

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

May 23, 2022

Regular meeting of the Common Council of the City of Glendale held in City Hall, 5909 North Milwaukee River Parkway, Glendale, Wisconsin and via Zoom conference call.

The meeting was called to order by Mayor Bryan Kennedy at 6:03 p.m.

Roll Call: Present: Mayor Bryan Kennedy, Ald. Tomika Vukovic, Jim Daugherty, John Gelhard, Phillip Bailey, Steve Schmelzling, and JoAnn Shaw. Absent: None.

Other Officials Present: Karl Warwick, City Administrator; Nathan Bayer, City Attorney; Mark Ferguson, Police Chief; John Fellows, Director of Community Development; Charlie Imig, Director of Public Works; Mustafa Emir, City Engineer; John Fuchs, CDA Counsel; 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.

City Administrator Warwick advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, May 19, 2022, 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.

PRESENTATION: BRETT PERRY, PRESIDENT OF THE MILWAUKEE/WAUKESHA COUNTY BEEKEEPERS ASSOCIATION.

Mr. Brett Perry, President of the Milwaukee/Waukesha County Beekeepers Association was present to give a brief presentation on the beekeeping process. The initial startup in beekeeping is an investment in hardware, bees, and beekeeping apparel. In spring, the bees typically are shipped from California or Georgia. For an urban beekeeper, the main concept is managing bees and allowing growth in their space, which often requires adding stories to the hive for more honey. A benefit to the urban setting is the number of flowers present in the medians and boulevards, which are a benefit to the bees. Mr. Perry provided specific information on distances, flight paths, and space planning. Communication with neighbors is essential for a potential beekeeper and reduces the potential for problems or concerns. Mr. Perry stated many golf courses, Chicago City Hall, the Pfister Hotel, and numerous other public places have begun incorporating hives to help the pollinators.

Mayor Kennedy questioned when the City of Wauwatosa approved their beekeeping ordinance. Mr. Perry stated it has been approved for four to five years, and there have been approximately five permits sold, with a number of ghost hives in any given stretch. It is advised that a beekeeper plan to have two hives for good synergy and management of their swarms, and a place for the extra queen. The “worst case scenario” in beekeeping is typically mismanagement of bees resulting in a swarm, which causes the keeper to lose interest and their investment.

Ald. Daugherty questioned if there have been any issues in time the Beekeepers Association has been involved with the City of Wauwatosa. Mr. Perry stated there are none that he can recall, and a limited number of issues that have occurred in Milwaukee primarily involving hives falling over or requiring repair.

Mayor Kennedy stated information on beekeeping was sharing on the City's social media sites, and all feedback received was positive in nature. Mr. Perry added the Association is happy to help in the future if the City passes an ordinance to allow beekeeping in Glendale.

PUBLIC COMMENT.

No public comment.

CONSENT AGENDA.

I. File No.

Adoption of Minutes of Meeting held on May 9, 2022, Approval of Monthly Reports, and Denial of Claim – Cyla Gills.

Motion by Ald. Schmelzling, seconded by Ald. Vukovic, to adopt the Minutes of Meeting held on May 9, 2022, approve Monthly Reports, and approve Denial of Claim – Cyla Gills. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Discussion and Public Comment regarding Beekeeping within the City of Glendale

John Fellows, Community Development Director, stated Staff has been requested to facilitate a discussion regarding the keeping of bees in the community. Beekeeping can occur at both a profession and hobbyist levels. In most urbanized areas, beekeeping occurs at a hobbyist level. To prepare for the discussion, staff provided a summary of a variety of communities' status with regard to beekeeping, a summary of common best practices, as well as helpful links for more information.

Glendale resident Brian Swanson, 1820 W. Wayside Drive, commented it is a positive thing for the City to consider allowing beekeeping, as it will help the plants and gardens and is good for the environment overall.

Ald. Gelhard, Ald. Shaw, and Ald. Schmelzling raised concern over the safety of beekeeping and people with allergies or around small children and pets. Mr. Perry stated communication with neighbors is key, and in his time with the Beekeepers Association there have been no reports of any incidents. Honeybees search for pollen, and risk death upon stinging so it is in their best interest to do anything but sting someone or something. Mr. Perry added there are 140 other stinging insects in Wisconsin, and if someone is allergic, it is likely they have precautions in place. If they are unaware of an allergy, they are taking the same risk as they would be in taking a walk through any neighborhood or barefoot and stepping on a nest. In Boerner Botanical Gardens, there are trial hives throughout the gardens and there have been no incidents with children being stung in the gardens.

This item was for discussion purposes only. No action was taken.

III. File No.
Review and Approval of 2023-2027 Capital Improvement Program.

Mayor Kennedy stated the Council was provided with a copy of the planned Capital Improvement Program (CIP) for the years 2023 through 2027, with several modifications from the previously presented CIP. It was requested that Council review the projects, particularly for the year 2023, in order that the final approval can be made and included in the projections for the 2023 Annual Program Budget. The CIP was presented to the Council at the May 9th, 2022 meeting and staff asked the Council to review the plan that includes several modifications.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to postpone review and approval of the 2023-2027 Capital Improvement Program until the June 9, 2022 meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None.

IV. File No.
Discussion and possible action for a development agreement for a Planned Unit Development District for River Park Apartments, LLC, 1616 West Bender Road, Tax Key Number 1619-974-000.

John Fellows, Community Development Director, stated River Park Apartments, LLC has acquired the vacant 1616 West Bender Road property, former home to several nursing home businesses dating back to the mid-1960s. Devo Properties, LLC (also Greg Devorkin) petitioned the City of Glendale to rezone the property from S-1 Special (Institutional) District to PD-Planned United Development District-Multi-Family Residential for the purpose of transforming the property to a multi-family residential setting. A general development plan was approved by the City on February 14, 2022. Planned Unit Development District requires a three-part process that includes a rezoning/general development plan approval, followed by a specific implementation plan, followed by a development agreement. The existing building will remain but will be converted into apartment living units with the exterior repaired and enhanced, repair to the parking lot, and revitalizing the landscape beautification. In the submittal materials the project is generally presented to include 50 to 55 apartment living units and there is discussion of adding garages. The apartments will include studios, one-bedroom (about 875 square-feet), and two-bedroom (about 1,100 square-feet). The submittal states that there are 103 parking spaces (about two parking spaces per unit with 50 apartments); however, qualifies that figure with the addition of the future garages. The anticipated total investment is stated to be greater than \$5,000,000. Construction will start in Spring 2022 with occupancy to commence in mid-2023. The general development plan and rezoning was approved on February 14, 2022. The specific development plan was approved on April 25, 2022. The applicant, Greg Devorkin, is requesting approval of the Development Agreement. This development agreement has been reviewed by community development staff, the City Attorney, and the developer.

Motion by Ald. Bailey, seconded by Ald. Daugherty, to approve a development agreement for a Planned Unit Development District for River Park Apartments, LLC, 1616 West Bender Road, Tax Key Number 1619-974-000. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None.

V. File No.

Consideration and discussion regarding an application for change of zoning for 7575 N Port Washington Road, Tax Key Number 097-8000-000, Land Use classification Planned Mix Use, from B-1 "H2" Business and Commercial to Planned Unit Development for gas station and convenience store – Referral to Plan Commission.

John Fellows, Community Development Director, stated a request was submitted from Spring North Corp/ Jason Singh (prospective owners) and Joachim Peter and Karlin Peter (current owners) to rezone the property from B1 "H2" to PD Planned Development District for a convenience store and gas station. The current use is a gas station. Under the B-1 "H-2" gas stations and convenience stores are not allowed, and expansion of a non-conforming use is prohibited. The applicant has met with staff multiple times to discuss the site design, building design and other elements of redevelopment. The Council was provided with partial plans for a general development plan approval. The applicant has submitted plans for a gas station and convenience store. The submitted plans indicate a reduction of driveways and improvements to existing driveways. The building will be positioned in the middle of the site facing Port Washington Road. The canopy structure will be in front of the building and parallel to Port Washington Road. Gas pumps for diesel will be located at the rear of the property. Building plans indicate larger window openings, brick veneer and spandrel windows. The plans do not show any electric charging stations or other similar technologies. At this time the submission of general landscaping plans, lighting plans, and stormwater plans have not been provided. The applicant has not submitted plans for the canopy structure. Staff has indicated that a canopy with a residential style roof would blend into the surroundings. Staff also recommends any canopy structure have brick columns to balance the proportions of the overall structure and complement the architecture of the building. These items will need to be provided prior to a Plan Commission Public Hearing.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, to refer to Plan Commission the application for a change of zoning for 7575 N Port Washington Road, from B-1 "H2" Business and Commercial District to Planned Unit Development for gas station and convenience store. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None.

VI. File No.

Indemnification and hold harmless agreement for 6076 North Port Washington Road for placing a private commercial sign in the public right of way.

John Fellows, Community Development Director, stated the applicant would like to install a free-standing monument sign in front of their business. There is approximately 12 feet between the property line and the building. Along this portion of Port Washington Road, the majority of all free-standing signs are located within the public right of way and located approximately 10-14 feet from the back of sidewalk. The zoning code requires monument signs to be located 10 ft from the right of way line. Typically, the right of way line is located one foot from the back of sidewalk. Visually this sign location will appear to be in a typical location and in line with other signs in this area of Port Washington Road. The purpose of the Indemnification and hold harmless agreement is to protect the city from anything related to this private structure which is proposed to be located within the right of way. If the hold harmless agreement is not approved the property owner would only be able to have a wall sign and give the residential character of the building (former house) there is minimal opportunities for a commercial sign.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve the indemnification and hold harmless agreement for 6076 North Port Washington Road for placing a private commercial sign in the public right of way. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None.

COMMISSION, COMMITTEE, BOARD, AND STAFF REPORTS.

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

ADJOURNMENT.

There being no further business, motion was made by Ald. Gelhard, seconded by Ald. Daugherty, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:07 p.m., until Monday, June 13, 2022, at 6:00 p.m.

Megan Humitz
City Clerk