

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, MARCH 5, 2019

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

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|---------------|-----------------------|---------|
| 1. ROLL CALL: | Aldersperson Lubotsky | Present |
| | Aldersperson Bailey | Present |
| | Aldersperson Akers | Present |
| | Aldersperson Saryan | Excused |
| | Aldersperson Kastner | Present |

ALSO PRESENT:	Brian Sajdak	City Attorney
	Jeff Katz	Director of Neighborhood Services
	Sheryl Hartman	Deputy Clerk

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

3. Pledge of Allegiance

4. It was moved by Aldersperson Kastner, seconded by Aldersperson Lubotsky, to approve the February 20, 2019 Common Council minutes. Motion carried unanimously, with Aldersperson Bailey abstaining as he was not present at that meeting.

5. Mayor’s Report – none.

6. Aldermanic Reports – Aldersperson Bailey gave an update from the City Forester that the cold weather is estimated to have destroyed about 20% of the Emerald Ash Borer population. Over the last four to five years, approximately 1000 trees have been lost in parks and right-of-way areas. The city has replaced 160 trees, excluding trees replaced along Edgerton Avenue. Approximately 16% of the tree canopy has been lost.

7. Announcements – none.

8. Citizen Commentary

Donald Lee Carlson, 5082 W. Colonial Ct., donated \$55 he earned from serving on the Plan Commission, plus an additional \$5 for administrative costs, back to the city for its debt reduction fund. He also invited people to attend Beauty and the Beast performances at the Greenfield High School Performing Arts Center on April 5, 6, 12 and 13 at 7 p.m. and April 7 at 2 p.m. Finally, he said he was grateful for laws and those who enforce them, to keep citizens safe.

9. Board of Public Works meeting held February 26, 2019

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

Item #4 – Approve a contract for Project Number 2019-08, 43rd Street Resurfacing, to the low bidder, Stark Pavement, in the amount of \$725,376.00

Item #5 – Approve a contract for Project Number 2019-03, 116th Street Resurfacing, to the low bidder, Payne & Dolan, in the amount of \$380,734.59

Item #6 – Approve a contract for Project Number 2019-05, Elm Dale School Sidewalk, to the low bidder, Milwaukee General Construction, in the amount of \$215,122.51

Item #7 - Approve a grant from the Milwaukee Metropolitan Sewerage District in the amount of \$101,817 to reconstruct the paving block areas in the City Hall parking lot

Item #8 - Approve an Amendment to Funding Agreement GF01 to reduce the Milwaukee Metropolitan Sewerage District (MMSD) allocation funding from \$1,323,905.00 to \$1,147,691.23

Item #10 – Approve the installation of warning lights on South 92nd Street at the Fire Station 2 driveway

On a roll call vote, motion carried unanimously.

Mayor Neitzke noted Elm Dale School parents in a survey overwhelmingly supported sidewalk construction.

10. City Clerk’s Report

- a. Claim received from Thomas & Jacqueline Jaworski – referred to the city’s insurance company.

11. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

- (1) 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**.
- (2) 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**.

b. Mayor appointments:

- (1) 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**.

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

Balke, Roger C. – 7235 W. Southridge Dr.
D’Andrea, Kathy L. – 8540 S. Liberty Ln.
Dentice, Nadine E.-4514 S. Adams Ave.

Fahser, Blake W. – 20225 Suttercreek Dr.
Hammen, Bradley M. – 1903 N. 5th St.
Kubek, Jacob E. – 14900 W. Library Ln.

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

Lockwood, Gary G. – 820 Aspen Dr.
Pokrzywa, Lisa A. – 1922 Grange Ave.
Rodriguez, Jessica L. – 4060 S. 77th St.

Skarvan, Noahli M. – 7552 Carter Circle N
Sloan, Patrick M. – 8865 W. Waterford Sq N.
Vazquez-Rosa, Angela J. – 3130 S. 77th St.

Motion carried unanimously.

13. Department of Neighborhood Services

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

- a. Reassignment of appointment of Jon Majdoch as Board of Directors to the South 27th Street Business District Association, District 1, and renewal of appointment, his three-year term to expire March 5, 2022 (Johnson)
- b. Reassignment of appointment of Todd Reardon as Board of Directors to the South 27th Street Business District Association, District 1, and renewal of appointment, his three-year term to expire March 5, 2022 (Johnson)

Motion carried unanimously.

14.-16. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky, to approve the following:

Approve disbursements in the amount of \$1,320,384.64

Approve mileage reimbursements in the amount of \$463.53.

Approve investments and reinvestments.

17. City Attorney's Report

- a. It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, for the Common Council to go into closed session at 7:13 p.m. pursuant to Wisconsin Statutes, Section 19.85(1)(b), (f) & (g) for the following:
 - (1) Considering licensure, social or personal history, or medical information for purposes of issuing a 2018-2019 operator license to Clayton T. Delcore
 - (2) Discussion regarding resolution authorizing the settlement of litigation relating to the assessment of 5566 S. Honey Creek Dr.
 - (3) Discussion regarding resolution allowing claim of Erik Whale relating to automobile damage
 - (4) Sex offender residency enforcement

On a roll call vote, motion carried unanimously.

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- b. It was moved by Alderperson Akers, seconded by Alderperson Kastner, to adjourn closed session at 7:35 p.m. and reconvene into open session. Motion carried unanimously.
- c. It was moved by Alderperson Bailey, seconded by Alderperson Lubotsky, to approve issuance of a 2018-2019 operator license to Clayton T. Delcore. Motion carried unanimously.
- d. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to adopt Resolution No. 3683:

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3683

A RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION
RELATING TO THE ASSESSMENT OF 5566 S HONEY CREEK DRIVE

WHEREAS, Thomas Dworschack, as the owner of the property located at 5566 S. Honey Creek Drive, in the City of Greenfield, has commenced litigation against the City seeking a refund of certain taxes that are paid for the 2018 tax year based on an alleged excessive assessment of the Property; and

WHEREAS, the 2018 Assessment for the Property was set by the Assessor at \$191,500; and

WHEREAS, the Property owner alleges that the actual value of the property was \$120,000 as of January 1, 2018; and

WHEREAS, the Assessor has, since the litigation has been commenced, had the opportunity to conduct an inspection on the Property and, based on the inspection, determined that due to a palpable error the assessed value for 2018 should have been \$120,000;

WHEREAS, the incorrect assessment resulted in an overpayment for 2018 taxes in the amount of \$1,883; and

WHEREAS, the Common Council desires to resolve the pending litigation with as little additional cost as possible;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the claim of Thomas Dworschack relating to the excessive assessment of the property located at 5566 S. Honey Creek Drive is hereby authorized in an amount of \$1,883.

BE IT FURTHER RESOLVED that the City Finance Director and Assessor are hereby authorized and directed to pay the claim and seek a charge-back from the other taxing jurisdictions for the palpable error pursuant to Wis. Stat. § 74.41.

BE IT FURTHER RESOLVED that the City Attorney is hereby authorized and directed to take whatever steps are necessary to have the lawsuit dismissed.

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PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 5th day of March, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

- e. It was moved by Alderperson Bailey, seconded by Alderperson Lubotsky, to adopt Resolution No. 3684:

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 3684

A RESOLUTION ALLOWING THE CLAIM
OF ERIK WHALE RELATING TO AUTOMOBILE DAMAGE

WHEREAS, Erik Whale submitted a claim to the City on August 23, 2018 in which he alleged certain damage to his automobile resulting from an alleged failure to remove debris from roadway of South 43rd Street and sought monetary damages for the same; 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 Erik Whale dated August 23, 2018 relating to alleged damage to his automobile is hereby allowed in an amount not to exceed \$359.42.

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 \$359.42.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 5th day of

March, 2019.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, motion carried unanimously.

f. Decision on sex offender residency enforcement – No action was taken.

18. Items for future agenda – bond issue.

19. It was moved by Alderperson Lubotsky, seconded by Alderperson Bailey, to adjourn the meeting at 7:37 p.m. Motion carried unanimously.

Sheryl Hartman, Deputy Clerk

Distributed: March 6, 2019