

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, DECEMBER 1, 2015

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

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| 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
	Chuck Erickson	Community Development Manager

2. An opening prayer was given by Chaplain Jim Leggett.
3. Pledge of Allegiance
4. It was moved by Aldersperson Bailey, seconded by Aldersperson Akers, to approve the November 17, 2015 Council minutes, as recorded. Motion carried unanimously.
5. Mayor's Report – None

The Council proceeded with Item #6

Mayor Neitzke said the City tries to program internally what the normal year looks like. The pickup dates are provided well ahead of time. Near the last pickup date, there were some neighborhoods that were a challenge. He stated that even though the schedule indicates a last day for pickup, it isn't the last day. The Department of Public Works was still out picking up the leaves today.

At this time, the Council proceeded with Item #9

6. Aldermanic Reports

Aldersperson Bailey said the Tree Commission is planting close to 300 trees in the City in the coming year with many going in the construction area of South 33rd Street & West Lynndale Avenue with approximately 65 trees going in throughout the right-of-ways.

7. Announcements

Aldersperson Lubotsky stated the holiday tree lighting will be held Saturday, December 5, 2015 at 12 noon at Greenfield City Hall. The Greenfield High School will provide music, children can visit with Santa & Mrs. Claus, there will be free cookies and hot chocolate. Prior to the tree lighting there will be breakfast with Santa. Those interested in the breakfast with Santa can contact the Department of Parks & Recreation for availability.

8. Citizen Commentary

The following addressed the Council:

Thomas Surwillo, 6124 South 36th Street, said he lives in Aldermanic District 5 which has a lot of older mature trees and the leaves have fallen a little later. The pickups in that area were October 12th & 26th and November 9th. At that time approximately 40% of the leaves were still on the trees. He noticed about 17 piles of leaves on the street approximately one week after the last pickup. He said he stopped in the City Clerk's Office at City Hall to explain the leaf situation and the employee in the City Clerk's Office suggested he contact the Department of Public Works. He said that one hour later the Department of Public Works picked up the leaves. He suggested the schedule be looked at and perhaps the schedule could be adjusted so the last day to pick up the leaves would be the last week before Thanksgiving because there wasn't much on the ground by October 12th. Mr. Surwillo also thanked Alderperson Akers because she was on the bee keeping committee and he is glad to see that ordinance will be coming up.

At this time, the Mayor reverted back to the Mayor's Report (Item #5)

9. Public hearing, requested by Layton Avenue Baptist Church, for a rezoning from R-2 Single-Family to I-Institutional for a proposed 22,000 sq. ft. new church building at 9600 West Layton Avenue, Tax Key Nos. 607-9970-002, 607-9970-003 and 607-9968

Notice of public hearing was published in the City's official newspaper on November 12, 2015 and November 19, 2015.

Chuck Erickson, Community Development Manager, presented diagrams of the property in question. He said the project is to build an approximately 22,000 sq. ft. church at 9600 West Layton Avenue. The church did host a neighborhood information meeting in October, 2015. The church is the actual owner of the property in question. He said representatives of the Layton Avenue Baptist Church are present to answer any questions. Depending on the outcome of this project, there would be the removal of the right-of-way and de-mapping that would potentially occur next year. Mr. Erickson said the intent is to cluster the development on the easterly portion of the lot to the extent possible. A lot of the large oak trees and others will be undisturbed. Part of the site plan includes two retention basins, one on the north side for the northerly part of the parcel and one on the south side for the southerly portion. The Plan Commission recommended approval of the rezoning at their October, 2015 meeting.

Mayor Neitzke said there are certain things that federal law prohibits discussion of when it comes to churches and rezoning requests. It is under the Religious Freedom Restoration Act. They include the tax impact.

The following addressed the Council for information only:

Susan Allan, 9601 West Layton Avenue, asked with the removal of trees if there will be a barrier to deaden the noise from the freeway or will the County erect a barrier.

Mr. Erickson said no. The building will be there and he indicated where the woods will remain. He said there is some clearing due to required storm retention basin. He said based on the current plan there is nothing with regard to additional plantings up and around the northerly side other than trying to stay out of the larger tree growth area that exists primarily to the northwest portion of the site.

Alderperson Kastner said possibly with the Hale Interchange reconstruction at some point the County could intertwine a noise barrier.

Mayor Neitzke commented that when the Hale Interchange and I-894 get redone, there is a lot of public comment involved in those meetings to make sure that sound barriers get erected. It is the federal government administered through the State of Wisconsin.

Mr. Erickson added that there will be a 22,000 sq. ft. structure in the way of whatever noise is coming from the freeway and it is a higher building so in some degree it is a noise wall.

David Von Bargen, 9730 West Layton Avenue, indicated he is disappointed that large oak trees have been removed. He said in the Spring he gets runoff from that property and fills an intermittent pond on his property. He said he is concerned there is talk about putting trails in the wooded area which may result in children looking at the pond or getting near the pond and he doesn't want that liability and he doesn't want anyone to get hurt. Currently, there isn't any silt fencing on the property and in the Spring he assumes he will get soil washed down. He added he is concerned about the competency of this being built. He said there will be a lot of volunteers coming in and he questions if they really know the Wisconsin Building Codes. He also wonders if the construction project will be 16 hours per day for six or seven days a week.

Mayor Neitzke said he was surprised to see forestry work was beginning. The City is working closely with Layton Avenue Baptist Church and the contractor and the people responsible that all State codes would be complied with. The State reviews the plans.

Mr. Erickson stated the erosion control plan has been submitted and is being reviewed by a Civil Engineering firm. That is anticipated to be completed by the end of this week so the appropriate protection can be done at the site. He said he believes Mr. Hamer will be able to describe what they envision as far as the volunteer teams proposed to come from across the country from Spring through Summer to literally raise a church.

Mayor Neitzke said the site does have to be stabilized. There are specific water quality and quantity rules that are in place that have to be complied with and there are rules that have been adopted by ordinance and resolution. He added that when it comes to plan review, they have to keep the water on their site. They have to release at a certain rate. There are standards that the Milwaukee Metropolitan Sewerage District, the Department of Natural Resources, and the City have that have been incorporated as rules that must be complied with and the Engineering plans that show the rate of runoff and the rate of retention and suspended solids in the water that have to disappear before it gets back into nature.

Mr. Erickson said the woods area is undisturbed. According to the grading lines nothing is proposed to head west. He said the hard surface development has to be captured. It should actually minimize some of the things that maybe have been running westerly.

Mayor Neitzke suggested Mr. Von Bargen walk the land with some of those involved and explain the lay of the land.

Mr. Von Bargen added that the southern retention is going to be next to the sidewalk so he wonders how people will be kept out of there.

Mr. Erickson said that may be the dry basin. They are required to have a wet basin with water always in it and a dry basin which fills up during a storm but then runs out.

The following registered in favor of the proposed rezoning:

Dusty Little, 3616 South 53rd Street

The following addressed the Council in favor of the rezoning:

Clyde Hamer, 7100 West Lima Street, Milwaukee, stated he is a member of Layton Avenue Baptist Church. With regard to the removal of the trees along the freeway, he said the property line of the church does not go all the way to the freeway. There is a Department of Transportation right-of-way and there is probably still a buffer. In looking at the drawing, the property line is a good distance away from the freeway. There is still a tree buffer behind the church property adjacent to the freeway. The bulk of the mature trees to the west will not be touched. He said with regard to the silt fence, his intent was that once site work was started, the site contractor was going to address the silt fence. Mr. Hamer said they have submitted and applied for the erosion control permit. They are not doing any work on the site until they receive that permit. He said he was a plan examiner for the City of Milwaukee for over 20 years and is very familiar with building codes, zoning codes, construction processes and procedures. He said although they will be utilizing some significant volunteer teams, they still have a local architect involved and he is still involved. The volunteers will be under the direction and supervision of architects, engineers. The plans that were submitted regarding the drainage, that was through a local civil engineer, TerraTec Engineering. The site has been carefully engineered to maintain all the water as required on site. Drainage has been intentionally directed to the retention ponds which means the pond retains the water for a while and then has a slow controlled release. With regard to the concern of children getting near the ponds, fencing is shown on the drawings that protect the soil erosion ponds. They aren't sure about the one closest to the street. They want it to look nice and are putting a lot of landscaping around. The fence may have to be rod iron or a decorative fencing so it is both a barrier but also attractive. There will be landscaping to replace trees as well. Mr. Hamer added there is an easement that has been drafted that is a shared driveway with the property to the east so they have access to the eastbound through that median. There is also another driveway for westbound traffic. The silt fence will go in before they perform any land disturbing activities. He said they want to be good neighbors. There will be no activity on the site until the soil erosion is put in. He said they are always open to discussing the project with their neighbors.

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

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

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

Horcos, Bobbie R.-10915 W. Edgerton Ave.	McCormack, Matthew J.-13901 W. Marquette Dr.
Mettile, Sr., Thomas L.-6030 W. Armour Ave.	Musolf, Jr., Gerald B.-4060 S. 41 st St.
Wieczorek, Nicole L.-1525 S. Calhoun Rd.	Zweber, Angelique R.-4516 S. Kansas Ave.

Motion carried unanimously.

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

Schedules of disbursements in the amount of \$180,396.91; \$250.00; \$140,117.72 and \$84,490.70

Mileage reimbursements in the amount of \$503.16

On a roll call vote, the motion carried unanimously.

12a. After Jon Cohn, Fire Chief, addressed the Council, it was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve the rate schedule [for Emergency Medical Services for 2016]. The rates will become effective January 1, 2016 and shall be reflected in the Greenfield Municipal Code Section 3.12(7)(a). On a roll call vote, the motion carried unanimously.

At this time, the Council proceeded with Item #14

13. City Attorney's Report:

- a. Resolution was introduced for the vacation of public right-of-way between West Layton Avenue on the south, I-894 on the north, South 84th Street on the east, and South 92nd Street on the west abutting Tax Key Nos. 606-0020-001, 606-0034, 606-0048-001, 606-0049, 606-0050, 606-0051, 606-0052, 606-0053-001, 606-0059, 606-0066, 606-0067, 606-0068, 606-0069, 606-0070, 606-0071, 606-0072, 606-0073, 606-0074, 606-0075, 606-0076, 606-0077, 606-0078, 606-0079, 606-0080, 606-0081, 606-0082, 606-0083, 606-0084-001, 606-9980-002, 606-9981

At this time, the Council proceeded with Item #10

- b. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to adopt Ordinance No. 2830

ORDINANCE NO. 2830

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
(MAP) OF THE CITY OF GREENFIELD

WHEREAS, The Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of the City Hall at Greenfield, Wisconsin, on Tuesday, the 1st day of December, 2015 at 7:05 p.m. upon a proposal to amend Zoning Ordinance No. 2204A; and

WHEREAS, Notices of said hearing has been duly published in the Greenfield NOW Newspaper, formerly known as MyCommunityNow.com, and a period of at least ten (10) days has expired after the last publication before said hearings, all as required by State Law;

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

PART I. Zoning Ordinance No. 2204A adopted on the 8th day of April, 1998 relating to zoning, is hereby amended.

PART II. The Zoning District for the parcels of land described as follows are hereby changed from 'R-2 Single-Family' to 'I-Institutional'.

9600 West Layton Avenue
Tax Key #607-9970-002, 607-9970-003, and 607-9968

“ A ” 607-9968. That part of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin which is bounded and described as follows:
Commencing at the Southeast corner of the West ¼ of said ¼ Section; thence West on and along the South line of said ¼ Section, 247.89 feet to a point; thence North 1°2'15" East, 660.01 feet to a point; thence Easterly, 248.89 feet to the East line of the West half of said ¼ Section; thence Southerly along said East line, 659.64 feet to the point of beginning. Excepting therefrom the South 60 feet for public street purposes.

“ B ” 607-9970-002. Parcel 2 of Certified Survey Map No. 2918, being a part of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin

“ C ” 607-9970-003. Parcel 3 of Certified Survey Map No. 2918, being a part of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin

“ D ” ROW. That part of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin which is bounded and described as follows:
Commencing at the Southeast corner said ¼ Section; thence South 88°13'45" West along the South line of said ¼ Section, 1,573.67 feet to a point; thence North 00°44'00" West, 450.01 feet to a point on the South right-of-way line of West Chapman Avenue, and the point of beginning of lands to be described; thence South 88°13'45" West on and along the South line of West Chapman Avenue, 240.00 feet to a point; thence North 00°44'00" West, 60.00 feet to a point, said point being on the North right-of-way line of West Chapman Avenue; thence North 88°13'45" East on and along the North line of West Chapman Avenue, 240.00 feet to a point; thence South 00°44'00" East, 60.00 feet to the point of beginning.

PART III. No building permit shall be issued for any structure to be built on the above described property unless the plans, specifications, layout, height, materials and setback lines of such a building are approved by the City of Greenfield.

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

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of December, 2015.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

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

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

14. Items for future agenda

Non-Represented Employee Resolution

15. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adjourn the meeting at 7:50 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

JG:slw

Distributed: December 3, 2015