

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, NOVEMBER 21, 2023

A. Call to Order & Roll Call

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

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

Also present: Jennifer Goergen, City Clerk; Paula Schafer, Finance Director; Tim Sowinski, Deputy Comptroller

B. Opening Prayer

No prayer given.

C. Pledge of Allegiance

D. Approval of the November 7, 2023 Common Council minutes

Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to approve. Motion carried 4-0, with Alderperson Akers abstained.

E. Mayor's Report

F. Aldermanic Reports

Alderperson Bailey said that there is a public involvement meeting on Thursday, November 30, 2023 from 5:00 PM to 7:00 PM at City Hall regarding the noise barrier project and the construction on I-894.

G. Announcements

H. Citizen Commentary

Mayor Neitzke went to agenda item K5.

I. Public Hearings

1. Public Hearing on the proposed 2024 Budget. (Schafer)

The public hearing was opened at 7:20 PM.

Mayor Neitzke presented the total budget; the funds and what goes into them; City employee positions; that the Police Department, Fire Department, and the Department of Neighborhood Services are the largest parts of the budget; the General Fund expenditures; the department revenues; the shared revenue; other revenues and aids that contribute to the budget; the State Aid history; the General Fund levy; the breakdown of the General Fund; capital improvement types and funding sources; capital equipment; and spoke about ordering two dump trucks and a fire engine, which he has put into the budget.

Mayor Neitzke said that he is seeking the Common Council's approval to be in a position to work with the department heads in the event we find these capital items to quickly move ahead. Any State Trust Fund Loan would need the Council's approval, but he wanted the Council to have it on their radar in case they would need to act fast.

Mayor Neitzke reported on the Capital Equipment Funded Request Trend, the property taxes, the housing bubble, the reassessment and its impact, that the tax burden shifted to the residential class, how other communities compared to Greenfield, what other revenues were used to fill the gap, and the sales tax.

Mayor Neitzke thanked the sponsors so we could be self-sufficient and provide good value.

Alderperson Bailey, Mayor Neitzke, and Paula Schafer, the Director of Finance, spoke about reassessing every year, which is a statistical revaluation, but they can't give us the information until 1/1/2025.

Mayor Neitzke said that it would go before the Finance Committee.

The Council discussed putting the presentation on the City's website.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 8:19 PM.
Motion carried unanimously.

- a. Decision regarding the 2024 budget and adoption of a resolution levying property taxes. (Schafer)
Mrs. Schafer spoke about the change to the resolution that was published in the paper, but what was attached to the agenda is correct. The Department of Revenue approved a refund of taxes, so it added \$28,000 to the levy, which increased the levy and decreased the use of fund balances. No other changes were made from what was published in early November 2023.

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve the resolution to levy property tax in the amount of \$28,807,908 to fund the expenses of the City of Greenfield contained in the 2024 budget. On a roll call vote, motion carried unanimously.

Motion by Alderperson Kastner, seconded by Alderperson Saryan to reconsider. Motion carried unanimously.

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to reaffirm the initial decision. 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 the next agenda.

Mayor Neitzke said that Attorney Seibel, the City's Counsel, has recommended that policies and procedures be updated.

- ii. One member to the Zoning Board of Appeals for a term to expire 5/1/26 (formerly John Rivera)
Place on the next agenda.

K. New Business

1. Disallow Claim and Itemized Statement of Relief Sought received from Atty. Monson of Schott, Bublitz & Engel, S.C. on behalf of Claimants Andrew and Jennifer Drzewiecki. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried 4-0, with Alderperson Drzewiecki abstained.
2. Approve applications for 2023-2024 operator licenses (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. Motion carried unanimously.
3. Approve a Special Use Review and Site Plan Review for proposed hours of operation expansion for Holey Mackerel, an existing business located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a Holey Mackerel. (Tax Key No. 619-9997-003) (PC-11/14/23 Kastner)
Alderperson Akers and Alderperson Kastner discussed the outside hours, which should remain the same. Alderperson Akers said that outside hours are 7:00 AM to 11:00 PM.

The Council discussed Konkel Park's hours, its event's times, and whether there might be people migrating to the park after Holey Mackerel.

Mayor Neitzke and Alderperson Akers discussed having the outside hours for one year to see how it goes. Mayor Neitzke said that it is 1:00 AM inside the building and that the applicant may be returning when the outdoor patio and the other building are built as activities change.

Jennifer Goergen, City Clerk, clarified that the outside hours are until 11:00 PM, and then, after that, they must be inside drinking. Inside the building, the hours are until 1:00 AM.

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve as presented, and it's for one year. On a roll call vote, motion carried unanimously.

4. Resolution amending Resolution No. 3928 pertaining to the hours of operation for Holey Mackerel, an amusement and recreational establishment with a bar/tavern, located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a The Lost Whale. (Tax Key No. 619-9997-003)

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve incorporating the Special Use restrictions and the Site Plan. On a roll call vote, motion carried unanimously.

Mayor Neitzke went to agenda item L.

5. 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. Laura Lynn Soto

Motion by Alderperson Kastner, seconded by Alderperson Akers to go into closed session at 7:06 PM. On a roll call vote, motion carried unanimously.

6. Adjourn closed session and reconvene into open session.

Motion by Alderperson Kastner, seconded by Alderperson Bailey to adjourn closed session and reconvene into open session at 7:18 PM. Motion carried unanimously.

7. Decision re: 2023 - 2024 Operator's License for Laura Lynn Soto

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

Mayor Neitzke circled back to agenda item I1.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Kastner, seconded by Alderperson Akers to adjourn at 8:31 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 11/29/23

RESOLUTION NO. 3947

WHEREAS, the City of Greenfield has prepared an Annual Budget for the 2024 fiscal year in accordance with the requirements of the City of Greenfield Municipal Code; and

WHEREAS, the Common Council has reviewed the proposed revenues from all sources and the proposed expenditures for all purposes and has directed that the proposed budget be adjusted accordingly; and

WHEREAS, a public hearing on the Annual Budget was held November 21, 2023 after due and proper notice of said hearing having been given in accordance with the provisions of Section 65.90, Wisconsin Statutes; and

WHEREAS, it is necessary to levy a property tax in the amount of \$28,807,908 (exclusive of the TIF levy) to fund the expenses of the City of Greenfield contained in the 2024 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield, Wisconsin, as follows:

1. That the 2024 Annual Budget, a summary of which is attached hereto and made a part hereof, be and is hereby approved;
2. That the property tax is hereby levied in the amount of \$28,807,908 (exclusive of the TIF levy) on all taxable property within the City of Greenfield as returned by the Assessor in the year 2023, for the purposes as set forth in the budget.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of November, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3948

A RESOLUTION DISALLOWING THE CLAIM OF ANDREW AND JENNIFER
DRZEWIECKI REGARDING ALLEGED DAMAGES RELATING TO A
FLOODING/SEWER BACK-UP ON FEBRUARY 27, 2023

WHEREAS, Andrew and Jennifer Drzewiecki submitted a claim to the City of Greenfield, Milwaukee Metropolitan Sewerage District and the City of Milwaukee, by their legal counsel, Schott, Bublitz & Engel, S.C. dated July 26, 2023, which the City of Greenfield received on July 28, 2023; and

WHEREAS, the claimants alleged that, on or about February 27, 2023, the claimants incurred damages related to a flooding/sewer back up event at their property located at 3579 S. 45th Street, Greenfield, Wisconsin; and

WHEREAS, the City's Special Counsel has reviewed the facts and circumstances relating to the claim and recommends that the Common Council disallow the claim.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield, that the claim of Andrew and Jennifer Drzewiecki, filed with the City on July 28, 2023, regarding the alleged damages incurred related to a flooding/sewer back up event at their property is disallowed.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this disallowance to claimant and claimant's counsel, and claimant is hereby advised that legal action to collect on this claim be commenced within six (6) months of the date of disallowance or be barred.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

This is to certify that the foregoing Resolution was adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 21st day of November, 2023.

Jennifer Goergen, City Clerk

RESOLUTION NO. 3949

Resolution amending Resolution No. 3928 pertaining to the hours of operation for Holey Mackerel, an amusement and recreational establishment with a bar/tavern, located at 5401 W. Layton Ave., submitted by Tripper Duval, d/b/a The Lost Whale. (Tax Key No. 619-9997-003)

WHEREAS, on August 15, 2023, the City of Greenfield Common Council adopted Resolution No. 3928, approving a Special Use Permit for Holey Mackerel, located at 5401 W. Layton Ave.; and,

WHEREAS, the applicant has submitted an application to expand the hours of operation, reviewed by the Plan Commission at its meeting on November 14, 2023; and,

WHEREAS, the Plan Commission recommended approval of the proposed expansion of hours to 1:00am, for the interior existing building/establishment only.

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, for an extension of hours of operation at Holey Mackerel, an amusement and recreational establishment with a bar/tavern, limited service restaurant, and food truck services, 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 Resolution No. 3928 is hereby amended to read:

...

3. Hours of Operation. The allowable hours of operation for Holey Mackerel will be 7:00am – 11:00pm for all outdoor operations, and 7:00am – 1:00am for inside business operations within the existing building only.

...

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 21st day of November, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk