

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY
HALL ON TUESDAY, AUGUST 15, 2017

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 Akers | Present |
| | Aldersperson Saryan | Present |
| | Aldersperson Kastner | Present |

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

2. An opening prayer was given by Chaplain Leggett.
3. Pledge of Allegiance
4. It was moved by Aldersperson Lubotsky, seconded by Aldersperson Akers, to approve the July 18, 2017 Common Council minutes. Motion carried unanimously.
5. Mayor's Report

Mayor Neitzke announced Marshall's and Ulta are opening this week. Fresh Thyme has opened; parking issues are reported. Site work on parcel D has begun and Aurora has begun some preliminary grading and earth moving. An agreement is in place with a local bike shop to provide air stations and other services. An annual mini golf tournament will be held Saturday, August 19, 2017 to raise money for the Parks and Recreation Department; donations always accepted. Labor positions and other positions are available at the city.

6. Aldermanic Reports

Aldersperson Lubotsky reported the recent National Night Out was very successful and well-attended; she thanked volunteers, participants and the Greenfield Marching Band.

Aldersperson Bailey reported the City Forester has treated 190 ash trees thus far to protect from the Emerald Ash Borer, with a goal to treat 300 trees this year. Twelve trees were planted in a new walkway area in Konkel Park.

Mayor Neitzke reported the Greenfield School District is working on a plan to turn Glenwood Woods into a nature area with an educational component.

7. Announcements – none
8. Citizen Commentary – none

9. 7:05 p.m. Public Hearing for approval of a Special Use requested by Ann Bieringer, Little Light of Mine Childcare LLC, to open a daycare business in the former school portions of the Faith Bible Church at 4175 S. 112th Street. Tax Key #566-9982-001.

Notice of the public hearing was published in the city's official newspaper August 3, 2017. Chuck Erickson, Community Development Manager, said about 80 nearby property owners were also notified by mail. He showed a radius map and highlighted the layout plan, pictures, and information contained in the daycare proposal. The Plan Commission recommended approval of the Special Use.

The applicant, Ann Bieringer, registered in favor of the Special Use.

The following spoke:

Rose Anstedt, 4144 S. 112th St., said she is concerned with traffic and asked for a police patrol on Holly Lane because cars were speeding and "going airborne" on her hill again.

Julie Waystedt, 11330 W. Holly Lane, said her backyard abuts the church property. She asked about hours of operation, ages served by the daycare, and what areas would be used by the daycare business. She also asked if there would be an increase in enrollment during the summer.

Ann Bieringer, 7010 W. Wells St., said hours of operation will be 6 a.m. to 6 p.m., Monday through Friday. Ages served will be 0 to 6 years old. She did not anticipate an increase in summer enrollment and does not expect to add a summer program. Areas used by the daycare will include: two rooms, children's bathrooms, an outdoor playground, and possibly a kitchen area.

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

It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the Special Use requested by Ann Bieringer, Little Light of Mine Childcare LLC, to open a daycare business in the former school portions of the Faith Bible Church at 4175 S. 112th Street. Tax Key #566-9982-001. On a roll call vote, the motion carried unanimously.

COMMON COUNCIL TO TAKE ACTION ON THE FOLLOWING COMMITTEE REPORTS:

10. Board of Public Works meeting held on July 25 (Lubotsky)

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

Item #4 Approve an agreement with Jessica M. Wesley and John-Michael L. Sorenson, 4205 South 83rd Street, Tax Key # 570-8983-002 to permit a private fence to be installed in a city sanitary sewer easement subject to normal Building Inspection permitting requirements.

Item #6 Approve an amendment to Chapter 34.06 (3) of the Municipal Code relating to Grease Interceptor Maintenance (FOG Ordinance).

Item #7 Approve an ordinance creating parking restrictions on West Spring Green Road.

On a roll call vote, the motion carried unanimously.

Item #5 Adopt the 2025 Pavement Improvement Plan – after a short discussion, Mayor Neitzke asked this item to be placed **ON THE NEXT AGENDA** with the stipulation that the plan be provided to the alderpersons in advance.

Item #8 Approve an ordinance as written by the City Attorney to require a Tree Maintenance License and Insurance for tree services to do work in the City of Greenfield.

Mayor Neitzke said typically it is between the homeowner and the contractor as to whether the contractor is licensed and has insurance. He is not sure if other cities require this. Alderperson Kastner said the ordinance might force people to pay cash to hire whom they wish. City Attorney Roger Pyzyk was concerned about how the ordinance could be enforced. Alderperson Bailey said the City Forester is strongly in favor of the ordinance, due to safety concerns.

Tree Commission chairperson Joan Stevens said the commission has been working on this ordinance for several years. They would like to see other cities adopt a similar ordinance. Through licensing, they would like a list of companies to become available who have at least one certified person on staff, who have proper knowledge of what they are doing, and proper safety equipment and practices. She said someone in the company should have an ISA certification.

After further discussion, Mayor Neitzke asked that the ordinance be referred to the **BOARD OF PUBLIC WORKS** for further discussion with the City Forester present.

11. Finance & Human Resources Committee meeting held on July 26, 2017 (Saryan)

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

Item #3 Approve an agreement with Software Expressions, Inc. for an Electronic Health record proposal not to exceed \$20,000 for the Health Department

Item #4 Approve a job description for the Systems Administrator position in the Information Technology Department

Item #5 Approve setting the salary for the Systems Administrator position in the Information Technology Department

Item #6 Approve filling the Systems Administrator position in the Information Technology Department

Item #7 Schedules of disbursements in the amounts of \$346,952.21; \$1,050,025.14 and \$101,734.16

Item #8 Mileage reimbursements in the amount of \$1,344.68

Item #9 Investments and reinvestments in the amounts of \$18,262,924.70 and \$17,566,255.48

On a roll call vote, the motion carried unanimously.

12. Plan Commission meeting held on August 8, 2017 (Kastner)

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

Item #4 Approve a PUD Amendment and Site/Building/Landscaping Review for the adjacent parking structure for the Aurora Heath Center medical office building at 9000 W. Sura Lane, subject to Plan Commission and staff comments. Tax Key #606-9980-005.

Item #5 Approve a Certified Survey Map for 5400 S. 51st Street which would retain the one single-family lot fronting on 51st Street (+31K s.f.) and create an Outlot (+15K s.f.) in the rear or eastern portion of the existing parcel, subject to Plan Commission and staff comments. Tax Key #647-9960-001.

Item #6 Approve a Special Use Amendment in order expand the Bright Rainbow Academy daycare business at 3340 W. Loomis Road onto the immediately adjacent parcel at 3346 W. Loomis Road that Bright Rainbow Academy owns, subject to Plan Commission and staff comments. Tax Key #553-0435-001.

Item #7-b Approve a Special Use Amendment for T-Mobile to install six new antennas on the south cellular tower and place cabinets at the base of the existing rear yard fenced-in area of Bill's Auto Service at 4737 S. 108th Street, subject to Plan Commission and staff comments. Tax Key #612-8997-006.

On a roll call vote, the motion carried unanimously.

13. Finance & Human Resources Committee meeting held on August 9, 2017 (Saryan)

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

Item #3 Approve amending salary for the full-time Parks/Facilities Supervisor in the Parks and Recreation Department

Item #3a Approve Amendment, Intergovernmental Agreement for EMS Services 2017-2018

Item #4 Schedules of disbursements in the amounts of \$648,925.30; \$428,988.24, and \$4,878,008.16

Item #5 Mileage reimbursements in the amount of \$1,386.01

Item #10 Approval to recruit and hire a full-time Building Inspector for the Department of Neighborhood Services

On a roll call vote, the motion carried unanimously.

14. City Clerk's Report

Summons and complaint was received from Wal-mart Real Estate Business Trust v. City of Greenfield.

Mayor Neitzke said the city has retained private counsel.

15. Appointments to various committees and commissions:

a. Council appointments:

(1) A.D. #4

It was moved by Alderperson Akers, seconded by Alderperson Kastner, to confirm Alderperson Aker's appointment of Zachary Marshall, 4110 W. Carpenter Ave., as a member to the Park & Recreation Board for Aldermanic District 4 for a term to expire 5/31/21. Mayor Neitzke noted Mr. Marshall lives nearby in Aldermanic District 5. Historically, if the Common Council does not object, such appointments can be made even if the board member lives outside of the district. Motion carried unanimously.

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

Baraniak, Nicole J. – 6412 W. Lincoln Ave.
Doherty, Carolyn J. – 3479 Country View Dr.
Evans, Michaela J. – 3047 S. 46th St.
Fowler, Jennifer L. – 11200 W. Cleveland Ave.
Graham, Michael A. – 10378 S. St. Paul Dr.
Hankes, Steven A. – 5204 Raven Dr.
Hoffman, Roland J. – 13436 W. Marquette Dr.
Jacques, Lisa M. – 2240 S. 80th St.
Krueger, Jeremiah S. – 11809 Timberline Ln.

Martin, Melissa M. – 7883 S. Scepter Dr.
Mazur, Melissa L. – 4948 S. Heritage Dr.
Moreno, Joshua – 1800 W. Grant St.
Nieze, Keith A. – 33905 31st St.
Schmidt III, Henry J. – 3313 S. Delaware Ave.
Solis Aguirre, Blanca E. – 3872 S. Lake Dr.
Wallace, Carrie S. – 6620 W. Howard Ave.
Washington, Starlecia – 550 W. Riverwood Dr.

Motion carried unanimously.

17. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve the issuance of a Temporary Class "B" Retailer's License to the Harley Owners Group-Milwaukee Chapter to sell fermented malt beverages at "Inked" (an indoor event) on Saturday, September 30, 2017 from 11 a.m. to 4 p.m. at 6221 W. Layton Avenue. Motion carried unanimously.

18. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve a change of agent for Wal-Mart Stores East, LP, 10600 W. Layton Avenue, from Horace A. Gant to Anthony M. Floerke, 205 N. Hazel Street (Walmart #1394). Motion carried unanimously.

19. Department of Neighborhood Services

- a. It was moved by Alderperson Saryan, seconded by Alderperson Bailey, to approve Outdoor Special Event application from the G & J Partners LLC dba as the Edge Sports Bar, 5175 S. 27th St., for two events at this same location:
 - 1. Two-Year Anniversary Event on Saturday, Aug. 19, 2017;
 - 2. Charity Ride for Chrome Divas on Saturday, Sept. 9, 2017;Specific application for both events is for the following combination of licenses/permits: Extension of Premise for both Entertainment (music) and “Class B” Retailer (beer/liquor), and Building Permit (tent) (Erickson)

Motion carried unanimously.

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

- b. Approve Outdoor Special Event application for an Annual Friends Fest, as sponsored by Friends on FH LLC dba Friends, 5614 W. Forest Home Ave., on Friday, Sept. 1, 2017 and Saturday, Sept. 2, 2017; specific application is for the following combination of licenses/permits: Extension of Premise for both Entertainment (music) and “Class B” Retailer (beer/liquor), Temporary Food & Drink – outside, and Building Permit (tents)
- c. Approve Outdoor Special Event application for the “Morgan’s Ride for Alopecia” as sponsored by One Headlight Power Sports LLC dba the House of Harley-Davidson, 6221 W. Layton Ave., on Saturday, Sept. 9, 2017; 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)
- d. Approve Outdoor Special Event application for the “Survivor’s Lunch” event as sponsored by One Headlight Power Sports LLC dba the House of Harley-Davidson, 6221 W. Layton Ave., on Saturday, Sept. 23, 2017; specific application is for the following combination of licenses/permits: Entertainment – extension of premise (music), Temporary Class “B” Retailer (beer), and Commercial Building (tents)
- e. Temporary Use Request from Spirit Halloween LLC to use a portion of Spring Mall space at 4260 S. 76th St. (south building) for the purpose of doing retail sales of Halloween merchandise; Tax Key #571-8984-008

Motion carried unanimously.

- f. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adopt Ordinance No. 2871:

ORDINANCE NO. 2871

AN ORDINANCE AMENDING SECTION 8.08 OF THE
MUNICIPAL CODE OF THE CITY OF GREENFIELD

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

PART I. Section 8.08 of the Greenfield Municipal Code is hereby amended as follows:

No parking on either side on the street; anytime; on West Spring Green Road, from a point 410 feet northeast of the centerline of South 103rd Street, to the termination of West Spring Green Road.

PART II. The Superintendent of Public Works is hereby directed and authorized to place the appropriate signs to control traffic as indicated above.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 15th day of August, 2017.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- g. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Ordinance No. 2872:

ORDINANCE NO. 2872

AN ORDINANCE AMENDING CHAPTER 34 OF THE MUNICIPAL CODE
OF THE CITY OF GREENFIELD RELATING TO
GREASE INTERCEPTOR MAINTENANCE

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

PART I. Section 34.06(3) is hereby amended to read as follows:

(3) *Records.* Each food service facility shall maintain a copy of all cleaning and maintenance records on site. Cleaning and maintenance records must be retained for a period of no less than 3 years and made available when requested by the City of Greenfield. The cleaning and maintenance records shall include the following information:

- (a) Facility name, address, contact person, and phone number.
- (b) Company name, address, phone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap.
- (c) Types of maintenance performed.
- (d) Dates of maintenance performance.
- (e) Copies of hauler manifest.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 15th day of August, 2017.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

- h. Approve an ordinance as written by the City Attorney to require a Tree Maintenance License and insurance for tree services to do work in the City of Greenfield (Greenfield Tree Commission) (BPW 7/25/17) – referred back to the **BOARD OF PUBLIC WORKS**

20. City Attorney's Report:

- a. It was moved by Alderperson Bailey, seconded by Alderperson Kastner, to adopt Resolution #3603:

RESOLUTION NO. 3603

IT IS HEREBY RESOLVED by the Mayor and Common Council of the City of Greenfield that the claim made by MONIQUE McKINNEY, for loss/damages incurred to her vehicle on May 11, 2017 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 15th day of August, 2017.

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 at 7:46 p.m. pursuant to Wisconsin Statutes, Section 19.85(1) (g) for the following:

Discussion regarding Settlement Agreement between Broadstone MCW and the City of Greenfield (Miller)

Resolution disallowing claim of Dennis Arciszewski

On a roll call vote, the motion carried unanimously.

- c. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adjourn closed session and reconvene into open session at 8:15 p.m. Motion carried unanimously.
- d. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve the Settlement Agreement between Broadstone MCW and the City of Greenfield. On a roll call vote, the motion carried unanimously.
- e. Decision regarding resolution disallowing claim of Dennis Arciszewski – to be placed **ON THE NEXT AGENDA**.

21. Items for future agenda – budget, hiring 1 – 3 more police officers.

22. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adjourn the meeting at 8:17 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: August 17, 2017