

CITY OF GLENDALE -- COMMON COUNCIL
June 25, 2018

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 Kennedy at 6:01p.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 Reiss; City Attorney John Fuchs; Interim Police Chief Mark Ferguson, and City Clerk, Karen Couillard.

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, June 21, 2018, 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. Wiese, seconded by Ald. Shaw, to approve the minutes of the meeting held on June 11, 2018 with typographical changes. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Abstain: None. Absent: None. Motion carried unanimously.

PUBLIC COMMENT:

No Public Comments.

COMMUNICATIONS, APPLICATIONS AND PETITIONS:

- I. File No _____
Applications for Used Car Dealer and Secondhand/Pawnbrokers Licenses

Motion was made by Ald. Daugherty, seconded by Ald. Schmelzling, to approve the applications for Used Car Dealer and Secondhand/Pawnbrokers Licenses. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

II. File No
Applications for Temporary Picnic Licenses filed by the Bavarian Soccer Club

Motion was made by Ald. Vukovic, seconded by Ald. Gelhard, to approve the applications for Temporary Picnic Licenses filed by the Bavarian Soccer Club. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

III. File No
Application for Temporary Picnic License for the Glendale Fourth of July Celebration

Motion was made by Ald. Schmelzling, seconded by Ald. Daugherty, to approve the application for Temporary Picnic License for the Glendale Fourth of July Celebration. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

UNFINISHED BUSINESS:

IV. File No
Legislative & Judiciary Committee Report and Recommendation on the 2018-2019 Renewal Applications for Liquor, Beer, and Wine Licenses

At the last Legislative and Judiciary Committee meeting on June 11th, Ald. Vukovic requested that the agent or other representative from Applebee's and Buffalo Wild Wings be present to explain their policies and plans for reducing the number of police service calls for disruptive customers. The manager or agent for Applebee's was not present. Eric Edwards, Manager of Buffalo Wild Wings was present to discuss the policies and practices used at his establishment to manager disruptive customers.

Discussion ensued regarding customer service, security and other policies and procedures.

Ald. Gelhard questioned whether an alcohol license can be denied based on non-alcohol related issues.

Attorney Fuchs answered that the denial of any license must be alcohol related. He stated that in the past, establishments with alcohol licenses have been encouraged to call the Police Department and were told they would not be penalized for doing so. The Common Council also does not have authority over corporate policies.

Ald. Shaw asked the Police Department to report back to the Common Council in three months to review the amount of calls to Applebee's and Buffalo Wild Wings.

Ald. Schmelzling thanked Mr. Edwards for attending the meeting and taking this request seriously. He added that he could not say the same for Applebee's.

Based on the recommendation of the Legislative & Judiciary Committee, motion was made by Ald. Gelhard, seconded by Ald. Wiese to approve the 2018-2019 Renewal Applications for Liquor, Beer, and Wine Licenses as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

V. File No
Request to change traffic signal at West Bender Road and Port Washington Road

City Administrator Reiss explained that at the last Council meeting, the Council reviewed the request from Ald. Gelhard regarding the traffic signal at West Bender Road and Port Washington Road. The Council requested a recommendation of funding for the project.

The City received a quote from Outdoor Lighting. They are recommending the City replace the current poles. This project is not included in the 2018 Annual Program Budget; however, there are sufficient funds in the Capital Projects Fund for this project.

Ald. Wiese asked how long the project would take. Ms. Reiss said it would be about four weeks from order to install.

Ald. Schmelzling asked why there was only one quote. Ms. Reiss stated that only one contractor came out to look at the project.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty, to approve the installation of a new traffic signal at West Bender Road and Port Washington Road as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VI. File No
Request for an extension of deadline for the Nicolet Closing and Agreement

City Attorney Fuchs explained that the Council previously set the closing date between Nicolet and its purchaser for July 1, 2018. He is recommending that the date be extended to September 1, 2018. Nicolet was ready to close in June, but ICAP was not. However, additional earnest money will become nonrefundable as a show of good faith. MSOE will move forward with their project starting in July and expect to be done by Thanksgiving. ICAP has proceeded to obtain necessary zoning and use approvals. The MSOE and Nicolet agreements will not be finalized for approval until mid-July. The various impediments to the closing with the developer should be resolved on or around August 13th, and the Nicolet Board will be able to take its appropriate actions August 17th.

Robert Cronwell, 7530 N. Applewood Ln, asked why staff is requesting the extension and not Nicolet.

Teresa Seen, 1800 Woodbury Ln, voiced her support for the extension.

Ald. Vukovic stated that the purpose of the set dates was to get things going, and seeing that things are in progress, approves the date change as long as the payment date does not change.

Attorney Fuchs stated that MSOE is has requested that they be able to begin the construction of the baseball field. There would be an agreement that the City is not liable if the Nicolet agreement with MSOE falls through.

Motion was made by Ald. Wiese, seconded by Ald. Shaw, to approve the request for an extension of deadline for the Nicolet Closing and Agreement. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

NEW BUSINESS:

VII. File No
Ordinance Repealing Title 15, Chapter 1, Section 52 of the Glendale Code pertaining to Garbage Disposers

City Administrator Reiss explained that recent changes to State Law no longer allow

municipalities to require additional provisions to single family homes and duplexes beyond the Uniform Dwelling Code. The City’s Code of Ordinances currently requires each home have a garbage disposer. Repealing the ordinance will remove that requirement.

Motion was made by Ald. Daugherty, seconded by Ald. Gelhard, to adopt the Ordinance Repealing Title 15, Chapter 1, Section 52 of the Glendale Code pertaining to Garbage Disposers. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VIII. File No
Legislative & Judiciary Committee Report and Recommendation on Original Application for Class B Alcohol Beverage Retail License filed by Center Fields

The licensee is seeking approval of a Class “B” Beer and a “Class B” Liquor license for the establishment in the North Shore Event Center. In the past the North Shore Event Center carried the license for the whole building. The North Shore Events Center did not submit a renewal application for the 2018-2019 license cycle. The Police Department is requiring certain conditions be placed on this application.

Robert Cronwell, 7530 N. Applewood Ln asked about security. A brief discussion ensued regarding the Police Departments conditions regarding security. Ald. Wiese asked that the Police Department increase their presence in the area. Interim Police Chief Ferguson stated that he would see that the conditions laid out by the Police Department are upheld.

Based on the recommendation from the Legislative & Judiciary Committee, motion was made by Ald. Shaw, seconded by Ald. Vukovic, to approve the Original Application for Class B Alcohol Beverage Retail License filed by Center Fields. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IX. File No
Traffic Safety Program Proposal

City Administrator Reiss reviewed the process for receiving grants to improve traffic safety and traffic calming. Traffic Analysis and Design, Inc. (TADI) representatives discussed these issues with staff. The grant (HSIP) pays 90 percent of the improvements while the community is responsible for 10 percent. The grant pays for the design of the program and the City of Glendale can apply for multiple grants and multiple jurisdictions. Each grant is a maximum of \$1.7 million. Grants are applied for in September and February. TADI would provide an Intersection Safety Screening Study which will allow the City to design traffic safety measures and then apply for HSIP Federal Grant. The cost of the analysis is \$8,436. The cost to apply for a grant would not exceed \$20,000 per grant application.

This would be an opportunity to address issues at Range Line Road and Green Bay Avenue, Good Hope Road and Green Bay Avenue as well as speeding on Silver Spring Drive. This is not a budgeted expenditure, but there are sufficient funds available in the Capital Projects Fund for this program.

Ald. Daugherty stated that it would be foolish not to move forward with this proposal as the issues on Silver Spring need to be addressed as soon as possible.

Ald. Wiese agreed and added that he is happy that issues at Range Line Road and Green Bay Avenue will be considered a top priority.

Ald. Vukovic questioned whether it was best to fund this now. Ms. Reiss stated that if the City waits, it will push back the application process.

Motion was made by Ald. Wiese, seconded by Ald. Daugherty, to approve the Traffic Safety Program Proposal as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

X. File No _____
2019-2023 Five Year Capital Improvement Program

City Administrator Reiss reviewed the planned Capital Improvement Program for the years 2019 through 2023. In prior years, the City attempted to keep the borrowing levels steady. The big jump in 2020 will be the Police Department. The North Shore Library has also requested funding of the Library improvements for 2020. The funding of the Library renovation project will be split between 2020 and 2021. The Library will begin fundraising for this project and this will hopefully reduce the amount of borrowing needed.

Discussion ensued regarding debt services, DPW equipment and the bike path.

Ms. Reiss explained that upon approval, engineering and design specifications will be prepared and various financing options will be reviewed with the City's financial advisor and bond underwriters. The final financing plan will be submitted to the Common Council for review and final approval in the second quarter of 2019.

Motion was made by Ald. Wiese, seconded by Ald. Daugherty, to approve the 2019-2023 Five Year Capital Improvement Program as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

XI. File No _____
Discussion on Sergeant Promotions

In 2010, the Council approved an ordinance that reduced benefits to the non-represented. In 2013, the Council approved a Personnel Handbook incorporating most of the changes from the ordinance. The 2010 ordinance allowed for Police employees to continue having their health insurance after retirement benefits that were identified in the Union contract. That provision was not included in the 2013 Personnel Handbook. The handbook provides the benefits for all non-represented employees.

Police Officer David Burkart, Glendale Professional Police Association President, spoke on the need to change the way current benefits are offered. Right now, if an Officer is offered a promotion, they end up with fewer benefits than they had. Because of this there was an Officer who declined a promotion. Officer Burkart stated that if this does not change, the Police Department will lose officers and have to hire someone in a leadership role from outside the department. This is never a good idea. Officer Burkart understands that the City of Glendale is not alone in their unfunded liability and the Union is willing to talk.

Mayor Kennedy agrees that hiring from within the department is the best method for success. He stated that the City continues to move forward being the best employer it can be.

Pamela Hodermann, Chair of the Police Commission, spoke in support of all police officers in the City of Glendale and reiterated the need for internal promotions. She asked the Common Council to do whatever needs to be done to allow for promotions from within to be fair and desirable.

Interim Police Chief Ferguson briefly reviewed the policy as it stands and also stated that the department will have the best people leaving if the clause in the ordinance between protected and unprotected employees is not changed.

Discussion ensued regarding the number of affected employees, salary differences,

and benefit tiers.

Ald. Wiese thanked the Police Department.

For informational purposes only, no action taken.

RECEIPT OF MONTHLY DEPARTMENTAL REPORTS.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty, to place the monthly departmental reports on file. 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 they serve on.

CLOSED SESSION.

Mayor Kennedy announced that Robert Cronwell, 7530 N. Applewood Ln. asked to speak on this item. Mr. Cronwell said that it was not clear from the agenda if this was something that should be in closed session. Attorney Fuchs stated that the agenda was clear and that the closed session was appropriate.

Motion was made by Ald. Shaw, seconded by Ald. Schmelzling to convene in Closed Session at 8:04 p.m. per Section 19.85(1)(e) of the Wisconsin Statutes to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Review of bond status TIF 6,7 and 8). And Section 19.85(1)(c) of the Wisconsin Statutes to consider the employment, promotion, compensation or performance evaluation data of City employees. (Interim Chief Ferguson). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

A closed session of approximately 39 minutes was held in which the Council discussed both issues.

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

ADJOURNMENT.

There being no further business, motion was made by Ald. Gelhard, seconded by Ald. Wiese, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: Ald. Shaw. Absent: None. Motion carried and adjournment of the Common Council was ordered at 8:40p.m. until Monday, July 9, 2018 at 6:00 p.m.

Karen L. Couillard, WCMC
City Clerk

Recorded: June 26, 2018