

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

June 12, 2023

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 6:15 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: Jessica Ballweg, Human Resources Director; Nathan Bayer, City Attorney; Charlie Imig, Director of Public Works; John Fellows, Community Development Director; Mark Ferguson, Police Chief; 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.

Mayor Kennedy advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, June 8, 2023, 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 Meetings held on May 22 and May 30, 2023, Approval of Accounts Payable, Approval of Payment 3 and FINAL to Mid-City Corporation for work completed on the 2021 Hampton Avenue Off Ramp – Hydrant & Sanitary Manhole Relocation, Approval of Payment 2 and FINAL to Vinton Construction Company for work completed on the 2022 Good Hope Road Watermain Replacement Project, Approval of Payment 5 and FINAL to Visu Sewer, Inc. for work completed on the 2022 Glendale Sewer Lining & Manhole Rehabilitation Project, and Approval of Compliance Maintenance Annual Report and Glendale Resolution authorizing the filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to Adopt the Minutes of Meetings held on May 22 and May 23, 2023, Approve Accounts Payable, Approve Payment 3 and FINAL to Mid-City Corporation for work completed on the 2021 Hampton Avenue Off Ramp – Hydrant & Sanitary Manhole Relocation, Approve Payment 2 and FINAL to Vinton Construction Company for work completed on the 2022 Good Hope Road Watermain Replacement Project, Approve Payment 5 and FINAL to Visu Sewer, Inc. for work completed on the 2022 Glendale Sewer Lining & Manhole Rehabilitation Project, and Approve Compliance Maintenance Annual Report and Glendale Resolution authorizing the filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources were approved. Ayes: Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

NEW BUSINESS.

II. File No. _____

A Proclamation Declaring June 19, 2023 as Juneteenth Day in the City of Glendale.

Mayor Kennedy stated the provided proclamation calls upon the people of the City of Glendale to observe June 19, 2023 as Juneteenth Day.

Motion by Ald. Vukovic, seconded by Ald. Shaw, to approve the Proclamation Declaring June 19, 2023 as Juneteenth Day in the City of Glendale was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

III. File No. _____

Proclamation Declaring the Month of June 2023 as LGBTQ+ Pride Month in the City of Glendale

Mayor Kennedy stated the provided proclamation is to acknowledge and celebrate the contributions of members of the LGBTQ+ community and this proclamation calls upon the people of the City of Glendale to observe June as Pride Month and actively promote a welcoming and inclusive community where all people can be their full and authentic selves.

Motion by Ald. Bailey, seconded by Ald. Shaw, to approve the Proclamation Declaring the Month of June 2023 as LGBTQ+ Pride Month in the City of Glendale was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No. _____

Small Cell Wireless Facilities

Mayor Kennedy stated staff was asked to prepare information on Federal Laws impacting the installation of small cell wireless facilities, the location of existing facilities in the City and the location of the proposed small cell wireless facilities in the City. Council was provided with a summary of this information.

This item was discussed for informational purposes only. No action was taken.

V. File No. _____

Review and Possible Action to consider the of scheduling a Public Hearing regarding the approval of a revised general development plan for AH+S Realty, LLC/Olivia Inc. (doing business as Casa de Corazón) for a proposed daycare and preschool, at 4600 N Port Washington Road, in the Planned Unit Development (PD) zoning classification, Planned Mixed Use land use classification, and Tax Key Number 234-8003-000.

Mayor Kennedy, stated AH&S Realty, LLC (“Owner”) is or will soon be under contract to sell the Property to Olivia Inc., a Wisconsin closely held corporation (doing business as Casa de Corazón). Accordingly, the intended user is Olivia Inc. (doing business as Casa de Corazón) (“User”). As stated, the current owners AH&S reality are planning to sell the property to Olivia Inc./Casa de Corazón. If for some reason the sale were not to proceed, the current owner would like to have the PD District reflect potential other uses. Staff recommend the Common Council direct staff to schedule a mandatory public hearing at the earliest convenience.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve consideration for approval to schedule a Public Hearing regarding the approval of a revised general development plan for AH&S Realty, LLC/Olivia, Inc. (doing business as Casa de Corazon) for a proposed daycare and preschool, at 4600 N Port Washington Road, in the Planned Unit Development (PD) zoning classification, Planned Mixed Use land use classification, and Tax Key Number 234-8003-000 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No. _____

Review and possible action to approve consideration for approval to schedule a Public Hearing regarding the approval of an ordinance amending and re-naming Title 13 Article K “Accessory Uses and Structures; Fences and Hedges; Portable Storage Structures and Donation Drop-Off Boxes,” and amending Section 13.1.142, “Fences and Hedges” of Title 13, “Zoning,” and amending Title 8 “Human Health Hazard / Public Nuisance,” Section 8.1.9(d)(13) of the Code of General Ordinances of the City of Glendale.

Mayor Kennedy stated City Staff have been reviewing various ordinances and processes. Title 13, Article K relates to fences, walls, hedges, and windscreens. These structures reflect the community aesthetic and have the potential to affect the ambience and desirability of the community positively or negatively, and therefore the property values of the City of Glendale. City staff have worked to reorganize the Ordinance to make it more user friendly and readable for most citizens, developers, and other interested parties. On April 11, 2023 the Plan Commission moved to schedule an optional public hearing prior to issuing a recommendation to the Common Council. The Commission further asked staff to revise the Draft Ordinance to strike the first preambular clause and add a proof of notice requirement akin to the current Ordinance permitting the keeping of chickens. Staff have revised the draft accordingly. On June 6, 2023, the Planning and Architectural Review Commission held a public hearing and recommended the council approve the ordinance.

Motion by Ald. Bailey, seconded by Ald. Vukovic, approve consideration for approval to schedule a Public Hearing regarding the approval of the Ordinance amending and re-naming Title 13 Article K “Accessory Uses and Structures; Fences and Hedges; Portable Storage Structures and Donation Drop-Off Boxes,” and amending Section 13.1.142, “Fences and Hedges” of Title 13, “Zoning,” and amending Title 8 “Human Health Hazard/Public Nuisance,” Section 8.1.9(d)(13) of the Code of General Ordinances of the City of Glendale was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No. _____

Amendment to an agreement for action signs regarding Direct Outdoor, LLC.

John Fellows, Community Development Director, stated in, 2019, the City of Glendale approved an agreement with Direct Outdoor, LLC for a motion sign within the City. The agreement permitted this motion sign for a one-time \$300,000 payment to the City. Section 11 of the 2019 agreement states that, “*As additional consideration to enter into this Agreement, the City agrees to grant One the exclusive right to build a second digital signage location under identical terms of this Agreement, if one presents a technically feasible location that meets the City Code requirements for digital displays*”. An agreement was provided to Council which would authorize the second motion signage, consistent with the 2019 Motion Sign Agreement with Direct Outdoor, LLC. Direct agrees to make a single one-time payment as a consideration for the city amending the development agreement in the amount of \$300,000.00 due on or before August 1, 2023.

Motion by Ald. Vukovic, seconded by Ald. Bailey, to approve Authorization of the Amendment to the Development Agreement for Motion Signage with Direct Outdoor, LLC, as presented was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No. _____

Discussion, consideration, and determination of a major or minor modification to a Planned Development District for John Bielinski/Glenn W. Fieber, 4629 N. Port Washington Road, in the Planned Development (PD) zoning district, the Planned Commercial Service District, Tax Key Number 196-9000-002.

John Fellows, Community Development Director, stated in the early 2000’s the City of Glendale Community Development Authority worked to redevelop this area of Port Washington Road. Through this redevelopment 4629 N Port Washington Road was approved for a mixed-use building which contains Solly’s Grill, a business which began in 1936 and received a James Beard Award in 2022. The entire area was developed within the Planned Development District based upon approved plans from the Community Development Authority. The applicant is requesting approval to modify the existing Planned Development District to add an additional structure on the site and a digital billboard on the

northwestern portion of the property. Minor Approvals only require the approval of the Planning and Architectural Review Commission. Major Amendments require going through the general development plan, public hearings, specific development plan meetings, and amendment to the development agreement. The City of Glendale Ordinance 23-10, which amended Title 15, Chapter 6, allows for the construction of digital billboards within Planned Development District within specifically defined geographic locations, when specifically approved by Common Council through the planned development process and where a development agreement has been approved by Common Council and recorded with the Milwaukee County Register of Deeds. The applicant is requesting a structural modification which includes an amendment to the development agreement for the Planned Development District for addition of a sign structure in the northwest portion of the property, and a sign modification which includes an amendment to the development agreement for the Planned Development District to add a digital billboard on a structure in the northwest portion of the property. Staff has reviewed the existing ordinances and procedures and amendment of the Planning Development District and Development agreement is allowed at the discretion of Council. Staff recommends the Plan Commission determine the application as submitted is a minor amendment as the request does not add additional uses to the premises, add additional traffic, and does not significantly alter the site for the existing use.

Motion by Ald. Vukovic, seconded by Ald. Daugherty, to approve Authorization of a minor Amendment of a Development Agreement allowing for the additional sign and structure modifications to a Planned Development District for John Bielinski/Glenn W. Fieber, 4629 N. Port Washington Road, in the Planned Development (PD) zoning district, the Planned Commercial Service District, Tax Key Number 196-9000-002 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IX. File No.

Resolution Authorizing the Issuance and Establishing the Parameters for the Sale of Not to Exceed \$7,900,000 General Obligation Refunding Bonds, Series 2023B

Mayor Kennedy stated Glendale issued a State Trust Fund Loan (STF Loan) in December 2022 to fund capital projects. The STF Loan is callable without penalty annually January 1 through August 31. The interest rate on the STF Loan is 5.75%. The estimated current interest rates on a city issued General Obligation Refunding Bond is 3.95%. Glendale could issue General Obligation Refunding Bonds to refund the STF Loan for estimated present value savings of \$519,273. In addition, the city has a sharp increase in its levy supported debt service payment scheduled for 2028. The bonds would shift the 2028 scheduled levy supported principal payment of the STF Loan to 2033-2036 thereby reducing the scheduled 2028 debt service payment by approximately \$552,020. The Bonds do not provide new project funding. The Bonds replace the STF Loan with a lower cost alternative generating debt service savings to the city. With affirmative Council action on June 12, it is anticipated the Bonds will be awarded in late June and the STF Loan called and paid in full in late July. John Mehan from Baird was present to answer questions from the Common Council.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve the Resolution Authorizing the Issuance and Establishing the Parameters for the Sale of Not to Exceed \$7,900,000 General Obligation Refunding Bonds, Series 2023B was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

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 an Administrator update.

CLOSED SESSION.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to convene in Closed Session per Wis. Stats. §19.85(1)(c) to consider the employment, promotion, compensation, or performance evaluation data of public employees over which the Council has jurisdiction or exercises responsibility (Performance Evaluation of Administrative Positions). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 36 minutes was held. The Council discussed Performance Evaluation Data of the Administrative Positions.

Motion by Ald. Bailey, seconded by Ald. Schmelzling, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

ACTION ON CLOSED SESSION ITEMS.

No action was taken on closed session items.

ADJOURNMENT.

There being no further business, a 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. Motion carried and adjournment of the Common Council was ordered at 7:25 p.m., until Monday, June 26, 2022, at 6:00 p.m.

Megan Humitz
City Clerk