

**CITY OF GLENDALE COMMON COUNCIL**

Meeting Minutes

January 11, 2021

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.

Other Officials Present: Rachel Safstrom, City Administrator; John Fuchs, City Attorney; Mark Ferguson, Police Chief; Charlie Imig, Director of Public Works; Mustafa Emir, City Engineer; and 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, January 7, 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 COMMENT.

No public comment.

CONSENT AGENDA.

I. File No.

Adoption of Minutes of Meeting held on December 14, 2020, Approval of Accounts Payable, and Resolution Proclaiming World Migratory Bird Day.

Motion by Ald. Vukovic, seconded by Ald. Schmelzling, to adopt the minutes of the meeting held on December 14, 2020, approval of Accounts Payable, and approve Resolution Proclaiming World Migratory Bird Day. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

OLD BUSINESS.

II. File No.

Review and approval of School Resource Officer Shared Services Agreement for Spring 2021 with Nicolet High School District.

Administrator Safstrom stated at the last Council meeting there was discussion regarding the Police Department and Nicolet School District having a Shared Services Agreement where

the Nicolet School Board pays 66% of wages and benefits for the School Resource Officer (SRO). Payments are based on a monthly amount when school is in session. The SRO Shared Services Agreement was suspended for the 2020 fall semester due to the COVID-19 Emergency Health Order.

Under the Agreement for the spring semester, January 1, 2021 – June 15, 2021, the City will receive \$44,898.70 from the Nicolet School District for an officer assigned to Nicolet High School from January 1 – June 15, 2021. These funds offset the SRO salary and General Fund revenue. An SRO Agreement for the full 2021-2022 school year would be completed in summer 2021.

Mayor Kennedy stated he had a conversation with Dr. Kabara after the last Council meeting to discuss the concerns over having police presence in the school, as well as the necessity for the position by the school. As a result of the conversation, Mayor Kennedy believes this is the right thing to do at this time. Having an SRO in the school often means students who commit an infraction in school are more likely to be dealt with at the school level, as opposed to getting them into the criminal justice system and having a criminal record.

Dr. Kabara stated the Nicolet School Board and school staff are in favor of having the School Resource Officer on site. He added that Chief Ferguson is included in the selection process of the officer, and responds to feedback from the school. School Resource Officers have been through a training program that focuses on the SRO position and the issues school-age kids face, which makes the position different than placing a beat cop in the school. Nicolet High School has been satisfied and is in support of continuation of program.

Ald. Vukovic stated she does not have a problem with the officer's presence in the school, but does have an issue with the duties of the officer. She requested the Police Commission review the objectives of the position, in order to ensure the policy they are going forth with the officer is the same as the mandate and objective of the policy. She added Dr. Kabara has done a good job trying to make sure the SRO interactions with students do not automatically funnel kids into the criminal justice system, but noted that it does happen. In the event this happens, Ald. Vukovic would like to have a policy that details how each type of infraction is handled, and that the SRO process should not take the place of school disciplinary action. The agreement should be a collaboration between the school and the police department, as opposed to policies set only by the department.

Mayor Kennedy stated the students will return to in-person classes in two weeks, and therefore he would like to see the agreement approved to have things in place at this time; however, he will address a letter to the Police Commission to indicate they should review the description of the role and how it is defined, as it would be beneficial to have the agreement reviewed prior to the implementation of the agreement for the 2021-2022 school year.

Ald. Schmelzling requested clarification on the last time the language of the agreement was taken under review, as there appears to be some conflicting language and therefore agrees the policy should be reviewed by the Police Commission. Attorney Fuchs clarified the language has not been amended in several years.

Motion by Ald. Wiese, seconded by Ald. Gelhard, to approve the School Resource Officer Shared Services Agreement for Spring 2021 with Nicolet High School. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None.

Abstain: None. Motion carried.

III. File No. \_\_\_\_\_

Review and possible action on Request for Proposal for a Police Organization Study.

Administrator Safstrom stated at the last Council meeting there was discussion regarding a proposal for a Police Organization Study. As part of the 2021 Annual Program Budget, there was an unfunded position in the Police Department. This was to be able to complete a Police Organization Study to ensure changes in the community are reflected in changes of our operations. Initial review of the RFP was at the last Council meeting.

Mayor Kennedy stated the Police Chief is very forward thinking and has done a good job at cross-training his officers and making positive changes for the department; however, it would be beneficial to have an outside set of eyes review the calls received to determine what additional support can be offered to the police department and what asset can be offered to help officers. Mayor Kennedy indicated he is in full support of this study being conducted.

Ald. Schmelzling voiced his support for the plan to proceed with an RFP. This is preferable over using a firm because another community used them.

Motion by Ald. Wiese, seconded by Ald. Shaw, to approve the Request for Proposal for a Police Organization Study. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

IV. File No. \_\_\_\_\_

Review and approval for the 2021 Stormwater Ditch, Culvert, and Inlet Program.

Administrator Safstrom stated as part of the 5-Year Capital Improvement Program, a necessity for Stormwater Drainage and Ditching was identified. The City Engineer and Staff have been reviewing imminent needs in certain areas of the City and it has been determined the greatest need is in the Mount Royal Subdivision. This subdivision has been reviewed for several years. Most recently there have been significant challenges due to lack of ditching, culverts, and need for updated inlets.

Though funding for the project was identified, the specific plan was not identified in the 2021 Annual Program Budget. Council approval for the project is requested, with funding for the debt of this project through the Stormwater Utility Fund. A complete Stormwater Plan is anticipated to be presented to the Council in February 2021, which will assist staff in identifying projects at the time of budget.

Ald. Daugherty requested clarification if this project will conflict with the I-43 project or if there is any chance there will be a duplication of work. Mr. Emir stated Clark Dietz has worked with the DOT to ensure this doesn't happen.

Ald. Wiese raised the question if there will be a rate increase in the Stormwater Fund. Administrator Safstrom clarified this is not anticipated to happen.

Ald. Schmelzling asked for clarification as to why Mount Royal Subdivision was selected for the project, versus other areas with ditching and back-up issues. Additionally, he asked if there will be any community outreach if residents wish to alleviate their own issues with grading improvements or other methods. Administrator Safstrom stated a general stormwater education plan is necessary for the entire community, and residents need to be more mindful of what happens with the stormwater in curb & gutter or ditching. She added MMSD offers educational materials on this topic, and this information will be made available on the website, across social media, and in upcoming newsletters. Mustafa Emir of Clark Dietz added about half of the street miles in the City have ditches, and there are several areas with larger amounts of ditching. Mount Royal Subdivision is a good starting point, which will allow the City to dictate which parts of the project are reasonable at the allotted cost, and to determine the five-year outlook for the project.

Mayor Kennedy stated Mr. Emir has had conversations with several residents, and there have been many who have re-graded their own yards and taken extra steps for stormwater, however they still have pooling issues because the ditches uphill have closed off and the water runs into their backyards. Mr. Emir will be reaching out to the project area impacted residents prior to decisions being made on solutions.

Ald. Schmelzling raised the question of a difference in the lowest long term cost of curb and gutter versus ditching. Mr. Emir stated the decision is more about personal preference for a certain look and feel than an engineering question.

Ald. Shaw requested clarification of the colored lines on the topography map provided by Clark Dietz. Mr. Emir stated the red lines indicate existing pipes, blue lines are where ditching would be improved without touching existing pipes or installing new pipes, and fuchsia lines indicate new driveway culverts.

Motion by Ald. Gelhard, seconded by Ald. Shaw, to authorize staff to proceed with bid specifications and bidding for the 2021 Stormwater Ditch, Culvert, and Inlet Program for Mount Royal Subdivision. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No.

Review and consideration of amendment to the Development Agreement with New Land Enterprises for 2510 W. Good Hope Road.

Administrator Safstrom stated in 2019, the City entered into a development agreement with New Land Development Group for the property at 2510 W. Good Hope Road. The development is set to be apartments and townhomes. New Land Development Group has requested an extension of the Development agreement. Staff has also received information from other developers of challenges with financing due to the pandemic, and recommends extension of the New Land agreement extension to receive the building permit by October 31, 2021.

Tim Gokhman, representative from New Land Enterprises, stated the pandemic has had a large effect on the lending sector, including leading some banks to cease lending altogether which has caused delays. Mr. Gokhman stated the project is fully designed and has been bid out, and is now just a matter of financing.

Mayor Kennedy asked Mr. Gokhman if he anticipates being able to pull permits on the development prior to the deadline. Mr. Gokhman stated that while not all lenders are back to pre-pandemic leverage, he is optimistic that this is feasible.

Ald. Wiese expressed his gratitude to New Land Enterprises for their continued interest in the project, and feels it will be a positive addition to his district and the City. Additionally, he requested that New Land Enterprises monitor the weed growth on the property over the summer. Mr. Gokhman will work with his landscape contractors to ensure this is managed properly.

Motion by Ald. Wiese, seconded by Ald. Daugherty, to approve the amendment to the Development with New Land Enterprises for 2510 N. Good Hope Road. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No. \_\_\_\_\_  
Review and approval of contract for 2021-2023 General Forestry Services.

Administrator Safstrom stated the City of Glendale does not have a certified forester on staff. The City Forester shall annually be appointed by the Mayor, subject to Council confirmation, at the Council's organizational meetings. On February 24, 2020, the Common Council voted to authorize the Director of Public Works to enter into a one-year agreement with Davey Resource Group (DRG) for general forestry services until the end of that year for an amount not to exceed \$20,000. It was also recommended that Staff will review DRG's services and if satisfied, will recommend contracting for a three-year period, starting in 2021. For 2020, the City spent \$3,321.25. The annual request of up to \$20,000 is to cover any extra charges incurred due to the emerald ash borer infestation or any other unforeseen forestry issues.

Mayor Kennedy requested clarification that Davey Resource Group will be the consultant, and city staff will do the actual removal. Administrator Safstrom confirmed this to be the case.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to authorize the Director of Public Works to enter into an agreement with Davey Resource Group for the contract for 2021-2023 General Forestry Services and appoint them as City Forester. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No. \_\_\_\_\_  
Review and confirmation of 2021 Election Polling Locations.

Administrator Safstrom stated Staff has confirmed the locations for the 2021 will be unchanged from the City Polling Locations in 2020. Districts 1 and 3 will vote at Nicolet High School, Districts 2 and 6 at City Hall, and Districts 4 and 5 will vote at Good Hope School. She provided a reminder that residents requesting absentee ballots for the 2021 elections are now able to do so on the MyVoteWI.gov website. Staff has proactively been updating information on the website and social media pages with this information.

Ald. Wiese raised his concerns over parking challenges at the Good Hope School location, and his feelings that the majority of parking spaces are consumed by staff working at the location. Administrator Safstrom confirmed the election staff utilize a back parking lot, however she cannot speak to the staffing levels for the facility itself.

Ald. Schmelzling requested clarification regarding the Nicolet High School location and the concern over keeping voters separate from students. Administrator Safstrom confirmed that Staff has worked with Dr. Kabara to ensure the elections will be adequately separate from students, and we will address issues for 2022 at a later date. She added that finding space to hold elections within the city does pose a challenge, and expressed her gratitude to Dr. Kabara for the opportunity to work with them to utilize space.

Ald. Wiese raised the question of utilizing the cafeteria for the elections, as it has its own entrance. Mayor Kennedy and Administrator Safstrom provided clarification that this is not an option because students will be in session at the time of the elections.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to confirm the 2021 Election Polling Locations. 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. Gelhard, seconded by Ald. Shaw, 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 Negotiations). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 10 minutes was held. The Council discussed the Police Union Negotiations.

Motion by Ald. Shaw, 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. Schmelzling, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Schmelzling, Wiese, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:08 p.m., until Monday, January 25, 2021, at 6:00 p.m.

Megan Humitz  
City Clerk

Recorded: January 12, 2021.