MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, APRIL 4, 2018

The meeting was called to order by Mayor Neitzke at 7:01 p.m.

1.	ROLL CALL:	Alderperson Lubotsky	Present
		Alderperson Bailey	Present
		Alderperson Akers	Present
		Alderperson Saryan	Present
		Alderperson Kastner	Present
	ALSO PRESENT:	Roger Pyzyk	City Attorney
		Jeff Katz	Dir./Neighborhood Services
		Jennifer Goergen	City Clerk

2. An opening prayer was given by Chaplain Leggett.

3. Pledge of Allegiance

4. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to approve the March 20, 2018 Council minutes. Motion carried unanimously.

5. Mayor's Report

Mayor Neitzke congratulated Alderpersons Kastner, Akers and Saryan for their re-election and City Attorney Roger Pyzyk for his election as Municipal Judge. A swearing in ceremony will be held April 17, 2018.

Mayor Neitzke issued a proclamation declaring the week of April 8 – 14, 2018 as National Public Safety Telecommunicators Week in the City of Greenfield.

6. Aldermanic Reports - none

7. Announcements – Alderperson Saryan said work on the W. Edgerton Ave. project from S. 27th St. to W. Loomis Rd. has begun and should be completed in 2 months. If residents notice any problems with the road, please report them so they can be corrected.

8. Citizen Commentary - none

9. Legislative Committee meeting held on February 19, 2018

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

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)

Alderperson Akers asked if the ordinance would apply to all miscellaneous health practitioners in the NAICS code specified in the ordinance. City Attorney Roger Pyzyk's legal opinion was that massage therapists could "be extracted" from the NAICS code (so that the special use requirement would apply to massage therapists located within the specified zoning districts, but not to the other miscellaneous health practitioners listed within that NAICS code). Motion carried unanimously.

10. Board of Public Works meeting held on March 27, 2018

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

Item #4 Adopt a final resolution, to levy special assessments, for the reconstruction of Midland Drive, Wilbur Avenue, 52nd Street and 53rd Street.

Item #6 Approve an agreement with Richard and Janice Narlow, 5191 South Honey Creek Drive, Tax Key No. 646-9960-005, to permit a fence to be installed in a City sanitary and storm sewer easement.

Item #7 Approve an agreement with Habibullah B. Sheikh and Yasmeen Sheikh, 3960 West Kimberly Avenue, Tax Key No. 692-1238-000, to permit new fence and existing private deck in City storm sewer easements.

Item #8 Adopt an ordinance to regulate the application and sale of coal tar or other sealant products that contain high concentrations of Polycyclic Aromatic Hydrocarbons (PAHs).

Alderperson Bailey said regarding Item #8, there are alternative products available at the same cost that do not have as detrimental of an effect on the environment. Other communities have banned these coal tar products also. Mayor Neitzke said Clean Water Wisconsin and the Milwaukee Metropolitan Sewerage District both have research information regarding coal tar products on their websites.

On a roll call vote, motion carried unanimously.

11. Finance and Human Resources Committee meeting held on March 28, 2018

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

Item #3 Approve a job description for Recreation Coordinator in the Parks and Recreation Department (Older Adults/Volunteers, Community/Special Events)

Item #4 Approve filling the Recreation Coordinator position in the Parks and Recreation Department (Older Adults/Volunteers, Community/Special Events)

Item #5 Approve a resolution amending the 2018 Non-Represented salary resolution

Item #7 Schedules of disbursements in the amounts of $173,842.93 and $383,341.08

Item #8 Approval of mileage reimbursements in the amount of $1,191.11

Item #9 Investments and reinvestments in the amounts of $14,820,188.59 and $16,833.535.20

Item #10 Accept December 2017 financial statement

On a roll call vote, the motion carried unanimously.

The following is to be placed on the NEXT AGENDA:

12. 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)

Mayor Neitzke said he will forward a list of upcoming appointments to the alderpersons, so they could be prepared to make their own appointments in a few weeks.

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

Brown, Tracy J. – 7230 W. Oklahoma Ave.
Garski, Shane M. – 1435 E. Parkside Dr.
Mettille, Anna M. – 5530 W. Forest Home Ave.
Mueller, Kailen R. – 2660 Cadbury Cir.

Motion carried unanimously.

14. Department of Neighborhood Services

a. Discussion/decision to accept lowest responsible bid and award contract for the installation of 50 street trees at various locations, Project 2018 #1 (Laskoski)

Department of Neighborhood Services Director Jeff Katz explained the difference between the two submitted bids was less than $300. The lowest bidder, who was used last year, required considerable oversight by the City Forester. The other bidder – which the city also has worked with previously – is considered more reliable, and follows the specifications with much less supervision. For this reason, he recommends the contract be awarded to Dan Larsen Landscaping Inc.

Alderperson Bailey asked if the City was required to select the lowest bidder. The City Attorney said the city is required to take the lowest responsible bidder, and the city adequately explained why they want to deviate from the lowest bidder.

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve a tree planting contract with Dan Larsen Landscaping Inc. in the amount of $13,631. In a roll call vote, motion carried unanimously.

b. Discussion and decision regarding a resolution approving a Development Agreement by and between the City of Greenfield and Cobalt Partners, LLC, for potential development of the area known as Loomis Crossing in the vicinity of I-894 and W. Loomis Rd. (Johnson)

Mayor Neitzke said there is an opportunity which may or may not come to fruition, but this provides an opportunity for Cobalt to put forth a vision for this site to see what they think can happen. It has been a very difficult site. The city previously put out a Request For Proposals for this site, but there was only one responsible applicant, who wanted to put a crime lab at the site. Other developers had a different vision for the property. Since then, there has been little interest in the site. There was an Illinois hotel developer who was interested, but he wanted to do things that weren't fiscally possible in Wisconsin with regard to room taxes. The proposed new agreement is for a longer term. It's a better agreement than the original agreement because the city is not sharing costs – the developer only is responsible for "due diligence" costs.

With regard to a proposal for a crime lab, a previous developer determined last year that the site wouldn't meet the state's technical requirements. Currently, it is unknown whether this still could be a possibility, according to Mayor Neitzke. The TIF plan would need to be revised to be consistent with any new development proposal. A crime lab would be tax exempt. Mayor Neitzke said his understanding is that tax revenues could be used initially, for the first 15 years, to pay off the bonds in the TIF district. It is done through an arrangement similar to a Payment In Lieu of Taxes. After 15 years, once the bonds are paid off, the property would be tax-exempt. Currently, the state does pay an allowance to local governments for state buildings within their jurisdictions, but this funding is not reliable and could be rescinded if legislators change the law.

Alderperson Lubotsky said there are some typos and other information that must be corrected in the proposed resolution supporting the Development Agreement. The City Attorney said he has not reviewed the resolution yet.

It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve Resolution No. 3631, pending the City Attorney's review and corrections:

CITY OF GREENFIELD
RESOLUTION NO. ____
DATE ADOPTED April 3, 2018

Resolution approving a Development Agreement by and between the City of Greenfield and Cobalt Partners, LLC, for potential development of the area known as Loomis Crossing in the vicinity of I-894 and W. Loomis Rd.

WHEREAS, the City of West Allis (the "City") is the owner of 4001 W. Loomis Rd., 4239 W. Loomis Rd. and 4253 W. Loomis Rd. (the "City Properties") (Tax Key Nos. 600-9960-004, 600-9958-001 and 600-9957-002); and,

WHEREAS, the City is party to a valid Memorandum of Understanding ("MOU") with the Wisconsin Department of Transportation ("WisDOT") for the possible future sale, purchase and redevelopment of

WisDOT property and the rehabilitation/reconstruction and possible relocation of a 300 space park and ride lot for a portion of the property located at Tax Key No. 600-0081-005 ("the WisDOT Property"), which expires July 1, 2019; and,

WHEREAS, the City Properties are listed for sale and the City has been approached by Cobalt Partners, LLC (the "Developer") who desires to redevelop the City Properties and the WisDOT Property pertaining to a Request for Proposal published by the Wisconsin Department of Administration (the "DOA"); and,

WHEREAS, the City wishes to create additional tax base and foster job creation for the City through the sale and redevelopment of the Properties and WisDOT Property; and,

WHERAS, the City supports the submission of the Developer's application and response to the DOA's Request for Proposal for purchase of vacant land or land for redevelopment located within Milwaukee County or eastern Waukesha County, due April 11, 2018 and desires to work in conjunction with the Developer for said Request for Proposal response and potential development of the Properties and the WisDOT Property.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A Development Agreement by and between the City of Greenfield and Cobalt Partners, LLC, for potential development of the area known as Loomis Crossing in the vicinity of I-894 and W. Loomis Rd.

2. The submittal of an application and response, in conjunction with Cobalt Partners, LLC, to the Wisconsin Department of Administration's Request for Proposal for purchase of vacant land or land for redevelopment located within Milwaukee County or eastern Waukesha County, due April 11, 2018 pertaining to the aforementioned City Properties and WisDOT Property.

3. That the Mayor, or his designee, is hereby authorized and directed to take any and all other actions on behalf of the City which he deems necessary or desirable in connection with the aforementioned Purchase and Sale and Development Agreement, including, without limitation, negotiating, executing, delivering and performing obligations under any and all documents in connection therewith including, without limitation, the sale of land, loan commitments, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements.

4. That the Mayor, or his designee, with the approval of the City Attorney, or his designee, is hereby authorized and directed to take any and all other actions deemed necessary or desirable by him to effectuate the intent of the project.

5. That the City Attorney be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey

maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, be and is hereby authorized and directed to execute and deliver the aforesaid Purchase and Sale and Development Agreement on behalf of the City of Greenfield.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 4th day of April, 2018.

APPROVED:

_____

Michael J. Neitzke, Mayor

ATTEST:

_____

Jennifer Goergen, City Clerk

Alderperson Lubotsky asked if there would be an ending date for the resolution.

Mayor Neitzke said the goal is to get the resolution in place to create the developer's agreement, which would be essentially the same as the agreement that was previously in place with Terrance Wall, except the city would not share costs and the term of the developer's agreement may not be as long. Wall's agreement was for 36 months; currently the city has control of the property until sometime in 2019 and is negotiating with the state to amend terms and to extend it. In talking with brokers and developers, this property isn't suitable for a big retail site, unless it is for a "one use" retail site, and that isn't going to cover the development costs. This isn't a mixed use site like the 84 South development, Mayor Neitzke said. It's probably best used as a corporate site, or for one or two offices, or less likely, for a hotel. With the coming Foxconn development, there could be some opportunity.

Alderperson Kastner said he'd like to give Cobalt an opportunity and see if the city could prosper.

Alderperson Bailey asked if the city had to solicit other proposals. Mayor Neitzke said he talked to the city's real estate attorney and since there was previously a Request For Proposals and since the property has been on the market so long, this is probably the right way to do it.

The City Attorney said the city can solicit other proposals but is not required to do so. In the past, the city department heads were begging for proposals and could not get anyone interested.

In a roll call vote, the motion carried unanimously.

The resolution as corrected and after review by the City Attorney follows:

RESOLUTION NO. 3631

A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF GREENFIELD AND COBALT PARTNERS, LLC,
FOR POTENTIAL DEVELOPMENT OF THE AREA KNOWN AS LOOMIS CROSSING
IN THE VICINITY OF I-894 AND W. LOOMIS RD.

WHEREAS, the City of Greenfield (the "City") is the owner of 4001 W. Loomis Rd., 4239 W. Loomis Rd. and 4253 W. Loomis Rd. (the "City Properties") (Tax Key Nos. 600-9960-004, 600-9958-001 and 600-9957-002); and,

WHEREAS, the City is party to a valid Memorandum of Understanding ("MOU") with the Wisconsin Department of Transportation ("WisDOT") for the possible future sale, purchase and redevelopment of WisDOT property and the rehabilitation/reconstruction and possible relocation of a 300 space park and ride lot for a portion of the property located at Tax Key No. 600-0081-005 ("the WisDOT Property"), which expires July 1, 2019; and,

WHEREAS, the City Properties are listed for sale and the City has been approached by Cobalt Partners, LLC (the "Developer") who desires to redevelop the City Properties and the WisDOT Property pertaining to a Request for Proposal published by the Wisconsin Department of Administration (the "DOA"); and,

WHEREAS, the City wishes to create additional tax base and foster job creation for the City through the sale and redevelopment of the Properties and WisDOT Property; and,

WHEREAS, the City supports the submission of the Developer's application and response to the DOA's Request for Proposal for purchase of vacant land or land for redevelopment located within Milwaukee County or eastern Waukesha County, due April 11, 2018 and desires to work in conjunction with the Developer for said Request for Proposal response and potential development of the Properties and the WisDOT Property.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A Development Agreement by and between the City of Greenfield and Cobalt Partners, LLC, for potential development of the area known as Loomis Crossing in the vicinity of I-894 and W. Loomis Rd.

2. The submittal of an application and response, in conjunction with Cobalt Partners, LLC, to the Wisconsin Department of Administration's Request for Proposal for purchase of vacant land or land for redevelopment located within Milwaukee County or eastern Waukesha County, due April 11, 2018 pertaining to the aforementioned City Properties and WisDOT Property.

3. That the Mayor, or his designee, is hereby authorized and directed to take any and all other actions on behalf of the City which he deems necessary or desirable in connection with the aforementioned Purchase and Sale and Development Agreement, including, without limitation, negotiating, executing, delivering and performing obligations under any and all documents in connection therewith including,

without limitation, the sale of land, loan commitments, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements.

4. That the Mayor, or his designee, with the approval of the City Attorney, or his designee, is hereby authorized and directed to take any and all other actions deemed necessary or desirable by him to effectuate the intent of the project.

5. That the City Attorney be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, be and is hereby authorized and directed to execute and deliver the aforesaid Purchase and Sale and Development Agreement on behalf of the City of Greenfield.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 4th day of April, 2018.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

15. City Attorney's Report

a. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Ordinance No. 2887:

ORDINANCE NO. 2887

AN ORDINANCE TO AMEND SECTION 21.04.0603 OF THE MUNICIPAL CODE PERTAINING TO OFFICES OF ALL OTHER MISCELLANEOUS HEALTH PRACTITIONERS

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

PART I. Subsection 21.04.0600 of the Greenfield Municipal Code is hereby amended to read as follows:

* * *

Table 21.04.0603
PERMITTED AND SPECIAL USES IN THE
NONRESIDENTIAL ZONING DISTRICTS

		Zoning District Classification											HPO	AO	FW	FF	GFP	SW
NAICS12	INDEX ITEM DESCRIPTION	C-1	C-2	C-3	C-4	C-5	O	BP	M-1	I	PR	PUD	{a}	{b}	{c}	{c}	{c}	{d}
621399	Offices of All Other Misc. Health Practitioners	S	S	S	S	S	S	S				S						

* * *

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 4th day of April, 2018.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

On a roll call vote, the motion carried unanimously.

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers to adopt:

b. RESOLUTION NO. 3632

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 MIDLAND DRIVE, SOUTH 52ND STREET, SOUTH 53RD STREET, ALLEYS, AND WEST WILBUR AVENUE
PROJECT 2015 #4

WHEREAS, The Common Council heretofore determined by Preliminary Resolution No. 3627 adopted March 6, 2018, 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 Midland Drive, South 52nd Street, South 52rd Street, Alleys, and West Wilbur Avenue, Project 2015 #4; 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 27th day of March, 2018 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 Midland Drive, South 52nd Street, South 52rd Street, Alleys, and West Wilbur Avenue, Project 2015 #4, 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 October 2, 2019 or [2] the entire amount plus interest computed at 3.69% from October 2, 2019 may be placed on your 2019 tax bill; or [3] in ten (10) annual installments, as provided for by Section 66.0715(3) Wisconsin Statutes, with interest thereon at 3.69% per year on the unpaid balance beginning October 2, 2019. All assessments will be collected in installments except such assessments which are paid in full to the City of Greenfield on or before October 2, 2019. The first installment shall be entered in the 2019 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 4th day of April, 2018.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

_____

Jennifer Goergen, City Clerk

and

c. **ORDINANCE NO. 2888**

AMENDING CHAPTER 9 OF THE CITY OF GREENFIELD CODE OF ORDINANCES REGULATING THE APPLICATION AND SALE OF COAL TAR SEALANT PRODUCTS

WHEREAS, the City of Greenfield, finds that the City's water resources are a natural asset, which enhance the environmental, recreational, cultural and economic resources of the area and contribute to the general health and welfare of the public; and

WHEREAS, the City of Greenfield finds that polycyclic aromatic hydrocarbons (PAHs), which are contained in coal tar sealants and other high PAH sealants, volatilize off sealed pavement and can be inhaled by humans and animals; are broken down by sunlight and abraded by vehicle and foot traffic; can be carried off of sealed pavement as small particles by that same traffic and transported into homes and onto nearby soils; and can be carried by storm water and other run off into the water resources of the City; and

WHEREAS, PAHs are an environmental concern because they are toxic to aquatic life, resulting in a loss of species and a lower number of organisms; and

WHEREAS, PAH compounds have been proven to be carcinogenic, mutagenic, and teratogenic to humans according to the International Agency for Research on Cancer; individuals with lifelong exposure to coal-tar sealcoat treated pavements and playgrounds have a 38-fold higher risk of cancer; and the American Medical Association

therefore advocates for legislation to ban the use of pavement sealcoats that contain PAHS or require use of sealcoat products that contain minimal PAH; and

WHEREAS, environmental impacts and human health risks can be minimized and pavements can be maintained by utilizing alternative products or methods, absent PAHs; and

WHEREAS, the City of Greenfield finds that regulating the amount of contaminants, including Polycyclic Aromatic Hydrocarbons (PAHs) contained in coal tar sealant products and other high PAH sealant products, entering the water resources of the City will improve and protect public health and the water quality of the City and neighboring water resources;

NOW, THEREFORE, BE IT ORDAINED by the City of Greenfield Common Council, as follows:

PART I. Section 9.14 is hereby created to read as follows:

COAL TAR SEALANT PRODUCTS

(1) DEFINITIONS.

(a) COAL TAR is a byproduct of the process used to refine coal. Coal tar contains high levels of polycyclic aromatic hydrocarbons (PAHs).

(b) COAL TAR SEALANT PRODUCT means a pavement sealant product that contains coal tar, coal tar pitch, coal tar pitch volatiles, RT-12, Refined Tar or any variation assigned the Chemical Abstracts Service (CAS) numbers 65996-92-1, 65996-93-2, 65996-89-6, or 8007-45-2 or related substances.

(c) HIGH PAH SEALANT PRODUCT means any pavement sealant product that contains greater than 0.1% polycyclic aromatic hydrocarbons (PAHs) by weight, including, but not limited to, coal tar sealant products and sealant products containing steam-cracked petroleum residues, steam-cracked asphalt, pyrolysis fuel oil, heavy fuel oil, ethylene tar, or any variation of those substances assigned the chemical abstracts service number 64742-90-1, 69013-21-4 or related substances.

(d) PAVEMENT SEALANT PRODUCT, or sealcoat, is any substance that is typically applied on paved surfaces to protect the surfaces. This may include but is not limited to sealant products that are coal tar or asphalt based.

(e) POLYCYCLIC AROMATIC HYDROCARBONS (PAHs) are a group of organic chemicals that are formed during the incomplete combustion of coal, oil, gas, or other organic substances, are present at high levels in coal tar, and are known to be harmful to humans, fish, and other aquatic life.

(2) ENFORCEMENT.

(a) Violations of this ordinance will be enforced by the City of Greenfield.

(3) REGULATION OF THE APPLICATION AND SALE OF COAL TAR OR OTHER HIGH PAH SEALANT PRODUCTS.

(a) No person shall apply any coal tar sealant product or high PAH sealant product within the City of Greenfield.

(b) Except as provided in Section (4) (Exemptions), No person shall sell, offer to sell, or display for sale any coal tar sealant product or high PAH sealant product within the City of Greenfield.

(c) Any person who sells pavement sealant products shall prominently display, in the area where such pavement sealant products are sold, a notice that contains the following language: "The application of coal tar sealant products or other high PAH sealant products on driveways, parking lots and all other paved surfaces in the City of Greenfield is prohibited by Chapter 9.14 of the City of Greenfield Code of Ordinances. Polycyclic Aromatic Hydrocarbons (PAHs), are a group of organic chemicals that are known to cause cancer and are toxic to aquatic life. Coal tar and other high-PAH sealant products are a major source of PAHs that can travel into homes, buildings, and soils, or be carried by stormwater and other run off into the water resources of the City of Greenfield.

(d) No person shall allow a coal tar sealant product or other high PAH sealant product to be applied upon property that is under that person's ownership or control.

(e) No person shall contract with any commercial applicator, residential or commercial developer, or any other person for the application of any coal tar sealant product or high PAH sealant product to any driveway, parking lot, or other surface within the City of Greenfield.

(f) No commercial applicator, residential or commercial developer, or other similar individual or organization shall direct any employee, independent contractor, volunteer, or other person to apply any coal tar sealant product or high PAH sealant product to any driveway, parking lot, or other surface within the City of Greenfield.

(4) EXEMPTIONS.

(a) A person is exempt from the requirements of Chapter 9.14(3)(b) if they do not intend to apply the sealant within City of Greenfield boundaries.

(5) PENALTY.

(a) Any person who violates Chapter 9.14(3) by applying a coal tar sealant product or high PAH sealant product at his or her residence shall be subjected to a fine not to exceed $500.

(b) Each day that a violation occurs or continues is a separate offense and subject to an additional fine.

(c) Any commercial sealant product applicator, residential or commercial developer, industrial or commercial owner, or any other person, other than a person identified under sub. (a) above, who violates Chapter 9.14(3), shall be subject to a fine of not less than $1,000 nor more than $10,000. Each incidence of a violation shall constitute a separate offense. Upon default of payment, the violator shall be subject to imprisonment for not less than 30 days nor more than 100 days.

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 4th day of April, 2018.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

and

d. RESOLUTION NO. 3633

RESOLUTION AMENDING RESOLUTION NO. 3612 TO SET THE SALARIES AND BENEFITS OF NON-REPRESENTED AND COMMAND STAFF EMPLOYEES OF THE CITY OF GREENFIELD FOR 2018

RESOLVED, By the Common Council of the City of Greenfield, that the resolution to set the salaries and benefits of non-represented and command staff employees of the City of Greenfield for 2018 is amended as follows:

Effective January 8, 2018

Position	Start (Hourly)	1 Year (Hourly)	2 Year (Hourly)	3 Year (Hourly)	4 Year (Hourly)
Effective February 6, 2018, add the following position:					
Graphics Coordinator	$22.15	$22.53	$22.93	$23.34	$23.78
Effective February 21, 2018, add the following position:					
Human Resources Generalist	$28.79	$29.80	$30.84	$31.93	$33.05

Effective March 6, 2018 amend the 1/8/2018 hourly wage schedule as follows:

Effective 1/08/2018 (2% increase)	START (hrly)	1 YEAR (hrly)	2 YEAR (hrly)	3 YEAR (hrly)	4 YEAR (hrly)
ACCOUNTANT	25.27	26.15	27.06	28.01	28.99
ADMINISTRATIVE ASSISTANT	25.62	26.52	27.45	28.41	29.41
ADMINISTRATIVE ASSISTANT - P&R	24.88	25.74	26.64	27.58	28.55
ADMINISTRATIVE ASSISTANT - MAYOR/HR	28.79	29.80	30.84	31.93	33.05
ASSESSMENT CLERK	20.52	**20.95**	21.29	21.61	22.09
ASSESSMENT CLERK W/ CERT	21.14	**21.58**	21.93	22.26	22.76
ASSISTANT COURT CLERK	22.15	**22.53**	22.93	23.34	23.78
CLERK SPECIALIST	22.72	**23.10**	23.52	23.95	24.36
CLERK/TYPIST	20.52	**20.95**	21.29	21.61	22.09
COURT CLERK	22.72	**23.10**	23.52	23.95	24.36
DEPUTY CITY CLERK	28.79	29.80	30.84	31.93	33.05
DISPATCH COORDINATOR	25.62	26.52	27.45	28.41	29.41
ELECTRICAL/PLUMBING/BLDG INSP W/ <4 CREDENTIALS	31.53	32.63	33.77	34.96	36.17
ELECTRICAL/PLUMBING/BLDG INSP W/ >5 CREDENTIALS	33.45	34.61	35.82	37.08	38.37
ELECTRICAL/PLUMBING/BLDG INSP W/ 4-5 CREDENTIALS	32.47	33.61	34.78	36.00	37.26
EMERGENCY DISPATCHER	23.10	**23.80**	24.56	25.25	26.12
ENGINEERING SPECIALIST	25.62	26.52	27.45	28.41	29.41
ENVIRONMENTAL HEALTH SPECIALIST	29.96	31.02	32.09	33.21	34.37
FABRICATOR/MECHANIC	27.95	28.93	29.94	30.99	32.07
FINANCE CLERK	20.52	**20.95**	21.71	22.03	22.53
GIS TECHNICIAN	23.35	24.16	25.01	25.89	26.80
GIS TECHNICIAN, SENIOR	29.23	30.25	31.31	32.41	33.54
LABORER	18.98	19.65	20.34	21.04	21.79
OPERATOR	23.35	24.16	25.01	25.89	26.80
P/T ACCOUNTING ASSOCIATE	22.34	**22.74**	23.21	23.50	23.89
P/T CLERICAL (GRANDFATHERED)	20.52	**20.95**	21.71	22.03	22.53
P/T CLERK-TYPIST (AFTER 5/15/15)	14.36	14.86	15.38	15.92	16.48
P/T COMMUNITY SERVICE OFFICER (FIXED RATE)	14.00				
P/T FIRE MARSHALS	21.23				
P/T INTERGOVERNMENTAL SANITARIAN SPECIALIST	29.96	31.02	32.09	33.21	34.37
P/T IT SPECIALIST	$14-$16				
P/T PARK & REC FOREMAN	15.03	15.48	15.99		
P/T PARK & REC LABORER	13.19	13.63	14.12		
P/T PUBLIC HEALTH ASSOCIATE	18.73				
P/T PUBLIC HEALTH NURSE	29.96	31.02	32.09	33.21	34.37
P/T PUBLIC HEALTH PROGRAM ASSISTANT	22.34	**22.74**	23.21	23.50	23.89
P/T TRANSCRIPTIONIST (FIXED RATE)	17.00				
POLICE CLERK TYPIST	21.15	**21.60**	21.92	22.28	22.77
PUBLIC HEALTH NURSE	29.96	31.02	32.09	33.21	34.37
PUBLIC SAFETY EQUIPMENT SPECIALIST	26.73	27.67	28.64	29.64	30.68
SECRETARY	22.72	**23.10**	23.52	23.95	24.36
SENIOR OPERATOR	27.51	28.47	29.47	30.50	31.57
WORKING FOREMAN	38.19				

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 4th day of April,

2018.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

_____

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

16. Items for future agenda – Mayor Neitzke said resolutions setting the salary and benefits of City Prosecutor and City Attorney will be considered at the next Finance Committee meeting. Alderperson Lubotsky asked about status of considering hiring additional police officers. Alderpersons Kastner and Saryan said the Finance Committee is waiting for more information from the Police Department. Mayor Neitzke said the goal might be to have a referendum in November on this issue.

17. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adjourn the meeting at 7:43 p.m. Motion carried unanimously.

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Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: April 10, 2018