military Fundraiser and Ride event, to be located at 6221 W. Layton Ave, August 26, 2023. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Food, and Commercial building, electrical and plumbing. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)
Approved under agenda item M31.
35. Discussion and decision regarding approval and acceptance of the City of Greenfield 2022 Financial Statements and Independent Auditor's Report and Baker Tilly US, LLP reporting and insights from the 2022 audit. (6/14/23 F&HR S. Saryan).

Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve agenda items M35 - M39. On a roll call vote, motion carried unanimously.

36. Discussion and decision to transfer \$80,000 from the general street repair account in the general fund to the capital improvements fund for the City Hall HVAC Controls Project EN2303. (6/14/23 F&HR S. Saryan)
Approved under agenda item M35.
37. Discussion and decision to approve a transfer from reserves in the General Fund to the Capital Equipment Fund for the TIPSS Courts Software project - CE2015 in the amount of \$69,119. (6/14/23 F&HR S. Saryan)
Approved under agenda item M35.
38. Approval of schedules of disbursements in the amount of \$9,498,769.02. (6/14/23 F&HR S. Saryan)
Approved under agenda item M35.
39. Approval of mileage reimbursements in the amount of \$732.03. (6/14/23 F&HR S. Saryan)
Approved under agenda item M35.
40. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(b)(c) & (f) for the following:
(1) Considering licensure, social or personal history, or medical information, for purposes of issuing a 2022-2023 operator license to Gabrielle Nicole Hanley
(2) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Mayor Neitzke/J. Foley)
Gabrielle Nicole Hanley was not present.

Mayor Neitzke said that contact be made and placed on the next agenda, if required.

Motion by Alderperson Akers, seconded by Alderperson Bailey to go into closed session at 9:35 PM. On a roll call vote, motion carried unanimously.

41. Adjourn closed session and reconvene into open session.
Motion by Alderperson Akers, seconded by Alderperson Bailey to adjourn closed session and reconvene into open session at 9:44 PM. Motion carried unanimously.
42. Decision re: 2023-2024 Operator's License for Gabrielle Nicole Hanley. (Goergen)
No action taken.
43. Decision to follow Police & Fire Commission recommendation for contingent employment offer to Fire Chief candidate to set salary consistent with 2023 Non-Represented Resolution (Mayor Neitzke/J. Foley)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve as directed. On a roll call vote, motion carried unanimously.
44. Discussion and decision to follow Board of Health's direction and revise Health Officer/Director job description's position qualifications (Mayor Neitzke/J. Foley)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.

N. Items for future agenda

O. Adjourn

Motion by Alderperson Akers, seconded by Alderperson Bailey to adjourn at 9:46 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 7/13/2023

RESOLUTION NO. 3919

RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND
BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 8 ,
CITY OF GREENFIELD, WISCONSIN

WHEREAS, the City of Greenfield (the “City”) has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and,

WHEREAS, Tax Incremental District No. 8 (the “District”) was created by the City on May 4, 2021; and,

WHEREAS, the City now desires to amend the Project Plan of the District (the “Amendment”) in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and,

WHEREAS, such Amendment will:

- a. Add territory from the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations, or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and,

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Greenfield School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and,

WHEREAS, prior to its publication, a copy of the notice of public hearing was also sent to the owners of all property located within the territory proposed to be added to the District; and,

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Community Development Authority of the City of Greenfield (the "CDA"), on June 20, 2023 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and,

WHEREAS, after said public hearing, the CDA designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that:

1. The boundaries of the District named "Tax Incremental District No. 8 , City of Greenfield", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2023.
4. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is a blighted area within the meaning of Wisconsin Statutes Section 66.1105(2)(ae)1.
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a blighted area district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District. There are no additional improvements as a result of this amendment.
 - (e) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.

- (f) That there are no parcels to be added to the District that were annexed by the City within the preceding three-year period.
 - (g) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (h) Project costs relate directly to promoting elimination of blight within the area consistent with the purpose for which the District was created. Project costs will not change as a result of this amendment. Prior, and any remaining project costs to be incurred have or will directly promote elimination of blight, consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 8 , City of Greenfield" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of June, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 8 AMENDMENT
CITY OF GREENFIELD**

That part of the Southwest 1/4 of Section 24, in Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, bounded and described as follows, to-wit:
Commencing at a point on the West line and 1184.25 feet North of the Southwest corner of said 1/4 Section; thence North 42° East on a line 515.74 feet to the place of beginning of the land to be described; thence North 42° East along the center line of the Loomis Road 116.90 feet to a point; thence South 56° 46' East on a line 641.66 feet to a point; thence South 89° 2' West on a line 205.56 feet to a point; thence North 56° 46' West on a line 489.46 feet to the place of beginning.

Excepting those parts conveyed to Milwaukee County in Quit Claim Deed recorded on February 23, 1966, as Document No. 4238882.

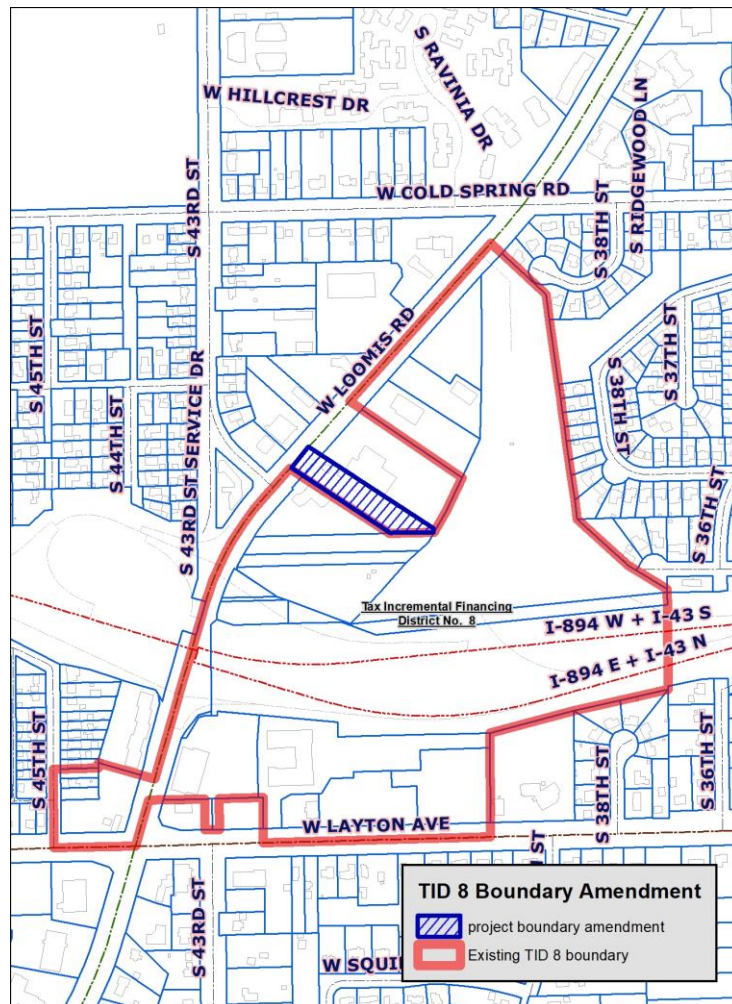


EXHIBIT B -

PROJECT PLAN

[SEE ATTACHED]

RESOLUTION NO. 3920

Special Use Permit for Greenfield Maranatha Community Center, a proposed community center to be located at 4515 W. Forest Home Ave., submitted by Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. and Michael Christenson, d/b/a MSA Professional Services, Inc.
(Tax Key Nos. 531-0000-100 and 531-0000-200)

WHEREAS, Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc., 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, for a proposed community center offering individual/family services at 4515 W. Forest Home Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 20, 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, Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc. has offices at 3102 S. 43 St., Milwaukee, WI 53219.
2. The applicant, Iglesia Vida Explosiva En Cristo, Inc., owns the properties at 4515 & 45** W. Forest Home Ave.
3. Greenfield Maranatha Community Center will occupy the former bingo hall for a community center located at 4515 & 45** W. Forest Home Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lots 2, 3 and 4 in Block 1 of Forestdale Park, a recorded subdivision, being a part of the Northeast ¼ of Section 14, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 531-0000-100

Said land being located at 4515 W. Forest Home Ave.

Lot 5 in Block 1 of Forestdale Park, a recorded subdivision, being a part of the Northeast ¼ of Section 14, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 531-0000-200

Said land being located at 45** W. Forest Home Ave.

4. The applicant is proposing to establish a community center offering individual/family services within the existing commercial building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits Individual and Family Services 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. Forest Home Ave. corridor that is developed for commercial uses. Properties to the north, east, and west are developed as commercial. Properties to the south are developed as single-family residential.
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 Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc., for a proposed community center offering individual/family services at 4515 W. Forest Home 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 May 9, 2023 and by the Common Council on June 20, 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 Greenfield Maranatha Community Center will be 7:00am – 11:00pm daily.
4. Off-Street Parking. The proposed business requires 34 off-street parking spaces. Recreation Centers require five (5) spaces per 1,000 square feet of gross floor area. The building is approximately 6,800 square feet. Twenty-Five (25) off-street parking stalls are to be provided on site. The Common Council may waive the 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 spays 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. Mister Car Wash will be responsible for promptly cleaning of any staining of asphalt or concrete caused by the tire cleaning compound, both within their property or any neighboring properties or right of way.
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.

Juan Carlos Viruet, d/b/a Iglesia Vida Explosiva En Cristo, Inc.

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 20th
day of June, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3921

Special Use Permit for Luxury Auto, a proposed automotive glass replacement shop, to be located at 4640B S. 76 St., submitted by Uthman Shalhout, d/b/a U&L Investments, LLC.
(Tax Key No. 604-9971-000)

WHEREAS Uthman Shalhout, d/b/a U&L Investments, 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 car window tinting and car wrapping business to be located at 4640B S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 20, 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, Uthman Shalhout, d/b/a U&L Investments, LLC., resides at 5201 S. 13 St. Milwaukee, Wisconsin 53221.
2. The property is owned by Ramahi 4640, LLC, 9721 S. Bluegrass Pl., Oak Creek, WI 53154.
3. Luxury Auto will occupy approximately 1,800 sq. ft. of basement space located at 4640B S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Southwest ¼ of Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point in the West line of said ¼ Section 261.85 feet North of the Southwest corner of said ¼ Section; thence North 75 feet to a point; thence East 363 feet to a point; thence South 60 feet to a point; thence West 133 feet to a point; thence South 15 feet to a point; thence West 230 feet to the point of beginning. Excepting therefrom the West 60 feet for public street purposes.

Tax Key No. 604-9971-000

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

4. The applicant is proposing to operate a car window tinting and car wrapping business within the 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 automotive glass replacement shops 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 Uthman Shalhout, d/b/a U&L Investments, LLC., to establish a car window tinting and car wrapping business to be located at 4640B S. 76 St, be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on May 9, 2023 and by the Common Council on June 20, 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 Luxury Auto will be 9:00am – 8:00pm, daily.

4. Off-Street Parking. The proposed business requires four (4) off-street parking spaces. Nineteen (19) spaces are required for the remaining tenants, for a total of 23 required on-site spaces. Eighteen (18) off-street parking stalls are to be provided on site. The Common Council may waive the parking shortage.

5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.

6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances,

including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.

9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view by the existing fence/enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties. Mister Car Wash will be responsible for promptly cleaning of any staining of asphalt or concrete caused by the tire cleaning compound, both within their property or any neighboring properties or right of way.

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.

Uthman Shalhout, d/b/a U&L Investments, 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 20th
day of June, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3922

Special Use Permit for Holey Mackerel, a proposed amusement and recreational establishment with a bar/tavern, to be located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a The Lost Whale, and Shaun Sullivan, d/b/a Envision Design Architects.
(Tax Key No. 619-9997-003)

WHEREAS, Tripper Duval, d/b/a The Lost Whale, 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 Holey Mackerel, an amusement and recreational facility, and a bar/tavern, to be located at 5401 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 20, 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, Tripper Duval, d/b/a The Lost Whale, has offices at 2151 S. Kinnickinnic Ave., Milwaukee, WI 53207.
2. The applicant owns the property at 5401 W. Layton Ave., Greenfield, WI 53220.
3. Holey Mackerel will operate the entire parcel for an amusement and recreational facility, and a portion of the building for a bar/tavern located at 5401 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 4257, being a part of the Northwest ¼ of Section 26, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 619-9997-003

Said land being located at 5401 W. Layton Ave.

4. The applicant is proposing to establish an amusement and recreational facility, and a bar/tavern.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits amusement and recreational facility, and bars/taverns, 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. commercial/institutional corridor. Properties to the west are developed as institutional (high school). Properties to the

north are developed as commercial and institutional. Properties to the east are developed as public park. Properties to the south are developed as multi-family residential.

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 Tripper Duval, d/b/a The Lost Whale, to establish Holey Mackerel, an amusement and recreational facility, and a bar/tavern, to be located at 5401 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 May 9, 2023 and by the Common Council on June 20, 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 Holey Mackerel will be 7:00am – 11:00pm.

4. Off-Street Parking. A total of 54 off-street parking stalls are required for the miniature golf course and 39 spaces for the arcade and bar/tavern, for a total of 93 required off-street parking spaces. The property will provide 92 off-street parking stalls. The Common Council may waive the 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 must be 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 by a four-sided board-on-board refuse 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.

Tripper Duval, d/b/a The Lost Whale

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 20th
day of June, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3923

A RESOLUTION ALLOWING THE CLAIM OF MANUEL J. RODRIGUEZ RELATING TO
ALLEGED VEHICLE DAMAGE

WHEREAS, Manuel J. Rodriguez submitted a claim with the City on or about May 17, 2023; and,

WHEREAS, in his claim, Mr. Rodriguez alleged his vehicle window was broken by a rock thrown up by City employee who was doing lawn maintenance nearby; and,

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and recommends that the Common Council allow the claim; and,

WHEREAS, Wis. Stat. § 893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and,

WHEREAS, after considering the facts and circumstances of the claim, the Common Council desires to pay the claimed amount of the actual loss.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the claim of Manuel J. Rodriguez filed with the City on or about May 17, 2023, relating to alleged vehicle damage, is hereby allowed in an amount not to exceed **\$350.00**.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim to the claimant upon receipt of a signed release of claims from the claimant.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

This is to certify that the foregoing resolution as adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 20th day of June, 2023.

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3924

A RESOLUTION ALLOWING THE CLAIM OF RAGHUNANDAN GALIMUDI RELATING
TO ALLEGED VEHICLE DAMAGE

WHEREAS, Raghunandan Galimudi submitted a claim with the City on or about May 19, 2023; and,

WHEREAS, in his claim, Mr. Raghunandan Galimudi alleged damage to his parked vehicle in a parking lot by a police vehicle involved in an investigation.

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and recommends that the Common Council allow the claim; and,

WHEREAS, Wis. Stat. § 893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and,

WHEREAS, after considering the facts and circumstances of the claim, the Common Council desires to pay the claimed amount of the actual loss.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the claim of Raghunandan Galimudi filed with the City on or about May 19, 2023, relating to alleged vehicle damage, is hereby allowed in an amount not to exceed **\$6,500.00**.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim to the claimant upon receipt of a signed release of claims from the claimant.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

This is to certify that the foregoing resolution as adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 20th day of June, 2023.

Jennifer Goergen, City Clerk

RESOLUTION NO. 3925

RESOLUTION VERIFYING REVIEW AND AUTHORIZING SUBMITTAL OF THE
2022 WISCONSIN DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR),

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby verifies its review and authorizes the submittal of the 2022 Compliance Maintenance Annual Report (CMAR) for the City of Greenfield.

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this 20th day of June, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 2022

Financial Management

1. Provider of Financial Information

Name:

Paula Schafer

Telephone:

4143295283

(XXX) XXX-XXXX

E-Mail Address
(optional):

PaulaS@greenfieldwi.us

2. Treatment Works Operating Revenues

2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ?

● Yes (0 points) ☐

○ No (40 points)

If No, please explain:

2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised?
Year:

2022

● 0-2 years ago (0 points) ☐

○ 3 or more years ago (20 points) ☐

○ N/A (private facility)

2.3 Did you have a special account (e.g., CWP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?

● Yes (0 points)

○ No (40 points)

0

REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]

3. Equipment Replacement Funds

3.1 When was the Equipment Replacement Fund last reviewed and/or revised?

Year:

2022

● 1-2 years ago (0 points) ☐

○ 3 or more years ago (20 points) ☐

○ N/A

If N/A, please explain:

3.2 Equipment Replacement Fund Activity

3.2.1 Ending Balance Reported on Last Year's CMAR

\$ 438,105.00

3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)

\$ 0.00

3.2.3 Adjusted January 1st Beginning Balance

\$ 438,105.00

3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)

+ \$ 75,468.00

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 2022

3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)

- \$ 0.00

3.2.6 Ending Balance as of December 31st for CMAR Reporting Year

\$ 513,573.00

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

Not applicable

3.3 What amount should be in your Replacement Fund? \$ 515,573.00

0

Please note: If you had a CWFPP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

● Yes

○ No

If No, please explain.

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

● Yes - If Yes, please provide major project information, if not already listed below. ☐ ☐

○ No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	Greenfield PPI/I program (2017#11). MMSD, on behalf of Greenfield, has agreed to complete PPII investigations of up to 76 residential homesites and eventually create a PPII rehabilitation project. Estimated costs for completing the investigation and preparing the rehabilitation bid package is \$37,019. Potential rehabilitation is estimated at \$790,559 and will be further verified once investigations are completed and full rehabilitation project scope is known.	\$827,578	2023
2	Equipment replacement. Sanitary sewer support truck.	\$50,000	2025
3	Sanitary sewer installation project (92nd St Bypass). Joint sewer project with private developer to the benefit of both parties. Final details and cost split has yet to be determined.	\$1,360,000	2023
4	Sanitary MH Inspection (2023 #4). Inspection of 371 sanitary MHs +/- Inspection currently underway.	\$48,300	2023
5	Sanitary sewer main assessment and rehabilitation project (2023 #5). A project to review 58,000 LF +/- of City sewer sanitary mains to determine main line rehabilitation scope and cost. Once assessed, City will likely transition into a multi-year mainline rehabilitation program.	\$30,100	2023
6	2022 #29. Sanitary sewer spot repair relay project for 135 LF of City sewer main. Desing and management costs = \$62,500. Construction costs = Construction costs = \$157,780. Rehabilitation will take place in 2023.	\$220,280	2023
7	Equipment replacement. Power sweeper/scrubber	\$85,800	2023

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:

5/25/2023

2022

8	Equipment replacement. Computer server	\$35,000	2023
9	2022 # 26. Sanitary sewer lining project of 6,050 LF of City sewer main. Design and management costs \$37,500. Construction costs \$233,572. Rehabilitation will take place in 2023.	\$271,072	2023

5. Financial Management General Comments

ENERGY EFFICIENCY AND USE

6. Collection System

6.1 Energy Usage

6.1.1 Enter the monthly energy usage from the different energy sources:

COLLECTION SYSTEM PUMPAGE: Total Power Consumed

Number of Municipally Owned Pump/Lift Stations:

	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0
Average	0	0

6.1.2 Comments:

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- ☐ Comminution or Screening
- ☐ Extended Shaft Pumps
- ☐ Flow Metering and Recording
- ☐ Pneumatic Pumping
- ☐ SCADA System
- ☐ Self-Priming Pumps
- ☐ Submersible Pumps
- ☐ Variable Speed Drives
- ☐ Other:

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 **2022**

6.2.2 Comments:	
6.3 Has an Energy Study been performed for your pump/lift stations? ☒ No ☐ Yes Year: By Whom: Describe and Comment:	
6.4 Future Energy Related Equipment 6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?	

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 2022

Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

- ☒ Yes
- ☐ No

If No, explain:

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

- ☒ Yes
- ☐ No (30 points)
- ☐ N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

- ☒ Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

- 1) Comply with WPDES permit containing SSO's
2) Minimize the occurrences of preventable overflows
3) Minimize the life cycle ownerships costs of the collection system
4) Improve or maintain system reliability
5) Reduce the potential threat to human health from SSO's
6) Provide adequate capacity to convey peak flow and manage I/I
7) Protect collection system worker health and safety
8) Operate a continuous CMOM program

Did you accomplish them?

- ☒ Yes
- ☐ No

If No, explain:

- ☒ Organization [NR 210.23 (4) (b)] ☐ ☐

Does this chapter of your CMOM include:

- ☒ Organizational structure and positions (eg. organizational chart and position descriptions)
- ☒ Internal and external lines of communication responsibilities
- ☒ Person(s) responsible for reporting overflow events to the department and the public

- ☒ Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

Greenfield Municipal Code

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 2008-07-15

Does your sewer use ordinance or other legally binding document address the following:

- ☒ Private property inflow and infiltration
- ☒ New sewer and building sewer design, construction, installation, testing and inspection
- ☒ Rehabilitated sewer and lift station installation, testing and inspection
- ☒ Sewage flows satellite system and large private users are monitored and controlled, as necessary
- ☒ Fat, oil and grease control
- ☒ Enforcement procedures for sewer use non-compliance

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:

5/25/2023

2022

☒ Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

- ☒ Equipment and replacement part inventories
- ☒ Up-to-date sewer system map
- ☒ A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation
- ☒ A description of routine operation and maintenance activities (see question 2 below)
- ☒ Capacity assessment program
- ☒ Basement back assessment and correction
- ☒ Regular O&M training

☒ Design and Performance Provisions [NR 210.23 (4) (e)] ☐ ☐

What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?

- ☒ State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements
- ☒ Construction, Inspection, and Testing
- ☐ Others:

0

☒ Overflow Emergency Response Plan [NR 210.23 (4) (f)] ☐ ☐

Does your emergency response capability include:

- ☒ Responsible personnel communication procedures
- ☒ Response order, timing and clean-up
- ☒ Public notification protocols
- ☒ Training
- ☒ Emergency operation protocols and implementation procedures

☒ Annual Self-Auditing of your CMOM Program [NR 210.23 (5)] ☐ ☐

☒ Special Studies Last Year (check only those that apply):

- ☒ Infiltration/Inflow (I/I) Analysis
- ☐ Sewer System Evaluation Survey (SSES)
- ☐ Sewer Evaluation and Capacity Management Plan (SECAP)
- ☐ Lift Station Evaluation Report
- ☐ Others:

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	27.1	% of system/year
Root removal	27.1	% of system/year
Flow monitoring	3.4	% of system/year
Smoke testing	0	% of system/year
Sewer line televising	17.3	% of system/year
Manhole inspections	11.8	% of system/year
Lift station O&M	0	# per L.S./year
Manhole rehabilitation	1.2	% of manholes rehabbed
Mainline rehabilitation		

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:

5/25/2023

2022

	0.002	% of sewer lines rehabbed
Private sewer inspections	0	% of system/year
Private sewer I/I removal	0	% of private services
River or water crossings	100	% of pipe crossings evaluated or maintained
Please include additional comments about your sanitary sewer collection system below:		

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

34.6	Total actual amount of precipitation last year in inches
34.6	Annual average precipitation (for your location)
149.5	Miles of sanitary sewer
0	Number of lift stations
0	Number of lift station failures
0	Number of sewer pipe failures
1	Number of basement backup occurrences
27	Number of complaints
4.8	Average daily flow in MGD (if available)
	Peak monthly flow in MGD (if available)
	Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

0.00	Lift station failures (failures/year)
0.00	Sewer pipe failures (pipe failures/sewer mile/yr)
0.00	Sanitary sewer overflows (number/sewer mile/yr)
0.01	Basement backups (number/sewer mile)
0.18	Complaints (number/sewer mile)
0.0	Peaking factor ratio (Peak Monthly:Annual Daily Avg)
0.0	Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OVERFLOWS REPORTED **				
	Date	Location	Cause	Estimated Volume
None reported				

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

☐ Yes

☒ No

If Yes, please describe:

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:

5/25/2023

2022

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

☐ Yes

☒ No

If Yes, please describe:

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

The City is still waiting (since 2019) for MMSD to determine if it will allow CIPP lining as a rehab technique for private property I/I lateral rehabilitation. MMSD is the primary funding source for our private property I/I program.

In 2022, MMSD notified Greenfield that we no longer have any non-compliant metersheds.

5.4 What is being done to address infiltration/inflow in your collection system?

The City continues to follow standards, accepted practices and procedures for operation and maintaining its collection system.

The City is following an 8-year cleaning and televising program where all public mains are TV'd once every 8 years and cleaned once every 4 years. CCTV is our primary means of rating pipes for structural and I/I deficiencies.

Using sewer main assessment and rating data, the City is working to develop a long-range sanitary sewer main rehabilitation plan to address needs in our system due to aging infrastructure.

The City is working to develop a long-range sanitary sewer MH inspection and rehabilitation plan.

Total Points Generated	-
Score (100 - Total Points Generated)	-
Section Grade	-

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 **2022**

Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	-			
TOTALS			1	4
GRADE POINT AVERAGE (GPA) = 4.00				

- Notes:
- A = Voluntary Range (Response Optional)
 - B = Voluntary Range (Response Optional)
 - C = Recommendation Range (Response Required)
 - D = Action Range (Response Required)
 - F = Action Range (Response Required)

Compliance Maintenance Annual Report

Greenfield Sewage Collection System

Last Updated: Reporting For:
5/25/2023 2022

Resolution or Owner's Statement

Name of Governing
Body or Owner:

Date of Resolution or
Action Taken:

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Financial Management: Grade = A

Collection Systems: Grade = -

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 4.00