CITY OF GLENDALE COMMON COUNCIL
Meeting Minutes
November 13, 2023

Regular meeting of the Common Council of the City of Glendale held in City Hall, 5909 North Milwaukee River Parkway, Glendale, Wisconsin and via Zoom conference call.

The meeting was called to order by Mayor Bryan Kennedy at 6:00 p.m.

Roll Call: Present: Mayor Bryan Kennedy, Ald. Tomika Vukovic, Jim Daugherty, John Gelhard, Phillip Bailey, Steve Schmelzling, and JoAnn Shaw. Absent: None.

Other Officials Present: Karl Warwick, City Administrator; Jessica Ballweg, Deputy City Administrator; Nathan Bayer, City Attorney; Mark Ferguson, Police Chief; Charlie Imig, Director of Public Works; John Fellows, Community Development Director; and Megan Humitz, City Clerk.

PLEDGE OF ALLEGIANCE.

The members of the Common Council, City staff, and all those present pledged allegiance to the flag of the United States of America.

OPEN MEETING NOTICE.

City Administrator Warwick advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, November 9, 2023, of the date of this meeting; that the Agenda was posted on the official bulletin board of City Hall, the Glendale Police Department, and the North Shore Library; that copies of the Agenda were made available to the general public in the Municipal Building and the Police Department; and those persons who requested, were sent copies of the Agenda.

PUBLIC COMMENT.

No public comment.

PUBLIC HEARING: 2024 ANNUAL PROGRAM BUDGET

City Administrator Warwick stated the Council received the 2024 Proposed Annual Program Budget and previously reviewed it at the October 9, 2023 Council meeting. Since this review, several modifications to the Budget occurred, including: refinement of the property tax levy amount for the 2024 Budget, miscellaneous adjustments to various line items based on a final review of the entire budget, reallocation of certain salary amounts between the General Fund and Water/Storm/Sanitary Funds to ensure accurate allocation of these amounts for the 2024 Budget, and refinement of projected water revenue for the 2024 Budget.

Mayor Kennedy opened the public hearing.

Glendale resident Daniel Hess, 2055 W Green Tree Road, questioned what happens to the budget surplus in the case of a milder winter such as last year if there are less watermain breaks, and also whether or not the City was getting close to bringing staff salaries closer to accounting for costs due to inflation. Charlie Imig, Director of Public Works, clarified that although the winter was milder last year there not less watermain breaks than usual. Administrator Warwick stated there have been cost adjustments included in certain positions to be competitive and indicated the City is currently doing a compensation study for internal and external equity. Mr. Hess also questioned if the apartments at Bayshore were added to the tax base last year. Mayor Kennedy clarified any developments not completed in the year would not be used, so the new construction will be in the gross equalized value, and added the City will be doing a full assessment in 2024.

Glendale resident Robert Cronwell, 7530 N Applewood Lane, questioned whether the Library portion of the budget combines the Capital Projects and Operating portions of the budget. Mayor Kennedy clarified it is for the Operating budget only.

Mayor Kennedy called three times for anyone on the Zoom call or in the Council chambers that wished to speak for public comment. Hearing no additional public comment, Ald. Gelhard made the motion to close the public hearing, seconded by Ald. Daugherty. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None.

Absent: None. Abstain: None. Motion carried.

Motion by Ald. Bailey, seconded by Ald. Schmelzling, to Approve the Resoluton Adopting the 2024 City Budget and Establishing the 2023 City Tax Levy, as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

CONSENT AGENDA.

I. File No. _____

Adoption of Minutes of Meeting held on October 23, 2023 and Approval of Accounts Payable.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to Adopt the Minutes of Meeting held on October 23, 2023 and Approve Accounts Payable was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

OLD BUSINESS.

II. File No. _____

Review of Potential Uses of ARPA Funds

Administrator Warwick stated Glendale staff previously presented options for the use of the $1,324,059 million in remaining ARPA funds. Based on the information provided to the Council at its meeting on October 23, 2023, staff were directed to provide cost estimates and additional projects approved in the Connecting Glendale 2020 Bicycle and Pedestrian Plan. Based on this, the staff has compiled a priority list of bike and pedestrian projects, and the concept for a riverfront park in Kletzsch Park.

The Bike and Pedestrian projects were prioritized because staff considered these improvements major gaps in the City's Bike and Pedestrian infrastructure that would connect to existing and/or planned bike and pedestrian improvements, thereby connecting neighborhoods, connecting bike paths and sidewalks, and connecting residents to businesses and religious institutions. Based on the cost estimates, these bike/pedestrian improvements could be completed slightly over the amount of ARPA funds received by the City. If the Common Council elects to, there are several "gaps" that staff would recommend completing, however all ARPA Funds were consumed with the projected listed above. Based on the discussion at the Council Meeting, staff considered the projects provided to Council as a higher priority. These projects could be listed as an alternative and selected (1) if the base bid amounts are lower than anticipated and ARPA funds are available (2) cost savings can be achieved by completing these segments with the ones listed above that could not be achieved by completing these projects in future years. Any of these projects could be selected as part of the base bid if the Common Council elects to do this.

The Common Council also asked staff to present an option for a riverfront park in Kletzsch Park. Council was provided with a rendering of an option for this park. The cost estimate is $800,000.

Staff proposes to bid these projects with other 2024 Community Improvement Projects, such the traffic calming improvements and/or the road resurfacing projects. By combining the bid, it could lower the total cost of these improvements.

Ald. Daugherty stated that he likes the notion of putting an idea that appeals to most of the City and believes the Bike and Pedestrian Plan is a positive improvement. There is also an opportunity down the road to develop a partnership with the County to potentially work on putting some of the other ideas into place on their land, instead of just giving direction or spending City money on County land improvements.

Ald. Gelhard stated he would like to see a riverwalk project at some point but believes the Bike and Pedestrian Plan should be a priority since it was in a previous plan that has yet to be completed.

Ald. Bailey stated in 2020 the constituents indicated what they felt was important, and the City has not moved forward, so this is the opportunity to do so, however he is concerned that the City pay attention to the amount of trees removed in the process.

Ald. Schmelzling stated he is agreement to look at the Bike and Pedestrian Plan as it was a project that was never followed through on to completion, however he struggles that a portion of the project falls on County land and would like to see if it is possible to partner with the County on trails. Additionally, he feels there is a unique opportunity to create a project along the river and should take advantage of it with a riverwalk and a boat and kayak put-in, and potentially a basketball court. He questioned if we could split the funding and bid the projects out to see how many projects could be completed. Ald. Schmelzling questioned the location of some of the sidewalks and bike lanes.

Ald. Shaw indicated she would be okay with whichever option is put forward by the City administration.

Ald. Vukovic stated she is not concerned with seeing the funds spent on the Bike and Pedestrian Plan, as it is beneficial for the City as a whole. However, if this is not the final option chosen, the entire spending decision needs to be brought back for a decision because the fund utilization becomes disproportionate as far as which districts will benefit.

Administrator Warwick stated grants are a possible opportunity to work on some of the project options that fall on County land, as well as developing partnerships with the County. Mayor Kennedy added there are individual groups, such as the cycling group, which are willing to put forth sweat equity to clean up several of the existing trails through the parks, which reduces some of the spending needs.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to direct staff on to prepare a bid for the Recommended Base Bid projects and inclusion of the project from Green Tree to Range Line from the Alternative Bid list for use of ARPA Funds was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

III. File No.

Appointment to Police Commission

Mayor Kennedy stated Nancy Yarborough offered her resignation from the Police Commission. He recommends the appointment of Nicole Ford to the Police Commission, with a term expiring April 2027.

Motion by Ald. Gelhard, seconded by Ald. Shaw, to confirm the appointment of Nicole Ford to the Police Commission was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No.

Review and Approval of 2023-2024 Winter Newsletter

Administrator Warwick stated annually, the City publishes the City Newsletter three times a year, Spring, Fall and Winter. Staff is asking the Common Council to review and approve the 2023-2024 Winter Newsletter for publication. In addition, the newsletters are posted on the City's website and copies are available at the City Hall. Due to selling ad space, the newsletter printing and mailing does not cost the City money, except for staff time to prepare it. The City also sends an electronic newsletter to recipients enrolled in this subscription though our website monthly.

Motion by Ald. Schmelzling, seconded by Ald. Bailey, to approve the content of the 2023-2024 Winter Newsletter, was approved as amended. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No.

Consideration of a recommendation from the Planning and Architectural Review Commission and consideration of scheduling a public hearing for a Planned Development District at 4160 N Port Washington Road, in a PD Planned Development District, Planned Mixed Use land use classification, Tax Key Numbers 242-1198-004 and 242-1198-003.

Mayor Kennedy stated the Common Council at its meeting on April 10, 2023 approved a general development agreement and rezoning of this parcel to a PD Planned Development District for prospective property buyer, Meta House,

a 501(c)(3) nonprofit dedicated to treating women with substance abuse. The Planning and Architectural Review Commission at its meeting on May 2, 2023 recommended the Common Council approve Meta House's Development Agreement with the City. The Common Council, at its May 22, 2023 meeting, postponed consideration for the Development Agreement pending a payment in lieu of taxes (PILOT) agreement with Meta House. Meta House later requested a delay of Common Council consideration of the Development Agreement until July 24, 2023. Finally, on July 19, 2023, a Meta House representative informed the City it was no longer pursuing purchase of the subject property due to a breakdown in negotiations with the property owner. Due to the way Article D – PD Planned Development District is written within Title 13 - Zoning, the property has a PD zoning classification without any uses allowed due to the lack of an approved Specific Development Plan and a Development Agreement. To enable land uses, the property owner, Beerline Crossing LLC, seeks to have the Plan Commission and Common Council approve a revised General Development Plan, Specific Development Plan and then enter into a Development Agreement to reenable uses on the property. For General and Specific Development Plans, the applicant desires to leave the building, site, and landscaping unchanged. Note the applicant has indicated that some exterior remodeling will occur in the future based upon the future projected uses. Specifics of these changes are not being presented at this time. The applicant is aware that no exterior changes are being granted at this time. The applicant is aware that an amendment to the PD and Development agreement will need to occur in the future of any site changes, new buildings, exterior renovations and similar. Adoption of the General and Specific Development Plans and a corresponding development agreement with the above indicated uses would allow the indicated uses. Other uses not listed would need be required to return to the Planning and Architectural Review Board and possibly Common Councils for approval. Note plans and specifications for the temporary fence will need to be provided prior to the recommendation of the specific development plan by the Planning and Architectural Review Commission.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to authorize giving direction to staff to schedule a public hearing at the earliest opportunity for a Planned Development District at 4160 N Port Washington Road, in a PD Planned Development District, Planned Mixed Use land use classification, Tax Key Numbers 242-1198-004 and 242-1198-003 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No. _____
Review and Approval of the Updated Snow and Ice Control Policy

Charlie Imig, Director of Public Works, stated the Common Council previously approved the City's Snow and Ice Control Policy in a 1989 meeting. The Policy has not been updated or amended since. Since 1989, the City has made significant enhancements to the snow and ice control operations and is recommending modifications to the policy to be consistent with these new operational improvements. The general list of topics modified in the revised policy includes: General; Street, Highways, Roads and Public Areas; Equipment; Personnel; Brining; Salting; Plowing; Sidewalks; and Fire Hydrants.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to approve the 2023 Snow and Ice Control Policy was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No. _____
K-9 Transition Plan

Chief Ferguson stated the Glendale Police K-9 Unit has been in existence for 24 years and has been a successful program at meeting its objectives. Staff have begun to commence the transition plan for the next K-9 due to the age of the current K-9 (dog, not officer). The average work life of a K-9 is 7-9 years. Our current K-9, Brix, is 6 years old. Our plan is to purchase a new K-9 in 2025. This would allow us to have the next K-9 in place before Brix's retirement. Brix would be 8 years old but will continue to work until he is physically unable to do so. The overlap in having both K-9s allows us to provide uninterrupted K-9 service and has the added benefit of allowing for training and mentoring of the new handler/K-9 by Officer Bechler and Brix. The first step would be to purchase a new K-9 squad. Estimated total cost for a new squad and associated K-9 equipment is around $85,000. Due to supply issues, it has been taking 6-12 months to receive new squads. The City would order/purchase the new K-9 squad in 2024. The estimated cost for a new K-9, training, and associated equipment is $25,000. All costs will be paid through the Department's K-9 fund which is

completely funded through community donations and fundraisers. There are sufficient funds in this account to cover the entire expenses for the K-9 Transition Plan and all associated costs. Funds were not budgeted in 2024 for any of these costs, assuming the costs will occur in 2025. If the vehicle arrives early, there may be a cost for that in 2024.

Motion by Ald. Shaw, seconded by Ald. Bailey, to approve the Glendale Police K-9 Transition Plan was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.
Flock Safety Camera Subscription

Chief Ferguson stated in July 2022, the City purchased a two-year lease for 3 Flock Safety Cameras to monitor the area for stolen vehicles, missing persons and wanted subjects. The subscription was paid for through an ARPA grant through the State. The lease agreement for each camera is $2,500 per year. The current subscription expires in August 2024, and the City has budgeted money to continue the subscription, if approved as part of the 2024 Budget. On April 1, 2023, the cost of a camera increased to $3,000 per year. Flock Safety is offering a promotion that will lock in the current price of $2,500 per camera with a 5-year subscription if the contract is signed by the end of the year. This would save the City $7,500 over the 5-year period. The Flock Safety Cameras have been a very successful in identifying and securing stolen vehicles, and it would be proposed that the program continue. In the 13 months since Glendale has had Flock Cameras, 328 stolen hits were made and 163 stolen vehicles were located, a 50% locate rate. The police have recovered 111 vehicles, 79 of the incidents resulted in the arrest of a suspect(s), 15 incidents resulted in the recovery of a firearm, and 27 incidents resulted in the recovery of illegal drugs. The department is currently looking at community-based funding opportunities to cover subscription costs, but if these efforts are not successful, the City would be required to cover the lease agreements.

Motion by Ald. Schmelzling, seconded by Ald. Vukovic, to approve the 5-Year Subscription with Flock Safety Cameras was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IX. File No.
Ordinance Amending Title 13, Chapter 1, "Zoning Code," Section 13.1.34 "B-1 Business and Commercial District"

Community Development Director, John Fellows, stated the B-1 Zoning District dates to at least as early as 1951. It dates to 2002 in its current form when the Community Development Department drafted its various subdistricts. The Plan Commission approved creation of the 23 subdistricts named "A" through "P" in August 2002 and revised that December. The impetus for the change occurred shortly after the 2000 Decennial Census and the then-community visioning project, "Glendale 2021 – Our Vision." The City at the time wanted to terminate its image as merely a place for fast food. Staff and policymakers scrutinized Glendale's business districts and wanted to overhaul the commercial zoning codes. It appears as if the B-1 District has not changed since. The various B-1 subdistricts each reflect individual commercial districts within the City. The B-1 M subdistrict, described in Section 13.1.34(c)(20) of the Glendale Code of General Ordinances, consists of three parcels along the southern boundary of Glendale with the City of Milwaukee, just north of the Capitol Drive right-of-way. Those parcels have structures which cross the municipal boundary and reside in both municipalities. As can be seen on Glendale's Zoning Map, within Glendale the B-1 M area is surrounded by parcels zoned M-1. Much of Capitol Drive to the east and west of Glendale's portion within the City of Milwaukee allow for restaurants, as do portions of the E. Capitol Drive business district in the Village of Shorewood. A tenant at 100 E. Capitol Drive is interested in opening a sit-down restaurant concept which as previously stated is currently not allowed in the B-1 M subdistrict. Glendale's B-1 M subdistrict does not permit any restaurants, putting those commercial parcels at a competitive disadvantage with neighboring City of Milwaukee parcels in the broader Capitol Drive business district. For the structure containing Outpost Foods at 100 E. Capitol Drive, the southern-most 15 feet of the structure reside in Milwaukee, and the remainder in Glendale. This has created confusion whereby tenants believe certain uses are acceptable based on the City of Milwaukee's zoning, but they may not be in the City of Glendale. The parcels at 208 and 230 E. Capitol Drive have their structures and majority-tax increment in the City of Milwaukee with their rear parking lots in Glendale. Staff recommend policymakers allow sit-down restaurants in the B-1 M subdistrict through a Zoning Text Amendment, adding the same use language for sit-down restaurants as in the B-1 B subdistrict which is along N.

Port Washington Road from W. Silver Spring Drive to W. Henry Clay Street (Section 13.1.34(c)(3)). This additional use would be more consistent with uses in the broader business district along Capitol Drive in the City of Milwaukee and Village of Shorewood. As there already is a tenant with a signed lease, staff recommend policymakers amend the zoning text as quickly as possible under Wisconsin Statutes and the Glendale Code of General Ordinances.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to authorize referring the zoning text amendment for an Ordinance Amending Title 13, Chapter 1 "Zoning Code," Section 13.1.31 "B-1 Business and Commercial District" to the Planning and Architectural Review Commission and to direct staff to schedule a public hearing as soon as practicable was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

IX. File No. _____
Ordinance Amending Title 2, Chapter 1, Section 6, "Appointment of Election Officials"

Clerk Humitz stated in review of this ordinance, it was discovered there was a need for revision to the language to be in compliance with Wisconsin State Statutes and the guidance from the Wisconsin Election Commission. Provided is an ordinance that revises the language regarding the minimum requirements for election inspectors at polling places for each election, as well as allowing for election inspectors to work either a full-day or a half-day shift on Election Day.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to approve the Ordinance Amending Section 2.1.6 of the Code of Ordinances of the City of Glendale Pertaining to the Appointment of Election Officials was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

COMMISSION, COMMITTEE, BOARD, AND STAFF REPORTS.

There were several updates from Council members on the activities of the various Commissions, Committees and Boards on which they serve as a Member and an Administrator update.

CLOSED SESSION.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, to convene in Closed Session per Wis. Stats. §19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved (Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 34 minutes was held. The Council discussed the case Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

ACTION ON CLOSED SESSION ITEMS.

No action was taken on closed session items.

ADJOURNMENT.

There being no further business, a motion was made by Ald. Gelhard, seconded by Ald. Daugherty, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, and Schmelzling. Noes: None. Absent: Ald. Shaw. Motion carried and adjournment of the Common Council was ordered at 8:06 p.m., until Monday, November 27, 2023 at 6:00 p.m.

Megan Humitz
City Clerk