

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes
September 14, 2020

Regular meeting of the Common Council of the City of Glendale held via Zoom conference call.

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; Mark Ferguson, Police Chief; Megan Humitz, 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.

Administrator Safstrom advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, September 10, 2020, 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 HEARING.

Administrator Safstrom stated the Plan Commission held a public hearing to review the rezoning request for 5100 N Port Washington Road from B-1, A-1 to Planned Unit Development – Car Wash. There was no comment at the Public hearing, and the Plan Commission voted unanimously to recommend the Common Council approve the rezoning. The Council scheduled a public hearing for September 14, 2020 at 6:00p.m., which was properly noticed.

Jilly's Car Wash owner, Jon Zimmerman, was present and stated there has been geotechnical and environmental engineering done on the site at 5100 N Port Washington Road, and those reports have been provided to the Council. Based on the geotechnical report, the estimated costs to Mr. Zimmerman have increased over \$200,000 to ensure stability of the structure. The land is not designed to withstand homes or office buildings. From an environmental standpoint, it has been determined that the entire site is contaminated, and a clean-up process will need to be done, which is an estimated \$75,000 cost to Mr. Zimmerman.

Ald. Wiese raised the question of the elevation of the train embankment at the south end compared to the roof line of the business. Mr. Mike Miksich, building representative for Jilly's Car Wash, stated the two elevations are comparable, and if the building is taller it is only a few feet. From an acoustic standpoint, this will help block any sound.

Ald. Schmelzling questioned if the noise from the car vacuums was measured and confirmed and whether there are any landscape plans in place. Mr. Zimmerman stated a report was submitted which indicated the sound generated will not be a factor. Administrator Safstrom added the current application is for the rezoning only, and all design and landscape plans will be presented

before the Plan Commission for review and approval.

Mayor Kennedy opened the public hearing. Administrator Safstrom stated there was no public present in the Council Chambers for public comment. Mayor Kennedy called for anyone on the Zoom call or by phone that wished to speak for the public comment. Hearing no public comment, Ald. Gelhard made the motion to close the public hearing, seconded by Ald. Shaw. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Gelhard, seconded by Ald. Shaw to close the public hearing. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Wiese, seconded by Ald. Gelhard to approve the Ordinance to rezone 5100 North Port Washington Road from B-1, A-1 Business and Commercial District to PD-Planned Unit Development District-Car Wash. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: Ald. Shaw. Absent: None. Abstain: None. Motion carried.

Ald. Gelhard, Daugherty, and Vukovic all expressed their appreciation to Mr. Zimmerman for being easy to work with throughout the rezoning application process, and continually providing the information requested.

PUBLIC COMMENT.

Glendale resident, Rob Cronwell of 7530 N Applewood Lane, asked the question of what the decision is regarding Trick or Treat in the City. Administrator Safstrom stated the City is awaiting guidance from the North Shore Health Department and will distribute the information once it is available.

CONSENT AGENDA.

- I. File No. _____
Adoption of Minutes of Meetings held on August 24, 2020, Approval of Accounts Payable, Payment 2 to Zenith Tech Inc. for work completed on the 2020 Silver Spring Drive Reconstruction Project, and Cancellation of the September 28, 2020 Council Meeting.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to adopt the minutes of meeting held on August 24, 2020, to approve the Accounts Payable, approve Payment 2 to Zenith Tech Inc. for work completed on the 2020 Silver Spring Drive Reconstruction Project, and Cancellation of the September 28, 2020 Council Meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

UNFINISHED BUSINESS

- II. Review and Approval of revised event at 701 W. Glendale Avenue – Sprecher Brewery Oktoberfest.

Administrator Safstrom stated Staff has received information regarding an updated Oktoberfest event by Sprecher, to take place on September 26th from 12:00 pm to 5:00 pm. The event will take place in the Main Lot, with 2-3 tents set up to allow vehicles to drive through and

pick up pre-purchased product or purchase product on the day of the event. No attendee will be allowed to exit their car, just as planned and advertised for the Floatilla. Masks will be highly encouraged for all vehicles and will be worn by all staff. Staff exchanging any product will also be wearing gloves. The anticipated number of vehicles is 10% of the number handled during the Floatilla, which is approximately 500 vehicles, or 100 vehicles per hour. This will be a scaled down version of the previously planned event, so traffic should flow well and quickly. The Police Chief, Director of Public Works, North Shore Health Department, and City Administrator were updated by Mr. Ilan Boico of the revised plan. The plan is in accordance with recommendations from the North Shore Health Department. There may be traffic concerns by the Police Department, however, the City would charge for traffic control if necessary, as in the Floatilla event.

Mr. Ilan Boico, Sprecher representative, stated the intention of this event is to have a safe way to celebrate Oktoberfest, and will include giveaways of special Sprecher items. Ald. Vukovic added her sentiment that this is a much better option in keeping with the sense of COVID times.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to approve the revised event as presented at 701 W. Glendale Avenue – Sprecher Brewery Oktoberfest. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

III. File No. _____
Recommendation from Mayor Kennedy – Appointments for Glendale Library Advisory Committee.

Mayor Kennedy stated he put out a call for people who would have interest in serving on the Glendale Library Advisory Committee, and received 17 responses. The Mayor had conversations with all who expressed interest, and reached a determination of the best composition of the group for a committee of residents to guide and direct on the future library. The recommended committee consists of people of varied experiences, including a UWM professor, a library employee, a retired school library, a member of the Plan Commission and Architectural Review Board, and residents of various ages and demographics. The recommendation from the Mayor for the committee includes: Helaine Glass, Mary Lynn Cinealis, Amanda Seligman, Ben Koziol, Catherine Hansen, Lin McCracken, and Katie Wood.

Administrator Safstrom added the advisory committee may have the opportunity to work with staff at Nicolet High School, as the opportunity may be possible to host of the new library at Nicolet High School.

Ald. Wiese raised the questions of what the work product of the group is intended to be and why there is no Council representation present on the committee, and if there has been any comments from our current library partners on the matter. Mayor Kennedy stated the committee will be asked to provide direction to the Council within the next 8 to 12 months on what the new library needs to have. Additionally, a library consultant may be hired to determine a plan of what the new library should have to meet the needs of the community. The Council will be tasked with finding a space and making the library happen. The intention of the committee was to form a group of professionals and residents with their own insights separate from the Council. There has not been any commentary provided from the current Library partners.

Ald. Schmelzling questioned if the current work products could be utilized going forward, as we were part of the current library system. Administrator Safstrom stated it will be determined by what the library consultant and the new group determine in order to have a fresher look going forward.

Ald. Vukovic questioned if anyone on the recommended list is from Aldermanic District 1, as it is a group that often feels under-represented and visits the Whitefish Bay Library. Mayor Kennedy stated that residence location was not a factor in his determination, only the experience of the interested parties. However, going forward there will be focus groups that will expand to everyone in the City for input and participation.

Administrator Safstrom added that she will be visiting the Centerville, Ohio Library, which is rated as one of the Top 5 Libraries in the country. She will be able to provide a follow-up regarding what the library has to offer to this committee.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to approve the recommendation from Mayor Kennedy of Appointments for Glendale Library Advisory Committee as presented. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Absent: None. Abstain: None. Motion carried.

IV. File No. _____

Approval of Resolution Adopting an Amendment to the Project Plan for Tax Incremental District Number Eight of the City of Glendale, Wisconsin to Modify the Boundaries of the District.

Administrator Safstrom stated in 2019, the Community Development Authority reviewed and approved Amendment #2 for the Project Plan on Tax Incremental Financing District #8. In finalizing Project Plan Amendment #2 with the Wisconsin Department of Revenue, it was brought to the City's attention that parcel 163-9000-001 would need to be included in its entirety. This was not the intent of the Joint Review Board or the Community Development Authority. To correct the boundary, it is necessary to approve Amendment #3 for the Project Plan on Tax Incremental Financing District #8. This amendment will remove parcel 163-9000-001 only, and will reduce the base value of the district. The Community Development Authority held a public hearing and approved a resolution to make this change on August 18, 2020.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to Approve the Resolution Adopting an Amendment to the Project Plan for Tax Incremental District Number Eight of the City of Glendale, Wisconsin to Modify the Boundaries of the District. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No. _____

Recommendation from Legislative, Judiciary & Finance Committee to Approve the Application for Class "B" (Beer) Retailer License, and "Class C" (wine) Retailer License Filed by La Barbue LLC, DBA Mallrat, located at 5694 North Centerpark Way.

Administrator Safstrom stated the State of Wisconsin requires any business selling alcohol to have an Alcohol Beverage License. All other licenses have been approved for the

current location and all background checks have been concluded by the City of Glendale Police Department. The Legislative, Judiciary & Finance Committee held a meeting on September 14, 2020 and recommended the approval of the Class “B” (beer) and “Class C” (wine) licenses. La Barbue LLC, DBA Mallrat, meets all the statutory requirements to be issues the licenses. Proposed agent, N. Davaur, was approved by the police department. All applications are on file in the Clerk’s office, and the appropriate background checks were completed by the Police Department.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to Approve the Application for Class “B” (Beer) Retailer License, and “Class C” (wine) Retailer License Filed by La Barbue LLC, DBA Mallrat, located at 5694 North Centerpark Way. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No. _____
Resolution Authorizing the Director of Public Works to sign and submit the Wisconsin Department of Natural Resources Urban Forestry Grant application and subsequent reports.

Administrator Safstrom stated City Staff plans to submit an Urban Forestry Grant application to the Wisconsin Department of Natural Resources in the amount of \$25,000 in September. If approved in 2020, the 50/50 cost-share grant will assist the City with the costs to prepare a tree inventory, tree management plan and the removal of hazard public ash trees affected by the emerald ash borer in 2020.

Ald. Schmelzling asked for clarification regarding whether or not this is a budgeted item and if the funds could be used only for specific items or for anything related to Forestry. Administrator Safstrom clarified it will become budgeted in 2021, and the grant money can be utilized for this process. The City previously applied in 2020, but did not receive the grant due to the volume of requests submitted to the Wisconsin DNR. Administrator Safstrom added the grant money will be utilized for tree inventory and a design management plan, as the City trees have not be trimmed in several years. The plan would be proactive, as opposed to reactive to complaints.

Motion by Ald. Vukovic, seconded by Ald. Gelhard, to Approve the Resolution Authorizing the Director of Public Works to sign and submit the Wisconsin Department of Natural Resources Urban Forestry Grant application and subsequent reports. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: 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. Schmelzling, seconded by Ald. Vukovic, to convene in Closed Session per Wis. Stats. §19.85(1)(e) for Deliberating or negotiating 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 (Police Union Negotiation). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 31 minutes was held. The Council discussed the Police Union Negotiations.

Motion by Ald. Wiese, seconded by Ald. Daugherty, 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.

ACTION ON CLOSED SESSION ITEMS.

No action was taken on items discussed during closed session.

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. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:23 p.m., until Monday, October 12, 2020, at 6:00 p.m.

Megan Humitz
City Clerk

Recorded: September 15, 2020.