

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, JULY 17, 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	Director of Neighborhood Services
	Kristi Johnson	Community Development Manager
	Jennifer Goergen	City Clerk

2. An opening prayer was given by Chaplain Leggett.

3. Pledge of Allegiance

4. It was moved by Aldersperson Bailey, seconded by Aldersperson Akers, to approve the June 19, 2018 Common Council minutes. Motion carried unanimously.

5. It was moved by Aldersperson Bailey, seconded by Aldersperson Akers, to approve the June 26, 2018 special Common Council minutes. Motion carried unanimously.

6. It was moved by Aldersperson Kastner, seconded by Aldersperson Akers, to approve the July 11, 2018 special Common Council minutes. Motion carried unanimously.

7. Mayor's Report – The Greater Greenfield Chamber of Commerce is seeking members.

8. Aldermanic Reports – Aldersperson Bailey said the Tree Commission is sponsoring a photography contest and a booth at the Farmer's Market to let people know about the status of trees in Greenfield and how to treat for the Emerald Ash Borer.

9. Announcements - none

10. Citizen Commentary – Citizens provided commentary under Agenda Items 11 and 12.

11. 7:05 p.m. Public hearing on proposed Special Use Permit for Calvary's Christian Academy Early Childhood Center, a proposed daycare, located at 3131 S. 100th St., submitted by Shelina Harvey, d/b/a Resurrection Power Ministries. (Tax Key No. 524-8996-002)

Community Development Manager Kristi Johnson said the current church and school would like to add a daycare offering two shifts, serving an estimated 79 children from birth to 13 years old, operating from 6 a.m. to 11 p.m. It would provide transportation and a dedicated pick-up/drop-off site. Members also use

public transportation. Required off-street parking spaces per code for the church, school and daycare are 253. The applicant has provided a letter of intent related to leasing a We Energies lot for 5 years on the east side of S. 100th St. that would provide about 115 parking spaces, in addition to the 34 existing parking spaces at the site. The lease would start September 1, 2018. The remaining required parking spaces could be waived under the Special Use Permit. If the lease expires, the daycare could not continue its operation because the lease is tied to the required parking for the daycare. Ms. Johnson showed the layout. No objections have been received.

Registering in favor but not speaking were:

Betty Benson, 1720 N. Commerce St., #319
Angela Colbert, 3402 N. 57th St.
Jane Carol Schulz, 11910 W. Mill Rd., #11
Darrol Gibson Sr., 7033 W. Kathryn Ave.
Lonnnette Shaw, 2415 N. 20th St.
Rosie Harvey, 9175 W. Sura Ln.
Gerald Heolasek, 4958 S. 20th St.
Denise Johnson 2913 N. 59th St.

Kea Gibson, 7033 W. Kathryn Ave.
Verna Robinson, 410 Whistle Drive, Hartford
Dustin Taylor, 3630 N. 2nd St.
Tina Taylor, 3630 N. 2nd St.
Robert Miller, 222 S. 3rd St.
Precious Jackson, 4601 S. 1st St., #125
Daniel Stewart, 5317 N. 37th St.
Shelina Harvey, 3131 S. 100th St.

No one registered or spoke against the proposal.

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

At this time, Mayor Neitzke proceeded to Agenda Item #13 (Item #16A and Item #16B)

COMMON COUNCIL TO TAKE ACTION ON THE FOLLOWING COMMITTEE REPORTS:

12. Plan Commission meeting held on February 13, 2018

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to take the following item off of the table:

Item #2C Approve the Site, Landscaping and Architectural Review of Pearson Point, a proposed multi-family development, to be located at 11800 W. Beloit Road, subject to plan commission and staff comments. Tax Key No. 565-9955-007. *[tabled at 4-17-18 CC meeting]*

Motion carried unanimously.

Community Development Manager Kristi Johnson said the applicant has reduced the 48-unit apartment proposal by 6 units, to 42 units. It was previously proposed as three 16-unit buildings; now it is three 14-unit buildings.

Mayor Neitzke confirmed nearby property owners required to be notified by law of the previous council meeting were also notified by mail of tonight's meeting.

Will Wang, the developer, said they have revised their plans, done community outreach and secured an investor and loan. Raymond Chou, design architect, said attempts were made to contact all of the residents within a 400-foot radius and provide them with more information. Gross density has been reduced to 6.46, which is 20% below the maximum density allowed for this property. The traffic impact is not measurable, because not all residents would arrive or leave at the same time. An acceleration lane was added on W. Beloit Rd. for people turning right leaving the property; and a deceleration lane was added for people turning right entering the property. For people wanting to make a left turn into the property, a bypass lane was added.

The developer has offered to extend the deceleration lane to benefit the 2 neighbors who share a driveway to the west of their project, relocate their mailbox, rebuild a culvert near them, and pave the approach. He has also offered to plant evergreens to visually shield the project from neighbors on W. Beloit Rd. and W. Cold Spring Rd.

Mr. Chou said the project would have little visual impact, and showed pictures to make his point. The closest structure on W. Wooded Ct. is 280 feet away, separated by dense woods, and the closest neighbor on W. Cold Spring Rd. is 350 feet away. Mr. Chou said the project would contribute \$75,000 in impact fees, and about \$100,000 a year in taxes.

Community Relationship Manager Mary Claire Lanser was hired by the developer. She said she spoke to 28 people at 59 properties and provided information to nearby residents. There was also a neighborhood meeting on 6/27/18 attended by 14 people. Concerns included traffic and deer and some would prefer to see condos instead of apartments.

Under commentary, Victor Kryzanek, 11829 W. Beloit Rd., said he was concerned about his property value decreasing. He requested 8-foot trees along a nearby property line bordering the project to create a visual shield.

The following registered under citizen commentary, but did not speak: Randall Krueger, 11821 W. Beloit Rd., and from the developer's team: Rob Williams of TDI Associates and Wayne Higgins of Traffic Engineering Services.

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to approve the Site, Landscaping and Architectural Review of Pearson Point, as described.

Mayor Neitzke said specific items the developer agrees to would be included in a developer's agreement between the city and the developer. If the city does not develop wisely and keep increasing its tax base, it can get into trouble. He would rather see luxury apartments than a failed project like Northridge.

Council discussed that this motion would mean approving the developer's original, higher density plan. The motion failed on a 5-0 vote.

At this time, Mayor Neitzke proceeded to Agenda Item 25.

13. Plan Commission meeting held on June 12, 2018

Item #11A & #11B It was moved by Ald. Kastner, seconded by Alderperson Akers, to approve a Certified Survey Map to combine two existing parcels and a portion of a third parcel located at 8300 W. Layton Avenue (formerly 8302 W. Forest Home Avenue & 8222 W. Forest Home Avenue), and the Site, Landscaping, Architectural and Floor Plans for a proposed credit union, submitted by Abbegail Sivwright, d/b/a La Macchia Group, subject to Plan Commission and staff comments. Tax Key Nos. 605-0169-000, 605-0170-000 and 605-0165-002. (6/19/18 CC). On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded with Agenda Item #12.

Item #16A – 16B.

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

Approve a Special Use Permit for Calvary's Christian Academy Early Childhood Center, a proposed daycare to be located at 3131 S. 100 St., submitted by Shelina Harvey, d/b/a Resurrection Power Ministries. (Tax Key No. 524-8996-002)

Approve a Site Plan for Calvary's Christian Academy Early Childhood Center, a proposed daycare to be located at 3131 S. 100 St., submitted by Shelina Harvey, d/b/a Resurrection Power Ministries. (Tax Key No. 524-8996-002)

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded to Agenda Item #22a.

14. Board of Public Works meeting held on June 26, 2018

Item #4 It was moved by Alderperson Lubotsky, second by Alderperson Akers, to approve an ordinance amending Section 8.04 of the Greenfield Municipal Code regarding a parking zone reserved for persons with disabilities at 4660 South 51st Street. Motion carried unanimously.

Mayor Neitzke then proceeded to Agenda Item #25d.

15. Finance and Human Resources Committee meeting held on June 27, 2018

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

Item #3 Approve the City of Greenfield 2017 Financial Statements and Independent Auditor's Report and Baker Tilly Virchow Krause, LLP management letter.

Item #5 Approve disbursements in the amount of \$435,202.56.

Item #6 Approve mileage reimbursements in the amount of \$8.83.

Item #7 Approve the investments and reinvestments as \$18,503,599.73 and \$14,622,820.81.

Item #8 Accept the April and May 2018 financial statements.

Item #9 Approve transfer of remaining balances from capital projects “2014 AED’s,” “2015 Portable Radio Batteries,” and “2017 Portable Radio Batteries” to project “2017 Emergency Dispatch Console”.

Item #10 Approve an ordinance modifying Section 3.12 (5) (a) & (c) of the Municipal Code changing permit fees for driveway and right-of-way permits.

Item #11 Approve fund transfers between Engineering Division capital improvement accounts.

Item #12 Approve revising the job description for the position of Laborer within the Department of Neighborhood Services.

Item #13 Approve a rate of pay for the position of Laborer without a Commercial Driver’s License.

Item #14 Approve creating the job description of Planner, within the Department of Neighborhood Services Community Development Division.

Item #15 Approve salary for the Planner position within the Department of Neighborhood Services Community Development Division.

Item #16 Approve recruiting and hiring for the Planner position within the Department of Neighborhood Services Community Development Division.

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded with Agenda Item #16 (Item 8A & 8B)

16. Plan Commission meeting held on July 10, 2018

Item #4A & #4B It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to approve the Revised Site, Landscaping and Architectural Plans for Pearson Point, a proposed multi-family development, to be located at 11800 W. Beloit Road, subject to Plan Commission and staff comments, and subject to comments made this evening and since the 4/17/18 public hearing with regard to density and all those other things, Tax Key No. 565-9955-007. Motion carried unanimously.

Mayor Neitzke then proceeded to Agenda Item #14.

Item #8A & #8B It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the Special Use Review and Site, Landscaping and Architectural Plans for Eagle Automotive Services, a new automotive repair facility to be located at 3320 W. Howard Avenue, subject to Plan Commission and staff comments, with the conditions of sealing the parking lot and that the east property fence remain, and stipulating that one of three specified colors be chosen. Tax Key No. 553-8999-000. On a roll call vote, motion carried unanimously.

Item #10 It was moved by Alderperson Lubotsky, seconded by Alderperson Saryan, to approve the Site, Landscaping, Architectural and Signage Appeal Plans for McDonald's Restaurant remodel, an existing business located at 4275 S. 27th Street, subject to Plan Commission and staff comments. Tax Key No. 576-9977-003. Motion carried unanimously.

Item #11 It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the Site, Landscaping, Architectural and Signage Appeal Plans for McDonald's Restaurant remodel, an existing business located at 4550 S. 108th Street, subject to Plan Commission and staff comments. Tax Key No. 608-9995-007. Motion carried unanimously.

Item #12 It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the Site, Landscaping and Architectural Plans for an addition to Nolan Accounting, an existing business located at 4262 S. 108 Street, subject to Plan Commission and staff comments. Tax Key No. 567-9971-004. Motion carried unanimously.

Item #14 It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve a Certified Survey Map to divide an existing parcel located at 4761 S. 35 Street, subject to Plan Commission and staff comments, without granting the applicant's request to waive the planning review fee. Tax Key No. 621-9996-000. On a roll call vote, motion carried unanimously.

Mayor Neitzke noted the city had approved a certified survey map in 2014 to divide the property into three lots, but the owner never followed through with filing the certified survey map, so it needs now to be readdressed.

17. City Clerk's Report

- a. Resignation received from Steve Rogers from the Board of Review
- b. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adopt Resolution No. 3647:

RESOLUTION NO. 3647

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 and Election Registration Officials (EROs) 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 and Election Registration Officials (EROs) for the 2018-2019 election cycle.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Motion carried unanimously.

18. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

(1) One member to the Public Library Board for a term to expire 7/1/21 (formerly Susan Waldoch) - to be placed on the **NEXT AGENDA**

(2) It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to confirm Zachary Marshall, 4110 W. Carpenter Ave., as a member to the Board of Review for a term to expire 5/1/19. Motion carried unanimously.

19. It was approved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve issuance of an operator license to the following:

Cabrera, Ivette G.-6948 Crocus Ct.
Campos, Julie L.-3707 S. 34th St.
Case, Christopher J.-3223 S. 14th St.
Chung, Zachary K.-5988 S. Kurtz Rd.
Clancy, Maureen A.-4919 N. Hollywood Ave.
Cocher, Jorge S.-1706 Spruce Ct.
Cordova, Karen M.-1830 W. Meinecke Ave.
Coronado, America S.-1948 N. 2nd St.
Crisman, Alexander-2865 N. Cramer St.
Diaz, Hugo O.-3815 S. Clement Ave.
Evans, Michaela J.-3047-A s. 46th St.
Garcia, Jacob E.-4556 S. Lenox St.
Garecht, Keith A.-612 S. 7th St.
Grabowski, Katelyn V.-1609 Hawthorn Ln.
Hernandez, Jose J.-3415 W. Arthur Ave.
Herrera, Zayra J.-3872 S. Lake Dr.
Hetzl, Lindsay J.-3727 W. Vogel Ave.

Hunt, Martha J.-6956 s. North Cape
Ligocki, Sara A. – 10400 S. Redwood Ln.
Mettile, Anna M.-5530 W. Forest Home Ave.
Mierendorf, Abbey M.-3629 S. 54th St.
Mishich, Kricket L.-4875 S. 72nd St.
Neidinger, Elizabeth A.-4628 W. Howard Ave.
Ogas, Rita M. – N79 W22235 Bramble Dr.
Post, Michelle F.-2035 Mount Vernon Dr.
Rivera, Claritza M.-4547 S. 23rd St.
Russell, Taylor R.-5094 Maplewood Ct.
Sanchez Vera, Maria E.-2024 S. 15th Pl.
Sexton, Kristina A. – 2735 S. 55th St.
Seyferth, Blake S.-4360 W. Tesch Ave.
Thompson, Geoffrey S.-2420 Beck Dr.
Tobin, Kasey K.-3965 S. 76th St.*
Torrijos, David.-3158 S.34th St.

Motion carried unanimously.

20. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to approve a 2018-2019 Entertainment License for the Greenfield Public Library, Sheila J. O'Brien, Library Director, for a special

event on Saturday, Aug. 18, 2018 from 10 a.m. to 4 p.m., for the property located at 5310 W. Layton Ave. (Indoor: oils on canvas painting workshop; floral design workshop)(Outdoor: 6-7 local artists will exhibit their artwork & crafts; Greenfield Concert Band quintet, local guitarist Brian Drow, and Alverno College music students will each perform in the Children's Garden for a 45-minute session), with all fees waived. Motion carried unanimously.

21. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve issuance of the following licenses to expire July 31, 2019, subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges:

a. AMUSEMENT DEVICE OWNER/DISTRIBUTOR LICENSE

<u>Name</u>	<u>Business Address</u>
Larry M. Beilfuss	1369 S. 89 th Street
D-J Novelty Co. Inc.	4520 W. Forest Home Avenue
Games Are Us Inc.	4905 S. Woodlawn Place
Lakeside Music, LLC	930 Washington Road
Mell's Novelty LLC	100 Lynnwood Lane
Mitchell Novelty Co.	3506 W. National Avenue
Red's Novelty Ltd.	1921 S. 74 th Street
Wisco Entertainment LLC	43 S. Pompano Parkway #104
Wisconsin P & P Amusement Inc.	12565 W. Lisbon Road

Motion carried unanimously.

At this time, Mayor Neitzke proceeded with Agenda Item #22b.

22. Department of Neighborhood Services

- a. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve and adopt Resolution No. 3645 as amended by staff regarding the term of the parking lot lease (amendment shown by strikethrough and underline):

RESOLUTION NO. 3645

SPECIAL USE PERMIT FOR CALVARY'S CHRISTIAN ACADEMY EARLY CHILDHOOD CENTER, A PROPOSED DAYCARE TO BE LOCATED AT 3131 S. 100 ST.,
SUBMITTED BY SHELINA HARVEY, D/B/A RESURRECTION POWER MINISTRIES, INC.
(TAX KEY NO. 524-8996-002)

WHEREAS, Shelina Harvey, d/b/a Resurrection Power Ministries, Inc., duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Calvary's Christian Academy Early Childhood Center child day care, at 3131 S. 100 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 17, 2018, at 7:05 p.m., in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Shelina Harvey, d/b/a Resurrection Power Ministries, Inc., is employed at Resurrection Power Ministries, Inc., 3131 S. 100 St., Greenfield, WI 53227.
2. The property is owned by Resurrection Power Ministries, Inc., 3131 S. 100 St., Greenfield, WI 53227.
3. Resurrection Power Ministries, Inc., owns the entire parcel located at 3131 S. 100 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 of Certified Survey Map No. 7941, being a part of the Northwest ¼ Section 17, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 524-8996-002

Said land being located at 3131 S. 100 St.

4. The applicant is proposing to establish a child day care service within the existing church facility.
5. The aforesaid premise is zoned I Institutional District under the Zoning Ordinance of the City of Greenfield, which permits child day care service as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the west side of S. 100 St. that is developed as a mixture of residential and commercial uses. Properties to the north are vacant; properties to the east are developed as vacant and a commercial parking lot in the City of Milwaukee; properties to the south are developed as residential uses; properties to the west are developed as Interstate I-894.
7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Shelina Harvey, d/b/a Resurrection Power Ministries, Inc., to establish a child day care service at 3131 S. 100 St., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site and Landscaping Plan approved by the Plan Commission on June 12, 2018 and by the Common Council on July 17, 2018. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The grant of this Special Use is subject to the following operational limits for Calvary's Christian Academy Early Childhood Center:
 - A. Allowable hours of operation for The Salvation Army will be 6:00am – 11:00pm, up to seven (7) days a week, between two (2) shifts.
 - B. Enrollment: Calvary's Christian Academy Early Childhood Center shall be limited to a maximum of 73 children on the premises at one time.
 - C. Staffing: approximately six (6) staff members.
4. Outdoor play area: the approved site and landscaping plan identifies the approved fenced-in outdoor play area.
5. Off-Street Parking. In accordance with Sec. 21.06.020 of the Municipal Code, 253 off-street parking spaces are required, as follows: 127 for the existing church use; 116 for the existing school use; 10 for the proposed child care center use. Thirty-four (34) off-street parking stalls are expected to be provided on site. Resurrection Power Ministries, Inc. is under a five-year lease agreement with We Energies to lease the entire parking lot on the east side of S. 100 St. for parking and driveway purposes only (copy of lease agreement on file with the Community Development Division). Said parking lot contains at least 115 off-street parking spaces for use exclusively with Resurrection Power Ministries, Inc., commencing ~~August~~ September 1, 2018, terminating ~~July~~ August 31, 2023. Calvary's Christian Academy Early Childhood Center, in conjunction with Resurrection Power Ministries, Inc., shall extend the lease terms during the entire existence of Calvary's Christian Academy Early Childhood Center, or forfeit the Special Use Permit for Calvary's Christian Academy Early Childhood Center. With the approval and signed execution of this resolution, the Common Council agrees to allow a shortage in parking requirements.
6. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty (20) percent of each window's area. Rope lighting shall not be allowed.
7. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

8. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
9. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spills from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light spill. LED rope lighting is not permitted.
10. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
11. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view by the existing fence/enclosure provided on site.
12. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
13. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
14. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
15. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.
16. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.
17. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:
 - A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.
 - B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;
 - C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

18. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

19. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

20. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

21. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Shelina Harvey, d/b/a Resurrection Power Ministries, Inc.

Provided to applicant on the
_____ day of _____, 2018

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 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 #13 (Item #11a & 11b).

22.b. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve and adopt Ordinance No. 2901:

ORDINANCE NO. 2901

AN ORDINANCE AMENDING SECTION 15.20(3) OF THE MUNICIPAL CODE RELATING TO
REQUIRED PERMITS

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

PART I. SECTION 15.20(3)(s) through (u) of the Municipal Code are hereby created as follows:

15.20(3) Required Permits.

* * *

- (s) Gas piping.
- (t) Retaining walls above 24" in height.
- (u) Commercial parking lot repaving.

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th

day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

22.b.(2) It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve and adopt Ordinance No. 2902:

ORDINANCE NO. 2902

AN ORDINANCE AMENDING SECTION 3.12(9)(a) OF THE MUNICIPAL CODE RELATING TO
LICENSE FEES ENUMERATED

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

PART I. SECTION 3.12(9)(a)20. of the Municipal Code is hereby amended as follows:

3.12(9) Inspection Services Department.

(a) Building Permit Fees

* * *

20. Plan Examination:

* * *

Commercial gas pipe plan review \$100/hour

* * *

PART II. SECTION 3.12(9)(a)27. through 29. of the Municipal Code are hereby created as follows:

3.12(9) Inspection Services Department.

(a) Building Permit Fees

* * *

27. Gas piping permit \$16/fixture outlet

\$65 minimum

28. Retaining wall above 24" in height \$100

29. Commercial parking lot repaving (10,000 sf or less) \$100/lot

Commercial parking lot repaving (more than 10,000 sf) \$250/lot

* * *

PART III. SECTION 3.12(9)(e) of the Municipal Code is hereby repealed and recreated as follows:

3.12(9) Inspection Services Department.

(e) Sign Permits.

- | | | |
|----|--|-----------|
| 1. | Permanent wall, awning/canopy or monument sign, 50 sf or less | \$100 |
| 2. | Permanent wall, awning/canopy or monument sign, 51 sf to 100 sf | \$150 |
| 3. | Permanent wall, awning/canopy or monument sign, 101 sf to 200 sf | \$200 |
| 4. | Permanent wall, awning/canopy or monument sign, more than 200 sf | \$250 |
| 5. | Temporary sign/banner | \$60 |
| 6. | Annual maintenance inspection fee | \$0.25/sf |

PART IV. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

PART VI. 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 17th day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

22c. It was moved by Alderperson Saryan, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event application for On the Edge Bar's 3rd Annual Car Show event, to be located at 6815 W. Edgerton Ave., July 29, 2018. Application includes the following combination of licenses/permits: Application to Extend Licensed Premises for Entertainment License (car show, DJ music) and for Combination "Class B" Beer & Liquor License (10x10 tent on SW corner of property and rope so underage patrons cannot get in). Motion carried unanimously.

22d. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event application for Promotion Design's Harley 115th Anniversary event, to be located at 6121 W. Layton Ave, August 29 – September 3, 2018. Application includes the following combination of licenses/permits: Temporary Class "B" Retailer's License for beer (premises description delineates and controls beer licensed premises); Direct Seller licenses, Food, and Commercial Building/Electrical, subject to unfinished clerk's office items. Motion carried 4-1, with Alderpersons Lubotsky, Bailey, Saryan and Kastner voting yes, and Alderperson Akers voting no.

22e. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event application for the Harley 115th Anniversary event, to be located at 6221 W. Layton Ave., August 28 - September 3, 2018. Application includes the following combination of licenses/permits:

Temporary “Class B” Retailer’s License for beer and wine, including request for Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12; Application to Extend Licensed Premises for entertainment (music); Direct Seller licenses; Food, and Commercial Building/Electrical. Approval also contingent upon unfinished clerk’s office items. Motion carried 4-1, with Alderpersons Lubotsky, Bailey, Saryan and Kastner voting yes, and Alderperson Akers voting no.

22f. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve an Outdoor Special Event application for 3rd Anniversary Party, hosted by One Headlight Power Sports LLC dba House of Harley, to be located at 6221 W. Layton Ave., August 18, 2018. Application includes the following combination of licenses/permits: Temporary Class “B” Retailer’s License for beer, including request for Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12; Food, and Commercial Electrical. Approval also contingent upon unfinished clerk’s office items. Motion carried 4-1, with Alderpersons Lubotsky, Bailey, Saryan and Kastner voting yes, and Alderperson Akers voting no.

23.-24. It was moved by Alderperson Saryan, seconded by Alderperson Bailey, to approve the following:

Approve disbursements in the amount of \$2,417,920.81.

Approve mileage reimbursements in the amount of \$1,023.80.

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded to Agenda Item #25e.

25. City Attorney’s Report

It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to take Agenda Items #25 a, b, and c off of the table. Motion carried unanimously.

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

25a. ORDINANCE NO. 2898

AN ORDINANCE AMENDING THE ZONING (MAP) OF THE CITY OF GREENFIELD

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of City Hall at Greenfield, Wisconsin, on Tuesday, the 17th day of April, 2018, at 7:10 p.m. upon a proposal to rezone the property located at 11800 W. Beloit Rd. from R-1 Single-Family Residential District to PUD Planned Unit Development District; and,

WHEREAS, Notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes.

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

PART I. The Official Greenfield Zoning Map described in Section 21.04.0102 of the Municipal Code is hereby amended to provide that the following described land shall be and is hereby rezoned from R-1 Single-Family Residential District to PUD Planned Unit Development District to-wit:

Lot 3 of Certified Survey Map No. 7859, being a part of the Northwest ¼ Section 19, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Said land contains 6.47 acres, more or less, including the respective rights-of-way and is located at:

11800 W. Beloit Rd. (Tax Key No. 565-9955-007)

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

and

25b. ORDINANCE NO. 2899

AN ORDINANCE TO ADOPT A LAND USE MAP AMENDMENT TO THE 2008 CITY OF
GREENFIELD COMPREHENSIVE PLAN

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of City Hall at Greenfield, Wisconsin, on Tuesday, the 17th day of April, 2018, at 7:05 p.m. upon a proposal to amend the Land Use Map to the 2008 City of Greenfield Comprehensive Plan; and,

WHEREAS, Notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes.

NOW, THEREFORE, the Common Council of the City of Greenfield do ordain as follows:

PART I. Pursuant to Sec. 66.1001(4)(d) of the Wisconsin Statutes, the City has prepared the Land Use Map Amendment, which indicates that no political subdivision may adopt an ordinance amending the Comprehensive Plan unless the political subdivision holds at least one public hearing at which the proposed ordinance is discussed.

PART II. The planning process was open to the public and numerous efforts were made to assure the broadest participation to establish the goals and elements considered for and contained within the plan in compliance with Sec. 66.1001 of the Wisconsin State Statutes.

PART III. On February 13, 2018, the City of Greenfield Plan Commission by majority vote recommended that the Common Council adopt an ordinance for the subject Land Use Map Amendment to the 2008 City of Greenfield Comprehensive Plan in compliance with the requirements of Sec. 66.1001(4)(d) of Wisconsin Statutes.

PART IV. The Plan Commission of the City of Greenfield by a majority vote of the entire Commission recorded in its official minutes, has recommended to the City Council the passage/enactment of the subject Land Use Map Amendment to the 2008 City of Greenfield Comprehensive Plan.

PART V. The Greenfield Common Council, does by enactment of this ordinance, pursuant to Sec. 66.1001(4)(d) of the Wisconsin Statutes, formally adopt the subject Land Use Map Amendment to the 2008 City of Greenfield Comprehensive Plan to redesignate the Future Land Use Map within the City's Comprehensive Plan (Chapter Three: Land Use) from Single Family to Mixed Residential for the property located at 11800 W. Beloit Rd., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 3 of Certified Survey Map No. 7859, being a part of the Northwest ¼ Section 19, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 565-9955-007

PART VI. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

PART VIII. 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 17th day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

and

25c. RESOLUTION NO. 3646

RESOLUTION ADOPTING A LAND USE MAP AMENDMENT TO THE 2008 CITY OF GREENFIELD COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 11800 W. BELOIT RD. FROM SINGLE FAMILY TO MIXED RESIDENTIAL. (TAX KEY NO. 565-9955-007)

WHEREAS, the City of Greenfield Comprehensive Plan was passed by ordinance on November 18, 2008 and in summary contains the following items: Introduction; Issues & Opportunities; Agricultural, Natural and Cultural Resources; Land Use; Transportation; Utilities and Community Facilities; Housing and Neighborhood Development; Economic Development; Intergovernmental Cooperation; and, Implementation; and,

WHEREAS, the subject Land Use Map Amendment was requested by Pearson Point, LLC and proposes to redesignate the future land use of properties in which they have an offer to purchase, located at 11800 W. Beloit Rd. from Single Family to Mixed Residential (Tax Key No. 565-9955-007). As noticed, the public hearing will be held before the Common Council on April 17, 2018, to obtain input on the proposed amendment; and,

WHEREAS, the City has prepared the Land Use Map Amendment, which is included as “Exhibit A” and complied with the requirements of 66.1001(4)(d) which indicate that no political subdivision may adopt an ordinance amending the Comprehensive Plan unless the political subdivision holds at least one public hearing at which the proposed ordinance is discussed; and,

WHEREAS, the City has duly noticed a public hearing on the aforementioned Land Use Map Amendment and the Common Council will hold the public hearing on April 17, 2018. The planning process is open to the public and numerous efforts are made to assure the broadest participation to establish the goals and elements considered for and contained within the Plan in compliance with Section 66.1001 of the Wisconsin State Statutes; and,

WHEREAS, on February 13, 2018 the ~~City of West Allis~~ Greenfield Plan Commission recommended Common Council adopt the Land Use Map Amendment to incorporate it into the 2008 City of Greenfield Comprehensive Plan. This resolution shall be forwarded to the Common Council for final action and certified via ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby adopts a Land Use Map Amendment to the 2008 City of Greenfield Comprehensive Plan to redesignate the future land use to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 3 Land Use) for the property located at 11800 W. Beloit Rd. from Single Family to Mixed Residential (Tax Key No. 565-9955-007), recognizing that the Common Council of the City of Greenfield must also certify the amendment via ordinance for it to become effective.

BE IT FURTHER RESOLVED that the Plan Commission of the City of Greenfield does hereby recommend that the Common Council of the City of Greenfield adopt this Resolution, which will constitute its amendment of the 2008 City of Greenfield Comprehensive Plan Land Use Map.

BE IT FURTHER RESOLVED that the 2008 City of Greenfield Comprehensive Plan and its amendments shall supersede and replace all such prior plans.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

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

At this time, Mayor Neitzke proceeded to Agenda Item #16 (Items 4A & 4B).

25d. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adopt Ordinance No. 2900:

ORDINANCE NO. 2900

**AN ORDINANCE AMENDING SECTION 8.04 OF THE
MUNICIPAL CODE OF THE CITY OF GREENFIELD**

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

PART I. Section 8.04 of the Greenfield Municipal Code is hereby amended to read as follows:

A parking zone reserved for persons with disabilities is hereby created in front of 4660 South 51st Street, Tax Key 601-0188-000.

Minutes are not official until formally approved by the Common Council at the next scheduled meeting.

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

At this point, Mayor Neitzke proceeded with Agenda Item #15.

25e. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve Ordinance No. 2903:

ORDINANCE NO. 2903

AN ORDINANCE AMENDING SECTION 3.12 OF THE
GREENFIELD MUNICIPAL CODE REGARDING FEE SCHEDULES

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

PART I. Section 3.12 (5) (a) and Section 3.12 (5) (c) of the Municipal Code is hereby amended by changing permit and application fee amounts to read as follows:

3.12 Fee Schedules.

(5) Department of Neighborhood Services

(a)	Driveway Permit	
1.	Driveway Permit.....	\$ 75.00

	2.	Curb cut fee.....	\$ 25.00/foot
	3.	Culvert and installation.....	\$ 2,500.00

(c)	Right-of-Way Permit		
	1.	Right-of-Way Permit.....	\$ 100.00
	2.	Large project review, inspection and administration. The department may require a cash deposit with the application against which these charges may be drawn.....	Actual cost

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of July, 2018.

APPROVED:

Michael J. Neitzke
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen
Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

25f. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to go into closed session at 8:21 p.m. pursuant to Wisconsin Statutes, Section 19.85(1)(b) & (f) for the following:

- (1) Considering licensure, social or personal history, or medical information for purposes of issuing licenses and other related City licenses and permits involving the following:

An operator license to Stacey L. Berry

On a roll call vote, motion carried unanimously.

25g. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to adjourn closed session at 8:33 p.m. and reconvene into open session. Motion carried unanimously.

25h. It was moved by Alderperson Lubotsky, seconded by Alderperson Kastner, to deny issuance of a 2018-2019 operator license to Stacey L. Berry. Motion carried 4-1, with Alderpersons Lubotsky, Akers, Saryan and Kastner voting yes, and Alderperson Bailey voting no.

26. Items for future agenda – Mayor Neitzke said alderpersons should attend the July 25 Finance & Human Resources meeting. The police chief will present information relating to a potential referendum in November.

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

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: July 25, 2018