

CITY OF GLENDALE COMMON COUNCIL
September 10, 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 5:01 p.m.

Roll Call: Present: Ald. Tomika Vukovic, Jim Daugherty (arrived at 5:40 p.m.), 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 Miranda Etzel.

PLEDGE OF ALLEGIANCE.

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

OPEN MEETING NOTICE.

Administrator Reiss advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, September 6, 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. Vukovic, seconded by Ald. Schmelzling to approve the minutes of the meeting held on August 27, 2018, upon correction. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Abstain: None. Absent: None. Motion carried unanimously.

PUBLIC COMMENT.

Danielle Young, 2650 West Custer Avenue, Apt. 2, expressed concern that the ceiling of her apartment experienced water damage, and asked the City for help in having it repaired in a timely manner. Administrator Reiss stated the Inspection Department will be informed of the situation. If it is not structural, it is a landlord/tenant issue that the City does not get involved in.

COMMUNICATIONS, APPLICATIONS AND PETITIONS.

I. File No

Communication from Administrator Reiss, re: Bid results for the City Hall/Police Station Renovation Project.

Administrator Reiss reviewed the Bid results for the City Hall/Police Station Renovation Project

Mayor Kennedy inquired as to whether there will be trees saved that are currently in the front of City Hall. Administrator Reiss stated that there will be trees in front and in back of City Hall that will be saved.

Ald. Gelhard expressed concern regarding a lawsuit filed against Absolute Construction. Attorney Fuchs explained that construction companies are insured, bonded, etc., and there is no reason to reject Absolute Construction. Ald. Gelhard expressed concern regarding Absolute Construction being listed as a Defendant, as a Garnishee, and further stated that Jos. Schmitt has been in business for more than 100 years. Mayor Kennedy also expressed concern regarding about subcontractors working and not being paid. Attorney Fuchs stated that if a contractor does not pay, it is a criminal offense.

John Sabinash of Zimmerman Architectural Studios, Inc. provided interior and exterior samples for the new City Hall, providing an explanation of each sample.

Ald. Wiese expressed concern as to whether the stage where Common Council sits will be raised. John Sabinash of Zimmerman Architectural Studios, Inc. explained that the stage will be raised 7 inches.

Ald. Gelhard inquired as to whether the current fireplace will be staying. Administrator Reiss stated the fireplace did not work in the final plans of City Hall.

Motion was made by Ald. Wiese, seconded by Ald. Schmelzling, to accept the bid of Absolute Construction in the amount of \$5,436,000.00. Ayes: Ald. Vukovic, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: Ald. Daugherty. Motion carried unanimously.

II. File No

Communication from Administrator Reiss, re: Approval of Contract for Engineering Design and Inspection Services for the 2019 Water Main Construction and Street Resurfacing Projects.

Ald. Schmelzling expressed concern regarding the difference in fees for the project with each firm. Administrator Reiss explained the inspection services differ because there are different philosophies regarding how much time an engineer would be on site. The inspection services is increased from 2018 to 2019 due to increase of the water mains as opposed to the street resurfacing projects in 2019.

Ald. Wiese questioned if the Pierron Road project would be included. Administrator Reiss stated that was in the 2018 list of projects and waiting on MMSD to proceed.

Motion was made by Ald. Gelhard, seconded by Ald. Shaw, to approve the Contract for Engineering Design and Inspection Services for the 2019 Water Main Construction and Street Resurfacing Projects. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried unanimously.

III. File No _____

Communication from Director of Public Works, Charlie Imig, re: Payment 2 to American Sewer Services, Inc., for work completed on the 2018 Roads Program – Phase 1.

Motion was made by Ald. Gelhard, seconded by Ald. Schmelzling, to approve Payment 2 to American Sewer Services, Inc., for work completed on the 2018 Roads Program – Phase 1 in the amount of \$176,798.80. On Roll Call Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IV. File No _____

Communication from Director of Public Works, Charlie Imig, re: Payment 1 to UPI, LLC, for work completed on the 2018 Roads Program – Phase 2.

Motion was made by Ald. Wiese, seconded by Ald. Gelhard, to Payment 1 to UPI, LLC, for work completed on the 2018 Roads Program – Phase 2 in the amount of \$149,845.88. On Roll Call Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

V. File No _____

Request from Nicolet High School, re: Homecoming Bonfire and Parade.

Motion was made by Ald. Gelhard, seconded by Ald. Shaw, to approve the Request from Nicolet High School, re: Homecoming Bonfire and Parade. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

NEW BUSINESS.

VI. File No _____

Ordinance Amending Title 2, Chapter 4, Section 9(a)(1) of the Glendale Code pertaining to Composition of Architectural Review Board.

Administrator Reiss stated that the current Ordinance states that 5 people are needed. The new Ordinance would require 7 people with an alternate.

Ald. Wiese stated that space is limited at the Department of Public Worked, and recommended 5 people, with 2 alternates. Administrator Reiss recommended that the Architectural Review Board use the David Hobbs Honda For The People Community Room located at Richard E. Maslowski Community Park, and the new City Hall would have a conference room that can accommodate 7 people.

Mayor Kennedy stated that in the past there were always 7 people, and suggested Ald. Shaw as the alternate for the head of the Architectural Review Board.

Based upon the recommendation of Administrator Reiss, motion was made by Ald. Shaw, seconded by Ald. Daugherty to approve Ordinance Amending Title 2, Chapter 4, Section 9(a)(1) of the Glendale Code pertaining to Composition of Architectural Review Board. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

VII. File No
Intergovernmental Cooperation Agreement with Nicolet High School District.

Administrator Reiss stated that the Intergovernmental Cooperation Agreement with Nicolet High School District incorporates the payment agreed to from Nicolet to the City in the amount of \$928,000. The agreement also includes the use of the entire park area for the annual Root Beer Bash, payments from Nicolet for cost sharing of janitorial services and future maintenance responsibilities.

Robert Cronwell, 7530 North Applewood Lane, expressed concerns with the Intergovernmental Cooperation Agreement with Nicolet High School District. Mr. Cronwell identified several areas he felt the language was deficient.

Mayor Kennedy suggested that the approval of the Intergovernmental Cooperation Agreement with Nicolet High School District be tabled until the next Common Council Meeting, to be held on Monday, September 24, 2018, at 5:00 p.m.

Mayor Kennedy stated to Mr. Cronwell that not all of Common Council received his 2nd email.

Mayor Kennedy asked that Council please review the Agreement, and send all questions to Attorney Fuchs.

Ald. Wiese suggested a Special Meeting to be held on Monday, September 17, 2018. Due to other obligations of members of the Council and staff a Special Meeting was not able to be scheduled by the Council

Motion was made by Ald. Vukovic, seconded by Ald. Gelhard to table the Intergovernmental Cooperation Agreement with Nicolet High School District to Monday, September 24, 2018. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

APPROVAL OF ACCOUNTS PAYABLE.

Motion was made by Ald. Schmelzling, seconded by Ald. Gelhard to approve the accounts payable check numbered 42028 to 42048, totaling \$307,775.98, and for prepaid checks, numbers 1611 to 1637, and 41867 to 42027, totaling \$7,670,782.27. On Roll Call Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Shaw. Motion carried unanimously.

COMMISSION, COMMITTEE AND BOARD REPORTS.

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

Interim Chief Ferguson updated the Council on the numerous break-ins and stealing of vehicles in the City over the past several weeks.

CLOSED SESSION.

Mayor Kennedy suggested a Motion to Convene into Closed Session be made. Motion was made by Ald. Wiese, seconded by Ald. Shaw to convene in Closed Session at 6:31 p.m. per Section 19.85(1)(e) of the Wisconsin Statutes, consider the employment, promotion,

compensation or performance evaluation data of City employees (Police Negotiations) and per Section 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. (Discussion with legal counsel re potential litigation ACLU panhandling ordinance). 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 in which the Council discussed Police Negotiations and potential litigation ACLU panhandling ordinance.

A motion was made by Ald. Vukovic, seconded by Ald. Shaw, 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.

ADJOURNMENT.

There being no further business, motion was made by Ald. Vukovic, seconded by Ald. Shaw, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried and adjournment of the Common Council was ordered at 7:05 p.m. until Monday, September 24, 2018 at 5:00 p.m.

Miranda Etzel
City Clerk

Recorded: September 11, 2018