

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JUNE 18, 2024

A. Call to Order & Roll Call

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

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

Also present: Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Gina Vlach, Planner

B. Opening Prayer

An opening prayer was given by Chaplain Leggett.

C. Pledge of Allegiance

D. Approval of the May 21, 2024 Common Council minutes

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

E. Mayor's Report

Mayor Neitzke said that The Turf benefit concert was well attended, that people liked the shirts, and that people traveled far to come to the event. Alderperson Akers stated that the noise level was bearable; Alderperson Kastner agreed that the sound was spectacular; and they discussed the bass and the sound engineering. Mayor Neitzke thanked Parks and Recreation, the Department of Public Works, the Fire Department, and the Police Department for working together cohesively, and the Park Supervisors, Mikayla [Cancilla], Kyle [Geller], and Travis [Steuber]; Mary Phillips, who was like the glue, the graphic designer, and put together the marketing materials for the event; Kent Perleberg [Parks/Facilities Supervisor] and his staff did a wonderful job of making sure the park was ready; and Scott Jaquish, the Parks and Recreation Director, for being the leader of that department. He continued by thanking the Common Council for allowing the event to happen.

He spoke about how the newest bowl is being framed out, the construction crew, and that it is a few months away from completion.

Alderperson Akers, Mayor Neitzke, and Alderperson Bailey discussed the Blooze Brothers performance at Konkel Park.

F. Aldermanic Reports

G. Announcements

Mayor Neitzke said that the Blooze Brothers will be playing at Konkel Park this evening [Tuesday, June 18, 2024].

H. Citizen Commentary

Mayor Neitzke introduced Don Carlson, 5082 W. Colonial Court, who spoke about the check he received from serving on City committees and the processing costs for the Accounting Department and the Clerk's Office. His concern was that employees' time and the money paid to citizen members could be spent elsewhere, like reducing property taxes. He gave the definition of volunteering from the Cambridge Dictionary. He explained a quote from the late Senator Everett Dirksen; the amount and where his money was being donated, and that he provided a self-addressed stamped envelope for a receipt to be sent to him. He asked that the Common Council reconsider ending the \$5 per meeting.

Mayor Neitzke introduced Joan Stevens [4059 S. 99th Street], who said two County Supervisors attended Arbor Day, and County Supervisor Kathleen Vincent presented an award to the Greenfield Beautification Committee. She read the proclamation that is on the award and gave it to Mayor Neitzke to hang in City Hall. She also presented the award Recognized for 30 Years of Tree City USA from the Arbor Day Foundation. She thanked everyone for working with her and is stepping down as director, and Nancy Lehrer is the new leader. Mayor Neitzke spoke about Joan Stevens's history of serving the community and her accomplishments.

Mayor Neitzke went to agenda item K11.

I. Public Hearings

1. Public Hearing on a Special Use Permit for 831 Tattoos, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 304, submitted by David Barron, d/b/a 831 Tattoos LLC. (Tax Key No. 650-8998-009) (PC-5/14/24 Kastner)

The public hearing opened at 7:24 PM.

Gina Vlach, City Planner, presented the site information, description of business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

The applicant, David Barron, was present and registered as in favor, but not speaking.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 7:25 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for 831 Tattoos, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 304, submitted by David Barron, d/b/a 831 Tattoos LLC. (Tax Key No. 650-8998-009) (PC-5/14/24 Kastner)
Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to approve agenda items I1a and I1b. On a roll call vote, motion carried unanimously.
- b. Approve a Site Plan Review for 831 Tattoos, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 304, submitted by David Barron, d/b/a 831 Tattoos LLC. (Tax Key No. 650-8998-009) (PC-5/14/24 Kastner)
Approved under agenda item I1a.

2. Public Hearing on a Special Use Permit for The Injector Med Spa, a proposed medical spa, to be located at 4111 S. 108th St., submitted by Esmeralda Robelo Campos, d/b/a The Injector Med Spa (Tax Key No. 566-9958-002) (PC-5/14/24 Kastner)

The public hearing opened at 7:26 PM.

Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to close the public hearing at 7:27 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for The Injector Med Spa, a proposed medical spa, to be located at 4111 S. 108th St., submitted by Esmeralda Robelo Campos, d/b/a The Injector Med Spa. (Tax Key No. 566-9958-002) (PC-5/14/24 Kastner)
Alderperson Kastner and Mrs. Vlach discussed that the other tenants would not require a Special Use Permit, but an Occupancy Permit would be required.

Motion by Alderperson Kastner, seconded by Alderperson Akers to approve agenda items I2a and I2b.

Under discussion, Alderperson Saryan and the applicant, Esmeralda Robelo Campos, discussed that Botox, filler, and weight loss injections would be offered.

Ms. Robelo Campos spoke about her background as a physician's assistant.

On a roll call vote, motion carried unanimously.
- b. Approve a Site Plan Review for The Injector Med Spa, a proposed medical spa, to be located at

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4111 S. 108th St., submitted by Esmeralda Robelo Campos, d/b/a The Injector Med Spa (Tax Key No. 566-9958-002) (PC-5/14/24 Kastner)

Approved under agenda item I2a.

3. Public Hearing on a Special Use Permit for Gardner Learning Center, LLC, for child day care services, to be located at 2915 W. Layton Ave., submitted by Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC. (Tax Key No. 622-9979-000) (PC-5/14/24 Kastner)

The public hearing opened at 7:29 PM.

Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Motion by Alderperson Kastner, seconded by Alderperson Bailey to close the public hearing at 7:30 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Gardner Learning Center, LLC, for child day care services, to be located at 2915 W. Layton Ave., submitted by Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC. (Tax Key No. 622-9979-000) (PC-5/14/24 Kastner)

Motion by Alderperson Drzewiecki, seconded by Alderperson Bailey to approve agenda items I3a and I3b.

Under discussion, Mrs. Vlach confirmed that it will operate Monday through Friday.

Eunice Heredia-Colon, the applicant, said that the ages would be four weeks to eight years old. The majority of the kids right now are under four and a half years old. It would be before school and after school for school-aged children.

On a roll call vote, motion carried unanimously.

- b. Approve a Site Plan Review for Gardner Learning Center, LLC, for child day care services, to be located at 2915 W. Layton Ave., submitted by Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC. (Tax Key No. 622-9979-000) (PC-5/14/24 Kastner)

Approved under agenda item I3a.

J. Old Business

1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:

- i. Two members to the Civil Service Commission for terms to expire 5/1/27 (formerly David Podeszwa and Paul Leu)

Place on next agenda.

2. Rescind approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4110 S. 76th St. from C-4 Regional Business District to Planned Unit Development District #4. (Tax Key No. 571-8997-000) (PC-5/14/24 Kastner) (CC-5/21/24)

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

K. New Business

1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:

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- i. Three members to the Public Library Board for a term to expire 7/1/27 (currently Robin Bruhn, Richard L'Amie, Sue DeWitt, Greenfield School District Rep.)
Mayor Neitzke reappointed Robin Bruhn, Richard L'Amie, and Greenfield School District Representative Sue DeWitt to the Public Library Board for terms to expire 7-1-2027.

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

2. Claim received from Cheryl Hepp. (Goergen)
Referred to the City Attorney.
3. Claim received from D'Andre Griffin. (Goergen)
Referred to the City Attorney.
4. Resolution allowing the claim of D'Andre E. Griffin relating to damage to vehicle. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve in an amount not to exceed \$233.12. On a roll call vote, motion carried unanimously.
5. Approve an Ordinance updating the City of Greenfield's Aldermanic District and Ward Map to reflect a school district boundary correction. (Goergen)
City Clerk Jennifer Goergen presented that a small portion in Ward 12 would be Greenfield School District and the remainder would be Whitnall School District. Currently, there isn't any development. The Department of Public Instruction, the County, and the City maps didn't have the school district line correct. It won't change any aldermanic districts or ward boundaries.
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.
6. Approve an Ordinance creating Section 13.03(10)(g) of the City of Greenfield Municipal Code relating to opting out of the extended closing hours during the RNC convention period as prescribed by 2023 Wisconsin Act 73. (Neitzke)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.
7. Resolution appointing additional election inspectors for 2024-2025. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
8. Approve applications for 2024-2025 operator licenses (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. Motion carried unanimously.
9. Approve renewal applications for the following licenses to expire June 30, 2025: Class "A" Fermented Malt Beverage, "Class A" Fermented Malt Beverage & Liquor, Entertainment, Pawnbroker/Secondhand Article Dealer, and Operator's Licenses (approval of all licenses should be subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges). (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
10. Approve application for a Temporary Class "B" Fermented Beverage & "Class B" Wine Retailer's License received from Greenfield Professional Fire Fighters Benevolence & Charities, 5330 W. Layton Ave., for Toasting for Charity Event on September 21, 2024 from 6:00 PM to 10:00 PM at 7215 W. Cold Spring Rd. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. Motion carried

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unanimously.

Mayor Neitzke went to agenda item K12.

11. Discussion/decision regarding naming of a Public Park. (S. Jaquish)

Scott Jaquish, the director of Parks and Recreation, spoke about how naming a park isn't something that the Parks and Recreation Board takes lightly, the qualities needed for a naming, and that the Parks and Recreation unanimously recommends that Towering Woods Park and Nature Area be renamed after Joan Stevens to honor her lifetime commitment to keeping the 'Green' in Greenfield.

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

Mayor Neitzke discussed the history of the Towering Woods and Nature Area.

Mayor Neitzke circled back to agenda item I1.

12. Approve an addendum #2 to an existing license agreement with We Energies, for the Powerline Trail. (Katz)

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

13. Approve a funding agreement with the Milwaukee Metropolitan Sewerage Commission (MMSD), for the Falcon Ridge Trail Extension trail. (Katz)

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

14. Approve a contract with Sigma Group for engineering services for the design of a multi-use trail. (Katz)

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

15. Approve an Outdoor Special Event application for Milwaukee Armenian Fest, to be located at St. John the Baptist Armenian Apostolic Church, 7825 W. Layton Ave., on Sunday, July 21, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Temporary Operator's License, commercial electrical, and plumbing permits, sign permit, and Extension of Premises (band, dancing, folk dancing). Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Vlach)

Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve with the fees waived. Motion carried unanimously.

16. Approve a Special Use Permit and Site, Landscaping, and Architectural Plans for Cooper's Hawk, a proposed full-service restaurant, to be located at 8415 Sura Lane, submitted by Sandi LeBlanc, d/b/a LD Reeves and Lis Battle, d/b/a Aria Group. (Tax Key No. 606-0053-012) (PC-5/11/24 Kastner)

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

Under discussion, there was discussion about the parking widths, the lot, and the timeframe.

On a roll call vote, motion carried unanimously.

17. Approve a Special Use Permit and Site, Landscaping, and Architectural Plans for Chipotle, a proposed limited-service restaurant, to be located at 8515 Sura Lane, submitted by Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services. (Tax Key No. 606-0053-011) (PC-6/11/24 Kastner)

Mayor Neitzke presented the map, parking, and traffic flow. Alderperson Kastner spoke about the landscaping plans.

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

Under discussion, Mayor Neitzke said that the Site Plan received on June 18, 2024, will replace the one that was generated during the Plan Commission meeting and that the space is subject to revisions by staff and the applicant.

Alderperson Bailey and Mayor Neitzke talked about the size of the restaurant and that it is not a drive-through, but there will be a dedicated lane to pick up.

On a roll call vote, motion carried unanimously.

18. Discussion and decision to transfer remaining capital funds from Digital Fingerprint account to Marked / Unmarked Squads account (6/12/24 F&HR S. Saryan)

Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve agenda items K18 - K20.

Mayor Neitzke spoke about the Police Department vehicles, how difficult and expensive it is to get new vehicles, and pursuits.

On a roll call vote, motion carried unanimously.

19. Discussion and decision to approve an intergovernmental agreement for training facilities and services (6/12/24 F&HR S. Saryan)

Approved under agenda item K18.

20. Discussion and decision of a resolution allocating Tax Improvement District 4 (TID 4) funds for business development improvements. (6/12/24 F&HR S. Saryan)

Approved under agenda item K18.

21. Approve a Developers Agreement with Holey Mackerel, LLC. (Neitzke)

Mayor Neitzke thanked the Finance Department. He said that the agreement was drafted by Deb Tomczak from Reinhart and places certain requirements on the business. It has been fully vetted by our counsel and Holey Mackerel's counsel.

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

22. Approve a resolution to authorize the execution and submission of required documents related to the national opioid settlements by City staff in consultation with retained litigation counsel and the City Attorney. (Geary)

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

Under discussion, Mayor Neitzke thanked City Attorney Christopher Geary and, especially, Rebecca Shepro, for staying on top of this.

On a roll call vote, motion carried unanimously.

23. Approval of schedules of disbursements in the amount of \$8,867,930.12. (6/12/24 F&HR S. Saryan)

Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve agenda items K23 - K26. On a roll call vote, motion carried unanimously.

24. Approval of mileage reimbursements in the amount of \$670.00. (6/12/24 F&HR S. Saryan)

Approved under agenda item K23.

25. Accept May 2024 financial statements. (6/12/24 F&HR S. Saryan)

Approved under agenda item K23.

26. Accept May 2024 investments and reinvestments. (6/12/24 F&HR S. Saryan)

Approved under agenda item K23.

27. 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 2024-2025 operator license to the following:

- a. Jacob Leland Schroedl
- b. Gadiel Asael Guzman

Motion by Alderperson Akers, seconded by Alderperson Bailey to go into closed session at 7:58 PM. On a roll call vote, motion carried unanimously.

28. Adjourn closed session and reconvene into open session.

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to adjourn closed session and reconvene into open session at 8:26 PM. Motion carried unanimously.

29. Decision re: 2024-2025 Operator's License for Jacob Leland Schroedl.

No action taken. The applicant did not appear.

30. Decision re: 2024-2025 Operator's License for Gadiel Asael Guzman

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve to hold over until the next meeting. Motion carried unanimously.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to adjourn at 8:27 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 6/24/2024

ORDINANCE NO. 3036

AN ORDINANCE UPDATING THE CITY OF GREENFIELD'S ALDERMANIC DISTRICT AND
WARD MAP TO REFLECT A SCHOOL DISTRICT BOUNDARY CORRECTION

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

PART I. The City recently learned of an error in the prior depiction of the boundary line between the Greenfield School District and the Whitnall School District as shown on the City's official Aldermanic District and Ward Map.

PART II. The Aldermanic District and Ward Map attached as Exhibit A correctly reflects the actual boundary between the Greenfield School District and the Whitnall School District, such that part of Ward 12 is in the Greenfield School District and the remainder of Ward 12 is in the Whitnall School District.

PART III. This school district boundary line correction is the only change made by the updated Aldermanic District and Ward Map. The City's aldermanic districts and wards are unchanged.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication, and the map attached hereto shall thereafter be the City's official Aldermanic District and Ward Map.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

ORDINANCE NO. 3037

AN ORDINANCE CREATING SECTION 13.03(10)(g) OF THE CITY OF GREENFIELD
MUNICIPAL CODE RELATING TO OPTING OUT OF THE EXTENDED
CLOSING HOURS DURING THE RNC CONVENTION PERIOD AS
PRESCRIBED BY 2023 WISCONSIN ACT 73.

WHEREAS, in December of 2023, 2023 Wisconsin Act 73 (the “Act”) was enacted by the State; and

WHEREAS, the Act, among other provisions, extended the closing hours of any Class B Beer, Class B Liquor, Class C Wine premises and any producer’s full-service retail outlets located in a “Southeast Wisconsin municipality,” as defined by the Act, while Republican National Convention (the “RNC”) is held in Milwaukee between July 15 – 19, 2024 (the “Convention Period”); and,

WHEREAS, the Act also provides that a Southeast Wisconsin municipality may either opt out of the extended closing hours prescribed by the Act or may designate “any licensee holding a license issued by the southeast Wisconsin municipality ... as ineligible or disqualified for the extended closing hour specified in [the Act],” and the municipality is charged with establishing a process for that designation; and,

WHEREAS, the City of Greenfield (the “City”) is a Southeast Wisconsin municipality as defined by the Act by virtue of being located in Milwaukee County; and,

WHEREAS, on May 7, 2024, the Common Council adopted a resolution opting out of the extended hours for all Class B Beer, Class B liquor, Class C Wine premises, and any producer’s full-service retail outlets located within the City of Greenfield; and,

WHEREAS, the Act requires municipality opt out decisions to be codified in an ordinance.

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

PART I Section 13.03(10)(g) of the Municipal Code hereby is created to read as follows:

“(g) **Opt Out From Extended Operating Hours During the 2024 Republican National Convention Established by 2023 Wisconsin Act 73 Section 64c(4).** During the 2024 Republican National Convention to be held in Milwaukee, Wisconsin between July 15 – 19, 2024, the closing hours for Class B Beer, Class B Liquor, and Class C Wine retail licensed premises and any producer’s full-service retail outlets shall be as previously established by Wis. Stat. § 125.32(3)(a), 125.68(4)(c), 125.29(8)(a), 125.52(5)(a), and 125.53(4)(a) and subsections

13.02(10)(b)—(f) above, and therefore shall not be extended. This ordinance shall only be in effect July 15, 2024, through July 19, 2024.”

PART II. After its passage and publication as required by law, this ordinance shall take effect on July 15, 2024, and be in force through July 19, 2024.

PASSED AND ADOPTED by the Common Council for the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3996

Special Use Permit for 831 Tattoos, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 304, submitted by David Barron, d/b/a 831 Tattoos LLC.
(Tax Key No. 650-8998-009)

WHEREAS, David Barron, d/b/a 831 Tattoos LLC., duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish 831 Tattoos, a proposed tattoo business, to be located within My Salon Suites at 5170 S. 76th St., Suite 304; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

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

1. The applicant, David Barron, d/b/a 831 Tattoos LLC., resides at 1421 S. 124th St., New Berlin, WI 53151.
2. The applicant will lease a portion of the multi-tenant commercial building owned by BR of Wisconsin LLC, PO Box 13125, Milwaukee, WI 53213-0125.
3. 831 Tattoos will occupy approximately 140 sq. ft. of the multi-tenant commercial building located at 5170 S. 76th St, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 6117, being a part of the Southwest $\frac{1}{4}$ Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 650-8998-009

Said land being located at 5170 S. 76 St.

4. The applicant is proposing to establish a tattoo parlor within the existing salon suite commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits tattoo parlors as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 76 St. corridor that is developed for commercial uses. Properties to the north, south, east, and west are developed as commercial.

7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of David Barron, d/b/a 831 Tattoos LLC. to establish a proposed tattoo parlor, to be located within My Salon Suites at 5170 S. 76th St., Suite 304, be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on May 14, 2024 and by the Common Council on June 18, 2024. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for 831 Tattoos will be 10:00am – 11:00pm, daily.
4. Off-Street Parking. A total of 3 off-street parking stalls are required for 831 Tattoos. The entire multi-tenant commercial building requires a total of 104 off-street parking spaces. The property will provide 47 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.
15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.
16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

David Barron, d/b/a 831 Tattoos LLC.

John Weiss, d/b/a My Salon Suite

Provided to applicant on the
_____ day of _____, 2024

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3997

Special Use Permit for The Injector Med Spa, a proposed medical spa, to be located at 4111 S. 108th St., submitted by Esmeralda Robelo Campos, d/b/a The Injector Med Spa. (Tax Key No. 566-9958-002)

WHEREAS, Esmeralda Robelo Campos, d/b/a The Injector Med Spa, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish The Injector Med Spa, a proposed medical spa, to be located within VICI Beauty Schools – Milwaukee Campus at 411 S. 108th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

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

1. The applicant, Esmeralda Robelo Campos, d/b/a The Injector Med Spa, resides at 3812 S. 94th St., Milwaukee, WI 53228.
2. The applicant will lease a portion of the commercial building owned by Fred & Penny 4111 LLC., 615D McHenry, Brookfield, WI 53045.
3. The Injector Med Spa will occupy approximately 120 sq. ft. of space within the commercial building located at 4111 S. 108th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 of Certified Survey Map No. 8005, being a part of the Northeast ¼ of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin. Tax Key No. 566-9958-002

Said land being located at 4111 S. 108th St.
4. The applicant is proposing to establish a medical spa within the existing commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits medical spas as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 108th St. corridor that is developed for commercial uses. Properties to the north and east are designated as park and recreation district.

Properties to the south are developed as commercial. Properties to the west are designated as residential.

7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Esmeralda Robelo Campos, d/b/a The Injector Med Spa to establish a proposed medical spa, to be located within the VICI Beauty Schools – Milwaukee Campus at 4111 S. 108th St., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on May 14, 2024 and by the Common Council on June 18, 2024. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for The Injector Med Spa will be 8:00am – 10:00pm, daily.
4. Off-Street Parking. A total of 2 off-street parking stalls are required for the Injector Med Spa. The entire commercial building requires a total of 74 off-street parking spaces. The property will provide 165 off-street parking stalls.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance

activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.

9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the

Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's

finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Esmeralda Robelo Campos, d/b/a The Injector Med Spa

Provided to applicant on the
_____ day of _____, 2024

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3998

Special Use Permit for Gardner Learning Center, LLC, for child day care services, to be located at 2915 W. Layton Ave., submitted by Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC. (Tax Key No. 622-9979-000)

WHEREAS, Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC., duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Gardner Learning Center, a proposed child day care center, to be located at 2915 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

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

1. The applicant, Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC., resides at 5804 W. Bennett Ave., Milwaukee, WI 53219.
2. The applicant will lease the commercial building owned by Hersa Development, LLC., 5804 W. Bennett Ave., Milwaukee, WI 53219.
3. Gardner Learning Center will occupy the entirety of the 2,484 sq. ft. of the commercial space within the commercial building located at 2915 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

The West 90 feet of the East 850 feet of the North 346.50 feet of the Northeast $\frac{1}{4}$ of Section 25, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin. Excepting therefrom the North 60 feet for avenue purposes.

Tax Key No. 622-9979-000

Said land being located at 2915 W. Layton Ave.

4. The applicant is proposing to establish a child day care center within the existing commercial building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits child day care centers as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the W. Layton Ave. corridor that is developed for commercial uses. Properties to the north are developed as residential. Properties to the west, east, and south are developed as commercial.

7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC. to establish a proposed child day care center, to be located at 2915 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 said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on May 14, 2024 and by the Common Council on June 18, 2024. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.

2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.

3. Hours of Operation. The allowable hours of operation for Gardner Learning Center will be 6:00am – 6:00pm, daily.

4. Off-Street Parking. A total of 8 off-street parking stalls are required for Gardner Learning Center. The property will provide 6 off-street parking stalls. The Common Council may waive the shortage.

5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.

6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including

revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.

9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Eunice Heredia-Colon, d/b/a Gardner Learning Center, LLC.

Provided to applicant on the
_____ day of _____, 2024

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3999

A RESOLUTION ALLOWING THE CLAIM OF D'ANDRE E. GRIFFIN RELATING TO
DAMAGE TO VEHICLE

WHEREAS, Assistant Chief of Police Ray Radakovich submitted a claim on behalf of D'Andre E. Griffin with the City on June 4, 2024; and,

WHEREAS, AC Radakovich indicated that, on or about May 13, 2024, a tire on Mr. Griffin's vehicle was damaged as a result of a spike strip, which the Greenfield Police Department put in the roadway to stop another vehicle involved in a pursuit. Mr. Griffin requested payment of \$233.12, which was the cost to replace the tire; and,

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and recommends that, without admitting any negligence, the Common Council allow the claim, as set forth below; and,

WHEREAS, Wis. Stat. § 893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and,

WHEREAS, after considering the facts and circumstances of the claim, the Common Council desires to pay the claimed amount of the loss, as set forth below.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield, that the claim on behalf of D'Andre E. Griffin, filed on June 4, 2024, and relating to alleged loss occurring on May 13, 2024, is hereby allowed in an amount not to exceed **\$233.12**.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim to the claimant upon receipt of a signed release of claims from the claimant.

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 18th day of June, 2024.

Jennifer Goergen, City Clerk

RESOLUTION NO. 4000

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 Rebecca Patin, Michael Woulfe, Theresa Breunig, Glenn Danz and Stephanie Danz, and

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

Rebecca Patin, 5994 S. 35th St., Greenfield, WI 53221
Michael Woulfe, 5141 S. Mallard Circle, Greenfield, WI 53221
Theresa Breunig, 4901 S. 92nd Street, Greenfield, WI 53228
Glenn Danz, 3920 S. 119th Street, Greenfield, WI 53228
Stephanie Danz, 3920 S. 119th Street, Greenfield, WI 53228

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4001

Special Use Permit for Cooper's Hawk, a proposed full-service restaurant, to be located at 8415 Sura Lane, submitted by Sandi LeBlanc, d/b/a LD Reeves and Lis Battle, d/b/a Aria Group. (Tax Key No. 606-0053-012)

WHEREAS, Sandi LeBlanc, d/b/a LD Reeves and Lis Battle, d/b/a Aria Group, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Cooper's Hawk, a proposed full-service restaurant, to be located at 8415 Sura Lane; and,

WHEREAS, the Common Council on June 18, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, met to consider the application; and,

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

1. The applicant Sandi LeBlanc, d/b/a LD Reeves, resides at 16321 Chinook Dr., Petersburg, VA 23803.
2. The applicant will purchase the property at the completion of the permitting process.
3. Cooper's Hawk will occupy approximately 11,200 sq. ft. of the commercial building to be located at 8415 Sura Lane, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 2 of Certified Survey Map No. 9574, being a part of the Southeast $\frac{1}{4}$ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 606-0053-012

Said land being located at 8415 Sura Lane.

4. The applicant is proposing to establish a full-service restaurant within a new commercial building.
5. The aforesaid premise is zoned PUD (Planned Unit Development) under the Zoning Ordinance of the City of Greenfield, which permits limited-service restaurants as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 84th St. and W. Layton Ave. corridor that is developed for commercial uses. Properties to the north, south, east, and west are developed as commercial. Properties to the east are developed as residential.
7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Sandi LeBlanc, d/b/a LD Reeves and Lis Battle, d/b/a Aria Group to establish Cooper's Hawk, a full-service restaurant, to be located within a new commercial building at 8415 Sura Lane, be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on June 11, 2024 and by the Common Council on June 18, 2024. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for Cooper's Hawk will be 11:00am – 9:00pm, Sundays through Thursdays, and 11:00am-10:00pm Fridays and Saturdays.
4. Off-Street Parking. A total of 160 off-street parking stalls are required for Cooper's Hawk. The property will provide 183 off-street parking stalls.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution. _

Sandi LeBlanc, d/b/a LD Reeves

Lis Battle, d/b/a Aria Group

Provided to applicant on the
_____ day of _____, 2024

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of
June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4002

Special Use Permit for Chipotle, a proposed limited-service restaurant, to be located at 8515 Sura Lane, submitted by Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services. (Tax Key No. 606-0053-011)

WHEREAS, Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Chipotle, a proposed limited-service restaurant, to be located at 8515 Sura Lane; and,

WHEREAS, the Common Council on June 18, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, met to consider the application; and,

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

1. The applicant Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC., has offices at 400 N. Broadway, Suite 100, Milwaukee, WI 53202.
2. The applicant currently owns the vacant property.
3. Chipotle will occupy approximately 2,300 sq. ft. of the commercial building to be located at 8515 Sura Lane, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 of Certified Survey Map No. 9574, being a part of the Southeast $\frac{1}{4}$ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 606-0053-011

Said land being located at 8515 Sura Lane.

4. The applicant is proposing to establish a limited-service restaurant within a new commercial building.
5. The aforesaid premise is zoned PUD (Planned Unit Development) under the Zoning Ordinance of the City of Greenfield, which permits limited-service restaurants as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the W. Layton Ave. corridor that is developed for commercial uses. Properties to the north, south, east, and west are developed as commercial. Properties to the south are developed as residential.
7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services to establish a limited-service restaurant, to be located within a new commercial building at 8515 Sura Lane, be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on June 11, 2024 and by the Common Council on June 18, 2024. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for Chipotle will be 10:00am – 11:00pm, daily.
4. Off-Street Parking. A total of 24 off-street parking stalls are required for Chipotle. The property will provide 57 off-street parking stalls.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC.

Justin Johnson, d/b/a JSD Professional Services

Provided to applicant on the
_____ day of _____, 2024

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of
June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO.4003

RESOLUTION GRANTING TID 4 FUNDING

WHEREAS, the City of Greenfield Common Council created Tax Incremental Financing District 4 (TID 4) to fund infrastructure and other development improvements, through increased tax revenue generated by the increase in property value; and

WHEREAS, the city identifies projects that encourage and facilitate the desired development that will provide financial and quality of life benefits to the city; and

WHEREAS, the former River Falls Family Fun Center, now doing business as Holey Mackerel, has been a popular asset to the community since 1995; and

WHEREAS, the business, which is located next to Konkel Park, provides unique recreational opportunities for our residents that add to and complement the programs provided by the city's park system; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Greenfield, that TID 4 funds are available for eligible business improvements that will benefit the city; and

BE IT FURTHER RESOLVED, that Holey Mackerel is proposing infrastructure and other improvements that will improve its street presence, and allow it to provide popular and new recreational opportunities that complement Konkel Park; and

BE IT FURTHER RESOLVED, that all projects and invoices must be approved by the city, in a total amount not to exceed \$520,000; and

BE IT FURTHER RESOLVED, Holey Mackerel and the Greenfield Department of Parks and Recreation, will work cooperatively as partners to add to and enhance the recreational opportunities offered to the residents in our community.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

**COMMON COUNCIL
OF THE
CITY OF GREENFIELD**

RESOLUTION NO. 4004

**A RESOLUTION TO AUTHORIZE THE EXECUTION AND SUBMISSION OF
REQUIRED DOCUMENTS RELATED TO THE NATIONAL OPIOID SETTLEMENTS
BY CITY STAFF IN CONSULTATION WITH RETAINED LITIGATION COUNSEL
AND THE CITY ATTORNEY.**

WHEREAS, in November of 2019, the Common Council of the City of Greenfield authorized the City to enter into an engagement agreement with Phipps Ortiz Talafuse LLC, previously operating under the name Phipps Deacon Purnell PLLC (the “Law Firm”) to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for the City’s expenditure of vast money and resources to combat the opioid epidemic; and

WHEREAS, on behalf of the City, the Law Firm filed a lawsuit against the Opioid Defendants; and

WHEREAS, the Law Firm filed similar lawsuits on behalf of other Wisconsin Municipalities in state court in Wisconsin but the Wisconsin cases were removed to federal court and are currently coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned In re: Opioid Litigation, MDL 2804 (the “Litigation”); and

WHEREAS, additional Wisconsin cities and counties hired separate counsel and joined the Litigation; and

WHEREAS, since the inception of the Litigation, the Law Firm has coordinated with counsel from around the country (including counsel for other Wisconsin cities and counties) to prepare the City’s case for trial and engage in extensive settlement discussions with the Opioid Defendants; and

WHEREAS, as the Litigation progresses, defendants continue to reach settlement agreements (“National Opioid Settlements”) which necessitate Common Council action to authorize staff to complete, execute, and submit documents required to opt in or opt out of the proposed settlement agreements by set deadlines; and

WHEREAS, due to the frequency with which the National Opioid Settlements are reached and the set opt in/opt out deadlines, City staff must obtain Common Council approval, complete, execute, and submit the required documents in a short timeframe; and

WHEREAS, prior authorization from the Common Council for City staff to complete, execute, and submit required documents related to the National Opioid Settlements would expedite the opt in/opt out process and would authorize staff to work with the retained Law Firm and the City Attorney on matters related to the National Opioid Settlements.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby authorizes City staff to complete, execute, and submit required documents, including but not limited to required releases, related to opting into the National Opioid Settlements as is consistent with past practice and to consult and work with the Law Firm and the City Attorney on matters related to the National Opioid Settlements.

BE IT FURTHER RESOLVED, that any documents not consistent with the past practice of opting into the National Opioid Settlements, including but not limited to the decision to opt out of a specific settlement and the decision to approve any state/local memoranda of understanding for the National Opioid Settlements or the Litigation, may not be completed, executed and submitted by staff without further express Common Council authorization.

Approved:

Michael Neitzke, Mayor

Date Approved: June 18, 2024

This is to certify that the foregoing resolution as adopted by the Common Council for the City of Greenfield, Wisconsin, at a meeting held on the 18th day of June, 2024.

Jennifer Goergen, City Clerk