

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON
TUESDAY, OCTOBER 7, 2014

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

4. It was moved by Aldersperson Akers, seconded by Aldersperson Bailey, to approve the September 16, 2014 Council minutes, as recorded. Motion carried unanimously.

5. Mayor's Report

- a. Mayor Neitzke read his veto of action taken [Item #10(9) of the September 16, 2014 Council minutes] wherein the Common Council, by a 3-2 vote, extended the Temporary Use until May 1, 2015 [which allows a gravel parking area on the northerly portion of 4334 West Edgerton Avenue to be used by Al Huda Mosque at 5075 South 43rd Street, Tax Key #620-9915]

He said he and the Council were trying to alleviate the parking problem at the intersection of South 43rd Street & West Edgerton Avenue, however, the solution of a Temporary Use wasn't a good one. He said he heard it adversely impacted the neighborhood park, the facility is outgrowing its space, and if they plan to remain at the current site and more parking is needed it needs to be done right. This type of use on a residential property is not legal.

Attorney Pyzyk stated it is not permitted to have a residential zoned lot and then create a parking lot on that lot. It is not a use consistent with a residential property and that is what was being done. He added that it appears the cart was put before the horse in this case because instead of going through the proposals of possibly rezoning the parcel for purposes of parking for the Mosque, the City granted a Special Use and it was indicated it was just a Temporary Use, however, if a regular use isn't legal, the Temporary Use isn't legal unless the necessary steps are taken before, such as a rezoning of that particular property.

Mayor Neitzke said the property isn't even owned by the Mosque.

Atty. Vincent Bobot, 5414 South 13th Street, said the Mosque has an Offer to Purchase the house directly west. The current property owner, Mr. Kreuser, has to be out of the house by September 2016. He said Mr. Kreuser said he will try to leave earlier so then, with the City's blessing, the Mosque can do what they have to do the right way to accommodate the parking of the vehicles. Only so many people can be accommodated to the Mosque. If it gets to where they can't accommodate any more, they will have another site, but they intend on remaining at the current site and want to accommodate the parking and work with the neighborhood. They want the Temporary Use to give Mr. Kreuser time to move for them to do things the way the City would like them to do it. He said if the Mayor's veto is upheld, people will park on the street with no curbing, but if that is what the neighbors and the City wants they will have to decide if they want to take any action to see if they can override the Council's decision today. He said the Mosque is trying to accommodate the concerns of the neighborhood. They are looking for solutions, but they have to deal with the existing situation.

Margaret Erhart, 4515 West Edgerton Avenue, said the neighborhood was never made aware that this had anything to do with the Kreuser house. The narrative has changed. She said this was about the lot behind 4334 West Edgerton Avenue. She said the neighborhood was never asked what they wanted. She said if the purpose and role of the Council is to be good stewards and good civil servants who act on behalf of the residents of the City of Greenfield, their role seems clear to her and her neighborhood and yet, they seem to dismiss a petition with 30 signatures, a Plan Commission recommendation, several letters from neighbors, and nearly 20 photos that showed the issues around the parking solution. She said neighbors have made it very clear they fail to see how the proposal to pave a half acre backyard helps the residents. It reduces the parking on the street, but it doesn't eliminate it. There is no way of knowing, with any certainty, whether the proposed paved lot would really solve the parking problem. She asked what happens if the required rezoning and land changes are allowed and it does not eliminate the parking issue. She said the Council has the power. The neighbors need the Council to listen to what the neighbors have been saying. The neighbors did not have a problem with the presence of the community until parking became inadequate. She stated that because the issues already raised creating an even bigger u-shaped lot by knocking down the whole property indicates to the neighbors that the City is not listening. She asked the Council if this was their neighborhood would they want parking lots created out of their neighbors' backyards. She asked the three alderpersons who voted against this what they were basing their conclusions on if not the neighbor's concerns or the votes of the other Council members who know the situation better. She stated she would like a solution that does not propose the paving of backyards or changing zoning or land use laws, that does not possibly create water problems, or one that does not negatively impact the park. Zoning laws are in place to protect residential areas and keep them residential. She said Mr. Mian told her that if the neighbors didn't want it, he would withdraw the proposal. She said that if the proposal had merit and was a good solution, Mr. Mian wouldn't have to be advocating so hard on its behalf. She asked for a better solution other than buying up residential lots and having them paved.

Mark Miller, 4530 West Edgerton Avenue, said at an informational meeting one of the representatives from Al Huda said apparently they didn't consider growth in their Mosque when they purchased the property. Mr. Miller said they bought a place that is too small and that is their problem, not the neighborhood's problem. He said this is a land use issue. It is not good land use from a residential point of view. He said nothing good can be garnered by turning a house into a parking lot in a residential area.

Aldersperson Saryan stated she received a phone call from Bonnie Puddy, 5000 South Bartel Drive, who stated she would like the area to remain residential and an email from Gabriel & Dana Deleon, 4535 West Holmes Avenue, in which they state their opposition to a zoning change to accommodate the Mosque.

At this time, the Council proceeded with Item #8

It was moved by Aldersperson Bailey, seconded by Aldersperson Lubotsky, to override the Mayor's veto [of action taken [Item #10(9) of the September 16, 2014 Council minutes] wherein the Common Council, by a 3-2 vote, extended the Temporary Use until May 1, 2015 [which allows a gravel parking area on the northerly portion of 4334 West Edgerton Avenue to be used by Al Huda Mosque at 5075 South 43rd Street, Tax Key #620-9915]].

After a discussion, on a roll call vote, the motion lost with Alderspersons Kastner, Akers & Saryan voting no; Alderspersons Lubotsky & Bailey voting yes.
(Note: 4 votes are needed to override a veto.)

- b. Mayor Neitzke indicated he issued a proclamation proclaiming October as Domestic Violence Awareness Month in the City of Greenfield

At this time, the Council proceeded with Item #6

- c. Mayor Neitzke stated County Executive Abele spoke at the Whitnall Rotary today. He said it seems that County Executive Abele is trying hard to make the County a better place.

At this time, the Council proceeded with Item #23

6. Aldermanic Reports

Aldersperson Bailey reported the road project in his aldermanic district which includes South 65th Street, South 66th Street, South 67th Street & West Holmes Avenue, West Carpenter Avenue, area off of West Edgerton Avenue has been completed. He thanked everyone involved from the City and the construction company and the residents as the process has been long.

7. Announcements – None

At this time, the Council proceeded with Item #9

8. Citizen Commentary

The following addressed the Council:

Katie Halverson, 5240 West Whitaker Avenue, urged the Council to support this measure. She has asthma and supports Wisconsin's smoke free air law. She said she has grown increasingly concerned over e-cigarettes as their prevalence has grown in the past year or two. She was at an event recently where someone was using an e-cigarette and she started coughing. Currently, it is not known what affect e-cigarettes have on our bodies. She would like to raise her future children in a healthy environment in the City.

Sue Marten, 2433 Dove Court, Cedarburg, Local Coalition Coordinator for Tobacco Free Suburban Milwaukee and Ozaukee County. She said e-cigarettes are a real concern in terms of public health. She reviewed some of the key public health issues as it relates. There is a concern they are unregulated. Most of the products have nicotine. Electronic cigarettes are not really addressed in statewide smoke free air. She said it is really up to each business owner to decide if it is something they want on their premises. A policy that would ban e-cigarettes in all workplaces, municipal buildings, and schools would make a level playing field in terms of tobacco policy that is already in place.

Luanne Wielichowski, 5642 South 44th Street, said many organizations have asked the FDA to look at this issue. So far Ashwaubenon and Onalaska have passed 'no type of nicotine delivery products in the air' legislation. Wauwatosa will be discussing it next week and has already agreed to not allow any additional open vaping type of product stores. She asked the City to make the right choice and the progressive choice.

Mary Kitten, 4132 South 99th Street, said she agrees with what has already been said. She said her concern is public health and she doesn't want to find out in the future that vaping has an affect on others. Just because e-cigarettes are considered safer than cigarettes doesn't mean they are safe. With regard to #11(8) on the agenda concerning pawnbrokers, she said she supports the extension of the wait time for pawnbrokers to melt down, sell, whatever they do with the cash jewelry that they receive as it would give the victims, whose property has been stolen, the chance to possibly get their property back.

The Council proceeded with Item #11

9. Public hearing for approval of a Special Use, requested by Kendall Breunig, EZ Self-Storage, for the purpose of converting the vacant Chocolate House property at 3645 West Loomis Road into an EZ Self-Storage location, Tax Key Nos. 575-8897-003 and 575-8897-005

Notice of public hearing was published in the City's official newspaper on September 25, 2014.

Chuck Erickson, Community Development Manager, presented a diagram of the property in question. He stated the proposal is to renovate the existing 29,000 sq. ft. warehouse, add a 12,000 sq. ft. second floor inside the west end of the warehouse, construct two new buildings on the north and west side of the property and then there would be approximately 240 storage units on the site. Mr. Erickson said the zoning code allows self-storage in one zoning category which is M-1 as a Special Use. The property in question is zoned Light Industrial (M-1) which is why the request is before the Council for consideration. The Plan Commission had a majority favorable recommendation on a 5 to 2 vote regarding the Special Use and the site, building, landscaping element.

No one addressed the Council in favor or in opposition to the proposal.

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

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve a Special Use, requested by Kendall Breunig, EZ Self-Storage, for the purpose of converting the vacant Chocolate House property at 3645 West Loomis Road into an EZ Self-Storage location, Tax Key Nos. 575-8897-003 and 575-8897-005. On a roll call vote, the motion carried with Alderpersons Bailey, Kastner, Akers & Saryan voting yes; Alderperson Lubotsky voting no.

10. Plan Commission Meeting held September 9, 2014
(action taken on Items 4, 5, 9, 10 & 10a at 9/16/14 Council meeting)

Item #6 It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve a Special Use and a Site/Building/Landscaping Review for the purpose of converting the vacant Chocolate House property at 3645 West Loomis Road into an EZ Self-Storage location, subject to Plan Commission and staff comments. Project would involve renovating the existing 29K sq. ft. warehouse, adding a 12K sq. ft. second floor inside the west end of the warehouse, and constructing two new buildings that would be approximately 7.5K sq. ft., Tax Key Nos. 575-8897-003 and 575-8897-005.

Mayor Neitzke said the minutes should reflect there may be a sidewalk on West Loomis Road and on South 35th Street some day.

After a discussion, on a roll call vote, the motion carried with Alderpersons Bailey, Kastner, Akers & Saryan voting yes; Alderperson Lubotsky voting no.

11. Legislative Committee Meeting held September 15, 2014

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

Item #6 Create Section 11.07 of the Municipal Code related to the sale of vehicles on private property, with additional wording stated by Attorney Pyzyk

Item #7 Repeal and recreate Section 13.09 of the Municipal Code related to Parades

Item #8 Amend Section 13.15 of the Municipal Code related to Pawnbrokers, Secondhand Article Dealers, and Secondhand Jewelry Dealers

Item #9 Create Section 13.21 of the Municipal Code relating to the practice of certain trades and professions requiring State licensing

Item #10 Repeal and recreate Section 10.01 of the Municipal Code relating to weapons

Item #11 Repeal and recreate Section 10.02 of the Municipal Code relating to throwing or shooting of arrows, stones, or other missiles

Item #12 Create Sections 10.07(1)(f), 10.07(1)(g), 10.07(3)(c), 10.07(3)(d), 10.07(3)(e), 10.07(8), 10.07(9), 10.07(10), 10.07(11), and repeal and recreate Section 10.07(12)(a) related to electronic cigarettes and smoking prohibitions in certain areas

After a discussion, the motion was withdrawn.

The Council proceeded with Item #8

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

Item #6 Create Section 11.07 of the Municipal Code related to the sale of vehicles on private property, with additional wording stated by Attorney Pyzyk

Item #7 Repeal and recreate Section 13.09 of the Municipal Code related to Parades

Item #8 Amend Section 13.15 of the Municipal Code related to Pawnbrokers, Secondhand Article Dealers, and Secondhand Jewelry Dealers

Item #9 Create Section 13.21 of the Municipal Code relating to the practice of certain trades and professions requiring State licensing

Item #10 Repeal and recreate Section 10.01 of the Municipal Code relating to weapons

Item #11 Repeal and recreate Section 10.02 of the Municipal Code relating to throwing or shooting of arrows, stones, or other missiles

Item #12 Create Sections 10.07(1)(f), 10.07(1)(g), 10.07(3)(c), 10.07(3)(d), 10.07(3)(e), 10.07(8), 10.07(9), 10.07(10), 10.07(11), and repeal and recreate Section 10.07(12)(a) related to electronic cigarettes and smoking prohibitions in certain areas

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

12. Board of Public Works Meeting held September 23, 2014

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

Item #8 Installation of No Parking signs on the east side of South 69th Street between West Carpenter Avenue and West Squire Avenue

Item #10 Seven year Capital Improvement Program

Motion carried unanimously.

Item #11 Approval of 2015 Special Assessment schedule was referred back to the **BOARD OF PUBLIC WORKS** to review the basic policy of interpretation of the policy.

13. Finance & Human Resources Committee Meeting held September 24, 2014

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

Item #3 Updating the City's policy of filling vacant positions

Item #5 Schedules of disbursements in the amounts of \$685,734.27, \$274,799.65 and \$83,864.45

Item #6 Mileage reimbursements in the amount of \$579.50

Item #7 Investments and reinvestments in the amounts of \$12,739,202.47 and \$10,468,221.94

Item #8 Accept August 2014 financial statement

Item #12 SunGard software license and service termination agreement and authorize the Mayor to sign the agreement after the City Attorney's review

On a roll call vote, the motion carried unanimously.

14. City Clerk's Report:

- a. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Resolution No. 3487

RESOLUTION NO. 3487

RESOLUTION APPOINTING ADDITIONAL ELECTION OFFICIAL(S)
FOR 2014-2015

WHEREAS, Wis. Stats. 7.30(4)(a) require the governing body to appoint election officials no later than the last regular meeting in December of each odd-numbered year for the 2014-2015 election cycle; and

WHEREAS, appointments were made at that time, but it has become necessary to appoint additional election officials to fill open Election Inspector, Registrar, and/or Greeter positions at the polls;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the additional election official(s) for the 2014-2015 election cycle.

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

On a roll call vote, the motion carried unanimously.

- b. Resignation was accepted from Patricia Nelson from the Community Development Authority and a Certificate of Appreciation is to be sent

15. Appointments to various committees and commissions:

Mayor appointments, confirmed by Council:

(1) & (2)

It was moved by Alderperson Akers, seconded by Alderperson Saryan, to confirm the Mayor's appointment of Robert Selin, 5621 South 45th Street, as a regular member to the Community Development Authority for a term to expire February 19, 2018 and Don Carlson, 5082 West Colonial Court, as an alternate member to the Community Development Authority for a term to expire February 19, 2017. Motion carried unanimously.

16. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve the issuance of an operator license to each of the following:

Bieschke, Ashley R.-10548 W. Cortez Cir.
Burzynski, Nicole M.-5755 S. 39th St.
Kaur, Rajwinder-1925 W. Timber Ridge Ln.
Neu, Sandra A.-9100 W. Oklahoma Ave.
Schultz, Emily S.-5971 S. Philips St.
Spencer, Aaron J.-7511 Highview Dr.

Brain, Aaron W.-2100 S. 98th St.
Kaur, Charanjit-5005 W. College Ave.
Mierendorf, Abbey M.-3131 S. 31st St.
Sawicki, Julie M.-3521 S. 45th St.
Singh, Bupinder-1925 W. Timber Ridge Ln.
Vasquez, Elizabeth J.-5180 S. Tuckaway Dr.

Motion carried unanimously.

17. It was moved by Alderperson Saryan, seconded by Alderperson Akers, to adopt Resolution No. 3488

RESOLUTION NO. 3488

RESOLUTION IN FAVOR OF CONTINUED PARTICIPATION IN THE COMMUNITY BLOCK GRANT PROGRAM AND ACKNOWLEDGEMENT OF APPROVED COOPERATION AGREEMENT, AS REQUIRED, WHICH INCLUDES LANGUAGE IN THE FORM OF A RESOLUTION WITHIN THAT AGREEMENT AS REQUIRED
BY HUD AND MILWAUKEE COUNTY

WHEREAS, the City of Greenfield, Wisconsin will continue to benefit from the continued and future participation in the Community Development Block Grant Program; and

WHEREAS, a new three (3) year Cooperation Agreement for the years 2015, 2016 and 2017 has been submitted to, and adopted by, the City of Greenfield; and

WHEREAS, the City of Greenfield is desirous of continuing its participation in the Community Development Block Grant Program for an additional three (3) year period extending through 2017; and

WHEREAS, attached hereto is a certified copy of the Cooperation Agreement between the City of Greenfield and Milwaukee County, as passed by the City of Greenfield Common Council on July 15, 2014 and executed by the Mayor of Greenfield on July 17, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the attached "Cooperation Agreement" by and between the City of Greenfield and Milwaukee County be, and it is hereby approved.

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

On a roll call vote, the motion carried unanimously.

18 & 19.

After a discussion, it was moved by Alderperson Saryan, seconded by Alderperson Kastner, to approve Investment Advisory Agreements with Ehlers Investment Partners, LLC and Investment Agency Agreement with Associated Trust Company, N.A.

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

20. Director of Neighborhood Services Report:

- a. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to confirm the Mayor's appointment of Kevin Scholz, 5052 South 58th Street, to the Business Improvement District Board #2 for a term to expire February 17, 2015. Motion carried unanimously.
- b. Temporary Use request from the House of Harley to store motorcycles from October, 2014 through April, 2015 in the vacant 23K sq. ft. area of the building owned by the Ridge Community Church. This remaining space (4490 South 108th Street) is in-between the area occupied by the church (4500 South 108th Street) and occupied by St. Vincent de Paul (4476 South 108th Street), Tax Key #608-9995-009.

House of Harley-Davidson has withdrawn their request.

- c. After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Saryan, to deny the Temporary Use request from St. Vincent de Paul, 4476 South 108th Street, that in advance of the opening of their new store at this location sometime in November, to have a mobile donation truck parked and staffed from 9:00 a.m. – 7:00 p.m., Monday –Saturday on the western portion of their parking lot near Hwy. 100, Tax Key #608-9995-009. On a roll call vote, the motion carried with Alderpersons Lubotsky, Kastner & Saryan voting yes; Alderpersons Bailey & Akers voting no.

It was moved by Alderperson Lubotsky, seconded by Alderperson Saryan, to reconsider the Council's action to deny the Temporary Use request from St. Vincent de Paul, 4476 South 108th Street, that in advance of the opening of their new store at this location sometime in November, to have a mobile donation truck parked and staffed from 9:00 a.m. – 7:00 p.m., Monday –Saturday on the western portion of their parking lot near Hwy. 100, Tax Key #608-9995-009. Motion carried unanimously.

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve the Temporary Use request from St. Vincent de Paul, 4476 South 108th Street, that in advance of the opening of their new store at this location sometime in November, to have a mobile donation truck parked and staffed from 9:00 a.m. – 7:00 p.m., Monday –Saturday on the western portion of their parking lot near Hwy. 100, Tax Key #608-9995-009.

After a discussion, Alderperson Lubotsky withdrew her motion.

It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to reaffirm the original motion to deny the Temporary Use request from St. Vincent de Paul, 4476 South 108th Street, that in advance of the opening of their new store at this location sometime in November, to have a mobile donation truck parked and staffed from 9:00 a.m. – 7:00 p.m., Monday –Saturday on the western portion of their parking lot near Hwy. 100, Tax Key #608-9995-009. On a roll call vote, the motion carried with Alderpersons Lubotsky, Kastner & Saryan voting yes; Alderperson Bailey & Akers voting no.

- d. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to adopt Ordinance No. 2802

ORDINANCE NO. 2802

AN ORDINANCE AMENDING SECTION 8.04 OF THE TRAFFIC CODE OF THE CITY OF GREENFIELD

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

PART I. Section 8.04 of the Greenfield Municipal Code is hereby adopted to read as follows:

NO PARKING AT ANY TIME shall be allowed on the east side of South 69th Street from the right-of-way centerline of West Squire Avenue to the centerline of West Carpenter Avenue.

PART II. The Superintendent of Public Works is hereby directed and authorized to place the appropriate signs to control traffic as indicated above.

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

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

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

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

21. City Attorney's Report:

a, b, c, d, e, f, g.

It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adopt Ordinance Nos. 2803, 2804, 2805, 2806, 2807, 2808, 2809

a. ORDINANCE NO. 2803

AN ORDINANCE CREATING SECTION
11.07 OF THE MUNICIPAL CODE
RELATING TO THE SALE OF
VEHICLES ON PRIVATE PROPERTY

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

Part I: Section 11.07 of the Municipal Code of the City of Greenfield, Wisconsin, is hereby created to read as follows:

11.07 Vehicles for Sale on Private Property

(1) Definition: For the purpose of this section motor vehicles and trailers are defined in Section 340.01, Wis. Stats.

(2) No person shall offer any motor vehicle or trailer for sale, or allow any motor vehicle or trailer to be offered for sale, on any commercial premises, unless that premises has obtained a Special Use Permit for the sale of vehicles, in accordance with the City's zoning code.

(3) No person shall offer any vehicle or trailer for sale on any residential parcel unless the vehicle or trailer is owned by an owner or occupant of the residential parcel.

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 effective upon publication.

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

b. Ordinance No. 2804

(This official notice is being published and placed in the minutes instead of publishing the full text of Ordinance No. 2804.)

CITY OF GREENFIELD
OFFICIAL NOTICE

ORDINANCE AMENDING SECTION 13.09
OF MUNICIPAL CODE RELATING TO PARADES

NOTICE IS HEREBY GIVEN that the Common Council of the City of Greenfield, at their meeting of October 7, 2014 adopted Ordinance No. 2804 which is an Ordinance amending Section 13.09 of the Municipal Code relating to Parades.

You are hereby further notified that the full text of Ordinance No. 2804 may be obtained in the office of the City Clerk, 7325 West Forest Home Avenue, in accordance with Sec. 62.11(4)(c), Wis. Stats., (414)329-5219.

Dated at Greenfield, Wisconsin, this 8th day of October, 2014.

Jennifer Goergen, City Clerk

c. Ordinance No. 2805

(This official notice is being published and placed in the minutes instead of publishing the full text of Ordinance No. 2805.)

CITY OF GREENFIELD
OFFICIAL NOTICE

ORDINANCE AMENDING SECTION 13.15
OF MUNICIPAL CODE RELATING TO PAWNBROKERS, SECONDHAND
ARTICLE DEALERS AND SECONDHAND JEWELRY DEALERS

NOTICE IS HEREBY GIVEN that the Common Council of the City of Greenfield, at their meeting of October 7, 2014 adopted Ordinance No. 2805 which is an Ordinance amending Section 13.15 of the Municipal Code relating to Pawnbrokers, Secondhand Article Dealers and Secondhand Jewelry Dealers.

You are hereby further notified that the full text of Ordinance No. 2805 may be obtained in the office of the City Clerk, 7325 West Forest Home Avenue, in accordance with Sec. 62.11(4)(c), Wis. Stats., (414)329-5219.

Dated at Greenfield, Wisconsin, this 8th day of October, 2014.

Jennifer Goergen, City Clerk

d. ORDINANCE NO. 2806

AN ORDINANCE CREATING SECTION
13.21 OF THE MUNICIPAL CODE
RELATING TO THE PRACTICE OF CERTAIN TRADES AND PROFESSIONS
REQUIRING LICENSURE, REGISTRATION OR CREDENTIALING
BY THE STATE OF WISCONSIN

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

Part I: Section 13.21 of the Municipal Code of the City of Greenfield, Wisconsin, is hereby created to read as follows:

13.21 Practice of Certain Trades and Professions Requiring State Licensing, Registration or Credentials.

13.21(1)(a) No person, who is required to hold a license, certificate of registration or other credential pursuant to Sections 440 – 480 of the Wisconsin Statutes shall practice that profession within the corporate limits of the City of Greenfield unless that person holds a valid, unexpired license, certificate of registration or credential issued by the State of Wisconsin.

(b) No person, who is required to hold a license, certificate of registration or other credential pursuant to Sections 440 – 480 of the Wisconsin Statutes shall advertise the availability of services to be performed within the corporate limits of the City of Greenfield unless they hold a valid, unexpired license, certificate of registration or credential issued by the State of Wisconsin.

(c) No business who's employees are required to hold a license, certificate of registration or other credential pursuant to Sections 440 – 480 of the Wisconsin Statutes shall allow employees to practice that profession within the corporate limits of the City of Greenfield unless the employee holds a valid, unexpired license, certificate of registration or credential issued by the State of Wisconsin.

(d) No business who's employees are required to hold a license, certificate of registration or other credential pursuant to Sections 440 – 480 of the Wisconsin Statutes shall advertise the availability of services to be performed within the corporate limits of the City of Greenfield unless the employees of the business hold a valid, unexpired license, certificate of registration or credential issued by the State of Wisconsin.

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 effective upon publication.

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

e. ORDINANCE NO. 2807

AN ORDINANCE REPEALING AND RECREATING SECTION 10.01
OF THE GREENFIELD MUNICIPAL CODE
RELATING TO WEAPONS

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

PART I – § 10.01 is hereby repealed and recreated to read as follows:

§10.01 Weapons.

Discharging of firearms and guns prohibited. (Cr. #1412) No person, except a sheriff, constable, police officer or their deputies, shall fire or discharge any firearm, rifle, spring or air gun within the City provided the City Council may permit the maintenance and use of supervised rifle or pistol ranges or shooting galleries.

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

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

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

f. ORDINANCE NO. 2808

AN ORDINANCE REPEALING AND RECREATING SECTION 10.02
OF THE GREENFIELD MUNICIPAL CODE
RELATING TO THROWING OR SHOOTING OF ARROWS, STONES
AND OTHER MISSILES PROHIBITED

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

PART I – § 10.02 is hereby repealed and recreated to read as follows:

§10.02 Throwing or shooting of arrows, stones and other missiles prohibite d.

No person shall hunt, throw or shoot any object, arrow, stone, snowball or other missile or projectile by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place or on any portion of land owned or leased by the City. Except as otherwise provided, this section shall not prevent the maintenance of public archery ranges, properly supervised private archery ranges, shooting galleries using air rifles, constructed and maintained as required by the Building Inspector so as not to endanger life, limb or property, or prohibit hunting with a bow and arrow or crossbow as those terms are defined by §29.001(17), and (19m) and (42) WIS STATE STATUTES.

(2) Any person who hunts with a bow and arrow or crossbow shall discharge the arrow or bolt from the respective weapon toward the ground and shall be at a height of at least six feet above the ground from where the arrow is discharged.

(3) No person shall hunt with a bow and arrow unless said person shall be at least 100 yards from a building located on another person's land. This restriction does not apply if the person who owns the land on which the building is located allows the hunter to hunt within the specified distance of the building.

(4) Nothing in this ordinance shall relieve the person hunting from obtaining the required hunting licenses required by state law.

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

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

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

g.

ORDINANCE NO. 2809

AN ORDINANCE CREATING SECTIONS 10.07(1)(f), 10.07(1)(g), 10.07(3)(c), 10.07(3)(d), 10.07(3)(e), 10.07(8), 10.07(9), 10.07(10), 10.07(11) AND REPEALING AND RECREATING 10.07(12)(a) OF THE MUNICIPAL CODE RELATING TO SMOKING PROHIBITED IN CERTAIN AREAS

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

PART I. Section 10.07(1)(f), 10.07(1)(g), 10.07(3)(c), 10.07(3)(d), 10.07(3)(e), 10.07(8), 10.07(9), 10.07(10), and 10.07(11) of the Municipal Code is hereby created and Section 10.07(12)(a) of the Municipal Code is hereby amended as follows:

10.07 Smoking prohibited in certain areas.

(1) (f) The purported health benefits from electronic smoking devices (commonly known as e-cigarettes, e-pipes and several other trade and brand names) have not been scientifically proven, and use of these devices has not been proven safe, either for their users or for bystanders.

(g) Research indicates electronic smoking devices may lead youth to try other tobacco products. In addition, research indicates that youth who use electronic smoking devices are more likely to use tobacco products, including cigarettes, than those youth who do not use electronic smoking devices.

(3) (c) *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form.

Smoking also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking as outlined in this Code.

(d) *Electronic smoking device* means any product containing or delivering nicotine or any other similar substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product.

Electronic smoking device includes any component part of such product whether or not sold separately.

Electronic smoking device does not include any product that has been approved by the United States Food and Drug Administration (FDA) for sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose.

(e) *Person in charge* means the person, or his or her agent, who ultimately controls, governs or directs the activities aboard a public conveyance or at a location where smoking is prohibited or regulated under this section.

(8) *Statute adopted.* Except as expressly altered by this section, the provisions of § 101.123, § 134.66, and § 254.92, Wis. Stats., are hereby adopted and incorporated herein.

(9) *Sale of electronic smoking devices to minors.* Consistent with § 134.66, and § 254.92, Wis. Stats., no person shall sell or offer for sale any electronic smoking device or nicotine product to any person under 18 years of age.

(10) *Possession of electronic smoking device by persons under the age of 18.* No person under the age of 18 years of age shall possess any electronic smoking device or nicotine product.

(11) *Use of electronic smoking devices on school grounds.* No person shall use an electronic smoking device on school grounds or in school buildings.

(12) (a) Any person who violates subsections (4), (7), (9), (10) and (11) shall forfeit not less than \$100.00 or more than \$250.00 for each violation.

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.

ADOPTED _____, 2014

APPROVED _____, 2014

Jennifer Goergen, City Clerk

Michael J. Neitzke, Mayor

On a roll call vote, the motion carried unanimously.

h. A resolution was introduced for the discontinuance and vacation of the remnant alley between South Tuckaway Drive, South 27th Street, and West Abbott Avenue as part of 'Tuckaway Manor' subdivision abutting Tax Key Nos. 645-0001-001, 645-0005, 645-0007 & 645-0008

22. Items for future agenda

Closed sessions regarding Loomis Crossing

At this time, Mayor Neitzke reverted back to the Mayor's Report for Item #5c

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

23. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to adjourn the meeting at 8:25 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

JG:slw

Distributed: October 10, 2014