

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

July 22, 2019

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

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

Roll Call: Present: Mayor Bryan Kennedy, Ald. Tomika Vukovic, Jim Daugherty, John Gelhard, Richard Wiese, Steven Schmelzling, and JoAnn Shaw. Absent: None.

Other Officials Present: Rachel Safstrom, City Administrator; John Fuchs, City Attorney; Rhett Fugman, Police Captain; Charlie Imig, Director of Public Works and Candice Green, Deputy Clerk/Treasurer.

PLEDGE OF ALLEGIANCE.

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

OPEN MEETING NOTICE.

Administrator Safstrom advised that in accordance with the Open Meeting Law, the local news media was advised on Wednesday, July 17, 2019, of the date of this meeting; that the Agenda was posted on the official bulletin board of City Hall, the Glendale Police Department, and the North Shore Library; that copies of the Agenda were made available to the general public in the Municipal Building and the Police Department; and those persons who requested, were sent copies of the Agenda.

PUBLIC COMMENT.

Kathlynn Flanagan, 5725 N. Ames Terrace requested the Department of Public Works address the overgrown vegetation in the median on Crestwood Blvd.

CONSENT AGENDA.

I. File No.

Ald. Schmelzling requested that item A—Adoption of Minutes of the Meeting held on July 8, 2019, be taken separately.

Motion by Ald. Vukovic, seconded by Ald. Daugherty, to approve Receipt of Monthly Departmental Reports; Approval of Accounts Payable; 5th and Final payment to UPI, LLC, for work completed on 2018 Roads Program Phase II; 5th and Final payment to American Sewer Services, Inc. for work completed on 2018 Roads Program—Phase I; Payment 2 to MUDTeCH, LLC for work completed on the Bender Trail-Oak Leaf Train Connection Project.

Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

II. File No.
Adoption of Minutes of the Meeting held on July 8, 2019.

Motion was made by Ald. Schmelzling, seconded by Ald. Vukovic to approve the minutes of the meetings held on July 8, 2019, upon correction. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

UNFINISHED BUSINESS.

III. File No.
Ordinance Amending Title 6, Chapter 4, Section 1; Amending Title 6, Chapter 4, Section 2; Amending Title 6, Chapter 4, Section 3; Amending Title 6, Chapter 4, Section 4; Amending Title 6, Chapter 4, Section 5; Amending Title 6, Chapter 4, Section 6; Repealing Title 6, Chapter 4, Section 11; and Amending Title 6, Chapter 4, Section 12 of the Glendale Code Pertaining to Trees and Shrubs.

Attorney Fuchs briefly explained the history of the draft ordinance. The updates now include the current Statute references.

Josh Wadzinski, residing at 2536 W. Wending Drive questioned how this ordinance will apply to a tree that is on two properties. City Attorney Fuchs responded that the property owner where a tree is growing from the ground is ultimately responsible for the tree's removal. A tree that is growing on a property line is the responsibility of both property owners and they must come to an agreement about sharing cost and/or responsibility for removal of the tree.

Motion by Ald. Wiese, seconded by Ald. Gelhard to adopt Ordinance Amending Title 6, Chapter 4, Section 1; Amending Title 6, Chapter 4, Section 2; Amending Title 6, Chapter 4, Section 3; Amending Title 6, Chapter 4, Section 4; Amending Title 6, Chapter 4, Section 5; Amending Title 6, Chapter 4, Section 6; Repealing Title 6, Chapter 4, Section 11; and Amending Title 6, Chapter 4, Section 12 of the Glendale Code Pertaining to Trees and Shrubs. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IV. File No.
Review and Approval of an Amended Development Agreement between the City of Glendale and Bayshore Shopping Center Property Owner, LLC.

Mayor Kennedy stated the City of Glendale is currently exceeding the State's 12% property value for TIDs at 18%. It is anticipated the TID amount for the City will be about 9% after the revaluation. City Attorney Fuchs stated that AIG has signed off on the Development Agreement.

Motion by Ald. Wiese, seconded by Ald. Daugherty to approve the Amended Development Agreement between the City of Glendale and Bayshore Shopping Center Property Owner, LLC as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

V. File No.

Resolution Approving Escrow Agreements, Authorizing the Transfer of Funds, The Establishment of an Escrow Account with Respect to and the Defeasance of Outstanding Obligations of the City of Glendale and the Community Development Authority of the City of Glendale related to TID No.8.

City Attorney Fuchs briefly explained how the Resolution for the Escrow Agreement will be executed. The funds will go into the account on August 1, 2019. Once we have received information from the Wisconsin Department of Revenue and agree that all the terms of the agreements have been met, the funds will permanently be in control of the City to pay the outstanding debt.

Ald. Wiese asked if there was any feedback from the State; City Attorney Fuchs said the feedback has been favorable.

Motion was made by Ald. Vukovic, seconded by Ald. Wiese to approve the Resolution Approving Escrow Agreements, Authorizing the Transfer of Funds, The Establishment of an Escrow Account with Respect to and the Defeasance of Outstanding Obligations of the City of Glendale and the Community Development Authority of the City of Glendale related to TID No.8. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

NEW BUSINESS.

VI. File No.

Review and Confirmation of Appointment for the Board of Review due to resignation.

Gina Ziegelbauer has resigned her position on the Board of Review. Monica Parkes has been asked to replace Ms. Ziegelbauer.

Ald. Shaw asked what Ms. Parkes' background was. Ms. Parkes responded she has an Associates Degree in Accounting and works in the Accounting Department with the Girl Scouts. She has been a resident of Glendale for 11 years.

Motion was made by Ald. Vukovic, seconded by Ald. Schmelzling, to approve confirmation of Monica Parkes to the Board of Review expiring April 30, 2020. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VII. File No. _____
Resolution Establishing Authorizing the Issuance and Sale of \$2,750,000 General Obligation Promissory Notes, Series 2019B.

The borrowing is to fund the 2019 Capital projects that have been approved by the Council. John Bid opened at 10am on Monday, July 22, 2019. There were 4 bids. High bid was \$2.19 million.

Motion was made by Ald. Daugherty, seconded by Ald. Schmelzling, to adopt the Resolution Authorizing the Issuance and Sale of \$2,750,000 General Obligation Promissory Notes, Series 2019B. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VIII. File No. _____
Request from WEYCO Group regarding waiving of double permit fees.

City Administrator Safstrom state WEYCO Group began construction on some interior renovations prior to obtaining a building permit. Information presented included that the contractor had spoken with the Building Inspector to receive a demolition permit. The plans required State of Wisconsin approval. The approval process would have delayed the project several weeks. Administrator Safstrom stated that a Representative from WEYCO Group is present to speak with Council.

Tom Florscheim, CEO of WEYCO Group made a statement to Council that his company had chosen Glendale in 1999 to set up its operations in Manufacturing. They brought a 350,000 square foot building, expanded that, and now occupy over 1 million square feet of property. WEYCO Group pays approximately \$732,000 in property taxes to Glendale. It was admitted that the contractor began construction prior to obtaining a permit; however, the work was able to be inspected. They are positioning themselves for future growth in Glendale and consider themselves a good corporate citizen, therefore; would like reversal of the decision to charge them double permit fees.

Ald. Daugherty and Ald. Vukovic felt the fees were excessive and would be amenable to a percentage of the fees being due. Ald. Wiese felt there is precedence for this action, atleast where residential construction is concerned and that charging double fees is standard for permit violations regarding work being started prior to permit being pulled. Ald. Schmelzling felt there was not a large enough impact to staff to justify the double fee. City Administrator Safstrom asked the CEO if WEYCO had requested an early start permit, to which they responded they were unaware of this option.

Motion was made by Ald. Vukovic, seconded by Ald. Wiese to waive the double permit fee. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IX. File No. _____
Ordinance Amending 7.1.25 keeping of Domestic Animals and Fowls.

Mayor Kennedy stated 3 years ago this issue was voted down. Recently, new Glendale residents approached Mayor Kennedy specifically about bringing their chickens to Glendale, as they had not been notified that chickens were not allowed. Mayor Kennedy wants to revisit the ruling on allowing Domestic Animals and Fowls, specifically chickens, in Glendale.

Sandra Bailey, of 6830 N Neil Place, requested to speak on the subject of allowing chickens in Glendale. She wants to be allowed to raise chickens at her house and teach her grandchildren about raising chickens. She stated there are several other neighboring communities that allow chickens and would like for Glendale to follow suit.

Motion by Ald. Daugherty, seconded by Ald. Vukovic to adopt the Ordinance Amending 7.1.25 keeping of Domestic Animals and Fowls as presented, effective September 1, 2019.

Ald. Wiese requested to table the issue for two weeks until the next council meeting.

Mayor Kennedy pointed out that he had phoned all Council Persons prior to the Council Meeting on July 22, 2019 for a response and heard back from most everyone.

Motion by Ald. Shaw, seconded by Ald. Wiese to replace the presented Ordinances with one she had been working on; which more closely resembled the original Ordinance that was submitted when the issue first came up for vote. Mayor Kennedy asked to review the changes, and read the proposed ordinance aloud.

Ald. Schmelzling stated that he did a random sampling of his constituents to find out the type of things they would like to see in the Ordinance. Of 47 of his constituents, only 10 of the most vocal did not want to allow chickens in Glendale.

A Roll Call, vote was taken to determine if the replacement Ordinance that Ald. Shaw presented would go forward: On Roll Call: Ayes: Ald. Wiese and Ald. Shaw; Noes: Ald. Vukovic, Daugherty, Gelhard, and Schmelzling. Absent: None. Majority ruled to not use Amended Ordinance presented by Ald. Shaw.

A Roll Call, vote was taken determining whether the Ordinance Amending 7.1.25 keeping of Domestic Animals and Fowls as presented, effective September 1, 2019 would be approved: On Roll Call: Ayes: Ald. Vukovic, Daugherty, Gelhard, and Schmelzling. Noes: Ald. Wiese and Shaw. Absent: None. Motion carried.

COMMISSION, COMMITTEE AND BOARD REPORTS.

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

CLOSED SESSION.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to convene in Closed Session per Wis. Stats. §19.85(1)(c) to consider the employment, promotion, compensation or performance evaluation data (Administrator Mid-Year Evaluation) and Wis. Stats. §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Discuss with legal counsel strategy for enforcement action possible violations of development agreement 1633 W. Bender Road). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

A closed session of approximately 35 minutes was held. The Council discussed the Development Agreement for 1633 West Bender Road and the evaluation of the City Administrator.

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

No Action was taken on Closed Session Items.

ADJOURNMENT.

There being no further business, motion was made by Ald. Shaw, seconded by Ald. Gelhard, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried and adjournment of the Common Council was ordered at 7:50 p.m., until Monday, August 12, 2019, at 6:00 p.m.

Candice Green
Deputy Clerk, Treasurer

Recorded: July 25, 2019.