



COMMON COUNCIL MEETING AGENDA

Tuesday, January 6, 2026 - 7:00 PM

- A. Call to Order & Roll Call
- B. Opening Prayer
- C. Pledge of Allegiance
- D. Approval of the December 16, 2025 Common Council minutes
- E. Mayor's Report
- F. Aldermanic Reports
- G. Announcements
- H. Citizen Commentary
- I. 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)
- J. New Business
 1. Summons & Complaint re: Excessive Tax Assessment, Non-Uniform Tax Assessment and Declaratory Judgment received from Attorneys Strohbehn and Karnes of Mallery, S.C., on behalf of Wal-Mart Real Estate Business Trust. (Goergen)
 2. Adopt a Resolution appointing additional election inspectors for 2026–2027. (Goergen)
 3. Approve applications for 2025-2026 operator licenses (Goergen)
 4. Approve an application for 2025-2026 "Class A" Liquor - Cider Only Retailer's License for 4710 LLC, Vimal Kapila, Agent, for the property at 4710 S. 108th St. (Andy's On Hwy 100). Inventory placed in first floor walk in cooler, extra inventory in back room and displayed inside store, records also stored in back room, located at 4710 S. 108th St. (Goergen)
 5. Adopt a Resolution Regarding Claims in Proposed Settlement of Class Action Lawsuit Against Discover Financial Services Relating to Overcharging of Processing Fees (Geary)
 6. Discussion and decision to go into closed session, pursuant to Wisconsin Statutes, Section 19.85(1)(f) and (1)(g). Specifically, this closed session will relate to the discussion of a specific personnel matter and a discussion with legal counsel regarding litigation strategy and advice. (Foley)
 - a. Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

- b. Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
- 7. Adjourn closed session and reconvene into open session.
- 8. Decision regarding closed session items. (Foley)
- K. Items for future agenda
- L. Adjourn

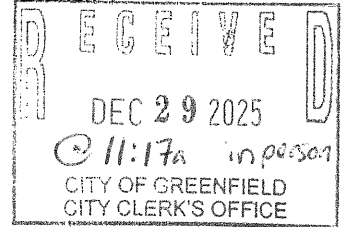
PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Department of Human Resources at 329-5208, (FAX) 543-6158, TDD 1-800-947-6644 (Wisconsin Telecommunications Relay System), or by writing to the Director of Human Resources/ADA Coordinator at Greenfield City Hall, 7325 West Forest Home Avenue, Room 101, Greenfield, WI 53220. Greenfield City Hall is wheelchair accessible from the west and south entrances.

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE

Wal-Mart Real Estate Business Trust vs. City of Greenfield **Electronic Filing Notice**

Case No. 2025CV010849
Class Code: Money Judgment

FILED
12-19-2025
Anna Maria Hodges
Clerk of Circuit Court
2025CV010849
Honorable Michael J.
Hanrahan-04
Branch 4



CITY OF GREENFIELD
7325 W. FOREST HOME AVENUE
GREENFIELD WI 53220

Case number 2025CV010849 was electronically filed with/converted by the Milwaukee County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: c00ade

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 414-278-4140.

Milwaukee County Circuit Court
Date: December 19, 2025

FILED
12-19-2025
Anna Maria Hodges
Clerk of Circuit Court
2025CV010849
Honorable Michael J.
Hanrahan-04
Branch 4

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

WAL-MART REAL ESTATE BUSINESS TRUST,
702 SW 8th Street,
Bentonville, Arkansas 72716,

Plaintiff,

v.

CITY OF GREENFIELD,
7325 W. Forest Home Avenue
Greenfield, WI 53220,

Defendant.

Case No.: 25-CV-
Case Code: 30301
(Money Judgment: Over \$10,000)

SUMMONS

THE STATE OF WISCONSIN

To each person named above as a defendant:

You are hereby notified that the plaintiff above named has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action. Within twenty (20) days of receiving this summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes. The answer must be sent or delivered to the court, whose address is Milwaukee County Courthouse, 901 N 9th St, Milwaukee, Wisconsin 53233 and to Mallery, s.c., plaintiff's attorneys, whose address is 731 North Jackson Street, Suite 900, Milwaukee, Wisconsin 53202. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint,

and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 19th of December, 2025.

MALLERY, S.C.

By: Electronically signed by Christopher L. Strohbahn

CHRISTOPHER L. STROHBEHN

State Bar No. 1041495

Email: cstrohbehn@mallerysc.com

RUSSELL J. KARNES

State Bar No. 1054982

Email: rkarnes@mallerysc.com

Attorneys for the Plaintiff

P.O. ADDRESS:

731 North Jackson Street, Suite 900

Milwaukee, Wisconsin 53202

Telephone: 414-271-2424

Facsimile: 414-271-867

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COMPLAINT

Plaintiff Wal-Mart Real Estate Business Trust (“Walmart”), by its attorneys Mallery sc, for its complaint against defendant City of Greenfield (“the City”) alleges as follows:

Nature of Action and Parties

1. This action is brought under Wis. Stat. §74.37(3)(d), for a declaration by this court that the 2025 value with respect to the parcel of real property in the City known as parcel # 608-9995-010 (the Property), is no more than \$6,630,000, and, if necessary, for a refund of the excessive real estate taxes due to be imposed on Walmart by the City for the Property in 2025, plus statutory interest.

2. Walmart is a Delaware statutory trust licensed to conduct business in the State of Wisconsin. Walmart is located at 702 SW 8th Street, Bentonville, Arkansas 72716. Walmart is the owner on the Property and is responsible for the payment of property taxes, as well as for the prosecution of property tax disputes involving the Property.

3. The City is a body politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 7325 W. Forest Home Avenue, within the City.

4. The Property is located at 10600 W. Layton Avenue, within the City.

Background Facts

5. The 2025 value of the Property was set by the City Assessor's office at \$21,332,500.

6. Walmart timely filed an objection to the 2025 assessment of the Property with the City's Board of Review ("BOR") pursuant to Wis. Stat. §70.47. The Board granted a Waiver of Board of Review Hearing ("Waiver") in accordance with the provisions of Wis. Stat. §70.47(8m). A copy of the Waiver is attached as Exhibit A.

7. Walmart timely brings this action and seeks review of the assessment as set forth below.

First Claim for Relief – Excessive Tax Assessment

8. The allegations of paragraphs 1-7 are incorporated as if fully realleged herein.

9. The value of the Property as of January 1, 2025 was no higher than \$6,630,000.

10. The 2025 assessment of the Property was excessive. As a result, the tax imposed on the Property for 2025 was excessive.

11. Walmart is entitled to a refund of 2025 taxes paid as may be determined to be due to Walmart, plus statutory interest.

Second Claim for Relief – Non-Uniform Tax Assessment

12. The allegations of paragraphs 1-11 are incorporated as if fully realleged herein.

13. The value of the Property as of January 1, 2025 was no higher than \$6,630,000.

14. Upon information and belief, the 2025 assessment was not uniform with the assessment of other properties in the City and State and therefore, violates the Uniformity Clause of the Wisconsin Constitution.

15. Walmart is entitled to a refund of 2025 taxes paid as may be determined to be due to Walmart, plus statutory interest.

Third Claim for Relief – Declaratory Judgment

16. The allegations of paragraphs 1-15 are incorporated as if fully realleged herein.

17. As alleged above, the City's BOR delegated its authority to determine the 2025 value of the Property to this Court for its determination.

18. An actual and justiciable controversy exists as to Walmart's right to a reduction in the 2025 value of the Property as set forth in Wis. Stat. §70.47.

19. Walmart seeks a declaratory judgment construing Wis. Stat. §70.47 to mandate a reduction in the 2025 value of the Property from \$21,332,500 to \$6,630,000, in accordance with Wisconsin statutory and case law as well as generally accepted appraisal principles.

20. If the Court rules that a hearing is mandated, Walmart seeks an order scheduling an evidentiary hearing from which this Court may make an administrative determination of the value of the Property.

WHEREFORE, plaintiff Walmart seeks the following relief:

A. A determination that the value of the Property as of January 1, 2025 was no higher than \$6,630,000.

B. A determination that Walmart is entitled to a refund of all taxes paid on the portion of the tax assessment that was excessive.

C. An award of all litigation costs incurred by Walmart in this action, including the reasonable fees of its attorneys; and

D. Any such other and further relief as the Court deems appropriate and just.

Dated this 19th of December, 2025.

MALLERY, S.C.

By: Electronically signed by Christopher L. Strohbehn

CHRISTOPHER L. STROHBEHN

State Bar No. 1041495

Email: estrohbehn@mallerysc.com

RUSSELL J. KARNES

State Bar No. 1054982

Email: rkarnes@mallerysc.com

Attorneys for the Plaintiff

P.O. ADDRESS:

731 North Jackson Street, Suite 900

Milwaukee, Wisconsin 53202

Telephone: 414-271-2424

Facsimile: 414-271-8678

Request for Waiver of Board of Review (BOR) Hearing

Section 70.47 (8m), Wis. Stats., states, "The board may, at the request of the taxpayer or assessor, or at its own discretion, waive the hearing of an objection under sub. (8) or, in a 1st class city, under sub. (16) and allow the taxpayer to have the taxpayer's assessment reviewed under sub. (13). For purposes of this subsection, the board shall submit the notice of decision under sub. (12) using the amount of the taxpayer's assessment as the finalized amount. For purposes of this subsection, if the board waives the hearing, the waiver disallows the taxpayer's claim on excessive assessment under sec. 74.37(3) and notwithstanding the time period under sec. 74.37(3)(d), the taxpayer has 60 days from the notice of hearing waiver in which to commence an action under sec. 74.37(3)(d)."

NOTE: The legal requirements of the Notice of Intent to Appear must be satisfied and the Objection Form must be completed and submitted as required by law prior to the Request for Waiver of Board of Review Hearing being submitted.

NOTE: Request for Waiver must be presented prior to the commencement of the hearing.

Municipality City of Greenfield	County Milwaukee
Requestor's name Wal-Mart Real Estate Business Trust	Agent name <i>(if applicable)</i> * Mallery, s.c.
Requestor's mailing address P.O. Box 8050 Bentonville, AR 72716	Agent's mailing address 731 North Jackson Street, Suite 900 Milwaukee, WI 53202
Requestor's telephone number (479) 204 - 3835	Agent's telephone number (414) 271 - 2424
<input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone	<input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone
Requestor's email address brandon.caplena@walmart.com	Agent's email address cstrohbehn@mallerysc.com/rkarnes@mallerysc.com

Property address 10600 W. Layton Avenue, Greenfield, WI	
Legal description or parcel number 608-9995-010	
Taxpayer's assessment as established by assessor - Value as determined due to waiving of BOR hearing \$ 21,332,500	
Property owner's opinion of value \$ 6,630,000	
Basis for request To take matter to court, as 2021, 2022, 2023, and 2024 Tax Years are in litigation.	
Date Notice of Intent to Appear at BOR was given 06 - 13 - 2025	Date Objection Form was completed and submitted 06 - 17 - 2025

All parties to the hearing understand that in granting of this waiver there can be no appeal to the Department of Revenue under sec. 70.85, Wis. Stats. An action under sec. 70.47(13), Wis. Stats., must be commenced within 90 days of the receipt of the notice of the waiving of the hearing. An action under sec. 74.37(3)(d), Wis. Stats., must be commenced with 60 days of the receipt of the notice of the waiving of the hearing.

Brandon L. Caplena

Requestor's / Agent's Signature

***If agent, attach signed Agent Authorization Form, PA-105**

Decision

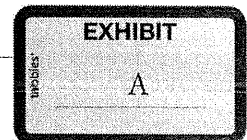
Approved Denied

Reason *Based on request from assessor*

[Signature]
Board of Review Chairperson's Signature

11/5/2025
Date

Taxpayer advised *11-5-2025*
Date



RESOLUTION NO. _____
RESOLUTION APPOINTING ADDITIONAL ELECTION
INSPECTORS FOR 2026-2027

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 2026-2027 election cycle; and

WHEREAS, appointments were made, but in addition to the appointments already made, the Common Council desires to add Katherine Miller; 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 Inspectors for the 2026-2027 election cycle:

Katherine Miller, 4026 S. 96th St., Greenfield, WI 53228

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 6th day of January, 2026.

APPROVED:

ATTEST:

Michael J. Neitzke, Mayor

Jennifer Goergen, City Clerk

**CITY OF GREENFIELD
OPERATOR LICENSE APPLICANTS**

12/30/2025

OPERATOR'S REGULAR

<u>NAME</u>	<u>ADDRESS</u>	<u>CITY, STATE, ZIP</u>
Antonio Dahmion McDougal	2029 S 57th ST	Milwaukee, WI 53219
Joseph Karl Stockinger	1305A E Hamilton ST	Milwaukee, WI 53202
Patricia Jean Salazar	5625 S Denis CT	Hales Corners, WI 53130

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. _____

A RESOLUTION REGARDING CLAIMS IN PROPOSED SETTLEMENT OF CLASS ACTION
LAWSUIT AGAINST DISCOVER FINANCIAL SERVICES RELATING TO OVERCHARGING OF
PROCESSING FEES

WHEREAS, Discover Financial Services, Inc., and affiliated entities (“Discover”) has been named as a defendant in a class action lawsuit alleging certain unlawful practices, including but not limited to unauthorized fees, erroneous charges, or misleading disclosures; and,

WHEREAS, a proposed settlement has been preliminarily approved by the court, offering class members the opportunity to submit claims to recover damages and relief pursuant to the terms of the settlement; and,

WHEREAS, the Finance Director recently received notices that Greenfield, through its departments with municipal credit card accounts and transactional relationship with Discover, may be eligible to participate in the proposed settlement; and,

WHEREAS, the Common Council believes that it is in the City’s best interest to submit all allowable claims in the settlement to potentially recover funds and hold Discover accountable for the alleged misconduct;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield, that:

1. City officials, including but not limited to the City Finance Director, are hereby ratified, authorized, and directed to prepare, execute, and submit on behalf of the City all such forms as are necessary for submittal of claims in the Discover class action settlement; and,
2. City officials are also authorized to execute any documents and perform all acts necessary to comply with the requirements of the proposed settlement and to carry out the intent of this Resolution.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

_____, 2026

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 ____ day of _____, 2026.

Jennifer Goergen, City Clerk