

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON WEDNESDAY, FEBRUARY 21, 2018

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	Present
	Aldersperson Kastner	Present

ALSO PRESENT:	Jeff Katz	Dir./Neighborhood Services
	Roger Pyzyk	City Attorney
	Jennifer Goergen	City Clerk

2. An opening prayer was given by Associate Chaplain Dustin Little.

3. Pledge of Allegiance

4. It was moved by Aldersperson Saryan, seconded by Aldersperson Kastner, to approve the February 6, 2018 Council minutes.

Aldersperson Kastner asked Council to reconsider Agenda Item #10, Items #14 and #16, from the February 6, 2018 Council meeting:

Item #14 Approve a job description and salary for the Recreation Coordinator (Senior Adult/Volunteers) in the Parks and Recreation Department

Item #16 Approve filling the Recreation Coordinator (Senior Adult/Volunteers) position in the Parks and Recreation Department

Aldersperson Kastner thinks the job description is too narrow. After changing the former full-time position into 1 ½ positions, Aldersperson Kastner feels the former full-time employee only did the duties described in the Recreation Coordinator position 20% of the time. The city would be limiting the job skills for the Recreation Coordinator position to that 20%, and using a full-time person to do it, he said. He recommended sending these items back to the Finance & Human Resources Committee for broadening of the job duties, as they did not consider this aspect.

Aldersperson Lubotsky seconded the motion to reconsider Agenda Item #10, Items #14 & #16, from the February 6, 2018 Council meeting.

Aldersperson Lubotsky asked if Human Resources Director Bill Wingo had been consulted. Aldersperson Kastner said yes.

Mayor Neitzke said because the hiring process was so accelerated, there weren't as many applicants as desired. The direction from the Parks and Recreation Department is to make that position bigger, and the current job description is a bit narrow.

Alderson Lubotsky asked if they could consider making the position 30 hours a week or less to save money on paying benefits. Alderson Kastner said this could be explored.

Motion to reconsider Agenda Item #10, Items #14 & #16, from the February 6, 2018 Council meeting carried unanimously.

It was moved by Alderson Kastner, seconded by Alderson Akers, to send Agenda Item #10, Items #14 & #16, from the February 6, 2018 Council meeting back to the Finance & Human Resources Committee. Motion carried unanimously.

Motion to approve the minutes carried unanimously.

5. Mayor's Report – Mayor Neitzke said the bond rating meeting with Moody's would be held February 22, 2018.

At this time, Mayor Neitzke proceeded to Agenda Item #6.

Mayor Neitzke said he and Community Development Director Kristi Johnson attended a planning meeting in the Village of Greendale concerning Sears. Dick's Sporting Goods is going to go in there, facing 76th Street, and Score 9, a small bowling alley with other entertainment similar to Dave & Buster's, will be going in on the second floor of Sears, facing the movie theater.

At this time, Mayor Neitzke proceeded to Agenda Item #19.

6. Aldermanic Reports - none

7. Announcements - none

8. Citizen Commentary - none

COMMON COUNCIL TO TAKE ACTION ON THE FOLLOWING COMMITTEE REPORTS:

9. Board of Public Works meeting held on January 23, 2018

Jeff Katz, Director of Neighborhood Services, said the following items:

Item #6 Approve the release of a temporary easement for roadway purposes on West Spring Green Road (2/6/18 CC)

Item #7 Approve to release and extinguish three existing storm water drainage easements (Doc. No. 6388264, 6388265 & 6388270), being a part of Tax Key No's: 565-9990-005 & 565-9990-006 (2/6/18 CC)

need to go back to the Board of Public Works.

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

Item #4 Approve an ordinance to require a tree maintenance License and Insurance for tree services to do work in the City of Greenfield (2/6/18 CC)

Dennis Fermenich, City Forester, said the purpose of licensing is for safety. Now, he has no tools to protect citizens. The city requires licenses to groom a dog or provide massage services but now there are people moving thousands of pounds of wood over homes and the heads of people and many are uninsured and lack the complete knowledge and/or equipment to properly provide tree maintenance/removal service. Mr. Fermenich said he knows of a person who improperly used spikes to climb a tree, which could kill the tree, and had a ground crew “ranging between 10 and 13 years old” and he also lacked safety equipment.

As City Forester, he wants a tool to correct such situations – such as requiring proof of insurance, and use of safety equipment and procedures. He said he is looking for minimal standards, and wants licensing. He said We Energies would like proper procedures to be used to protect their electrical lines. He said his goal is safety, not to put people out of work. Homeowners can do work on their own property, but if they hire someone, the person should be licensed.

Aldersperson Kastner said homeowners should be asking contractors for proof of insurance. Most homeowners do not do so, Mr. Fermenich said, and his goal is more than just requiring insurance coverage.

Aldersperson Kastner asked if egregious problems could be reported to the United States Department of Labor, Occupational Safety and Health Administration (OSHA). Mr. Fermenich said you could try, but he has not seen an OSHA response to a residential complaint in 45 years. He said they will respond to a business-related issue, within a matter of several weeks.

Mr. Fermenich said licensing is not a new idea. The states of California, Florida, Louisiana, Maine, and Connecticut all require licenses for the entire state. Many other cities also require licenses, and this is the way the industry is hoping to go.

Mayor Neitzke asked how many cities in Wisconsin require tree maintenance licenses. Mr. Fermenich said there are none currently.

Aldersperson Saryan asked if there would be a license fee. Mr. Fermenich said a \$50 fee had been discussed for a 3-year license. He would also ask that license applicants be required to show proof of insurance and to follow certain safety standards. The problem is there are more “fly-by-night” contractors seeking to do tree work these days, especially with more work available due to the emerald ash borer. The basic issue is safety.

The safety standards would require if you are running a chainsaw on the ground, you must wear chaps, a hard hat, safety glasses and ear muffs; if you are running a chipper, it requires a hard hat, safety glasses or a safety shield, and you can’t leave a chipper running on the street without someone in attendance, and without proper marker cones on the streets. Other standards address safety procedures. City forestry work is the third most dangerous job in the country today. Crab fishermen and loggers are the only occupations that are rated as more dangerous, Mr. Fermenich said.

Aldersperson Saryan asked if the license would be required for hiring for work on trees of all sizes. Mr. Fermenich said the license would be required if a person is hired.

Aldersperson Kastner asked if the city would be liable if contractors didn't retain their insurance. City Attorney Roger Pyzyk said no.

Mayor Neitzke said he didn't know how the proposed ordinance could be enforced. He is also worried that Greenfield would be the only city in the state with this requirement. Why isn't there a free registry, which would be less intrusive?

The City Attorney asked who would enforce this ordinance? The police department doesn't have the resources to do so; the Department of Public Works would not have resources for policing on the weekends.

Mr. Fermenich said the goal is to stop the unsafe workers and to get them using proper equipment and procedures.

The City Attorney said homeowners should understand the risk and hire accordingly. Mr. Fermenich said homeowners are not well informed and aren't aware of the risks. If the ordinance were approved, he would have a listing of licensed tree contractors to provide to homeowners.

The City Attorney asked if public education could be done without need for the ordinance, via the city's website, perhaps by providing a listing that could show if tree contractors were bonded, insured, etc. Mr. Fermenich said he didn't think he could publicize a list of certified arborists. The City Attorney said a listing could be provided, not as a recommendation, but as a listing of certified arborists. Mayor Neitzke said he believes such a listing is available from the Wisconsin Department of Natural Resources.

Mr. Fermenich said grant funds could be used for outreach to publicize the ordinance and licensing requirements if the ordinance were approved.

The motion failed 2-3, with Alderspersons Bailey and Lubotsky voting yes and Alderspersons Akers, Saryan and Kastner voting no.

Mayor Neitzke said the idea of a registry could still be explored. Aldersperson Akers said she would be interested in seeing how neighboring communities such as New Berlin approach this issue.

10. Finance and Human Resources meeting held on January 31, 2018

Mayor Neitzke said the following item should be placed on the **NEXT AGENDA:**

Item #6 Approve an agreement with U.S. Bank to provide Procurement Card (P-Card) services to the city through the State of Wisconsin contract as a political subdivision (2/6/18 CC)

11. Plan Commission meeting held on February 13, 2018

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

Item #4A & 4B Approve a Special Use Permit and a Site Review for MOD Pizza, to be located at 8833 Sura Lane, subject to Plan Commission and staff comments. Tax Key No. 606-0053-004.

Aldersperson Kastner asked if they had applied for a beer and wine or liquor license. City Clerk Jennifer Goergen said not that she was aware of, but she would check on that.

Mayor Neitzke noted resolutions will be forthcoming in the future from the Community Development Department to list special use conditions for new businesses.

On a roll call vote, motion carried unanimously.

12. Finance and Human Resources meeting held on February 14, 2018

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

Item #3 Approve fund transfers between Engineering Division capital improvement accounts

Item #4 Approve revisions to the organizational chart for the Department of Neighborhood Services

Item #5 Approve a job description and salary for the Human Resources Generalist position within the Human Resources Department

Item #6 Approve filling the Human Resources Generalist position within the Human Resources Department

Item #7 Schedules of disbursements in the amounts of \$801,545.14; \$111,702.83; \$119,419.85; \$28,471,068.49; \$5,423.25 and \$4,635.87

Item #8 Mileage reimbursements in the amount of \$835.26

Under discussion, Aldersperson Kastner recommended that Mayor Neitzke do the interviewing for the hiring of the Human Resources Generalist.

On a roll call vote, motion carried unanimously.

13. Appointments to various committees and commissions:

The following is to be placed on the **NEXT AGENDA:**

Mayor appointments, confirmed by Council:

- a. One member to the Tree Commission for a term to expire 5/1/18
(formerly Rebecca Thorpe)

Aldersperson Lubotsky said she knows of someone who may be interested in serving.

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

Barbian, Kathleen A. – 1220 S. 74th St.
Bouras, Dino – 12804 W. Hampton Ave.
Boyle, Jay G. – 3862 S. Lake Dr.
Dietrich, Jason C. – 4666 S. 47th St.
Duchac, Peter K. – 141 Old Pine Cir.
Grotkiewicz, Nicholas C. – 4536 W. Tripoli Ave
Ignatowski, Cassandra H. – 2158 S. 111th St.
Jaskolski, Jeremy J. – 8966 W. Allerton Ave.
LaPlant, Gregory P. – 6138 Churchwood Cir.

Mikelson, Larissa J. – 1910 S. 94th St.
Rasmussen, Tony J. – 1437 N. Jefferson St.
Schkeryantz, Adam J. – 361 W. Swan Cir.
Seston, Sherry L. – 2114 N. 114th St.
Shaw, Hannah M. – 1731 N. 68th St.
Tsopelas, Julie A. – S83 W17446 Cedarcrest Ln.
Webber, Brittany L. – 2315 W. Oklahoma Ave.
White, Denise G. – 6210 S. 51st St.
Wozniak, Shannon L. – 10315 W. Greenfield Ave

Motion carried unanimously.

15. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve a Temporary “Class B” Retailer’s License for Whitnall Falcon Booster Club to sell fermented malt beverages and wine at Falcon Fest to be held indoors on April 21, 2018 from 4:00 p.m. to 11:00 p.m. in Jansen Fest Hall at 7215 W. Cold Spring Road. Motion carried unanimously.

16. Discussion of P-Card provider options and decision of vendor (Schafer) – to be placed on the **NEXT AGENDA**.

17. City Attorney’s Report

- a. Ordinance amending Section 9.13 of the Greenfield Municipal Code-Tree Preservation and Protection by creating Section 9.13(15) Requiring a Tree Maintenance License and Insurance

No action was taken on the ordinance, as a result of the Council’s earlier vote under Agenda Item #9, Item #4.

18. Items for future agenda – A proposed ordinance on dogs in the park will be brought to Parks and Recreation Board for a recommendation, then back to Legislative Committee, and then on to Common Council in April.

At this time, Mayor Neitzke returned to Agenda Item #5.

19. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adjourn the meeting at 7:45 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk