MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, MARCH 1, 2016

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

1.	ROLL CALL:	Alderperson Lubotsky	Present
		Alderperson Bailey	Present
		Alderperson Kastner	Present
		Alderperson Akers	Present
		Alderperson Saryan	Present
	ALSO PRESENT:	Jennifer Goergen	City Clerk
		Roger Pyzyk	City Attorney
		Jeff Katz	Interim Director of Neighborhood Services

2. An opening prayer was given by Chaplain Jim Leggett.

3. Pledge of Allegiance

4. It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve the February 17, 2016 Council minutes, as recorded.

   It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to reconsider Item #18d of the February 17, 2016 Common Council minutes [where the Council denied the Fennelly agreement]. On a roll call vote, the motion carried with Alderpersons Bailey, Kastner, Akers & Saryan voting yes; Alderperson Lubotsky voting no.

   Alderpersons Kastner & Saryan suggested the Fennelly agreement be placed on the **NEXT AGENDA** so the parties involved could be in attendance.

   Alderperson Lubotsky asked that all parties, including neighbors that had been in attendance, be notified.

Motion carried unanimously.

5. Mayor's Report

   a. Dawn Gunderson of Ehlers Associates addressed the Council. She stated the award dollar amount has been reduced to $8,160,000. The Council would be approving a lower issuance of debt with the adoption of the resolution. The City's rating of AA2 was affirmed. She said seven bids were received with Robert W. Baird out of Milwaukee being the winning bid. The low bid is how the winning bid is determined and that is a True Interest Cost 2.3634%. The high bid was 2.5613%. The difference between the low and the high is almost $205,000. The size was adjusted downward which actually lowered the True Interest Cost to 2.3562%. There is a list of underwriters that partnered with Baird in the purchase of the bonds. There was a premium built into the offer where more cash is given up front in exchange for the coupon rates. That premium was used to downsize the issue for the underwriter discount and capitalize interest which allowed the reduction of the total bond size from $8,365,000 to $8,160,000. Ms. Gunderson stated there is $205,000 less in principal that is being issued. As the result of the downsizing and the interest, $355,000 lower interest expense, and the premium bid that was used for the capitalize interest and the underwriter discount there is also an additional amount that will be deposited in the Debt Service Fund that can be used to pay debt service on the issue. She added that road projects, park projects, and Tax Incremental District #4 utility work were being financed. The Tax Incremental District piece of this is $110,000 lower and interest is lower by $207,000 which benefits in terms of the cash flow that Tax Incremental District #4 and as a result actually moved the closure date up for the estimate of the district by one year with the lower estimated cost.

It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Resolution No. 3544.

RESOLUTION NO. 3544

RESOLUTION AWARDING THE SALE OF $8,160,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2016A
PROVIDING THE FORM OF THE BONDS;
AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, on January 19, 2016, the Common Council of the City of Greenfield, Milwaukee County, Wisconsin (the “City”) adopted an Initial Resolution authorizing the issuance of 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; and an Initial Resolution authorizing the issuance of 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; and an Initial Resolution authorizing the issuance of 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 (the “Project”);

WHEREAS, following the adoption of the Initial Resolutions, pursuant to the provisions of Section 67.05 of the Wisconsin Statutes, a notice was published in the Greenfield NOW (A MyCommunityNow.com site) on January 28, 2016 stating the purpose and maximum principal amount of said bond issues and describing the opportunity and procedure for submitting a petition requesting a referendum on said bond issues;

WHEREAS, the period set forth in Section 67.05(7)(b) of the Wisconsin Statutes has expired and no petition for referendum has been filed with respect to the issuance of the general obligation bonds authorized by the Initial Resolutions;

WHEREAS, the Common Council deems the Project to be within its powers to undertake and therefore to be a public purpose as defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, the Common Council hereby finds and determines that the general obligation bond issues heretofore authorized shall be combined, issued and sold as a single issue of general obligation corporate purpose bonds in the aggregate principal amount of $8,160,000;

WHEREAS, the City's financial advisor, Ehlers & Associates, Inc., Waukesha, Wisconsin has taken the necessary steps to sell the proposed bond issue;

WHEREAS, a notice of sale was published in the Bond Buyer on January 28, 2016 offering the aforesaid general obligation bonds for public sale on March 1, 2016;

WHEREAS, sealed bid proposals were received as summarized in Exhibit C attached hereto; and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by Robert W. Baird & Co., Milwaukee, Wisconsin, fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. A copy of said bid is attached hereto as Exhibit A and incorporated herein by this reference.

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

Section 1. Authorization and Award of the Bonds. For the purpose of paying the costs of the Project there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, the principal sum of EIGHT MILLION ONE HUNDRED SIXTY THOUSAND DOLLARS ($8,160,000). The bid proposal of Robert W. Baird & Co., Milwaukee, Wisconsin, (the "Purchaser") is hereby accepted, said proposal offering to purchase the $8,160,000 City of Greenfield General Obligation Corporate Purpose Bonds, Series 2016A (the "Bonds") for the sum of EIGHT MILLION THREE HUNDRED THIRTY-FIVE THOUSAND SIX HUNDRED SEVEN DOLLARS AND THIRTY-EIGHT CENTS ($8,335,607.38), plus accrued interest to the date of delivery, resulting in a net interest cost of TWO MILLION THREE HUNDRED FIVE THOUSAND NINE HUNDRED FIVE DOLLARS AND NINETY-SIX CENTS ($2,305,905.96) and a true interest rate of 2.3562%.

Section 2. Designation of Purchaser as Agent. The City hereby designates the Purchaser as its agent for purposes of distributing the Final Official Statement relating to the Bonds to any participating underwriter in compliance with Rule 15c2-12 of the Securities and Exchange Commission.

Section 3. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2016A"; shall be dated March 17, 2016; shall be in the denomination of $5,000 or any integral multiple thereof; shall bear interest at the rates per annum and mature on the dates and in the years and principal amounts as set forth in the Pricing Summary attached hereto as Exhibit D and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2016. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit E and incorporated herein by this reference (the "Schedule").

Section 4. Redemption Provisions. At the option of the City, the Bonds maturing on March 1, 2027 and thereafter shall be subject to redemption prior to maturity on March 1, 2026 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, from matruities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged and a direct annual irrepealable tax shall be levied in the years 2016 through 2035 for payments due in 2017 through 2036 in the amounts set forth on the Schedule.

The aforesaid direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City levied in said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax herein above levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created herein.

Proceeds of the Bonds in the amount of $89,550.83 shall be irrevocably deposited in the Debt Service Fund Account for the Bonds created below and shall be used solely to pay the interest on the Bonds coming due on September 1, 2016.

Section 7. Debt Service Fund Account. There is hereby established in the City treasury a fund account separate and distinct from every other City fund or account designated “Debt Service Fund Account for $8,160,000 City of Greenfield General Obligation Corporate Purpose Bonds, Series 2016A, dated March 17, 2016.” There shall be deposited in said fund account any premium plus accrued interest paid on the Bonds at the time of delivery to the Purchaser, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay interest on the Bonds when the same shall become due and to retire the Bonds at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 8. Borrowed Money Fund. The proceeds of the Bonds (the “Bond Proceeds”) (other than any premium and accrued interest paid at the time of delivery which must be paid into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Bonds.

Section 9. Arbitrage Covenant. The City shall not take any action with respect to the Bond Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Bonds (the “Closing”), would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and any income tax regulations promulgated thereunder (the “Regulations”).

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the City hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from the Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be “arbitrage bonds” within the meaning of the Code or Regulations.

The City Clerk, or other officer of the City charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the City, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the City regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Exemption from Rebate; Qualified Tax Exempt Obligation Status. The City hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the City as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the City to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

The City anticipates that the Bonds will qualify for the construction expenditure exemption from the rebate requirements of the Code. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the City as of the Closing, for inclusion in the transcript of proceedings, with respect to said exemption from the rebate requirements, and the City Clerk or other officer is hereby authorized to make any election on behalf of the City in order to comply with the rebate requirements of the Code. If, for any reason, the City did not qualify for any exemption from the rebate requirements of the Code, the City covenants that it would take all necessary steps to comply with such requirements. The City hereby covenants that it is a governmental unit with general taxing powers and that the Bonds are not “private activity bonds” as defined in Section 141 of the Code.

The City hereby designates the Bonds to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the City Clerk or other officer of the City charged with the responsibility for issuing the Bonds, shall provide an appropriate certificate of the City as of the date of delivery and payment for the Bonds.

Section 11. Persons Treated as Owners; Transfer of Bonds. The City Clerk shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the City Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the City Clerk shall deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the City Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The City Clerk shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

The 15th day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City maintained by the City Clerk at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only-System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City has heretofore agreed to the applicable provisions set forth in the DTC Blanket Issuer Letter of Representation and the Clerk has executed such Letter of Representation and delivered it to the DTC on behalf of the City.

Section 13. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The appropriate City official shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 14. Execution of the Bonds. The Bonds shall be issued in typewritten form, one Bond for each maturity, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk (except that one of the foregoing signatures shall be manual), sealed with its official or corporate seal, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 15. Payment of the Bonds. The principal of and interest on the Bonds shall be paid by the Treasurer or his or her agent in lawful money of the United States.

Section 16. Continuing Disclosure. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate which the City will execute and deliver on the Closing Date. Any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the City or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of March, 2016.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

____

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

b. Mayor Neitzke said the amphitheater is up. He recognized the Department of Public Works for their work.

6. Aldermanic Reports - None

7. Announcements - None

8. Citizen Commentary - None

9. Finance & Human Resources Committee Meeting held February 24, 2016

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

Item #3 Job description for the Part-Time Public Health Associate in the Health Department, with the language change in the education section, as discussed

Item #4 Setting the salary for the Part-Time Public Health Associate in the Health Department at a flat rate of $18 per hour

Item #5 Schedules of disbursements in the amounts of $266,105.31; $326,243.20; $2,403.37 and $4,839.67

Item #6 Mileage reimbursements in the amount of $39.42

Item #7 Investments and reinvestments in the amounts of $13,604,365.90 and $17,540,810.33; $12,105,835.60 and $17,286,353.84; $9,607,071.84 and $17,318,199.56; $10,025,755.53 and $16,532,552.01; $10,820,245.44 and $15,530,925.44; $10,822,026.34 and $17,650,593.06; and $11,254,732.93 and $17,700,409.92

Item #8 Accept November 2015 financial statement

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

10. Appointments to various committees and commissions:

No appointment was made. Therefore, 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)

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

Bertoni, Antonio G.-1738 W. Mallory Ave.	Bohlman, Samantha L.-N58 W24021 Clover Dr.
Sidhu, Kamaljit K.-4117 W. Layton Ave.	Singh, Rashpal-8393 S. Chicago Rd.

Motion carried unanimously.

12. It was moved by Alderperson Kastner, 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 and wine at an indoor charity event, ShamROCK the House, to benefit Rock Central Music School on March 9, 2016 from 3:00 p.m. to 9:00 p.m. at 6221 West Layton Avenue. Motion carried unanimously.

13 & 14.

After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the issuance of the following, contingent upon the issuance of a Temporary Use Permit by Chuck Erickson in the Department of Neighborhood Services:

Temporary Class "B" Retailer's License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at a charity fundraiser, Celebrate at Casa de Harley, to benefit Latin American String Orchestra on May 4, 2016 from 3:00 p.m. to 9:00 p.m. at 6221 West Layton Avenue (outdoors unless bad weather)

Temporary Class "B" Retailer's License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at an outdoor Spring Customization Event on May 21, 2016 from 11:00 a.m. to 9:00 p.m. at 6221 West Layton Avenue

Under discussion, Chuck Erickson, Community Development Manager, stated he brings those types of requests back to the Council for consistency over the years. He indicated he does not anticipate a problem with the issuance of a Temporary Use Permit, provided House of Harley submits them in a timely basis.

Mayor Neitzke said the caveat could be that the Council could authorize under reasonable times and manner a Temporary Use Permit for the events as indicated.

Mr. Erickson stated that House of Harley staffers have been advised of this, repeatedly.

Mayor Neitzke said he wanted the minutes to reflect that

Mr. Erickson is authorized to execute the Temporary Use Permit for the time and place as indicated in the agenda.

Alderperson Kastner said that is the way his motion should read.

Motion carried unanimously.

15. Department of Neighborhood Services Report:

a. After a discussion, it was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve the request from Schlossmann Honda, 3450 South 108th Street, to store building construction materials on the paved dead-end portion of '106th Street' just north of West Morgan Avenue for a period not to exceed 110 days.

During discussion, Craig Lucas of Schlossmann Honda, addressed the Council.

Motion carried unanimously.

b. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to award the contract to the lowest responsible bidder [Dan Larsen Landscaping in the amount of $55,148] and award the contract for the installation of 259 street trees at various locations throughout the City, Project 2016 #3 and 2015 #5. On a roll call vote, the motion carried unanimously.

16. City Attorney's Report:

a. The Council did not go into closed session to consider the issuance of an operator license to Allyson Edwards and Tina Cannizzaro due to the following:

(1) Allyson Edwards was not in attendance and should be **REMOVED FROM THE AGENDA**.

(2) Tina Cannizzaro was in attendance this evening but asked that her item be placed on the **MARCH 15, 2016 AGENDA**.

b, c & d.

No action necessary due to the explanation in Item #16a.

At this time, the Council proceeded with Item #17a

17. Items for future agenda

Fiber project
Site plans for Cobalt project

At this time, the Council proceeded with Item #18

17a. After a discussion, it was moved by Alderperson Akers, seconded by Alderperson Saryan, to transfer 2015 Portable Battery Replacement fund to Capital Equipment fund 2016 [Capital Equipment-Computer Replacement]. On a roll call vote, the motion carried unanimously.

At this time, the Council proceeded with Item #17

18. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn the meeting at 7:27 p.m. Motion carried unanimously.

____
Jennifer Goergen, City Clerk

JG:slw

Distributed: March 3, 2016