

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, MARCH 20, 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
	Kristi Johnson	Dir/Community Development Division
	Jennifer Goergen	City Clerk

2. An opening prayer was given by Pastor Joe McFadden.

3. Pledge of Allegiance

4. It was moved by Aldersperson Akers, seconded by Aldersperson Saryan, to approve the March 6, 2018 Council minutes. Motion carried unanimously.

5. Mayor's Report

Mayor Neitzke noted Department of Neighborhood Services Director Jeff Katz emailed him and alderpersons updating them on the status of various construction projects that are about to get underway.

At this point, the Mayor proceeded to Item #6.

*Mayor Neitzke said the ITT building was in bankruptcy court and received 2 bids. The winning bid was by the International Brotherhood of Electrical Workers Union. They want to turn it into a training facility. They have been in communication already with the Greenfield School District to have technical training opportunities there; Employ Milwaukee has also been involved.

At this point, the Mayor proceeded to Item #19.

6. Aldermanic Reports – Aldersperson Bailey reported the Tree Commission is concerned about trees needing removal due to the Emerald Ash Borer. About 25 trees have been removed from around 35th St. and W. Cold Spring Rd in the past month; a total of 80 diseased trees will be removed by the end of the summer. One hundred and forty trees of different varieties have been ordered for replanting. The replanting of trees around the W. Edgerton Ave. project has been delayed until fall. A list of trees that grow best in this climate is available on the city's website for interested residents. Aldersperson Bailey also announced Arbor Day is coming up Saturday, May 5, 2018 at Glenwood School. About 25 trees will be planted in that area. Finally, he said a newspaper article may be published about the history of forestry in Greenfield.

Aldersperson Kastner said he was dismayed by the removal of trees from the right of way of Highway 100 south of Layton Ave, due to a construction project. Aldersperson Bailey said he would look into it and report at the next Council meeting.

7. Announcements – none

8. Citizen Commentary - none

9. 7:05 p.m. Public hearing for approval of an ordinance to amend Section 21.04.0603 of the Municipal Code pertaining to Offices of All Other Misc. Health Practitioners. *[Council to consider action on this matter after the public hearing is closed.]*

No one spoke for or against the ordinance. A notice of public hearing was published in the Greenfield NOW on February 28, 2018 and March 14, 2018 and in the Milwaukee Journal Sentinel on March 8, 2018.

Kristi Johnson, Community Development Director, said the city's zoning code lists permitted uses and special uses based on a 6-digit code. Code 621399 is for "other personal care services" and these are permitted uses in all commercially-zoned districts. Massage therapist is one of the permitted uses under Code 621399, which means that a massage therapist can open an office in a commercially zoned district by passing an occupancy permit inspection – with no review required by the Community Development Division, the Plan Commission, or the Common Council.

Ms. Johnson said a variety of uses besides massage therapists – such as nurse practitioners – also fall under this 621399 code. She showed a 2-page slide of the various uses. The proposed ordinance would require these uses in the future to obtain a Special Use Permit, so that the city could regulate their hours of operation, parking, and other requirements – and could revoke their special use permit if they failed to comply with its requirements. Ms. Johnson said the Police Department is the impetus for the ordinance, because they are concerned about massage therapists and the possibility these businesses could veer off into other illegal activities.

Mayor Neitzke was concerned about dieticians, nursing call centers, respiratory therapists and other uses under the 621399 code all being required to obtain a special use permit, which could cause the council to be inundated with special use public hearings.

It was asked if a dental office currently requires a Special Use Permit, because of concern that the proposed change would include dental hygienists needing to obtain a Special Use Permit. Ms. Johnson said she would research this.

Aldersperson Lubotsky asked if the city could come up with a special code that would strictly be for massage therapists. Ms. Johnson said no, not the way the zoning code is set up currently, because the "other personal care services" category is based on a federal code.

Mayor Neitzke said per the news, foot massage businesses seem to be a way for prostitution to get in. He asked if there was a difference between foot massage and massage therapy. Ms. Johnson said they were disassociated. Also, massage spas are identified differently than massage therapy, she said. In Greenfield, massage spas and massage salons are already required to get Special Use reviews.

The Council decided to withhold making a decision on the proposed ordinance until they were able to consult with the City Attorney about whether the ordinance and the zoning code could be amended to target massage therapists only out of the “other personal care services” category for a new Special Use Permit requirement.

It was moved by Alderperson Akers, seconded by Alderperson Kastner, to close the public hearing. Motion carried unanimously. A decision on whether to approve the ordinance is to be placed on the **NEXT AGENDA**.

COMMON COUNCIL TO TAKE ACTION ON THE FOLLOWING COMMITTEE REPORTS:

10. Legislative Committee meeting held on February 19, 2018 (Bailey)

Item #5 Discussion and decision to adopt an ordinance amending Section 21.04.0603 of the Municipal Code pertaining to offices of all other misc. health practitioners. (Johnson)(LC 2/19/18) - to be placed on the **NEXT AGENDA**.

11. Plan Commission meeting held on March 13, 2018

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

Item #4A & 4B Approve a Special Use Permit and a Site Plan Review for Grate Modern Mac & Cheese, a proposed restaurant to be located within the 84 South development at 8871 Sura Lane, subject to Plan Commission and staff comments. Tax Key No. 606-0053-004.

Item #8 Approve a Certified Survey Map to divide an existing parcel located at 4475 S. 108 Street, subject to Plan Commission and staff comments. Tax Key No. 609-9994-013.

On a roll call vote, the motion carried unanimously.

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

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

Item #3 Approve a resolution amending Resolution No. 3532, which approved the 2016-2018 agreement between the City of Greenfield and the Police Supervisor’s Association

Item #4 Approve a PILOT (Payments in Lieu of Taxes) Agreement between the City of Greenfield and Milwaukee Habitat for Humanity Restore

Item #5 Approve agreement with Meijer Great Lakes Limited Partnership for acceptance sponsorship addendum

Item #6 Approve 2018 Wisconsin Parks and Recreation Association Theme Park Ticket Agreement

Item #7 Approve Software as a Service (SaaS) Agreement with VMSG Dashboard Performance Management System and the Greenfield Health Department

Item #8 Approve the revised job description of the Environmental Health Specialist in the Health Department

Item #9 Approve the transfer of funds from Quality of Life fund to IT CE1803

Item #10 Approve revising the 1/8/2018 rate table in the 2018 Non-Represented salary resolution for several positions due to incorrect rates listed

Item #11 Approve P-Card (Procurement Card) Associated Bank agreement

Item #13 Schedules of disbursements in the amounts of \$520,651.94; \$58,935.22; \$113,937.95; \$15,180,509.70 and \$384.24

Item #14 Mileage reimbursements in the amount of \$160.83

Item #15 Investments and reinvestments in the amounts of \$14,804,272.68 and \$16,982,270.94

On a roll call vote, motion carried unanimously.

13. City Clerk's Report

It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adopt Resolution No. 3628:

RESOLUTION NO. 3628

RESOLUTION APPOINTING ADDITIONAL ELECTION OFFICIALS FOR 2018-2019

WHEREAS, Wis. Stats. 7.30(4)(a) require the governing body to appoint election officials no later than the last regular meeting in December of each odd-numbered year for the 2018-2019 election cycle; and

WHEREAS, appointments were made at that time, but it has become necessary to appoint additional Election Inspectors to fill open positions at the polls;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the additional Election Inspectors for the 2018-2019 election cycle.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of March, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

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

14. Appointments to various committees and commissions:

Mayor appointments, confirmed by Council:

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

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

Dolkiewicz, Brittney M. – 4476 S. 5th Pl.
Gallagher, Jr., Derek M. – 545 N. 66th St.

Patel, Pooja R. – 4635 S. 20th St.

Motion carried unanimously.

16. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve a 2017-2018 Class “B” Beer license and 2017-2018 “Class C” wine license for Grate Concepts LLC, Ron Stokes, Agt., for the property located at 8871 W. Sura Lane (inside restaurant, beverage cooler, office, walk-in cooler and enclosed patio area) (Grate Modern Mac and Cheese). Motion carried unanimously.

17. City Attorney’s Report

- a. Adopt ordinance amending Section 21.04.0603 of the Municipal Code pertaining to offices of all other miscellaneous health practitioners (Legislative Committee 2/19/18) - to be placed on the **NEXT AGENDA**.
- b. It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to adopt Resolution No. 3629:

RESOLUTION NO. 3629

A RESOLUTION AMENDING RESOLUTION NO. 3532 WHICH APPROVED THE 2016-2018 AGREEMENT BETWEEN THE CITY OF GREENFIELD AND THE POLICE SUPERVISORS’ ASSOCIATION

WHEREAS, the Common Council of the City of Greenfield adopted Resolution 3532 on the 15th day of December 2015, and

WHEREAS, resolution 3532 was the 2016-2018 agreement between the City of Greenfield and the Police Supervisors’ Association containing the salaries and benefits, and

WHEREAS, the City has previously agreed to modify the residency requirement as provided for in the patrolman union contract, and

WHEREAS, the Common Council has previously eliminated a residency requirement for other employees other than those under a union contract,

NOW THEREFORE, BE IT RESOLVED that PART XV. RESIDENCY clause contained in the 2016-2018 agreement with the Police Supervisors' Association is hereby removed and eliminated; that all remaining terms and conditions contained in Resolution No. 3532 not changed by this resolution remain in full force and effect.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 20th day of March, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

- c. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to go into closed session at 7:29 p.m. pursuant to Wisconsin Statutes, Section 19.85(1)(c) for the following:

Discussion of specific personnel problems as related to personnel matters

On a roll call vote, motion carried unanimously.

- d. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to adjourn closed session and reconvene into open session at 8:32 p.m. Motion carried unanimously.

- e. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to proceed as directed regarding decision of specific personnel problems as related to personnel matters. Motion carried unanimously.

18. Items for future agenda – City Attorney issue

*At this point, the Mayor returned to Item #5 (Mayor's Report). **

19. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn the meeting at 8:37 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk