

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, MAY 1, 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:	Brian Sajdak	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 Aldersperson Akers, seconded by Aldersperson Bailey, to approve the April 17, 2018 Council minutes. Motion carried unanimously.

5. Mayor's Report

Mayor Neitzke reappointed Jeff Cavett and John Nehm as joint Weed Commissioners. He reported the city received a \$10,000 grant for trees obtained by GIS/Web Tech Renee Rollman. He welcomed Brian Sajdak as the new City Attorney.

6. Aldermanic Reports – none.

7. Announcements – Mayor Neitzke said the Farmers Market will be starting soon. The pavilion at Konkel Park will be ready sometime in May. Arbor Day is May 5 at Glenwood School at Glenwood Woods. Little League opening day is also May 5 at Kulwicki Park. The city is receiving two grants from the Milwaukee Metropolitan Sewerage District to address Wildcat Creek erosion issues between the bridge and Highway 100.

At this time, Mayor Neitzke proceeded with Agenda Item #9.

8. Citizen Commentary –

Speaking against lifting the ban on dogs in city parks were:

Donald Lee Carlson, 5082 W. Colonial Ct, said he was a dog lover. He noted recent dog attacks reported in the newspaper, and said they illustrate the unpredictability of dogs and the irresponsibility of some dog owners. He said there could be many unvaccinated dogs in Greenfield. Due to sanitation, safety and

health concerns, he would like the current ban to remain in place. Prohibiting dogs in the parks only during certain events or only in certain areas would be confusing and difficult to enforce. There are county parks in Greenfield where people can walk their dogs without needing to lift Greenfield's ban. The Parks and Recreation Board is against lifting the ban.

Brian Drow, 6216 W. Plainfield Ave., said he was speaking for a family of dog owners. The proposed ordinance would be difficult to enforce, and the police department is overburdened. He is concerned about the elderly. People like to go to the parks for quiet, not to hear barking dogs.

Stefanie Richter, 3920 S. 124th St., said she has talked to many people who do not want dogs in Konkel Park. There are dog parks and many other places where people can walk their dogs. The issue is that many owners do not leash their dogs or pick up after them. The ordinance will be confusing because it allows dogs on some days, but not others. Are taxpayers willing to pay for enforcement? This is not about liking or not liking dogs; it's about preserving the beauty, sanitation and safety of Konkel Park.

Jeanette Janasik, 4560 S. 51st St., agreed with the previous two speakers. Poodles and terriers won't be the only dogs in the park – there will be German shepherds, pit bulls, Siberian Huskies, and other breeds. She has talked to people who come to Konkel Park specifically because dogs are not allowed. Children need a place to safely play and feel comfortable.

Russell Richter, 3920 S. 124th St., said Konkel Park is the jewel of the city's park system. There are many events now and as these grow in frequency, there would be fewer times when dogs would be allowed in the park. Listen to the Park and Recreation Committee and Board of Health and don't lift the ban.

*At this time, Mayor Neitzke proceeded with Agenda Item #9 (Item #5)**

9. Legislative Committee meeting held April 16, 2018

Item #5 Discussion and decision to adopt an ordinance amending Section 10.19(1) of the Municipal Code allowing dogs in parks on a leash

Ald. Bailey gave a brief overview of the impetus for the proposed ordinance, which would allow dogs on leashes in a path in parks, excluding picnic areas, children's play areas, athletic fields, the Farmer's Market, and during various festivals and concerts. Twenty-two out of 28 communities in our area allow dogs on a leash. Greenfield is one of the few areas that don't allow dogs on leashes in the park. The ordinance fines people who don't pick up after their dogs. He urged the Council to pass the ordinance.

At this time, Mayor Neitzke proceeded with Agenda Item #8, Citizen Commentary.

***It was moved by Ald. Bailey, seconded by Ald. Lubotsky, to adopt an ordinance amending Section 10.19(1) of the Municipal Code allowing dogs in parks on a leash.**

Under discussion, Ald. Akers said the consensus of the Board of Health was that dogs should not be allowed. She said of the emails and phone calls she has received, about 75% want the ban to be retained. She said she has grown up with dogs but there are enough dog owners who are not responsible about picking up after their dogs to cause her to support the ban; the police or park employees should not have to

enforce this ordinance. It would be too confusing for people to know when they could and could not bring their dogs to Konkel Park. Maybe there are other parks in the city that would be better sites for allowing dogs. There are too many events at Konkel Park. People would not follow the proposed rules the way they are supposed to.

Aldersperson Lubotsky said pets are permitted in state parks. West Allis is opening an eatery to welcome customers walking or jogging with dogs. There are over 100 “pet friendly” restaurants in Milwaukee alone. The city can communicate via its website and in other ways to let residents know when events are occurring and dogs are prohibited. She doesn’t see what the big deal is about having dogs on leashes at the park. Most pet owners are responsible and vaccinate their dogs. They should be allowed to have their dogs in designated areas.

Aldersperson Bailey said most other communities allow dogs on leashes – Greenfield is not “inventing the wheel.” Let’s try this for a year, he said. If there are problems, the ordinance could be reconsidered next spring.

Discussion ensued about service dogs, which are and would still be allowed under the proposed ordinance.

Mayor Neitzke reiterated the proposed ordinance would apply to all city parks.

City Attorney Brian Sajdak clarified that only service dogs for hearing or sight-impaired individuals would be allowed – not “comfort dogs” for people with anxiety or other issues.

Aldersperson Akers said residents from other communities could bring their dogs into Greenfield’s parks also. Dogs should not be allowed in Konkel Park. Who will enforce this?

City Attorney Sajdak suggested some amendments to the ordinance related to headings, numbering and other wording. **Aldersperson Bailey and Lubotsky accepted his amendments to their motion.** (Note: amendments are shown by strike through and underline in Agenda Item 17b).

Aldersperson Kastner said people still would be required to have their dogs on leashes and to have something to collect their feces on any city property – including city sidewalks. Mayor Neitzke noted the fine for violating the ordinance would be \$100, instead of the current \$350.

Scott Jaquish, Parks and Recreation Director, suggested the prohibitions be by location, rather than by event. For example, prohibit dogs in certain areas such as those listed in the ordinance plus the amphitheater, so that signage can be put up.

City Attorney Brian Sajdak said other communities probably allow dogs across the board, rather than prohibiting them only during certain events. Other communities’ parks may not have as many events as Konkel Park. In his view, volleyball areas are included in the ban against dogs in athletic areas. Allowing time to go through the ordinance more closely might be beneficial.

Mayor Neitzke said this is an issue without middle ground. The ordinance needs to be crystal clear about what it says; otherwise people with opposing views will interpret it differently.

Alderson Bailey said Greenfield's ordinance is modeled after Milwaukee County's with generic language except for the added prohibition against dogs during Dan Jansen, Fourth of July, and concert in the park events.

Alderson Lubotsky said it will be a learning curve for residents to learn the new rules, but they will become familiar with them.

On a roll call vote, the motion carried 3-2 with Aldersons Lubotsky, Bailey and Kastner voting yes; Aldersons Akers and Saryan voting no.

At this time, Mayor Neitzke proceeded to Agenda Item 17b.

Item #6 Motion was made by Alderson Bailey, seconded by Alderson Lubotsky, to adopt an ordinance creating Section 11.08 of the Municipal Code relating to vehicle theft prevention. On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded to Agenda Item 17c.

10. Finance and Human Resources Committee meeting held on April 25, 2018 (Saryan)

Motion was made by Alderson Saryan, seconded by Alderson Bailey, to approve the following:

Item #4 Schedules of disbursements in the amounts of \$105,103.46; \$286,229.92 and \$500.00

Item #5 Mileage reimbursements in the amount of \$589.66

Item #6 Investments and reinvestments in the amounts of \$19,464,094.52 and \$16,473,130.44

On a roll call vote, motion carried unanimously.

11. City Clerk's Report

- a. Amended Notice of Injury and Claim for Damages received from the law offices of Thomas E. Hayes on behalf of his clients, the Estate of Nicholas O'Brien, Stephanie Coolidge and J.O., the minor child of Nicholas O'Brien was referred to city's insurance company.
- b. It was moved by Alderson Akers, seconded by Alderson Lubotsky, to award the bid for publishing of Council proceedings, legal notices, display ads, sample ballots, and other matter set in a display format to NOW Newspapers based on the bid submitted and designate the Southwest NOW as the City's official newspaper:

Mayor Neitzke complained about lack of local news coverage, and the cost of publishing legal notices when there are other methods of disseminating information to citizens.

On a roll call vote, motion carried 4-1, with Aldersons Lubotsky, Bailey, Akers, and Saryan voting yes; Alderson Kastner voting no.

12. Appointments to various committees and commissions:

- (1) Motion was made by Alderperson Akers, seconded by Alderperson Lubotsky, to confirm the Mayor's appointment of Terry Krell as a member to the Tree Commission for a term to expire 5/1/20 for the position vacated by Rebecca Thorpe. Motion carried unanimously.
- (2) One alternate member to the Tree Commission for a term to expire 5/1/20 (formerly Terry Krell) – to be placed on the **NEXT AGENDA**

13. Durgha LLC, 7640 W. Forest Home Avenue, requests an amendment to the premise description on its Combination "Class B" Beer and Liquor License from "Kitchen, dining room, cooler and behind counter" to "Kitchen & dining room & cooler and behind counter and patio outside." (Indian Village Restaurant) – to be placed on the **NEXT AGENDA**

14. It was moved by Alderperson Bailey, seconded by Alderperson Lubotsky, to approve the issuance of the following licenses to expire June 30, 2019, subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges:

14a.

2018-2019

CLASS "A" FERMENTED MALT BEVERAGE LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
4710 LLC, Vimal Kapila, Agt. (Andy's on Hwy. 100) (first floor walk-in cooler)	4710 S. 108 th Street
JTT Enterprises, Inc., Judith A. Schwartz, Agt. (Layton Petro Mart) (sales floor, back room, cooler)	12345 W. Layton Avenue.
Kamal Food LLC, Kamaljit K. Sidhu, Agt. (Paul's Gas & Food) (cooler display floor)	4306 W. Layton Avenue
Liberty Express Inc., Balfit Kler, Agt. (Liberty Express Mart) (Walk-in cooler, reach in cooler, back room for storage)	6745 W. Forest Home Ave.
Walgreen Co., Ronald M. Heite, Agt. (Walgreens #04827)(drug store with sundries in a one-story building of 13,905 sq ft)	4688 S. 108 th Street
Welk's Automotive Service, Inc., Lynn M. Welk, Agt. (convenience store, sale area and coolers)	8333 W. Layton Avenue

14b.

2018-2019

COMBINATION "CLASS A" FERMENTED MALT BEVERAGE & LIQUOR LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Gajjar Corporation, Ashok K. Gajjar, Agt. (Villager Food Mart) (first floor)	6845 W. Layton Avenue
Jaystores, LLC, Jigar U. Chaudhari, Agt. (Coldspring Liquor) (walk-in coolers and shelves)	6115 W. Cold Spring Road

Kamal Food LLC, Kamaljit K. Sidhu, Agt. (Paul's Wine & Liquor) (cooler shelves, floor display)	4415 W. Loomis Road
Meijer Stores Limited Partnership, Jennifer Hill, Agt. (Meijer Store #292) (1 room, 1 story, approximately 150,000 sq. ft. Product is located in coolers and on shelves in the Grocery and Fresh Foods. Overstock is located on the pallets in receiving area. Records and receipts are located in administrative offices at front of store.)	5800 W. Layton Avenue
Pari Investment, LLC, Manpreet Kaur, Agt. (Forest Home Beer and Liquor) (first floor, basement storage)	5612 W. Forest Home Avenue
Rays Butcher Shoppe Inc., Raymond A. Konkel, Agt. (Rays Butcher Shoppe Inc.) (6,000 sq. ft. building, sold in store, stored in back room locker)	4640 W. Loomis Road
Sendik's Greenfield, LLC, Theodore T. Balistreri, Agt. (Sendik's Food Market) (sold on sales floor, stored in secure area, and brought to designated parking stalls for pickup)	7901 W. Layton Avenue
Wal-Mart Stores East, LP, Anthony M. Floerke, Agt. (Walmart #1394) (one room, one story, approximately 148,000 sq. ft.)	10600 W. Layton Avenue

14c.

2018-2019

"CLASS A" LIQUOR LICENSE (CIDER ONLY)

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
JTT Enterprises, Inc., Judith A. Schwartz, Agt. (Layton Petro Mart) (sales floor, back room, cooler)	12345 W. Layton Avenue

14d.

2018-2019

CLASS "B" FERMENTED MALT BEVERAGE LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Balistreri Brothers Pizza, LLC, Sherry L. Balistreri, Agt. (Balistreri Brothers Pizza) (restaurant with small cooler in front)	3815 S. 108 th Street
Grate Concepts LLC, Ron A. Stokes, Agt. (Grate Modern Mac and Cheese) (inside restaurant, beverage cooler, office, walk-in cooler and enclosed patio area)	8871 W. Sura Lane
Kyoto Corporation, Gui Q. Chen, Agt. (Kyoto Restaurant) (3,000 sq. ft. one story building)	7453 W. Layton Avenue
Portillo's Hot Dogs LLC, Jacqueline D. Stanley, Agt. (Portillo's Hot Dogs)(Patrons may only purchase beer at the bar/catering area, with the keg under the counter and properly labeled beer tap handles. There is no bar service to tables in the restaurant. Consumption of the beer is on the premises in the main dining room and outdoor patio. The storage of beer inventory is in the walk in cooler on the premises. The records regarding alcohol will be kept at the corporate office at 2001 Spring Rd., Suite 400, Oak Brook, IL 60523)	8705 W. Sura Lane
United Seniors of Wisconsin, Inc., Carolyn L. Clements, Agt. (United Seniors of Wisconsin, Inc.) (bingo hall)	4515 W. Forest Home Avenue

14e.

2018-2019

COMBINATION “CLASS B” FERMENTED MALT BEVERAGE & LIQUOR LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
4353 Ltd. Piper Music Palace, Derek M. Paikowski, Agt. (Organ Piper Pizza) (first floor dining, kitchen, and storage)	4353 S. 108 th Street
Calk Enterprises, Inc., Tamira L. Calk, Agt. (Grainger’s Pub and Grill) (first floor bar with storage in basement)	3400 W. Loomis Road
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
Dan-El Corp., William J. Sorensen, Agt. (Gas Lite West) (first floor and basement)	4305 S. 84 th Street
GD Classic, Inc., Gina L. Daroszewski, Agt. (Classic Lanes Greenfield) (bowling center with 16 lanes, billiards, bar, video games, storage in basement, coolers, and locked liquor room)	5404 W. Layton Avenue
G & J Partners, LLC, Gregory C. Grabowski, Agt. (The Edge Sports Bar) (first floor for bar & records, basement for beer, patio for beer garden)	5175 S. 27 th Street
GMRI, Inc., Jason M. Mannino, Agt. (The Olive Garden Italian Restaurant #1226) (sold in dining room and bar area - one story masonry building with basement and stucco exterior)	4760 S. 76 th Street
Grand Japanica, Inc., Yongbin Wu, Agt. (Grand Japanica Inc.) (dining area, bar, walk-in area, cooler, storage cabinet)	4918 S. 74 th Street
Grire Southridge, LLC, Benjamin W. Cruz, Agt. (On the Edge Bar & Grill) (two room bar & kitchen attached to health club)	6815 W. Edgerton Avenue
Hwy. 100 Bar & Grill, Inc., Jeffrey M. Willms, Agt. (Club Paragon) (main bar, party room, storage rooms, patio, basement)	3578 S. 108 th Street
Longshots, Inc., Donald D. Habermehl Jr., Agt. (Longshots Sports Bar) (bar, backroom, basement)	5045 W. Loomis Road
Meyer’s SM Restaurant Inc., Francesco A. Purpora, Agt. (Meyer’s Restaurant) (banquet halls, bar and restaurant and back office)	4260 S. 76 th Street, Suite D
MJL, LLC, Marc J. Lovora, Agt. (Laveers) (first floor and basement)	5105 W. Cold Spring Road
The New Drift Inn, Inc., Donna J. Halaska, Agt. (The New Drift Inn) (tavern, basement storage, main level)	8302 W. Forest Home Avenue
PrimeTime Tap LLC, Nicholas E. Marking, Agt. (The Brass Tap)(2,800 s.f. strip mall bar with 700 sq. ft. patio)	7808 W. Layton Avenue
Romine’s High Pockets, Inc., Terry B. Romine Jr., Agt. (Romine’s High Pockets Inc.) (brick building, 24,000 sq. ft., cooler in back, beer garden)	6125 S. 27 th Street
Schneiders Corner Club, LLC, Kathleen A. Schneider, Agt. (Corner Club) (beverage sales at 4309 W. Grange Ave. – share common hallway – liquor and beer storage in basement of 4311 W. Grange Ave. Also patio in back southwest corner of building for smokers – No basement under the bar.)	4309 W. Grange Avenue
Team R n’ B Wisconsin LLC, Peter J. Benedict, Agt. (Famous Dave’s)(all of building w/full bar & 188 seats)	5077 S. 27 th Street

TMS Catering, Inc., Thomas J. Schmitz, Agt. (Carls Catering) (two bars – one in each hall, one beer cooler, one storage room)	5110 W. Loomis Road
T.T.M.T. Inc., Tom S. Tsopelas, Agt. (Genesis Restaurant) (restaurant)	3740 S. 108 th Street
Twinz Inn, Inc., Natalie C. Placke, Agt. (Scott E's Pub) (entire main floor, patio, basement)	3800 S. 108 th Street
Wisconsin Athletic Club, LLC, Chezare Misko, Agt. (Wisconsin Athletic Club) (28,000 sq. ft. space with the actual liquor kept in a locked cabinet in the common area of the club. The selling of the liquor occurs primarily in the summer months outside by outdoor pool (Memorial Day through Labor Day). Liquor is also used for special events, which primarily occur in our group exercise and multipurpose rooms. The records showing the purchase of the alcohol beverages are stored on site as well as at the business office of the Wisconsin Athletic Club, 10840 W. Rogers St., West Allis, WI 53227)	5020 S. 110 th Street
Yee, Yee, HoLeon & HoLeon (Lychee Garden Restaurant) (first floor bar and restaurant, basement for storage)	7920 W. Layton Avenue

14f. 2018-2019
RESERVE COMBINATION "CLASS B" FERMENTED MALT BEVERAGE & LIQUOR LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Habaneros of Greenfield, Jessica A. Escamilla, Agt. (Habaneros of Greenfield) (dining room, bar, patio, kitchen, restrooms)	7700 W. Layton Avenue

14g. 2018-2019
"CLASS C" WINE LICENSE

<u>NAME</u>	<u>BUSINESS ADDRESS</u>
Balistreri Brothers Pizza, LLC, Sherry L. Balistreri, Agt. (Balistreri Brothers Pizza) (restaurant with small cooler in front)	3815 S. 108 th Street
Kyoto Corporation, Gui Q. Chen, Agt. (Kyoto Restaurant) (3,000 sq. ft. one story building)	7453 W. Layton Avenue

Motion carried unanimously.

15. It was moved by Alderperson Saryan, seconded by Alderperson Bailey to establish the 2018 Sewer Service Rates as proposed in the 2018 Budget. On a roll call vote, motion carried unanimously.

16. Department of Neighborhood Services

- a. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Ordinance No. 2893:

ORDINANCE NO. 2893

AN ORDINANCE TO REPEAL SUBSECTION 1.61(6) OF THE MUNICIPAL CODE

PERTAINING TO DESTRUCTION AND PRESERVATION OF PUBLIC RECORDS

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

PART I. Subsection 1.61(6) of the Greenfield Municipal Code is hereby repealed.

1.61 DESTRUCTION AND PRESERVATION OF PUBLIC RECORDS.

* * *

(6) Police Dispatch, Telephone and Radio Transmission Tapes.

(a) All audio tapes containing dispatch calls, telephone conversations and radio transmissions shall be maintained for a period of one hundred twenty (120) days after the date of recording.

(b) If the tapes contain material related to a pending criminal case or if the Police Department has received notice of a civil claim related to material on said tapes within one hundred twenty (120) days of the recording, the tapes shall be maintained until such matter is resolved or seven (7) years from the recording date, whichever is sooner.

* * *

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 1st day of May, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

- b. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event permit for the Harley Spring Open House Party event, at 6221 W. Layton Ave., May 12, 2018. Application includes the following combination of licenses/permits: Temporary Class "B" Retailer's License (beer), Extend Licensed Premises (live music), Direct Seller's License, Food, and Commercial Building/Electrical. Motion carried unanimously.
- c. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event permit for the Harley Ride to End Dog Fighting event, at 6221 W. Layton Ave., June

23, 2018. Application includes the following combination of licenses/permits: Temporary Class “B” Retailer’s License (beer), Extend Licensed Premises (live music), Food, and Commercial Building/Electrical. Motion carried unanimously.

- d. It was moved by Alderperson Lubotsky, seconded by Alderperson Saryan, to approve an Outdoor Special Event permit for the Ragnar Relay Chicago 2018 event, on the Oak Leaf Trail, Root River Parkway, and Alan Kulwicki Park, May 18-19, 2018. Application includes the following combination of licenses/permits: Parade License. Motion carried unanimously.

17. City Attorney’s Report

- a. It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to adopt Resolution No. 3640:

RESOLUTION NO. 3640

IT IS HEREBY RESOLVED by the Mayor and Common Council of the City of Greenfield that the amended claim (Amended Notice of Injury and Claim for Damages) made by THE ESTATE OF NICHOLAS O’BRIEN, STEPHANIE COOLIDGE and J.O., THE MINOR CHILD OF NICHOLAS O’BRIEN, as presented by their attorney THOMAS E. HAYES, for an incident involving a City of Greenfield police officer on March 1, 2018, 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 1st day of May, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded to Agenda Item 17d

- b. It was moved by Alderperson Lubotsky, seconded by Alderperson Bailey, to adopt Ordinance No. 2891, as amended by the City Attorney (amendments shown by strike through and underline):

ORDINANCE NO. 2891

AN ORDINANCE REPEALING AND RECREATING SECTION 10.19 OF THE GREENFIELD MUNICIPAL CODE

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

PART I – Section 10.19 Municipal Code is hereby repealed and recreated to read as follows:

“Section 10.19

(1) Animals not allowed in parks; when; exceptions.

No animal, except those placed in the parks by the authority of the director of parks or as otherwise permitted within this Section (10.19 Municipal Code) shall be allowed at any time.

(2) Dogs ~~prohibited~~ allowed in certain areas; conditions.

(a) No person having the ownership, control or care of a dog shall permit such dog to enter or remain in a public park unless it be attached by a leash of sufficient strength not more than six (6) feet in length, and then only within such areas in parks as allowed herein.

~~(3)~~(b) **Dogs not permitted:** No dogs, whether on a leash or not, shall be permitted at any time in picnic areas, children’s play areas, athletic fields or in the Farmer’s Market. No dogs shall be allowed in ~~the parks~~ during the annual Dan Jansen Festival, Fourth of July events and concert in the park events, and other special events.

~~(4)~~(3) No owner or caretaker of any animal may permit or suffer the animal to be at large on any park or park land ~~except as provided for in this section~~. Any animal found at large in any park or on any park land shall be deemed to be so with the permission or at the sufferance of its owner or caretaker. Any adult person, alone or together with other adults, may seek relief from animals at large by a complaint to any peace officer setting forth the specific date and approximate time an animal of a particular owner was observed by them to be at large.

~~(5)~~(4) **Animal litter.** No owner or caretaker of any dog may appear with the animal on or in any park without a shovel, scoop, bag or other items for the removal of fecal matter. The owner or caretaker of an animal shall immediately, after deposit of fecal matter on such premises, remove all fecal matter by shovel, scoop, bag or other item and properly wrap and deposit the fecal matter in a waste container upon his/her own premises or in a container ~~designed~~ designated for such purpose.

~~(6)~~(5) **Exceptions:** The prohibitions relating to dogs shall not pertain to service dogs or dogs that are necessary and required by any person having a hearing or sight impairment or disability.

~~(7)~~(6) **Penalty:** Any person who shall violate this section shall be subject to a penalty of a minimum of \$100.00, and not more than \$1,000.00, per violation.”

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 1st day of May, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried 3-2 with Alderpersons Lubotsky, Bailey and Kastner voting yes; Alderpersons Akers and Saryan voting no.

At this time, Mayor Neitzke proceeded with Agenda Item #9 (Item #6)

- c. Motion was made by Alderperson Bailey, seconded by Alderperson Saryan, to adopt Ordinance No. 2892:

ORDINANCE NO. 2892

AN ORDINANCE CREATING SECTION 11.08 OF THE MUNICIPAL CODE
RELATING TO VEHICLE THEFT PREVENTION

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

Part I: Section 11.08 of the Municipal Code of the City of Greenfield, Wisconsin, is hereby created to read as follows:

11.08 Motor Vehicle Theft Prevention

(1) Applicability.

- (a) This section shall apply to any business engaged in the sale, service, rental or storage of motor vehicles and any business that maintains three or more fleet vehicles.

(2) Key Control and Security.

- (a) Operators shall take adequate measures to secure motor vehicle keys and key fobs by securing them in a locked safe, lockbox or locked cabinet during those hours when the business is not open to the public.
- (b) During business hours, operators shall employ adequate key control procedures so as to prevent the easy access to vehicle keys by unauthorized persons.

- (c) After-hours key drop boxes shall be constructed and secured in such a way as to prevent access to keys except by authorized personnel.
- (d) Vehicle keys shall not be left in vehicles.
- (3) Penalty. Except as otherwise provided, any person who violates any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in section 25.04 of this Municipal Code.
- (4) Owner Liability for Investigation and Recovery.
 - (a) In addition to any other penalties, the owner of any vehicle stolen due to the failure to comply with this section shall be responsible for the law enforcement costs of investigation and recovery of the vehicle.

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 1st day of May, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded with Agenda Item #10

- d. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to go into closed session at 8:00 p.m. pursuant to Wisconsin Statutes, Section 19.85(1) (b) & (f) for the following:

Applications for licenses received to expire June 30, 2019 (approval of licenses should be subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges). Note: The Police Department requested that the establishments related to i. below be placed on a separate list from those associated with Item #14 above.

- i. Combination “Class B” Fermented Malt Beverage & Liquor Licenses

On a roll call vote, motion carried unanimously.

- e. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to adjourn closed session at 8:29 p.m. and reconvene into open session. Motion carried unanimously.
- f. Decision regarding applications for licenses received to expire June 30, 2019 (approval of licenses should be *subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges*).
- i. Combination “Class B” Fermented Malt Beverage & Liquor Licenses

City Attorney Sajdak said the Common Council is considering non-renewal of the licenses discussed in closed session. These applicants should contact his office with a plan that gives the Council “some level of confidence” that there will not continue to be problems if their licenses are renewed. He recommended they contact the Tavern League regarding a program to help identify best practices to prevent future problems. The Council may decide whether to renew these licenses at their upcoming meetings on May 15, 2018 or June 19, 2018.

Mayor Neitzke recommended applicants contact the City Attorney with a remediation plan “as soon as you can.” It is troubling that those with repeat offenses – who have received “last chance” warnings previously – are continuing to have issues, he said.

18. Items for future agenda – further discussion regarding potential license non-renewals

19. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn the meeting at 8:33 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: May 3, 2018