

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, SEPTEMBER 20, 2016

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

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

ALSO PRESENT:	Jennifer Goergen	City Clerk
	Roger Pyzyk	City Attorney
	Jeff Katz	Director of Neighborhood Services
	Chuck Erickson	Community Development Manager

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

3. Pledge of Allegiance

4. It was moved by Aldersperson Kastner, seconded by Aldersperson Lubotsky, to approve the August 16, 2016 Council minutes, with a correction:

On p. 20070 it should be noted that Alicia Hurst is affiliated with Enercon Co, (not Michael, Best & Friedrich, as was recorded.)

Motion carried unanimously.

5. Mayor's Report

- a. Mayor Neitzke introduced Renee Vanselow from the Greenfield Park & Recreation Department to present an award. Patty Flowers, CEO of the American Red Cross in Wisconsin, and our representative from the Greenfield Fire Department were also introduced. Patty Flowers presented the award from the American Red Cross to Abram Suminski, who had been trained in American Red Cross Babysitter's Training, and helped to save the life of his brother Logan, who was choking and could not breathe. Abram was able to assist him using the skills learned in his training. For this act, Abram was awarded the American Red Cross Certificate of Merit, along with the accompanying medal and pin. The Greenfield Fire Department also presented Abram with a Certificate of Recognition for this act.

At 7:10 p.m. the meeting was recessed for 5 minutes to allow for photographs.

- b. Mayor Neitzke referenced the Public Hearing on August 16, 2016 regarding the Enercon Project requesting a change the designation of the development from condominiums to apartments. Mayor Neitzke received a letter from Enercon dated August 29, 2016, with a request to read the letter at the Common Council meeting. The letter stated that in light of the

vote at the August 16, 2016 Council Meeting, Enercon is withdrawing their request to amend the development agreement with the City. The intent is to continue the plan to build the rest of the project as condominiums, as planned.

The Mayor then noted that the City Attorney and outside legal council reviewed the options, and said that under the developer's agreement nothing prevents them from renting their condominiums, and nothing allows us to withhold the permits for the previously approved projects for the development.

- c. Mayor Neitzke also gave an update on the road work on S. 43rd Street between Layton Avenue and Grange Avenue, which is now proceeding. He said that the 84th Street project is progressing quickly. He said that the former K-Mart store which has been vacant, has now opened as an At Home Store. The 57th Street road to the High School will not be open until the intersection is complete. Layton Avenue work is progressing and nearing a finish. The new lighting is good, and it will be added further down when parts are in.

6. Aldermanic Reports

Aldersperson Bailey reported that he has received calls about the traffic on 84th Street and also the bridge which was out on 92nd Street. Mayor Neitzke said that the current work on 92nd should be wrapping up soon. Aldersperson Bailey said that some residents have suggested the study of a stoplight at 84th Street and Cold Spring Road, because of the heavy traffic.

7. Announcements

There were none.

8. Citizen Commentary

There was none.

The Public Hearing for Items #9 & #10 were held together.

- 9. 7:05 p.m. Public Hearing for approval of an amendment to the Comprehensive Land Use Plan, adopted in 2008, requested by Greenfield Real Estate LLC, for their vacant 1.5 acre parcel immediately west of the First Weber office building at 10521 W. Layton Avenue from 'Planned Office' to 'Planned Business'. Tax Key #613-8996-018.

Notice of public hearing was published in the City's official newspaper on August 18, 2016.

- 10. 7:10 p.m. Public Hearing requested by Greenfield Real Estate LLC, for approval to rezone their vacant 1.5 acre parcel immediately west of the First Weber office building at 10521 W. Layton Avenue from 'O-Office' to 'C-4 Commercial'. Tax Key #613-8996-018

Notice of public hearing was published in the City's official newspaper on September 1, 2016, and on September 8, 2016

Chuck Erickson, Community Development Manager, pointed out the properties on a map. He noted that proposal to rezone and change the comprehensive plan is part of a project associated with it, which would utilize an adjacent similar-type commercial zone to have broader range of permitted uses and special permitted uses. He also reported that the Plan Commission had a favorable recommendation on the proposed changes in both items #9, and #10.

Craig Landry, one of the owners of the property, registered in favor of the rezoning and the amendment, but did not speak.

Jeanette Janasik, 4560 S. 51st Street, registered against the amendment but did not speak.

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

It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve amending the Comprehensive Land Use Plan adopted in 2008, requested by Greenfield Real Estate LLC, for their vacant 1.5 acre parcel immediately west of the First Weber office building at 10521 W. Layton Avenue from '*Planned Office*' to '*Planned Business*'. Tax Key #613-8996-018. On a roll call vote, motion carried unanimously.

It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the rezoning of the vacant 1.5 acre parcel immediately west of the First Weber office building at 10521 W. Layton Avenue from '*O-Office*' to '*C-4 Commercial*'. Tax Key #613-8996-018. On a roll call vote, motion carried unanimously.

At this time the Council proceeded with Item #20a.

11. 7:15 p.m. Public Hearing to consider a request from Michelle Dronso to rezone the property located at 4532 West Grange Avenue from R-3 Single Family to R-3 Single Family, Tax Key #647-9952-007

Notice of public hearing was published in the City's official newspaper on September 1, 2016 and September 8, 2016.

Chuck Erickson, Community Development Manager explained that this change would take this 50,000 sq. ft. lot and create three single-family lots out of it. The reason for the change to the R-3 zoning category is that it would then match the zoning category or sizing across the street, which is already R-3. The Plan Commission has reviewed this and has a favorable recommendation on this proposal.

Maritza Gonzales, 4425 W. Grange Avenue, said that she and also her neighbor at 4435 W. Grange Ave. are against the rezoning and believe that it jeopardizes the integrity of Greenfield, and the exclusivity that Greenfield has.

Mayor Neitzke read an email letter received from Dolores Skowronek, 4612 W. Grange Ave., in opposition to the rezoning of this property. She said that this rezoning would be making an exception and that aesthetically it would not blend in with the other homes in that neighborhood.

Jesus Gonzales, 4425 W. Grange Ave., registered and spoke against the proposal. He said that just because you *can* do something doesn't mean that you *should* do it. He said that he moved away from Greenfield, and then moved back with new appreciation for the green and tranquility of the city, and wants to see that preserved.

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 Saryan, to deny the request to rezone the property located at 4532 W. Grange Ave. from R-2 Single Family to R-3 Single Family. On a roll call vote, motion carried with Ald. Bailey, Akers, Saryan, and Kastner voting yes and Ald. Lubotsky voting no.

12. 7:20 Public Hearing for approval of a Special Use, requested by Linda Lutz, for Accommodating Petz, a proposed dog/cat daycare business, 6815 W. Layton Avenue, Tax Key #617-0117

Notice of public hearing was published by the City's official newspaper on September 8, 2016.

Chuck Erickson directed the Council to the information and map provided in the notice, including details about a fence enclosure, silencer, and surveillance cameras. He also explained that the free-standing sign would be removed and replaced with a conforming sign. The Plan Commission had a favorable recommendation on the Special Use item and also the sight building landscaping aspect of the project.

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

It was moved by Alderperson Bailey, seconded by Alderperson Lubotsky, to approve a Special Use for Accommodating Petz, a proposed dog/cat daycare business, 6815 W. Layton Ave., Tax Key #617-0117. There was some discussion about the concerns of the neighbors regarding noise. Alderperson Bailey reported that there were meetings held with the neighbors at that location. He said that the concerns have been addressed. Mayor Neitzke said that there has been good communication with the Ms. Lutz so far. City Attorney Pyzyk confirmed with Ms. Lutz that the hours for this business are Monday through Saturday from 5:30 a.m. to 9:00 p.m., and Sundays from 5:30 a.m. to 6:00 p.m. He confirmed that there would be no pets past 8:00 p.m., and that there would be animals out as early as 5:30 a.m. On a roll call vote, motion carried unanimously.

13. Plan Commission Meeting August 10, 2016

Item #4 It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve a Site/Landscaping Review for a dog/cat daycare business called 'Accommodating Petz', with elements of retail, grooming, and potentially some veterinary care, in the former Greenfield News & Hobby

Store at 6815 W. Layton Avenue subject to Plan Commission and staff comments. Tax Key #617-0117. Motion carried unanimously.

14. Plan Commission Meeting September 13, 2016

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

Item #5 Approve a Plan Commission Waiver to allow a roof sign on the remodeled Body Shop at Braeger Ford, 4201 S. 27th Street, subject to Plan Commission and staff comments. Tax Key #576-9995-001

Item #6 Approve a Special Use Review for Andrew Hundt as the new owner/operator of the Play It Again Sports at 7499 W. Layton Avenue, subject to Plan Commission and staff comments. Tax Key #617-0082-004

Item #8 Approve a Site, Building, & Landscaping Review for the purpose of constructing a new upper façade design feature at Holyland Grocery & Bakery, 2755 W. Ramsey Avenue, subject to Plan Commission and staff comments. Tax Key #691-9984-001

Item #9 Approve a Site, Building, & Landscaping Review for the purposes of doing a building expansion of the worship area and support space at House of Wisdom, 11615 W. Layton Avenue, which will include both exterior and interior renovations, subject to Plan Commission and staff comments. Tax Key #611-9000-006

Item #11 Approve a Special Use Review and Site Plan amendment in order for 'Mister Car Wash' to proceed with the 2015 approved plan for 'Sudz Wash & Lube' at 10685 W. Layton Avenue; subject to Plan Commission and staff comments. Tax Key #613-8996-016

Item #12 Approve a Special Use Review for Ryan & Elizabeth Bosman as the new owners/operators of the existing 'Starship Bodyworks' (i.e. tattoo shop & body piercing) at 4380 S. 76th Street; proposed new name will be 'Harvest Moon', subject to Plan Commission and staff comments. Tax Key #604-9986

On a roll call vote, motion carried unanimously.

15. Finance and Human Resources meeting September 14, 2016

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

Item #3 Approve fund transfers among projects within the Engineering Division's capital improvement account group

Item #4 Approve the Alverno College Access Service MOU between the City of Greenfield and Alverno

Item #5 Approve Program Addendum to the College of Health Sciences Affiliation Agreement for Community Health Education (Carroll University) for the Public Health Program and the Greenfield Health Department

Item #6 Approve a contract amendment between the State of Wisconsin Department of Health and Family Services and the Greenfield Health Department related to 2017 Consolidated Contract grant funding related to core public health services

Item #7 Approve a contract amendment between the State of Wisconsin Department of Health and Family Services and the Greenfield Health Department related to 2017 Consolidated Contract funding related to public health emergency preparedness

Item #8 Approve contract allowing for the continuation of the Stockbox program

Item #9 Schedules of disbursements in the amounts of \$128,998.25; \$1,305,071.62; \$903,461.50; \$678,181.88; \$930,856.96 and \$1,182,100.73

Item #10 Mileage reimbursements in the amount of \$1,031.09

Item #11 Investments and reinvestments in the amounts of \$25,195,340.84 and \$17,528,279.34

Item #12 Accept July 2016 financial statement

Item #16 Approve structural organizational changes in the Finance Department

Item #19 Approve the job descriptions for the positions of Deputy Treasurer and Finance Clerk in the Treasurer's Department and Administrative Assistant, Senior Accountant, Accountant and Accounting Associate Part-time in the Accounting Department

Item #20 Approve setting the salary for the position of Deputy Treasurer, Accounting Associate Part-time and Finance Clerk in the Finance Department

Item #21 Approve filling a Finance Clerk position in the Treasurer's Office

On a roll call vote, motion carried unanimously.

16. City Clerk's Report

a. Letter of resignation received from Derick Kermendy from the Library Board

At this time the Council proceeded with Item #17

b. Summons & Complaint received: Quick Charge Kiosk LLC and Jeremy Hahn v. State of Wisconsin and City of Greenfield

Mayor Neitzke reported that this item has been referred to the City Attorney and the Insurance carrier, and the City is being represented.

c. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt a Resolution to temporarily move the voting room location at Whitnall High School (Wards 9-12) from the Community Board Room to the large gym for voting and to the boy's team room for voter registration for the November 8, 2016 General Election pursuant to Wisconsin Statute 5.25(3) On a roll call vote, motion carried unanimously.

RESOLUTION NO. 3568

RESOLUTION TO TEMPORARILY MOVE THE VOTING ROOM LOCATION AT WHITNALL HIGH SCHOOL (WARDS 9-12) FROM THE COMMUNITY BOARD ROOM TO THE LARGE GYM FOR VOTING AND TO THE BOY'S TEAM ROOM FOR VOTER REGISTRATION FOR THE NOVEMBER 8, 2016 GENERAL ELECTION PURSUANT TO WIS. STATS. 5.25(3)

WHEREAS, pursuant to Section 5.25 (3) polling places shall be established at least thirty (30) days prior to an election; and

WHEREAS, the polling location for Wards 9-12 will remain at Whitnall High School, 5000 S. 116th Street; and

WHEREAS, the Community Board Room at Whitnall High School is too small to accommodate the high voter turnout anticipated for the November 8, 2016 General Election; and

WHEREAS, the voting area and voter registration room locations will be moved to larger areas within the Whitnall High School building that can better accommodate voter turnout on Election Day; and

WHEREAS, the rooms for voting and voter registration will be the Large Gym and Boy's Team Room, respectively, at Whitnall High School; and

WHEREAS, after the November 8, 2016 General Election is over, the voting location at Whitnall High School for future elections will resume in the Community Board Room, which is the usual voting location at Whitnall High School for Wards 9-12;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield that the voting room be the Large Gym, with voter registration to be conducted in the Boy's Team Room for Wards 9-12 at Whitnall High School, for the November 8, 2016 General Election;

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of September, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

17. Appointments to various committees and commissions:

Mayor appointments, confirmed by Council

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to confirm the appointment of Richard L'amie, 6220 W. Leroy Avenue as a member to the Library Board for a term to expire July 1, 2018. Motion carried unanimously.

At this time the Council proceeded with Item #16b

18. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve the issuance of an Operator's License to the following:

Alvey, Samantha R.-3103 E. Adams Ave.
Brigham, Jamie S.-5800 Lakeview Dr.
Jaroczynski, Laura A.-3811 S. 35th St.
Medrow, Melinda B.-3053 W. Drexel Ave.
Ohlsson, Kyle J.-13560 W. Greenfield Ave.

Anderson, Jacob T.-831 Hawthorne Ave.
Hanley, Gabrielle, N.-3807 A. East Holmes Ave.
Marifke, Tyler E.-501 N. Broad St.
Moore, Whitney E.-6376 S. 35th St.
Stallman, Ciji M.-501 S. 93rd St.

Motion carried unanimously.

19. It was moved by Alderperson Bailey, seconded by Alderperson Lubotsky, to approve the issuance of a Secondhand Article Dealer License received from Cutting Edge Sporting Goods LLC, Andrew Hundt, Agent, for the property located at 7499 W. Layton Ave. (Play It Again Sports). Motion carried unanimously.

20. City Attorney's Report

- a. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to adopt an ordinance to amend the Zoning Ordinance (Map) and the Comprehensive Land Use Map for the vacant 1.5 acre parcel immediately west of 10521 W. Layton Ave., Tax Key #613-8996-018, and to change the Zoning District for this parcel from 'O-Office' to 'C-4 Commercial' and to change the Comprehensive Land Use Plan designation for both proposed lots from 'Planned Office' to 'Planned Business'.

ORDINANCE NO. 2856

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 20th day of September, 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 parcel of land described as follows is hereby changed:

- From ‘O-Office’ to ‘C-4 Commercial’

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

- From ‘Planned Office’ to ‘Planned Business’

Vacant 1.5 acre parcel immediately west of 10521 W. Layton Avenue
Tax Key #613-8996-018

Parcel 1 of Certified Survey Map No. 7670, being part of the Northwest ¼ Section 29, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

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 20th day of September, 2016.

APPROVED

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

At this time the Council proceeded with #11

b. Ordinance to rezone the property located at 4532 West Grange Ave. from R-2 Single Family to R-# Single Family, Tax Key #647-9952-007

There was no action was required on this item because the Council did not approve the change of zoning.

c. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve a Resolution adopting Section 125.06(6) Wis.Stats. permitting the sale of beer at Konkel Park by employees of the City. After some discussion, on a roll call vote, motion carried unanimously.

RESOLUTION NO. 3569

A resolution adopting Section 125.06(6) WIS. STATS., permitting the sale of beer at Konkel Park by employees of the city

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

WHEREAS, the City of Greenfield operates and governs Konkel Park located in the City of Greenfield on Layton Avenue, and,

WHEREAS, the City of Greenfield has recently constructed an amphitheater in Konkel Park where musical entertainment and other events are scheduled, and,

WHEREAS, the Greenfield Park and Recreation Department has requested that the city, through its employees, be allowed to sell beer during events in Konkel Park and the amphitheater,

NOW THEREFORE BE IT RESOLVED, that the City of Greenfield Common Council by the authority granted to it by Section 125.06(6) Wisconsin Statutes, hereby approves the officers and employees of Greenfield to sell beer at Konkel Park and the amphitheater without license or permit.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of September, 2016.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

d. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to go into closed session pursuant to Wisconsin Statutes, Section 19.85.(1)(c) and (e) at 8:18 p.m. to consider the following:

Discussion regarding structural organizational changes in the City Clerk's Office

On a roll call vote, motion carried unanimously.

e. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adjourn closed session and reconvene into open session at 8:26 p.m.. Motion carried unanimously.

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

f. Proceed as directed regarding structural organizational changes in the City Clerk's Office

g. Approve the job description for the positions of Deputy City Clerk in the City Clerk's Office

h. Approve setting the salary for the position of Deputy City Clerk in the City Clerk's Office

i. Approve filling a Deputy City Clerk position in the City Clerk's Office

On a roll call vote, motion carried unanimously.

21. Items for future agenda

2017 Budget

22. It was moved by Alderperson Lubotsky, seconded by Alderperson Saryan, to adjourn the meeting at 8:30 p.m.. Motion carried unanimously

Jennifer Goergen, City Clerk

JG:se

Distributed: 10/07/2016