

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, JUNE 18, 2019

The meeting was called to order by Mayor Neitzke at 7:04 p.m.

A. ROLL CALL:	Alderson Lubotsky	Excused
	Alderson Bailey	Present
	Alderson Akers	Present
	Alderson Saryan	Present
	Alderson Kastner	Present

ALSO PRESENT:	Brian Sajdak	City Attorney
	Kristi Johnson	Community Development Manager
	Jennifer Goergen	City Clerk

B. Opening Prayer – an opening prayer was given by Chaplain James Leggett.

C. Pledge of Allegiance. A moment of silence was observed at Alderson Bailey's request in honor of the two police officers who recently lost their lives.

D. It was moved by Alderson Bailey, seconded by Alderson Akers, to approve the May 21, 2019 Common Council minutes. Motion carried unanimously.

E. Mayor's Report – deferred.

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

*Mayor Neitzke said at the International Brotherhood of Electrical Workers (IBEW) site, an eight-foot fence will be finished and mounted on steel columns to protect the integrity of the back wall.

At this time, Mayor Neitzke proceeded to Agenda Items K18-K20.

F. Aldermanic Reports

Alderson Kastner said the city received a recognition for its contribution from the Dan Jansen Family Fest. The festival has been celebrated for 25 years.

G. Announcements

Alderson Saryan announced the Coldspring Salvation Army is offering 20 scholarships for their day camp, July 8 – 19, Monday through Friday, 9:30 a.m. to 1:30 p.m. at Jackson Park. There is an emphasis on soccer. For more information, call 763-9797.

Mayor Neitzke said the Dan Jansen Family Fest had another "no arrest" year and thanked all who worked for the festival.

At this time, Mayor Neitzke proceeded to Agenda Item K39 and K40.

H. Citizen Commentary - none

I. Public Hearings

1. Public Hearing on a Special Use Permit for American Behavioral Clinics, a proposed behavioral health medical clinic, to be located at 6815 W. Layton Ave., submitted by David Winston, d/b/a ABC Medical Clinics, S.C. (Tax Key No. 617-0117-000)

Community Development manager Kristi Johnson said the site is zoned C-2. The applicants want to move their existing business from S. 73rd Street and W. Layton Avenue to this larger location. They provide treatment for a variety of mental health and behavioral issues, including Attention Deficit Hyperactivity Disorder, depression, anxiety, and Post Traumatic Stress Disorder. They offer treatment for relationships, family conflict, and grief and loss. Hours of operation will be Monday through Friday, 8 a.m. to 6 p.m. Staff may be present as early as 6 a.m. and as late as 10 p.m. Occasionally, a patient may be at the facility as early as 7:30 a.m. or as late as 9 p.m. by appointment only. The clinic will be open on Saturdays by appointment only from 7 a.m. to 5 p.m. Forty-nine parking spaces are required; 54 are provided on-site. Plan Commission asked for various site improvements, including a new retaining wall along W. Layton Avenue, along the north property line. Plan Commission recommended approval, and no letters of objection have been received.

No one spoke for or against the proposal.

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to close the public hearing.

Alderperson Bailey said this might be a better use than the previous pet daycare/kennel business.

At this time, Mayor Neitzke proceeded to Agenda Item K1.

2. Public Hearing on a Special Use Permit for GRIT, a proposed personal training business, to be located at 6405 W. Forest Home Ave., submitted by Randy Steiskal, d/b/a GRIT. (Tax Key No. 572-8992-006)

Ms. Johnson said the applicant proposes to lease just over 900 square feet within a multi-tenant commercial building. The property is zoned C-3. The proposal is for 30- to 60-minute training sessions, bi-weekly coaching, and various personal training programs. The applicant has a certificate with the National Academy of Sports Medicine. He will be the sole employee and proposed hours of operation would be from 6 a.m. to 10 p.m. Eleven off-street parking spaces are required; 18 are provided onsite. Recommended site improvements include the construction of a refuse enclosure, restriping parking spaces and submittal of a monument signage plan. Plan Commission recommended approval. No letters of objection have been received.

No one spoke for or against the proposal.

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

At this time, Mayor Neitzke proceeded to Agenda Item K2.

3. Public Hearing on a Special Use Permit for Your CBD Store, Greenfield, a proposed CBD Oil Store, to be located at 4156 S. 108 St., submitted by Derek & Kinga Smars, d/b/a Your CBD, Greenfield. (Tax Key No. 567-9972-004)

Ms. Johnson said this site is zoned C-4, located along Highway 100. They propose to lease just under 1,800 square feet within a multi-tenant commercial building. They will sell various CBD-infused items. Their plan is to employ three to five people. Hours of operation would be Monday through Friday, 10 a.m. to 7 p.m., and Saturday and Sunday, 11 a.m. to 4 p.m. The parking requirement is 104 spaces; 85 parking spaces are provided. Council may waive the parking shortage. There were problems with storage in the back of the site and the refuse enclosure being left open. Staff has worked with the property owner and the site has been cleaned up. Plan Commission recommends approval; no letters of objection have been received.

No one spoke for or against the proposal.

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

At this time, Mayor Neitzke proceeded to Agenda Item K3.

4. Public Hearing on a Special Use Permit for Alloy Wheel Repair Specialists of Wisconsin, a proposed wheel repair business, to be located at 4420 S. 108 St., submitted by Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC and Mike Judson, d/b/a J&A Management Services, LLC. (Tax Key No. 608-9991-001)

Ms. Johnson said this building has been vacant for more than one year, and it is a change in use, so the public hearing is required. The land is zoned C-4. Alloy wishes to occupy the building under a five-year lease. It is actually two buildings. Forty-four parking spaces are required; 60 spaces are provided. Recommended site improvements included repairing damaged poured curb and wheel stops, removal of an east property chain link fence, installing missing refuse enclosure slats, removing a boat and outdoor storage from the property, general cleanup of torn up asphalt, and landscaping improvements including an updated landscape plan. Plan Commission recommended approval; no letters of objection were received.

No one spoke for or against the proposal.

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

At this time, Mayor Neitzke proceeded to Agenda Item K4.

5.-7. The following public hearings were combined:

Public Hearing on an Ordinance to amend Section 21.04.0603 of the Municipal Code pertaining to Contractors being permitted as a Special Use in the C-4 Regional Business District and C-5 Freeway Business District.

Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4343 S. 27 St. from C-3 Highway and Commercial Service Business District to C-4 Regional Business District. (Tax Key No. 599-8996-000)

Public Hearing on a Special Use Permit for Tom's Dependable Heating, a proposed plumbing and heating contractor to be located at 4343 S. 27 St., submitted by James Weiss, d/b/a Tom's Dependable Heating. (Tax Key No. 599-8996-000)

Ms. Johnson said the city relies on the NAICS system to classify businesses according to a six-digit code. She displayed a list of different types of contractors, ranging from "heavy users" to "lighter users" who don't need outdoor storage and who don't have heavy equipment sitting outside, such as a roofing, electrical, HVAC, and home-related contractors. Currently, none of these contractors are allowed per the city's code, unless they have been grandfathered in prior to the NAICS code being adopted in 2013. The proposal is to allow some contractors (such as glass, roofing, drywall, painting, and flooring contractors) in the C-4 and C-5 districts as a special use, with the stipulation that a site and landscaping plan must be submitted showing a four-sided enclosed refuse enclosure on site, delineating commercial parking areas, and permitting no outdoor storage.

She showed a picture of the proposed business site on S. 27th Street, currently zoned C-3, but proposed to be rezoned to C-4. The hours of operation would be 8 a.m. to 5 p.m., Monday through Friday, and emergency service repair calls as needed. Nine parking spaces are required; 17 are provided. The business has submitted a site and landscaping plan and proposes to have trucks in the back, and customer parking in the front.

Previous tenants did not finish their site improvements. Now the board-on-board fence will be completed and any missing landscaping will be replaced. Plan Commission recommended approval. Legislative Committee recommended approval of the ordinance amendment. No letters of objection have been received.

No one spoke for or against the three proposals.

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

At this time, Mayor Neitzke proceeded to Agenda Item K5.

8. Public Hearing on an Ordinance to amend Section 21.06.0203 of the Municipal Code pertaining to Off-street Parking and On-Site Queuing Requirements for Use Types.

Ms. Johnson said the city's zoning requires 20 parking spaces per 1,000 gross square feet for bars, taverns, and restaurants. Surrounding communities' standards varied from 33 spaces per 1,000

gross square feet to 2.5 spaces. Many area municipalities have not updated their codes in years either. Developers contend that 10 spaces per 1,000 gross square feet is the industry standard for a restaurant. The new proposal for Greenfield per 1,000 square feet is 15 spaces for bars and taverns; 15 spaces for restaurants without a drive through, and 10 spaces for restaurants with a drive through. Plan Commission recommended approval; no letters of objection have been received.

No one spoke for or against the proposal.

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

At this time, Mayor Neitzke proceeded to Agenda Item K8.

9.-10. The following public hearings were combined:

Public Hearing on an Ordinance to adopt a Land Use Map amendment to the 2008 City of Greenfield Comprehensive Plan for the property located at 7631 W. Holmes Ave. from Single Family to Planned Business. (Tax Key No. 616-0002-000)

Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 7631 W. Holmes Ave. from R-2 Single-Family Residential Conservation District to C-4 Regional Business District and rezoning the property located at 7611 W. Holmes Ave. from C-2 Community Commercial District to C-4 Regional Business District. (Tax Key Nos. 616-0002-000 and 616-0001-001)

Ms. Johnson said the site is a combination of the Lori Lins Talent commercial building and a single family home. The developer, GMX Real Estate, is proposing to acquire these 2 parcels and consolidate them for a 1.2 acre site for the construction of a new multi-tenant commercial building with a drive through. This requires a comprehensive land use map amendment to change 7631 W. Holmes Ave to Planned Business, a rezoning to change both 7631 and 7611 W. Holmes Ave to C-4 Regional Business District, and a certified survey map and site, landscaping and architectural approval.

The developer had considered two options: 1) leave W. Holmes Avenue open, and have a right exit only lane; or 2) close W. Holmes Avenue, separating residential to the left and commercial to the right. The Plan Commission unanimously favored option 2.

Any future restaurant user(s) would be required to go through a public hearing process for approval. Most general retail would be permitted uses without public hearings. A variety of other uses would require a public hearing also. The developer is considering a restaurant.

GMX Real Estate Group representative Andrew Goodman showed photos of the property, maps, and renderings of the proposed development and landscaping with knockout roses. They propose to close down access to W. Holmes Avenue from S. 76th Street. They propose a 10,000 square foot commercial building to house national and regional retailers and restaurants with a drive through. There would be 70 parking stalls onsite; customers would not be parking on W. Holmes Avenue. There would also be a fenced patio with outdoor seating. Trash pickup would be 2-3 times per

week, or more often if needed. There would be an eight-foot fence to the rear, as well as evergreens along the back. A varied roof line is planned, roughly 22 feet in height, with architectural peaks up to 25 feet high. There could be a gate in the fence for pedestrians if desired. The developers gathered input from neighbors in January 3 and February 13, and tried to be responsive to concerns. One concern was light shining into adjacent homes – they are planning to use lights that shine downward. The mature landscaping will provide another buffer to prevent light from spilling over. Garbage was another concern. They can offer more frequent pickups if needed. Traffic noise pollution was another concern. Closing W. Holmes Avenue through the development will alleviate noise from people speeding from S. 76th Street west through the neighborhood. Concern about odors will be addressed through new cooking equipment with filters. Some proposed uses for quick service restaurants (QSRs) would not even cook on the premises. He is happy to agree to “no obnoxious uses” – and he has no plans for massage parlors or tattoo businesses. He would be willing to restrict through an ordinance the ability to put in these type of businesses in the development. He would be willing to install “no off-street parking” signs along W. Holmes Avenue if desired. Proposed hours of operation would typically be 8 a.m. to 10 p.m., and he would be happy to comply with restrictions against 24-hour restaurants. Adding a 10,000 square foot commercial building would not make a significant change along busy S. 76th Street. It doesn’t require a substantial boost to police, fire and emergency response services. Finally, he showed other developments his company has done in Wisconsin.

Mayor Neitzke said he received a letter from Frank and Joanne Highland, the property owners of 7631 W. Holmes Ave., in favor of the proposal.

Mayor Neitzke read a transcript of a phone call from Casey Dembowiak, opposing the development, and read a letter from Linda Strike, opposing the development. He also read an email from David Pauli, 7705 W. Holmes Ave., who said development was inevitable but the city should ensure W. Holmes Avenue is closed, an eight-foot fence constructed to divide the residential and commercial, and that storm water runoff should be contained or directed eastward.

Mayor Neitzke noted that there was also a petition previously submitted to the city containing the signatures of about 30 people opposing the development.

Two people registered as against the proposal, but did not wish to speak:

Janet Salbashian, 5033 S. 78th St.
Ryan Miller, 7800 W. Edgerton Ave.

Four people registered to speak against the proposal:

Ralph Green, 4973 S. 82nd St., said he and his wife are opposed to the development for safety reasons, if the street is closed off. There is too much restricted access in the neighborhood already. Many developments already force customers to exit in one direction, then make a U-turn on S. 76th Street to travel in their desired direction. If the W. Holmes Avenue is closed off, he also fears the internal streets like S. 82nd Street would not be snowplowed as quickly.

Charlie Salbashian, 5033 S. 78th St., said he has lived at his residence over 50 years. He sees no need to close W. Holmes Avenue. He said we have more restaurants than we need now. He asked

what taxes would the city receive for the proposed parking lot? Currently, the city receives \$4,772.77 for the single family home.

Mayor Neitzke said the value of the commercial building and parking lot together will be substantially higher than the value of the home.

Mr. Salbashian said his neighbors on the southeast corner of S. 78th Street and W. Holmes Avenue asked him to voice their opposition. They have serious medical conditions, could not attend the public hearing, and oppose the closing of W. Holmes Avenue as it might add delay to getting medical attention if needed.

Paul Ligocki, 5050 S. 78th St., said he lives in Greendale and would be in back of the proposed parking lot. He questioned the need for more restaurants and businesses. If the road is blocked off, traffic will still come into the neighborhood from S. 84th Street and then will have to exit onto W. Edgerton Ave. Other concerns are: noise, dumpsters, noise from dumpsters in the morning, garbage, and lights.

Matthew Uher, 7716 W. Holmes Ave., said he is opposed to the development, although he felt residents' concerns were heard at previous meetings. His concerns: who would be in charge of maintenance of the property, and would it be done timely? Would litter on adjoining property be created by restaurant customers? He is in favor of the road closure.

Registering both to speak in favor and for information only:

Lori Lins, owner of Lori Lins Ltd., 7611 W. Holmes Ave., said she is 67 years old and she will sell the property. There will be development here. The only question is who will be the developer and what will they do with the property?

Registering to speak in favor of the proposal:

Geri Berka, 8016 W. Holmes Ave., said there are stop signs on S. 81st St. "which people completely ignore." She believes blocking W. Holmes Street is a good idea, perhaps combined with "no through street" signage, or more stop signs. It is unsafe.

Registering to speak against the proposal:

Nicholas Ameen, 4963 S. 79th St., said he is opposed to the development. If approved, he would be in favor of the road closure. However, the traffic would still come through the neighborhood on other streets. Perhaps speed bumps could be installed to slow traffic, especially since there are young children in the neighborhood. He suggested adding additional street lights, such as at W. Edgerton Avenue and S. 84th Street. He wanted to know specifically which restaurants would be going in at that location. He did not feel more fast food restaurants were needed. Finally, he wanted to know who would maintain the fence at this site.

Mayor Neitzke said the idea behind the road closure is to separate the commercial and residential development. He said S. 84th Street and W. Edgerton Avenue were supposed to be improved in the

past to handle increased traffic around Southridge Mall, but never were. He agrees that something needs to be done to slow down traffic.

Registering in favor, but not speaking:

Tony & Geneen Miresse, 4981 S. 76th St., representing Art's Cameras Plus.

It was moved by Alderperson Kastner, seconded by Alderperson Akers, to close the public hearing.

Mr. Goodman said this development is not set up for a McDonald's type use, which generally has a building in the middle of the site, surrounded by angled parking, with several drive throughs. Their developments are more suited to "quick service restaurants" like MOD Pizza, Pot Belly's, Five Guys, or Orange Leaf Frozen Yogurt. He said it is not their intention to put three restaurants in there. There could be one or two. He has one proposal out now – for 1/3 of the building – for retail use. His company is constructing the building for other companies, and they also sometimes do the interior buildout. He said they are willing to put a gate in the fence for pedestrians.

Alderperson Akers said she thought neighborhood residents might like the idea of being able to walk to a nearby restaurant.

Alderperson Saryan asked if he would be willing to put something in an agreement to not permit "obnoxious uses" at the site.

Alderperson Akers said, such as a pawn shop.

Mr. Goodman said he was willing to put something in an ordinance.

Mayor Neitzke said enforceable restrictions such as this would be put in the special use permit resolution.

Alderperson Saryan encouraged Ms. Linn not to sell her property to someone promoting "an obnoxious use."

She asked if other concerns could be addressed in an agreement as well.

Ms. Johnson said there are several permitted uses in the C-4 district that would not require any agreement between the city and developer.

City Attorney Brian Sajdak said either a developer's agreement could be drafted, or a deed restriction that would limit types of sales that would get recorded, but the developer's bank might not like that.

Ms. Johnson said the fence would be required to be maintained by the city's code. If the road is vacated, then the public right of way would become private property and an agreement would be signed between the city and the developer.

Alderperson Akers asked what hours would the dumpster be serviced?

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

Mr. Goodman said that would be set up when they contract with the trash removal company, but typically they come in no earlier than 8 a.m., and are done by 4 or 5 p.m.

Mayor Neitzke said there is a city ordinance that restricts the hours for dumpster service.

Mr. Goodman said his lease agreements with his tenants will stipulate that his company controls the trash service. There will not be three different operators coming in and out.

Motion [to close the public hearing] carried unanimously.

Aldersperson Saryan asked if the pedestrian pathway was included. Mayor Neitzke confirmed with the developer that it was, and that the fence included a gate for pedestrian access that could be locked if desired.

Alderspersons asked Police Chief Jay Johnson if he was in favor of a pedestrian path and closing the road.

Chief Johnson said he was indifferent, as to the pedestrian path. He doesn't think there will be a lot of foot traffic from non-residents of the subdivision.

The Fire Department and Police Department previously were asked about the road closure. The Fire Department felt it would not impair service. The Interim Police Chief thought it would have a positive impact on the neighborhood. There were mixed reactions as to impact on snow removal.

At this time, Mayor Neitzke proceeded to Agenda Item K9 and K10.

J. Old Business

Council took a recess at 9:19 a.m. They reconvened at 9:29 p.m.

1. Adopt a resolution disallowing the claim of Thomas and Jacqueline Jaworski

Mayor Neitzke said a claim for \$6,598.15 was presented. A camera showed that the sewer line that goes from Greenfield to Milwaukee sunk. In next year's budget, the city can fix the sewer main that is in Ramsey, because it has dropped. Mr. Jaworski provided an email with DPW staff as proof he approached the city previously regarding sewer damage prior to the latest incident, although he did not pursue a claim over the prior incident. Mayor Neitzke recommended the claim be approved, funded by the Sanitary Sewer Fund.

City Attorney Brian Sajdak said with notice it changes his previous legal analysis "and makes it a little more problematic for us."

Mayor Neitzke said the \$6,598.15 was from an estimate from January 8, 2019 from SERVEPRO of Southeast Milwaukee County.

It was moved by Aldersperson Akers, seconded by Aldersperson Saryan, to adopt Resolution No. 3698:

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3698

A RESOLUTION ALLOWING THE CLAIM
OF THOMAS AND JACQUELINE JAWORSKI RELATING TO SEWER MAIN BACKUP

WHEREAS, Thomas and Jacqueline Jaworski submitted a claim to the City on February 19, 2019 in which they alleged certain damage to their basement resulting from a sewer main in the street that clogged and filled the basement with sewer water; and

WHEREAS, Wis. Stat. §893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and

WHEREAS, after reviewing facts and circumstances of the claim the Council has determined to pay the amount of the actual loss;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the claim of Thomas and Jacqueline Jaworski dated February 19, 2019 relating to alleged certain damage to their basement resulting from a sewer main in the street that clogged and filled the basement with sewer water is hereby allowed in an amount not to exceed \$6,598.15.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim upon submission of proof of the actual cost of the repair and only up to the actual cost of the repair, not to exceed \$6,598.15.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

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 Items K14-K17.

K. New Business

1. It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve the Site Plan Review for American Behavioral Clinics, a proposed behavioral health medical clinic, to be located at 6815 W. Layton Ave., submitted by David Winston, d/b/a ABC Medical Clinics,

S.C. (Tax Key No. 617-0117-000), and to adopt Resolution No. 3692 granting a Special Use Permit:

RESOLUTION NO. 3692

**SPECIAL USE PERMIT FOR AMERICAN BEHAVIORAL CLINICS, A PROPOSED BEHAVIORAL HEALTH MEDICAL CLINIC, TO BE LOCATED AT 6815 W. LAYTON AVE., SUBMITTED BY DAVID WINSTON, D/B/A ABC MEDICAL CLINICS, S.C.
(TAX KEY NO. 617-0117-000)**

WHEREAS, David Winston, d/b/a ABC Medical Clinics, S.C., 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 a behavioral health medical clinic at 6815 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2019, at 7:00 p.m. or soon thereafter, 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, David Winston, d/b/a ABC Medical Clinics, S.C., owns ABC Medical Clinics, S.C, 7330 W. Layton Ave., Greenfield, WI 53220.
2. The property is owned by Winston Properties LLC, 9380 N. Lake Dr., Milwaukee, WI 53217.
3. American Behavioral Clinics will occupy the approximately 14,765 sq. ft. building located at 6815 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 4 in Block 4 in Layton Heights, a recorded subdivision, and the vacated service streets adjacent, all being a part of the Northwest ¼ of Section 27, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 617-0117-000

Said land being located at 6815 W. Layton Ave.

4. The applicant is proposing to establish a behavioral health medical clinic within the existing building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits “Offices of Physicians, Mental Health Specialists” 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 W. Layton Ave. corridor that is developed for commercial uses. Properties to the north, east, and west are developed as commercial. Properties to the south are developed as residential.

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 David Winston, d/b/a ABC Medical Clinics, S.C., to establish a behavioral health medical clinic, to be located at 6815 W. Layton Ave., 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 Plan and all other applicable conditions approved by the Plan Commission on May 14, 2019 and by the Common Council on June 18, 2019. 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 allowable hours of operation for American Behavioral Clinics will be 7:30am – 9:00pm, Monday – Friday; 7:00am – 5:00pm , Saturdays by appointment only.
4. Off-Street Parking. The entire building, under the category of “general commercial office,” requires forty-nine (49) off-street parking stalls. Fifty-four (54) off-street parking stalls are to be provided on site.
5. Signage. Signage shall be in compliance with the City’s Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. 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.
7. 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.
8. 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. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. 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.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

David Winston, d/b/a ABC Medical Clinics, S.C.

Provided to applicant on the
_____ day of _____, 2019

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

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 I2.

2. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve the Site Plan Review for GRIT, a proposed personal training business, to be located at 6405 W. Forest Home Ave., submitted by Randy Steiskal, d/b/a GRIT (Tax Key No. 572-8992-006), and to adopt Resolution No. 3693 granting a Special Use Permit:

RESOLUTION NO. 3693

SPECIAL USE PERMIT FOR GRIT, A PROPOSED PERSONAL TRAINING BUSINESS,
TO BE LOCATED AT 6405 W. FOREST HOME AVE.,
SUBMITTED BY RANDY STEISKAL, D/B/A GRIT
(TAX KEY NO. 572-8992-006)

WHEREAS, Randy Steiskal, d/b/a GRIT, 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 a personal training business at 6405 W. Forest Home Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2019, at 7:00 p.m. or soon thereafter, 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, Randy Steiskal, d/b/a GRIT, owns GRIT, 6405 W. Forest Home Ave., Greenfield, WI 53220.
2. The property is owned by AJM Enterprises LLC, 8530 W. McMyron St., West Allis, WI 53214.
3. GRIT will occupy approximately 912 sq. ft. of the multi-tenant commercial building located at 6405 W. Forest Home Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No.674, being a part of the Northeast ¼ Section 22, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.
Tax Key No. 572-8992-006

Said land being located at 6405 W. Forest Home Ave.

4. The applicant is proposing to establish a personal training business within the existing multi-tenant commercial building.

5. The aforesaid premise is zoned C-3 Highway and Commercial Service Business District under the Zoning Ordinance of the City of Greenfield, which permits “All Other Personal Services” 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 W. Forest Home Ave. corridor that is developed for commercial and residential uses. Properties to the north, east, and south are developed as residential. Properties to the west are developed as commercial.
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 Randy Steiskal, d/b/a GRIT, to establish a personal training business, to be located at 6405 W. Forest Home Ave., 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 Plan and all other applicable conditions approved by the Plan Commission on May 14, 2019 and by the Common Council on June 18, 2019. 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 allowable hours of operation for GRIT will be 6:00am – 10:00pm, seven (7) days/week.
4. Off-Street Parking. The entire building, under the category of “Miscellaneous retail stores,” requires eleven (11) off-street parking stalls. Eighteen (18) off-street parking stalls are to be provided on site.
5. Signage. Signage shall be in compliance with the City’s Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. 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.

7. 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.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. 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.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

Randy Steiskal, d/b/a GRIT

Anthony J. Mlinar, AJM Enterprises, LLC

Provided to applicant on the
_____ day of _____, 2019

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

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 I3.

3. It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve a Site Plan Review for Your CBD Store, Greenfield, a proposed CBD Oil Store, to be located within a multi-tenant commercial building at 4156 S. 108th St., submitted by Derek & Kinga Smars, d/b/a Your CBD Store, Greenfield (Tax Key No. 567-9972-004), and to adopt Resolution No. 3694 granting a Special Use:

RESOLUTION NO. 3694

SPECIAL USE PERMIT FOR YOUR CBD STORE, GREENFIELD, A PROPOSED CBD OIL STORE,
TO BE LOCATED AT 4156 S. 108 ST., SUBMITTED BY DEREK & KINGA SMARS, D/B/A YOUR
CBD STORE, GREENFIELD
(TAX KEY NO. 567-9972-004)

WHEREAS, Derek & Kinga Smars, d/b/a Your CBD Store, Greenfield, 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 a CBD Oil Store at 4156 S. 108 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2019, at 7:00 p.m. or soon thereafter, 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, Derek & Kinga Smars, d/b/a Your CBD Store, Greenfield, owns Your CBD Store, Greenfield, 4156 S. 108 St., Greenfield, WI 53228 .
2. The property is owned by James M. Petr, 6013 W Bluemound Rd, Milwaukee, WI 53213.
3. Your CBD Store, Greenfield will occupy approximately 1,790 sq. ft. of the multi-tenant commercial building located at 4156 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 4954, being a part of the Northwest ¼ of Section 20, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 567-9972-004

Said land being located at 4156 S. 108 St.

4. The applicant is proposing to establish a CBD Oil Store within the existing multi-tenant commercial building.

5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits “All Other Miscellaneous Store Retailers” 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 S. 108 St. corridor that is developed for commercial uses. Properties to the north, south, and west are developed as commercial. Properties to the east are developed as a park.

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 Derek & Kinga Smars, d/b/a Your CBD Store, Greenfield, to establish a CBD Oil Store, to be located at 4156 S. 108 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 Plan and all other applicable conditions approved by the Plan Commission on May 14, 2019 and by the Common Council on June 18, 2019. 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 allowable hours of operation for Your CBD Store, Greenfield will be 10:00am – 7:00pm, Monday - Friday; 11:00am - 4:00pm, Saturday - Sunday.

4. Off-Street Parking. The entire building, under the category of “Miscellaneous retail stores,” requires one hundred and four (104) off-street parking stalls. Eighty-five (85) off-street parking stalls are to be provided on site. The Common Council may waive the parking shortage.

5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. 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.
7. 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.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. 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.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

Derek Smars, d/b/a Your CBD Store, Greenfield

Kinga Smars, d/b/a Your CBD Store, Greenfield

James M. Petr, Owner

Provided to applicant on the
_____ day of _____, 2019

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried 3-1. Alderpersons Bailey, Akers and Kastner voted in favor, Alderperson Saryan voted against.

At this time, Mayor Neitzke proceeded to Agenda Item I4.

4. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve a Site Plan Review for Alloy Wheel Repair Specialists of Wisconsin, a proposed wheel repair business, to be located at 4420 S. 108 St., submitted by Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC and Mike Judson, d/b/a J&A Management Services, LLC (Tax Key No. 608-9991-001), and to adopt Resolution No. 3695 granting a Special Use Permit:

RESOLUTION NO. 3695

SPECIAL USE PERMIT FOR ALLOY WHEEL REPAIR SPECIALISTS OF WISCONSIN, A PROPOSED WHEEL REPAIR BUSINESS, TO BE LOCATED AT 4420 S. 108 ST., SUBMITTED BY BRIAN HANSEN, D/B/A ALLOY WHEEL REPAIR SPECIALISTS OF WISCONSIN, LLC AND MIKE JUDSON, D/B/A J&A MANAGEMENT SERVICES, LLC. (TAX KEY NO. 608-9991-001)

WHEREAS, Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC and Mike Judson, d/b/a J&A Management Services, LLC, 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 a wheel repair business at 4420 S. 108 St; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2019, at 7:00 p.m. or soon thereafter, 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, Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC, owns Alloy Wheel Repair Specialists of Wisconsin, LLC, 4420 S. 108 St., Greenfield, WI 53228.
2. The property is owned by Franz Klagmann, W145N5087 Stone Dr., Menomonee Falls, WI 53051.
3. Alloy Wheel Repair Specialists of Wisconsin will occupy approximately 9,000 sq. ft. of the commercial building located at 4420 S. 108 St, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 3639, being a part of the Southwest ¼ Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 608-9991-001

Said land being located at 4420 S. 108 St

4. The applicant is proposing to establish a wheel repair business within the existing commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits "Other Automotive Mechanical and Electrical Repair and Maintenance" 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 S. 108 St. corridor that is developed for commercial uses. Properties to the south and west are developed as commercial. Properties to the north and east are developed as a park.
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 Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC and Mike Judson, d/b/a J&A Management Services, LLC, to establish a wheel repair business, to be located at 4420 S. 108 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 Plan and all other applicable conditions approved by the Plan Commission on May 14, 2019 and by the Common Council on June 18, 2019. 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 allowable hours of operation for Alloy Wheel Repair Specialists of Wisconsin will be Monday – Friday, 8:00am – 8:00pm; Saturday 8:00am – 5:00pm.
4. Off-Street Parking. The entire parcel, under the category of “Vehicle Repair Shop (without the Dispensing of Gasoline),” requires forty-four (44) off-street parking stalls. Sixty (60) off-street parking stalls are to be provided on site.
5. Signage. Signage shall be in compliance with the City’s Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. 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.
7. 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.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. 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.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

Brian Hansen, d/b/a Alloy Wheel Repair Specialists of Wisconsin, LLC

Mike Judson, d/b/a J&A Management Services, LLC (property manager)

Provided to applicant on the
_____ day of _____, 2019

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Mayor Neitzke said it is understood that the site and landscaping plan is still being worked out between the staff under direction provided by the Plan Commission, and the applicant.

On a roll call vote, motion carried unanimously.

At this time, Mayor Neitzke proceeded to Agenda Items I5, I6 and I7.

5. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Ordinance No. 2931:

ORDINANCE NO. 2931

ORDINANCE TO AMEND SECTION 21.04.0603 OF THE MUNICIPAL CODE PERTAINING TO CONTRACTORS BEING PERMITTED AS A SPECIAL USE IN THE C-4 REGIONAL BUSINESS DISTRICT AND C-5 FREEWAY BUSINESS DISTRICT, AND TO AMEND SECTION 21.04.0703 OF THE MUNICIPAL CODE PERTAINING TO DETAILED STANDARDS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS

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

PART I. Section 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	GF	PSW
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}
238150	Glass and Glazing Contractors				S	S			S									
238160	Roofing Contractors				S	S			S									
238170	Siding Contractors				S	S			S									
238190	Other Foundation, Structure, and Building Exterior Contractors				S	S			S									
238210	Electric Contractors and other Wiring Installation Contractors				S	S			S									
238220	Plumbing, Heating and Air-Conditioning Contractors				S	S			S									
238290	Other Building Equipment Contractors				S	S			S									
238310	Drywall and Insulation Contractors				S	S			S									
238320	Painting and Wall Covering Contractors				S	S			S									
238330	Flooring Contractors				S	S			S									
238340	Tile and Terrazzo Contractors				S	S			S									
238350	Finish Carpentry Contractors				S	S			S									
238390	Other Building Finishing Contractors				S	S			S									
238910	Site Preparation Contractors																	
238990	All Other Specialty Trade Contractors																	

* * *

PART II. Subsection 21.04.0703V. of the Greenfield Municipal Code is hereby created to read:

* * *

- V. *Contractors (general).* The purpose of this section is to provide for the regulation of site condition for contractor-type businesses and other similar establishments.
- Contractors must submit a proposed site and landscaping plan pertaining to their business establishment, identifying commercial vehicle, customer and employee parking areas for Plan Commission and Common Council approval.
 - Contractors must submit a proposed site and landscaping plan identifying a four-sided board-on-board or similar-type material refuse enclosure with a personnel door for Plan Commission and Common Council approval. Refuse from

- construction jobs must be kept inside a refuse container and cannot be brought from other properties in which the contractor may operate out of.
3. Outdoor storage of any kind is not permitted on the property of any contractor-type of business, and such notation must be included in the proposed site and landscaping plan for Plan Commission and Common Council approval.

* * *

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

PART V. 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 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Mayor Neitzke said this applicant will be doing the things that previous tenants promised but did not do.

On a roll call vote, motion carried unanimously.

6. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Ordinance No. 2932:

ORDINANCE NO. 2932

**ORDINANCE TO AMEND THE OFFICIAL GREENFIELD ZONING MAP BY REZONING THE
PROPERTY LOCATED AT 4343 S. 27 ST.
FROM C-3 HIGHWAY AND COMMERCIAL SERVICE BUSINESS DISTRICT
TO C-4 REGIONAL BUSINESS DISTRICT
(TAX KEY NO. 599-8996-000)**

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 18th day of June, 2019, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 4343 S. 27 St. from C-3 Highway and Commercial Service Business District to C-4 Regional Business 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 C-3 Highway and Commercial Service Business District to C-4 Regional Business District to-wit:

That part of the Southeast ¼ of Section 24, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin which is bounded and described as follows:

The South 80 feet of the North 412.50 feet of the East 370 feet of the Southeast ½ Section 24, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin. Excepting therefrom those parts taken for public street purposes.

Said land contains approximately 0.53 acres, more or less, including the respective rights-of-way and is located at:

4343 S. 27 St. (Tax Key No. 599-8996-000)

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 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

7. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Resolution No. 3696 granting a Special Use Permit and to approve a Site Plan Review for Tom's Dependable Heating, a proposed plumbing and heating contractor to be located at 4343 S. 27 St., submitted by James Weiss, d/b/a Tom's Dependable Heating. (Tax Key No. 599-8996-000):

RESOLUTION NO. 3696

SPECIAL USE PERMIT FOR TOM'S DEPENDABLE HEATING, A PROPOSED PLUMBING AND HEATING CONTRACTOR, TO BE LOCATED AT 4343 S. 27 ST., SUBMITTED BY JAMES WEISS, D/B/A TOM'S DEPENDABLE HEATING.
(TAX KEY NO. 599-8996-000)

WHEREAS, James Weiss, d/b/a Tom's Dependable Heating, 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 a plumbing and heating contractor at 4343 S. 27 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 18, 2019, at 7:00 p.m. or soon thereafter, 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, James Weiss, d/b/a Tom's Dependable Heating, owns Tom's Dependable Heating, 3325 W. Layton Ave., Greenfield, WI, 53221.
2. The applicant has an accepted offer to purchase the property located at 4343 S. 27 St., Greenfield, WI 53221.
3. Tom's Dependable Heating will occupy approximately 3,800 sq. ft. of the commercial building located at 4343 S. 27 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

The South 80 feet of the North 412.50 feet of the East 370 feet of the Southeast ½ Section 24, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin. Excepting therefrom those parts taken for public street purposes.

Tax Key No. 599-8996-000

Said land being located at 4343 S. 27 St.

4. The applicant is proposing to establish a plumbing and heating contractor business within the existing commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits "Plumbing, Heating, and Air-Conditioning Contractors" 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 S. 27 St. corridor that is developed for commercial uses. Properties to the north, east, and south are developed as commercial. Properties to the west are developed as residential.

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 James Weiss, d/b/a Tom's Dependable Heating, to establish a plumbing and heating contractor, to be located at 4343 S. 27 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 Plan and all other applicable conditions approved by the Plan Commission on May 14, 2019 and by the Common Council on June 18, 2019. No alteration or modification of the approved plan shall be permitted without approval by the Common Council. No outdoor storage is permitted.
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 allowable hours of operation for Tom's Dependable Heating will be 8:00am – 5:00pm, Monday - Friday. Emergency service repair calls may require staff to occupy the site 24 hours/day, seven (7) days/week.
4. Off-Street Parking. The entire building, under the category of "Contractor Shop," requires nine (9) off-street parking stalls. Seventeen (17) off-street parking stalls are to be provided on site.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. 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.
7. 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.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. 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.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

James Weiss, d/b/a Tom's Dependable Heating

Provided to applicant on the
_____ day of _____, 2019

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 18th day of June, 2019.

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 18.

8. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adopt Ordinance No. 2933:

ORDINANCE NO. 2933

ORDINANCE TO AMEND SECTION 21.06.0203 OF THE MUNICIPAL CODE PERTAINING TO OFF-STREET PARKING AND ON-SITE QUEUING REQUIREMENTS FOR USE TYPES

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

PART I. Section 21.06.0203 of the Greenfield Municipal Code is hereby amended to read as follows:

* * *

**Table 21.06.0203
OFF-STREET PARKING AND ON-SITE QUEUING REQUIREMENTS FOR USE TYPES**

Use	Minimum Required Parking Spaces per 1,000 Square Feet of Gross Floor Area	Minimum Required On-Site Queuing Space to be Provided (number of vehicles)	Other Required Standard(s) for Off- Street Parking Spaces
* * *			
<i>Commercial Uses: Bars or Restaurants</i>			
Bars or Taverns	15	-	-
General Restaurant (without drive-thru facility)	15	-	-
Restaurant (with drive- thru facility)	10	-	-
* * *			

* * *

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 18th day of June, 2019.

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 I9 and I10.

9.-10. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Ordinance No. 2934:

ORDINANCE NO. 2934

ORDINANCE TO ADOPT A LAND USE MAP AMENDMENT TO THE 2008 CITY OF GREENFIELD
COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 7631 W. HOLMES AVE. FROM
SINGLE FAMILY TO PLANNED BUSINESS
(TAX KEY NO. 616-0002-000)

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 18th day of June, 2019, at 7:00 p.m. or soon thereafter, 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 April 9, 2019, 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 Planned Business for the property located at 7631 W. Holmes Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 2 in Block 1 of Crestview Acres, a recorded subdivision, being a part of the Northeast ¼ of Section 28, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, State of Wisconsin.

Tax Key No. 616-0002-000

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 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

and to adopt Resolution No. 3697:

RESOLUTION NO. 3697

**RESOLUTION ADOPTING A LAND USE MAP AMENDMENT TO THE 2008 CITY OF
GREENFIELD COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 7631 W. HOLMES
AVE. FROM SINGLE FAMILY TO PLANNED BUSINESS
(TAX KEY NO. 616-0002-000)**

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 GMX Real Estate Group, LLC and proposes to redesignate the future land use of properties in which they have an offer to purchase, located at 7631 W. Holmes Ave. from Single Family to Planned Business (Tax Key No. 616-0002-000). As noticed, the public hearing will be held before the Common Council on June 18, 2019, 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 June 18, 2019. 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 April 9, 2019 the City of 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 7631 W. Holmes Ave. from Single Family to Planned Business (Tax Key No. 616-0002-000), 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 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Mayor Neitzke said Alderperson Lubotsky told him she supported the development.

Alderperson Bailey said he has had many calls from people opposed to the development. He said he is against it. The rezoning is an incursion of business into a nice residential property. The neighborhood has spoken clearly that they don't want this. The road closure has reduced opposition, but the majority of the neighborhood is still against it. He said it is incredible to him that the city would close a public street to acquiesce to a developer.

Alderperson Akers said she recalled many complaints about speeding on W. Holmes Avenue from past Board of Public Works meetings. Yet residents are often opposed to speed bumps because of the noise created when vehicles speed over them. Police can't be there all the time to catch the speeders. She is in favor of the road closure because it will help alleviate the speeding problems. She thinks this proposal will protect the neighborhood, even though there is inconvenience and some negatives.

On a roll call vote, motion carried 3-1, with Alderpersons Akers, Saryan, and Kastner voting in favor, and Alderperson Bailey voting against.

11. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to adopt Ordinance No. 2935:

ORDINANCE NO. 2935

**ORDINANCE TO AMEND THE OFFICIAL GREENFIELD ZONING MAP BY REZONING THE PROPERTY LOCATED AT 7631 W. HOLMES AVE. FROM R-2 SINGLE-FAMILY RESIDENTIAL CONSERVATION DISTRICT TO C-4 REGIONAL BUSINESS DISTRICT AND REZONING THE PROPERTY LOCATED AT 7611 W. HOLMES AVE. FROM C-2 COMMUNITY COMMERCIAL DISTRICT TO C-4 REGIONAL BUSINESS DISTRICT
(TAX KEY NOS. 616-0002-000 AND 616-0001-001)**

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 18th day of June, 2019, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 7631 W. Holmes Ave. from R-2 Single-Family Residential Conservation District to C-4 Regional Business District and rezone the property located at 7611 W. Holmes Ave. from C-2 Community Commercial District to C-4 Regional Business 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-2 Single-Family Residential Conservation District to C-4 Regional Business District to-wit:

Lot 2 in Block 1 of Crestview Acres, a recorded subdivision, being a part of the Northeast ¼ of Section 28, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, State of Wisconsin.

Said land contains approximately 0.70 acres, more or less, including the respective rights-of-way and is located at:

7631 W. Holmes Ave. (Tax Key No. 612-0002-000)

PART II. 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 C-2 Community Commercial District to C-4 Regional Business District to-wit:

Parcel 1 of Certified Survey Map No. 5432, being a part of the Northeast ¼ of Section 28, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, State of Wisconsin.

Said land contains approximately 0.42 acres, more or less, including the respective rights-of-way and is located at:

7611 W. Holmes Ave. (Tax Key No. 612-0001-000)

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

PART V. 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 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried 3-1, with Alderpersons Akers, Saryan and Kastner voting in favor, and Alderperson Bailey voting against.

12. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve a Certified Survey Map to combine two existing parcels located at 7611 and 7631 W. Holmes Ave., submitted by Scott Shust, d/b/a JTS Architects and Kevin Mottlowitz, d/b/a GMX Real Estate Group, LLC. (Tax Key Nos. 616-0002-000 and 616-0001-001). Motion carried 3-1, with Alderpersons Akers, Saryan and Kastner voting in favor, and Alderperson Bailey voting against.

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

13. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the Site, Landscaping and Architectural Review for proposed new construction of a multi-tenant commercial building, to be located at 7611 and 7631 W. Holmes Ave., submitted by Scott Shust, d/b/a JTS Architects and Kevin Mottlowitz, d/b/a GMX Real Estate Group, LLC. (Tax Key Nos. 616-0002-000 and 616-0001-001), with the understanding that the road would be vacated.

Mayor Neitzke said he thinks the road closure will help the speeding problem. He thinks the commercial building is nice and “is what belongs there.”

Motion carried 3-1, with Alderpersons Akers, Saryan and Kastner voting in favor, and Alderperson Bailey voting against.

Mayor Neitzke said a developer’s agreement would be drafted to put in stipulations that were discussed. A future public hearing will be scheduled as part of the road vacation process.

At this time, Mayor Neitzke proceeded to Agenda Item J1.

- 14.-17. After some discussion, it was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve the following:

Approve a Special Use Review and Site, Landscaping and Architectural Plans for a proposed addition to Advanced Animal Hospital, an existing business located at 3374 W. Loomis Road, subject to Plan Commission and staff comments. (Tax Key No. 553-0430-002)

Approve 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. (Tax Key No. 565-9955-007)

Approve Site and Architectural Plans for Jen’s Beer & Liquor, an existing business located at 4312 W. Howard Avenue, subject to Plan Commission and staff comments. (Tax Key No. 555-8979-000)

Approve Architectural Plans for façade modifications to Uncle Paulie’s Brick Oven Pizzeria, an existing business located at 4395 S. 76 Street, subject to Plan Commission and staff comments. (Tax Key No. 605-9979-002)

On a roll call vote, motion carried unanimously.

*At this time, Mayor Neitzke proceeded to Agenda Item E.**

- 18.-20. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to approve the following:

Approve Outdoor Special Event permit for the Greenfield 4th of July Celebration event, to be located at Konkel Park, 5151 W. Layton Ave., July 4, 2019. Application includes the following combination of licenses/permits: Entertainment (music, inflatables, children's entertainment, speeches), Temporary Class "B" Retailer's License (beer), Parade License, Food, and Commercial Building/Electrical, and a request to waive all fees. *Granting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.*

Approve Outdoor Special Event permit for the St. John the Evangelist Church Festival event, to be located at 8500 W. Cold Spring Rd., July 26 – 28, 2019. Application includes the following combination of licenses/permits: Temporary Class "B" Retailer's License (beer), Entertainment (carnival/rides & amusements, inflatables, live music, dance), Food, and Commercial Building/Electrical/Plumbing. *Granting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12.*

Approve Outdoor Special Event application for Armenian Fest, to be located at St. John the Baptist Armenian Apostolic Church, located at 7825 W. Layton Ave., July 21, 2019. Application includes the following combination of licenses/permits: Temporary Class "B" Retailer's License (beer), Entertainment (live music), Food, and Commercial Building/Electrical/Plumbing.

On a roll call vote, motion carried unanimously.

21. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve the agreement between the City of Greenfield and Milwaukee County regarding Kulwicki Park.

Mayor Neitzke said the city has been working on this since 2012. The Greater Greenfield Lion's Club and the Greenfield Little League have also signed assignments that will be incorporated into the master agreement.

On a roll call vote, motion carried unanimously.

22. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to approve re-naming Honey Bear Park, 4425 S. Honey Creek Dr., as Don Almquist Park.

Alderperson Bailey said he has known Mr. Almquist for 40 years and this honor is highly deserved. Mayor Neitzke said Mr. Almquist was the person who convinced him to run for alderperson. He has been involved in every facet of this community for a very long time. He was active with veterans organizations and also was instrumental in helping with the Greenfield Library, the Greenfield Community Center, the police department, and the school board. Alderperson Kastner said Mr. Almquist was the one who convinced him to run for alderperson also.

On a roll call vote, motion carried unanimously.

23. It was moved by Alderperson Kastner, seconded by Alderperson Saryan, to adopt Resolution No. 3699:

RESOLUTION NO. 3699

RESOLUTION VERIFYING REVIEW AND AUTHORIZING SUBMITTAL OF THE
2017 WISCONSIN DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR),
GREENFIELD PROJECT NUMBER 2019 #2

WHEREAS, Public sanitary sewer collection is a basic responsibility of local, county and state governments; and

WHEREAS, It is the responsibility of local, county and state governments to properly operate and manage wastewater collection systems so as to protect public safety and health; and

WHEREAS, Proper inspection, rehabilitation, and operation and maintenance of the sanitary sewer collection system would promote cost-effective performance of the system over its design life; and

WHEREAS, Revisions to Chapter NR 208, Wisconsin Administrative Code became effective January 2006 requiring permitted wastewater collection systems to submit a Compliance Maintenance Annual Report (CMAR) with a resolution verifying Common Council review, statement of corrective actions if necessary and authorization of submittal.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Greenfield hereby verifies its review and authorizes the submittal of the 2018 Compliance Maintenance Annual Report (CMAR) for the City of Greenfield.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Wisconsin Department of Natural Resources (DNR).

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this 18th day of June, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

24. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to award a contract for the project 2019 Private Property Lateral Inspections for \$43,970 to the low bidder, Visu-Sewer. On a roll call vote, motion carried unanimously.

25. It was moved by Alderperson Akers, seconded by Alderperson Bailey, to award a contract for the 2019 Tree Planting Program for \$95,436 to the low bidder, Dan Larsen. On a roll call vote, motion carried unanimously.

26. Appointments to various committees and commissions:

a. Council appointments:

- i. A.D. #3
One member to the Park & Recreation Board for a term to expire 5/31/22
(Formerly Todd Fabos) – to be placed on **NEXT AGENDA**

b. Mayor appointments, confirmed by Council:

- i. One member to the Board of Review for a term to expire 5/1/21 (formerly Gregory Krog) – to be placed on **NEXT AGENDA**
- ii. One alternate member to the Board of Review for a term to expire 5/1/24 (newly created position) – to be placed on **NEXT AGENDA**
- iii. One member to the Zoning Board of Appeals for a term to expire 5/1/20 (formerly Donald Kopp) – to be placed on **NEXT AGENDA**
- iv. One member to the Tree Commission for a term to expire 5/1/21 (formerly Michael Wendt) – to be placed on **NEXT AGENDA**
- v.-vi. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to reappoint Jenna Czaplewski as a member to the Public Library Board for a term to expire 7/1/22,

[One member to the Public Library Board for a term to expire 7/1/22 (currently Tod Gagliano [not seeking reappointment] – to be placed on **NEXT AGENDA**]

and to confirm the Mayor's appointment of Sue DeWitt as the Greenfield School District's representative to the Public Library Board for a term to expire 7/1/21.
Motion carried unanimously.

c. Mayor appointments:

- i. One alternate member to the Zoning Board of Appeals for a term to expire 5/1/21 (formerly Denise Kunz) – to be placed on **NEXT AGENDA**

27. a.-i. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve the following licenses to expire June 30, 2020, subject to the City of Greenfield ordinances regarding code compliance and payment of all delinquent taxes and charges:

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

27a.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220				06/04/2019 1/2
CLASS A BEER				
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS	
Sunil Petro Inc.	SAI Mart	Kavita Sharma, Agent	4715 SE 27th ST	
Premise Description: FIRST FLOOR, ONE STORY BUILDING LOCATED AT 4715 S 27TH ST				

27b.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220				06/05/2019 1/1
CLASS A LIQUOR COMBO				
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS	
Aldi, Inc. (Wisconsin)	Aldi #73	Adam Weil, Agent	4225 S 108th ST	
Premise Description: SINGLE STORY BRICK BUILDING: SALES/ BACK ROOM, GROCERY STORE, LOCATED AT 4225 S. 108TH ST.				
Aldi, Inc.(Wisconsin)	Aldi #23	Israel Taylor, Agent	4615 W Layton AVE	
Premise Description: SINGLE STORY BRICK BUILDING: SALES/BACK ROOM, GROCERY STORE, LOCATED AT 4615 W. LAYTON AVE.				
Arora Trading Inc	Jens Beer & Liquor	Gurmeet Arora, Agent	4312 W Howard AVE	
Premise Description: SINGLE STORE BUILDING, COOLER, STORE ROOM LOCATED AT 4312 W HOWARD AVE				
Grand Total Licenses:				3

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

27c.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220			
06/04/2019 1/2			
CLASS A CIDER ONLY			
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS
Sunil Petro Inc.	SAI Mart	Kavita Sharma, Agent	4715 SE 27th ST
Premise Description: FIRST FLOOR, ONE STORY BUILDING LOCATED AT 4715 S 27TH ST			

27d.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220			
06/04/2019 1/2			
CLASS B LIQUOR - COMBO			
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS
T & M Fox LLC	Friends on Forest Home	Maureen Jane Fox, Agent	5614 W Forest Home AVE
Premise Description: MAIN BAR, HALL BAR, BASEMENT, UPSTAIRS COOLER LOCATED AT 5614 W FOREST HOME AVE			
Klemmer's Inc.	Klemmer's Banquet Center	Mary Kathryn Klemmer, Agent	10401 W Oklahoma AVE
Premise Description: KLEMMER'S BANQUET CENTER, INCLUDING 6 EVENT ROOMS LOCATED AT 10401 W OKLAHOMA AVE			
Meyer's SM Restaurant Inc	Meyer's Restaurant	Francesco Anthony Purpora, Agent	4260 S 76th ST Suite D
Premise Description: LIQUOR ROOM, CLOSET COLDSRING SIDE IN CAGES, WALKIN COOLER, CABINETS BY OFFICE, BARS, BANQUET ROOMS, CLOSET OF BANQUET HALL WITH MICROPHONES LOCATED AT 4260 S 76TH ST SUITE D			
Kyle D. Sobocinski	Sobo's Tap	Kyle Sobocinski, Agent	4500 W Forest Home AVE
Premise Description: BASEMENT AND FIRST FLOOR OF A 2-STORY BUILDING LOCATED AT 4500 W. FOREST HOME AVE.			

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

27e.

CITY OF GREENFIELD
7325 West Forest Home Avenue
Greenfield, Wisconsin 53220

06/04/2019
1/2

RESERVE CLASS B RETAIL- COMBO

<u>LEGAL BUSINESS NAME</u>	<u>BUSINESS NAME</u>	<u>AGENT</u>	<u>BUSINESS ADDRESS</u>
Habaneros of Greenfield Inc	Habaneros of Greenfield Inc	Jessica A. Escamilla, Agent	7700 W Layton AVE

Premise Description:

DINING ROOM, BAR, PATIO, KITCHEN, RESTROOMS LOCATED AT 7700 W. LAYTON AVE.

27f.

**CITY OF GREENFIELD
OPERATOR LICENSE APPLICANTS**

06/13/2019

f.

OPERATOR'S REGULAR

<u>NAME</u>	<u>ADDRESS</u>	<u>CITY, STATE, ZIP</u>
Abigail CH Parks	9126 Broadway DR	Sturtevant, WI 53177
Alexandrea Elaine McNutt	5036 S 92nd ST Unit 1	Greenfield, WI 53228
Alexis Marie Nelson	4711 S Supreme CT #103	Greenfield, WI 53228
Alissa Marie Tremmel	3685 S Rivershire DR 6	Greenfield, WI 53228
Angela Ann Schroeder	4409 S 13th ST	Milwaukee, WI 53221
Ayde Garcia Velazquez	1748 S 60th ST	West Allis, WI 53214
Bailey Robert Phalen	4038 S 91st ST	Greenfield, WI 53228
Branka Strnad	3121 W Pierce ST	Milwaukee, WI 53215
Brittney Alexis Stelzi	1967 S Layton BLVD	Milwaukee, WI 53215
Callie Jean Cardenas	3347 W Colony DR	Greenfield, WI 53221
Casey Allen Marszalkowski	1604 N Humboldt AVE Unit B	Milwaukee, WI 53202
Christina Palacios	4628 W Tripoli AVE	Milwaukee, WI 53220
Daleithia Mercadis Sanders	7007 W Becher ST	West Allis, WI 53219
David Douglas Peglow	2864 Chicory RD	Racine, WI 53403
David Leroy Willems	1755 N 116th ST	Wauwatosa, WI 53226
Delita Casila Owens	3720 S Rivershire DR #3	Greenfield, WI 53228
Destiny Dashawn Hunter	1744 S 62nd ST	West Allis, WI 53214
Donna Kay Reed	6413 W Verona CT	Milwaukee, WI 53219
Elijah Isaac MacDougall	10115 W Coldspring RD #110	Greenfield, WI 53228
Emily Susan Schultz	10310 W Montana AVE #6	West Allis, WI 53227
Gary Gately Lockwood	820 Aspen AVE Unit A4	Fontana, WI 53125
Hannah Marcella Shaw	3035 S Fountain Square BLVD #206	New Berlin, WI 53151
Jacob Cannon Whitlock	3602 S 46th PL	Greenfield, WI 53220
Jacob Edward Kubek	14900 W Liberty LN #309	New Berlin, WI 53151
Jason Charles Dietrich	4666 S 47th ST	Greenfield, WI 53220
Jazmyn Arce	2424 S 14th ST	Milwaukee, WI 53215
Jeetendra Singh Khinot	8100 W Forest Gardent CT # 8	Greenfield, WI 53220
Jessica Marie VonHofmann	3653 S 51st ST	Greenfield, WI 53220
Joyce Aileen Paul	1620 Rawson AVE	South Milwaukee, WI 53172
Judith Ann North	4627 S 109th ST	Greenfield, WI 53228
Julie Ann Rohde	1173 Riverbend DL	Hartford, WI 53027
Justin Lee Kreutz	2751 S Burrell ST	Milwaukee, WI 53207
Katherine Helen Mikolajczak	2506 E Birchwood AVE	Cudahy, WI 53110
Kenneth Hallberg	1920 E Tripoli AVE #110	St Francis, WI 53235
Kimberly Ann Lindner	8430 W Howard AVE #3	Milwaukee, WI 53228
Laura Elizabeth Chatterton	6538 40th AVE	Kenosha, WI 53142
Lisa Ann Milasuski	4711 S Supreme CIR #103	Greenfield, WI 53228

27f. – continued

Lisa Marie Gray	5412 W Whitaker AVE	Greenfield, WI 53220
Lisa Marie Ireland	4720 S Supreme CT # 205	Greenfield, WI 53228
Melvin Henry Cardenas	3347 W Colony DR	Greenfield, WI 53221
Molly Elizabeth Povlick	3711 S 54th ST	Milwaukee, WI 53220
Nathan Daniel Smale	2871 N 89th ST	Milwaukee, WI 53222
Nicole Leigh Perry	570 W19777 Thornapple CT	Muskego, WI 53150
Norexys Mallo	11113 W Wildwood LN #306	Milwaukee, WI 53227
Olivia Cathlene Ingermann	6821 Crocus CT #2	Greendale, WI 53129
Pamela Meyer	W328 S1570 Forest Hills CT	Delafield, WI 53018
Rebecca Anne Roberts	5344 Orchard LN	Greendale, WI 53129
Richard Michael Granger	1713 Summit AVE	Racine, WI 53404
Ricky Aaron Taylor	4219 S 96th ST	Greenfield, WI 53228
Robin Elizabeth Conti	8316 W Crawford AVE	Milwaukee, WI 53220
Samantha Lynn Kolaske	8737 W Tripoli AVE	Milwaukee, WI 53228
Samantha Nicole Grutza	3214 S Kinnickinnic AVE	Milwaukee, WI 53207
Sandy Jewel Ollenburg	11070 W Forest Home AVE #4	Hales Corners, WI 53130
Sara Anne Ligocki	10400 S Redwood LN	Oak Creek, WI 53154
Sarah Zavala Alva	3444 S 3rd ST	Milwaukee, WI 53207
Susan Marie Skoczynski	4171 S 54th ST	Milwaukee, WI 53220
Tammy Marie Bresette	3912 W Denis AVE	Milwaukee, WI 53221
Taylor Nicole Molkentin	8103 336th AVE	Burlington, WI 53105
Thomas Dean Fox	3526 S 26th ST	Milwaukee, WI 53221
Thomas Elliott Brokmeier	1058 Carriage WAY	Palmyra, WI 53156
Tracey Lynn Dieck	3735 S Rivershire DR #5	Greenfield, WI 53228
Victoria Madeline Sberna	2576 S 77th ST	West Allis, WI 53219
Villavanh Kapkeo	3744 S 81st ST	Milwaukee, WI 53220
Wilfredo Fuentes	3065 N Humboldt BLVD	Milwaukee, WI 53212
Yoel Esteban Martinez Martinez	725 S 36th ST	Milwaukee, WI 53215
Zeanie Mae Henderson	4479 N 66th ST	Milwaukee, WI 53218

Total Licenses: 66

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

27g.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220			
06/04/2019 1/2			
DRY CLEANING/WASHING MACHINE			
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS
Omeed Inc	Odgen Cleaners	Keyhan Sheikholeslami, Agent	7860 W Layton AVE
Premise Description: OPERATE 2 DRY CLEANING MACHINES AND 3 WASHING MACHINES LOACTED AT 7860 W LAYTON AVENUE			

27h.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220			
06/05/2019 1/1			
ENTERTAINMENT			
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS
	City of Greenfield	Laura Chatterton, Representative	7325 W Forest Home AVE
Premise Description: INDOOR: N/A; OUTDOOR: VARIOUS EVENTS AT KONKEL PARK (MUSIC, CAR SHOW, RUN/WALK, KIDS' ACTIVITIES, MOVIES). LOCATED AT 5151 W LAYTON AVE			
T & M Fox LLC	Friends on Forest Home	Maureen Jane Fox, Agent	5614 W Forest Home AVE
Premise Description: INDOOR: JUKEBOX, PATRON STYLE DANCING, POOL LEAGUES, DARTS, DART LEAGUES, VIDEOGAMES, DART BALL LEAGUES, MUSIC; OUTDOOR: N/A. LOCATED AT 5614 W FOREST HOME AVE			
Klemmer's Inc.	Klemmer's Banquet Center	Mary Kathryn Klemmer, Agent	10401 W Oklahoma AVE
Premise Description: INDOOR: PATRONS PROVIDE THE ENTERTAINMENT FOR PRIVATE PARTIES (I.E. WEDDINGS, ANNIVERSARIES, ETC.) PATRONS PROVIDE THEIR OWN BANDS OR DJ'S; OUTDOOR: N/A. LOCATED AT 10401 W OKLAHOMA AVE			
Meyer's SM Restaurant Inc	Meyer's Restaurant	Francesco Anthony Purpora, Agent	4260 S 76th ST Suite D
Premise Description: INDOOR: BANDS FOR BANQUET HALL WITH PATRON TYPE DANCING; OUTDOOR: N/A. LOCATED AT 4260 S 76TH ST, SUITE D			
Kyle D. Sobocinski	Sobo's Tap	Kyle Sobocinski, Agent	4500 W Forest Home AVE
Premise Description: INDOOR: HAVE KARAOKE, LIVE BANDS, JUKEBOX, RADIO, TV, DJ'S, SINGING, PATRON DANCING; OUTDOOR: N/A. LOCATED AT 4500 W FOREST HOME AVE			
Grand Total Licenses:			5

17i.

CITY OF GREENFIELD 7325 West Forest Home Avenue Greenfield, Wisconsin 53220				06/05/2019 1/1
PAWNBROKER/SECONDHAND				
LEGAL BUSINESS NAME	BUSINESS NAME	AGENT	BUSINESS ADDRESS	
Best Buy Stores, LP	Best Buy #25	Robert Jamsa, Agent	4610 S 76th ST	
Premise Description: CONDUCT SALE OF SECONDHAND ARTICLES LOCATED AT 4610 S 76TH ST RYAN COEN, ROBERT ARTEAGA JR, ROBERT REUTELER, ALEX LOPEZ, JOSEPH CHAPMAN - MANAGERS/PERSONS IN CHARGE				
Brew Town Trading Co, LLC	Brew Town Trading Co, LLC	Jeremy Frantz, Agent	1825 E Lilac LN	
Premise Description: CONDUCT SALES OF SECONDHAND ARTICLES AT 4285 S 76TH ST RORY ALAN WAGNER - MANAGER/PERSON IN CHARGE				
Gamestop Inc	Gamestop #567	Emily Beth Zastrow, Agent	7420 W Holmes AVE	
Premise Description: CONDUCT SALES OF SECONDHAND ARTICLES LOCATED AT 7420 W HOLMES AVE EMILY ZASTROW, BRANDON GULLIFER, BRANDON BIGGS, DAHLIA KAYEMBE, LUCIANO BAROS, BRADLEY SERVIDAS, ENRIQUE GARCIA, EVAN WOLFRAM - MANAGERS/PERSONS IN CHARGE				
MMX3 LLC	Mega Media Xchange	Robert Allen Settecase, Agent	7828 W Layton AVE	
Premise Description: CONDUCT SALE OF SECONDHAND ARTICLES LOCATED AT 7828 W LAYTON AVE JOSEPH ANDREW GREGOVICH, JEREMIAH KOCH, KATANA MOEDE, SAMANTHA VANDERHYDEN, WAYNE MARTYNSKI - MANAGERS/PERSONS IN CHARGE				
Cutting Edge Sporting Goods, LLC	Play It Again Sports	Andrew Hundt, Agent	7499 W Layton AVE	
Premise Description: CONDUCT SALE OF SECONDHAND ARTICLES AT 7499 W LAYTON AVE RICHARD ALLEN SCHMITZ - MANAGER/PERSON IN CHARGE				
The Exclusive Company Corp	The Exclusive Company	Peter Stolarski, Agent	5026 S 74th ST	
Premise Description: CONDUCT SALE OF SECONDHAND ARTICLES LOCATED AT 5026 S 74TH ST				
Grand Total Licenses:				6

Motion carried unanimously.

28. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to approve the request of Primetime Tap LLC, Nicholas E. Marking, Agt., for an extension of licensed premises to extend the outdoor patio by 10 feet for both its Entertainment License (for a 5-piece band) from 7 p.m. to 10 p.m. and for its "Class B" beer and liquor license from 6 p.m. to 11 p.m. for a "Luau on Layton" event on June 22, 2019 at 7808 W. Layton Ave. Motion carried unanimously.

- 29.-38. It was moved by Alderperson Saryan, seconded by Alderperson Kastner, to approve the following:

Create a job description, set salary, recruit and hire a Part-time Police Services Specialist-

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

Investigator in the Police Department.

Approve change to the organizational chart for the Police Department.

Create a job description, set salary, recruit and hire a Part-time Administrative Assistant in the Mayor's Office and Human Resources.

Approve Amendment Number Two to the Professional Services Agreement between the City of Greenfield and SAFEbuilt Wisconsin, LLC.

Change the Finance and Human Resources committee meeting start time from 6:30 p.m. to 6:00 p.m.

Hold one Finance and Human Resources committee meeting per month during the summer months to coincide with the Common Council schedule.

Approval of schedules of disbursements in the amount of \$3,466,773.14.

Approval of mileage reimbursements in the amount of \$1,966.80.

Investments and reinvestments.

Accept March and April 2019 Financial Statements.

On a roll call vote, motion carried unanimously.

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

- 39.-40. It was moved by Alderperson Kastner, seconded by Alderperson Akers, to go into closed session at 9:52 p.m. pursuant to Wis. Stat. § 19.85(1)(b) & (f), considering licensure, social or personal history, or medical information, regarding the application for a 2019-2020 operator license received from James R. Bilot and Theresa M. Madrigal. On a roll call vote, motion carried unanimously.

It was moved by Alderperson Akers, seconded by Alderperson Bailey, to adjourn closed session at 10 p.m. and reconvene into open session. Motion carried unanimously.

It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve issuance of a 2019-2020 operator's license for James R. Bilot. Motion carried unanimously.

It was moved by Alderperson Kastner, seconded by Alderperson Bailey, to approve issuance of a 2019-2020 operator's license for Theresa M. Madrigal. Motion carried unanimously.

- L. Items for future agenda – budgets, demolition delay of single family home for Paul's Wine & Liquor

- M. It was moved by Alderperson Bailey, seconded by Alderperson Akers, to adjourn the meeting at

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

10:04 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
Distributed: June 26, 2019