

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON
TUESDAY, JANUARY 21, 2020

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 p.m.

Present: Alderpersons Bruce Bailey, Pamela Akers, Karl Kastner

Excused: Alderpersons Shirley Saryan, Linda Lubotsky

Also present: Brian Sajdak, City Attorney; Jeff Katz, Director, Neighborhood Services;
Kristi Johnson, Community Development Manager; Jennifer Goergen, City Clerk.

B. Opening Prayer

An opening prayer was given.

C. Pledge of Allegiance

D. Approval of the January 7, 2020 Common Council minutes

Motion by Ald. Bailey, seconded by Ald. Akers, to approve. Motion carried unanimously.

E. Mayor's Report

None.

F. Aldermanic Reports

Ald. Bailey and Mayor Neitzke thanked city staff for their help in getting a dilapidated home razed near S. 91st St. and W. Waterford that was an eyesore. Ald. Akers thanked the Dept. of Public Works for doing a good job with clearing roads during recent storms.

G. Announcements

None.

H. Citizen Commentary

None.

I. Public Hearings

1. Public Hearing on a Special Use Permit for Lou Malnati's, a proposed limited-service restaurant to be located at 4751 S. 76 Street, submitted by Sasha Milosavljevich, d/b/a Marnat Inc., LLC. Tax Key No. 616-8996-001. (PC-12/10/19-Kastner)

Community Development Director Kristi Johnson said the applicant will lease about 2,000 square feet for a carry-out only restaurant. The property is zoned C-4. Hours of operation would be Monday through Thursday, from 4 p.m. - 10 p.m., Friday and Saturday, 11 a.m. - 11 p.m., and Sunday, 11 a.m. - 9 p.m. Thirty parking spaces are provided for Lou Malnati's. In spring, the applicant will paint the light pole and remove any dead trees. Plan Commission recommended approval; no letters of objection have been received.

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Registering in favor, but not speaking:
Jocelyn Wen, 222 S. Morgan Ave., #4b, Chicago, IL 60607

No one spoke for or against the special use.

Motion by Ald. Kastner, seconded by Ald. Akers, to close the public hearing. Motion carried unanimously.

- a. Adopt a Resolution on a Special Use Permit for Lou Malnati's, a proposed limited-service restaurant to be located at 4751 S. 76 Street. Tax Key No. 616-8996-001. (PC-12/10/19-Kastner)

Motion by Ald. Kastner, seconded by Ald. Bailey, to adopt Resolution No. 3725:

RESOLUTION NO. 3725

SPECIAL USE PERMIT FOR LOU MALNATI'S, A PROPOSED LIMITED-SERVICE RESTAURANT, TO BE LOCATED AT 4751 S. 76 ST., SUBMITTED BY SASHA MILOSAVLJEVICH, D/B/A MARNAT INC., LLC (TAX KEY NO. 616-8996-001)

WHEREAS, Sasha Milosavljevich, d/b/a Marnat Inc., 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 limited-service restaurant at 4751 S. 76 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on December 10, 2020, 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, Sasha Milosavljevich, d/b/a Marnat Inc., LLC, agent for Lou Malnati's, has offices at 3685 Woodhead Drive, Northbrook, IL 60062.
2. The property is owned by 4739 S 76th LLC, 833 N. Jefferson St., Milwaukee, WI 53202.
3. Lou Malnati's will occupy approximately 2,000 sq. ft. of the multi-tenant commercial building located at 4751 S. 76 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Northeast $\frac{1}{4}$ of Section 28, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point 470 feet West of and 360.30 feet South of the Northeast $\frac{1}{4}$ of said $\frac{1}{4}$

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Section; thence North, 92 feet to a point; thence East, 160 feet to a point; thence South, 21 feet to a point; thence East, 88 feet to a point; thence North, 21 feet; thence East to the East line of said ¼ Section; thence South along said ¼ Section line, 167 feet to a point; thence West, 470 feet to a point; thence North, 75 feet to the point of beginning. Excepting therefrom the East 60 feet for public street purposes.

Tax Key No. 616-8996-001

Said land being located at 4751 S. 76 St.

4. The applicant is proposing to establish a limited-service restaurant 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 limited-service restaurants 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. 76 St. corridor that is developed for commercial uses. Properties to the north, south, east, and 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 Sasha Milosavljevich, d/b/a Marnat Inc., LLC, to establish a limited- service restaurant, to be located at 4751 S. 76 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 December 10, 2019 and by the Common Council on January 21, 2020. 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 Lou Malnati's will be Monday – Thursday, 4pm – 10pm; Friday – Saturday, 11am – 11pm; Sunday, 11am – 9pm.
4. Off-Street Parking. The proposed limited-service restaurant use requires 30 off-street parking spaces. The remaining combined uses in the multi-tenant commercial building require a total of 63 off-street parking stalls, for a total of 93 required off-street parking spaces. Ninety-seven (97) 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

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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.

Sasha Milosavljevich, d/b/a Marnat Inc.

Karl R. Kopp, d/b/a 4739 S 76th LLC

Provided to applicant on the
____ day of _____, 2020

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

- b. Approve a Site Plan Review for Lou Malnati's, a proposed limited-service restaurant to be located at 4751 S. 76 Street, subject to Plan Commission and staff comments. Tax Key No. 616-8996-001. (PC-12/10/19-Kastner)

Motion by Ald. Kastner, seconded by Ald. Akers, to approve. Motion carried unanimously.

2. Public Hearing on a Special Use Permit for a proposed Verizon Wireless communication antenna, to be located at the YMCA located at 11311 W. Howard Avenue, submitted by Keith Nyman, agent of Verizon Wireless. Tax Key No. 566-9997-001. (PC-1/14/20-Kastner)

Community Development manager Kristi Johnson said a public hearing was initially held in September 2018, but a permit was never pulled, so this now is coming back to Council again. The proposal is to install the antenna on a light pole, increasing the height to just over 33 feet. The property is zoned I-Institutional. She showed a rendering of what it would look like. Plan Commission recommended approval; no letters of objection were received.

Tom Angerer, 4040 S. 118th St., asked if the YMCA would have the ability to change the contract without a public hearing. He doesn't want to see an antenna farm in his backyard.

Mayor Neitzke said the city has little control over the small cell towers. The FCC has in essence taken much of the city's control away. Verizon has been accommodating. They are working with staff concerning placement of 5G towers.

Jeff Katz said the city has some regulatory authority over placement, "but it's very little." Companies are accommodating but usually need a tower placed within 50 feet of their proposed location.

Mr. Angerer asked who inspects their work? Mr. Katz said the engineering department reviews the plans and location. An electrical permit is required.

Mr. Angerer asked who would oversee a cable project along W. Beloit Road. Mr. Katz said that would be a County project.

Mr. Angerer asked about contract details. Mayor Neitzke said those are not usually shared with the City.

Mr. Angerer said his concern is eventually the tower could be higher and that multiple carriers could come in. Mayor Neitzke said that can happen. Ms. Johnson said requests for co-location and height extensions go through plan commission review. Mayor Neitzke said the city cannot do much if the carrier can show the need.

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Mayor Neitzke said residents should contact their state legislators about cell tower concerns.

No one else spoke.

Motion by Ald. Kastner, seconded by Ald. Akers, to close the public hearing. Motion carried unanimously.

- a. Adopt a Resolution on a Special Use Permit for a proposed Verizon Wireless communication antenna, to be located at the YMCA located at 11311 W. Howard Avenue. Tax Key No. 566-9997-001. (PC-1/14/20-Kastner)

Motion by Ald. Kastner, seconded by Ald. Bailey, to approve Agenda Items I2a. and I2b. On a roll call vote, motion carried unanimously.

RESOLUTION NO. 3726

SPECIAL USE PERMIT FOR A PROPOSED VERIZON WIRELESS COMMUNICATION ANTENNA, TO BE LOCATED AT THE YMCA LOCATED AT 11311 W. HOWARD AVE., SUBMITTED BY KEITH NYMAN, D/B/A AGENT OF VERIZON WIRELESS
(TAX KEY NO. 566-9997-001)

WHEREAS, Keith Nyman, d/b/a Nyman Real Estate & Appraisal, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0703, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish a communication antenna at 11311 W. Howard Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on January 21, 2020, 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, Keith Nyman, agent of Verizon Wireless, has offices at 316 Water St., Lake Mills, WI 53551.
2. The property is owned by YMCA of Greater Waukesha County, Inc., 320 E. Broadway, Waukesha, WI 53186.
3. Verizon Wireless will construct a communication antenna in the parking lot at 11311 W. Howard Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

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That part of the Northeast ¼ of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin which is bounded and described as follows:

Commencing at a point at the Northwest corner of said ¼ Section; thence Southerly 602.35 feet to a point; thence Southeasterly along Easterly line of Wildcat Creek Heights, a recorded subdivision, to the centerline W Beloit Road (CTH T); thence Northeasterly along said centerline to its intersection with the centerline of S 112th Street; thence Northwesterly along the centerline of S 112th St to a point on the North line of said ¼ Section; thence West along said North line to the point of beginning. Excepting therefrom those parts taken for public street purposes.

Tax Key No. 566-9997-001

Said land being located at 11311 W. Howard Ave.

4. The applicant is proposing to construct a communication antenna, to be attached to a light pole within the YMCA parking lot.

5. The aforesaid premise is zoned I Institutional District under the Zoning Ordinance of the City of Greenfield, which permits commercial communication towers and antennas as a Special Use, pursuant to Sec. 21.04.0703, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along W. Beloit Rd. that is developed for public or public-related uses. Properties to the north and east are developed as public park land. Properties to the south and 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 Keith Nyman, on behalf of Verizon Wireless to construct a communication antenna at 11311 W. Howard 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. 21.04.0703 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site and Architectural Plans and all other applicable conditions approved by the Plan Commission on January 14, 2020 and by the Common Council on January 21, 2020. 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. Not applicable.
4. Off-Street Parking. Not applicable.
5. Signage. Not applicable.
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

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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.

Keith Nyman, d/b/a Nyman Real Estate & Appraisal

Dale Moore, d/b/a Southwest YMCA

Provided to applicant on the
____ day of _____, 2020

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

- b. Approve Site, Landscaping and Architectural Plans for a proposed Verizon Wireless communication antenna, to be located at the YMCA located at 11311 W. Howard Avenue, subject to Plan Commission and staff comments. Tax Key No. 566-9997-001. (PC-1/14/20-Kastner)

Approved under Agenda Item #12a.

J. Old Business

1. 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 Michael McElligott)

Motion by Ald. Akers, seconded by Ald. Kastner, to confirm the appointment of Michael Braswell, 4349 S. 51st St., as a member to the Park & Recreation Board for a term to expire 5/31/22. [Mr. Brawell lives in Aldermanic District 4 but will serve as the representative for Aldermanic District 3.] Motion carried unanimously.

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 the **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 the **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 the **NEXT AGENDA.**

- iv. One member to the Tree Commission for a term to expire 5/1/21 (formerly Michael Wendt)

To be placed on the **NEXT AGENDA.**

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 the **NEXT AGENDA.**

K. New Business

1. Applications for an operator license received from the following:

a.

Armbruster, Brittany L.-203 Coolidge Ave.
Becker, Frederick A.-12000 W. Plainfield Ave.
Miller, Jodi B.-2130 S. 81st Street
Miller, Kallista K.-900 Cedarwood Ct.
Wolcyk, Kayla K.-3223 S. Landl Ln.

Motion by Ald. Akers, seconded by Ald. Bailey, to approve. Motion carried unanimously.

2. Approve a Special Use Review and Site and Architectural Plans for US Cellular to upgrade equipment and replace antennas at the telecommunications tower at Bill's Auto Service, 4737 S. 108th Street, subject to Plan Commission and staff comments. Tax Key No. 612-8997-006. (PC-1/14/20-Kastner)

Motion by Ald. Kastner, seconded by Ald. Akers, to approve Agenda Items K2-K6. On a roll call vote, motion carried unanimously.

3. Approve a Certified Survey Map to recombine two existing parcels located at 6201-6269 S. 27 St. and 6279 S. 27 Street, subject to Plan Commission and staff comments. Tax Key Nos. 691-9841-015 & 691-9841-001. (PC-1/14/20-Kastner)
Approved under Agenda Item K2.

4. Approve a Special Use Review and a Site Plan Review for LaChinampa Mexican Food, LLC, a proposed change of tenancy for the existing restaurant located at 5442 W. Forest Home Avenue, subject to Plan Commission and staff comments. Tax Key No. 566-8988-001. (PC-1/14/20-Kastner)
Approved under Agenda Item K2.

5. Approve Site and Architectural Plans for Medical WeightLoss & Wellness, Inc., a proposed weight loss clinic, to be located at 4666 S. 35 Street, subject to Plan Commission and staff comments, with a color palette and landscaping plan to be submitted prior to the January 21st Common Council meeting. Tax Key No. 599-8921-000. (PC-1/14/20-Kastner)
Approved under Agenda Item K2.

6. Approve a Site, Landscaping, and Architectural Plans and a Master Signage Plan for Ascension Wisconsin Hospital – Greenfield Campus, a proposed hospital, to be located at 4935 S. 76 Street, subject to Plan Commission and staff comments. Tax Key No. 616-8974-001. (PC-1/14/20-Kastner)

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Approved under Agenda Item K2. Mayor Neitzke said people can learn more about this project on the YouTube video of the Plan Commission meeting.

7. Approve and Adopt an Ordinance amending Section 17.09 of the Municipal Code relating to the Electrical Code. (Johnson)

Community Development Manager Kristi Johnson said this ordinance includes two changes requested by the state: 1) to allow electrical work to be done under emergency conditions without first submitting a permit application, provided it is reported to the city by the next business day; 2) to extend the time a permit would be valid after issuance from six months to one year before it would expire if work does not commence. Motion by Ald. Akers, seconded by Ald. Kastner, to approve Ordinance No. 2950.

ORDINANCE NO. 2950

ORDINANCE AMENDING SECTION 17.09 OF THE MUNICIPAL CODE
RELATING TO THE ELECTRICAL CODE

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

PART I. SECTION 17.09(2) of the Municipal Code is hereby amended by adding paragraph (a) and relettering paragraphs (b) through (d) as follows:

17.09 – Permits.

(2) *Exceptions.*

(a) Under emergency conditions, the necessary electrical construction may be commenced without submitting an application for a permit. The person performing the emergency electrical construction shall report the construction to the municipality no later than the next business day. The emergency electrical construction shall conform to this chapter.

(b) No permit shall be required for minor repair work, such as repairing drop cords, flush and snap switches, replacing fuses or changing lamp sockets. This paragraph is not intended to relieve the requirements of Section 17.09 of the Municipal Code.

(c) No permit shall be required for portable devices, such as grinders, drills, washing machines, vacuum cleaners, radios, electric refrigerators and similar devices not permanently wired, but intended to be connected to the circuit by a flexible cord and plug. However, proper approved wiring is to be installed, together with approved receptacle and plug.

(d) Electrical installations for temporary structures or assemblies, such as carnivals, picnics, circuses, side shows or sport events, shall be in accordance with all provisions of

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the National Electrical Code and this chapter. Where overhead wiring for light or power, festoon lighting or receptacles is used, it shall be isolated by elevation or properly guarded and grounded. All exposed metal parts of devices shall be installed in approved enclosures. Where cables or cords are laid upon the ground, they shall be protected by approved means such as trenches, metal ducts or board runways. Devices of amusement, such as rides or games, shall conform to the provisions of this chapter. All equipment, on or in which the public is expected to be conveyed or otherwise acted upon, shall be effectively bonded and grounded by means of clamp or screw type connections which are approved for this purpose. All contiguous metal parts of each such device shall be bonded. All metal railings or fences which are within 3 feet of such devices, and with which the public can simultaneously come in contact, shall be bonded. All equipment shall be approved for the purpose and conditions of use.

* * *

PART II. SECTION 17.09(3) of the Municipal Code is hereby amended as follows:

17.09 – Permits.

(3) *Permit Expiration.* A permit required under sub. (1) shall expire 12 months after the date of issuance, if installation of the electrical wiring has not commenced. Waivers may be granted by the Community Development Manager for extenuating circumstances on a case-by-case basis.

* * *

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 21st day of January, 2020.

APPROVED:
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

8. Motion by Ald. Akers, seconded by Ald. Kastner, to go into closed session at 7:35 p.m. pursuant to Wis. Stat. §19.85 (1)(b) & (f), considering licensure, social or personal history, or medical information, regarding the application for an operator license received from:

- a. Ashleigh Ponga

On a roll call vote, motion carried unanimously.

9. Adjourn closed session and reconvene into open session.

Motion by Ald. Akers, seconded by Ald. Kastner, to adjourn closed session at 7:43 p.m. and reconvene into open session. Motion carried unanimously.

10. Decision regarding issuance of a 2019-2020 operator license to Ashleigh Ponga
Motion by Ald. Kastner, seconded by Ald. Bailey, to approve issuance of a 2019-2020 operator license to Ashleigh Ponga. Motion carried unanimously.

L. Items for future agenda

Mayor Neitzke said "The Turf" skateboard park will be an item for future discussion. The city expects to receive the deed to the property from the state soon. Department of Neighborhood Services Director Jeff Katz has been in contact with Grindline, a company that constructs skate parks. Future listening sessions will be held at Carmen or Pulaski High School in February.

Mayor Neitzke announced Little League opening day and Arbor Day will both be held at Kulwicki Park this spring.

The Greenfield Public Works Department will begin work on a trail connecting the Ridge church/St. Vincent De Paul Thrift Store area and Kulwicki Park.

M. Adjourn

Motion by Ald. Akers, seconded by Ald. Bailey, to adjourn at 7:50 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk

Distributed: January 24, 2020