

CITY OF GLENDALE
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

This meeting is in person, but will be broadcast over Zoom to
accommodate residents with COVID concerns.

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AGENDA—COMMON COUNCIL MEETING

Monday, April 10, 2023

6:00 p.m.

1. Roll Call and Pledge of Allegiance.
2. Public Comment. Glendale residents, business owners and property owners are invited to speak to the Council on items that are not on tonight's agenda but are within the City's ability to regulate or control.
3. Consent Agenda:
 - a) Adoption of Minutes: Meeting held on March 27, 2023
 - b) Approval: Accounts Payable
4. Public Hearings and Consideration:
 - a) Public Hearing 4160 N Port Washington Road: Zoning Map Amendment from M-1 Warehouse, Light Manufacturing, Office and Services District to PD Planned Development District and a General Development Plan for a Planned Development for 4160 N Port Washington Road, Meta House, Tax Key Number 242-1198-004 and 242-1198-003.

Review and Consideration: Ordinance Approving a Zoning Map Amendment from M-1 Warehouse, Light Manufacturing, Office and Services District to PD Planned Development District and a General Development Plan for a Planned Development for 4160 N Port Washington Road, Meta House, Tax Key Number 242-1198-004 and 242-1198-003.
 - b) Public Hearing 727 W. Glendale Avenue: Zoning Map Amendment from B-1 "P" Business and Commercial District to a M-1 Warehouse, Light Manufacturing, Office, and Service District, for Sprecher Property III, LLC at 727 W. Glendale Avenue, in the Planned Mixed Use Land Use Classification, Tax Key Number 233-1170-002.

Review and Consideration: Ordinance Approving a Zoning Map Amendment from B-1 "P" Business and Commercial District to a M-1 Warehouse, Light Manufacturing, Office, and Service District, for Sprecher Property III, LLC at 727 W. Glendale Avenue, in the Planned Mixed Use Land Use Classification, Tax Key Number 233-1170-002.
 - c) Public Hearing 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane: Zoning Map Amendments for properties owned by the Milwaukee Metropolitan Sewage District and the City of Glendale from R-7 to the C-1 Zoning District for 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane, Single Family and Environmental Corridor land use classifications, Tax Keys 162-0067-001, 134-0021-001, 134-0018-001, 134-0017-001, 134-0014-003, 134-0013-001, 134-0001-000, 134-0008-000, 134-0008-000, 134-0007-000, 134-0006-000, 134-0003-000, 134-0005-000.

Review and Consideration: Ordinance Approving Zoning Map Amendments for properties owned by the Milwaukee Metropolitan Sewage District and the City of Glendale from R-7 to the C-1 Zoning District for 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane, Single Family and Environmental Corridor land use classifications, Tax Keys 162-0067-001, 134-0021-001, 134-0018-001, 134-0017-001, 134-0014-003, 134-0013-001, 134-0001-000, 134-0008-000, 134-0008-000, 134-0007-000, 134-0006-000, 134-0003-000, 134-0005-000.

- d) Public Hearing: Zoning Text Amendment creating Section 13.1.18, “Home Occupations, “and Deleting Part (a) (45) of Section 13.1.200, “Home Occupation” of Chapter 1, “Zoning Code,” of Title 13, “Zoning,” of the Code of General Ordinances of the City of Glendale.

Review and Consideration: Ordinance Approving a Zoning Text Amendment creating Section 13.1.18, “Home Occupations, “and Deleting Part (a) (45) of Section 13.1.200, “Home Occupation” of Chapter 1, “Zoning Code,” of Title 13, “Zoning,” of the Code of General Ordinances of the City of Glendale.

- e) Public Hearing: Zoning Text Amendment for Title 13 Zoning, Chapter 1 Zoning Code, Section 38 “S-1 SPECIAL (INSTITUTIONAL) DISTRICT,” Subsection (d) “Front Yard requirements” of the Code of General Ordinances of the City of Glendale.

Review and Consideration: Ordinance Approving Zoning Text Amendment for Title 13 Zoning, Chapter 1 Zoning Code, Section 38 “S-1 SPECIAL (INSTITUTIONAL) DISTRICT,” Subsection (d) “Front Yard requirements” of the Code of General Ordinances of the City of Glendale.

- 5. New Business: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).

- a) Review and Approval: Resolution Establishing Procedures for Outstanding and Uncollectible Court Debt.
- b) Review and Approval: Resolution Approving a Budget Amendment for the Purchase of a Police Vehicle and for Financial Support Service Agreements
- c) Review and Approval: Partnership with Reaching Empower and Produce for a Father’s Day event at Maslowski Park on Saturday, June 24
- d) Review and Approval: 2023 Arbor Day Proclamation
- e) Review and Approval: Accept Low Bid for Multi-Year Catch Basin Cleaning Services Project with Globe Contractors Inc, not to Exceed \$166,400.
- f) Review and Approval: Resolution Authorizing Director of Public Works to Sign and Submit the Recycling Grant Application and Annual Reports to the WDNR

- 6. Commission, Committee, Board and Staff Reports: (This is an Opportunity for Council Members to Report on their Respective Committees, Commissions, Boards of which they serve as a Member and for Staff and Administrator updates)

- 7. Adjournment.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities.

3A-3B
4/10/2023

CONSENT AGENDA

- a) [Adoption of Minutes: Meeting held on March 27, 2023](#)
- b) [Approval: Accounts Payable](#)

SUBJECT: Public Hearing: Zoning Map Amendment from M-1 Warehouse, Light Manufacturing, Office and Services District, to PD Planned Development District and a General Development Plan for a Planned Development for 4160 N. Port Washington Road, Meta House, Tax Key Number 242-1198-004 and 242-1198-003.

Review and Consideration: Consideration of Approval for a zoning map amendment from M-1 Warehouse, Light Manufacturing, Office and Services District To PD Planned Development District and a General Development Plan for a Planned Development for 4160 N Port Washington Road, Meta House, Tax Key Number 242-1198-004 and 242-1198-003.

FROM: John S. Fellows, Community Development Director

MEETING: Common Council

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

Wisconsin Statutes	N/A
Municipal Code:	Chapter 13, Zoning Ordinance

BACKGROUND/ANALYSIS:

Request:

Meta House is looking to relocate to the properties located at Tax Key Number 242-1198-004 and 242-1198-003 generally known as 4160 N. Port Washington Road. Their facilities will consist of office, outpatient, and inpatient facilities. The property is currently classified as Industrial with a zoning of M-1.

The applicant is requesting rezoning to PD - Planned Development.

The applicant is also requesting approval of a general development plan for the Planned Development.

The General Development Plan anticipates the reuse of the existing building while maintaining one tenant space on the far east side of the building. Under the Plan, there will be a new common lobby on the west side of the building and an "L"-shaped addition with a private secured courtyard for the inpatient services. The applicant plans to use the existing eastern parking lot while providing new parking on the west side of the property. The applicant has provided site plans, building elevations, landscaping, and lighting plans for the General Development Plan which are part of the attachments.

A Specific Plan and Development Agreement will be presented after rezoning and the General Development Plan is approved.

Process / Schedule:

The rezoning process is anticipated to have the following schedule:

General Development Plan and Rezoning

~~Common Council Initial Review~~ ~~February 27, 2023~~

~~Planning Commission Recommendation~~ ~~March 7, 2023~~

~~City Council~~ ~~March 13, 2023~~

City Council Possible Public Hearing and Action April 10, 2023

Specific Development Plan and
Development Agreement

Dates to be determined.

RECOMMENDATION:

- Staff recommends the Common Council hold a public hearing on the rezoning.
- Staff recommends, following the public hearing, that Common Council approve the rezoning request as submitted.
- Staff recommends, following approval of the rezoning, that Common Council approve the general development plan.

ACTION REQUESTED:

Public Hearing: Hold a public hearing.

Action: To approve the rezoning request as submitted.

Action: To approve the general development plan, with a specific development plan and development agreement to be forthcoming.

ATTACHMENT:

[Attachment – Zoning Map Amendment / General Development Plan – 4160 N. Port Washington Road](#)

[Attachment – Ordinance](#)

SUBJECT: Public Hearing: Zoning Map Amendment from B-1 “P” Business and Commercial District to an M-1 Warehouse, Light Manufacturing, Office, and Service District, for Sprecher Property III, LLC at 727 W. Glendale Avenue, in the Planned Mixed-Use Land-Use Classification, Tax Key Number 233-1170-002.

Review and Consideration: Consideration of approval for a zoning map amendment from B-1 “P” Business and Commercial District to a M-1 Warehouse, Light Manufacturing, Office, and Service District, for Sprecher Property III, LLC at 727 W. Glendale Avenue, in the Planned Mixed-Use Land-Use Classification, Tax Key Number 233-1170-002.

FROM: John S. Fellows, Community Development Director

MEETING: Common Council

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	Zoning Map Amendment, §§ 13.1.34, 13.139, and 13.1.182

BACKGROUND/ANALYSIS:

Request:

The applicant is seeking to rezone 727 W. Glendale Avenue from B-1 “P” to M-1 Warehouse, Light Manufacturing, Office and Service District. The applicant has indicated that the current occupants will remain which consist of warehousing for Sprecher Brewing, and a printing shop for Mandel Graphic Solutions. The site has approximately 20 parking spaces. They estimate business hours will be Monday to Friday 6am to 6pm with 25 full-time employees and 40 part-time employees. Sprecher is requesting the zoning be returned to industrial zoning which more aligns with the construction of the building from 1953 to 1964 and will “enable Sprecher to plan for future development optionality.” At this time, no modifications to the structures or site have been proposed.

Land Use:

The Planned Mixed-Use Land-Use classification is intended to facilitate a carefully controlled mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. Planned Mixed Use areas are intended as vibrant urban places that should function as community gathering spots. The category advises a carefully designed blend of planned commercial, light industrial, mixed residential, parks and open space, and community facilities land uses.

Current Zoning:

The current zoning is B-1 “P” This district is described as:

B-1, Sub-Area “P”—Permitted Uses. *The following uses are permitted within the B-1 sub-area “P” district upon review by the Plan Commission for conformance with the standards established in Sections 13.1.34(d), 13.1.34(e), 13.1.34(f), and 13.1.34(g):*

- A. Professional services and administrative offices*
- b. General corporate headquarters offices*
- c. Medical and dental offices*
- d. Sales offices*
- e. Financial, insurance and real estate offices*
- f. Specialty breweries with accessory retail sales*
- g. Any other uses found to be similar use by the Plan Commission or Community Development Authority upon review of application*

Note any use approval are subject to Plan Commission approval.

Recommended Zoning to implement a Planned Mixed Use Land Use Classification

The Comprehensive Plan recommends that a Planned Development District be used to implement this type of mixed use. A more complicated process is to zone various areas of a Planned Mixed Land Use Classification into more traditional zoning districts such as residential, commercial, or industrial.

Proposed Zoning:

The intent of the M-1 Warehouse, Light Manufacturing, Office and Service District is intended to provide for the development of compatible groupings of warehouse, light manufacturing, and office uses. The physical and operational characteristics of uses in this District are based on performance standards which would not be detrimental to the public health, safety, or welfare, or be detrimental to the surrounding area as a result of noise, vibration, external lighting, odor, particulate emissions, other visible emission, hazardous pollutants, traffic, physical appearance, or other similar factors.

§ 13.1.39, M-1 District language:

(b) Permitted Principal Uses. Except as herein provided, no building, structure, or land in this District shall be used, erected, altered, or enlarged except for the uses specified below:

- (1) Uses involving the manufacture and fabrication of goods within the confines of a building and in which any noise, vibration, heat, flash, or odor produced in any process is confined within the building, and in which the manufacture, fabrication, processing or operation does not regularly employ, use, or consume materials as defined in Section 5.4.2 of this Code of Ordinances.*
- (2) Buildings for the storage of goods and materials, other than hazardous materials as defined in Section 5.4.2, where such goods or materials are stored inside a building, provided such building is not subdivided into more than three (3) multiple warehouse and storage facilities*

containing less than one thousand five hundred (1,500) square feet each and are available for sublease.

- (3) Uses providing a service in which noise, vibration, heat, flash, or odor produced on the premises by such service uses is confined within a building.*
- (4) Business, professional, clerical, or general offices.*
- (5) Indoor sports and recreational facilities, excepting and excluding any recreational activity involving the use of weaponry, provided adequate off-street parking is available for any customers, users, or employees not accommodated by onsite facilities.*
- (6) Research laboratories.*

(c) Permitted Accessory Uses.

- (1) Off-street parking and loading areas for facilities located wholly within the City of Glendale.*
- (2) Sales of products integral to the service or manufacturing business, which sales promote the product as manufactured, and are limited to not more than 10% of gross receipts and 20% of the total interior building space on the premises. Such retail sales shall further be limited to not more than 40 hours per week, and shall not emit any noise, odor, or emissions of any nature, or spillover lighting as otherwise prohibited by the Glendale Code.*
- (3) Garages or buildings used for the storage of vehicles used in conjunction with the operation of a warehouse or industrial use which are located wholly within the City of Glendale.*

Plan Commission Recommendation:

The Plan Commission recommended approval of the rezoning from B-1 “P” Business and Commercial District to a M-1 Warehouse, Light Manufacturing, Office, and Service District at its meeting on March 7.

Process / Schedule:

A Map Amendment will follow the Standard Map Amendment as outlined in Section 13.1.182 of the municipal code. Staff anticipates the following schedule:

Common Council Initial review	January 9, 2023
Plan Commission Review	February 7, 2023
Plan Commission Public Hearing and recommendation	March 7, 2023
City Council Public Review	March 13, 2023
City Council Public Hearing and Action	April 10, 2023

Review Comments:

Planning

1. Staff recommends approval of this current rezoning request as the area indicated within the Comprehensive Plan as planned mixed use would still be met with the area split between M-1 on the south and B-1 “P” on the northern parcels. If in the future a rezoning request were to be made for the northern parcels to be rezoned to M-1 the intent of the Planned Mixed Use land use classification would not be met. Staff at such time, would recommend denial of such a rezoning or suggest alternative zoning or amendment to the comprehensive plan be amended.

Note: State Statutes require rezonings to concur with the Land Use Plan after 2010.

2. The tenant currently has a temporary sign that is not compliant with the Ordinances. The tenant has been notified.
3. This property is a land locked property. To allow this property to function into the future if adjacent parcels were to ever change hands, staff recommends an easement be provided to allow for the circulation of vehicles, deliveries, and pedestrians to access this property from W. Glendale Avenue.
4. The M-1 Zoning does not allow for any outdoor storage unless the item is hazardous and required by other regulations or ordinances to be outside. There are currently outdoor storage items on this property. The applicant will be required to remove all outdoor storage at the time of rezoning and if applicable apply to the Plan Commission for a site plan and architectural review for the location, and screening of any hazardous products that must be stored on the exterior of the building.

Engineering/Public Works/Utilities

1. No comments currently. Modifications to the building or site in the future would require review and possible stormwater analysis.

Police:

1. No comments currently.

RECOMMENDATION:

- Staff recommends the Common Council hold a public hearing on the rezoning.
- Staff recommends, following the public hearing, that Common Council approve the rezoning request as submitted, subject to the applicant removing all outdoor storage and if applicable apply to the plan commission for a site plan and architectural review for location and screening of any hazardous product that must be stored on the exterior of the building.

ACTION REQUESTED:

Public Hearing: Hold a public hearing.

Action: Motion to approve the rezoning request of B-1 "P" Business and Commercial District to a M-1 Warehouse, Light Manufacturing, Office, and Service District. With the notation that the applicant will need to remove all outdoor storage and if applicable apply to the plan commission for a site plan and architectural review for location and screening of any hazardous product that must be stored on the exterior of the building.

ATTACHMENT:

[Attachments – 727 W. Glendale Avenue](#)

[Attachment - Ordinance](#)

SUBJECT: Public Hearing: Public Hearing for zoning map amendments for properties owned by the Milwaukee Metropolitan Sewage District and the City of Glendale from R-7 to the C-1 Zoning District for 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane, Single Family and Environmental Corridor land-use classifications, Tax Keys 162-0067-001, 134-0021-001, 134-0018-001, 134-0017-001, 134-0014-003, 134-0013-001, 134-0001-000, 134-0008-000, 134-0008-000, 134-0007-000, 134-0006-000, 134-0003-000, 134-0005-000.

Review and Consideration: Consideration of approval of an Ordinance for zoning map amendments for properties owned by the Milwaukee Metropolitan Sewage District and the City of Glendale from R-7 to the C-1 Zoning District for 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane, Single Family and Environmental Corridor land-use classifications, Tax Keys 162-0067-001, 134-0021-001, 134-0018-001, 134-0017-001, 134-0014-003, 134-0013-001, 134-0001-000, 134-0008-000, 134-0008-000, 134-0007-000, 134-0006-000, 134-0003-000, 134-0005-000.

FROM: John S. Fellows, Community Development Director

MEETING: Common Council

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

Wisconsin Statutes:	N/A
Municipal Code:	Ordinance Amending Title 13 Zoning, Chapter 1, Zoning Code

BACKGROUND/ANALYSIS:

Request:

Over the last decade, several parcels have been purchased through a program with the Milwaukee Metropolitan Sewage District (MMSD) to acquire properties within the floodway of the Milwaukee River. At the time of purchase, these properties included various residential structures that have been or are in the process of being removed. Under our agreement with MMSD, these properties have restrictions on them that limit uses and essentially prohibit redevelopment opportunities. Two similar parcels 134-0019-000 and 161-0092-000 were rezoned to C-1 to have the Zoning Map better represent development potential on these properties. These properties within the Comprehensive Land Use Map are classified as single family residential with environmental corridors.

Because these properties are within the floodplain or floodway and the structures were removed to prevent further flooding, staff is recommending the parcels be rezoned to C-1 Conservancy Districts. As the City obtains additional properties over time, staff will work to present similar Zoning Map Amendments. Staff has also been working with MMSD to provide a plan for these properties such as additional forestation and stormwater retention.

Plan Commission Recommendation:

Plan Commissions recommended on March 7, 2023, to rezone the properties from R-7 to C-1.

Process / Schedule:

An amendment to this ordinance will follow the standard map amendment to the Zoning Code as outlined in Section 13.1.182 of the Code of General Ordinances. Staff anticipates the following schedule:

Common Council Initial review	January 9, 2023
Plan Commission Review and Recommendation	February 7, 2023
Plan Commission Public Hearing and recommendation	March 7, 2023
City Council Review	March 13, 2023
City Council Public Hearing and Action	April 10, 2023

RECOMMENDATION:

- Staff recommends the Common Council hold a public hearing on the rezoning.
- Staff recommends, following the public hearing, that Common Council approve the rezoning request as submitted.

ACTION REQUESTED:

Public Hearing: Hold a public hearing.

Action: Motion to approve the rezoning request for properties owned by the Milwaukee Metropolitan Sewage District and the City of Glendale from R-7 to the C-1 Zoning District for 6130 and 6521 N. Sunny Point Road, 6411, 6435, 6459, 6477, 6515, 6573, 6583, 6593, 6595, and 6599 Sunny Point Lane, Single Family and Environmental Corridor land use classifications, Tax Keys 162-0067-001, 134-0021-001, 134-0018-001, 134-0017-001, 134-0014-003, 134-0013-001, 134-0001-000, 134-0008-000, 134-0008-000, 134-0007-000, 134-0006-000, 134-0003-000, 134-0005-000.

ATTACHMENT:

[Attachment: Map R-7 to C-1 Properties](#)

[Attachment: Draft Ordinance](#)

SUBJECT: Public Hearing: Public Hearing for a zoning text amendment for the creation of Section 13.1.18, “Home Occupations, “and Deleting Part (a) (45) of Section 13.1.200, “Home Occupation” of Chapter 1, “Zoning Code,” of Title 13, “Zoning,” of the Code of Ordinances of the City of Glendale.

Review and Consideration: Consideration of approval for zoning text amendment for the creation of Section 13.1.18, “Home Occupations, “and Deleting Part (a) (45) of Section 13.1.200, “Home Occupation” of Chapter 1, “Zoning Code,” of Title 13, “Zoning,” of the Code of Ordinances of the City of Glendale.

FROM: John S. Fellows, Community Development Director

MEETING: Common Council

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

Wisconsin Statutes:	N/A
Municipal Code:	Ordinance Amending Title 13 Zoning, Chapter 1 Zoning Code 13.1.200 and creating Title 13 Zoning, Chapter 1, Section 13.1.18.

BACKGROUND/ANALYSIS:

The Common Council has discussed possible revisions to the Home Occupation Ordinance to better address concerns regarding homeowners working in their homes and have an Ordinance that is easier to understand for the public. The Council discussed the proposed draft at their meetings on January 9th and January 23rd. Based upon comments from the Council on January 23, at least several aldermen would like an Ordinance that better allows residents to perform work from home, but still allow enforcement of items that cause disruption to the residential neighborhood. The Common Council is asking that the Plan Commission review this and make a recommendation to the Common Council.

The Plan Commission recommended approval of the changes at their March 7, 2023, meeting.

With a positive recommendation to the Council, a commissioner suggested one item for the Council to consider, and requested staff provide additional information. The suggestion and concern related to the number of vehicles allowed at a residential property for a home occupation. The Ordinance as drafted indicates:

“Not more than one truck of more than one-ton capacity associated with the home occupation shall be kept on the premises.”

The suggestion/concern related to:

1. A reference specifically to truck.

- Staff recommends the word truck be replaced with the word vehicle.
2. A reference to one ton capacity.
 - Staff recommends that the home occupation ordinance duplicate the language from Section 10.1.33 which is enforced by the Police Department.
 - The language would be: “A vehicle used for a home occupation shall not exceed fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height no more than eight (8) feet.”
 3. A reference to the quantity of one.
 - Staff recommends the quantity of vehicles related specifically to the home occupation either be one or two.
 - The Ordinance states that no more than one person other than the resident of the dwelling unit shall be employed on the premises.
 - Having more than two vehicles would then suggest that the home occupation may have the resident and two other nonresidents employed on the premises.
 4. Marked or unmarked vehicles
 - In reviewing the above items, staff noted the Ordinance as drafted does not indicate whether a vehicle used for a home occupation may or may not have signage on the vehicle. Depending upon the home occupation this may be desired, or possibly necessary for such a business.
 - Staff recommends that such signage be allowed but not to exceed 18 inches by 24 inches.

Staff recommends the following new language:

(13) Vehicles:

1. Number: Not more than two vehicles associated with the home occupation shall be kept on the premises.
2. Size: A vehicle used for a home occupation shall not exceed fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height no more than eight (8) feet.
3. Signage: A sign indicating the name of the home occupation may be affixed to a vehicle that is licensed to the home occupation. The area of the sign shall not exceed three square feet (typically a 18 inch x 24 inch sign). No sign permit is required.

RECOMMENDATION:

- Staff recommends the Common Council hold a public hearing on the Zoning Text Amendment.
- Staff recommends, following the public hearing, the Common Council approve the amended draft language request by having subsection (13) state:

“(13) Vehicles:

1. Number: Not more than two vehicles associated with the home occupation shall be kept on the premises.
2. Size: A vehicle used for a home occupation shall not exceed fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height no more than eight (8) feet.

3. Signage: A sign indicating the name of the home occupation may be affixed to a vehicle that is licensed to the home occupation. The area of the sign shall not exceed three square feet (typically a 18 inch x 24 inch sign). No sign permit is required.”

ACTION REQUESTED:

Public Hearing: Hold a public hearing.

Action: Motion to approve the Zoning Text Amendment with subsection thirteen (13) stating the following:

“(13) Vehicles:

1. Number: Not more than two vehicles associated with the home occupation shall be kept on the premises.
2. Size: A vehicle used for a home occupation shall not exceed fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height no more than eight (8) feet.
3. Signage: A sign indicating the name of the home occupation may be affixed to a vehicle that is licensed to the home occupation. The area of the sign shall not exceed three square feet (typically an 18-inch x 24-inch sign). No sign permit is required.”

ATTACHMENT:

[Draft Ordinance Amending § 13.1.200 and creating § 13.1.18.](#)

SUBJECT: Public Hearing: Public Hearing for a zoning text amendment for Title 13 Zoning, Chapter 1 Zoning Code, Section 38 “S-1 SPECIAL (INSTITUTIONAL) DISTRICT,” Subsection (d) “Front Yard requirements” of the Code of General Ordinances of the City of Glendale.

Review and Consideration: Consideration of approval for a zoning text amendment for Title 13 Zoning, Chapter 1 Zoning Code, Section 38 “S-1 SPECIAL (INSTITUTIONAL) DISTRICT,” Subsection (d) “Front Yard requirements” of the Code of Ordinances of the City of Glendale

FROM: John S. Fellows, Community Development Director

MEETING: Common Council

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

Wisconsin Statutes:	N/A
Municipal Code:	Ordinance Amending Title 13 Zoning, Chapter 1 Zoning Code, Section 38 “S-1 SPECIAL (INSTITUTIONAL) DISTRICT,” Subsection (d) “Front Yard requirements” of the Code of General Ordinances of the City of Glendale

BACKGROUND/ANALYSIS:

Request:

The S-1 Special (Institutional) District currently allows decreased setbacks for structures that are not recreational or educational in nature. Staff recommends that the same flexibility be provided to front yard requirements within the S-1 District. The side yards and rear yards allow for a 10-foot setback. Staff recommends the 15-foot setback be established for front yard requirements. This flexibility will allow for recreational facilities elements such as fencing, security gates, and other features commonly found on a school property to be placed at 15 feet rather than the 35-foot as currently required. The Plan Commissions recommended at their March 7, 2023 meeting to amend the text of the S-1 as presented.

Process / Schedule:

Amendment to this ordinance will follow the standard text amendment to the Zoning Code as outlined in Section 13.1.182 of the Municipal Code. Staff anticipates the following schedule:

- ~~Common Council Initial review~~ ————— ~~January 9, 2023~~
- ~~Plan Commission Review~~ ————— ~~February 7, 2023~~
- ~~Plan Commission Public Hearing and Action~~ ————— ~~March 7, 2023~~

~~City Council Review~~ ~~March 13, 2023~~
City Council Public Hearing and Action April 10, 2023.

RECOMMENDATION:

- Staff recommends the Common Council hold a public hearing on the text amendment.
- Staff recommends the Common Council approve the zoning text amendment as presented following the public hearing.

ACTION REQUESTED:

Public Hearing: Hold a public hearing.

Action: Motion to approve the Zoning Text Amendment as presented.

ATTACHMENT:

[Attachment: Council Ordinance Amending S-1 Zoning District Regulations](#)

SUBJECT: Permanent Stay of Outstanding Uncollectible Debt

FROM: Mary Bersch, Court Clerk
Karl Warwick, City Administrator

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS: The purpose of this memorandum is to provide an explanation of the Court collection procedures and to come to a determination on possible guidelines to permanently stay outstanding debt, deemed “uncollectible” by the State Debt Collection Agency (SDC). “Uncollectible debts” are debts that the SDC has attempted to collect for a period of three years and determined that the debt is not collectable based on a set of factors described in this memorandum. “Outstanding debts” are debts owed to the North Shore Municipal Court (NSMC) and includes “uncollectible debts” and debts that the NSMC still can collect.

The NSMC has an estimated \$5,035,448.46 in “outstanding debt” dating back to 1981. There currently are more than 2,000 debts with an unknown amount that is determined to be “uncollectible” by SDC. The amount that is determined to be “uncollectible” is unknown because SDC does not provide the NSMC with an overall summary report detailing “uncollectible debts”. A portion of this debt includes outstanding debt from the Village of Bayside, as they are part of the NSMC. We are unable to determine the amounts that are from Bayside tickets and the amounts from Glendale tickets.

The NSMC may order several different forms of punishment for defendants who fail to pay their debts to the Court, which may include one or more of the following:

1. A Writ of Commitment for these types of municipal offenses:
 - Operating while intoxicated.
 - Prohibited alcohol concentration.
 - Operating a motor vehicle while revoked.
 - Operating a motor vehicle with a suspended driver’s license
 - All non-traffic municipal citations for example: battery, theft, retail theft, criminal damage to property, trespassing.

2. Driver's license suspension for most municipal traffic citations.
3. The city can collect NSMC debt through the Certification of Debt to the Wisconsin Department of Revenue State Debt Collection Agency (SDC). SDC collects these debts through the following methods:
 - Interception of Wisconsin tax refunds
 - Seizure of wages of other compensation
 - Garnishment, seizure or levy against property, bank accounts, IRA's, and delinquent tax warrants.
4. The City can also collect NSMC debt through the Certification of Debt to the Wisconsin Department of Revenue Tax Revenue Intercept Program (TRIP). TRIP can only collect fines through the interception any state tax refund and refundable credit to pay debts owed to other government agencies.

To date, SDC has proven to be a more effective collection method for the Court. However, once a debt is determined to be uncollectable by SDC, it is returned to the NSMC and is not permitted to be placed back into SDC for collection. A debt is determined to be uncollectable if:

- No financial assets or wages available.
- No recent credits or payments, active payment plans, or active involuntary collections.
- Debtor may be indigent or in care and/or disabled with no possibility of future employment.
- Debtor may be incarcerated for an extended amount of time.
- DOR has previous, unsuccessful collections experience with the debtor.

When the Court's fines are considered "uncollectable" by SDC, it leaves TRIP as a remaining collection method. Because TRIP is an intercept collection method, after SDC has failed to collect, it is generally not an effective collection method.

Staff and the Court are looking for direction on how to treat "uncollectable" and certain "outstanding" debts associated with the NSMC.

RECOMMENDATION:

It is the intent set forth by this policy, that the NSMC will maintain a record of debt deemed “uncollectible” by SDC and will implement the following procedure:

- Annually, the Court will “permanently stay” and close all outstanding debt deemed “uncollectible” by SDC within the Court’s record keeping system TiPSS, bringing each balance to zero.
- The NSMC will “permanently stay” debt deemed “uncollectible” by SDC.
- The NSMC will “permanently stay” all “outstanding debt” that is not currently in the collection process. “Outstanding debt” referenced within this section may include debts that are unable to be certified with SDC for lack of qualified information.
- The NSMC shall purge all files after (5) five years as indicated under SCR 72.01(24a), (24m). The NSMC shall begin the process to purge these records, understanding it will take time to complete this process.

The Village of Bayside has review and generally approved the recommended guidelines in this memo.

ACTION REQUESTED:

We are requesting that Council draft a formal policy regarding the treatment of “outstanding” and “uncollectable” debt.

ATTACHMENTS:

[Resolution](#)

SUBJECT: Review and Approval: Budget Amendment for the Purchase of a Police Squad Vehicle and to Permit Various Financial Management Agreements

FROM: Karl Warwick, City Administrator

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	Capital Improvement
Budgeted Expenditure:	\$133,080
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

The 2023 Annual Program Budget was adopted on November 14, 2022. The Capital Improvement Budget includes \$109,00 for the purchase of two police squad vehicles. These purchases have been made. During the course of the past six months, three police vehicles have been totaled in accidents. As a result, the City has received \$91,281.67 in compensation. Staff is proposing an \$80,000 budget amendment to a replacement vehicle that was totaled. With this purchase, the police fleet would be full. Staff is presenting this because a dealership has a police vehicle available for purchase, which is a rarity today.

Staff is also asking for a budget amendment to fund internal audit support services and Interim Finance Director support services. The City Council approved the agreements for these services and the budget amendment would approve the funding for these services.

RECOMMENDATION:

Staff is recommending Review and Approval of a budget amendment for the purchase of an additional police vehicle and for the funding of financial support services agreements.

ACTION REQUESTED:

Motion to approve the 2023 Budget Amendment for the purchase of a police vehicle and for financial support service agreements.

ATTACHMENTS:

[Resolution, Approving a Budget Amendment](#)

SUBJECT: Reaching Empower and Produce for a Father’s Day event at Maslowski Park
FROM: Karl Warwick, City Administrator
MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	Capital Improvement
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

Mayor Kennedy was approached by leaders in the Milwaukee/Glendale religious community to support an event being organized by Reaching Empower and Produce, a nonprofit organization that unites families and supports character education in young people. They requested city partnership on a Father’s Day event to be held at Maslowski Park. The purpose of the event is to unite families and to bring strong male role models to families where a father is not present. City partnership would allow the organization to use the amphitheater and community room, with the facility rental charge waived. The organization will still pay for an A/V specialist to run the park equipment. If the park director determines that an additional staff person would be needed to monitor the building, empty garbage, tidy the bathrooms, etc., then the organization would have to pay for that staff person, as well.

The event will be held on Saturday, June 24. The park would be available for setup beginning at noon. The event would run 4 pm – 9 pm.

RECOMMENDATION:

Approve the partnership as described above.

ACTION REQUESTED:

Motion to approve partnership with Reaching Empower and Produce for a Father’s Day event at Maslowski Park, as indicated above.

ATTACHMENTS:

None

SUBJECT: 2023 Arbor Day Proclamation

FROM: Charlie Imig, Director of Public Works

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

The attached Arbor Day Proclamation is required for the City’s continued participation in the Tree City USA Award program. The City celebrates by planting a tree with students from Parkway Elementary. This year, Arbor Day is nationally recognized on April 28, 2023. At this time, an official date for Glendale’s celebration has not yet been scheduled. Once the official date is selected, we will inform Council and the public.

RECOMMENDATION:

Approve the 2023 Arbor Day Proclamation.

ACTION REQUESTED:

Motion to approve the 2023 Arbor Day Proclamation.

ATTACHMENTS:

1. [2023 Arbor Day Proclamation](#)

SUBJECT: Bid Results for the Catch Basin Cleaning Services Project

FROM: Charlie Imig, Director of Public Works

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	Storm Water Utility
Budgeted Expenditure:	\$166,400.00
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

The City of Glendale has approximately 2,760 catch basins throughout the City. The Department of Public Works is responsible for these catch basins. A plan has been implemented to clean and inspect all catch basins. This will be accomplished in a three-year cycle with a combination of City personnel and private contractors. This bid proposal and specification is for the private contractor portion of cleaning and inspecting catch basins. The private contractors will only be cleaning and inspecting catch basins with sumps. This contract will be for two (2) years. The cost of this service will be divided into the next two years and the cost is included in the adopted 2023 budget.

Three bids were received, reviewed, and tabulated for the Catch Basin Cleaning Services Project. Upon confirmation of the bid documents, Globe Contractors, Inc. was the low bidder for this project.

	<u>Base Bid</u>
1. Globe Contractors, Inc.:	\$ 166,400.00
2. Wisconsin Utility Exposure, Inc.:	\$ 222,400.00
3. MJM Pumping, LLC.:	\$ 1,000,000.00

RECOMMENDATION:

Staff recommends that the City award a contract to the low responsible bidder, Globe Contractors, Inc. for the Base Bid of \$ 166,400.00. Globe Contractors, Inc. is an established contractor in the area and has performed well on other similar construction projects in the City.

ACTION REQUESTED:

Motion to accept the low base bid of \$ 166,400.00 and award of contract to Globe Contractors Inc., for the Catch Basin Cleaning Services Project.

ATTACHMENTS:

1. [Engineer Recommendation Letter and Proposal Tab](#)

SUBJECT: Resolution Authorizing the Director of Public Works to Sign and Submit the Recycling Grant Application and Annual Reports to the Wisconsin Department of Natural Resources (WDNR).

FROM: Charlie Imig, Director of Public Works

MEETING DATE: April 10, 2023

FISCAL SUMMARY:

Budget Summary:	Recycling Fund
Budgeted Expenditure:	N/A
Budgeted Revenue:	\$61,500 Grants

STATUTORY REFERENCE:

Wisconsin Statutes:	Chapters NR 542, 544, and 549 §287.11(2)a to (h)
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

Updated resolution required prior to submittal of the 2022 WDNR Recycling Grant Application.

RECOMMENDATION:

Staff recommends approval of the updated resolution.

ACTION REQUESTED:

Motion to approve the updated resolution authorizing the Director of Public Works to sign and submit the recycling grant application and annual reports to the WDNR.

ATTACHMENTS:

1. [Resolution Authorizing Director of Public Works to Sign and Submit the Recycling Grant Application and Annual Reports to the WDNR.](#)