

CITY OF GLENDALE COMMON COUNCIL  
Meeting Minutes  
February 11, 2019

Regular meeting of the Common Council of the City of Glendale held in the David Hobbs Honda for the People Community Room, located at Richard E. Maslowski Park, 2200 West Bender Road, Glendale, Wisconsin.

The meeting was called to order by Mayor Kennedy at 6:02 p.m.

Roll Call: Present: Ald. Tomika Vukovic, Jim Daugherty, John C. Gelhard, Richard Wiese, Steve Schmelzling, and JoAnn Shaw. Absent: None.

Other Officials Present: City Administrator Rachel Safstrom; Lieutenant Rhett Fugman; City Attorney John F. Fuchs; and City Clerk Miranda Etzel.

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.

Administrator Safstrom advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, February 6, 2019, 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.

Mayor Kennedy indicated that Ald. Wiese asked for a moment of silence to honor Fred Meyer, a former Council member.

ADOPTION OF COUNCIL MINUTES.

Motion was made by Ald. Daugherty, seconded by Ald. Wiese to approve the minutes of the meetings held on January 28, 2019. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Shaw. Noes: None. Abstain: Ald. Schmelzling. Absent: None. Motion carried.

PUBLIC COMMENT.

Lynn Flanagan, 5725 North Ames Street, expressed concern regarding the snow removal program. Though it would be an additional cost, it would be easier on residents if more salt could be applied to the roads to allow for more suitable walking conditions. It was also noted that surrounding neighbors' sump pumps drain onto the sidewalk. Administrator Safstrom stated the Council reviewed the policy, and accepted the current policy at the beginning of the snow

season.

Laurie Pevnick, 2301 West Brantwood Avenue, inquired about the use of sand during winter months, in lieu of salt. Administrator Safstrom explained that sand does not disintegrate. Ald. Wiese stated that the City used sand several years ago, and it was problematic.

PRESENTATION BY THE GLENDALE NATURAL HERITAGE COMMITTEE REGARDING THE MILWAUKEE RIVER FISH PASSAGE.

Jim Uhrinak and Martha Bergland gave a presentation on the historic aspects of the Kletzsch Park Dam as well as the parkway. The presentation also focused on the Milwaukee River Fish Passage. Concern was expressed regarding the possibility of a fish passage on the west side of the river bank.

PRESENTATION BY THE MILWAUKEE COUNTY PARKS DEPARTMENT REGARDING THE MILWAUKEE RIVER FISH PASSAGE.

Karl Stave, Kletzsch Park Dam Project Manager, and Therese Gripentrog, County Parks Representative to the Development Team gave an update on the Milwaukee River Fish Passage.

Mayor Kennedy asked if fish have been able to get upstream since the Dam was built. Mr. Stave explained that native fish have not been able to jump the Dam, as they are not strong enough. Mayor Kennedy asked if the Department of Natural Resources (“DNR”) is requiring the fish passage. Mr. Stave stated that the DNR is not requiring the fish passage, but has concerns. Ms. Gripentrog expressed concern over the possibility of fish not being able to get upstream.

Mayor Kennedy asked if work on the east side of the bank is scheduled for repair, regardless of other work that is to be completed. Mr. Stave stated that the repair of the east bank is under a repair order by the DNR. Mayor Kennedy inquired about easement access to build the fish passage on the east bank. Ald. Daugherty expressed concern with regard to the word “repair,” and requested a copy of the report which mandates the gate on the east bank is to be repaired.

Ald. Wiese asked if the gate on the east bank is supposed to function as a fish ladder. Mr. Stave stated that the gate on the east bank is not meant to function as a fish ladder.

Ald. Vukovic expressed concern with the potential fish passage, and would like to see only what is required to be repaired, repaired, and asked what is mandatory. Mr. Stave stated that the bypass structure on the east side is mandated by the DNR; function is to be re-established, and stone is to be repaired. Ald. Vukovic asked if the DNR is advising a fish passage is created, or if it is mandated. Ms. Gripentrog explained that the County is under a directive, but that the EPA wants to create a better habitat for fish to spawn.

Ald. Schmelzling expressed concern with the overlook being pushed too far back, with the fish passage on the west bank, and with the loss of parking. Ald. Schmelzling further asked if putting the fish passage on the east bank could be explored. Administrator Safstrom explained that in 2016, residents on the east side of the river did not want public access near their properties.

Mayor Kennedy stated that because the Kletzsch Park Dam, and Milwaukee River parkway are listed on the State and National Historic Database, the City Historic Preservation

Commission has to approve any modifications. Administrator Safstrom stated that the Historic Preservation Commission by Municipal code is the Plan Commission. Mayor Kennedy explained that the City of Glendale will work with Milwaukee County to repair the gate on the east bank, but that additional enhancements will need to come before Plan Commission for a Public Hearing.

No action was taken on this informational item.

## COMMUNICATIONS, APPLICATIONS AND PETITIONS.

- I. File No \_\_\_\_\_  
Communication from City Administrator, Rachel Safstrom, regarding Payment 4 to Absolute Construction Enterprises for work completed on the City Hall / Police Garage Project.

Administrator Safstrom stated that the contract amount for the project is \$5,436,000.00. There are change orders in the amount of \$44,170.63 adjusting the contract to \$5,480,170.63. The change orders are for front beam replacement and revisions to crawl space at Town Hall, additional demolition and disposal fees for removal of asbestos materials, over excavation at police station, relocation of piping from City Hall. This payment is for work completed on the project.

Based on the recommendation of City Administrator, Rachel Safstrom, motion was made by Ald. Vukovic, seconded by Ald. Gelhard to approve Payment 4 to Absolute Construction Enterprises for work completed on the City Hall / Police Garage Project in the amount of \$457,444.60. On Roll Call Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

- II. File No \_\_\_\_\_  
Communication from Police Chief, Mark Ferguson, regarding Wisconsin DOJ Drug Trafficking Response Equipment Grant.

Administrator Safstrom explained that the Police Department applied for, and received, a \$50,000 grant to purchase equipment for drug trafficking response. There is no matching funds requirement. The Department will purchase pre-authorized equipment and submit invoices to DOJ for reimbursement. Grant requirements include quarterly progress and financial reports and that all equipment must be purchased by December 31, 2019. Grant award is subject to City approval.

Ald. Wiese asked what the acronym ALPR meant. Lieutenant Fugman explained that ALPR stands for Automatic License Plate Reader. Ald. Schmelzling asked that PPE means. Lieutenant Fugman stated Personal Protection Equipment, to protect officers from drugs and other chemicals. Ald. Schmelzling asked what a drone tether is. Lieutenant Fugman stated that the drone tether is a cord which is connected to a drone, so the drone is connected to a power source.

Based on the recommendation of Police Chief, Mark Ferguson, motion was made by Ald. Gelhard, seconded by Ald. Shaw to authorize Wisconsin DOJ Drug Trafficking Response Grant awarded to the Glendale Police Department. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

### UNFINISHED BUSINESS.

#### III. File No

Request for Extension of Building Permit Deadline for 6701 and 6789 North Port Washington Road—ICAP Development.

Administrator Safstrom stated that the City of Glendale entered into a Development agreement with ICAP Development for the property located at 6701 and 6789 North Port Washington Road. This agreement required the developer to apply for a building permit within 3 months of the acquisition of the property. Since the agreement, there have been some challenges with We Energies. The solution to the challenge has recently been identified.

Motion was made by Ald. Wiese, seconded by Ald. Daugherty to approve an extension to ICAP Development LLC for obtaining a building permit to March 15, 2019. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

### NEW BUSINESS.

#### IV. File No

Communication from Charlie Imig, Director of Public Works re Resolution Proclaiming World Migratory Bird Day.

Administrator Safstrom explained that World Migratory Bird Day (formerly International Migratory Bird Day) Resolution is required for the City's continued participation in the Bird City Wisconsin Award program. The Friends of Kletzsch Park will coordinate Glendale's World Migratory Bird Day celebration on May 11, 2019.

Motion was made by Ald. Daugherty, seconded by Ald. Schmelzling approve the 2019 World Migratory Bird Day Resolution. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

#### V. File No

Recommendation from the Legislative and Judiciary Committee—consideration of application for Liquor, Beer & Wine License expansion of the premises filed by Pick 'n Save—1735 West Silver Spring Road.

Administrator Safstrom explained that the State of Wisconsin requires any business selling alcohol to have an Alcohol Beverage License. Pick 'n Save is requesting an amendment to the premises description on the "Class A" license issued to the store, to

encompass the ClickList service in 2 designated parking spaces. The request is to be able to serve the customers that order on-line for pick-up at the store location.

All licenses have been approved for the current location and all background checks have been concluded by the City of Glendale Police Department. The Legislative, Judiciary & Finance Committee previously approved the “Class A” License application for Pick ‘n Save.

Motion was made by Ald. Vukovic, seconded by Ald. Shaw to approve the expansion of the “Class A” Liquor, Beer & Wine license issued to Pick ‘n Save, located at 1735 West Silver Spring Road, to include the two (2) parking spaces designated for ClickList, with a review of “Class A” license at the time of license renewal with no incidents, requiring when there is alcohol in the online order that the person identified on the order be the same person to pick-up the order, as well as video surveillance of the spaces designated for ClickList that is acceptable to the Glendale Police Department. Ayes: Ald. Gelhard, Vukovic, Daugherty, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VI. File No

Recommendation from the Plan Commission to rezone 2510 West Good Hope Road from R-3 Residence District to PD-Planned Unit Development District-Multi-Family Residential—Schedule Public Hearing for March 11, 2019 at 6:00 p.m.

Administrator Safstrom explained that On November 12, 2018, the Council referred the request from New Land Enterprises to rezone 2510 West Good Hope Road from R-3 Residence District to PD-Planned Unit Development District-Multi-Family Residential to the Plan Commission. The plan includes a 48 unit apartment building a 41 Townhome Garden Apartments configured as eight buildings. The Plan Commission reviewed the request, and recommended changes at their December meeting. On February 5, 2019, the Plan Commission held a public hearing.

Jason Korb, of Korb + Associates Architects explained that changes recommended by the Plan Commission were implemented. Ald. Wiese asked what is the yellow grid in the drawings. Mr. Korb stated that it is a wood trellis.

Motion was made by Ald. Wiese, seconded by Ald. Daugherty to schedule a public hearing for March 11, 2019 at 6:00 p.m. to review the request to rezone 2510 West Good Hope Road from R-3 Residence District to PD-Planned Unit Development District-Multi-Family Residential. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VII. File No

Application for change of zoning 5464 North Port Washington Road (Chick-fil-A)—Refer to Plan Commission.

Administrator Safstrom explained that the City received a request from HR Green, Inc., on behalf of Chick-fil-A to rezone 5464 North Port Washington Road to Planned

Unit Development. Mayor Kennedy explained that this area is currently zoned for commercial property, and that this is the only one for planned development which includes a drive-thru.

Ald. Schmelzling asked if there have been traffic issues due to the limitations.

Ald. Vukovic asked HR Green, Inc. to bring an alternate plan for the traffic on Iroquois Avenue. She asked how tall the proposed building will be. Joe Vavrina from HR Green, Inc. stated that the building will be 22-23 feet tall.

Ald. Wiese expressed concern with the amount of traffic Chick-fil-A will bring to the area, and asked how the lot will allow for increased traffic.

Ald. Shaw asked what will happen to the tenants in the current building. Mayor Kennedy explained that 3 of the 4 will move to the new Worth Building.

Motion was made by Ald. Shaw, seconded by Ald. Gelhard to forward the application for change of zoning 5464 North Port Washington Road to Planned Unit Development—Refer to Plan Commission to the Plan Commission for review. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

#### VIII. File No \_\_\_\_\_

Communication from Deputy City Administrator, Shawn Lanser re Resolution Providing for the Sale of Approximately \$6,975,000 General Obligation Refunding Bonds, Series 2019A.

Administrator Safstrom explained that in 2009 and 2010, the Glendale Common Council addressed the issue of Tax Incremental District (“TID”) #7 revenues not covering the amount of scheduled debt payments. The decision was to refinance the scheduled debt payments with 10 year General Obligation debt with principal amounts of \$2,380,000 and \$1,580,000. It was expected there would be future refinancing needed after another 10 years of revenue numbers were known. The 2019 City Budget was adopted with the expectation a refinancing would happen. The district generates about \$2,500,000 of annual revenues available for debt payments. Last month, the Glendale Joint Review Board extended the life of TID #7 by a total of seven years. This allows future TID #7 debt payments to be restructured and paid solely from projected TID #7 revenues.

The proposed debt issuance is to provide funding to refinance part of the 2009 General Obligation notes, and 2011 Community Development Authority Bonds that relate to TID #7. The plan is to price these Bonds on March 11, 2019, and for the Common Council to review/approve the bond pricing at that night’s Common Council meeting.

Motion was made by Ald. Vukovic, seconded by Ald. Wiese to approve the resolution providing for the sale of approximately \$6,975,000 General Obligation Refunding Bonds, Series 2019A. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

#### APPROVAL OF ACCOUNTS PAYABLE.

Motion was made by Ald. Vukovic, seconded by Ald. Wiese to approve the accounts payable checks numbered 43258 to 43278, totaling \$321,999.81, and for prepaid checks

numbered 1746 to 1783, and 42816 to 43257, totaling \$27,709,649.58. On Roll Call Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

COMMISSION, COMMITTEE AND BOARD REPORTS.

There were several updates from Council members, on the activities of the various Commissions, Committees and Boards on which they serve.

ADJOURNMENT.

There being no further business, motion was made by Ald. Vukovic, seconded by Ald. Shaw, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried and adjournment of the Common Council was ordered at 7:42 p.m. until Monday, February 25, 2019, at 6:00 p.m.

Miranda Etzel  
City Clerk

Recorded: February 12, 2019.