

**CITY OF GLENDALE COMMON COUNCIL**

Meeting Minutes  
September 12, 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 6:00 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; 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, September 8, 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.

PUBLIC COMMENT.

No public comment.

CONSENT AGENDA.

I. File No.

Adoption of Minutes from Meetings held on August 22, 2022 and Approval of Accounts Payable.

Motion by Ald. Daugherty, seconded by Ald. Bailey, to Adopt Minutes from the Meeting held on August 22, 2022 and Approval of Accounts Payable was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Confirmation of Appointments to Police & Fire Commission.

Mayor Kennedy stated Elliot Moeser recently resigned from the North Shore Fire Commission. His term expires April 30, 2025. Joe Zancanaro recently passed away and he served on the City's Police Commission. His term expires April 30, 2025. Mayor Kennedy recommends the appointment of Suzanne Hotz, of 1218 W. Silver Spring, to fill the remainder of Elliott Moeser's term on the North Shore Fire Commission, until April 30, 2025. He recommends the appointment of Maria Rozek, of 6959 N. Green Bay Avenue, to fill the remainder of Joe Zancanaro's term on the City's Police Commission, until April 30, 2025.

Motion by Ald. Bailey, seconded by Ald. Gelhard, to Confirm the Appointments to Police & Fire Commission was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

III. File No.

Receive Recommendation on Requested Zoning Change for 6100 North Green Bay Avenue, Tax Key Number 161-803-5000 and Recommendation to Direct Staff to Hold the Required Public Hearing Pursuant to 13.1.128(c)(1)(a), and accordance with State Statute 62.23(7)(d)(2)

Mayor Kennedy stated a request was submitted by David Hobbs Honda (owners) to rezone the property from PD to B-4 Office Research – Service Business District. This property prior to 2017 was zoned S-1 Special Institutional District. In 2017 the property was rezoned in conjunction with the housing development at 1633 W Bender which was converting from a senior housing facility to market rate housing. The PD district allows this subject parcel to be used for automobile parking in association with the auto dealership located at 6100 N Green Bay Avenue, parcel number 1618-024-002.

The applicant is requesting to rezone the property to B-4 to allow for a future expansion of the dealership. Their first step will be to rezone the property, followed by a CSM to combine lots, and then Site and Architectural approvals for a new dealership building and remodeling of the exiting dealership. The applicant has met with staff multiple times to discuss zoning options, the proposed CSM, and the site design, building design and other elements of development/redevelopment. Attached are supporting documents for the rezoning. The CSM, site design and building design will be submitted at a future time for review and consideration. On September 6, 2022, the Plan Commission recommend approval of the rezoning request.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to direct staff to schedule a public hearing at the earliest convenience was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No.

Review and approval of the request from Nicolet High School, re: Homecoming Bonfire and Parade.

City Administrator Warwick stated Nicolet High School has requested permission to facilitate a Homecoming Bonfire and Parade. The Bonfire would be held Thursday, October 13 from 6:00 p.m. until 8:00 p.m. As in the past, the bonfire will commence at the center of the junior varsity softball diamond. The Homecoming Parade set-up will commence at 5:00 p.m. on Friday, October 14. The parade would begin at 5:00 p.m. and last until 6:00 p.m. The parade starts and ends on W. Daphne Road. The Fire Department and Police Department have reviewed the request and have no concerns.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, approve the Nicolet High School Homecoming Bonfire and Parade as requested. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No.

Agreement for the Purchase of 6130 N. Sunny Point Road in an amount not to Exceed \$360,000.

City Administrator Warwick stated Pursuant to the Intergovernmental Cooperation Agreement between the City of Glendale and the Milwaukee Metropolitan Sewerage District (MMSD) for the Voluntary Acquisition of Properties within the Milwaukee River Floodplain, the purchase of 6130 North Sunny Point Road property will facilitate the accomplishment the flood risk reduction and related habitat improvement. The City Council previously authorized the appraisal of the property. The appraisal returned a value of \$360,000, the agreed to purchase price. MMSD will reimburse the City of Glendale for all costs associated with the acquisition of the property pursuant to the Intermunicipal Cooperation Agreement and MMSD verbal commitment.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to authorize Mayor Kennedy to execute the purchase agreement for 6130 North Sunny Point Road in an amount not to exceed \$360,000 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None.

Abstain: None. Motion carried.

VI. File No.

Agreement for the Purchase of 6379 N. Sunny Point Road in an amount not to Exceed \$316,000. Lifetime Occupancy Agreement with Kermit Crain for 6379 N. Sunny Point Road.

City Administrator Warwick stated on March 14, 2022, the City Council authorized the City Administrator to proceed with a property appraisal, leading to the acquisition of 6379 North Sunny Point. The Council was provided with the Purchase Agreement and the Life Tenancy Agreement that was generally authorized at this meeting. The Life Tenancy Agreement permits Kermit Crain's mother to live in the residence for the remainder of her life. The agreements also grant ownership of the property to the City and provides use of the property to Milwaukee Metropolitan Sewerage District (MMSD) for construction access, and operation and maintenance access easement across the property to provide access to the fish ladder. Pursuant to the Intergovernmental Cooperation Agreement between the City of Glendale and MMSD for the voluntary acquisition of properties within the Milwaukee River Floodplain, MMSD will reimburse the City of Glendale for all costs associated with the acquisition of the properties. Acquisition of this property will both reduce flood risk and the improve habitat related to the construction of the fish ladder.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to authorize Mayor Kennedy to Execute a Purchase Agreement with Kermit Crain for the purchase of 6379 North Sunny Point Road in an amount not to exceed \$316,000 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to authorize Mayor Kennedy to Execute a Lifetime Occupancy Agreement with Kermit Crain for 6379 North Sunny Point Road was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No.

Multi-Year Agreement with Civic Plus for Codification Services.

City Administrator Warwick stated Funds were budgeted in 2022 for the Codification of the City Code with Municode. Municode is a company that provides codification services to units of local government. Municode is part of Civic Plus, the company who designed and currently hosts the City's website. Codification services converts the existing PDF version of the City Code into an electronic format. Codifying the City Code allows the entire Code to be easily searched. Currently each chapter must be searched, separately in a PDF. The search is currently word based. To be effective, searches currently include one word, such as "appeal", "setback", or "speed". Codification allows searches to encompass the entire City Code and be more complex, such as searches on Google. Searches can include complex phrases like "administrative appeal hearing", "building line setback", "speed limits Green Bay Road". The cost in the agreement for the first year is \$3,700, which matches the budgeted amount. \$1,195 is the set cost for the online codification and other supplemental services. \$2,505 is the set cost for updating the online code. With this service, Municode reviews the ordinance for code conflicts, whether any other sections of the code should be updated to match the amendment and will proofread the ordinance. With the general services, the City will have availability to compare the current Code to previous supplements, and to search other codes within the Wisconsin or across the country to find comparable language.

Motion by Ald. Bailey, seconded by Ald. Vukovic, to approve a multi-year contract with Civic Plus for codification services. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.  
Resolution in Honor of Curt Witynski and Gail Sumi.

Mayor Kennedy stated the League of Wisconsin Municipalities (LWM) has requested municipalities sign off on the provided Resolution to express gratitude for the service of LWM Deputy Director Curt Witynski and Communications Director Gail Sumi. The League is honoring them for their 50+ years of combined service to local government as they are both retiring this year.

Motion by Ald. Shaw, seconded by Ald. Vukovic, to approve the Resolution in Honor of Curt Witynski and Gail Sumi. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IX. File No.  
Resolution Approving the 2023 North Shore Fire Department Fees for Service Schedule.

Mayor Kennedy stated The North Shore Fire Department annually adjusts their fees for service. Is it required that at least five of the seven municipalities approve the new fee schedule.

Motion by Ald. Shaw, seconded by Ald. Vukovic, to adopt the Resolution Approving the 2023 North Shore Fire Department Fees for Service Schedule was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

X. File No.  
Resolution Authoring an Exception to the Levy Limit for Charges for the North Shore Fire Department Pursuant to 2005 Wisconsin Act 484.

Mayor Kennedy stated the Wisconsin State Statutes allows for the communities with a joint fire department to increase their tax levy equal to the expenditure increase for any given year. In order to be able to utilize this option, all seven municipalities would have to approve a resolution. The Wisconsin Department of Revenue stated a resolution must be passed annually for any of the communities to utilize the option. Several of the communities, including Glendale, anticipate using this option for the 2023 tax year.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to adopt the Resolution Authoring an Exception to the Levy Limit for Charges for the North Shore Fire Department Pursuant to 2005 Wisconsin Act 484 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.

ADJOURNMENT.

There being no further business, motion was made by Ald. Vukovic, seconded by Ald. Shaw, 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 6:31 p.m., until Monday, September 26, 2022, at 6:00 p.m.

Megan Humitz  
City Clerk