

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON  
TUESDAY, APRIL 15, 2014

The meeting was called to order by Mayor Neitzke at 7:17 p.m.

1. ROLL CALL:

|                       |         |
|-----------------------|---------|
| Aldersperson Lubotsky | Present |
| Aldersperson Bailey   | Present |
| Aldersperson Kastner  | Present |
| Aldersperson Akers    | Present |
| Aldersperson Saryan   | Present |

  

|               |                  |                                   |
|---------------|------------------|-----------------------------------|
| ALSO PRESENT: | Jennifer Goergen | City Clerk                        |
|               | Roger Pyzyk      | City Attorney                     |
|               | Rick Sokol       | Director of Neighborhood Services |
|               | Chuck Erickson   | Community Development Manager     |
2. An opening prayer was given by Pastor Steve Rogers
3. Pledge of Allegiance

It was moved by Aldersperson Kastner, seconded by Aldersperson Akers, to reconsider the Council's action in Item #9 and Item #11(4) of the April 2, 2014 Common Council minutes. Motion carried unanimously.

Item #9 After a discussion, it was moved by Aldersperson Kastner, seconded by Aldersperson Lubotsky, to approve a Special Use for St. Vincent de Paul Society of Milwaukee, as a 'Used Merchandise Store' in order to open a retail thrift store for clothing and household goods in an approximately 35,000 sq. ft. area on the north end of the building owned/occupied by The Ridge Community Church at 4500 South 108<sup>th</sup> Street [former Walmart building, Tax Key #608-9995-009]. On a roll call vote, the motion carried unanimously.

Item #11(4) It was moved by Aldersperson Kastner, seconded by Aldersperson Akers, to approve Site/Building/Landscaping Review and a Special Use as a 'Used Merchandise Store' in order to open a retail thrift store for clothing and household goods in an approximately 35,000 sq. ft. area on the north end of the building owned/occupied by The Ridge Community Church at 4500 South 108<sup>th</sup> Street (former Walmart building), subject to Plan Commission and staff comments which are incorporated within the Special Use Agreement, Tax Key #608-9995-009, and authorize the Mayor to execute said Agreement.

After a discussion, on a roll call vote, the motion carried unanimously.

4. It was moved by Aldersperson Akers, seconded by Aldersperson Lubotsky, to approve the April 2, 2014 Council minutes, as recorded. Motion carried unanimously.

5. Mayor's Report

- a. Resolution Objecting to the Vote of the SEWRPC (Southeastern Wisconsin Regional Planning Commission) Advisory Committee on Transportation System Planning and Programming for the Milwaukee Urbanized Area Preventing Funding for the City's Edgerton Avenue Road Project is to be placed on the **NEXT AGENDA**
- b. It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to confirm Mayor Neitzke's appointment of Chief Cohn as Emergency Management Director and Health Director Rausch and Chief Wentlandt as Deputy Directors. On a roll call vote, the motion carried unanimously.
- c. Mayor Neitzke said he has issued a proclamation proclaiming Saturday, May 3, 2014, as Arbor Day in the City of Greenfield

6. Aldermanic Reports - None

7. Announcements

Mayor Neitzke said the Forward Thinking Group met on April 14, 2014 and will be bringing forward a community partnership item to the Common Council and the School Districts with regard to their findings and what the hopes are for the future of the organization.

8. Citizen Commentary

The following addressed the Council:

Joan Stevens, 4059 South 99<sup>th</sup> Street, invited everyone to participate in the Arbor Day activity on Saturday, May 3, 2014 from 10:00 a.m. to 11:30 a.m. at a new City park located off of South Root River Parkway and West Brookside Drive. It is the ninth new park that the Greenfield Beautification Committee will have landscaped. Twenty-two trees and shrubs will be planted this year.

9. Public hearing regarding a Proposed Amendment to the Comprehensive Land Use Plan as it applies to the Mt. Carmel parcel at 5700 West Layton Avenue and the May parcels at 5520 West Layton Avenue as follows:

- Tax Key #602-9947-003: 19.35 acres. from 'Community Facility' to 'Planned Mixed Use'
- Tax Key #602-9943-003: .98 acres. from 'Planned Business' to 'Planned Mixed Use'
- Tax Key #602-9943-004: .84 acres. from 'Planned Business' to 'Planned Mixed Use'

Chuck Erickson, Community Development Manager, presented diagrams of the property in question. He indicated seven surrounding municipalities were notified of the proposed amendment to the Comprehensive Land Use Plan along with SEWRPC (Southeastern Wisconsin Regional Planning Commission) and Milwaukee County 30 days ago. Mr. Erickson said there is no specific proposal at this time. However, the idea that was presented to the Plan Commission was that given the announcement of the property owner in October that the nursing home (Mt. Carmel) would be closing, there was some initial discussion within the Plan Commission in November, 2013 about whether a change should be initiated in the Land Use Plan or to wait until a project is proposed. Then the discussion was with regard to waiting until February, 2014 to allow

things to settle down further within the Mt. Carmel parcel. The February, 2014 Plan Commission recommendation is to approve the change that is being made for the nomenclature, the Planned Mixed Use, which is the proposed change for the entire nursing home area and then the May property at the southeast corner would match what is at the open corner on the southwest corner of that particular spot. Mr. Erickson explained that the Planned Mixed Use is the broadest category there is within the Land Use Plan. He said the site will be attractive to someone with the freeway frontage, four-way interchange at South 60<sup>th</sup> Street, there is one owner, it is a big property (20 plus acres) and add in the May property at the corner. That entire quadrant would then have the same designation and would be a step in the redevelopment process that would be completed and ideally looked on more favorably by prospective individuals that may have an interest in the property. Mr. Erickson said he has been in contact with Barbara May who is the representative of the May property. Ms. May is unable to be present this evening. He added that a relative of Barbara May contacted him and he distributed that information to the City Clerk. The Plan Commission had a favorable recommendation on the matter that is before the Council this evening.

Mayor Neitzke read the email that Mr. Erickson sent to Jennifer Goergen, City Clerk, wherein he indicates that in a conversation he had with Nancy Romanowich, one of the co-owners of one of the May parcels (Key #602-9943-003), on April 14, 2014, she said she is supportive of the proposed change from 'Planned Business' to 'Planned Mixed Use'.

Mayor Neitzke read an email the City Clerk's Office received from Robert Roesler, President of the Greenfield Historical Society, that states the Board of Directors of the Greenfield Historical Society approves the change in the classification of the three properties neighboring their property at 5601 West Layton Avenue and that they believe it will generate greater revenues for the City and increased numbers of visitors to their site.

Mayor Neitzke stated that additionally, he received a call from one of the owners of Built-Rite Furniture who had heard rumors of a potential user of the site and was excited for the commercial property to be redeveloped on the corner of South 60<sup>th</sup> Street and West Layton Avenue and had no objections.

Mr. Erickson added that when a development project comes before the City, it will still need to come through the Plan Commission. He said a step related to the redevelopment of the site is being taken care of earlier rather than later.

Mayor Neitzke said when it was announced that Mt. Carmel was going to be closing, the City started initiating plans to basically clean the property for future redevelopment not knowing who or what was coming.

No one addressed the Council for or against the proposed Amendment to the Comprehensive Land Use Plan.

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

After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Akers, to amend the Comprehensive Land Use Plan as it applies to the Mt. Carmel parcel at 5700 West Layton Avenue [and the May parcels at 5520 West Layton Avenue as follows]:

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

- Tax Key #602-9947-003: 19.35 acres. from 'Community Facility' to 'Planned Mixed Use'
- Tax Key #602-9943-003: .98 acres. from 'Planned Business' to 'Planned Mixed Use'
- Tax Key #602-9943-004: .84 acres. from 'Planned Business' to 'Planned Mixed Use'

On a roll call vote, the motion carried unanimously.

10. Plan Commission Meeting held April 8, 2014

It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the following:

Item #4 Special Use Review for Yumin Chen as the new owner of Japanica Restaurant, 4918 South 74<sup>th</sup> Street, subject to Plan Commission and staff comments, Tax Key #617-9975-024

Item #6 Plan Commission Waiver to allow a residential use for a former office building at 6944 West Forest Home Avenue on the ground floor of this single-story structure, since the C-1 Commercial zoning for the parcel does allow residential use but only on a second-floor, subject to Plan Commission and staff comments, Tax Key #571-8977-001

On a roll call vote, the motion carried unanimously.

11. City Clerk's Report:

It was moved by Alderperson Akers, seconded by Alderperson Saryan, that the regular scheduled meetings of the Common Council for the months of June, July, August & September, 2014 be June 17, July 15, August 19, and September 16, 2014.

After a discussion, the motion carried unanimously.

12. Appointment of Council President for a one year term

Alderperson Akers nominated herself for the position of Council President.

There were no other nominations.

On a roll call vote on the nomination of Alderperson Akers for Council President, all alderpersons voted yes.

*At this time, the Council proceeded with Item #13b*

13. 2014 Council Representative appointments to various committees and commissions:

a. Council appointments:

After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to reappoint the alderpersons to the same committees as last year except that Alderperson Bailey will serve on the committees which former Alderperson Pietrowski served. Motion carried unanimously.

Therefore, the Council Representatives to committees are as follows:

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**(1) Three members to the Finance & Human Resources Committee**

Alderpersons Bailey, Kastner & Saryan

**(2) Three members to the Legislative Committee**

Alderpersons Lubotsky, Bailey & Saryan

**(3) One member to the Park & Recreation Board**

Aldersperson Saryan

**(4) One member to the Plan Commission**

Aldersperson Kastner

*The Council proceeded with Item #14*

**b. Mayor appointments, confirmed by Council:**

Per the Mayor's request, it was moved by Aldersperson Kastner, seconded by Aldersperson Akers, to confirm the Mayor's reappointment of alderpersons to the same committees as last year except he appoints Aldersperson Bailey to serve on the committees that former Aldersperson Pietrowski was a member of. Those committees include the Board of Public Works and the Community Development Authority. Motion carried unanimously.

Therefore, the Council Representatives are as follows:

**(1) One member to the Board of Health**

Aldersperson Akers

**(2) One member to the Public Library Board**

Aldersperson Akers

**(3) Three members to the Board of Public Works**

Alderpersons Lubotsky, Bailey & Akers

**(4) One member to the Tree Commission (appointment is for a 2 year term)**

Ald. Lubotsky (2 year term which expires April 18, 2016)

**(5) One member to the Community Development Authority**

Aldersperson Bailey will serve during his current term of office which expires April 17, 2017

Aldersperson Kastner is presently serving during his current term of office which expires April 20, 2015.

*At this time, the Council proceeded with Item #13a*

**14. Appointments to various committees and commissions:**

**a. Council appointments:**

Mayor Neitzke reappointed Richard Kasza, 4345 South 36<sup>th</sup> Street, as a member to the Board of Public Works for a term to expire May 1, 2016

**b. Mayor appointments, confirmed by Council:**

It was moved by Aldersperson Akers, seconded by Aldersperson Kastner, to confirm the Mayor's appointment of the following:

- (1) Robert Sherwood, 12030 West Black Oak Drive; David Shore, 12271 West White Oak Drive; and Veronica Wallace-Kraemer, 9712 West Plainfield Avenue, as members to the Civil Service Commission for a term to expire May 1, 2017
- (2) Julie Degaro, 8217 West Waterford Avenue, as a member to the Fire & Police Commission for a term to expire May 1, 2019
- (3) Donald Reid, 6100 West Marcy Lane, as a member to the Board of Review for a term to expire May 1, 2015
- (4) Donald Kopp, 6102 West Plainfield Avenue, as a member to the Board of Review for a term to expire May 1, 2017
- (5) Steve Rogers, 5020 South 60<sup>th</sup> Street, as a member to the Board of Review for a term to expire May 1, 2019
- (6) Joan Stevens, 4059 South 99<sup>th</sup> Street, and Rebecca Thorpe, 3781 South 35<sup>th</sup> Street, as members to the Tree Commission for a term to expire May 1, 2016
- (8) Audrey Ellison, 3473 South 50<sup>th</sup> Place, and Donald Kopp, 6102 West Plainfield Avenue, as members to the Zoning Board of Appeals for a term to expire May 1, 2017

Motion carried unanimously.

**c. Mayor appointments:**

- (1) Mayor Neitzke reappointed Brian Weis, 8000 West Cold Spring Road, and Christine Hallen, 4676A South 43<sup>rd</sup> Street, as members to the Plan Commission for a term to expire May 1, 2017

(3) Mayor Neitzke designated Audrey Ellison as Chairman of the Zoning Board of Appeals

The following appointments are to be placed on the **NEXT AGENDA**:

a. Mayor appointments, confirmed by Council:

One alternate member to the Tree Commission for a term to expire 5/1/16  
(formerly Lew Silva who was appointed a regular member at the 11/5/13 Council meeting)

b. Mayor appointments:

Two alternate members to the Zoning Board of Appeals for a term to expire 5/1/15  
(formerly Donald Kopp; currently Bruce Bailey)

15. It was moved by Alderperson Bailey, seconded by Alderperson Saryan, to approve the issuance of an operator license to each of the following:

Caban III, Samuel -7085 W. Southridge Dr. Shindel, Nicole M-1918 W. Salem St.

Motion carried unanimously.

16. It was moved by Alderperson Saryan, seconded by Alderperson Lubotsky, to approve the issuance of a Combination "Class B" Beer & Liquor License to New Japanica Wisconsin Inc., Li Jin Chen, Agt., for the property located at 4918 South 74<sup>th</sup> Street (dining area, bar, walk-in cooler/storage cabinet) (New Japanica). Motion carried unanimously.

17. It was moved by Alderperson Saryan, seconded by Alderperson Akers, to approve the issuance of a Temporary Class "B" Retailer's License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at an Autism Speaks Ride outdoor event on Saturday, July 12, 2014 from 8:00 a.m. – 5:00 p.m. at 6221 West Layton Avenue. Motion carried unanimously.

18. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve the issuance of a Temporary Class "B" Retailer's License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at an outdoor Riders for Survivors Law Enforcement Ride to be held Saturday, May 31, 2014 from 10:00 a.m. – 5:00 p.m. at 6221 West Layton Avenue. Motion carried unanimously.

19 & 20. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to approve the issuance of the following:

A Temporary "Class B" Retailer's License to St. John the Evangelist Parish to sell fermented malt beverages and wine at a parish festival to be held indoors and outdoors on Friday, July 25, 2014 from 4:00 p.m. to 11:00 p.m.; Saturday, July 26, 2014 from 3:00 p.m. to 11:00 p.m.; and Sunday, July 27, 2014 from 12:00 noon to 9:00 p.m. at 8500 West Cold Spring Road

A Carnival License to St. John the Evangelist Parish to have 10 rides or stands at a parish festival to be held Friday, July 25, 2014 from 4:00 p.m. to 11:00 p.m.; Saturday, July 26, 2014 from 3:00 p.m. to 11:00 p.m.; and Sunday, July 27, 2014 from 12:00 noon to 9:00 p.m. at 8500 West Cold Spring Road

Motion carried unanimously.

21 & 22. It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to approve the following:

Schedules of disbursements in the amounts of \$229,571.85; \$729,049.44; \$780,451.35 and (\$933.01).

Mileage reimbursements in the amount of \$170.12

On a roll call vote, the motion carried unanimously.

22a. After Fire Chief Jon Cohn addressed the Council, it was moved by Alderperson Saryan, seconded by Alderperson Kastner, to transfer the remaining balance in CE1114 Portable Radio Battery and CE1317 Portable Radio Battery and reallocate those dollars to a new 2014 CE Account for Tactical EMS Fire equipment in an amount not to exceed \$11,000.

After further discussion, on a roll call vote, the motion carried unanimously.

Chief Cohn indicated this week is National Telecommunicator Week and the success of the Police & Fire depends on the dispatchers answering the call and telling the Police & Fire where to go. He acknowledged the dispatchers for the great work they do behind the scenes.

23. Department of Neighborhood Services Report:

It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to confirm the Mayor's reappointment of Jon Majdoch, 4251 South 27<sup>th</sup> Street (Lightspeed), to Business Improvement District #1 and Nicole Romine, 6125 South 27<sup>th</sup> Street (Romine's High Pockets), to Business Improvement District #2. Motion carried unanimously.

24. City Attorney's Report:

It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adopt Ordinance No. 2785.

**ORDINANCE NO. 2785**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE LAND USE MAP  
OF THE CITY OF GREENFIELD**

WHEREAS, The Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of the City Hall at Greenfield, Wisconsin on Tuesday, the 15<sup>th</sup> day of April, 2014 at 7:05 p.m. upon a proposal to amend Comprehensive Land Use Plan Ordinance No. 2629; and

WHEREAS, Notices of said hearing has been duly published in the Greenfield NOW Newspaper, formerly known as MyCommunityNow.com and a period of at least thirty (30) days has expired after the last publication before said hearings, all as required by State Law:

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

PART I. Zoning Ordinance No. 2629 adopted on the 18<sup>th</sup> day of November, 2008 related to the land use map is hereby amended.

PART II. The land use designation for the approximately 21 acres of land described below is hereby changed as follows:

A - Tax Key #602-9943-003: .98 acres from 'Planned Business' to 'Planned Mixed Use';  
5520 W. Layton Avenue

B - Tax Key #602-9943-004: .84 acres from 'Planned Business' to 'Planned Mixed Use';  
5520 W. Layton Avenue

C - Tax Key #602-9947-003: 19.35 acres from 'Community Facility' to 'Planned Mixed Use';  
5700 W. Layton Avenue

"A" 602-9943-003. Lot 1 of Certified Survey Map No. 8354, being a part of the Southwest ¼ of Section 23, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

"B" 602-9943-004. Lot 2 of Certified Survey Map No. 8354, being a part of the Southwest ¼ of Section 23, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

"C" 602-9947-003. That part of the South 30 acres of the West ½ of the Southwest ¼ of Section 23, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, except that part taken by Certified Survey Map No. 4869, except for those parts described in Document Numbers 05748956 & 08278864, and except those parts taken for public street and expressway purposes.

PARTI III. No building permit shall be issued for any structure to be built on the above described property unless the plans, specifications, layout, height, materials and setback lines of such a building are approved by the Common Council of the City of Greenfield. It shall be the duty of the Common Council of the City of Greenfield to issue such building permit unless the Council shall find that the construction of the proposed structure would cause undue congestion in the neighborhood or would be detrimental to the health, safety, morals and general welfare of the citizens of the City of Greenfield, or unless the proposed structure does not comply with all the ordinances of the City of Greenfield, or unless the exterior appearance and design of the proposed structure is so at variance with the exterior design and appearance of structure constructed or in the course of construction in the neighborhood of said proposed structure as to cause a material depreciation generally as to property in said neighborhood in which case it shall be the duty of the Common Council to deny the said building permit. Nothing herein contained shall be construed to alter or amend the building codes of the City of Greenfield, or Milwaukee County, or the State of Wisconsin.

PART IV. All ordinances or parts of ordinances contravening the provision of this ordinance are hereby repealed.

PART V. This ordinance shall take effect from and after its passage and publication.

ADOPTED \_\_\_\_\_, 2014

APPROVED \_\_\_\_\_, 2014

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

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

On a roll call vote, the motion carried unanimously.

25. Items for future agenda - None

26. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn the meeting at 7:54 p.m. Motion carried unanimously.

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

JG:slw

Distributed: April 21, 2014