

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

A. Call to Order & Roll Call

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

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

Excused: Andrew Drzewiecki

Also present: Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk.

B. Opening Prayer

An opening prayer was given by Chaplain Leggett.

C. Pledge of Allegiance

D. Approval of the June 20, 2023 Common Council minutes

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

Mayor Neitzke went to agenda item E1.

E. Mayor's Report

Mayor Neitzke spoke about the housing bubble.

Mayor Neitzke went to agenda item I1.

1. Adopt a resolution regarding Local Government Funding Legislation Resolution Expressing Support for Wisconsin Act 12

Mayor Neitzke explained the City's tax levy, net new construction, the workforce, health insurance, bridging the gap, raising taxes, and how to break even. He explained that the total amount of taxes collected is always the same; it's the levy amount plus the net new construction amount, which has nothing to do with the reassessment. He spoke about the housing market, the high sale prices, and the high interest rates. The assessments are completed by a third-party contractor, and the City doesn't go out and assess. They evaluate single-family homes by looking at market sales. Mayor Neitzke encouraged everyone to contact the assessor if they were questioning their assessment. He spoke about commercial and office property values, the tax rate and its breakdown, and that the state required the reassessment. He discussed the economy and the housing market when the last reassessment was completed in 2009, how COVID affected the revaluation, the housing bubble, the City's budget, and that the City saves funds every year in order to pay for the reassessment since it is expensive. He explained that the tax base shifted due to the high value increase for single-family houses, while all other property types did not increase as much. The burden falls on the properties with a higher accelerated value. He talked about the state saying we are out of compliance and that reassessment is required, a recession, and the difficulty of filling skilled positions.

Alderperson Bailey, Mayor Neitzke, and Alderperson Kastner discussed fair market value numbers.

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

Under discussion, Mayor Neitzke discussed shared revenue and how it doesn't have anything to do with property taxes, and he thanked Senator Bradley and State Representative Donovan.

On a roll call vote, motion carried unanimously.

F. Aldermanic Reports

Alderperson Bailey spoke about the Tree Commission report and an urban forestry event at the Farmer's Market in August.

Alderperson Akers and Mayor Neitzke discussed the concerts at Konkel Park.

G. Announcements

H. Citizen Commentary

James Konkel, 4155 S. 99th Street, spoke about his increased property value; he asked why such a drastic increase and was glad that it wasn't for new City projects.

Mayor Neitzke went back to agenda item E.

I. Public Hearings

Mayor called the public hearing open at 7:30 p.m.

1. Public Hearing on a Special Use Permit for Mochinut, a proposed limited-service restaurant, to be located at 4848 S. 76 St., submitted by Mohammad Assad, d/b/a Mesho Sweets, LLC. (Tax Key No. 617-9981-002) (PC-6/13/23 Kastner)

Jeff Katz, the Neighborhood Services director, presented the site information, a description of the business, hours of operation, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Motion by Alderperson Kastner, seconded by Alderperson Akers to close the public hearing at 7:33 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Mochinut, a proposed limited-service restaurant, to be located at 4848 S. 76 St., submitted by Mohammad Assad, d/b/a Mesho Sweets, LLC. (Tax Key No. 617-9981-002) (PC-6/13/23 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve agenda items I1a and I1b.

Under discussion, Alderperson Akers and Mayor Neitzke discussed that it was a Hawaiian doughnut shop and that the hours of operation went to midnight for flexibility.

On a roll call vote, motion carried unanimously.

- b. Approve a Site Plan Review for Mochinut, a proposed limited-service restaurant, to be located at 4848 S. 76 St., submitted by Mohammad Assad, d/b/a Mesho Sweets, LLC. (Tax Key No. 617-9981-002) (PC-6/13/23 Kastner)

Approved under agenda item I1a.

2. Public Hearing on an Amendment to Ordinance No. 3010 pertaining to PUD Planned Unit Development District (PUD #4). (PC-7/10/23 Kastner)

The public hearing opened at 7:34 PM.

Mr. Katz presented the ordinance amendment, rezoning, and recommendations from the Plan Commission. There weren't any letters of objection or support received. It's removing Cobalt as the purchaser of the property.

Mayor Neitzke explained the site plan and the components that were presented the last time Spring Mall had a public hearing. He spoke about Cobalt, Meyer's Restaurant, possible apartments, the fence, that the old zoning remains in place, and that there isn't a proposed development there now.

Mayor Neitzke introduced Dan Kasza, 4164 S. 72nd Street, who registered for informational purposes only. He talked about purchasing the property. Mayor Neitzke spoke about the previous offer and the fire sale. Mr. Kasza and Mayor Neitzke discussed the fence. Mayor Neitzke spoke about the property assessment, the maintenance, mitigating the cost, and demolishing the buildings.

Tyler Moench, 7507 W. Cold Spring Road, registered as speaking in favor. Mr. Katz answered his question about the fence placement by saying that it is replacing the old fence. Mr. Moench and Mayor Neitzke discussed that City Hall wouldn't be moving and the zoning of his property.

Motion by Alderperson Akers, seconded by Alderperson Kastner to close the public hearing at 7:52 PM. Motion carried unanimously.

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

- a. Approve an Amendment to Ordinance No. 3010 pertaining to PUD Planned Unit Development District (PUD #4). (PC-7/10/23 Kastner)

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

J. Old Business

1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:

- i. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)
Place on next agenda.
- ii. One alternate member to the Tree Commission for a term to expire 5-1-24 (formerly Chloe Selkirt)
Place on next agenda.
- iii. One member to the Zoning Board of Appeals for a term to expire 5/1/26 (formerly John Rivera)
Place on next agenda.

K. New Business

1. Approve applications for 2023-2024 operator licenses (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. Motion carried unanimously.
2. Approve applications for an Amusement license to expire July 31, 2024. (Goergen)
Motion by Alderperson Bailey, seconded by Alderperson Kastner to approve. Motion carried unanimously.
3. Approve application for 2023-2024 "Class A" fermented malt beverage and liquor Retailer's License for Singh Aish Inc, Sukhwinder Singh, Agent, for the property at 4312 W. Howard Ave. (Jens Beer & Liquor). Alcohol beverages are in the main cooler which is an 8 door and a 2 door slide cooler. There are 4 aisles in the store where all the alcohol beverages are shelved. There is an extra storage in the basement. There are 5 shelves where there is extra liquor stored and there is some extra beer stored in the cooler. Documents will be stored in the office located at 4312 W. Howard Ave. (Goergen)
Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve. Motion carried unanimously.
4. Consider/approve the 2024-2026 Cooperation Agreement between Milwaukee County and the City of Greenfield re: Housing and Community Development. (Mayor Neitzke)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
5. Discussion/decision regarding agreement with Milwaukee County for Community Development Block Grant (CDBG) Program Reallocation Funds. (Jaquish)
Scott Jaquish, the Parks and Recreation director, explained the grant, the reallocation request, the guidelines, that it has a very aggressive timeline, and how the funds would be used for Konkel Park.
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
6. Approve an Outdoor Special Event application for Friends Fest, an event to be located at Friends on Forest Home at 5614 W. Forest Home Ave., September 1-2, 2023. Application includes the following combination of licenses/permits: OSE, extension of premises (beer, live music, car show), food, and commercial building, electrical and plumbing, waive all application fees, and waive the Mun. Code operating time limit of 10:00 p.m. to allow the finishing time for both beer service and band performance to be 11:00 p.m. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(a)12. (Porter)

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

7. Approve granting a construction easement, a waiver of appraisal and a statement to the construction engineer to the Wisconsin Department of Transportation. (Katz)

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

8. Approve purchase of land for West Carpenter Avenue right of way and trail easements. (BPW-6/27/23 Bailey)

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

Mayor Neitzke said that this is to connect the trail and neighborhoods.

9. Approve a Special Use Review and Site Plan Review for an ownership change to Plato's Closet, an existing business located at 5020 S. 74 St., submitted by Joshua Berden, d/b/a Plato's Closet Greenfield. (Tax Key No. 617-9975-024) (PC-7/10/23 Kastner)

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

10. Approve a Memorandum of Understanding (MOU) between the Wisconsin Elections Commission (WEC) and the City of Greenfield to participate in the 2023 absentee ballot envelope subgrant program. (7/12/23 F&HR S. Saryan)

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

11. Discussion and decision to approve a Facility Use Agreement with Adoration Lutheran Church to provide a polling location for 2024-2025 elections. (7/12/23 F&HR S. Saryan)

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

12. Grant Agreement between DHS WI and Greenfield Health Department for TB Dispensary Program (7/12/23 F&HR S. Saryan)

Motion by Alderperson Akers, seconded by Alderperson Saryan to approve agenda items K12 - K13. On a roll call vote, motion carried unanimously.

13. Contract modification agreement between the State of Wisconsin Department of Health Services and the Greenfield Health Department related to 2023 Consolidated Contract grant funding related to Overdose Data to Action. (7/12/23 F&HR S. Saryan)

Approved under agenda item K12.

14. Approve a service agreement update with TDS to move all services for the city under a single account and purchase equipment for the migration between copper and IP based systems (7/12/23 F&HR S. Saryan)

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

15. Approval of schedules of disbursements in the amount of \$6,481,100.93. (7/12/23 F&HR S. Saryan)

Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve agenda items K15 - K18. On a roll call vote, motion carried unanimously.

16. Approval of mileage reimbursements in the amount of \$1,435.11. (7/12/23 F&HR S. Saryan)

Approved under agenda item K15.

17. Investments and reinvestments for May 2023. (7/12/23 F&HR S. Saryan)

Approved under agenda item K15.

18. Accept May 2023 financial statements. (7/12/23 F&HR S. Saryan)

Approved under agenda item K15.

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19. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(b) & (f), considering licensure, social or personal history, or medical information, for purposes of issuing a 2023-2024 operator license to the following:

a. Lonnie Strasser

Motion by Alderperson Bailey, seconded by Alderperson Akers to go into closed session at 8:05 PM. On a roll call vote, motion carried unanimously.

20. Adjourn closed session and reconvene into open session.

Motion by Alderperson Akers, seconded by Alderperson Kastner to adjourn closed session and reconvene into open session at 8:11 PM. Motion carried unanimously.

21. Decision re: 2023-2024 Operator's License for Lonnie Strasser. (Goergen)

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

L. Items for future agenda

Reassessment

M. Adjourn

Motion by Alderperson Bailey, seconded by Alderperson Akers to adjourn at 8:14 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 7/24/2023

SIGN UP SHEET
CITIZEN COMMENTARY OF COMMON COUNCIL AGENDA

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

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

THANK YOU FOR YOUR COOPERATION.

	<u>Name</u>	<u>Address</u>
1.	Ronkel James	4135 so 99 street
2.	Kasra Daw	4164 S 72 ST
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RESOLUTION NO. 3926

Local Government Funding Legislation Resolution
Expressing Support for Wisconsin Act 12

WHEREAS, the City of Greenfield is excited to share Local Government Funding Legislation Assembly Bill 245, Shared Revenue, has been signed into law on Tuesday, June 20, 2023 by Governor Tony Evers; and

WHEREAS, the City of Greenfield wishes to thank the Governor, the State Senators, and the State Representatives who supported this bill; and

WHEREAS, the City of Greenfield wishes to thank our local legislators for their help and support of this historic initiative; and

WHEREAS, beginning July 1, 2024, a full penny of sales tax goes into a segregated local government fund; and

WHEREAS, all communities will see at least a 20% increase over current municipal aid except Milwaukee which receives 10% and the local sales tax authority; and

WHEREAS, the City of Greenfield will receive a 100.6% increase, which will help support essential local services; and

WHEREAS, future percentage increases in sales tax revenue will be applied to both existing and supplemental aids; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Greenfield, thanks the Legislature for increasing funding for the shared revenue program and directs the Clerk to send a copy of this resolution to the state legislators representing the City of Greenfield, to Governor Tony Evers and to the League of Wisconsin Municipalities.

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3927

Special Use Permit for Mochinut, a proposed limited-service restaurant, to be located at 4848 S. 76 St., submitted by Mohammad Assad, d/b/a Mesho Sweets, LLC.
(Tax Key No. 617-9981-002)

WHEREAS, Mohammad Assad, d/b/a Mesho Sweets, 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 Mochinut, a fusion dessert chain, for a proposed limited-service restaurant, to be located at 4848 S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 18, 2023, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Mohammad Assad, d/b/a Mesho Sweets, LLC., has offices at 4848 S. 76 St., Greenfield, WI 53220.
2. The property is owned by Davinder Toor, d/b/a 4848 S 76, LLC, 12033 W. Wilbur Ave., Greenfield, WI 53228
3. Mochinut will occupy approximately 1,300 sq. ft. of the multi-tenant commercial building for a limited service restaurant at 4848 S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 7173, being a part of the Northwest 1/4 of Section 27, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.
Tax Key No. 616-0001-004

Said land being located at 4848 S. 76 St.
4. The applicant is proposing to establish a limited-service restaurant within the multi-tenant commercial building.
5. The aforesaid premise is zoned Planned Unit Development (PUD) under the Zoning Ordinance of the City of Greenfield, which permits limited-service restaurants 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. commercial corridor. 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 Mohammad Assad, d/b/a Mesho Sweets, LLC., to establish a limited-service restaurant, to be located at 4848 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 June 13, 2023 and by the Common Council on July 18, 2023. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for Mochinut will be 9:00am – 12:00am (midnight), seven days per week.
4. Off-Street Parking. A total of 19 off-street parking stalls are required for Mochinut. The entire multi-tenant commercial building requires a total of 115 off-street parking spaces. The property will provide 111 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.

Mohammad Assad, d/b/a Mesho Sweets, LLC.

Davinder Toor, d/b/a 4848 S 76, LLC

Provided to applicant on the
_____ day of _____, 2023

Community Development Manager

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

ORDINANCE NO. 3016

Amendment to Ordinance No. 3010 pertaining to PUD Planned Unit Development District (PUD #4).

WHEREAS, the Common Council adopted Ordinance No. 3010, to amend the official Greenfield zoning map by rezoning the property located at 4200 S. 76 St. (the “Property”) from C-4 Regional Business District to PUD Planned Unit Development District (PUD #4) on November 1, 2022; and,

WHEREAS, the ordinance stated that it shall take effect and be in force upon its passage, publication, and upon the recording of a deed transferring ownership of the property from Brixmor Spring Mall Limited Partnership (“Brixmor”) to Cobalt Partners, LLC (“Cobalt”) or its affiliate; and,

WHEREAS, the City of Greenfield purchased the Property from Brixmor on June 20, 2023; and,

WHEREAS, the Common Council shall amend Ordinance No. 3010 to remove the statement pertaining to the rezoning taking effect and be in force upon the transfer of ownership from Brixmor to Cobalt so the rezoning may immediately take effect upon the passage of this Amendment to Ordinance 3010.

NOW, THEREFORE, the Common Council of the City of Greenfield do ordain as follows:

PART I: Part V of Ordinance No. 3010, stating, “This ordinance shall take effect and be in force upon its passage, publication, and upon the recording of a deed transferring ownership of the property from Brixmor Spring Mall Limited Partnership to Cobalt Partners, LLC or its affiliate,” is hereby repealed.

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

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

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk