

CITY OF GLENDALE -- COMMON COUNCIL
February 13, 2017

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 6:00 p.m.

Roll Call: Present: Ald. Robert Whitaker, James Daugherty, John C. Gelhard, Richard Wiese, Absent: Ald. Izzy Goldberg, and JoAnn Shaw.

Other Officials Present: Rachel Reiss, City Administrator, John Fuchs, City Attorney, Colette Reinke, Assistant City Attorney, Dan Herlache, Police Captain, Todd Stuebe, Director of Community Development, and Andrew Wescott-Barten, Deputy 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 City Administrator advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, February 9, 2017, 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. Whitaker, approving the minutes of the meeting held on January 23, 2017. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

Mayor Kennedy requested that the Council hear on the rezoning of 7065 N. Port Washington Road first. The Council members did not have any objections.

PUBLIC HEARING: Application to Rezone 7065 North Port Washington Road from B1, G1 Business and Commercial District to PD Planned Unit Development District-Commercial.

Jason Day of Excel Engineering was present to summarize the hotel project planned for 7065 North Port Washington Road and to answer any questions citizens or Council may have had.

There was no public comment.

Ald. Gelhard questioned a leaky fire hydrant located on the property that is leaking onto the off ramp to West Good Hope Road from Interstate 43. He wondered if this issue would be addressed by the current project. Mr. Day stated he spoke with staff and updated them on the

progress.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty to close the public hearing. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

City Attorney Fuchs recommended the motion include a contingency on repairing the fire hydrant before the publishing of the ordinance rezoning for 7065 North Port Washington Road.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty to approve the Ordinance Rezoning 7065 North Port Washington Road from B1, G1 Business and Commercial District to PD Planned Unit Development District-Commercial contingent upon the repair of the leaky fire hydrant located on the property. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

PUBLIC HEARING: Application to Rezone 2510 West Good Hope Road from R-3 Residence District and PD Planned Unit Development District-Residential to PD-Planned Unit Development District-Residential.

Rob Williams of TDI Associates was present to discuss and answer questions from citizens about the project planned for 2510 West Good Hope Road.

Several residents spoke regarding the rezoning of 2510 West Good Hope Road (see attachment). Fifteen were in opposition to the ordinance rezoning as it was presented, and one was indifferent to the ordinance rezoning. Main concerns included: traffic issues, noise pollution, safety of surrounding properties and residents, building project size and aesthetics, and need of such development. Several residents indicated a compromise may be able to be reached.

Motion was made by Ald. Wiese, seconded by Ald. Gelhard to close the public hearing. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

The Council thanked all the citizens for their comments and concerns. Discussion ensued regarding the comments, Council input, and the possibility of reconsidering options that may be available to reach a compromise. The Council reaffirmed the residents' concerns.

Motion was made by Ald. Wiese to approve the Ordinance Rezoning 2510 West Good Hope Road from R-3 Residence District and PD Planned Unit Development District-Residential to PD-Planned Unit Development District-Residential. Motion failed due to lack of second.

Motion was made by Ald. Gelhard, seconded by Ald. Whitaker to deny the Ordinance Rezoning 2510 West Good Hope Road from R-3 Residence District and PD Planned Unit Development District-Residential to PD-Planned Unit Development District-Residential as presented. Ayes: Ald. Whitaker, Daugherty, and Gelhard. Noes: Ald. Wiese. Absent: Ald. Goldberg and Shaw. Motion carried (3-1).

PUBLIC COMMENT:

Robert Cronwell, 7530 North Applewood Lane asked if all the Christmas trees have been picked up in the City of Glendale. City Administrator Reiss stated the Christmas tree pick up was complete. Staff is meeting with Advanced Disposal to ensure pick-up next year is a better process.

COMMUNICATIONS, APPLICATIONS AND PETITIONS:

I. File No

Communication from City Administrator, Rachel Reiss re: Spring City Newsletter

Based on the recommendation by City Administrator Rachel Reiss, a motion was made by Ald. Whitaker, seconded by Ald. Gelhard to approve the content of the 2017 Spring Newsletter. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

II. File No

Communication from City Director of City Services, David Eastman, re: Payment 5 to Scherrer Construction Company for work completed at Richard E. Maslowski Community Park.

Based upon the recommendation of the City Director of City Services, motion was made by Ald. Wiese, seconded by Ald. Gelhard, to approve payment 5 in the amount of \$359,482.50 to Scherrer Construction Company for work completed at Richard E. Maslowski Community Park. On roll call Ayes: Ald. Whitaker, Daugherty, Gelhard, and Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

III. File No

Communication from City Services Director, David Eastman, re: Payment 4 to J.F. Ahern Company for work completed on the pump upgrade project at the Glendale standpipe.

City Administrator Reiss stated the difference in the budgeted amount to the contract amount was due to a Wisconsin DNR required generator that needed to be included into the project. This requirement was not identified until after the budget was approved.

Based upon the recommendation of the City Services Director, motion was made by Ald. Gelhard, seconded by Ald. Whitaker, to approve payment 4 in the amount of \$151,205.42 to J.F. Ahern Company for work completed on the pump upgrade project at the Glendale standpipe. On roll call Ayes: Ald. Whitaker, Daugherty, Gelhard, and Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

IV. File No

Communication from City Director of City Services, David Eastman, re: Payment 2 and Final to Visu-Sewer, Inc. for work completed on the 2016 sanitary sewer rehabilitation project.

Based upon the recommendation of the City Director of City Services, motion was made by Ald. Whitaker, seconded by Ald. Daugherty, to approve payment 2 and Final in the

amount of \$200,315.55 to Visu-Sewer, Inc. for work completed on the 2016 sanitary sewer rehabilitation project. On roll call Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

V. File No _____
Notice of Claim filed by Attorney Michael S. Sperling on behalf of Anne Craig.

City Attorney Fuchs stated that the claim has been given to Cities and Villages Mutual Insurance Corporation to process. The City Clerk, Karen Couillard, will send a letter to Attorney Michael S. Sperling formally denying the claim.

Based upon the recommendation of the City Attorney, motion was made by Ald. Whitaker, seconded by Ald. Gelhard to deny the claim filed by Attorney Michael S. Sperling on behalf of Anne Craig. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

VI. File No _____
Notice of Claim filed by Maddie Turner.

City Attorney Fuchs recommended that the claim be denied on the grounds that the police responded timely to the incident and the damage to the individual's vehicle before the police had time to secure the road and clean up the debris. The City Clerk, Karen Couillard, will send a letter to Maddie Turner formally denying the claim.

Based upon the recommendation of the City Attorney, motion was made by Ald. Whitaker, seconded by Ald. Gelhard to deny the claim filed by Maddie Turner. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

UNFINISHED BUSINESS

VII. File No _____
Recommendation from the Coyote Action Plan Ad-Hoc Committee regarding a Coyote Management Plan

City Administrator Reiss stated the Coyote Action Plan Ad-Hoc Committee met on January 24, 2017 and approved a draft Coyote Management Plan. The plan had been developed and reviewed by staff. The plan offers comprehensive solutions to varying interactions someone might have with a coyote. As a part of the plan, staff will continue to post educational resources on the website as well as include educational information in the City newsletter. A community informational meeting will be held in March.

Based upon the recommendation of the Coyote Action Plan Ad-Hoc Committee, motion was made by Ald. Gelhard, seconded by Ald. Wiese to adopt the Coyote Management Plan as presented. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

NEW BUSINESS

- VIII. File No _____
Ordinance for Wireless Communication Systems Competitive Local Exchange Carriers and Alternative Telecommunications Carriers.

City Attorney Fuchs stated the State of Wisconsin has taken away control from municipalities to regulate and zone cell tower systems. Mr. Fuchs presented the council with an ordinance to comply with the current changes made by the State of Wisconsin concerning cell tower systems.

Based upon the recommendation of the City Attorney, motion was made by Ald. Gelhard, seconded by Ald. Daugherty to adopt and replace an ordinance under Title 9, Chapter 4, Sections 1-3 of the Glendale Code of Ordinances pertaining to Wireless Communication Systems Competitive Local Exchange Carriers and Alternative Telecommunications Carriers. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

- IX. File No _____
Recommendation from Plan Commission- Review and approval of Certified Survey Map for 1633 W. Bender Road

City Administrator Reiss stated the Certified Survey Map shows the lot split for the portion anticipated to be sold to Hobbs Honda. The recommendation includes keeping the Outlot in the presentations for the 1633 W. Bender Road as the development proceeds.

Based upon the recommendation of the Plan Commission, motion was made by Ald. Gelhard, seconded by Ald. Wiese to approve the Certified Survey Map for 1633 W. Bender Road with Outlot 1 being retained with the 1633 property plans for reasonable improvement and maintenance of the land as required and the requirement of payment of the \$190 administration fee, making the required technical corrections to the document and payment of City Engineer CSM technical review fees, and any other required fees. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

- X. File No _____
Recommendation from Plan Commission- Review and approval of revised architecture and site plans for 1633 W. Bender Road.

City Administrator Reiss stated there were significant changes to Building A, some changes to Building B, and no changes to the other buildings on the architectural plans for 1633 W. Bender Road.

Based upon the recommendation of the Plan Commission, motion was made by Ald. Daugherty, seconded by Ald. Gelhard to approve the revised architecture and site plans for 1633 W. Bender Road. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

XI. File No _____

Recommendation from Plan Commission- Review and approval of Certified Survey Map for 5858-5866 and 5900-5910 North Green Bay Avenue.

City Administrator Reiss stated the Certified Survey Map is to combine two lots for the proposed Amato dealership.

Based upon the recommendation of the Plan Commission, motion was made by Ald. Wiese, seconded by Ald. Gelhard to approve the Certified Survey Map for 5858-5866 and 5900-5910 North Green Bay Avenue with the requirement of payment of the \$175 administration fee, making the required technical corrections to the document and payment of City Engineer CSM technical review fees, and any other required fees. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

XII. File No _____

Approval of Zimmerman Architectural Studios, Inc. to perform preliminary assessment and architectural renderings for the City Hall/Police Department Renovation and Expansion.

City Administrator Reiss stated the City contracted with Zimmerman Architectural Studios, Inc. in 2014. This contract included conducting a space needs study and ultimately was for the redesign of City Hall and the Police Station. This is being brought to the Council today to reaffirm that the City wants to continue working with this firm on the redesign.

Ald. Daugherty questioned if there was a request for proposal process in 2014. City Administrator Reiss stated there were four proposals received and presented to the Council when Zimmerman Architectural Studios was originally chosen.

Based upon the recommendation of the Deputy City Administrator, motion was made by Ald. Whitaker, seconded by Ald. Wiese to approve Zimmerman Architectural Studios as the architect for the City Hall and Police Department project. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously.

XIII. File No _____

Request of staff to discuss redevelopment procedure and process

Discussion ensued between the City Attorney, Common Council, and Mayor on the structure of city government and the roles that everyone assumes within that structure. City Attorney Fuchs stated necessity to keep all meetings with developers transparent to the public. All public meetings for developments should be in front of the Common Council or the Plan Commission. Plans for all developments are available for public review at City Hall. Staff is working on a process to ensure all plans can be posted to the City website. Staff will continue to give written notification per City ordinance to affected property owners. There should not be a need for a neighborhood meeting on developments.

No action was taken.

APPROVAL OF ACCOUNTS PAYABLE.

Motion was made by Ald. Whitaker, seconded by Ald. Gelhard, approve the accounts payable register dated February 8, 2017. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. 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.

ADJOURNMENT.

There being no further business, motion was made by Ald. Gelhard, seconded by Ald. Whitaker, to adjourn the meeting. Ayes: Ald. Whitaker, Daugherty, Gelhard, Wiese. Noes: None. Absent: Ald. Goldberg and Shaw. Motion carried unanimously and adjournment of the Common Council was ordered at 8:07 p.m. until Monday, February 27, 2017 at 6:00 p.m.

Andrew Wescott-Barten
Deputy City Clerk

Recorded: February 14, 2017