

MINUTES OF THE LEGISLATIVE COMMITTEE MEETING HELD AT THE GREENFIELD CITY HALL ON MONDAY, APRIL 29, 2019.

The meeting was called to order by Ald. Bailey at 7:10 p.m.

- 1. ROLL CALL: Alderperson Bailey Present
- Alderperson Lubotsky Present
- Alderperson Saryan Present
- Brian Sajdak, City Attorney Present

Also present: Darren Rausch, Director Health Department
Kristi Johnson, Community Development Manager

- 2. It was moved by Ald. Saryan, seconded by Ald. Lubotsky to nominate Ald. Bailey as Chairperson. Motion carried unanimously. ALD. BAILEY
CHAIR.
- 3. It was moved by Ald. Bailey, seconded by Ald. Saryan to nominate Ald. Lubotsky as Vice-Chairperson. Motion carried unanimously. ALD. LUBOTSKY
V. CHAIR
- 4. It was moved by Ald. Bailey, seconded by Ald. Lubotsky to approve the minutes of the September 17, 2018 Legislative Committee as recorded. Motion carried unanimously. 9/17/18 minutes approved
- 5. Discussion and decision on rescheduling May’s meeting date due to Memorial Day. Next meeting to be held
June 24, 2019 at 7:00 p.m.
- 6. Review of ordinance that requires a payment for a change of name for operator's license (Bailey)(LC 4/29/19) Analysis to be completed
and brought back to this
committee for review.

LEGISLATIVE COMM

Ald. Bailey added this because of a call that we are discriminating against women that get married by charging them an additional background check fee. Attorney Sajdak discussed the research that was done on what other surrounding municipalities do. We are one of only 2 communities out of the list of 24 that charge an additional background check fee when there is an additional name, the other one being Cudahy who charges \$2. The city is charged \$8 per time when we run a background check and we pass that cost along to the applicant. Attorney Sajdak does not feel it’s discriminatory because there is no right to a license, in addition, plenty of men change their names. It is not designed to punish or harm them in any way, we are just looking to offset those costs. Attorney Sajdak recommended that we modify the license fee to include the background check fee. He suggested we do an analysis to determine what it actually costs across all operator licenses for a year or two. It cannot be a revenue source, but we can decide to take a loss as a community if we would like. We could spread the cost of all background check fees across all applicants. If the committee is inclined to do something based on the concerns that were raised, we would do the analysis to come back with one fee for all licenses, instead of each additional background check adding an additional fee. We would try to average that out to get us as close as we can to our actual cost. There are some advantages to having one single fee. Ald. Lubotsky doesn’t feel we should change the fees based on one person complaining. Ald. Saryan thinks a change now will look like we are changing it just because of one complaint. Attorney Sajdak feels like this could be a change based on having a new Attorney and a review of what our fees are.

It was moved by Ald. Bailey that staff do an analysis and come back with a recommendation, seconded by Ald. Saryan. There is no hurry for the analysis to be done. Motion carried unanimously.

7. Discussion and decision to adopt an ordinance amending Chapter 12 of the City of Greenfield Municipal Code as it relates to rules for restraining animals within the City. (Rausch)(LC 4/29/19)

Disc/adopt ord. amend.
Chpt 12 of the Mun. Code
relating to rules for
restraining animals within
the City.

COMMON COUNCIL

Mr. Rausch stated that the Milwaukee Area Domestic Animal Control Commission recommended some ordinance changes to try to standardize things across all 17 municipalities in Milwaukee County in 2018. They provided template ordinances to us, which he reviewed with the Board of Health. Most of the changes are to the restraint of an animal and trying to standardize our language with what was recommend as best practice from MADAC. Ald. Bailey had a question about the transportation of a dog in the back of a pick-up truck. Do we want our officers stopping a person and writing a citation because they have a dog in the back of a pick-up truck? Mr. Rausch explained that these are templates for across all of Milwaukee County and this is an item that we may not have seen yet, but should probably be in our code because it makes sense. Mr. Rausch stated it is about safety and respect for the animal and he fully endorses it to be added to the appropriate section in our current code. Attorney Sajdak explained that the dog does not have to be restrained within the vehicle, just that the animal has to be within a vehicle. There was discussion of how this applies to the owner that has his dog on his Harley (Molly). Instead of properly restrained within a motor vehicle, we could just say within a vehicle.

It was moved by Ald. Bailey, seconded by Ald. Lubotsky to adopt an ordinance amending Chapter 12 of the City of Greenfield Municipal Code as it relates to rules for restraining animals within the City, as long as it doesn't affect Molly. Motion carried unanimously.

8. Discussion and decision related to an ordinance amending Section 2.01 of the City of Greenfield Municipal Code as it relates to rules for meetings of the Common Council. (Sajdak)(LC 4/29/19)

Disc/adopt ord. amend.
Sec 2.01 of Mun. Code
relating to rules for
meetings of the CC

COMMON COUNCIL

Attorney Sajdak discussed how the Mayor has talked about the order of the agenda getting all messed up. This ordinance gets rid of the various reports that are within the code, the handbook for meetings. The handbook suggests that those reports are the minutes that get approved by the Council instead of what we have been doing which has us voting on each individual item. The reports are part of the regular business. Some communities use a consent agenda for things like approving minutes, books and bills and licenses. Attorney Sajdak suggested we could include a consent agenda item just after citizen commentary primarily for minutes, financials and licenses. We could look at adding additional, non-controversial, items to the consent agenda for now and we could add more down the road if we decided to. That code provision would adopt similar language that other communities have, which is that any one member of the council has the ability to pull something off the consent agenda to have discussion on it. These are items that typically don't have discussion, it's just move and approve. You are doing one motion to approve all of those items, unlike new business where each item is done individually.

It was moved by Ald. Bailey, seconded by Ald. Saryan, to adopt an ordinance amending Section 2.01 of the City of Greenfield Municipal Code as it relates to rules for meetings of the Common Council as proposed. Motion carried unanimously.

9. Discussion and decision to adopt an ordinance amending Section 21.04.0603 of the City of Greenfield 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 City of Greenfield Municipal Code pertaining to detailed standards for special uses in nonresidential districts. (Johnson)(LC 4/29/19)

Disc/adopt ord. amend
Sec. 21.04.0603 and
21.04.0703 of Mun. Code
Relating to districts
PLAN COMMISSION

Ms. Johnson stated we have a business owner that has submitted an application for an ordinance amendment to our zoning code. She drafted the ordinance, as requested, allowing contractors to be located in the C-4 and C-5 commercial districts in the City. Today, contractors are not allowed in the City, except as a special use in the manufacturing districts. The City only has about 12 parcels zoned manufacturing, of which most are the Loomis Crossing park n ride area and then a few more north along Loomis. Contractors that do exist in the City, she supposes were grandfathered, their existing non-conforming uses that probably at one point were allowed. The zoning code has since changed. In 2013 the City adopted the six digit NAICS system which determines permitted and special uses. Prior to that these existing businesses (contractors) in the City were here and when the code changed they became non-conforming. They can continue as is, but the proposal would allow contractors to be located in the C-4 and C-5 districts. The higher the numbers (C-4, C-5) the more intense and the larger amount of uses would be allowed in those districts. The C-1, C-2 and C-3's don't allow as many uses, they are located closer to residential districts and you typically don't want the more intense uses in those zoning districts. This ordinance, as it's drafted, would allow contractors in the C-4 and C-5 districts, which are concentrated on Hwy 100 and 76th St. I would suggest that properties along 27th St could also be zoned C-4, it's a busy commercial corridor. With the draft ordinance, contractors would be required to go through a special use public hearing process and they would be allowed as a special use with the stipulation that they supply a site plan to the staff, Planning Commission and Common Council. In the site plan they would be required to delineate things such as; where commercial vehicles will be stored, no outdoor storage would be allowed, all materials would be kept inside a refuse enclosure and it must be identified on the site plan. This is an attempt to some sort of site control and the property doesn't become unsightly. Ms. Johnson shared a list of contractors they would suggest be allowed with this ordinance. They are more low-key residential contractors that don't have as much outdoor storage associated with them. This ordinance is proposed to go before the Plan Commission on May 14th and a public hearing would be required and could be scheduled as soon as June 18th. Ald. Saryan clarified that this does not impact existing contractors, this is for new applications. Ald Bailey asked what the biggest change would be. Ms. Johnson explained that today these contractors are not allowed in the City except as a special use in the manufacturing zoning districts, which really means they are not allowed anywhere because there are only 12 parcels zoned manufacturing. She showed the map and explained which those 12 are. Ald. Lubotsky discussed a particular HVAC business that wants to move into the area if these changes are approved.

It was moved by Ald. Bailey, seconded by Ald. Lubotsky, to adopt an ordinance amending Section 21.04.0603 of the City of Greenfield 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 City of Greenfield Municipal Code pertaining to detailed standards for special uses in nonresidential districts. Motion carried unanimously.

10. Discussion and decision to adopt an ordinance amending Section 21.06.0203 of the City of Greenfield Municipal Code pertaining to Off-Street Parking and On-Site Queuing Requirements for Use Types. (Johnson)(LC 4/29/19)

Disc/adopt ord. amend
Sec. 21.06.0203 of Mun.
Code Relating to parking
PLAN COMMISSION

Ms. Johnson stated the proposed ordinance is an attempt to update parking requirements for bars, taverns and restaurants. Our zoning code was adopted in 1998, since then numerous

amendments have been made to accommodate change and over time she's noticed that every restaurant that has gone through review, they are never meeting our parking requirements. Today we require 20 spaces per 1,000 gross square feet. We did a survey of surrounding communities and the findings are all over the board, probably because they also have not updated their parking requirements recently. She has learned the industry standard is 10 spaces per 1,000 square feet of gross floor area. The proposal is for 15 spaces per 1,000 gross square feet. Bars and taverns people are not carpooling as much, restaurants without a drive through, the proposal is 15 spaces per 1,000 gross square feet. Without a drive through the turnaround is not as quick so you might want a larger parking area. Restaurants with a drive through the proposal is for 10 spaces per 1,000 gross square feet because people are utilizing the drive through and not necessarily staying for a long time. Ms. Johnson is trying to go in between and take into consideration what she has heard from developers and restaurant owners that are the industry standards of 10 spaces per 1,000 gross square feet. The Common Council ends up waiving parking shortages and she's not denying that won't happen, there will be some waivers here and there, but it won't be so extreme. National chains feel like they can thrive with the parking that is available even though it doesn't meet our code. This would go before the plan commission on May 14th and a public hearing would be required which could be held June 18th.

It was moved by Ald. Saryan, seconded by Ald. Lubotsky, to adopt an ordinance amending Section 21.06.0203 of the City of Greenfield Municipal Code pertaining to Off-Street Parking and On-Site Queuing Requirements for Use Types. Motion carried unanimously.

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| 11. Review of existing ordinances/procedures for update and/or clarification as the need arises (Bailey, Lubotsky, Saryan) | None |
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There were no additional items for discussion

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| 12. It was moved by Ald. Bailey, seconded by Ald. Lubotsky to adjourn the meeting at 8:08 p.m. Motion carried unanimously. | Adjourn |
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Respectfully submitted,

Lisa Pelkey
Recording Secretary

Distributed 5/2/2019