MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, MARCH 19, 2024

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

B. Opening Prayer

An opening prayer was given by Dan Weber.

C. Pledge of Allegiance

D. Approval of the March 5, 2024 Common Council minutes

Mayor Neitzke went to agenda item I2.

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

Mayor Neitzke said that if the minutes needed to be reconsidered and that Robert's Rule of Order, which is in the event that, somehow, there is a [juxtaposition] of the order, it is the Council's intent to reconsider the previous action and to adopt the action we've taken err respective of the order of the adoption of the minutes. Alderperson Kastner summarized that tonight's minutes will reflect the action that we took tonight in regard to what happened at the last Common Council meeting. Mayor Neitzke stated that as chair, he would make any exception that may be required to make sure that the will of this Council is followed and adopted, and he believes that it has been, and that the minutes should reflect it.

E. Mayor's Report

Mayor Neitzke stated that Alderperson Akers and Alderperson Bailey discussed the redevelopment of Spring Mall, the fences and stormwater concerns, which were addressed by the developer, and the phases.

He said that Kristi Porter, Community Development Manager, took a position as director in Oak Creek, that she had served the City well, and the Council congratulated her.

He spoke about the Turf excavation and that the contractor has started the stormwater issue. There was a discussion about obtaining aerial drone pictures of it. Mayor Neitzke talked about the group of skaters that are spreading the word, documenting the construction, the possibility of putting a portable camera there, and working with MMSD.

F. Aldermanic Reports

Alderperson Akers and Mayor Neitzke discussed the progress of the sound barriers.

Mayor Neitzke gave his condolences and said that he sends thoughts and prayers to the family of Gil, the photographer for the Tree Commission.

G. Announcements

Mayor Neitzke spoke about the unveiling of the Veterans Memorial at Konkel Park. He thanked Dan Jansen Fest for its significant contribution to the project.

H. Citizen Commentary

I. Old Business

1. Appointments to various committees and commissions:

a. <u>Mayor appointments, confirmed by Council</u>:

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

Mayor Neitzke went to agenda item J1.

2. Discussion and possible action on a motion to reconsider the following motion that was approved by the Common Council at its meeting of 3/05/24:
   Motion to approve the agreement with the City of West Allis to establish the Southwest Suburban Health Department and to authorize the City Attorney to finalize the agreement substantially consistent with the recommendations of the Finance and Human Resources Committee that the City's allocation will be the levied amount of $724,272, prorated for 2024, with future years at that amount plus the (net new construction percentage plus 1%), proration of revenues for permits/services for 2024, and receipt of employment offer letters; and to approve the form of Service Agreement between the new department and the City of West Allis, including the utilization of space at the Greenfield City Hall. (2/28/24 F&HR S. Saryan) (CC: 3/5/24)
   Motion by Alderperson Akers, seconded by Alderperson Saryan to reconsider. Motion carried unanimously.

   Mayor Neitzke spoke about this item at the finance meeting and the findings. He said that the motion should be: motion to approve the agreement between the City of Greenfield and the City of West Allis to establish the Southwest Suburban Health Department and related Service Agreement between Southwest Suburban Health Department and City of West Allis for Public Health, Fiscal Agent, Human Resources, and Administrative Services.

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

   Under discussion, Mayor Neitzke explained that in the draft, the levy was prorated, and, under the new situation, the revenue stream and levy will be prorated, but all revenues that flow into the City for the entire year will stay in the City. It simplifies the math.

   On a roll call vote, motion carried unanimously.

   Mayor Neitzke went back to agenda item D.

J. New Business

1. Resolution disallowing the claim received of Adnan Assad regarding alleged damages to his vehicle on February 15, 2024. (Goergen)
   Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve the resolution to disallow. On a roll call vote, motion carried unanimously.
2. Claim received from ARI Fleet on behalf of Diana Vargas. (Goergen)
   Referred to the City Attorney.
3. Resolution disallowing the subrogation claim of ARI Fleet (Diana Vargas, Insured) relating to property damage. (Goergen)
   Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve the resolution to disallow. On a roll call vote, motion carried unanimously.
4. Resolution disallowing the claim of Laura Thomas regarding alleged personal injury as a result of a slip and fall on January 23, 2024. (Goergen)
   Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve the resolution to disallow. On a roll call vote, motion carried unanimously.
5. Resolution appointing additional election inspectors for 2024-2025. (Goergen)
   Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
6. Approve applications for 2023-2024 operator licenses (Goergen)
   Motion by Alderperson Akers, seconded by Alderperson Saryan to approve. Motion carried unanimously.
7. Approval of 2024 & 2025 Agreement for July 4th Fireworks display at Konkel Park (S. Jaquish)

Mayor Neitzke said that this contract just came in last week.

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

8. Approve a Special Use Review and Site Plan Review for Crunch Fitness, a proposed fitness and recreational sports center, to be located at 6251 S. 27 St., submitted by Aaron Lieberman, d/b/a JEM CF California One, LLC c/o Atticus Franchise Group and Jeff Jennings, d/b/a J Plus Architects Inc. (Tax Key No. 691-9841-016) (PC-3/12/24 Kastner)

   Motion by Alderperson Drzewiecki, seconded by Alderperson Kastner to approve agenda items J8 - J10.

   Under discussion, Alderperson Kastner and Mayor Neitzke discussed that the landscaping for The Chef House would be completed this year.

   On a roll call vote, motion carried unanimously.

9. Approve a Special Use Review and Site Plan Review for change of tenancy for The Chef House, a proposed full-service restaurant, to be located at 3322 W. Loomis Rd., submitted by Shazad Ahmad, d/b/a The Chef House. (Tax Key No. 553-0436-001) (PC-3/12/24 Kastner)

   Approved under agenda item J8.

10. Approve a Condominium Plat for division of land at 5050-52 S. 58 St., submitted by Scott and Kristine Iwinski, owners, and Dennis Sauer, d/b/a Metropolitan Survey Service, Inc. (Tax Key No. 619-0009-000) (PC-3/12/24 Kastner)

    Approved under agenda item J8.

11. Approve an Outdoor Special Event application for the Grand Appliance Grand Tent Sale, to be located at 6531 W. Layton Ave., March 21, 2024 through March 24, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event and building permit. (Porter)

    Motion by Alderperson Kastner, seconded by Alderperson Akers to approve agenda items J11 and J13 - J17. Motion carried unanimously.

12. Approve an Outdoor Special Event application for the Kalibres Cinco de Mayo, to be located at 4555 W. Forest Home Ave., May 5, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event, Extension of Premises (beer and liquor, band and DJ), and Food. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)

    Alderperson Akers spoke about Kalibres's noise issues in the past. Alderperson Drzewiecki said that there haven't been any issues recently and that the applicant was present.

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

    Under discussion, Alderperson Akers asked if there had been any other outdoor events permitted, and Alderperson Kastner answered no. Mayor Neitzke said that this would be the first one and that they have cleaned up the property dramatically. The applicant, Alejandro Hernandez, 4555 W. Forest Home Ave., said that the hours would be 11:00 AM to 7:00 PM, with music ending thirty minutes before 7:00 PM. He spoke about last year's hours, that he's working with his neighbors, the soundproofing of the building, that he would like to sell the margaritas outside, and that the sound would be pushed to the street. Mr. Hernandez said that it's a family-run business, that he is considerate of his neighbors, that he is not Burger King, and that he's trying to make it better than what it was. Alderperson Drzewiecki agreed, and he said that he had surveyed the noise himself, and it wasn't loud.

    Mr. Hernandez said that because the customers asked, he is expanding the menu.

    Motion carried unanimously.

Mayor Neitzke went to agenda item J18.

13. Approve an Outdoor Special Event application for the Dan Jansen Family Fest, to be located at 5151 W. Layton Ave., May 23, 2024 through May 27, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), and Food. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Porter)

    Approved under agenda item J11.

14. Approve an Outdoor Special Event application for the Salvation Army Community Rummage Sale, to be located at 2900 W. Cold Spring Rd., May 25, June 22, July 27, and August 24, 2024, and all applicable licenses/ permits, and waive application fee. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)

    Approved under agenda item J11.

15. Approve an Outdoor Special Event application for the Salvation Army Movie Nights, to be located at 2900 W. Cold Spring Rd., May 31, June 14, and July 5, 2024, and all applicable licenses/ permits, and waive application fee. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)

    Approved under agenda item J11.

16. Approve an Outdoor Special Event application for the Salvation Army Car Show, to be located at 2900 W. Cold Spring Rd., June 1, 2024, and all applicable licenses/ permits, and waive application fee. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)

    Approved under agenda item J11.

17. Approve an Outdoor Special Event application for the Salvation Army End of Summer Fair, to be located at 2900 W. Cold Spring Rd., August 16, 2024, and all applicable licenses/ permits, and waive application fee. Application includes the following combination of licenses/permits: Outdoor Special Event. (Porter)

    Approved under agenda item J11.

18. Approve a Temporary Construction Easement Agreement with the Cobalt Loomis LLC for construction access. (Katz)

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

    Mayor Neitzke thanked Cobalt.

19. Approval of 2024 Wisconsin Parks and Recreation Association Theme Park Ticket Agreement (3/13/24 F&HR S. Saryan)

    Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve agenda items J19 - J30. On a roll call vote, motion carried unanimously.

20. Decision to approve a Side Letter Agreement between the City of Greenfield and Greenfield Police Association pertaining to Insurance for Surviving Dependents and Retiree Health Insurance for Represented Police Department Employees (3/13/24 F&HR S. Saryan)

    Approved under agenda item J19.

21. Discussion and decision to update the job description of Senior Accountant in the Finance Department. (3/13/24 F&HR S. Saryan).

    Approved under agenda item J19.

22. Decision to revise Department of Neighborhood Services organizational chart (3/13/24 F&HR S. Saryan)

    Approved under agenda item J19.

23. Decision to revise job description for Neighborhood Services Director (3/13/24 F&HR S. Saryan)

Approved under agenda item J19.

24. Decision to change job title for Community Development Manager to City Planner, revise job description and set salary (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
25. Decision to change job title for Project Engineer to City Engineer, revise job description and set salary (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
26. Decision to revise job description for Planner and set salary (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
27. Decision to revise full-time DPW Clerk/Typist position to part-time, revise job description, set salary, recruit and hire (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
28. Approval of schedules of disbursements in the amount of $2,532,162.37. (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
29. Approval of mileage reimbursements in the amount of $544.77. (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
30. Accept investments and reinvestment for February 2024. (3/13/24 F&HR S. Saryan)
    Approved under agenda item J19.
31. 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. Michael Stanley Montoure
    Applicant did not show. No action taken.
32. Adjourn closed session and reconvene into open session.
    No action taken.
33. Decision re: 2023 - 2024 Operator's License for Michael Montoure
    No action taken.

K. Items for future agenda

L. Adjourn

Motion by Alderperson Kastner, seconded by Alderperson Bailey to adjourn at 7:34 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant
Distributed: 3/25/2024

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3983

A RESOLUTION DISALLOWING THE CLAIM OF ADNAN ASSAD
REGARDING ALLEGED DAMAGES TO HIS VEHICLE
ON FEBRUARY 15, 2024

WHEREAS, Adnan Assad submitted a claim on February 21, 2024; and

WHEREAS, the claimant alleged that, on or about February 15, 2024, while driving his vehicle on I-894 before the Loomis Avenue exit, part of a tree limb struck his vehicle in the area where trees had been cut down. Two estimates of repair were submitted with the claim, the higher of which is the sum of $2,102.25.

WHEREAS, the City's Attorney's Office 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 Adnan Assad is disallowed.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this disallowance to claimant 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 19th day of March, 2024.

_____
Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3984

A RESOLUTION DISALLOWING THE SUBROGATION CLAIM OF ARI FLEET (DIANA VARGAS, INSURED) RELATING TO PROPERTY DAMAGE

WHEREAS, on or about March 4, 2024, the City Clerk received a subrogation claim from ARI Fleet (Automobile Rentals, Inc.) in the amount of $1,838.38 relating to its insured, Diana Vargas, regarding damage to a rental vehicle alleged to have occurred in Green Bay, Wisconsin, on June 26, 2023; and,

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and the underlying vehicle incident 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 subrogation claim of ARI Fleet (Automobile Rentals, Inc.) in the amount of $1,838.38 relating to damage to a vehicle alleged to have occurred on June 26, 2023 involving its insured, Diana Vargas, is hereby disallowed.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this disallowance to claimant and claimant is hereby advised that legal action to collect on this claim must 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 19th day of March, 2024.

_____
Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3985

A RESOLUTION DISALLOWING THE CLAIM OF LAURA THOMAS
REGARDING ALLEGED PERSONAL INJURY AS A RESULT OF A SLIP AND FALL
ON JANUARY 23, 2024

WHEREAS, Laura Thomas submitted a claim on February 1, 2024; and

WHEREAS, the claimant alleged that, on or about January 23, 2024, while leaving the Greenfield Community Center, 7215 West Coldspring Road, in the City of Greenfield, she slipped and fell in the access area to the parking lot causing her to sustain personal injury that required dental services. Two estimates for dental services were submitted with the claim, the higher of which is the sum of $1,281.00.

WHEREAS, the City's Attorney's Office 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 Laura Thomas is disallowed.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this disallowance to claimant 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 19th day of March, 2024.

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 3986

RESOLUTION APPOINTING ADDITIONAL ELECTION INSPECTORS FOR 2024-2025

WHEREAS, Wis. Stats. 7.30(4)(a) requires the governing body to appoint election officials no later than the last regular meeting in December of each odd numbered year for the 2024-2025 election cycle; and

WHEREAS, appointments were made, but in addition to the appointments already made, the Common Council desires to add Natalia Andrus; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the appointment of the following individuals and adds them to the list of Election Officials for the 2024-2025 election cycle:

Natalia Andrus, 6100 W. Stonehedge Dr., Greenfield, WI 53220
Ann Cammack, 12198 W. Beloit Road, Greenfield, WI 53228
Heidi Jennings, 6521 S. Whitnall Edge Rd., Franklin, WI 53132

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of March, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk