

CITY OF GLENDALE
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

AGENDA - COMMON COUNCIL MEETING

Monday, October 10, 2016
4:30 p.m. – NOTE TIME

1. Roll Call and Pledge of Allegiance.
2. Report of the Schools – Dr. Robert Kobylski (Nicolet High School) and Larry Smalley (Glendale-River Hills)
3. Review of the Proposed 2017 City Budget
4. Adoption of Minutes of Meetings Held on September 26, 2016.
5. Public Comment. Glendale residents, business owners and property owners are invited to speak to the Council on items that are not on the agenda and are within the City's ability to regulate or control.
6. Communications, Applications, and Petitions: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).
 - a) Communication from Deputy City Administrator, re: Policy for Applications for Payments, Changes and Claims for Construction Projects.
 - b) Communication from City Services Director, re: Bid results W. Bender Road Sidewalk and Flashing Beacon.
 - c) Communication from City Services Director, re: Payment 1 to Scherrer Construction Company – Richard E. Maslowski Community Park.
 - d) Communication from iPic Entertainment, re: Second Amendment to Developers Agreement between Bayshore Town Center and the CDA.
 - e) Communication from City Treasurer, re: Lease of 5960 N. Port Washington Road for the sale of Christmas Trees.
 - f) Communication from Finance Director, re: 2015 Financial Audit Report.
7. Unfinished Business: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).
 - a) Reconsideration City email addresses for the Mayor and Council (Ald. Shaw).
 - b) Bike lanes on Bender Road (Laid over from September 26th Council Meeting).
 - c) Venue Naming Contest – Richard E. Maslowski Community Park.
8. New Business: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).
 - a) Natural Landscaping Issues – 5690 N. Dexter Avenue (Director of Inspections).
 - b) Set Additional Council Meeting for October 31, 2016 (Deputy Clerk/Treasurer).
 - c) Milwaukee Metropolitan Sewerage District Milwaukee River Watercourse Management Plan information.
 - d) Resolution requesting shoreline restoration upon removal of Estabrook Dam.
9. Approval of Accounts Payable.
10. Commission, Committee, Board Reports: (This is an Opportunity for Council Members to Report on their Respective Committees, Commissions, Boards of which they serve as a Member.)
11. Adjournment.

- Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.

CITY OF GLENDALE -- COMMON COUNCIL
September 26, 2016

Regular meeting of the Common Council of the City of Glendale held in the Municipal Building, 5909 North Milwaukee River Parkway.

The meeting was called to order by Mayor Bryan Kennedy at 6:03 p.m.

Roll Call: Present: Ald. Robert Whitaker, James Daugherty, John C. Gelhard, Richard Wiese, Izzy Goldberg and JoAnn Shaw. Absent: None.

Other Officials Present: Rachel Reiss, Deputy City Administrator; John Fuchs, City Attorney, Colette Reinke, Assistant City Attorney, Tom Czarnyszka, Police Chief, Shawn Lanser, Finance Director, and Karen Couillard, 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.

The Deputy City Administrator advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, September 22, 2016, 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.

ADOPTION OF COUNCIL MINUTES.

Motion was made by Ald. Gelhard, seconded by Ald. Weise, approving the minutes of the meeting held on September 12, 2016. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

PUBLIC HEARING:

Public Hearing and approval of Resolution Vacating Former Bender Road for the Richard E. Maslowski Community Park.

No public comment.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty, to close the public hearing on the Resolution Vacating Former Bender Road for the Richard E. Maslowski Community Park.

Motion was made by Ald. Shaw, seconded by Ald. Goldberg, to approve the resolution vacating former Bender Road for the Richard E. Maslowski Community Park. On Roll Call: Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

PUBLIC COMMENT:

No public comment.

COMMUNICATIONS, APPLICATIONS AND PETITIONS:

I. File No

Communication from City Services Director, re: Payment 2 and Final Payment to Globe Contractors—water main replacement on North Port Washington Road

Based upon the recommendation of the City Services Director, motion was made by Ald. Whitaker, seconded by Ald. Gelhard, to approve Payment 2 and Final Payment in the amount of \$86,999.80 to Globe Contractors for water main replacement on North Port Washington Road. On Roll Call: Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

II. File No

Communication from Director of City Services, re: Payment 2 to UPI, LLC—reconstruction of W. Edward Lane.

Based upon the recommendation of the City Services Director, motion was made by Ald. Wiese, seconded by Ald. Whitaker, to approve Payment 2 in the amount of \$283,866.02 to UPI, LLC for reconstruction of W. Edward Lane. On Roll Call: Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

III. File No

Application for Change of Zoning, 2510 West Good Hope Road - Refer to Plan Commission

Due to unforeseen requirements by the Wisconsin Department of Natural Resources, Mr. Nick Donets was unable to complete the proposed project at 2510 West Good Hope Road as approved in 2014. Since there are significant changes to the original submittal, it is necessary for Mr. Donets to complete the rezoning process from the beginning. The request is to rezone the property to PD-Planned Unit Development for an assisted living facility and subdivide three parcels for single family R-3 Residential.

Based upon the recommendation of the staff, motion was made by Ald. Goldberg, seconded by Ald. Wiese, to refer the request to rezone 2510 West Good Hope Road to PD-Planned Unit Development for an assisted living facility and subdivide three parcels for single family R-3 Residential. Ayes: Ald. Whitaker, Daugherty, Gelhard, Goldberg, Wiese and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IV. File No

Application for Change of Zoning, 1633 West Bender Road-Refer to Plan Commission

Bender Road Townhomes is requesting to rezone the property at 1633 West Bender Road. The request is to rezone the property from Institutional to PD-Planned Unit Development for a 57 unit apartment development and a car storage lot for David Hobbs Honda.

Based upon the recommendation of the staff, motion was made by Ald. Goldberg, seconded by Ald. Gelhard, to refer the request to rezone 1633 West Bender Road from Institutional to PD-Planned Unit Development. Ayes: Ald. Whitaker, Daugherty, Gelhard, Goldberg, Wiese and Shaw. Noes: None. Absent: None. Motion carried unanimously.

- V. File No _____
Application for Special Gathering Permits filed by Bavarian Soccer Club.
(November 4-6)

Motion was made by Ald. Whitaker, seconded by Ald. Weise, to approve the Application for Special Gathering Permit submitted by the Bavarian Soccer Club for November 4-6, 2016 starting at 10:00 a.m. and ending at 9:00 p.m. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

UNFINISHED BUSINESS.

- VI. File No _____
Approval of the 2016-2018 Police Association Contract.

At the August 22, 2016 Council meeting the Council authorized the 2016-2018 Police Association Contract within closed session. Official action to approve the contract needs to be taken in open session.

Motion was made by Ald. Whitaker, seconded by Ald. Shaw, to approve the 2016-2018 Police Association Contract. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

- VI. File No _____
Richard E. Maslowski Park update

There have been several issues that have arisen due to the park being built on a landfill. There is a potential to fund the environmental changes from the Environmental Fund and the parking lot change from the Storm Water Utility Fund.

The Veteran's Memorial amendments that have been presented over the past few months have now been given estimated costs. The original budgeted amount for the Memorial was \$120,000. Council reviewed the possible options, including replacing the granite monuments with lime stone. The lime stone is the same type that will be used for other areas throughout the park.

Motion was made by Ald. Wiese, seconded by Ald. Whitaker, to direct staff to accept the lower cost limestone, still including the lighting and foundation. Ayes: Ald. Whitaker, Daugherty, Wiese, and Goldberg. Noes: Ald. Gelhard and Shaw. Absent: None. Motion carried, 4 to 2.

NEW BUSINESS.

- VII. File No
Review concept of bicycle lane on Bender Road.

Mayor Kennedy asked staff to examine the feasibility of installing bike lanes along W. Bender Road from Richard E. Maslowski Community Park easterly to N. Jean Nicolet Road. According to North Shore Engineering, bike lanes would be feasible from N. Jean Nicolet Road westerly to N. Green Bay Avenue if parking is prohibited. The estimated cost to install the bike lanes and required signage is \$19,500.00.

Council discussed the concept and alternatives to the bike path. Ald. Shaw questioned how the project would be funded. The Council also discussed if the path would be able to extend west of Green Bay Avenue. These questions would need to be researched by staff.

Motion was made by Ald. Shaw, seconded by Ald. Gelhard, to refer the concept of bicycle lanes on Bender Road back to staff for more clarification. On Roll Call: Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

- VIII. File No
Fence License Agreement, 5423 N. Lydell Avenue

City Attorney Fuchs stated that the Community Development Director brought to his attention the current existence of, or future intent, to construct a fence on the property. Because there are two easements under the property, it is good practice to grant a license agreement in this situation.

Motion was made by Ald. Shaw, seconded by Ald. Goldberg, to approve the license agreement for 5423 N. Lydell Avenue, with the inclusion of Exhibit A. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

- IX. File No
City email addresses for the Mayor and Council

Deputy City Administrator Reiss addressed the time consuming issue of compiling information for an open records request. In an effort to assist in this process, it was recommended that the Mayor and Council have City hosted email addresses. This change would not prevent Council members from an open records request on their personal email for any City business that may be conducted on personal email, but would make most open records request much easier to fulfill. Currently the City does not have enough licenses to cover the additional emails, however the City is able to add licenses through a cloud based server. The cost of the additional licensing is a \$250 startup fee and \$300 annually.

The Council discussed various challenges with communicating a new email address to neighborhood groups and if there are some instances where emailing these groups would be

more appropriate from a personal account. Attorney Fuchs advised against emailing the neighborhood groups from a personal account. Attorney Fuchs stated that any City emails that may be sent to a personal email account can simply be forwarded to the City email and responded to from City email. Attorney Fuchs will also send out the verbiage for a standard disclaimer that can be included in the emails from the Mayor and Council.

Motion was made by Ald. Gelhard, seconded by Ald. Shaw, to create email addresses for the Mayor and Council as presented.

After further discussion of the format, motion was made by Ald. Wiese, seconded by Ald. Shaw, to amend the motion to create email addresses for the Mayor and Council and change the format of the emails to "Aldersperson".

Staff indicated that there is an additional option of changing the email addresses to include a .gov extension in lieu of .org. This may allow for more ease of residents knowing they are emailing a government entity.

Motion by Ald. Shaw, seconded by Ald. Gelhard to amend the motion to create email addresses for the Mayor and Council with the format change of the emails to "Aldersperson" and change the email address to end in .gov. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

X. File No
Preliminary 2017 City Budget

Deputy City Administrator Reiss presented the proposed 2017 City Budget to the Council. Ms. Reiss reviewed several changes that had been made from prior year's formatting. The tax levy is anticipated to increase .17%. Due to the new requirements from the Wisconsin Department of Revenue, the calculations for expenditure restraint program will also include some of the special revenue and debt service funds. There is no tax levy allocated to the Capital Projects Fund (which is all the TIFs) or the Enterprise Funds (which is the stormwater and sanitary sewer funds). The Debt Service fund expenses are a higher than last year due to an anticipated refinancing of 2007 debt.

Motion was made by Ald. Whitaker, seconded by Ald. Daugherty, to authorize the publishing of the preliminary budget, and to schedule the public hearing for November 14, 2016 at 6:00 p.m. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

Motion was made by Ald. Goldberg, seconded by Ald. Whitaker, to schedule the Common Council review sessions for October 10, 2016 at 4:30 p.m. and October 24, 2016 at 4:30 p.m. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

RECEIPT OF MONTHLY DEPARTMENTAL REPORTS.

Motion was made by Ald. Whitaker, seconded by Ald. Gelhard, to place the monthly departmental reports on file. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

COMMISSION, COMMITTEE AND BOARD REPORTS.

Several Council members briefly reported on the activities of the various Commissions, Committees and Boards they serve on.

CLOSED SESSION

Motion was made by Ald. Gelhard, seconded by Ald. Whitaker, to convene in Closed Session per Section 19.85(1)(c) of the Wisconsin Statutes to consider the employment, promotion, compensation or performance evaluation data of City employees (Director of Inspections) Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

REPORT OUT OF CLOSED SESSION.

Motion was made by Ald. Whitaker, seconded by Ald. Gelhard, to reconvene in Open Session. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously.

No action was taken in closed session.

ADJOURNMENT.

There being no further business, motion was made by Ald. Gelhard, seconded by Ald. Goldberg, to adjourn the meeting. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese, Goldberg and Shaw. Noes: None. Absent: None. Motion carried unanimously and adjournment of the Common Council was ordered at 7:34 p.m. until Monday, October 10, 2016 at 6:00 p.m.

Karen Couillard
City Clerk

Recorded: September 27, 2016

6a/10-10-16

Memorandum

To: Mayor and Common Council

From: Rachel A. Reiss, Deputy City Administrator

Date: September 29, 2016

Re: Policy for Applications for Payments, Changes and Claims for Construction Projects

From time to time, projects within the City need change orders approved to proceed. In reviewing City policies, there is no set limit for approvals of change orders that can be approved by the City Administrator. I am recommending the Council approve the attached policy.

City of Glendale
Policy for Applications for Payments, Changes and Claims
For Construction Projects

- I. All applications for payments, changes, and claims shall be submitted to Director of City Services for review and shall be approved by the City Administrator.

- II. Procedure. All changes and claims shall be submitted to the Director of City Services by the party seeking payment. The Director of City Services will review the claim/change and present the change or claim to the City Administrator according to the following guidelines:
 - A. Changes and claims, the individual or collective subject matter of which do not exceed \$25,000, must be submitted in writing and approved by the City Administrator.
 - B. Changes and claims, the individual or collective subject matter of which exceed \$25,000, must be submitted in writing and approved by the Common Council before continuation of the project.
 - C. All Applications for Payment shall be submitted to the Common Council for payment in accordance with contract terms for payment.

6b / 10-10-16

Memorandum

To: Rachel Reiss, Deputy City Administrator
From: Dave Eastman, Director of City Services
Date: September 29, 2016
Re: Bid results for W. Bender Road Sidewalk and Flashing Beacon.
Project Number 529-B-16.

Please find listed below the bid results for W. Bender Road sidewalk construction with a rectangular rapid flashing beacon system. I recommend awarding the contract to Forward Contractors in the amount of \$50,613.10.

1. Forward Contractors	\$50,613.10
2. D.C. Burbach	\$51,058.50
3. Zenith Tech	\$73,982.00



NORTH SHORE ENGINEERING, INC.

11433 N. PORT WASHINGTON ROAD
MEQUON, WISCONSIN 53092
TELEPHONE (262) 241-9400
FAX (262) 241-5337

MEMO

DATE: 10-03-16

TO: Dave Eastman
Director of City Services
City of Glendale, WI.

FROM: Jim Hensel, North Shore Engineering, Inc.
Engineering Consultant

RE: Forward Contractors qualification recommendation

Per your request, North Shore Engineering investigated the job qualifications for Forward Contractors in regards to the W. Bender Rd. sidewalk project from N. Jean Nicolet westerly to the condo entrance.

Although Forward Contractors is a fairly new company, their president, Mike LaLonde was long a part of LaLonde Construction. LaLonde Construction was the general contractor for quite a few street reconstruction projects in the Crestwood area and always did a quality job for the City of Glendale.

I contacted three references in regards to Forward Contractors. The contacts and their responses are as follows:

- Roberto Gomez, State of Wisconsin DOT. Forward Contractors performed removals, concrete curb & gutter installation and concrete sidewalk installation. He stated they did a good job in a timely manner and he would use them again and recommend them.
- Greg Graf, City of West Allis. Forward Contractors performed concrete curb & gutter and concrete sidewalk installation. Greg said he would recommend them without reservations.
- Larry Sullivan, City of Milwaukee. Forward Contractors performed wall repair and other concrete work on multiple jobs for the City of Milwaukee. Larry said they were pleasant to work with, did a quality job and finished on time. He would recommend them.

Based on my conversations with Forward Contractors references and our prior experience with Mike LaLonde, I recommend that the W. Bender Rd. sidewalk project be awarded to their firm.

6c/10-10-16

Memorandum

To: Rachel Reiss, Deputy City Administrator
From: Dave Eastman, Director of City Services
Date: October 3, 2016
Re: Payment 1 to Scherrer Construction Company for work completed at Richard E. Maslowski Community Park. Project Numbers 535-A-16, 535-B-16, and 535-P-16.

I recommend the following payment 1 to Scherrer Construction Company for work completed at Richard E. Maslowski Community Park.

Original Contract:	\$3,775,620.00
Change Orders:	<u>\$ 0.00</u>
Revised Contract:	\$3,775,620.00

Work Completed to Date:	\$534,092.00
Less Retainage (10%):	<u>\$53,409.20</u>

Payment 1	\$480,682.80
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TO: CITY OF GLENDALE
 5909 NORTH MILWAUKEE RIVER PKWY
 GLENDALE, WI 53209

PROJECT: GLENDALE COMMUNITY REC CAN
 2200 WEST BENDER RD.
 GLENDALE, WI 53209

APPLICATION
 NUMBER: 1

PERIOD TO: 09.15.16

FROM: SCHERRER CONST. CO., INC.
 P.O. BOX 740
 601 BLACKHAWK DRIVE
 BURLINGTON, WI 53105

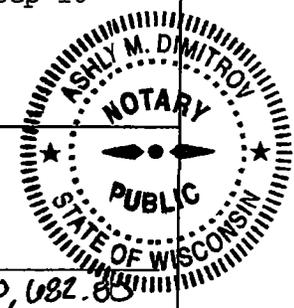
ARCHITECT: RETTLER CORPORATION
 3317 BUSINESS PARK RD.
 STEVENS POINT, WI 54481

ARCHITECT'S
 PROJECT NO:

CONTRACT
 DATE: 06.13.16

CHANGE ORDER SUMMARY:			
Change Orders approved		ADDITIONS	DEDUCTIONS
in previous months by Owner... TOTAL--->		0	0
Approved This Month			
Number	Date Approved		
TOTALS		0	0
NET CHANGE BY CHANGE ORDERS			0

APPLICATION FOR PAYMENT SUMMARY:	
ORIGINAL CONTRACT SUM.....	\$3,775,620.00
NET CHANGE BY CHANGE ORDERS.....	\$0.00
CONTRACT SUM TO DATE.....	\$3,775,620.00
TOTAL COMPLETED & STORED TO DATE.....	\$534,092.00
TOTAL RETAINAGE.....	\$53,409.20
TOTAL EARNED LESS RETAINAGE.....	\$480,682.80
LESS PREVIOUS APPLICATIONS FOR PAYMENT	\$0.00
CURRENT PAYMENT DUE.....	\$480,682.80
State of Wisconsin, County of Racine Subscribed and sworn to before me this 14-Sep-16	
Notary Public: <i>Ashly M. Dimitrov</i>	
My Commission expires: June 29, 2020	
REVIEWED BY ARCHITECT:	
By: <i>Mark Kuzniowski</i>	Date: 7-27-16
	\$ 480,682.80



SCHERRER CONSTRUCTION COMPANY, INC.

By: *Mark Kuzniowski* Date: 14-Sep-16
 MARK KUZNIEWSKI
 SR. PROJECT MANAGER

PROJECT: GLENDALE COMMUNITY REC CAMPUS

ITEM NO.	DESCRIPTION OF WORK	CURRENT SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED	TOTAL COMPLETED & STORED	%	BALANCE TO FINISH		
			PREVIOUS PERIOD	THIS PERIOD						
1	GENERAL CONDITIONS	200,674	0	70,000	0	70,000	35%	130,674		
2	SITE UTILITIES	137,900	0	45,000	0	45,000	33%	92,900		
3	EARTH WORK	241,578	0	100,000	0	100,000	41%	141,578		
4	ASPHALT	131,255	0	0	0	0	0%	131,255		
5	LANDSCAPING	18,970	0	0	0	0	0%	18,970		
6	FENCE AND GATES	56,875	0	0	0	0	0%	56,875		
7	SYNTHETIC TURF	107,250	0	0	0	0	0%	107,250		
8	CONCRETE WALKS	141,652	0	0	0	0	0%	141,652		
9	CURB AND GUTTER	21,185	0	0	0	0	0%	21,185		
10	CONCRETE MATERIALS	73,909	0	27,000	0	27,000	37%	46,909		
11	REBAR	12,192	0	12,192	0	12,192	100%	0		
12	CONCRETE FORMS AND EQUIPMENT	29,239	0	2,200	0	2,200	8%	27,039		
13	BUILDING CONCRETE	304,056	0	72,000	0	72,000	24%	232,056		
14	MASONRY	402,740	0	5,700	0	5,700	1%	397,040		
15	MISC. METALS	63,196	0	0	0	0	0%	63,196		
16	CARPENTRY ROUGH	224,369	0	0	0	0	0%	224,369		
17	LAMINATED TIMBERS	51,580	0	0	0	0	0%	51,580		
18	FINISH CARPENTRY	98,115	0	0	0	0	0%	98,115		
19	MILLWORK	24,428	0	0	0	0	0%	24,428		
20	FLUID APPLIED AIR BARRIER	13,780	0	0	0	0	0%	13,780		
21	ROOFING AND SHEET METAL	215,100	0	0	0	0	0%	215,100		
22	CAULKING AND SEALANTS	4,000	0	0	0	0	0%	4,000		
23	DOORS, FRAMES, AND HARDWARE	26,431	0	0	0	0	0%	26,431		
24	OVERHEAD DOORS	9,950	0	0	0	0	0%	9,950		
25	ALUMINUM STORE FRONT / WINDOWS	76,850	0	0	0	0	0%	76,850		
26	DRYWALL	3,579	0	0	0	0	0%	3,579		
27	CEILINGS	11,075	0	0	0	0	0%	11,075		
28	FLOORING	24,050	0	0	0	0	0%	24,050		
29	SPECIAL COATINGS	18,650	0	0	0	0	0%	18,650		
30	PAINTING	20,360	0	0	0	0	0%	20,360		
31	SPECIALTIES	16,769	0	0	0	0	0%	16,769		
32	FIRE PLACE	4,594	0	0	0	0	0%	4,594		
33	FLAG POLES	10,653	0	0	0	0	0%	10,653		
34	FOOD SERVICE EQUIPMENT	60,748	0	0	0	0	0%	60,748		
35	PLAYGROUND EQUIPMENT	373,900	0	200,000	0	200,000	53%	173,900		
36	BLINDS	1,355	0	0	0	0	0%	1,355		
37	SPRINKLERS	32,000	0	0	0	0	0%	32,000		
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APPLICATION DATE: 14-Sep-16

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PROJECT: GLENDALE COMMUNITY REC CAMPUS

PERIOD TO: 09.15.16

PROJECT NUMBER: 0

ITEM NO.	DESCRIPTION OF WORK	CURRENT SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED	TOTAL COMPLETED & STORED	%	BALANCE TO FINISH
			PREVIOUS PERIOD	THIS PERIOD				
41	PLUMBING	74,713	0	0	0	0	0%	74,713
42	HVAC	110,900	0	0	0	0	0%	110,900
43	ELECTRICAL	325,000	0	0	0	0	0%	325,000
44	-	0	0	0	0	0	0%	0
45	-	0	0	0	0	0	0%	0
46	-	0	0	0	0	0	0%	0
47	-	0	0	0	0	0	0%	0
48	-	0	0	0	0	0	0%	0
49	-	0	0	0	0	0	0%	0
50	-	0	0	0	0	0	0%	0
51	-	0	0	0	0	0	0%	0
52	-	0	0	0	0	0	0%	0
53	-	0	0	0	0	0	0%	0
54	-	0	0	0	0	0	0%	0
55	-	0	0	0	0	0	0%	0
56	-	0	0	0	0	0	0%	0
57	-	0	0	0	0	0	0%	0
58	-	0	0	0	0	0	0%	0
59	-	0	0	0	0	0	0%	0
60	-	0	0	0	0	0	0%	0
61	-	0	0	0	0	0	0%	0
62	-	0	0	0	0	0	0%	0
63	-	0	0	0	0	0	0%	0
64	-	0	0	0	0	0	0%	0
65	-	0	0	0	0	0	0%	0
66	-	0	0	0	0	0	0%	0
67	-	0	0	0	0	0	0%	0
68	-	0	0	0	0	0	0%	0
69	-	0	0	0	0	0	0%	0
70	-	0	0	0	0	0	0%	0
71	-	0	0	0	0	0	0%	0
72	-	0	0	0	0	0	0%	0
73	-	0	0	0	0	0	0%	0
74	-	0	0	0	0	0	0%	0
75	-	0	0	0	0	0	0%	0
76	-	0	0	0	0	0	0%	0
77	-	0	0	0	0	0	0%	0
78	-	0	0	0	0	0	0%	0
79	-	0	0	0	0	0	0%	0
80	-	0	0	0	0	0	0%	0
		3,775,620		534,092	0	534,092	14%	3,241,528

6d / 10-10-16

Memorandum

To: Mayor and Common Council
Members of the Community Development Authority

From: Rachel A. Reiss, Deputy City Administrator

Date: October 4, 2016

Re: Request from iPic Entertainment

Attached is a letter from iPic Entertainment at Bayshore Town Center requesting an amendment to the Second Amendment to Development Agreement.

I have also attached the Second Amendment to Development Agreement for your reference.

iPic ENTERTAINMENT

September 19, 2016

Paul Safran
iPic Entertainment
433 Plaza Real, Suite 335

John Fuchs, City Attorney – City of Glendale
13500 Watertown Plan Road, Suite 100
Elm Grove, WI 53122

Dear Mr. Fuchs:

In an effort to effect positive changes at iPic's location at Bayshore Town Center which we strongly believe will benefit the company, shopping center, and community, we respectfully ask you and the City of Glendale to amend Section i. of Exhibit M of the Second Amendment to Development Agreement Bayshore Mall N/K/A Bayshore Town Center LLC. We request that the cap on auditoriums be increased to eight (8) and total seating cap increased to 630 so that we may further evaluate converting the bowling area to additional auditorium space.

Additionally, we request that the age restrictions on the aforementioned clause be removed so that we can encourage more families to use our facility at Bayshore Town Center. iPic will abide by regulations as established by the mall as well as all applicable city ordinances and state, local, and federal laws. Our goal is to make iPic Entertainment at Bayshore Town Center a more vibrant and welcoming place which will have a positive effect on the shopping center and community.

Sincerely,



Paul Safran
General Counsel
iPic Entertainment

cc: Rachel Reiss
City of Glendale Deputy City Administrator
5909 N. Milwaukee River Parkway
Glendale, WI 53209

433 Plaza Real, Suite 335, Boca Raton, FL 33432
www.ipic.com

**SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
BAYSHORE MALL N/K/A BAYSHORE TOWN CENTER LLC**

WHEREAS, the parties have previously entered into a Development Agreement for a redevelopment area specifically described on Exhibit A, and which Development Agreement has been executed under date of June 30 and July 1, 2004; and

WHEREAS, the aforescribed Agreement includes a listing of prohibited uses within the redevelopment area, which prohibited uses are set forth in Exhibit M to the Agreement, and which specifically includes a prohibition of multiple screen movie theaters as item d on Exhibit M; and

WHEREAS, the parties to the Agreement desire to amend Exhibit M, and the Common Council of the City of Glendale is in accord with the developer, its assignees, and the Community Development Authority of the City of Glendale that the following amendment to the Development Agreement is in the public interest;

NOW THEREFORE IT IS HEREBY AGREED between the Community Development Authority of the City of Glendale, and the Bayshore Town Center, LLC, the current party in interest through assignment, that Exhibit M of the aforescribed Development Agreement is hereby amended and readopted as follows:

Exhibit M

List of Prohibited Uses

- a. All uses identified in Sec. 13.1.35(c)(1) through (c)(12), (c)(16) through (c)(19), and (c)(21) through (c)(23) of the Zoning Code of the City of Glendale.
- b. All uses identified in Section 13.1.39(b)(1) through (b)(3), (b)(5), and (b)(7) of the Zoning Code of the City of Glendale.
- c. Any industrial use.
- d. Multi-screen cinemas, except as provided for by conditional use permit and as limited thereby in section i hereafter.
- e. Nursing homes.
- f. Community-based residential facilities.
- g. Bookstores, video stores and arcades selling, renting or exhibiting adult and/or pornographic materials.

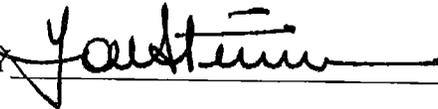
- h. Tax exempt uses if such use shall interfere with, defeat, or violate any other provision of this Agreement.

List of Conditional Uses

- i. Entertainment venues, not exceeding 40,000 square feet, anchored by a formal restaurant serving food at tables and having a seating capacity of not more than 375 patrons with a full service bar, and which restaurant supports secondary uses facilitating: (i) either improvisational comedy or live theater with seating capacity of 350 seats or bowling facilities of 14 lanes or less and seating 120 patrons or less; and (ii) mini- audio-visual auditoriums for the display of traditional films, business meetings, and the transmission or retransmission of sporting events providing that such auditoriums of no more than six (6) do not have a total seating exceeding 430 and no more than 100 seats in one auditorium and will be restricted to customers of over 21 years of age after 9:00 pm, and which entertainment venues by virtue of their operational plan, amenities, and nature will command admission, use, service and sale prices in the upper ranges of the market, and which conditional use must comply, both as to physical characteristic, use, and operation, with all plans as approved and all conditions as imposed by the City of Glendale in the course of granting such conditional use. The CDA reserves the right to revoke, in part or in total, the uses allowed under this provision in the event the CDA finds, upon recommendation of the Glendale Police Chief, that such use, or portion thereof, presents a risk to the public health, welfare, or safety. Evidence of such risk may include but is not limited to, multiple police contacts, arrests, or related prosecutions.

BTC:

BAYSHORE TOWN CENTER, LLC, a
Delaware limited liability company

BY  _____

CDA:

CITY OF GLENDALE COMMUNITY DEVELOPMENT AUTHORITY, a duly constituted community development authority under Section 66.1335 Wis. Stats.

BY *Jerome A. Tepper*
Jerome A. Tepper, Chairperson

BY *Richard Maslowski*
Richard Maslowski, Secretary

State of Wisconsin)
: SS
County of Milwaukee)

This instrument was acknowledged before me this 13 day of November, 2006, by Yaromir Steiner of Bayshore Town Center, LLC.



TAMMY M. BROWN
Notary Public, State of Ohio
My Commission Expires 06-19-2011

Tammy M. Brown
(TAMMY M. BROWN)
My commission expires 6-19-11

State of Wisconsin)
: SS
County of Milwaukee)

This instrument was acknowledged before me this 22nd day of September, 2006, by Jerome A. Tepper as Chairperson and Richard Maslowski as Secretary of the City of Glendale Community Development Authority.

Mary T. F. Willis
(Mary T. F. Willis)
My commission expires 8-10-08

EXHIBIT A

Legal Description of C-Wing Land

Fee Title in and to the following tract of land in Milwaukee County, State of Wisconsin, described as follows:

That part of Government Lots 3 and 4 in the Southeast 1/4 of Section 29, Town 8 North, Range 22 East, bounded and described as follows: Commencing at the Southwest corner of said Southeast 1/4; thence North $00^{\circ}28'27''$ West along the West line of said Southeast 1/4, 828.12 feet to the South line of the North 15 acres of Government Lot 4; thence North $89^{\circ}35'33''$ East along said South line, 390.12 feet to the point of beginning; thence North $5^{\circ}25'30''$ East, 319.50 feet; thence North $84^{\circ}34'30''$ West, 346.37 feet to the East right of way of Port Washington Road and a point on a nontangent curve to the right; thence 39.56 feet along said curve to the right with a radius of 507.96 feet whose chord bears North $14^{\circ}57'15''$ East, 39.55 feet to a non tangent line; thence South $84^{\circ}34'30''$ East, 445.83 feet; thence North $5^{\circ}25'30''$ East, 371.96 feet; thence North $84^{\circ}34'30''$ West, 289.40 feet to the East right of way of Port Washington Road; thence North $30^{\circ}02'33''$ East along said East right of way, 9.59 feet to the start of a curve to the right; thence 33.40 feet along said curve to the right with a radius of 2,741.32 feet whose chord bears North $30^{\circ}23'30''$ East, 33.40 feet to a nontangent line; thence South $84^{\circ}34'30''$ East, 271.31 feet; thence North $5^{\circ}25'30''$ East, 136.09 feet; thence South $84^{\circ}34'30''$ East, 8.00 feet; thence North $5^{\circ}25'30''$ East, 105.66 feet; thence South $84^{\circ}34'30''$ East, 33.00 feet; thence South $5^{\circ}25'30''$ West, 652.70 feet; thence South $84^{\circ}34'30''$ East, 13.50 feet to the start of a curve to the right; thence 157.86 feet along said curve to the right with a radius of 100.50 feet whose chord bears South $39^{\circ}34'31''$ East, 142.13 feet; thence South $5^{\circ}25'30''$ West, 193.58 feet; thence South $84^{\circ}34'30''$ East, 369.60 feet to the aforesaid South line of the North 15 acres of Government Lot 4; thence South $89^{\circ}35'33''$ West along said South line, 410.73 feet; thence North $5^{\circ}25'30''$ East, 235.32 feet to the start of a curve to the left; thence 96.60 feet along said curve to the left with a radius of 61.50 feet whose chord bears North $39^{\circ}34'31''$ West, 86.97 feet; thence North $84^{\circ}34'30''$ West, 121.50 feet; thence South $5^{\circ}25'30''$ West, 315.51 feet to the aforesaid South line of the North 15 acres of Government Lot 4; thence South $89^{\circ}35'33''$ West along said South line, 39.20 feet to the point of beginning.

This parcel contains **2.064** acres, more or less.

be/ 10-10-16

MEMORANDUM



City of Glendale
5909 N. Milwaukee River Parkway
Glendale, WI 53209-3815
Phone (414) 228-1759

To: Mayor and Common Council
From: Linda DiFrances, City Treasurer
Date: October 4, 2016
Re: Request to use City property to sell Christmas Trees

The City of Glendale has rented the lot known as 5960 N. Port Washington Road to Patricia Guidinger (Pat's County Line Market) for seasonal Christmas tree sales for many years. The area is north of the former Sears store and south of Pier 1. It has been rented for \$700 per season, running from permit approval through the end of the year.

For the last few years, Ms. Guidinger was aided by Ottman Christmas Trees in running the day to day operation due to her declining health. Ms. Guidinger will no longer be involved in the Christmas tree sales operation starting this year, but Mr. Ottman wishes to continue on in her stead.

I recommend approval of the attached request from Ottman Christmas Trees for permission to sell Christmas Trees during the 2016 holiday season for the sum of \$700.

Ottman Christmas Trees
2769 N. 73rd Street
Milwaukee, Wisconsin 53210
Ph. (414) 254-5604

Mayor Bryan Kennedy and Members of the Common Council
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

October 1, 2016

Dear Sirs and Madam,

I am writing to request permission to sell Christmas trees and related seasonal greens in the City of Glendale. In particular my request is to occupy the small remnant parcel of land owned by the City of Glendale, located just north of the Bayshore Town Center, along the east side of Port Washington Road and immediately west of the Union Cemetery located at 5982 N. Port Washington Rd.

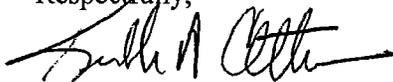
This parcel of land has been used for Christmas tree sales for nearly 40 years. The former permit holder for all those years was Patricia Guidinger. Because of health issues, Pat is no longer able to continue her business at this location. Ms. Guidinger no longer desires to pursue this permit. I have experience with this business location, in that my staff and I have been actually running the day-to-day operation of the business since 2010.

Ottman Christmas Trees has been selling trees continuously in the Milwaukee area since 1946. We grow our own trees on four farms located in Door, Portage, Waushara and Marathon Counties. We offer high quality trees, wreaths and garland. Our business record is exceptional and we have a loyal and generational customer base.

It is my understanding that once approved, an annual permit fee and space rental fee will apply. I agree to pay those fees based upon that which was charged in the past. Should you desire, I will furnish an insurance certificate that names the City of Glendale as co-insured.

I look forward to continuing the tradition of Christmas tree sales in Glendale. I am available for questions at (414) 254-5604.

Respectfully,



Ken Ottman

Owner, Ottman Christmas Trees



CITY OF GLENDALE

5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209
(414) 228-1717

TO: Glendale Common Council
FROM: Shawn Lanser, Finance Director
DATE: October 5, 2016
RE: [2015 Financial Audit](#)

In the past the financial audit has been distributed with monthly reports. This year the report is placed on the agenda for the Common Council to review with a recommendation to accept and place on file. I will be at the meeting to address any questions.

7a / 10-10-16

Reiss, Rachel

From: J Shaw <jshaw6@gmail.com>
Sent: Tuesday, September 27, 2016 12:14 PM
To: Reiss, Rachel
Cc: John F. Fuchs
Subject: City Email Addresses

Afternoon!

I've been thinking (I know, oh oh).

The more I sit and think about it, the more I would prefer to have our names used to make sure the individual who is sending information to us, the Council members, are sending to the right individual. Not everyone knows what district they are in.

I would prefer like the following:

- Robert.Whitaker@glendale-wi.gov
- Jim.Daugherty@glendale-wi.gov
- John.Gelhard@glendale-wi.gov
- Richard.Wiese@glendale-wi.gov
- Izzy.Goldberg@glendale-wi.gov
- JoAnn.Shaw@glendale-wi.gov
- Bryan.Kennedy@glendale-wi.gov

I really do think the public would prefer this to make sure they are sending their email to proper person. I understand the names presented were be easier for City staff to go from one person to the next, but I am going along what Nicolet did for their school board. I'm sure Bryan has his name for the Glendale River Hills School board.

As I think more about it, I would like to bring this back if I have to in order to recommend out names instead.

Please let me know your thoughts.

Thank you,

~~~~~  
JoAnn Shaw  
Glendale's 6th District Alderperson  
<http://www.glendale-wi.org>  
Campaign Ph: 414-979-1331

7b/10-10-16

# Memorandum

**To:** Mayor and Common Council  
**From:** Rachel A. Reiss, Deputy City Administrator  
**Date:** October 4, 2016  
**Re:** Bike lanes on Bender Road

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This item was reviewed at the September 26, 2016 Council Meeting. At that meeting, there were questions as to the feasibility of bike lanes extending west of Green Bay Avenue to the Richard E. Maslowski Community Park. An email from James Hensel, P.E., North Shore Engineering is attached indicating that even with the removal of parking lanes, the width of W. Bender Road would not support bike lanes.

It would not be possible to add bike lanes through the intersection of Green Bay Avenue and Bender Road at this time, due to the current traffic pattern. The intersection would need to be reconstructed if the Council wanted bike lanes.

Attached is additional correspondence from Mr. Hensel stating that on Bender Road, east of Green Bay Avenue, all parking would have to be prohibited in order to accommodate bike lanes. The cost to add bike lanes in this area would be \$19,500. There would also be annual maintenance costs to repaint the lanes.

If the Council would like to pursue bike lanes on Bender Road, east of Green Bay Avenue, I recommend scheduling a public hearing and notifying the affected property owners of the public hearing for potential change to on street parking.

## Reiss, Rachel

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**From:** Eastman, Dave  
**Sent:** Tuesday, September 27, 2016 8:30 AM  
**To:** Reiss, Rachel  
**Subject:** FW: W Bender Rd bike lanes consideration  
**Attachments:** Bender Rd from Park east to Green Bay Ave bike lanes consideration.pdf

FYI

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**From:** James W. Hensel [<mailto:jhensel@northshoreengineering.net>]  
**Sent:** Tuesday, September 27, 2016 8:24 AM  
**To:** Eastman, Dave  
**Subject:** W Bender Rd bike lanes consideration

Dave,

I have attached some information to consider regarding bike lanes on the stretch of W. Bender Rd. from Richard E. Maslowski Glendale Community Park east to N. Green Bay Ave. The included items are as follows:

- The typical cross section of W. Bender Rd. for that area.
- The section from the "Wisconsin Bicycle Facility Design Handbook" regarding bike lanes on urban streets with and without parking.

The lane width of Bender Rd. from the centerline to the flange line (inside edge of gutter) is 14.42 feet. Looking at Figure 3-12, the bicycle lane should be 4 ft. wide with the lane starting at the flange line. That would leave 10.42 feet for the travel lane. Typically, a 12 foot width should be maintained for a travel lane. Therefore, Bender Rd. at this point will not support bike lanes, even with no parking allowed. With parking, as shown on Figure3-16, even more width is required.

If you have any questions, please give me a call.

Jim

James W. Hensel, P.L.S., P.E.  
North Shore Engineering, Inc.  
11433 N. Port Washington Rd., Inc.  
Mequon, WI. 53092  
Ph. (262) 241-9400  
Fax (262) 241-5337



## NORTH SHORE ENGINEERING, INC.

11433 N. PORT WASHINGTON ROAD  
MEQUON, WISCONSIN 53092  
TELEPHONE (262) 241-9400  
FAX (262) 241-5337

### MEMO

DATE: 10-03-16

TO: Dave Eastman  
Director of City Services  
City of Glendale, WI.

FROM: Jim Hensel, North Shore Engineering, Inc.  
Engineering Consultant

RE: Bike lanes feasibility on W. Bender Rd. from N. Green Bay Ave. east to N. Jean Nicolet Rd.

Per your request, North Shore Engineering investigated the feasibility of bike lanes on W. Bender Rd. from N. Green Bay Ave. east to N. Jean Nicolet Rd. The manuals used for this study are the "Wisconsin Bicycle Facility Design Handbook" (WBFDH) and the American Association of State Highway and Transportation Officials (AASHTO) manual titled "Guide for the Development of Bicycle Facilities".

Section 3 of the WBFDH manual states "On two-way streets, a one-way bicycle lane should be provided on each side" and "bicycle lanes should always carry traffic in the same direction as the adjacent motor vehicle flow". Therefore, a one-way bicycle lane on each side of the roadway will be considered for this report.

There are two different types of roadway sections along this stretch of W. Bender Rd. They are the main roadway (from N. Green Bay Ave. east to the Milwaukee River bridge and from the Milwaukee River bridge east to N. Jean Nicolet Rd.) and the bridge section over the Milwaukee River.

The first section type is the main roadway from N. Green Bay Ave. east to the Milwaukee River bridge and from the Milwaukee River bridge east to N. Jean Nicolet Rd. Both of these areas have non-integral curb & gutter and a 44 ft. width from face of curb to face of curb.

Per the WBFDH, if parking is **permitted** in these sections of roadway, the minimum cross-section allowed for each direction of travel is as follows:

- A recommended width of 12 ft. for the motor vehicle travel lane
- A minimum width of 5 ft. for the bike lane
- A minimum width of 8 ft. for the parking lane

With parking permitted, the minimum width of roadway required for each direction including a bike lane is 25 ft. from the centerline of the roadway to the face of curb. Taking into account both directions of travel, this requires a 50 ft. roadway measured from face of curb to face of curb. W. Bender Rd. currently measures 44 ft. from face of curb to face of curb. In this case, there is not enough roadway width to allow for bike lanes and parking.

Per the WBFDH, if parking is **not permitted** on these sections of roadway, the minimum cross-section allowed for each direction of travel is as follows:

- A recommended width of 12 ft. for the motor vehicle travel lane
- A minimum width of 4 ft. for the bike lane measured from the curb flange line (the joint between the pavement and the concrete curb & gutter)

With parking not permitted, the width of roadway required for each direction of traffic including a bike lane is 16 ft. from the centerline of the roadway to the curb and gutter flange line. Taking into account both directions of travel, this requires a 32 ft. roadway measured from flange line to flange line. W. Bender currently measures 40 ft. from flange line to flange line. This width allows for bike lanes on each side of the roadway.

The second section type is the W. Bender Rd. bridge over the Milwaukee River. The bridge cross-section has integral curb & gutter and a 36 ft. width from face of curb to face of curb. There is no parking allowed on the bridge.

Per the WBFDH, the minimum cross section allowed is as follows:

- A recommended width of 12 ft. for the motor vehicle travel lane
- Because integral curb & gutter is in place, a minimum width of 5 ft. for the bike lane measured from the face of curb

With parking not permitted and integral curb & gutter in place, the width of roadway required for each direction of traffic including a bike lane on the bridge is 17 ft. from the centerline of the roadway to the face of curb. Taking into account both directions of travel, this requires a 34 ft. roadway measured from face of curb to face of curb. The W. Bender Rd. bridge currently measures 36 ft. from face of curb to face of curb. This allows for bike lanes on each side of the roadway.

In summary, bike lanes would be feasible on the entire stretch of W. Bender Rd. from N. Green Bay Ave. east to N. Jean Nicolet Rd. if parking was not permitted.

If you have any questions, please give me a call at 262-241-9400.

7c/10-10-2016

# Memorandum

**To:** Mayor and Common Council

**From:** Rachel A. Reiss, Deputy City Administrator

**Date:** October 3, 2016

**Re:** Venue Naming Contest – Richard E. Maslowski Community Park

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At the August 22, 2016 Common Council meeting, the Council approved the venue naming contest for the stage and amphitheater, beer garden and plaza, and the community room at the Richard E. Maslowski Community Park. Submittals were received by residents and employees of the respective sponsors.

Attached are the submittals for each of the venues. Please be prepared to identify your top choices for each venue. The sponsors will receive the submittals with the Council recommended choices for each venue.

# Stage and Amphitheater

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1. Johnson Controls Glendale Showcase
2. The JC Club
3. JCs Glendale Club
4. Johnson Controls Hot Spot
5. The Glendale Bailey
6. Gary and Denise Elfe

Notes: My parents, Dad is and Arts supporter and mom is a costumer for nearly 40 years in stage productions with multiple theatre companies in the North Shore and in Milwaukee.

7. JCI Variety Stage
8. The JC Concourse
9. Johnson Controls Green Space Amphitheater
10. The Tax Shelter
11. The Thermostat
12. The Johnson Controls Coliseum
13. Johnson's Juke Box
14. Johnson Controls Palaestra
15. Powerhouse Stage
16. Johnson Controls Power Packed Performance Platform
17. Johnson Controls Outdoor Center Stage(or just Center Stage)
18. Johnson Controls Back Yard Playground
19. Rosie Frydman's Entertainment Stage
20. Johnson Controls Soundwaves
21. Cozy Place or "The Cozy
22. Headliner
23. Reckoning
24. Playhouse
25. JCI Talent Incubator
26. JCI Folk Forum
27. Johnson Controls "Environmentally Sound" Stage and Amphitheater
28. Power House
29. Johnson Controls Community Stage at The REM
30. Johnson Controls Local Sounds Stage
31. Johnson Controls Power Sound Stage
32. Johnson Controls International Center Stage and Community Amphitheater
33. Johnson Controls Gathering Place
34. Destiny Park
35. Johnson Controls High Energy Stage; Seven Generations Stage
36. Seven Generations Stage

# Stage and Amphitheater (continued)

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- 37. The Global Theater or simply (The Global)
- 38. Johnson Controls International Airwaves Amphitheater
- 39. Engineering Podium
- 40. Johnson Controls International Automotive Hub
- 41. Johnson Controls Community Amphitheater
- 42. Johnson Controls Sound Waves Amphitheater
- 43. Johnson Controls Energy Stage
- 44. Johnson Controls Electric Canvas Open Air Theatre

Notes: Electric in the name represents Warren Johnson's initial notoriety which was inventing the electric room thermostat. Canvas in the name references that early on Warren made his clothes out of canvas and used ink for color, represents his though beginning to a life of creativity and inventing.

- 45. High Energy Sound Stage
- 46. Bright Future Stage and Full Charge Amphitheater
- 47. Johnson Controls SoundGLEN

# Beer Garden and Plaza

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1. Sprecher Brewing's Glendale Gardens
2. Sprecher Brewing Garden Tap
3. Sprecher Brewing's Groovy Gardens
4. Rooty's Roost
5. The Knightskeller
6. Randy Sprecher
7. Sprecher's Glenbrew Square
8. Sprecher Green
9. Sprecher Brewery Bier Garten Platz
10. The Gathering
11. The Sprecher Brewing Courtyard
12. Sprecher Suds' Spot
13. Sprecher Brewing Bavarian Piazza
14. The Gathering
15. Rooty's Roost
16. Sprecher Biergarten Platz  
Notes: Translation Biergarten means beer garden
17. Sprecher Brewing Outdoor Oasis
18. Glendale Past and Future
19. Sprecher Watering Hole
20. Mash Mall
21. Relax & Refresh
22. Riverdel
23. Porter and Stout
24. Sprecher Stadtplatz (Town Square)
25. The Sprecher Kegger
26. Sprecher Brewing Barrel Park
27. Griffin's Lair  
Notes: or Griffin's Roost if Lair has negative connotations
28. Spechtacular Beer Garden
29. Bier Garten
30. Hometown Bier Garten and Purity Law Plaza
31. Sprecher Brewing BierGLEN & Plaza

# Community Room

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1. David Hobb's Honda Gathering Place
2. Hobb's Honda Happy Place
3. Hobb's Honda Hub
4. The Hub
5. Hobbs Hangout
6. The Richard Maslowski Round Table Community Room
7. David Hobbs
8. Hobb's Honda Gathering Hangout
9. Hobb's Hospitality Center
10. The Garage
11. David Hobbs Hall
12. Hobb's Hob Nob
13. Judge Robert Saran

Notes: Bob started little league, was a judge- in Glendale and auxiliary policeman – died in 1994 and deserves to have venue named after him

14. David Hobbs Honda Hamlet of Humanity
15. David Hobbs Honda For The People Community Room
16. David Hobb's Honda Rumpus Room
17. Marie Pellegrion's Place to Rest
18. David Hobb's Honda Rally Room
19. Rally Room
20. For The People
21. Shire Hall
22. Manse Hall
23. Hobb's in the Strand
24. Hobb's Honda Kazoku Toko (Family Room)
25. David Hobb's Honda Hobnob
26. Winner's Circle
27. The Inside Track
28. Hangout Community Center
29. David Hobbs Winners Circle Community Room

8a/10-10-16



City of Glendale  
City Services

5909 North Milwaukee River Parkway  
Glendale, Wisconsin 53209-3815  
(414) 228-1711

## Memorandum

**To:** Rachel Reiss – Deputy City Administrator  
**From:** Collin Johnson – Director of Inspection Services  
**Date:** 10/3/2016  
**Re:** 5690 N. Dexter Avenue - Natural Landscaping Issues

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With the exception of special permission granted by the Common Council, City ordinance sections 6.2.8(b) and 8.1.9(d)(10), (referenced below) prohibit the establishment of vegetation, other than lawn, within the terrace area.

*6.2.8(b) Noxious Weeds; Paving. All that part of the terrace not covered by a sidewalk shall be kept free and clear of all noxious weeds and shall not be paved, surfaced or covered with any material which shall prevent the growth of plants and shall be maintained as a lawn, except in areas specifically approved by the Common Council or its designee.*

*Ordinance Section 8.1.9(d)(10) states: Natural landscaping shall be set back no less than six (6) feet from the edge of any roadway, or no less than six (6) feet from the inner edge of any sidewalk, whichever setback is greater. No natural landscaping shall be allowed between sidewalk and street areas. Notwithstanding the provisions of this Section, no natural landscaping may be permitted which obstructs vehicular traffic or pedestrian visibility so as to present an unreasonable risk to public safety.*

In May 2008, John and Martha. Lunz, (5690 N. Dexter Avenue) petitioned the Common Council for permission to establish so-called “native species” within the terrace area abutting their property. The Council granted that permission, subject to certain restrictions referenced in the attached letter dated June 11, 2008 from then City Administrator, Richard Maslowski.

Almost annually, the City has received complaints received concerning the terrace area plantings. Inspections were performed, violations verified, and corrections orders issued on four separate occasions including: July 23, 2012, September 15, 2014, August 5, 2015, and September 26, 2016.

The property owners consistently disregard the limitations of their own proposal and Common Council restrictions regarding the height of the proposed vegetation. The vegetation regularly encroached into the sidewalk area, obstructs vision lines, and is an ever-increasing blight upon the neighborhood. Furthermore, the property owners fail to recognize the safety issues presented by the overgrowth.

It is for these reasons that I ask the Common Council to rescind the permission granted to Mr. and Mrs. Lutz in 2008 to establish the requested plantings and require the property owners to establish grass within the terrace area as required by the above referenced ordinance.

For your reference, I have included a few photographs of the terrace area vegetation at the Lutz property as well as the current ordinance section as it relates to natural landscaping.

As always, I am available to answer any questions.

## **8.1.9(10) REGULATION OF NATURAL LANDSCAPING.**

**(a) Natural Landscaping Defined.** Natural landscaping as used in this Section is the planting of forbs, grasses, and wildflowers native to the Wisconsin area, including plants of the woodlands, prairies, bogs, fens, and wetlands, which are designed and purposely cultivated to exceed eight (8) inches in height. Maintenance of natural landscaping requires the exclusion of Eurasian weeds and specifically prohibited from inclusion in a natural landscape are the noxious grasses and weeds identified in Section 8.1.1(h) of this Chapter. Maintenance of natural landscaping requires that a defined and regulated boundary be maintained between the natural landscape and lawn areas.

**(b) Natural Landscaping Setback Requirements.** Natural landscaping shall be set back no less than six (6) feet from the edge of any roadway, or no less than six (6) feet from the inner edge of any sidewalk, whichever setback is greater. No natural landscaping shall be allowed between sidewalk and street areas. Notwithstanding the provisions of this Section, no natural landscaping may be permitted which obstructs vehicular traffic or pedestrian visibility so as to present an unreasonable risk to public safety. There is no prescribed setback from the periphery of adjoining properties. Such determination shall be made in the discretion of the Director of Inspections.

**(c) Safety Precautions for Natural Landscaping Areas.** When, in the opinion of the Fire Chief, the presence of a natural landscaping area may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting or restoration of the natural landscaping area to a safe condition. The determination of the Fire Chief shall not be subject to administrative review by any administrative body of the City of Glendale. Natural landscaping areas shall not be removed through the process of burning.

**(d) Prohibitions.** In addition to such prohibitions as set forth in Section 8-1-6 of the Glendale Code, a natural landscaping area is prohibited from encroachment on neighboring property. Neglect of a natural landscaping area shall be subject to corrective order by the Director of Inspections. The City reserves all enforcement mechanisms as set forth in Section 1-1-7, the General Penalty Section. The City reserves the right to abate violations of this Section after ten (10) days from date of written notice to the owner of the lot or parcel of land to conform with this Section.

**(e) Natural Landscaping Advisory Committee.** There is hereby created a Natural Landscaping Advisory Committee, the composition of which shall be as from time to time determined by the Common Council. Appointments to such committee shall be by the Mayor, for such terms as set in the discretion of the Mayor, and subject to confirmation by the Common Council. Except as to orders of the Fire Chief pertaining to safety, all issues relating to setback, maintenance and enforcement may be reviewed by the Committee at the request of the property owner within ten (10) days from the date of any notice or order. The determinations of the Committee shall be advisory in nature only, and shall not serve as to bar prosecution of an alleged violation of this Chapter in the municipal court.





86/10-10-16

**CITY OF GLENDALE  
5909 NORTH MILWAUKEE RIVER PARKWAY  
GLENDALE, WISCONSIN 53209**

**MEMORANDUM**

TO: Mayor and Common Council  
FROM: Andrew Wescott-Barten  
DATE: September 29, 2016  
SUBJECT: Special Council Meeting October 31, 2016

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After reviewing the dates on the recruitment calendar for the position of City Administrator, Mr. Szymborski from GovHR has requested a special council meeting on October 31, 2016. The meeting will be for Mr. Szymborski to review candidates for interview that will be presented in front of the Common Council.

If you have any questions, please contact me.

8c/10-10-16

# Memorandum

**To:** Mayor and Common Council

**From:** Rachel A. Reiss, Deputy City Administrator

**Date:** October 4, 2016

**Re:** MMSD Milwaukee River Watercourse Management Plan

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Attached is information received from MMSD regarding their Milwaukee River Watercourse Management Plan. Of the 387 structures identified in the floodplain area, 378 are in Glendale. The plan identifies alternatives that will alleviate flooding. Implementation of the alternatives would be in conjunction with the municipalities on a voluntary basis. This item is expected to be presented to the Milwaukee Metropolitan Sewerage Commission at the end of October.

More information will be shared with the Council as it is received. This is for informational purposes only. No action is needed.



**COMMISSION FILE NO:** 16-140-10 **DATE INTRODUCED:** October 10, 2016

**INTRODUCED BY:** Executive Director (Signature on File in the Office of the Commission)

**REFERRED BY COMMISSION CHAIRPERSON TO:** Policy, Finance, and Personnel Committee

**RELATING TO:** Approval of the Milwaukee River Watercourse Management Plan

**SUMMARY:**

The Commission is requested to approve the Milwaukee River Watercourse Management Plan. The Plan consists of staff recommendations to alleviate structural flooding as described below and which are based on a Southeastern Wisconsin Regional Planning Commission (SEWRPC) Report entitled, "Watercourse System Plan for the Milwaukee River in Milwaukee County Upstream of the Milwaukee Harbor Estuary" (SEWRPC Report No. 172, dated 2010), and a staff recommendation to remove the Estabrook Dam based on the Commission's May 2015 resolution supporting removal of the Estabrook Dam to reduce flood risk, improve water quality, habitat, fish passage, and river aesthetics, and reduce sediment accumulation.

The District has jurisdiction for flood management purposes over the Milwaukee River between County Line Road and the previous North Avenue Dam. According to Commission Policy, 1-01.15, Watercourse Policy, the District may fund structural and nonstructural flood risk reduction measures where the District has assumed watercourse jurisdiction for flood abatement purposes. The District undertook jurisdiction of the Milwaukee River in March 2003. This segment of the Milwaukee River is located in Villages of Brown Deer, River Hills, and Shorewood and the Cities of Glendale and Milwaukee.

**ATTACHMENTS:** BACKGROUND  KEY ISSUES  RESOLUTION   
FISCAL NOTE  S/W/MBE  OTHER  Map

*PFP\_Approval\_Milw\_River\_Mgmt\_Watercourse\_legislative\_file.docx  
09-21-16*

**COMMITTEE ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMISSION ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## SUMMARY (Cont'd)

### Approval of the Milwaukee River Watercourse Management Plan

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#### Recommendations to Alleviate Structural Flooding

The Milwaukee River Watercourse Management Plan identifies 387 structures located within the one percent annual probability floodplain (existing Federal Emergency Management Agency 100-year floodplain) along the Milwaukee River within the District's jurisdictional watercourse. The structures are located within the municipalities as follows:

| Municipality | Number of Structures in Floodplain |
|--------------|------------------------------------|
| Glendale     | 378                                |
| Milwaukee    | 3                                  |
| Brown Deer   | 3                                  |
| River Hills  | 3                                  |
| <b>TOTAL</b> | <b>387</b>                         |

District staff, in conjunction with SEWRPC, developed and evaluated multiple alternatives to alleviate structural flooding in the one percent probability floodplain. These alternatives were evaluated based on cost, implementation ability, effectiveness of protection, and local preferences. Based on these factors, District staff's recommended plan is as follows:

- Voluntary property acquisition for 13 structures/properties located on the Sunny Point Peninsula in the City of Glendale.
- After the District develops, adopts, and implements overall program guidelines and rules, either perform voluntary structural floodproofing or elevate structures of the remaining properties. Voluntary property acquisition may also be an option. Staff will further develop these options in conjunction with each municipality.
- Any open space created in areas where structures are removed would remain in public ownership and will be prohibited from future development.

Implementation of these recommendations by the District, in cooperation with the effected municipalities, would be strictly voluntary and in consensus with the property owner. Implementation is also contingent upon District budget approval.

## **SUMMARY (Cont'd)**

### **Approval of the Milwaukee River Watercourse Management Plan**

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The Estabrook Dam (Dam) is located 1,500 feet downstream of the Port Washington Road Bridge. It creates an impoundment of approximately 100 acres stretching two miles upstream. The Dam is currently in a deteriorated condition and is under orders to be either repaired or removed. As such, SEWRPC and Milwaukee County have performed alternatives analysis and hydraulics analysis regarding the long-term fate of the Dam. Based on the hydraulic analysis and other information included in the alternatives analysis, removal of the Dam provides a flood risk reduction for at least 53 structures located within one percent annual probability floodplain. Dam removal will also improve water quality, habitat, fish passage, and river aesthetics and will reduce sediment accumulation. Dam removal is the lowest cost alternative of the five alternatives analyzed. The Commission adopted a resolution in May 2015 supporting dam removal as soon as practicable (Commission Resolution No. 15-035-5).

Staff recommends removing the Dam as part of the Milwaukee River Watercourse Management Plan.

## **RESOLUTION**

### **Approval of the Milwaukee River Watercourse Management Plan**

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**RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the Milwaukee River Watercourse Management Plan is approved.

**FURTHER RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to implement the Milwaukee River Watercourse Management Plan, subject to Milwaukee Metropolitan Sewerage Commission budget approval.

# Milwaukee River Watercourse Management Plan

ONE-PERCENT-PROBABILITY FLOODPLAIN  
 MUNICIPAL BOUNDARY

**Mequon**  
**UPSTREAM PLAN LIMIT**

**DOWNSTREAM PLAN LIMIT**

**Brown Deer**

**River Hills**

**Bayside**

**3 Brown Deer Structures in Floodplain**

**3 River Hills Structures in Floodplain**

**378 Glendale Structures in Floodplain**

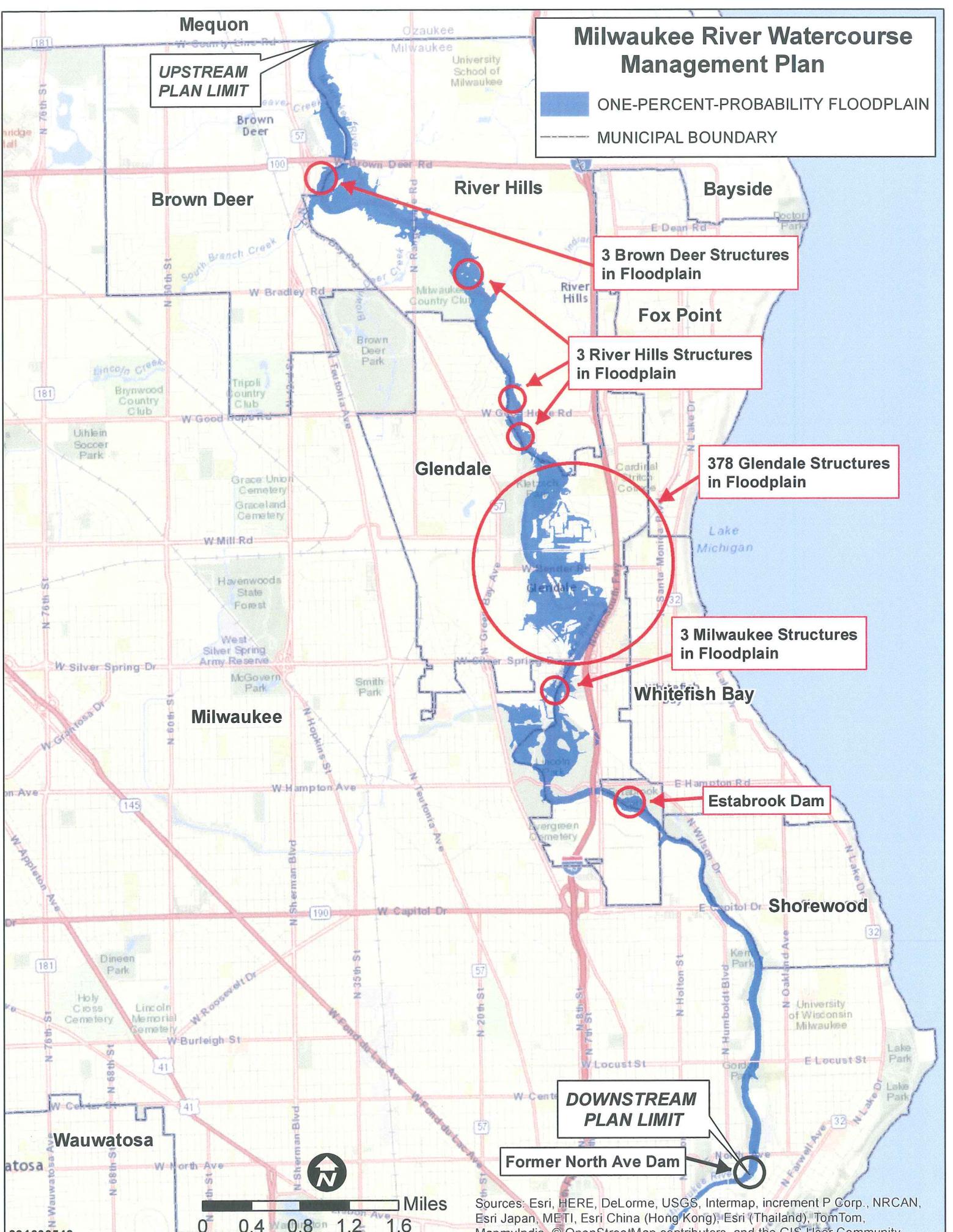
**3 Milwaukee Structures in Floodplain**

**Whitefish Bay**

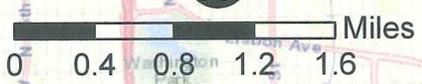
**Estabrook Dam**

**Shorewood**

**Former North Ave Dam**



201000540



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

8d / 10-10-16

STATE OF WISCONSIN

CITY OF GLENDALE

MILWAUKEE COUNTY

**A RESOLUTION REQUESTING RESTORATION OF CITY OF GLENDALE  
PROPERTIES SUBSEQUENT TO REMOVAL OF ESTABROOK DAM**

**WHEREAS**, the County of Milwaukee plans to turn over jurisdiction of the Estabrook Dam to the Milwaukee Metropolitan Sewage District; and

**WHEREAS**, the Milwaukee Metropolitan Sewage District has announced it will exercise that jurisdiction to effectuate removal of the dam, and

**WHEREAS**, such removal will result in damage to the shoreline areas of residential properties within the City of Glendale currently having shoreline frontage, and

**WHEREAS**, there is precedent for restoration of such properties as demonstrated by property restoration occurring after removal of the North Avenue Dam, and

**WHEREAS**, both the Estabrook Dam and the North Avenue Dam are or were on the Milwaukee River, and within Milwaukee County, and

**WHEREAS**, certain Glendale property owners will suffer physical damage and potential diminution of property value subsequent to removal of the dam.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Common Council of the City of Glendale go on record as urging the County of Milwaukee and/or the Milwaukee Metropolitan Sewage District to determine any negative impacts on residential properties within the City of Glendale; and

**BE IT FURTHER RESOLVED THAT** that the County of Milwaukee and/or the Milwaukee Metropolitan Sewage District are urged to exercise their best efforts to effectuate repair and restoration of the aesthetics and values of such negatively affected properties.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

Countersigned:

\_\_\_\_\_  
Bryan Kennedy, Mayor

\_\_\_\_\_  
Karen L. Couillard, City Clerk

This Resolution was drafted by:

John F. Fuchs  
City of Glendale Attorney  
Fuchs & Boyle S.C.  
13500 Watertown Plank Road  
Suite 100  
Elm Grove, WI 53122



**CITY OF GLENDALE**  
**OFFICE OF THE CITY TREASURER**

5909 N. Milwaukee River Parkway  
Glendale, Wisconsin 53209-3815  
Telephone (414) 228-1759  
Facsimile (414) 228-1724

October 5, 2016

Mayor and Common Council  
City of Glendale

Re: Accounts Payable Register

Council Members:

This is to certify that the Accounts Payable Register, for your approval on October 10, 2016, has been reviewed and checked as to the dollar amount and vendor name on the register and the checks. Both have been found to be correct and ready for your approval for payment. This certification is for checks numbered 37694 to 37757 totaling \$1,434,436.39 and for prepaid checks numbered 37541 to 37680 and 978 to 998 totaling \$12,633,205.33.

Upon your approval, I will complete final processing of the Accounts Payable Register and issue the checks.

Sincerely,

CITY OF GLENDALE

Linda DiFrances  
City Treasurer

Attachments