

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, JANUARY 19, 2016

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

- | | | |
|---------------|-----------------------|---------|
| 1. ROLL CALL: | Aldersperson Lubotsky | Present |
| | Aldersperson Bailey | Present |
| | Aldersperson Kastner | Present |
| | Aldersperson Akers | Present |
| | Aldersperson Saryan | Present |

ALSO PRESENT:	Jennifer Goergen	City Clerk
	Roger Pyzyk	City Attorney
	Chuck Erickson	Community Development Manager

2. An opening prayer was given by Chaplain Dustin.
3. Pledge of Allegiance
4. It was moved by Aldersperson Kastner, seconded by Aldersperson Bailey, to approve the January 5, 2016 Council minutes, as recorded. Motion carried unanimously.
5. Mayor's Report

Dawn Gunderson of Ehlers & Associates said the purposes of the resolutions relate to raising capital to finance the capital projects for 2016. One resolution concerns financing for improvements to the parks, one resolution is for purposes of the capital street improvement projects, and a resolution for purposes of financing costs in Tax Incremental District #4 which relate to public infrastructure improvements so they are eligible as tax exempt financing under General Obligation Bonds. The resolutions will be combined into one debt issuance. She distributed a Pre-Sale Report which summarizes the financing the City is considering. The three resolutions combined would generate a General Obligation Bond of \$8,365,000. Ms. Gunderson said the report she provided has some narrative with respect to statutory authorization that allows the issuance of this type of debt instrument. They are General Obligation Bonds with the full backing of the tax base even though a substantial portion of payments will be supported from the revenues from Tax Incremental District #4 for those appropriate projects within the district. The City will be seeking a bond rating on this issue with Moody's Investor Service. She gave an overview of additional information in the report.

- a. After a discussion, it was moved by Aldersperson Kastner, seconded by Aldersperson Saryan, to adopt Resolution No. 3535.

RESOLUTION NO. 3535

INITIAL RESOLUTION AUTHORIZING
GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED
\$4,390,000

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

BE IT RESOLVED by the Common Council of the City of Greenfield, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$4,390,000 for the purpose of paying Tax Incremental District No. 4 projects costs for public infrastructure, capitalized interest and bond issuance costs.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish a Notice to Electors in Greenfield NOW (A MyCommunityNOW.com site), within fifteen (15) days of the adoption and recording of the foregoing resolution.

BE IT FURTHER RESOLVED that the Finance Director (in consultation with the City's financial advisor, Ehlers & Associates, Inc.) shall prepare or cause to be prepared an Official Notice of Sale and an Official Statement and take other actions necessary for the sale of the Bonds on March 1, 2016.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- b. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to adopt Resolution No. 3536.

RESOLUTION NO. 3536

INITIAL RESOLUTION AUTHORIZING
ISSUANCE OF GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED
\$3,870,000

BE IT RESOLVED by the Common Council of the City of Greenfield, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$3,870,000 for the purpose of paying the costs of street improvements, capitalized interest and bond issuance costs.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish a Notice to Electors in Greenfield NOW (A MyCommunityNOW.com site), within fifteen (15) days of the adoption and recording of the foregoing resolution.

BE IT FURTHER RESOLVED that the Finance Director (in consultation with the City's financial advisor, Ehlers & Associates, Inc.) shall prepare or cause to be prepared an Official Notice of Sale and an Official Statement and take other actions necessary for the sale of the Bonds on March 1, 2016.

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- c. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to adopt Resolution No. 3537.

RESOLUTION NO. 3537

INITIAL RESOLUTION AUTHORIZING
GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED
\$105,000

BE IT RESOLVED by the Common Council of the City of Greenfield, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$105,000 for the purpose of paying the costs of park improvements, capitalized interest and bond issuance costs.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish a Notice to Electors in Greenfield NOW (A MyCommunityNOW.com site), within fifteen (15) days of the adoption and recording of the foregoing resolution.

BE IT FURTHER RESOLVED that the Finance Director (in consultation with the City's financial advisor, Ehlers & Associates, Inc.) shall prepare or cause to be prepared an Official Notice of Sale and an Official Statement and take other actions necessary for the sale of the Bonds on March 1, 2016.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #9

- d. Mayor Neitzke said the entire stage was poured at the amphitheater in Konkel Park.
- e. Mayor Neitzke said he met with representatives of the Greenfield & Whitnall School Districts concerning the fiber project. The Greenfield School District is hiring an attorney to develop an intergovernmental agreement between the three entities. This will dramatically improve the efficiencies and the abilities of the City and the school districts.
- f. Four or five houses have been removed from the Chapman site area and will be recycled. The old Chapman School will be torn down soon. A couple of houses are up on beams and will be moved and recycled.

At this time, the Mayor proceeded with Item #7

6. Aldermanic Reports

Alderperson Bailey stated the Tree Commission discussed their accomplishments and the hard working people that are involved including the City Forester. He said the Greenfield forestry department received its 22nd consecutive award from the National Arbor Foundation for the Growth Award. The Arbor Day planting involved 24 trees at Maple Grove. In 2015, forestry planted 94 replacement trees and 163 new street trees. The Tree Commission has been working with the school district and replaced some missing street trees in front of their district schools. In return the district will water and care for the trees. The trees were treated for the Emerald Ash Borer. A \$250 award was received from American Transmission to plant some trees around the screen transmission lines at Hawk View Park.

At this time, Mayor Neitzke reverted back to Item #5

7. Announcements - None

8. Citizen Commentary - None

At this time, the Mayor proceeded with Item #13

9. Public hearing, requested by Cornerstone Development of SE Wisconsin, for approval of a proposed amendment to the Comprehensive Land Use Plan from 'Single Family' to 'Mixed Residential' for a proposed condominium development for 26 units on approximately eight acres in the 3800 block of South 116th Street (i.e. north of West Howard Avenue, west side of street); proposed project would have nine two-family units, two four-family units, and a clubhouse, Tax Key Nos. 564-9995 & 564-9994-001

Notice of public hearing was published in the City's official newspaper on December 17, 2015.

AND

10. Public hearing, requested by Cornerstone Development of SE Wisconsin, for approval of a rezoning from 'R-1 Single-Family' to Planned Unit Development-Residential' for a proposed condominium development for 26 units on approximately eight acres in the 3800 block of South 116th Street (i.e. north of West Howard Avenue, west side of street); proposed project would have nine two-family units, two four-family units, and a clubhouse, Tax Key Nos. 564-9995 & 564-9994-001

Notice of public hearing was published in the City's official newspaper on December 31, 2015 and January 7, 2016.

Chuck Erickson, Community Development Manager, presented diagrams of the property in question.

He said that the notice made reference to changing the Single-Family designation area to a Mixed Residential. Mr. Erickson said Mr. Wahlen and his team are present this evening. While referencing information distributed to the Council members Mr. Erickson said given the nature of the site, there is some wetland features so the placement of the building pads have to be out of those particular areas plus with development these days there is a requirement to have retention ponds and that is what is provided within the particular areas within the site. There is a requirement for a path. He gave the general theme for what is proposed on the perimeters and throughout the site. Mr. Erickson added that the Plan Commission had a favorable recommendation on the Comprehensive Land Use change, the rezoning, and the site/building/landscaping.

Mayor Neitzke read a letter, dated December 29, 2015, received from Robert W. Schmidt, 11845 West Howard Avenue, in opposition to the proposed amendment to the comprehensive land use plan by John Wahlen and requested the Common Council deny the request.

The following addressed the Council:

Ron Thelen, 11630 West Howard Avenue, said his property is connected to it and he cannot even walk in the back because it is very wet. He asked what has changed because this was denied four times in the past.

Aaron Cook with Pinnacle Engineering Group, Brookfield, said he is the site Civil Engineer working with John Wahlen on the project. He said they have taken an in depth look at the storm water issue and are working with the City Engineer and the City's consultant. He said they are required to adhere to all the City regulations, Department of Natural Resources regulations, and Milwaukee Metropolitan Sewerage District Chapter 13 regulations with regard to both the quantity and quality of the water. They do not want to have flooding downstream and they want to protect those wetlands by making sure they are cleaning up the water. There are wetlands on the site. Most of the drainage goes from southwest to northeast so some of it goes directly into the wetlands to the north and there is a piece that actually goes more to the east and there is a cross culvert under South 116th Street. There are two basins there. Mr. Cook said ultimately it all ends up in the wetlands to the north. He said they propose to capture all of the runoff from the site and take it to one of the two ponds. The westerly pond is a bio-retention basin which will have a dry bottom and will be planted with something attractive and the intention with that is that it helps to soak in the water into the ground. The east pond is bigger and is a traditional wet pond. That will be a conventional pool of water that is five feet deep. Both ponds will fill up a couple of feet when it rains and then go back down. Between the two ponds, they accomplish all of the City, Department of Natural Resources, and Milwaukee Metropolitan Sewerage District goals. He believes they are close to having the final details of the ponds worked out. Mr. Cook said he understands there is some off-site drainage that comes from the south that does come onto the property so

they are proposing to either have to bypass around or they have to account for that detention. In this case, it has been determined the best thing is to bypass this. Along the south property line there is a swale that goes from west to east so anything that is coming from the south will be picked up safely in that swale and will continue to the east where it will go through a culvert and end up in the ditch in South 116th Street and go under the existing cross culvert.

Mr. Erickson said in the past Kaerek Homes had wanted to do single family on the property. There was a preliminary plat approximately five to ten years ago.

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

Motion for Item Nos. 9 & 10

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the amendment to the Comprehensive Land Use Plan [from 'Single Family' to 'Mixed Residential' for a proposed condominium development for 26 units on approximately eight acres in the 3800 block of South 116th Street (i.e. north of West Howard Avenue, west side of street); proposed project would have nine two-family units, two four-family units, and a clubhouse], as well as the rezoning [from 'R-1 Single-Family' to Planned Unit Development-Residential' for a proposed condominium development for 26 units on approximately eight acres in the 3800 block of South 116th Street (i.e. north of West Howard Avenue, west side of street); proposed project would have nine two-family units, two four-family units, and a clubhouse, Tax Key Nos. 564-9995 & 564-9994-001]. On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #24a

11. Public hearing for the discontinuance and vacation of the following Right-of-Ways

- West Chapman Avenue from South 84th Street westerly to South 89th Street
- South 85th Street from West Layton Avenue to I-894
- South 88th Street (unopened R-O-W) from West Chapman Avenue to I-894
- South 89th Street from West Layton Avenue to West Chapman Avenue
- South 90th Street from West Layton Avenue to a point northerly 390 ft. +/-

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

Notice of public hearing was published in the City's official newspaper on December 24, 2015; December 31, 2015 and January 7, 2016.

Chuck Erickson, Community Development Manager, presented diagrams of the property in question.

He said the subdivision layout came in the mid 1950s and when the freeway came through that changed the northerly portion of that. The Plan Commission and the Board of Public Works had a favorable recommendation on the right-of-way vacation. He stated this is tied to past actions that the City has done with rezoning, Tax Incremental Financing approval, developer agreement. There are certified survey maps on the agenda this evening as it would pertain to re-establishing right-of-way through this particular area.

Mayor Neitzke said Dan Roskopf of Cobalt Partners and Justin Johnson of JSD are in attendance representing the applicant.

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

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the discontinuance and vacation of the following Right-of-Ways

- West Chapman Avenue from South 84th Street westerly to South 89th Street
- South 85th Street from West Layton Avenue to I-894
- South 88th Street (unopened R-O-W) from West Chapman Avenue to I-894
- South 89th Street from West Layton Avenue to West Chapman Avenue
- South 90th Street from West Layton Avenue to a point northerly 390 ft. +/-

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.

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #24b

12. Plan Commission Meeting held December 8, 2015
(action taken on Items 4 & 5 at 12/15/15 Council meeting)

Item #6 Approval of Site/Building/Landscaping Review and Planned Unit Development for At Home to renovate/occupy the entire 120K sq. ft. former Kmart building at 4595 South 27th Street, subject to Plan Commission and staff comments, Tax Key #599-8922-005, is to be placed on the **NEXT AGENDA.**

At this time, the Mayor proceeded with Item #24e

13. Legislative Committee Meeting held December 21, 2015
(action taken on Items 6 & 7 at 1/5/16 Council meeting)

Item #8 After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Akers, to create an ordinance to amend Chapter 12 of the Municipal Code of the City of Greenfield by amending and creating sections relating to bees and beekeeping, with changes.

Andy Hemken, Beekeeper, W229 S7120 Guthrie School Road, Big Bend, addressed the Council regarding water and bees.

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #15

14. Plan Commission Meeting held January 12, 2016

Item #4 It was moved by Alderperson Bailey, seconded by Alderperson Akers, to approve two Certified Survey Maps to combine numerous parcels within '84 South' (f/k/a Cobalt/Chapman School area) at South 84th Street & West Layton Avenue, and then re-divide to create two lots within the north Certified Survey Map and four lots within the south Certified Survey Map, subject to Plan Commission and staff comments, Tax Key Nos. ranges: 606-0034 to 606-0037, 606-0048-001 to 606-0053-001; 606-0059 to 606-0083, 606-0084-001 to 606-0085-007, and 606-9980-002 to 606-9983-002.

Under discussion, Mayor Neitzke noted this is likely the first certified survey map to consolidate the properties. As the final site plan is prepared, these certified survey maps may change again.

On a roll call vote, the motion carried unanimously.

At this time, Mayor Neitzke proceeded with Item #12

Item #5 It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve Site/Building/Landscaping Review for a proposed condominium development for 26 units on approximately eight acres in the 3800 block of South 116th Street (i.e. north of West Howard Avenue, west side of street); proposed project would have nine two-family units, two four-family units, and a clubhouse, subject to Plan Commission and staff comments, and with the inclusion at a time which makes sense, the addition of a paved path from the project site driveway to West Howard Avenue. It is also understood that in the event there are improvements made to South 116th Street or to the properties to the north, that that pathway would be extended north of the project site driveway toward West Morgan Avenue. Tax Key Nos. 564-9995 & 564-9994-001. Motion carried unanimously.

At this time, the Mayor proceeded with Item #11

15. Finance & Human Resources Committee Meeting held January 13, 2016

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

Item #4 Job description for the Parks & Recreation Program Coordinator position within the Park and Recreation Department

Item #5 Set the salary for the Parks & Recreation Program Coordinator position within the Park & Recreation Department and authorize the Finance Director to create the necessary pay scale in the four-step system, and authorize the Interim Director of Human Resources to create an addendum to the Non-Represented employees salary resolution to include this position

Item #6 Schedules of disbursements in the amounts of \$510,155.53; \$143,991.27; \$5,299.86 and \$235,177.50

Item #7 Mileage reimbursements in the amount of \$3,488.47

On a roll call vote, the motion carried unanimously.

16. City Clerk's Report:

It was moved by Alderperson Saryan, seconded by Alderperson Lubotsky, to adopt Ordinance No. 2838.

ORDINANCE NO. 2838

**AN ORDINANCE AMENDING SECTION 13.03 (10) (f) OF THE GREENFIELD MUNICIPAL CODE
PERTAINING TO CLOSING HOURS - LICENSES AND PERMITS**

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

PART I. Section 13.03 (10) (f) of the Greenfield Municipal Code is hereby amended to read as follows:

(f) Hours of service. No person may serve wine after 9:00 p.m. on a premises covered by a Temporary "Class B" (wine) Retailer's License issued as provided in s. 125.51 (10) (b) pertaining to "wine walks."

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

17. Appointments to various committees and commissions:

No appointment was made. The following appointment is to be placed on the **NEXT AGENDA**:

Mayor appointments, confirmed by Council:

One member to the Fire & Police Commission for a term to expire 5/1/18 (formerly Nancy Kostecki)

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

Dixon, Alysse J.-4880 S. 72nd St.

Miller, Kimberly L.-11140 W. Woodside Dr.

Motion carried unanimously.

19. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve the issuance of a Temporary Class “B” Retailer’s License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at an indoor Winter Beach Party to be held January 30, 2016 from 12:00 noon to 9:00 p.m. at 6221 West Layton Avenue. Motion carried unanimously.

20. After a discussion, it was moved by Alderperson Akers, seconded by Alderperson Saryan, to fill the part-time position of Director of Human Resources and authorize the Mayor to reach out to some of the neighboring governmental jurisdictions to see whether or not there is a possibility for job sharing. The position would be posted in the typical manner but the Mayor would also like it to be flexible. Anything that happens is subject to approval of the Council. Motion carried unanimously.

21. It was moved by Alderperson Saryan, seconded by Alderperson Lubotsky, to approve the updated job description for permanent part-time Parks Foreman. Motion carried unanimously.

22. Due to the retirement of Rick Sokol, per the recommendation of Mayor Neitzke, it was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to appoint Jeff Katz, City Engineer, as Interim Director of Neighborhood Services, with the salary adjusted consistent with the direction received from the Finance & Human Resources Committee which is basically bumping him up to that position.

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

23. Department of Neighborhood Services Report:

- a. After a discussion, it was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to adopt Preliminary Resolution No. 3539.

PRELIMINARY RESOLUTION NO. 3539
PROJECT 2014 #5

WHEREAS, it is proposed to improve by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks,

concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees on various streets in the City of Greenfield as hereinafter described;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Greenfield;

1. That in the judgment of said Common Council, it is expedient and necessary for the best interest of said City and the property affected thereby, that:

<u>IN</u>	<u>FROM</u>	<u>TO</u>
South 43rd Street	West Layton Avenue	West Grange Avenue
West Barnard Avenue	South 43rd Street	Dead End west of South 43rd Street

be improved by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees.

2. That the Common Council declares its intention to exercise its police powers to levy special assessments under Section 66.0703, Wisconsin Statutes, upon property for the foregoing municipal purposes. The limits of the proposed assessment district are as follows:

Parcels of Real Estate Identified by
Tax Roll Key Numbers as Follows:

620-9914-002	620-9995-002	621-9933-001	646-9948	646-9970	647-9947
620-9927-001	620-9995-003	621-9933-002	646-9949	646-9971	647-9948
620-9927-002	620-9995-004	621-9934-001	646-9950-001	646-9972-002	647-9949-003
620-9927-005	620-9995-005	621-9934-002	646-9950-007	647-1002	647-9950
620-9928	620-9995-006	621-9950-001	646-9951	647-1003	647-9951-002
620-9929	620-9995-007	621-9951	646-9952-001	647-1179	647-9996
620-9930	620-9997	621-9952-001	646-9959	647-1180	647-9997-001
620-9931-001	620-9999-002	621-9952-002	646-9960-001	647-1181	647-9997-002
620-9931-002	621-9925	621-9954	646-9961-001	647-1182	647-9998-001
620-9931-003	621-9926	621-9955	646-9962	647-1183	647-9999-001
620-9932	621-9927-001	621-9956	646-9964-001	647-1184	647-9999-003
620-9933	621-9929-004	621-9957-001	646-9964-002	647-1185	647-9999-004
620-9934	621-9929-006	646-9943	646-9965	647-1186	
620-9935	621-9930	646-9944	646-9966-001	647-9942	
620-9936	621-9931-001	646-9945	646-9967	647-9943	
620-9938	621-9932-001	646-9946	646-9968	647-9946-001	
620-9994-002	621-9932-002	646-9947	646-9969	647-9946-002	

3. That the Common Council declares that all assessments may be paid in one (1) payment when work is contracted, or on the next succeeding tax roll, or in ten (10) annual installments.

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

4. The total amount assessed against each parcel in the assessment district shall be upon a reasonable basis as determined by the Common Council.

5. That the City Engineer or his designee is hereby directed to prepare the report as described in Section 66.0703(4), Wisconsin Statutes.

Said City Engineer or his designee shall file in the City Clerk's office such report and notice shall be given and a hearing conducted by the Board of Public Works in accordance with the provisions of Section 66.0703(7)(a), Wisconsin Statutes.

Said notice shall be delivered or mailed to any person who has an owner's interest in said premise abutting on the proposed improvement, so far as their addresses are known.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- b. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to award contracts for road construction for the South 36th Street & West Allerton Avenue Neighborhood [to Payne & Dolan in the amount of \$294,870.00], and for South 43rd Street from West Grange Avenue to West Layton Avenue [to Rams Construction in the amount of \$2,578,769.81], with the understanding that the contracts can't actually be executed until the money is within the treasury based on State law which won't be until mid March.

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

At this time, the Mayor proceeded with Item #24c

24. City Attorney's Report:

- a. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adopt Ordinance No. 2837.

ORDINANCE NO. 2837

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
(MAP) AND THE COMPREHENSIVE LAND USE MAP OF THE CITY OF GREENFIELD

WHEREAS, The Common Council of the City of Greenfield conducted public hearings in the Common Council Chambers of the City Hall at Greenfield, Wisconsin, on Tuesday, the 19th day of January, 2016 at 7:05 p.m. and 7:10 p.m. upon a proposal to amend Zoning Ordinance No. 2204A and amend Comprehensive Land Use Plan Ordinance No. 2629; 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, and Zoning Ordinance No. 2629 adopted on the 18th day of November, 2008 related to the land use map, are hereby amended.

PART II. The Zoning District for the parcels of land described as follows are hereby changed:

- From ‘R-1 Single-Family’ to ‘PUD – Residential’

The Comprehensive Land Use Plan designation for both proposed lots is hereby changed:

- From ‘Single-Family’ to ‘Mixed Residential’

Approximately eight acres in the 3800 block of S. 116th Street (i.e. north of Howard, west side of street); Tax Key Nos. 564-9995 & 564-9994-001.

“A” 564-9994-001. Outlot A of Certified Survey Map No. 4983 and the North 278.90 feet of the South 528 feet of the East 566.44 feet of the Southwest 1/4 of Section 18, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin. Excepting therefrom the East 24.75 feet for public street purposes.

“B” 564-9995. The North 264 feet of the South 792 feet of the East 825 feet of the Southeast 1/4 of Section 18, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin Excepting therefrom the East 24.75 feet for public street purposes.

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.

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 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #14(5)

- b. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adopt Resolution No. 3538.

RESOLUTION NO. 3538

WHEREAS, the public interest requires that the following public right-of-way be discontinued and vacated, legally described, to-wit:

That part of the Southwest ¼ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of said ¼ Section; thence North 88°55'35" East on and along the South line of said ¼ Section, 510.91 feet to a point; thence North 01°04'07" West, 60.01 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y) and the point of beginning of lands to be described; thence North 01°04'07" West along the West right-of-way line of South 90th Street, 385.44 feet to a point on the North right-of-way line of South 90th Street; thence North 88°55'53" East along the North right-of-way line of South 90th Street, 60.00 feet to a point on the East right-of-way line of South 90th Street; thence South 01°04'07" East along the East right-of-way line of South 90th Street, 385.44 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence South 88°55'53" West along the North right-of-way line of West Layton Avenue (CTH Y), 60.00 feet to the point of beginning. Retaining therefrom the entire described area as a Municipal Purpose Easement.

ALSO

That part of the Southwest ¼ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of said ¼ Section; thence North 88°55'53" East on and along the South line of said ¼ Section, 928.91 feet to a point; thence North 01°04'07" West, 60.01 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence North 01°04'07" West along the West right-of-

way line of South 89th Street, 385.44 feet to a point on the North right-of-way line of West Chapman Avenue; thence North 88°55'53" East along the North right-of-way line of West Chapman Avenue, 339.24 feet to a point on the Westerly right-of-way line of South 88th Street; thence North 00°01'34" West along the west right-of-way line of South 88th Street, 533.86 feet more or less to a point on the South right-of-way line of Interstate I-43 / I-894; thence North 88°55'53" East and along the South right-of-way line of Interstate I-43 / I-894, 30 feet to a point on the East right-of-way line of South 88th Street; thence South 00°01'34" East along the East right-of-way line of South 88th Street, 523.86 more or less to a point on the North right-of-way line of West Chapman Avenue; thence North 88°55'53" East along the North right-of-way line of West Chapman Avenue, 664.99 feet to a point of curvature; thence Southeasterly along the North right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 342.40 feet, whose center lies to the Southwest, and whose chord bears South 78°56'21" East, 143.89 feet), a distance of 144.97 feet to a point on the Westerly right-of-way line of South 85th Street; thence due North along the West right-of-way line of South 85th Street, 452.83 feet to a point on the South right-of-way line of Interstate I-43/I-894; thence North 88°55'53" East along the South right-of-way line of Interstate I-43 / I-894, 60.00 feet to a point on the East right-of-way line of South 85th Street; thence due South along the East right-of-way line of South 85th Street, 486.93 feet to a point on the North right-of-way line of West Chapman Avenue; thence Southeasterly along the North right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 342.40 feet, whose center lies to the Northeast, and whose chord bears South 74°26'31" East, 196.14 feet), a distance of 198.93 feet to a point; thence North 88°55'53" East along the North right-of-way line of West Chapman Avenue, 175.00 feet to a point on the Westerly right-of-way line of South 84th Street; thence due South along the Westerly right-of-way line of South 84th Street, 60.01 feet to a point on the North right-of-way line of West Chapman Avenue; thence South 88°55'53" West along the South right-of-way line of West Chapman Avenue, 173.88 feet to a point of curvature; thence Northwesterly along the South right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 402.40 feet, whose center lies to the Northeast, and whose chord bears North 75°57'01" West, 209.90 feet), a distance of 212.36 feet to a point on the East right-of-way line of South 85th Street; thence South 33°25'27" West along the East right-of-way line of South 85th Street, 57.82 feet to a point; thence South 01°04'07" East along the East right-of-way line of South 85th street, 222.05 feet to a point on the North right-of-way line of West Layton Ave (CTH Y); thence South 88°55'53" West along the North right-of-way line of West Layton Ave (CTH Y), 30 feet to a point on the West right-of-way line of South 85th Street; thence North 01°04'07" West along the West right-of-way line of South 85th Street, 231.37 feet to a point; thence North 33°25'27" East along the West right-of-way line of South 85th Street, 66.02 feet to a point on the South right-of-way line of West Chapman Avenue; thence Northwesterly along the South right-of-way line of West Chapman Avenue and along the arc of a curve (whose radius measures 282.40 feet, whose center lies to the Southwest, and whose chord bears North 73°48'45" West, 167.54) a distance of 170.10 feet to a point of tangency; thence continue along the South right-of-way line of West Chapman Avenue, South 88°55'53" West, 974.42 feet to a point on the East right-of-way line of South 89th Street; thence South 01°04'07" East along the East right-of-way line of South 89th Street, 335.44 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence South 88°55'53" West along the North right-of-way line of West Layton Ave (CTH Y), 60.00 feet to the point of beginning. Retaining therefrom the entire described area as a Municipal Purpose Easement.

WHEREAS, it appears that this resolution was introduced before the Common Council of the City of Greenfield on December 1, 2015 and a Notice of Hearing was published in the Greenfield NOW, the official City newspaper formerly known as MyCommunityNow.com and the Greenfield Observer, on December 24, 2015; December 31, 2015; and January 7, 2016, that a copy of said Notice was served on the owners abutting the said right-of-way to be discontinued, namely:

<u>KEY NUMBER</u>	<u>PROPERTY OWNER & ADDRESS</u>
606-0020-001	Milwaukee County-901 North Ninth Street, Milwaukee, WI 53233
606-0034	B & A Investments LLC-6800 Industrial Loop, Greendale, WI 53129
606-0048-001	Arnold Joers-4574 South 85 th Street, Greenfield, WI 53228
606-0049	Donald V. Renteria V & Beth L. Renteria-4590 South 85 th Street, Greenfield, WI 53228
606-0050	Layton Development LLC-W231 N1013 County F, Waukesha, WI 53186
606-0051	Dale N. Barbian & Mary L. Barbian-4620 South 85 th Street, Greenfield, WI 53228
606-0052	Rick P. Ristow-315 Harrison Avenue, Waukesha, WI 53186
606-0053-001	Layton Store LLC & Steinhafels Corporate Office, W231 N1013 County F, Waukesha, WI 53186
606-0059	Layton Development LLC & Michael Ceccato-W231 N1013 County F, Waukesha, WI 53186
606-0066	Janet L. Schmidt-4674 South 89 th Street, Greenfield, WI 53228
606-0067	Daniel J. Dolski-4658 South 89 th Street, Greenfield, WI 53228
606-0068	Mary L. Fagan Trust-4644 South 89 th Street, Greenfield, WI 53228
606-0069	Michael L. Gryzkewicz, 8807 West Chapman Avenue, Greenfield, WI 53228
606-0070	8727 Chapman LLC-207 West Milwaukee Street, Milwaukee, WI 53202
606-0071	June R. Kueny-8711 West Chapman Avenue, Greenfield, WI 53228
606-0072	Cheryl L. Kroupa-8627 West Chapman Avenue, Greenfield, WI 53228
606-0073	Layton Development LLC-W231 N1013 County F, Waukesha, WI 53186
606-0074	Layton Development LLC-W231 N1013 County F, Waukesha, WI 53186
606-0075	Layton Development LLC-W231 N1013 County F, Waukesha, WI 53186
606-0076	Thomas J. Ward & Nicholas R. Ward-4675 South 89 th Street, Greenfield, WI 53228
606-0077	Craig J. Douglas & Jennifer M. Douglas-4661 South 89 th Street, Greenfield, WI 53228
606-0078	Darren G. Gebhardt & Kris L. Gebhardt-4649 South 89 th Street, Greenfield, WI 53228
606-0079	Thomas Zeniecki & Allen Zeniecki-4635 South 89 th Street, Greenfield, WI 53228
606-0080	Thomas J. Hopefl & Maria S. Hopefl-4636 South 90 th Street, Greenfield, WI 53228
606-0081	Dorothy M. Jacobe-4648 South 90 th Street, Greenfield, WI 53228
606-0082	Stella Laxton-4660 South 90 th Street, Greenfield, WI 53228
606-0083	Jerry E. Walter & Kathryn M. Walter-4674 South 90 th Street, Greenfield, WI 53228
606-0084-001	Layton Avenue Baptist Church-9000 West Layton Avenue, Greenfield, WI 53228
606-9980-002	Greenfield School District, 4850 South 60 th Street, Greenfield, WI 53220
606-9981	Sura Revocable Trust-26922 South Elm Lane, Wind Lake, WI 53185

on the 10th day of December, 2015; the 11th day of December, 2015; the 12th day of December, 2015; and the 14th day of December, 2015 and it further appears that no sufficient written objection to said discontinuance and vacation was filed with the City Clerk; and it appears that a public hearing was held before the Common Council of the City of Greenfield on the 19th day of January, 2016; and

WHEREAS, a Notice of Pendency of Application to Vacate in the above matter was recorded with the Register of Deeds for Milwaukee County, as required by law, on the 23rd day of November, 2015.

NOW, THEREFORE, in accordance with the authority vested in the Common Council by Section 66.1003 of the Wisconsin Statutes;

BE IT RESOLVED by the Common Council of the City of Greenfield that the following be discontinued and vacated, legally described, to-wit:

That part of the Southwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of said $\frac{1}{4}$ Section; thence North $88^{\circ}55'35''$ East on and along the South line of said $\frac{1}{4}$ Section, 510.91 feet to a point; thence North $01^{\circ}04'07''$ West, 60.01 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y) and the point of beginning of lands to be described; thence North $01^{\circ}04'07''$ West along the West right-of-way line of South 90th Street, 385.44 feet to a point on the North right-of-way line of South 90th Street; thence North $88^{\circ}55'53''$ East along the North right-of-way line of South 90th Street, 60.00 feet to a point on the East right-of-way line of South 90th Street; thence South $01^{\circ}04'07''$ East along the East right-of-way line of South 90th Street, 385.44 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence South $88^{\circ}55'53''$ West along the North right-of-way line of West Layton Avenue (CTH Y), 60.00 feet to the point of beginning. Retaining therefrom the entire described area as a Municipal Purpose Easement.

ALSO

That part of the Southwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of said $\frac{1}{4}$ Section; thence North $88^{\circ}55'53''$ East on and along the South line of said $\frac{1}{4}$ Section, 928.91 feet to a point; thence North $01^{\circ}04'07''$ West, 60.01 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence North $01^{\circ}04'07''$ West along the West right-of-way line of South 89th Street, 385.44 feet to a point on the North right-of-way line of West Chapman Avenue; thence North $88^{\circ}55'53''$ East along the North right-of-way line of West Chapman Avenue, 339.24 feet to a point on the Westerly right-of-way line of South 88th Street; thence North $00^{\circ}01'34''$ West along the west right-of-way line of South 88th Street, 533.86 feet more or less to a point on the South right-of-way line of Interstate I-43 / I-894; thence North $88^{\circ}55'53''$ East and along the South right-of-way line of Interstate I-43 / I-894, 30 feet to a point on the East right-of-way line of South 88th Street; thence South $00^{\circ}01'34''$ East along the East right-of-way line of South 88th Street, 523.86 more or less to a point on the North right-of-way line of West Chapman Avenue; thence North $88^{\circ}55'53''$ East along the North right-of-way line of West Chapman Avenue, 664.99 feet to a point of curvature; thence Southeasterly along the North right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 342.40 feet, whose center lies to the Southwest, and whose chord bears South $78^{\circ}56'21''$ East, 143.89 feet), a distance of 144.97 feet to a point on the Westerly right-of-way line of South 85th Street; thence due North along the West right-of-way line of South 85th Street, 452.83 feet to a point on the South right-of-way line of Interstate I-43/I-894; thence North $88^{\circ}55'53''$ East along the South right-of-way line of Interstate I-43 / I-894, 60.00 feet to a point on the East right-of-way line of South 85th Street; thence due South along the East right-of-way line of South 85th Street, 486.93 feet to a point on the North right-of-way line of West Chapman Avenue; thence Southeasterly along the North right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 342.40 feet, whose center lies to the Northeast, and whose chord bears South $74^{\circ}26'31''$ East, 196.14 feet), a distance of 198.93 feet to a point; thence North $88^{\circ}55'53''$ East along the North right-of-way line of West Chapman Avenue, 175.00 feet to a point on the Westerly right-of-way line of South 84th Street; thence due South along the Westerly right-of-way line of South 84th Street, 60.01 feet to a point on the North right-of-way line of West Chapman Avenue; thence South $88^{\circ}55'53''$ West along the South right-of-way line of West Chapman

Avenue, 173.88 feet to a point of curvature; thence Northwesterly along the South right-of-way line of West Chapman Avenue and the arc of a curve (whose radius measures 402.40 feet, whose center lies to the Northeast, and whose chord bears North 75°57'01" West, 209.90 feet), a distance of 212.36 feet to a point on the East right-of-way line of South 85th Street; thence South 33°25'27" West along the East right-of-way line of South 85th Street, 57.82 feet to a point; thence South 01°04'07" East along the East right-of-way line of South 85th street, 222.05 feet to a point on the North right-of-way line of West Layton Ave (CTH Y); thence South 88°55'53" West along the North right-of-way line of West Layton Ave (CTH Y), 30 feet to a point on the West right-of-way line of South 85th Street; thence North 01°04'07" West along the West right-of-way line of South 85th Street, 231.37 feet to a point; thence North 33°25'27" East along the West right-of-way line of South 85th Street, 66.02 feet to a point on the South right-of-way line of West Chapman Avenue; thence Northwesterly along the South right-of-way line of West Chapman Avenue and along the arc of a curve (whose radius measures 282.40 feet, whose center lies to the Southwest, and whose chord bears North 73°48'45" West, 167.54) a distance of 170.10 feet to a point of tangency; thence continue along the South right-of-way line of West Chapman Avenue, South 88°55'53" West, 974.42 feet to a point on the East right-of-way line of South 89th Street; thence South 01°04'07" East along the East right-of-way line of South 89th Street, 335.44 feet to a point on the North right-of-way line of West Layton Avenue (CTH Y); thence South 88°55'53" West along the North right-of-way line of West Layton Ave (CTH Y), 60.00 feet to the point of beginning. Retaining therefrom the entire described area as a Municipal Purpose Easement.

be and the same hereby is vacated and discontinued.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #14(4)

- c. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adopt Ordinance No. 2839.

ORDINANCE NO. 2839

AN ORDINANCE AMENDING SECTION 3.12 OF THE MUNICIPAL CODE
OF THE CITY OF GREENFIELD RELATING TO
ANNUAL PERMIT FEE AND LICENSE FEES

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

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

PART I. Section 3.12 is hereby amended as follows:

(8) (n) Beekeeping

(a) Initial Application Fee (first year)	\$25.00
(b) Annual Renewal Fee	\$10.00

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19th day of January, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- d. After a discussion with regard to water issues, it was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adopt Ordinance No. 2840.

(This official notice is being published and placed in the minutes instead of publishing the full text of Ordinance No. 2840.)

CITY OF GREENFIELD
OFFICIAL NOTICE

ORDINANCE AMENDING CHAPTER 12 OF MUNICIPAL CODE
BY AMENDING AND CREATING SECTIONS
RELATING TO BEES AND BEEKEEPING

NOTICE IS HEREBY GIVEN that the Common Council of the City of Greenfield, at their meeting of January 19, 2016 adopted Ordinance No. 2840 which is an Ordinance amending Chapter 12 of the Municipal Code by amending and creating sections relating to bees and beekeeping.

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

You are hereby further notified that the full text of Ordinance No. 2840 may be obtained in the office of the City Clerk, 7325 West Forest Home Avenue, in accordance with Sec. 62.11(4)(c), Wis. Stats., (414)329-5219.

Dated at Greenfield, Wisconsin, this ____ day of January, 2016.

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

At this time, the Mayor proceeded with Item #24f

- e. Discussion and decision regarding an exchange of property and execution of an agreement with David & Therese Fennelly, 12111 West Howard Avenue, Tax Key Nos. 565-9990-001, 565-9990-002, 565-9990-004, 565-9992-005 & drainage right-of-way is to be placed on a **FUTURE AGENDA**.

At this time, Mayor Neitzke proceeded with Item #6

- f. After a discussion, it was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to execute the Amendment to the existing Listing Contract with Boerke. On a roll call vote, the motion carried unanimously.

25. Items for future agenda - None

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

Jennifer Goergen, City Clerk

JG:slw

Distributed: January 22, 2016