

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON WEDNESDAY, APRIL 6, 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
	Jeff Katz	Interim Director of Neighborhood Services
2. There was no opening prayer.
3. Pledge of Allegiance
4. It was moved by Aldersperson Kastner, seconded by Aldersperson Lubotsky, to approve the March 15, 2016 Council minutes, as recorded. Motion carried unanimously.
5. Mayor's Report
 - a. Mayor Neitzke congratulated the successful Whitnall and Greenfield School Board members on their election.
 - b. Mayor Neitzke congratulated County Supervisor Staskunas and new County Supervisor Sebring who represent the City of Greenfield on their election.
 - c. Mayor Neitzke congratulated Alderspersons Witkowski and Borkowski from the City of Milwaukee on their election. Both work closely with the City of Greenfield.
 - d. Mayor Neitzke said there was a high turnout at the election yesterday, new equipment, new laws, regulations, and administrative operating procedures that were changing. It was probably one of the most complicated, difficult elections in memory as far as things that could go wrong. Mayor Neitzke thanked all of the poll workers who want to help the community and don't get paid very much and they have one of the most demanding jobs there is these days with training and duties they have at the polls. He applauded Jennifer, Susan, Sherry, Sue and Sandy from the City Clerk's office and others that worked part-time to make sure things went well. He thanked the Department of Public Works employees for all of what they do to help with the elections.
 - e. Mayor Neitzke congratulated County Executive Chris Abele on his re-election.

f. Mayor Neitzke stated the condo development in the area of South 116th Street & West Howard Avenue has begun. Major road reconstruction begins in a couple of days. He thanked Jeff Katz, Interim Director of Public Works. Pedestrian and pavement improvements are beginning on South 60th Street. There is a lot of coordination involving City staff with regard to the 4th of July parade and school at Greenfield High School. He added that if there are concerns with traffic patterns or or the stop sign that doesn't have a stop ahead sign in front of it on West Layton Avenue by the new turn at South 47th Street, he or Jeff Katz should be contacted so they can be addressed. The amphitheater is moving along. The Meijers store resumed construction. Phase I of the Chapman site which will include much of the infrastructure layout as well as the first phase of the retail buildings that are going up on the north end will be presented to the Plan Commission next week. Wendt's Pub & Grill on West Layton Avenue has closed. There is going to be an auction coming and Culver's will begin activities on the site in the coming weeks. The Shorewest building at South 68th Street & West Layton Avenue is going up. The bids for the fiber project in collaboration with the Whitnall & Greenfield School Districts will be coming in Friday, the State Trust Fund Loan has been approved. A part-time employee has been hired with regard to the Farmers Market.

6. Aldermanic Reports

Alderman Bailey said it has been suggested that something be put on the City website that people can click on to find out what is planned for the Chapman site and the timeline for everything at that site. He also said people have requested that something be placed in the lobby of City Hall so people can come to City Hall and look at pictures on an easel.

Mayor Neitzke indicated there have been meetings with regard to the website. He added that he has talked with the developer about having information on easels and updating it through the different phases.

7. Announcements - None

8. Citizen Commentary - None

9. 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)

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

Beauchamp, Samantha A.-4315 S. 92 nd St.	Becker, Austin J.-3728 S. 43 rd St.
Brinkman, Amanda L.-6535 W. English Meadows N	Ellefsen, Kelly J.-N2436 Shore View Dr.
Hawke, John L.-6242 S. 31 st St.	Johnson, Susan A.-6324 S. 35 th St.
Kniprath, Alexis L.-5005 S. Greenbrook Ter.	Leubner, Zachary A.-2415 N. 72 nd St.
Maddox, Tammela J.-2824 S. Ninth St.	Meinen, Ryan P.-324 Schemmer St.
Robertson, Elizabeth A.-8118 W. Forest Garden Ct.	Rodriguez, Donald J.-3412 S. Alabama Ave.
Ross, Renee F.-1117 S. 86 th St.	Sherman, Donna L.-S79 W18181 W. Tower Dr.
Suerth, Melissa M.-24229 Lotus Dr.	Surita, Krista H.-210 S. 76 th St.
Valdez-Blanco, Alfredo-11505 W. Orchard Ct.	Wood, Emmett J.-5760 S. Nicolet Dr.
Zinda, Tyler A.-4114 W. Thorncrest Dr.	

Motion carried unanimously.

11. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to approve a change of agent for Red Robin International Inc., 7575 West Edgerton Avenue, from Aaron P. Esenberg to Jeffrey J. Kelly, 4290 South Adell Avenue. 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 UWM Slovenian Arts Council to sell fermented malt beverages and wine at Zbor Spendov Concert & Zadnja Kapla Dance to be held indoors at 8500 West Cold Spring Road on Saturday, April 16, 2016 from 7:00 p.m. to 10:00 p.m. Motion carried unanimously.

13. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the issuance of a Temporary Class “B” Retailer’s License to Patriots MC to sell fermented malt beverages at Summer Bash, a fundraiser for Badger Childhood Cancer Network, to be held outdoors at House of Harley-Davidson, 6221 West Layton Avenue, on June 11, 2016 from 2:00 p.m. to 9:00 p.m. Motion carried unanimously.

14. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the issuance of a Temporary Class “B” Retailer’s License to Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at House of Harley-Davidson, 6221 West Layton Avenue, at the following events:

<u>Name of Event</u>	<u>Date of Event</u>	<u>Indoor/Outdoor</u>	<u>Time of Event</u>
Vince Condella Retirement Party	May 5, 2016	Outdoor	4:00 p.m.-9:00 p.m.
Wednesday Bike Night	Every Wednesday May 11 - September 21, 2016	Outdoor	5:00 p.m.-9:00 p.m.
Ride to End Dogfighting Charity Event	June 25, 2016	Outdoor	9:00 a.m.-6:00 p.m.
Adrenaline Weekend	July 9, 2016 - July 10, 2016	Outdoor	9:00 a.m.-7:00 p.m. 9:00 a.m.-3:00 p.m.

At this time, the motion was suspended to take action on Item #19c prior to #14.

After action on Item #19c, Mayor Neitzke removed the suspended motion from Item #14, then voted as follows:

Motion carried unanimously.

15. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to approve the request of Longshots Inc., Donald D. Habermehl Jr., Agt., to extend their Combination “Class B” Beer & Liquor License and Entertainment License to the outside at 5045 West Loomis Road to hold a fundraiser for the MACC Fund. Tents will be set up. Beer will be sold outside and they are asking permission for customers to bring beer and alcohol outside in plastic cups. Food will be sold inside. There will also be a band or DJ outside. The fundraiser will be held on Saturday, June 25, 2016 from 1:00 p.m. to 6:00 p.m., subject to the issuance of a Temporary Use Permit, if needed. Motion carried unanimously.

16 & 17.

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

Schedules of disbursements in the amounts of \$179,393.99; \$224,661.62; \$272,077.27 and \$282.14

Approve mileage reimbursements in the amount of \$228.24

On a roll call vote, the motion carried unanimously.

18. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve WE Energies easement at Konkel Park. On a roll call vote, the motion carried unanimously.

18a. It was moved by Alderperson Saryan, seconded by Alderperson Akers, to approve the City of Greenfield Parks & Recreation Department’s participation in “World’s Largest Swim Lesson” promotional event. Motion carried unanimously.

19. Department of Neighborhood Services Report:

- a. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to sign an agreement with the Wisconsin Department of Natural Resources accepting a grant of \$57,600 for storm water management planning. On a roll call vote, the motion carried unanimously.
- b. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to adopt Ordinance No. 2844.

ORDINANCE NO. 2844

AN ORDINANCE AMENDING THE GREENFIELD MUNICIPAL CODE PERTAINING TO SECTION 17.16 OF THE ELECTRICAL CODE & SECTION 22.05(3) OF THE HEATING AND VENTILATION CODE

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

PART I. Section 17.16 of the Greenfield Municipal Code is hereby amended to read as follows:

17.16 - N.E.C. and State supplement. (Am.)

- (1) The NEC and State supplement are hereby adopted by reference for all electrical work done within the City. 2015 Act 55 changed Wis. Stats. Chapter 101.86(1)(a) to read that municipalities may enact an electrical code or otherwise exercise jurisdiction over electrical wiring and inspection of electrical wiring by enactment or ordinances, provided that the electrical code or ordinance strictly conforms with the state electrical wiring code promulgated by the department under s. 101.82(1).
- (2) This makes the Wisconsin's Electrical Code uniform statewide. Municipal ordinances are required to strictly conform to SPS 316.

PART II. Section 22.05(3) of the Greenfield Municipal Code is hereby amended to read as follows:

22.05(3) Heating, Air Conditioning and Refrigeration Equipment. Where any unit of a heating, air conditioning or refrigeration system is installed, such unit shall have a 125-volt, single-phase, 15-ampere-rated or 20-ampere-rated receptacle outlet installed at an accessible location for the servicing of the heating, air conditioning and refrigeration equipment. The receptacle shall be located on the same level and within 25 feet of the heating, air conditioning and refrigeration equipment. The receptacle outlet shall not be connected to the load-side of the equipment disconnecting means.

(a) For other than one-family and two-family dwellings, receptacle outlet locations shall have an enclosure that is weatherproof whether or not the attachment plug is inserted and shall be identified as 'extra-duty'. All wet location receptacle outlets shall be listed as weather-resistant-type.

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

PART IV. 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 6th day of April, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

At this time, the Council proceeded with Item #20

- c. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to approve the issuance of Temporary Use Permit(s) for the House of Harley-Davidson, 6221 West Layton Avenue, for multiple outdoor events in their parking lot during 2016.

Listed below are six one-day events, and also there is the bigger/longer Milwaukee Rally on Labor Day weekend.

<u>Special Group Events</u>	<u>Date</u>	<u>Tent-up time range (parking lot)</u>
*Celebrate at Casa de Harley to benefit Latin American String Orchestra	Wed., 5/4	5/4 → 7/27
Fox 6 – Vince Condella Retirement	Thu., 5/5	“
*Spring Customization Open House	Sat., 5/21	“
Patriots Club Summer Bash → Badger Childhood Cancer	Sat., 6/11	“
Combat Vets Nat’l Convention Closing Ceremony	Fri., 6/24	“
Brew City Bullies-Ride-To-end-Dogfighting	Sat., 6/25	“
**Milwaukee Rally	Thu. 9/1 – Sun. 9/4	8/30 – 9/5

NEW - weekly events

Wednesday Bike Night (5 p.m. – 9 p.m.):	5/11, 5/18, 5/25, 6/1, 6/8, 6/15, 6/22, 6/29, 7/6, 7/13, 7/20, 7/27	5/4 → 7/27
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NEW - Summer-long

Back Courtyard Bike Storage	4/1 – 10/31	4/1 – 10/31
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*Both of these events approved @ the 3/1/16 CC mtg. – subject to submittal if needed. Temp. Use info.

**This specific ‘Milwaukee Rally’ Temp. Use Permit covers only the activities on their property. Separately it is assumed that the House will be making appropriate requests for CC consideration regarding the proposed traffic control for Layton Ave. for that Labor Day weekend event – which then is forwarded to Milw. County after initial review/approval by the Council.

Motion carried unanimously.

The Council reverted back to Item #14

20. City Attorney’s Report:

- a. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adopt Resolution No. 3547.

RESOLUTION NO. 3547

IT IS HEREBY RESOLVED by the Mayor and Common Council of the City of Greenfield that the purported claim for excessive assessment for the 2015 tax year filed by the Russ Darrow Group, relative to parcel #562-9997-001 for the property located at 3520 South 108th Street is hereby denied due to failure to comply with the prerequisite statutory requirements to constitute a valid claim. The City Clerk is hereby directed to forward a copy of this disallowance to claimant and claimant is hereby advised that legal action to collect on this claim be commenced within 90 days of the date of receipt of this disallowance.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 6th day of April, 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 Akers, seconded by Alderperson Lubotsky, to go into closed session pursuant to Wisconsin Statutes, Section 19.85(1)(b)(c)&(f) at 7:25 p.m. for the following:
 - (1) Considering licensure, social or personal history, or medical information for purposes of issuing an operator license to Tina Cannizzaro (C.C. 3/1/16; C.C. 3/15/16)
 - (2) Considering licensure, social or personal history, or medical information for purposes of approving James Logan as Agent for a Combination “Class B” Beer & Liquor License
 - (3) Discussion of specific personnel problems as related to personnel matters (Mayor Neitzke)

On a roll call vote, the motion carried unanimously.

- c. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn closed session and reconvene into open session at 7:59 p.m. Motion carried unanimously.
- d. It was moved by Alderperson Saryan, seconded by Alderperson Bailey, to approve the issuance of an operator license to Tina Cannizzaro. On a roll call vote, the motion carried with Alderpersons Bailey, Kastner, Akers & Saryan voting yes; Alderperson Lubotsky voting no.
- e. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to approve James Logan as Agent for a Combination “Class B” Beer & Liquor License. Motion carried unanimously.

At this time, the Council proceeded with Item #21

- f. No action was taken regarding personnel problems as related to personnel matters

21. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve filling a part-time clerical position in the Municipal Court with a previous employee at the grandfathered starting wage (Step 1) with regard to that position. Motion carried unanimously.

22 & 23.

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

Issuance of a 2015-2016 Combination “Class B” Beer & Liquor License to JJ Logan Enterprises LLC, James F. Logan, Agt., for the property located at 8222 West Forest Home Avenue (bar area, coolers, liquor room, patio, fenced in backyard) (Playoffs Pub & Grill).

Issuance of a 2015-2016 Entertainment License to JJ Logan Enterprises LLC, James F. Logan, Agt., for the property located at 8222 West Forest Home Avenue (type of entertainment: live music, bands, jukebox, TVs, patron style dancing, volleyball).

Motion carried unanimously.

24. Items for future agenda - None

25. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn the meeting at 8:03 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

JG:slw

Distributed: April 8, 2016