

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JUNE 20, 2017

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

- | | | |
|---------------|-----------------------|-----------------------------------|
| 1. ROLL CALL: | Aldersperson Lubotsky | Present |
| | Aldersperson Bailey | Present |
| | Aldersperson Akers | Present |
| | Aldersperson Saryan | Excused; arrived at 7:22 p.m. |
| | Aldersperson Kastner | Present |
| | | |
| ALSO PRESENT: | Roger Pyzyk | City Attorney |
| | Jeff Katz | Director of Neighborhood Services |
| | Chuck Erickson | Community Development Manager |
| | Sheryl Hartman | Deputy City Clerk |

2. An opening prayer was given by Chaplain Leggett.
3. Pledge of Allegiance
4. It was moved by Aldersperson Bailey, seconded by Aldersperson Lubotsky, to approve the May 16, 2017 Common Council minutes. Motion carried unanimously.
5. Mayor's Report
 - a. The Greenfield Beautification Committee is selling tickets to "A Day at Radler's Botanic Garden & Rosarium" on July 15, 2017 from 10 a.m. to 4 p.m. at 10020 W. Meadow Dr. for \$8 per person or \$15 per couple.
 - b. The Greenfield Beautification Committee is sponsoring a city-wide landscape award contest during the second week in July; two winners will be chosen in each aldermanic district.
 - c. Mayor Neitzke gave an update on the 84 South development: Construction started on Total Wine; construction starts next week on Kohl's; and retail outlets in Midbox East will open in the next 1 – 1 ½ months. The parking lot and exterior is essentially done by Steinhafel's and contractors are working on the interior.
6. Aldermanic Reports

Aldersperson Bailey said he attended an outside event last weekend at the House of Harley and the music was at a "reasonable level"; monitoring continues.
7. Announcements – Mayor Neitzke said there is a concert at Konkel Park this evening.
8. Citizen Commentary

The following addressed the Council:

Barb Nelson, 6128 W. Woodview Ct., asked for more detail in Common Council agendas concerning license applications, so residents can voice objections if desired. She requested to see applicants' names, type of license and details of what they are applying for.

Mike Tillman, 5477 S. Westridge Ct., New Berlin, said he is in favor of permission being extended for Pieperline to use the former Budget Cinema site as a construction staging area and for parking.

Additionally, three residents who signed up for Citizen Commentary were allowed to speak prior to agenda item #20.

9. 7:05 p.m. Public Hearing for approval of a Special Use requested by Baljit Kler, Kler BTS Investments, LLC to sell beer in the Liberty Express Mart at 6745 W. Forest Home Ave., Tax Key #572-8976-000.

Notice of public hearing was published in the City's official newspaper on June 8, 2017. Chuck Erickson, Community Development Manager, said 25 nearby property owners were notified of the public hearing. The Plan Commission recommended approval of the Special Use.

Mr. Kler, the applicant, was present to answer questions and registered in favor of the proposal. No one spoke for or against the proposal.

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

It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve the Special Use requested by Baljit Kler, Kler BTS Investments, LLC to sell beer in the Liberty Express Mart at 6745 W. Forest Home Ave., Tax Key #572-8976-000. The motion carried unanimously.

10. 7:10 p.m. Public Hearing for approval of a Special Use requested by Larry Starkey, Milwaukee Habitat for Humanity, for the purpose of opening a resale store called 'ReStore' where currently Bartz's Party Store is located at 4150 S. 108th Street; a 'used merchandise store' is considered a Special Use. Tax Key #567-9972-003

Notice of public hearing was published in the City's official newspaper June 8, 2017.

The Mayor said a major concern was the ReStore was potentially tax exempt but the applicant is willing to enter into a "Payment in Lieu of Taxes" (PILOT) agreement with the city. Mr. Erickson said 8 nearby property owners were notified of the public hearing. The Milwaukee County Habitat for Humanity worked out an agreement with James Petr, the property owner to the south, to allow access through his driveway opening. Mr. Erickson showed diagrams of the property.

Ron Janick, 4840 S. 124th St., spoke in favor of the Special Use, and said he and his wife have volunteered at another ReStore in the area for the past 6 years.

Kevin Schmoldt, 757 N. Broadway, Suite 70, representing the applicant, was present to answer questions and registered in favor of the proposal.

Alderson Kastner said the ReStore has agreed there will be no outside storage of materials. Alderson Bailey asked if the site would be clean and professional; Mr. Starkey responded yes and noted there are 870 ReStores across the country.

Alderson Saryan arrived at 7:22 p.m.

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

It was moved by Alderson Lubotsky, seconded by Alderson Akers, to approve the Special Use requested by Larry Starkey, Milwaukee Habitat for Humanity, for the purpose of opening a resale store called 'ReStore' where currently Bartz's Party Store is located at 4150 S. 108th Street; a 'used merchandise store' is considered a Special Use. Tax Key #567-9972-003. On a roll call vote, the motion carried unanimously.

11. Milwaukee Department of City Development representatives Monica Wauck and Nolan Zaroff presented the South 27th Street Strategic Action Plan to the Council. It was a joint planning effort between the City of Milwaukee, the S. 27th Street Business Association, and the City of Greenfield that began in April 2016, designed to update the comprehensive plan. The focus was S. 27th Street from Oklahoma Avenue to College Avenue. Goals were to improve the quality of the public realm; improve aesthetics; attract a diverse mix of retail and dining options; and position the area to be a vibrant and competitive retail destination. Recommendations focusing on 6 key sites were made, to be implemented by government, the business improvement district and local businesses. The sites included the area near W. Cold Spring Road and S. 27th Street (around McDonald's) and a strip mall on the northwest corner of W. Layton Avenue and S. 27th Street. The vision for the former included refreshing and repositioning McDonald's to the north and adding retail/office space. The vision for the latter included creating a neighborhood center with an internal parking area that also could be used for a farmer's market or other purposes.

Other recommendations included working with a commercial real estate broker to attract more casual dining; offering programming for under-utilized open spaces and parking areas; improving aesthetics; educating businesses on grants and funding sources for making improvements; more plantings; more litter cleanup; encouraging more businesses to get involved in the business improvement districts; working on zoning codes and ordinances for more consistency with landscaping and visual aspects; studying timing of traffic signals to improve safety for pedestrians and cyclists; and "naturalizing" Wilson Creek with biofiltration edges.

The plan is available online at <http://city.milwaukee.gov/South27thStreet>.

It was moved by Alderson Lubotsky, seconded by Alderson Saryan, to approve the South 27th Street Strategic Action Plan and adopt Resolution No. 3598.

RESOLUTION NO. 3598

RESOLUTION APPROVING THE SOUTH 27TH STREET STRATEGIC ACTION PLAN AND TO INCLUDE THIS ACTION PLAN AS PART OF GREENFIELD'S 2008 COMPREHENSIVE PLAN, IN THE 1ST AND 5TH ALDERMANIC DISTRICTS

WHEREAS, recent development trends and shifting market conditions have necessitated a more refined analysis and updated strategy to further the goals of the Comprehensive Plan and related projects in the South 27th Street corridor; and

WHEREAS, the South 27th Street Strategic Action Plan was created to supplement the City of Greenfield's ("City's") existing Comprehensive Plan, which contain the South 27th Street Corridor, to identify strategies to support this important commercial corridor and to establish an implementation framework to best achieve economic success along South 27th Street; and

WHEREAS, the creation of the South 27th Street Strategic Action Plan involved extensive public outreach, input and cooperation with the public and neighborhood stakeholders similar to the public process followed in the development of the City's Comprehensive Plan and included a combined/coordinated effort with the City of Milwaukee Department of City Development, the 27th Street Business Association (i.e. Greenfield BID #1 & #2 and Milwaukee BID #43) and the UW-Milwaukee Community Design Solutions entity; and

BE IT RESOLVED, that the Common Council of the City of Greenfield, approves the South 27th Street Strategic Action Plan and amends the City's Comprehensive Plan , with the inclusion of the Strategic Action Plan as a key element; and

BE IT FURTHER RESOLVED, that the amended Comprehensive Plan, as approved, shall include as an appendix, a text reference to consult the Strategic Action Plan as a supplement to provide further guidance and serve as the basis for decision-making by the City in its consideration of matters related to and located within the South 27th Street corridor; and, be it

BE IT FURTHER RESOLVED, the Department of Neighborhood Services which includes the Community Development Division, and other appropriate City departments and agencies are directed to work toward implementation of the South 27th Street Strategic Action Plan.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of June, 2017.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

12. Board of Public Works meeting held on May 23, 2017

Item #5 It was moved by Alderperson Lubotsky, seconded by Alderperson Bailey, to approve a final resolution to make improvements to West Edgerton Avenue from West Loomis Road to South 27th Street and levy special assessments under Section 66.0703, Wisconsin Statutes, upon property for municipal purposes. On a roll call vote, the motion carried unanimously.

Aldersperson Saryan noted the road segment is closed to all traffic except for local residents.

13. Finance & Human Resources Committee meeting held on May 31, 2017

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

Item #4 Approve the Gold Hardware Preventative Maintenance/Support and Firmware Agreement with Election Systems & Software, Inc. (ES&S) for the DS200 and AutoMARK voting equipment

Item #5 Approve a Public Health Specialist full-time position in the Health Department and authorize recruitment

Item #6 Schedules of disbursements in the amounts of \$50,112.44; \$509,750.57 and \$845,777.08

Item #7 Mileage reimbursements in the amount of \$725.94

Item #8 Investments and reinvestments in the amounts of \$22,430,824.06 and \$18,949,793.70

Item #9 Accept March 2017 financial statement

On a roll call vote, the motion carried unanimously.

14. Plan Commission meeting held on June 13, 2017

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

Item #5 Approve a Site/Landscaping Review of a plan this construction season for parking lot improvements (i.e. renovation of existing and expansion for new parking) and lighting improvements at West Layton Assembly of God Church, 11500/11530 W. Layton Avenue, subject to Plan Commission and staff comments which include:

- Adjacent to the east side of the church building, the existing asphalt fire lane will be maintained.
- Along that same east side of the church property is a gravel area that is approx. 20 ft. – 25 ft. wide when measured to the edge of the east retaining wall from the east edge of the fire lane. All of this gravel area must be converted to grass and maintained as such, and never used for parking of anything.
- Signage on the north end and south end of this east side Fire Lane will be installed that states 'Fire Lane – No Parking Allowed' [[specific terms/code references may be added to ensure the ability for citations to be issued if illegal parking is noted]].
- The Plan Commission believes a 4' high screening-type fence should be installed along the entire top of the existing wall, but will defer to the determination of the immediately adjacent neighbors in working this element out with the church.
Tax Key #609-9946-001 & 609-9945-001.

Item #6 Approve a Site/Building/Landscaping Review for the purpose of opening a resale store called 'ReStore' where currently Bartz Party Store is located at 4150 S. 108th Street; subject to Plan

Commission and staff comments including the provision for a PILOT agreement to be done. Tax Key #567-9972-003.

Item #7 Approve a Special Use in order to sell beer and wine as a small part of Fresh Thyme's overall specialty retailer range of products within their tenant space at 8680 W. Sura Lane in the Mid-Box East building, as part of the larger 84 South development project, consider this a minor change not needing an additional public hearing because what is being proposed is consistent with earlier reviews and approvals, subject to Plan Commission and staff comments. Tax Key #606-9980-003.

Item #8 Approve a Special Use Review for Shane Herron as the new business owner of "Plato's Closet", 7820 W. Layton Avenue, subject to Plan Commission and staff comments. Tax Key #605-9956-005.

Item #9 Approve a Special Use Review for Juanita del Carmen Campos as the new business and property owner of the closed 'Las Margaritas' bar/restaurant at 6869 W. Forest Home Avenue; subject to Plan Commission and staff comments. Tax Key #571-8957-002.

Item #10 Approve a Special Use Review for Mohammed Rehman as the new business owner of the 'Smokers Pub' at 4267 W. Layton Avenue, subject to Plan Commission and staff comments. Tax Key #621-9957-001.

On a roll call vote, the motion carried unanimously.

15. Finance & Human Resources Committee meeting held on June 14, 2017

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

Item #3 Approve a contract agreement between the State of Wisconsin Division of Public Health Tuberculosis Program, and the Greenfield Health Department for Tuberculosis (TB) Dispensary Program

Item #4 Schedules of disbursements in the amounts of \$466,329.19; \$61,687.96 and \$9,298,783.34

Item #5 Mileage reimbursements in the amount of \$1,016.13

On a roll call vote, the motion carried unanimously.

16. City Clerk's Report

- a. Bids received for publishing of Council proceedings, City legal notices, display ads, sample ballots and other matter set in a display format.

Mayor Neitzke reported he attended a meeting with Senator Craig and his staff and representatives from the Milwaukee Journal Sentinel, Gannet, and a lobbyist from the Wisconsin Newspaper Association regarding his concerns about the newspaper's detrimental untimeliness or forgetting to publish legal notices, and his support of legislation that would eliminate the

requirement to have an official newspaper and to instead publish the legal notices in a different way. He also discussed his concern at being linked to the West Allis NOW instead of preferably to Greendale, Hales Corners, and Franklin, communities with which Greenfield shares closer ties with commercial districts, school districts, roads and emergency services. The Mayor noted it was ironic the newspaper failed to timely submit its bid to become the city's official newspaper, forcing the city to republish for bids; fortunately, the newspaper waived the second publication fee.

Current legislation states if a newspaper makes two mistakes, the city would not have to use it as its official newspaper, but the newspapers are fighting the "two mistake rule," Mayor Neitzke said.

It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve the bid of Gannet Wisconsin Media and to designate Greenfield/West Allis NOW as the City's official newspaper.

On a roll call vote, the motion carried unanimously.

- b. A letter of termination of Sue Wilson from the Parks and Recreation Board was received; the Mayor thanked her for her service.
- c. A claim received from Monique McKinney was referred to the City Attorney.

17. Appointments to various committees and commissions:

a. Council appointments:

(1) A.D. #3

It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to confirm the appointment of Todd Fabos, 3881 S. River Ridge Blvd., as a member to the Park & Recreation Board for a term to expire 5/31/18. Motion carried unanimously.

(2) A.D. #4

One member to the Park & Recreation Board for a term to expire 5/31/21 (currently vacant) - No appointment was made and this item is to be placed on the **NEXT AGENDA**.

b. Mayor appointments, confirmed by Council:

- (1) It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to confirm the Mayor's reappointment of Mary Knasinski, 3275 S. Stonegate Cir., #104, and Teri Ryan, 4137 S. 101st St., as members to the Public Library Board for a term to expire 7/1/20. Motion carried unanimously.

18. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to approve the issuance of the following licenses to expire June 30, 2018, subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges:

18a.

2017-2018
OPERATOR LICENSE APPLICANTS

ALSOUQI, Mustafa H.	8334 Portsmouth Drive
AMANN, Thomas P.	1000 E. Prairie View Drive
ARORA, Sujinder K.	6955 S. Riverwood Blvd., #305
BEAUCHAMP, Samantha	4315 S. 92 nd Street
BEAUDOIN, Gillian R.	26618 Long Lake Road
BELONGIA, Scott E.	4420 S. Mary Lane
BIGALKE, Amy S.	4253 S. 97 th Street
BILOT, James R.	3540 S. 4 th Street
BORKOWSKI, Kaye M.	W134 S6419 Windsor Road.
BOWMAN, Courtney S.	10115 W. Cold Spring Road, #B113
BRINKMAN, Amanda L.	6535 W. English Meadows Dr. N
BUSH, Joleen A.	1002 S. 90 th Street
CAMPOS, Julie L.	3707 S. 34 th Street
CANNIZZARO, Tina M.	4965 Sutton Lane
CARROLL, Alia R.	1503 W. 8 th Street
CARTER, Candace C.	1007 Tulip Lane
CHUNG, Samantha A.	2312 N. Weil Street
CHUNG, Zachary K.	5988 S. Kurtz Road, #8
COATES, Nicolas A.	2533 S. 117 th Street
DENT, Brittany R.	8148 W. Forest Garden Court
DINON, Nitalia R.	9733 W. Grange Avenue
EDMUNDS, Erin E.	1110 E. Ogden Avenue, #307
FAJARDO, Aurea L.	2226 S. 89 th Street, #7A
FLEMING, Chloe M.	427 S. 51 st Street
FLESSES, Robin M.	7010 W. Southridge Drive, #45
FORD, Nicole M.	1347 S. 86 th Street
FOX, Tremaine D.	1924 N. 49 th Street
FUENTES, Wilfredo	3063 N. Humboldt Boulevard
GARDOCKI, Kelly K.	2534 S. Kinnickinnic Avenue, #105
GAUTHIER, Linda M.	5615 S. Elaine Avenue
GILLET, Lester L.	4826 N. 46 th Street
GORDON, Sarina M.	5715 S. 39 th Street
GRAFFENIUS, Jessica L.	6236 S. 20 th Street
GRUBB, Cheryl A.	1926 S. 70 th Street
GULLAND, Timothy S.	242 4 Mile Road
HAMILTON-SMITH, Brandon J.	3124 W. Loomis Road, #A
HAMPTON, Ashley D.	2919 W. Wisconsin Avenue
HARRISON, Seth M.	12211 W. Belmar Drive
HELLERUD, Robin K.	3119 N. Humboldt Boulevard, #A
HOJNACKI, Daniel R.	3433 W. Layton Avenue
HORCOS, Bobbie R.	10915 W. Edgerton Avenue
JACOBSON, Lance J.	931 Clover Street
JOHNSON, Amanda K.	2656 S. 99 th Street

JOHNSON, Susan A.	6324 S. 35 th Street
KAPILA, Vinita	4440 S. 117 th Street
KAWCZYNSKI, Michelle	19360 W. Hillcrest Drive
KHALIL, Elizabeth L.	12168 W. Cold Spring Road
KOWALSKI, Jerome J.	6027 W. Bottsford Avenue
KRENZ, Matthew J.	3932 S. 72 nd Street
LEUBNER, Zachary A.	2415 N. 72 nd Street
LINDNER, Kimberly A.	8430 W. Howard Avenue
LINSKI, Jill M.	8924 W. Schlinger Avenue – Upper
LOPEZ, Lori A.	3354 Van Norman Avenue
MARTINSON, Cindy	6913 W. Main Street
MILASUSKI, Lisa A.	3777 S. 63 rd Street
MUELLENBACK, Pamela A.	1812 Arrowhead Drive
MUSTAFA, Alsouqi	8334 Ports Mouth Dr.
NORTH, Judith A.	4627 S. 109 th Street
OHLSSON, Kyle J.	13560 W. Greenfield Avenue
PARKS, Abigail C.H.	9126 Broadway Drive
PENDER, Amy L.	4053 S. 60 th Street
PRICE, Alyssa J.	3337 E. Waterford Avenue
REYNA, Estella M.	3363 S. 26 th Street
ROMANO, Katherine M.	5522 49 th Avenue
SCHRIMPF, David G.	8824 W. Waterford Sq. S
SEELIG, Nicholas W.	4845 S. 69 th Street, #21
SEYFERTH, Blake S.	4360 W. Tesch Avenue
SIGMUND, Lauren S.	707A Monroe Avenue
SKOCZYNSKI, Susan M.	4171 S. 54 th Street
STRICKLER, Sharon A.	6915 S. Timber Ridge Lane, #3104
THIEMER, Paige C.	13560 W. Greenfield Avenue
TYBORSKI, Angelique M.	1028 Lemira Circle
VALDEZ BLANCO, Alfredo	2070 S. 13 th Street
WADE, Jason S.	S63 W14783 College Avenue
WOLLERT, Kirstyn M.	3400 S. 20 th Street
ZINDA, Tyler A.	4114 W. Thorncrest Drive
ZUREK, Krystal	212 W. North Street, #205

18b.

2017-2018

CLASS “A” FERMENTED MALT BEVERAGE LICENSE

NAME

BUSINESS ADDRESS

B&K Real Estate 27 th , LLC, Dwarika N. Singh, Agt. (Sai Mart #3) (one story building, storage area near walk-in cooler)	4715 S. 27 th Street
Liberty Express, Inc., Baljit Kler, Agt. (Liberty Express Mart) (Display, walk-in cooler)	6745 W. Forest Home Ave.

18c. 2017-2018
COMBINATION "CLASS A" FERMENTED MALT BEVERAGE & LIQUOR LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Mega Marts, LLC, Michael T. Meszaros, Agt. (Pick'n Save #6887)(1 story retail grocery & liquor)	4279 S. 76 th Street
Lakes Venture, LLC, Dave Holvick, Agt. (Fresh Thyme Farmers Market) (28,749 SF one story inline retail building)	8680 W. Sura Lane

18d. 2017-2018
COMBINATION "CLASS B" FERMENTED MALT BEVERAGE & LIQUOR LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Carrabba's Italian Grill, LLC, Jose A. Magallanes, Agt. (Carrabba's Italian Grill) (one story, 5,576 SF building with 789 SF patio on a 61,480 SF Lot)	4765 S. 76 th Street
DMH Spirits, Inc., Diane M. Hammerling, Agt. (68 th Street Pub) (first floor & basement)	6800 W. Layton Ave.

18e. 2017-2018
DRY CLEANING AND/OR WASHING MACHINE LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Sheikholeslami, Keyhan Z. (Ogden Cleaners)	7860 W. Layton Avenue

18f. 2017-2018
ENTERTAINMENT LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Aquatics Unlimited, LLC, Kasondra E. Paulson, Agt. (Aquatics Unlimited) (Indoor: tour of building) (Outdoor: live music, interactive aquarium, kids color station, food for a July 16, 2017 event)	3550 S. 108 th Street
Barnes & Noble Booksellers, Inc., Meredith E. Hall, Mgr. (Barnes & Noble Booksellers) (book fairs, author events, instrumental music)	4935 S. 76 th Street
Bluemel's, Inc., Michael R. Bluemel, Mgr. (Blum Coffee Garden) (Indoor: solo, duets, and trio acoustic performances) (Outdoor: possible solo acoustic with no amps)	4930 W. Loomis Road
City of Greenfield Parks and Recreation Department (Outdoors: All events at the Konkel Park Amphitheater to include live music, beverage and food sales, car show, and Oktoberfest will have children's activities)	7325 W. Forest Home Avenue
Meyer's Restaurant, Inc., Lawrence M. Meyer, Agt. (Meyer's Restaurant & Bar) (Indoor: bands for banquet halls only, patron dancing [private room only])	4260-I S. 76 th Street

One Headlight Power Sports, LLC, Jeffery A. Binkert, Mgr. (House of Harley-Davidson) (Indoor: live music events associated with charitable causes and the motorcycle business, autograph signings, celebrity appearances, and customer appreciation lunches) (Outdoors: Motorcycle rides for the benefit of various charitable organizations, autograph signings, celebrity appearances, and customer appreciation lunches; when combined with alcohol, tents, entertainment, food, music, etc., an Outdoor Special Event permit may be required)	6221 W. Layton Avenue
PrimeTime Tap, LLC, Nicholas E. Marking, Agt. (The Brass Tap) (Indoor: live music – Friday/Saturday, Touch Tunes, jukebox) (Outdoor: touch tunes, juke box, live music)	7808 W. Layton Avenue
St. John the Baptist Armenian Apostolic Church, Ara A. Cherkian (St. John the Baptist Armenian Apostolic Church) (Indoor and Outdoor: Small band playing Armenian music)	7825 W. Layton Avenue

18g.

2017-2018

SECONDHAND ARTICLE DEALER LICENSE

APPLICANT

BUSINESS ADDRESS

Game Stop, Inc. (Game Stop #567)

7420 W. Holmes Avenue

The motion carried unanimously.

Mayor Neitzke requested that detailed license renewal information be included in future agendas for the public.

19. It was moved by Alderperson Saryan, seconded by Alderperson Lubotsky, to approve the issuance of a Temporary Class “B” Retailer’s License for St. John the Baptist Armenian Apostolic Church to sell fermented malt beverages at Armenian Fest to be held inside the church hall and outside in the parking lot on Sunday, July 23, 2017 from 11:00 a.m. – 6:00 p.m. at 7825 W. Layton Ave. Motion carried unanimously.

At the City Attorney’s suggestion, residents who signed up under Citizen’s Commentary with concerns about House of Harley were given the opportunity to speak immediately prior to the following agenda item. The following spoke:

Gregory Krog, 6181 W. Woodview Ct., said he lives about 2 blocks from House of Harley, and the noise from their events is a problem when he sits out on his deck. He said he felt sandbagged about the number of additional events being planned since he reviewed the event list in April. In May, he could recognize the song and the lyrics when music was being played. He doesn’t want to have to ask an alderperson or a House of Harley representative to come over to address sound levels in the future. The number of events and sound level is rising to a nuisance level, and quality of life is being affected. He questions why bands are needed for a retail sales business. He said the simple solution is to move the bands indoors.

Cheryl Kellerhals, 6088 W. Woodview Ct., said the sound and revving of motorcycles is a problem. If a person is at a House of Harley event, he can leave when he has had enough of the music, but nearby residents can’t leave to escape the sound. The approval of loud events takes away her freedom to be outside and enjoy quiet or to have her windows open. She questioned why the outdoor music was needed for a retail business and for fundraisers since fees are charged for participating in the motorcycle ride, not

for listening to the entertainment. She said curtailing outdoor parties would not hinder House of Harley's ability to sell its motorcycles, parts and services. She asked Council to "use restraint" in approving events and said music could be indoors.

Barb Nelson, 6128 W. Woodview Ct., said she's been the main contact to work with House of Harley and will continue to work with them, but she is discouraged that they still do not give a definitive sound standard to their bands to alleviate the noise problem. They have turned down the bass, but there is still a lot of room for them to turn down the sound level so nearby residents don't hear the song lyrics. In past years, House of Harley only had outdoor music around Labor Day weekend. This year, it is up to 9 events plus Labor Day, so far. Suggestions have been made to move the music indoors, to Konkel Park, or to the Harley museum. She feels the Council is favoring the business over the residents' concerns. Her condo complex pays over \$200,000 in property taxes and residents' concerns should be addressed. A solution should have been accomplished by now, and she is tired of "playing the sound police."

20. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to approve the issuance of a Temporary Class "B" Retailer's License to Harley Owners Group – Milwaukee Chapter to sell fermented malt beverages at Live Music Saturday events to be held indoors on the following Saturdays in 2017: July 1, July 15, July 22, July 29 and August 5, from 12:00 p.m. – 3:00 p.m. at 6221 W. Layton Ave.

Under discussion, Alderperson Lubotsky said House of Harley has moved most of their events indoors and turned the sound level down. She hears from many people who enjoy attending the outdoor events. She doesn't agree that there is a problem.

Alderperson Akers said she lives near Konkel Park and hears a lot of noise from events there. She feels the residents' concerns near House of Harley need to be addressed. House of Harley is trying, but a solution is still needed. She noted at the Community Center, a noise meter was used with staff monitoring to address noise concerns.

Alderperson Lubotsky said some noise is expected when living in a city.

On a roll call vote, the motion carried unanimously.

21. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to approve issuance of a Temporary Class "B" Retailer's License to Harley Owners Group – Milwaukee Chapter to sell fermented malt beverages at the HOH Anniversary Party to be held indoors on Sunday, August 6, 2017 from 5:00 p.m. – 9:00 p.m. at 6221 W. Layton Ave. The motion carried unanimously.

22. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an "As Available" Ad privilege agreement extension with Clear Channel Outdoor for Electronic Reader Board Sign located at the Greenfield Community Center, subject to the City Attorney's review. On a roll call vote, the motion carried unanimously.

23. Department of Neighborhood Services Report:

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

- a. A Temporary Use Permit for Meade to use the northwest portion of the former Budget Cinema site at 4475 S. 108th Street as a contractor equipment staging area until 12/29/17
- b. A Temporary Use Permit for Pieperline to use the former Budget Cinema site at 4475 S. 108th Street as a contractor equipment staging area until September 30, 2017

Alderson Kastner and Mayor Neitzke asked for “better housekeeping” at the site. On a roll call vote, the motion carried with Ald. Lubotsky, Bailey, Akers and Saryan voting yes and Ald. Kastner voting no.

- c. It was moved by Alderson Kastner, seconded by Alderson Lubotsky, to approve issuance of an Outdoor Special Event permit for the Nino’s Annual Bike & Car Show, to the House of Harley, 6221 W. Layton Ave., on Saturday, July 8th and Sunday, July 9th; specific application is for the following combination of licenses/permits: Entertainment-extension of premise (music), Temporary Class “B” Retailer (beer), Direct Seller’s, Food, and Commercial Building (tents).

Deputy Clerk Sheryl Hartman said Direct Seller licenses to be approved under this OSE are: Surprise Parties, Firewise BBQ, and Grunts BBQ.

House of Harley spokesman Kristin Wacker said there would be “no rev” at this event.

On a roll call vote, the motion carried, with Ald. Lubotsky, Bailey, Saryan and Kastner voting yes and Ald. Akers voting no.

- d. It was moved by Alderson Kastner, seconded by Alderson Akers, to approve issuance of an Outdoor Special Event permit for the MECA Vest A K-9 Fest as sponsored by the Wisconsin Police Canine Vest Foundation at the Milwaukee Emergency Center for Animals, 3670 S. 108th St., on Saturday, July 15th; specific application is for the following combination of licenses/permits: Entertainment (music), Food, and Commercial Building (tents). Motion carried unanimously.
- e. It was moved by Alderson Kastner, seconded by Alderson Bailey, to approve issuance of an Outdoor Special Event permit for the St. John The Evangelist Parish Festival as presented by St. John’s from Friday, July 28 – Sunday, July 30th at 8500 W. Cold Spring road; specific application is for the following combination of licenses/permits: Entertainment (music/fireworks/horse-rides), Carnival, Temporary Class “B” Retailer (beer), Operator, Food, and Commercial Building/Electrical. Motion carried unanimously.
- f. It was moved by Alderson Lubotsky, seconded by Alderson Kastner, to approve issuance of an Outdoor Special Event permit for the Make-A-Wish event as sponsored by the House of Harley, 6221 W. Layton Ave., on Saturday, August 26th; specific application is for the following combination of licenses/permits: Entertainment-extension of premise (music), Temporary Class “B” Retailer (beer), Direct Seller’s, Food and Commercial Building (tents). On a roll call vote, the motion carried with Ald. Lubotsky, Saryan and Kastner voting yes, Ald. Akers voting no, and Ald. Bailey abstaining.

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

Mr. Bailey said he abstained because he first wants to monitor how the sound levels will be at an earlier event.

No Direct Seller licenses will be issued under this OSE, per Ms. Hartman.

- g. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Resolution No. 3599.

RESOLUTION NO. 3599

RESOLUTION VERIFYING REVIEW AND AUTHORIZING SUBMITTAL OF THE 2016
WISCONSIN DEPARTMENT OF NATURAL RESOURCES COMPLIANCE MAINTENANCE
ANNUAL REPORT (CMAR) GREENFIELD PROJECT NUMBER 2017 #2

WHEREAS, Public sanitary sewer collection is a basic responsibility of local, county and state governments; and

WHEREAS, It is the responsibility of local, county and state governments to properly operate and manage wastewater collection systems so as to protect public safety and health; and

WHEREAS, Proper inspection, rehabilitation, and operation and maintenance of the sanitary sewer collection system would promote cost-effective performance of the system over its design life; and

WHEREAS, Revisions to Chapter NR 208, Wisconsin Administrative Code became effective January 2006 requiring permitted wastewater collection systems to submit a Compliance Maintenance Annual Report (CMAR) with a resolution verifying Common Council review, statement of corrective actions if necessary and authorization of submittal.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby verifies its review and authorizes the submittal of the 2016 Compliance Maintenance Annual Report (CMAR) for the City of Greenfield.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Wisconsin Department of Natural Resources (DNR).

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of June, 2017.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- h. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to adopt Resolution No. 3600.

RESOLUTION NO. 3600

FINAL RESOLUTION LEVYING SPECIAL ASSESSMENTS UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES AGAINST BENEFITING PROPERTY FOR 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, IN PORTIONS OF WEST EDGERTON AVENUE, SOUTH 48TH STREET, SOUTH 43RD STREET, SOUTH 41ST STREET, SOUTH 40TH STREET, SOUTH 37TH STREET, SOUTH 35TH STREET, SOUTH 34TH STREET, SOUTH 31ST STREET, SOUTH 30TH STREET, AND SOUTH TUCKAWAY DRIVE
PROJECT 2010 #9

WHEREAS, The Common Council heretofore determined by Preliminary Resolution No. 3597 adopted May 2, 2017, pursuant to Section 66.0703, Wisconsin Statutes and the police powers of the City of Greenfield to levy and collect special assessments upon properties benefited 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, in portions of West Edgerton Avenue, South 48th Street, South 43rd Street, South 41st Street, South 40th Street, South 37th Street, South 35th Street, South 34th Street, South 31st Street, South 30th Street, and South Tuckaway Drive, Project 2010 #9; and

WHEREAS, the City Engineer's office prepared the report of the special assessments to be levied, including a schedule of proposed assessments, and filed said report with the City Clerk; and

WHEREAS, notice of public hearing on said report was given by the City Clerk as provided by law, as shown by affidavits of mailing and publication and the records of file herein; and

WHEREAS, the Board of Public Works held a public hearing on Tuesday, the 23rd day of May, 2017 in the Council Chambers, Room 100 at City Hall commencing at 6:30 p.m. and all persons desiring to be heard were heard; and

WHEREAS, the Board of Public Works has forwarded its recommendation to the Common Council; and

WHEREAS, the Common Council has previously considered and accepted the recommendation of the Board of Public Works and has been fully advised in these matters and is now ready to proceed with the work and to make the final levy of special assessments for the benefits conferred as set forth herein;

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

Greenfield, Milwaukee County, Wisconsin, that:

1. After due consideration of the report of the City Engineer's office and the recommendation of the Board of Public Works in the manner set forth in the preamble hereto, the Common Council hereby finds and determines that the properties set forth in said report and each of them are benefited 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, and the Common Council upon such consideration determines that the proposed assessments made were determined upon a reasonable basis.
2. Upon such findings and determinations, said report, including the proposed project plans and specifications, the statement of estimated project costs, the statement of benefits and the schedule of proposed assessments is hereby approved, and the Common Council directs that the City Engineer's office carry out said work or improvements in accordance with said report and that payment of said special assessments be made as hereinafter provided.
3. The proposed assessments set forth in said report are hereby assessed and levied against said properties as special assessments for the benefits incurred upon them 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, in portions of West Edgerton Avenue, South 48th Street, South 43rd Street, South 41st Street, South 40th Street, South 37th Street, South 35th Street, South 34th Street, South 31st Street, South 30th Street, and South Tuckaway Drive,, Project 2010 #9, and the owners of said properties are hereby ordered to pay such special assessments in the manner hereinafter provided.
4. The proceeds from such special assessments shall be used for paying the costs of 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.
5. The assessments are made pursuant to the police powers of the City of Greenfield and Section 66.0703, Wisconsin Statutes.
6. Each special assessment levied by this resolution shall be a lien on the property against which it is levied on behalf of the City of Greenfield, in accordance with Section 66.0703(13) Wisconsin Statutes.
7. Each property owner has the option to pay his or her assessment [1] in one sum without interest on or before September 21, 2018 or [2] the entire amount plus interest computed at 3.41% from September 21, 2018 may be placed on your 2018 tax bill; or [3] in ten (10) annual installments, as provided for by Section 66.0715(3) Wisconsin Statutes, with interest thereon at 3.41% per year on the unpaid balance beginning September 21, 2018. All assessments will be collected in installments except such assessments which are paid in full to the City of Greenfield on or before September 21, 2018. The

first installment shall be entered in the 2018 tax roll as a special assessment on the property upon which the special assessment was levied and thereafter shall be treated in all respects as any other municipal tax, except as otherwise provided in Section 66.0715(3), Wisconsin Statutes. One of the subsequent installments shall be entered in a like manner and with like effect in each of the annual tax rolls thereafter until all are levied. Each property owner who is paying by installments may prepay his or her assessments together with accrued interest at any time without penalty. In the event a property owner fails to pay any installment in full at the time it is due, said owner will be deemed delinquent and his or her or its entire unpaid assessment, together with accrued interest through December 31 of the year said delinquency occurs, shall be extended upon the next succeeding tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special assessment, except as otherwise provided by statute.

8. All payments hereunder are to be made to the City of Greenfield.

9. The City Clerk is hereby authorized and directed to publish a copy of this resolution as a Class 1 notice in the Greenfield NOW and shall mail a copy of this resolution and a statement of final assessment against his or her property to every interested person whose tax key number appears on the assessment schedule and whose post office address is known or can, with reasonable diligence, be ascertained.

10. The City Clerk is hereby authorized and directed to publish the "Installment Assessment Notice" attached hereto and made a part hereof, as a Class 1 notice and mail a copy thereof to every interested person.

11. This resolution shall become effective upon passage and publication and notice in compliance with Sections 9 and 10 above.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of June, 2017.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

CITY OF GREENFIELD

INSTALLMENT ASSESSMENT NOTICE FOR 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 IN PORTIONS OF WEST EDGERTON AVENUE, SOUTH 48TH STREET, SOUTH 43RD STREET, SOUTH 41ST STREET, SOUTH 40TH STREET, SOUTH 37TH STREET, SOUTH 35TH STREET, SOUTH

34TH STREET, SOUTH 31ST STREET, SOUTH 30TH STREET, AND SOUTH TUCKAWAY DRIVE,

PROJECT 2010 #9

NOTICE IS HEREBY GIVEN that a contract was let for the installation of storm sewer, storm sewer service laterals, 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, and concrete or bituminous concrete (asphalt) pavement, in the area of South 43rd Street, and West Edgerton Avenue; and that amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk. Said assessments may be paid: [1] in one sum without interest on or before September 21, 2018; or [2] the entire amount plus interest computed at 3.41% from September 21, 2018 may be placed on your 2018 tax bill; or [3] in ten (10) equal annual installments, as provided for by Section 66.0715(3), Wisconsin Statutes, with interest thereon at 3.41% per year on the unpaid balance beginning September 21, 2018. All assessments will be collected in installments as provided in said Paragraph 7 of the Final Resolution to which this notice is attached, except such assessments which are paid in full to the City of Greenfield on or before September 21, 2018.

Dated at Greenfield, Wisconsin this _____ day of _____, 20__

Jennifer Goergen, City Clerk

i. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to renew a lease with the Post Office for 54 parking spaces for postal service employee parking at City Hall. The motion carried unanimously.

j. It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to approve a cooperative agreement with Milwaukee County related to community block grant funding. On a roll call vote, the motion carried unanimously.

24. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve a Business Associate Agreement between Milwaukee County Office of Emergency Management-Emergency Medical Services Division and Greenfield Fire Department as American Heart Association Training Site. On a roll call vote, the motion carried unanimously.

25. City Attorney's Report:

a. Resolution disallowing claim of Dennis Arciszewski

The City Attorney said it was the recommendation of the city's insurance carrier that this claim be

denied. If the person doesn't agree with the decision, it is his right to bring a suit.

The Mayor said he and Department of Neighborhood Services Director Jeff Katz have spoken about this claim at length. The Mayor asked that the city not take action on this item. The mayor asked if no action were taken, would it be a disallowance on its own? The City Attorney said if no action were taken, it would be a disallowance for inaction. The Mayor asked the City Attorney to discuss this claim further with Jeff Katz. This item will be placed on the **NEXT AGENDA**.

- b. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve Resolution No. 3601, disallowing claim of Ken Deres.

RESOLUTION NO. 3601

IT IS HEREBY RESOLVED by the Mayor and Common Council of the City of Greenfield that the claim made by KEN DERES, for loss/damages incurred to his left elbow during transport on November 10, 2016 is hereby disallowed. 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 six (6) months of the date of disallowance or be barred.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of June, 2017.

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 Akers, seconded by Alderperson Lubotsky, to go into closed session pursuant to Wisconsin Statutes, Section 19.85(1)(b) & (f) at 8:45 p.m. for the following:

Considering licensure, social or personal history, or medical information for purposes of issuing an operator license to Garrett M. Bushberger

On a roll call vote, the motion carried unanimously.

The Council did not go into closed session to consider the issuance of licenses involving the following, due to:

- ii. Angela M. Oliver was not in attendance.
- iii. Richard Lofgren is no longer employed at 123 Exteriors Inc.
(Direct Seller License) and should be **REMOVED FROM THE AGENDA**.

- d. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adjourn closed session and reconvene into open session. Motion carried unanimously.

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

- e. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the issuance of an operator's license to Garrett M. Bushberger. Motion carried unanimously.
 - f. No action necessary due to the explanation in Item #25c.
 - g. No action necessary due to the explanation in Item #25c.
26. Items for future agenda – closed session for personnel item.
27. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adjourn the meeting at 8:51 p.m.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: June 27, 2017