

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

October 12, 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, Steven Schmelzling, and JoAnn Shaw. Absent: Ald. Richard Wiese.

Other Officials Present: Rachel Safstrom, City Administrator; John Fuchs, City Attorney; Mark Ferguson, Police Chief; Charlie Imig, Director of Public Works; 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, October 8, 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.

CONSENT AGENDA.

I. File No.

Adoption of Minutes of Meetings held on September 14, 2020, Approval of Accounts Payable, Payment 5 to LaLonde Contractors Inc. for work completed on the Lydell Avenue Reconstruction Project, Payment 4 and FINAL to MUDTeCH, LLC for work completed on the Bender Trail – Oak Leaf Trail Connection Project, Payment 3 to Zenith Tech Inc. for work completed on the 2020 Silver Spring Drive Reconstruction Project, and Request for extended Holiday hours at Kohl’s – Bayshore Town Center.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to adopt the minutes of meeting held on September 14, 2020, to approve the Accounts Payable, approve Payment 5 to LaLonde Contractors Inc for work completed on the Lydell Avenue Reconstruction Project, Payment 4 and FINAL to MUDTeCH, LLC for work completed on the Bender Trail – Oak Leaf Trail Connection Project, Payment 3 to Zenith Tech Inc. for work completed on the 2020 Silver Spring Drive Reconstruction Project, and Request for extended Holiday hours at Kohl’s – Bayshore Town Center.. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Review and approval of three-year contract for Engineering Services – Clark Dietz, Inc.

Administrator Safstrom stated in July staff sent out a request for proposal for engineering services. Nine proposals were received and six firms were interviewed. Each of the firms received a list of 11 questions to answer in a presentation. Staff evaluated the proposals and presentations based on qualifications, past performances/references, understanding of Glendale, experience/diversity of team, proximity of project manager to Glendale, and cost. The firms all had excellent presentations.

Administrator Safstrom stated Staff is recommending we continue with Clark Dietz. Clark Dietz presentation showed the overall understanding of Glendale and the importance of working with residents and Council together on projects. They were also able to identify areas the City could improve efficiencies as well as reduce costs by not using an engineer. This is likely due to the relationship we currently have which could take another consultant 6 months to a year to catch up. In the past 3 years, Clark Dietz has been the driving force with MMSD funding for floodplain mitigation, Bayshore green infrastructure, storm water ponds at REM park, and the grant received for Bender Trail. With their assistance, we have competitive bid landscape services, ditch cleaning, crack sealing, and catch basin cleaning. In the past we did not have a process for this and were limited to the contractors we had always used.

Mayor Kennedy stated he and Administrator Safstrom met and discussed the top three choices for the contract. This included a comparison of costs, services being offered, and the best utilization of each potential firm.

Ald. Daugherty and Ald. Schmelzling expressed the sentiment that the current work with Clark Dietz has been well-received a positive change, with a partnership style relationship as opposed to the feeling of a vendor relationship.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to approve the three-year contract for Engineering Services – Clark Dietz, Inc.. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Absent: Ald. Wiese. Abstain: None. Motion carried.

III. File No. _____
Review and consideration of Memorandum of Understanding (MOU) from the State of Wisconsin Department of Transportation (WDOT) from the request to support the efforts of the Rails-to-Trails Conservancy to connect the Beerline Trail to the Oak Leaf Trail.

Administrator Safstrom stated the Beerline Trail Leadership Committee contacted her regarding the connection from the Beerline Trail to the Oak Leaf Trail on the south side of Glendale, with a WDOT proposal for the trail connection and a preferred connection under the I-43 freeway. In July, the City approved the support of the project, which was not to include any funding from the City of Glendale.

Administrator Safstrom stated staff was recently notified of the request from WDOT for an MOU to maintain the tunnel and to build the remaining portion of the bike trail within the City of Glendale. The MOU identifies the City will construct the remaining portion of the trail in the City within 7 years with the City Engineer estimating the cost of close to \$500,000, which does not include the maintenance costs or safety costs. The MOU identifies the City will be

responsible for any maintenance to the tunnel and the trail. The tunnel will require lighting, which is a monthly expense.

Administrator Safstrom stated the trail does not directly benefit City of Glendale residents. Staff has indicated to the entities working on the project that the priorities of the City are projects to be completed that have direct benefit to the City residents. Staff recommends the Council formally deny participation in the Memorandum of Understanding from the WDOT. If an alternative is identified that reduces any financial obligation to the City, that could be deliberated at a later date. Staff has recommended two alternatives to the Route of the Badger and the Wisconsin Department of Transportation: 1) Relocate the trail to the City of Milwaukee; 2) Build the tunnel, however, close it off until such time as an entity can be found to fund and maintain the trail.

Mayor Kennedy stated he was in conversation with the group that brought the initial proposal to the Council in July requesting support from the City of Glendale. Mayor Kennedy indicated to them that the City signed on to support the project, but did not sign on to cover the expenses. The nearest residents to the location of the project are a half-mile away. Additionally, the project connects two Milwaukee neighborhoods, and would serve a very minimal number of Glendale residents.

Ald. Vukovic stated she cannot see a justification in spending money on something that will benefit the smallest percentage of the Glendale population. She does not recommend trying to kill the project completely, but find other means that do not place the costs on the City of Glendale.

Ald. Schmelzling raised his concern that the City of Glendale has other priorities for connectors at other sides of city for bicycles and pedestirans, which is the purpose of the current study being conducted. From a funding perspective, it would be important to support the long-term initiative of the project but not at the City's expense. Mayor Kennedy added this should be a joint effort to reconnect neighborhoods which were cut off during freeway construction when eminent domain was established, and there should be efforts for bridges and tunnels to do so, at the federal and state levels.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to deny the Memorandum of Understanding from the State of Wisconsin Department of Transportation from the request to support the efforts of the Rails-to-Trails Conservancy to connect the Beerline Trail to the Oak Leaf Trail; however, the City of Glendale is still supportive of the efforts to connect the trail. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

IV. File No. _____
Review and potential approval of Ordinance Amending 5.2.7(b) – Outdoor, Open, Refuse, and Other Burning.

Administrator Safstrom stated Ald. Gelhard and Attorney Fuchs reviewed the ordinance in regard to burning in outdoor areas. Ald. Gelhard shared information regarding the pollution caused by smoke from fires.

Ald. Gelhard stated the recommendation for a change in the ordinance language was spurred by a resident in his district that frequently burned a variety of yard waste. In April 2020, Public Works Superintendent, Steve Scheldroup, spoke with the resident who agreed to cease his burning activities. However, in September the resident began doing so again, and the Glendale Police Department were dispatched to the residence. The resident was presented with the ordinance and responded that he was burning wood in his decorative fireplace. Ald. Gelhard clarified the purpose of the changes to the ordinance are to make it clear to residents that unattended burning and burning of yard waste are not permitted. This would allow an option for recourse in the event the Glendale Police Department would be contacted.

Mayor Kennedy indicated he has received support from several constituents for this ordinance change, and no opposition.

Ald. Schmelzling stated he has had a larger than normal number of constituents reach out this year in response to neighbors burning, and believes it to be a combination of higher numbers of residents at home and a response to Advanced Disposal's changes to yard waste collection. The changes in the ordinance would prevent burning for disposal purposes. Ald. Schmelzling raised the question of whether there needs to be definition of a decorative fireplace or an imposed size limit. Administrator Safstrom stated a review process already exists.

Ald. Shaw and Ald. Vukovic both raised a concern over the definition of a "social gathering" as stated in the new language. Both expressed concern over resident interpretation of the language, and the impact it could have on a single person or even a married couple sitting outside around their fire. Ald. Gelhard stated his intention was to ensure there was no attended burning and a clarification that it should only be used for burning wood.

Ald. Schmelzling recommended the substitution of the word recreational instead of social. Mayor Kennedy requested the language be amended to strike the words "social gatherings" and add "recreational purposes."

Motion by Ald. Gelhard, seconded by Ald. Daugherty, to Approve the Ordinance Amending 5.2.7(b) - Outdoor, Open, Refuse, and Other Burning with the amended language. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

V. File No. _____
Consideration of Resolution Approving the 2021 North Shore Fire Department Fees for Service Schedule.

Administrator Safstrom stated the North Shore Fire Department annually adjusts their fees for service. It is required that at least five of the seven municipalities approve the new fee schedule.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to Approve the Resolution Approving the 2021 North Shore Fire Department Fees for Service Schedule. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

VI. File No. _____

Consideration of Resolution Authoring an Exception to the Levy Limits for Charges for the North Shore Fire Department Pursuant to 2005 Wisconsin Act 484.

Administrator Safstrom stated the Wisconsin State Statutes allows for the communities with a joint fire department to increase their tax levy equal to the expenditure increase for any given year. In order to be able to utilize this option, all seven municipalities would have to approve a resolution. The Wisconsin Department of Revenue stated a resolution must be passed annually for any of the communities to utilize the option. Several of the communities, including Glendale, anticipate using this option for the 2020 tax year.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to Approve the Resolution Authoring an Exception to the Levy Limits for Charges for the North Shore Fire Department Pursuant to 2005 Wisconsin Act 484. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

VII. File No. _____
Consideration of Resolution Approving the Metro Milwaukee Fire/Emergency Services Mutual Aid Agreement.

Administrator Safstrom stated for the past few months the Intergovernmental Cooperation Council (ICC) has been discussing the agreement for mutual assistance. The North Shore Fire Department agreement requires approval of at least 5 of the 7 member municipalities.

Ald. Daugherty raised the question as to whether there have been any issues between the North Shore Fire Department and Metro Milwaukee that would be cause of concern. Administrator Safstrom clarified since the current administration of both departments has bene in place, there have been no issues.

Ald. Schmelzling raised concern over the reason the City of Franklin was seeking an amendment to the agreement. Mayor Kennedy stated there was a question over liability in the instance of an injury during a mutual aid issue, however the concern was addressed by the respective insurance companies.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to Approve the Resolution Approving the Metro Milwaukee Fire/Emergency Services Mutual Aid Agreement. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried.

VIII. File No. _____
Proclamation Declaring October 2020 as Pregnancy and Infant Loss Awareness Month and October 15, 2020 as Pregnancy and Infant Loss Awareness Day in the City of Glendale, Wisconsin.

Ald. Vukovic stated this Proclamation was recommended as it is an issue she has experienced personally, after experiencing the loss of her own child at one-week old. There is importance in recognizing women who have suffered the loss of a pregnancy of an infant. Ald. Vukovic expressed her concern over the need for more healthcare and screening to help women in these situations. There is a significant number of women who experience pregnancy or infant

loss, and who suffer as a result due to shame or stigma surrounding the issue, or due to the sadness it causes.

Ald. Daugherty echoed Ald. Vukovic's sentiment that this is a heartache people do not discuss often, but that needs to be recognized.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to Approve the Proclamation Declaring October 2020 as Pregnancy and Infant Loss Awareness Month and October 15, 2020 as Pregnancy and Infant Loss Awareness Day in the City of Glendale. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. 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. Daugherty, 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, Schmelzling and Shaw. Noes: None. Absent: Ald. Wiese. Motion carried.

A closed session of approximately 23 minutes was held. The Council discussed the Police Union Negotiations.

Motion by Ald. Gelhard, seconded by Ald. Shaw, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling and Shaw. Noes: None. Absent: Ald. Wiese. 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. Gelhard, seconded by Ald. Shaw, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, and Shaw. Noes: None. Absent: Ald. Wiese. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:18 p.m., until Monday, October 26, 2020, at 6:00 p.m.

Megan Humitz
City Clerk

Recorded: October 13, 2020.