

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

July 26, 2021

Regular meeting of the Common Council of the City of Glendale held in City Hall, 5909 North Milwaukee River Parkway, Glendale, Wisconsin.

The meeting was called to order by Ald. Tomika Vukovic at 6:00 p.m.

Roll Call: Present: Ald. Jim Daugherty, John Gelhard, Richard Wiese, Steve Schmelzling. Absent: Mayor Bryan Kennedy and Ald. JoAnn Shaw.

Other Officials Present: Rachel Safstrom, City Administrator; John Fuchs, City Attorney; Mark Ferguson, Police Chief; Charlie Imig, Director of Public Works; Todd Stuebe, Director of Community Development; 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, July 22, 2021, 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 July 12, 2021 and Approval of Monthly Reports.

Motion by Ald. Wiese, seconded by Ald. Daugherty, to adopt the minutes of the meeting held on July 12, 2021 and Approve Monthly Reports. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Review and Approval of Updates to the Employee Personnel Handbook – Bereavement Leave and Paid Time Off.

Administrator Safstrom stated the current Employee Handbook was approved by the Council on September 9, 2013, and last revised November 2020. The Employee Handbook is for all non-represented employees. The request presented to the Council is for a comprehensive paid time off policy to replace the traditional vacation and sick leave policy. The policy was distributed

to all employees for review. After comments were received, the policy was amended to what is being presented to Council.

The policy includes three components, Paid Time Off (PTO), Medical Leave Bank and HRA Bank. The PTO hours can be used at the employee's discretion for time away from work. This includes any time necessary for illness. PTO provides flexibility to employees and supports a work-life balance. This policy also allows for employees to donate PTO to employees that may be in need. The Medical Leave Bank can have hours added annually from the PTO hours at the employee's request. These hours can be used for FMLA related events. The HRA Bank is a separate amount that current employees may have banked with an anticipated payout at the time of retirement. These hours can be transferred to the Medical Leave Bank at the employee's request; however, they cannot be replenished if unused.

An added request is to authorize the City Administrator to advance the schedule for four employees that were not offered an accelerated vacation schedule at the time of hire. Two were hired prior to the accelerated schedule being implemented. The other two have recently been given promotions and this incentive was requested.

An additional change to the handbook would be to the Bereavement Leave section. The change allows for leave in the event of a stepparent death.

Ald. Daugherty raised the question of the cost savings to the City in the long run with this change. Administrator Safstrom stated this change will phase out leave payouts for future employees.

Ald. Daugherty questioned if vacations will still need to be approved under the new plan. Administrator Safstrom clarified time off will need approval, and the policy requires employees to take a minimum of 40 hours PTO annually. Employees who have not used their time will be required to do so.

Ald. Schmelzling questioned what would happen if an employee reaches the maximum accrual limit and does not put their time into the FMLA bank, as well as how this program compares to other communities in the government sector. Administrator Safstrom clarified that any time accrued above the maximum for PTO will automatically put the time into the FMLA bank until the bank maximum is reached if an employee does not use their PTO. This PTO program is very comparable to other communities, with the biggest difference being a differential for police officers, who do not work a typical eight-hour work day.

Ald. Gelhard raised the question regarding if this PTO program includes the paid holidays. Administrator Safstrom stated the 11 paid holidays are separate from PTO.

Ald. Gelhard raised concern over the amount of time being offered to City employees and indicated State of Wisconsin employees receive a maximum of 216 vacation hours. He indicated public service positions should be expected to be available to offer service to the public. Administrator Safstrom clarified the maximum of 264 hours that could be earned would include sick and vacation time, as PTO does not differentiate between the two. The PTO program will actually give less time annually than the staff is currently accruing.

Motion by Ald. Wiese, seconded by Ald. Schmelzling, to approve the revisions to the City of Glendale Employee Handbook for paid time off and bereavement leave as presented. Ayes: Ald. Vukovic, Daugherty, Wiese, and Schmelzling. Noes: Gelhard. Absent: Ald. Shaw. Abstain: None. Motion carried.

III. File No. _____

Application for Temporary Picnic License filed by Glendale Little League.

Administrator Safstrom stated The Glendale Little League is seeking approval for a Temporary Class “B” Picnic Licenses for the Glendale Little League Family Fund Day, held at 1401 West Civic Drive, on September 11, 2021 from 10:00 a.m. to 6:00 p.m. All applications are on file in the Clerk’s office. The Police Department has completed their review and recommends approval. The Clerk’s Office is requesting Council approval of this application, as the Glendale Little League has not submitted a request for a Temporary Class “B” Picnic License in several licensing periods. In addition, it is necessary for the Council to waive the prohibition of the sale and distribution of alcoholic beverages on City property for Glendale Little League events.

Ald. Daugherty raised the question if there have been any issues with the issuance of this license to the Glendale Little League in the past. Chief Ferguson stated there have been no prior issues.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve the application for the Temporary Class “B” Picnic License filed by the Glendale Little League. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

IV. File No. _____

Review and Approval of Lease Agreement with Glendale Little League.

Administrator Safstrom stated The City of Glendale has a long-standing lease agreement with the Glendale Little League. The Glendale Little League utilizes and maintains the land located on West Civic Drive. The previous lease agreement was signed in 2009 and was for ten years. Recently, staff was made aware of the agreement lapse and has provided Council with an updated agreement. The new lease is for 2021-2030, at the cost of \$1.00 per year. The President of the Glendale Little League has reviewed and approved the document as it is presented. Staff anticipates the organization to present some improvements to the property for Council.

Motion by Ald. Wiese, seconded by Ald. Daugherty, to approve the Lease Agreement with Glendale Little League. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

V. File No. _____

Review and Approval of Wisconsin Department of Transportation Traffic Mitigation Grant/Agreement for State Project I.D. 1229-04-90 Contract No. 4 (Implementation of

emergency vehicle preemption at the W Silver Spring Drive & N Milwaukee River Parkway intersection).

Administrator Safstrom stated The Wisconsin Department of Transportation (WisDOT) would like to enter into an agreement with the Department of Public Works (DPW) to provide funds for traffic mitigation impacts related to the I-43 N-S reconstruction project. Funds will be used to reimburse DPW for the implementation of emergency vehicle preemption (EVP) at the W Silver Spring Drive & N Milwaukee River Parkway intersection. The preemption will improve response times and safety for responding agencies both during regular operations and when impacted by IH-43 diversion. The monies provided by this agreement will allow for design, equipment purchase and implementation of EVP, at no cost to the City. The Common Council has already approved a similar agreement with for the Department of Public Works

WisDOT will provide equipment and services for these improvements, including inspection of existing conduit, traffic signal plan revisions, emergency vehicle preemption equipment as needed to retrofit the intersection (including but not limited to detectors, discriminators, phase selectors and cable) and the installation of equipment. WisDOT coordinated with North Shore Fire stating that this project will improve response times and safety for responding agencies both during regular operations and when impacted by IH-43 diversion.

Ald. Wiese requested clarification if all of the intersections listed are also included in the cost of the project, or if this is only for N Milwaukee River Parkway and W Silver Spring Drive. Mr. Imig stated the other intersections will also be completed, however those will be covered by WisDOT and not the City of Glendale.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve the Traffic Mitigation Grant/Agreement between the Wisconsin Department of Transportation and the Glendale Department of Public Works for State Project I.D. 1229-04-90 Contract No. 4 (Implementation of emergency vehicle preemption at the W Silver Spring Drive & N Milwaukee River Parkway intersection). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried.

VI. File No.
Pavement rehab nightwork on N Port Washington from W Daphne Road to W Good Hope Road as part of the I-43 Work Zone Prep project (ID 1229-04-70).

Administrator Safstrom stated The Wisconsin Department of Transportation has authorized a project on I-43 from Silver Spring Drive to WIS 60. As part of the project, the Department is planning pavement rehab on N Port Washington Road from W Daphne Road to W Good Hope Road. This work will be done as part of the I-43 Work Zone Prep project (ID 1229-04-70), which was let on July 13, 2021. This project will be done in advance of the mainline freeway work as N Port Washington Road will be a part of the detour route.

Steve Hoff, WisDOT Project Manager for the I-43 N/S project told staff that they are anticipating that this work will take 3 to 4 weeks to complete, and it will occur in September and October 2021. Due to the higher traffic volumes on N Port Washington Road, WisDOT is currently indicating in their contract Special Provisions that this work needs to be done at night.

Hoff further explained that he feels the obvious big advantage to doing the work at night is to avoid the back-ups on N Port Washington Road that would occur if lanes were closed during the day instead. Glendale City Ordinance 11.2.9(10) does allow an exception to the Loud and Unnecessary Noise Prohibited to the provisions of this section. The exception has been used for WisDOT and City projects alike. The WisDOT has indicated the loudest portions of the project will be done prior to 10:00 p.m. If there are no changes to the WisDOT recommendation, no motion will be necessary.

Ald. Daugherty asked for confirmation that the project is expected to last three to four weeks, with work taking place five days per week. Administrator Safstrom confirmed this to be the case, and stated the WisDOT believes this to be the better option than causing traffic issues. If the project were not done at night, the timeline may change and take longer than anticipated.

Ald. Wiese questioned if the project would be limited to daytime work, is there an expectation of what backups would be like. Administrator Safstrom stated she does not have definitive plans from the WisDOT on how the traffic flow would work if the closures would take place during the day. Ald. Vukovic added she was informed traffic would be stopped for approximately two to three minutes in alternating directions all day on N Port Washington Road throughout the duration of the project. Due to the Hampton Avenue ramp closures, this could cause problems on Silver Spring and whether the project will be done during the day or at night, there will likely be concerns from residents.

Ald. Gelhard stated he feels it is best to defer to the Wis DOT's recommendation for the timing of the project, and if there are problems a call can be made to Mr. Hoff at that time for resolution.

Ald. Wiese raised the question if the decision would be reversible if the work being done at night would not be a good fit once the project is started. Administrator Safstrom stated once the project is started, the WisDOT will move forward and will stick with the plans for the timing of the project as directed.

Ald. Schmelzling stated it appears from the maps provided a large portion of the work being done is in front of commercial properties, with only a small stretch in front of residential areas. He is hopeful for a low impact on residents and realizes there is no good approach but believes this may be the best option.

Ald. Daugherty raised the question of the potential to change the cutoff time for loud noises to 9:00 p.m. Administrator Safstrom stated the allowable time per the ordinance is 10:00 p.m.

Item was discussed for informational purposes only. No action was taken.

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. Wiese, to convene in Closed Session per Wis. Stats. §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Moeckler v Glendale and Tacitus Bond Claim); and 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 (Bielinski Motion Signage Agreement and North Shore Library Agreement). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. Motion carried.

A closed session of approximately 50 minutes was held. The Council discussed Moeckler v Glendale, the Tacitus Bond Claim, the Bielinski Motion Signage Agreement, and the North Shore Library Agreement.

Motion by Ald. Daugherty, seconded by Ald. Wiese, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling. Noes: None. Absent: Ald. Shaw. 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. Wiese, seconded by Ald. Daugherty, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, and Schmelzling Noes: None. Absent: Ald. Shaw. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:25 p.m., until Monday, August 9, 2021, at 6:00 p.m.

Megan Humitz
City Clerk

Recorded: July 27, 2021.