

# CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

October 11, 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 Mayor Bryan Kennedy at 6:02 p.m.

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

Other Officials Present: Rachel Safstrom, City Administrator; John Fuchs, City Attorney; Mark Ferguson, Police Chief; Todd Stuebe, Director of Community Development; 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, October 7, 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 Meetings held on September 22, 2021, September 27, 2021, and September 28, 2021, Approval of Accounts Payable, and Request for extended Holiday hours at Kohl's – Bayshore Town Center.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to Adopt the Minutes of Meetings held on September 22, 2021, September 27, 2021, and September 28, 2021, Approve Accounts Payable, and Approve the Request for extended Holiday hours at Kohl's – Bayshore Town Center. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

## NEW BUSINESS.

II. File No. \_\_\_\_\_

Recommendation for Glendale Library Review Committee to Review parameters of the potential North Shore Library in Bayside.

Administrator Safstrom stated as directed by the Council at the last meeting, this agenda item is to request the Library Review Committee review the scope of the North Shore Library potential agreement and building. The scope of this request should be clearly defined. The agreement presented as part of the Resolution on September 29 does indicate the North Shore Library Board would be the authority over the buildout of the new facility.

Committee Chair Katie Wood is present.

Kennedy – two competing tracks running – staff working on plans for referendum, and at last meeting approved resolution to see if can reach agreement on cap costs/timeline to work with north shore agreement on bayside library – want to see if committee can reconvene and see if agreement would meet needs of the

Schmelzling – had little bit from committee before concluded report and see as two aspects that are beneficial...site design and plan as know (Sq footage/rec on parking and layout so know going in what we should have...site specific and plans for what we do for outdoor play area, etc. and if have more details and think we could get more feedback from committee and if would be suitable based on what we know)...and then based on location if this would be good? Based on consumers – “heat map” based on statistics and if could collect this, based on this information could help determine if should move library.

Vukovic – thought about this and spoke with ald Daugherty on why we are doing this....are we doing this just to have meeting? Gave selves some outs because have to meet some criteria – have to meet four standards and if don’t then we move to referendum. The design is part of the bigger conversation with the city, but when it comes to the library board they don’t have any say in it....this conversation should be based on timeline and capital costs. Even if come back and say they don’t like everything, nothing will change unless the four points don’t get met in the resolution and we go to referendum....seems like a wasted meeting at this point. Maybe this would be something to do after December.

Daugherty – things are negotiable....opportunity for input and would hate to miss this, but is this the time or should this be done later? Having perspective on design would be helpful

Gelhard – specialized knowledge and would like opinion from committee

Wiese - if do decide to opt out, think its necessary to have solid information on where facility would be best located in Glendale and what money we should ask for and what we are asking for – and this would be beneficial – need to get input from

Vukovic – wasn’t that what was given in the recommendation? Kennedy – yes, this was given in the previous report

Shaw – wants to hear CA Safst- opp on design would come from library board, and this would come from our opportunity with us to sit on the board and we could replace Rachel with a member of the library committee who has more expertise; shaw – seems like having a meeting to have a meeting, but committee has already given their input and if goes to referendum their opinions were already prvided in a report.

Kennedy – tasked comm with mission of coming back with Glendale library and what should have; this proposal was never vetted by the committee. Not asking the committee to go back and re-review the Glendale only option. This is only considering the new agreement....would only be a viewpoint on the proposal for bayside. Vukovic – even if do that, will be able to change anything before dec 31? Kenn – will allow us to determine if parameters have been met and if library will meet needs of residents

Katie – do have stats on patronage which were factored into previous reports, although got information late, they did go through the option - feel very strongly that the option is not large enough and while there is mixed/green space it is not going to be able to be utilized enough of the time; committee as a whole feels slighted and that it was a bait/switch and knowing was going to

be brought back to north shore and if are going to be called back to review you will unlikely get an unbiased review and would be calling a meeting for a meeting.

Schmelzling – saw the tak as a longer term project than just a suggestion and want to know more about the development...value proposition and have to come to agreement on what we put in and do not believe we should contribute anything \$ and do not believe our patrons will go to this library. If feasible, would still like feasible.

Daugherty – have committee seen plans of proposal? Katie – yes, 20 plus pages...not on programming, but has seen the site and layout, green space, etc. Safstrom – developer indicated would build a building but look has not been determined and board would have say in this – committee does not have.

Schmelzling – parking is percentage of total space...doesn't show exact level of detail.

Kennedy – this is further along than anything for Glendale – we are asking res to go on something we have no plans, no space, no nothing for...hearing chair's comments tonight they have told us what they thought and they will not be able to get anything additional. If chair thinks committee will not be beneficial, willing to trust the opinion of the chair and trust the reports. Katie – unless have new reports/plans, nothing will added.

Vukovic – something that should be discussed- is the opinion of the bait and switch, when we commissioned them we intended on the long process of the referendum/Glendale library and did not have any intentions for the bayside library. Was not an easy decision and wants committee to realize their service on the committee was appreciatd.

This item was discussed for informational purposes only.

### III. File No.

Review and discussion on efforts to notify the residents about Glendale Library Options.

Administrator Safstrom stated there has been discussion and statements that the City information has not been readily available to the public on the Library situation. At the request of Ald. Daugherty, staff has compiled information on the various means in which the public could have been informed on the situation in addition to the public meeting agendas that are posted on the City's website, there were various newspaper articles and publications, a full city-wide mailing requesting a survey, and social media posts by the City staff, Mayor and various Alderpersons. Though the information provided is extensive, it is not a full account as we are aware of additional Alderpersons emailing their constituents or posting on NextDoor which we do not have access to.

Mayor Kennedy requested an amendment to the Library Posting list, which was shared with Council, to state the listings shared by Mayor Bryan Kennedy on Facebook were shared on Facebook-Mayor, as opposed to a personal account.

Ald. Daugherty indicated the listings provided have been helpful as he has been able to share the efforts with his residents and provide evidence of the various means utilized to inform the public of the library situation.

Ald. Wiese raised the question if the information can be shared publicly with constituents. Administrator Safstrom clarified this is public information, however the amendment requested by Mayor Kennedy to the Library Posting list will be made by Staff.

This item was discussed for informational purposes only.

IV. File No.  
Update from City Engineer on Capital Project Status.

City Engineer, Mustafa Emir, was present to give a verbal update on 2021 City Projects. With the budget review approaching, Dr. Emir wanted to share what happened with projects in 2021, as well as what to expect in 2022, particularly related to supply chain issues.

Dr. Emir stated the 2021 projects had favorable price points, and all bids were reasonable. As they year went on, it became clear construction materials were experiencing shortages and there were delays in procurement. These issues will affect the City in the coming year and beyond, and there will likely be changes in operations as contractors have also realized things are not as bountiful as they have been previously. There is hope the winter construction lull will allow manufacturers to build up a stock, however prices will likely not go back down. Dr. Emir and Administrator Safstrom have been in discussions based on what has been experienced in the Silver Spring project waiting for updates on the order status of traffic signal poles and signal backs. There is an expectation that most hardware prices, such as plastic and PVC will continue to increase as there is no longer a stock. For projects such as the water mains under the DOT roadways, there will likely be alternate bid situations for iron vs PVC in case of supply issues. COVID, hurricanes, and transportation issues have all been things contractors have been unexpectedly dealing with, which requires planning but not expecting a tight deadline and allowing for leniency. There will be updates for price cost estimates done so there are not outrageous bids brought before the City, which is essentially a pre-bid advertising approval process.

Mayor Kennedy expressed his frustration with the Silver Spring intersection project, and the 6-week project which has taken over 5 months. While he understands supply chain issues and the difficulty in potentially obtaining a traffic signal pole, this project is currently causing lanes of traffic back-up as a result of a contractor taking on more projects than they are able to complete in a timely manner, which is unacceptable. Dr. Emir clarified this particular project is essentially between the contractor and the WIDOT, and there will another project coming up that is very similar.

Ald. Wiese questioned what the timeline is anticipated for the Good Hope Road project. Dr. Emir stated the project will begin in 2022, and in 2023 will be the Silver Spring ramp project.

Ald. Daugherty raised the question that in addition to massive inflation, projects will not also have to be timed out differently. Dr. Emir stated this will definitely be the case. Next year's water/sewer...because many of components have to move because of roadway, we receive \$ and relatively unplanned turn of events we will cushion blow in 2022 to rethink and reshape in case gets out of hand and doesn't return to normal....5 year plan will have all built in.

Ald. Vukovic requested clarification on location of the ramp repair project at Silver Spring. Dr. Emir stated this will be the ramp at Silver Spring and Green Bay Road, and will not take place until 2023.

This item was discussed for informational purposes only.

V. File No.  
Update on North-South Transit Enhancement Study.

Administrator Safstrom stated City staff met with Ms. Cooper from SEWRPC. SEWRPC is working with MCTS on a Transit Enhancement Study. There have been some public information meetings and eventually, they will ask the City to support the plan. There is an additional public meeting anticipated in October. A presentation was provided with preliminary findings for the North-South Transit Enhancement Study including the transit technology type and the routes we are proposing to move into the next, more detailed analysis phase of the study. The planned route from Brown Deer south is on Teutonia. There would be an extension to the east on Silver Spring to Bayshore. As it was explained, they may be looking for a dedicated bus lane on Silver Spring. The next round of public meetings will be at the end of October or early November, and the website will be updated with the dates and times as soon as those are scheduled.

Ald. Schmelzling stated he was confused by the plans provided and would like clarification if the intention is for transit going North-South and East-West, or only direction. Administrator Safstrom stated the plan included several options and has been narrowed down to rapid routes. The route being considered would be a North-South from Brown Deer to Teutonia, with East-West offshoots that would lead to Bayshore and potentially other locations.

Ald. Wiese questioned if the plan would reduce the two-lane road down to one lane. Administrator Safstrom clarified it will be reducing a three-lane road down to two lanes, with one of the lanes being City of Milwaukee owned and the other two City of Glendale.

This item was discussed for informational purposes only.

VI. File No.  
Proclamation Declaring October 2021 as Pregnancy and Infant Loss Awareness Month and October 15, 2021 as Pregnancy and Infant Loss Awareness Day in the City of Glendale, Wisconsin.

Ald. Vukovic stated the annual Proclamation is to recognize and acknowledge those who have lost a child during pregnancy or infancy, and promote awareness and understanding. She began this annually in honor of her own child that was lost, and to honor other families who have lost a child to SIDs, miscarriage, stillbirth, or other tragic loss. In 1988, President Ronald Reagan made October 15<sup>th</sup> a National Day and across the world there is a week in honor of Pregnancy and Infant Loss Awareness from October 9-15. Men, women, and children suffer silently and it is necessary to offer a support system to those going through this. Ald. Vukovic shared that one in four pregnancies end in loss.

Motion by Ald. Vukovic, seconded by Ald. Daugherty, to approve the Proclamation Declaring October 2021 as Pregnancy and Infant Loss Awareness Month and October 15, 2021 as Pregnancy and Infant Loss Awareness Day in the City of Glendale, Wisconsin. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No.  
Review and approval of amended Digital Forensic Task Force Memorandum of Understanding.

Administrator Safstrom stated on August 23, 2021, the Common Council approved an MOU between the City of Greenfield and the City of Glendale for a digital forensic task force. The agreement significantly expands the Police Department's digital forensic investigative abilities at roughly the same cost as our current software. Chief Ferguson was recently advised that the version presented to the Council was an older version of the MOU and is requesting approval of the updated version.

Chief Ferguson stated the updated version includes a section on indemnification and makes the MOU automatically renewable every year unless either party wishes to cease the agreement. There are no substantive changes to procedures, equipment, or costs. Mayor Kennedy clarified the automatic renewal clause of the agreement indicates the Council will approve unless Chief Ferguson would return to Council with this agreement requesting changes

Ald. Wiese questioned if the agreement automatically renews, is the fee a fixed rate or will there be a variable. Chief Ferguson anticipates slight annual increases, and the department will evaluate those increases each year to determine if the agreement remains in the City's best interest.

Motion by Ald. Wiese, seconded by Ald. Gelhard, to approve the amended Digital Forensic . Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw.  
Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.  
Review and Clarification of Ordinance 2.2.10(c) and 2.4.18 – Virtual Meeting Attendance.

Administrator Safstrom stated in March 2021, the Common Council approved an ordinance to allow for attendance at meetings virtually. There has been some confusion regarding this ordinance.

Mayor Kennedy stated his initial interpretation of the ordinance was meant for Council members who were sick and needed to participate via Zoom, however it also applies to Council members who are traveling and can participate in order to count towards a quorum. The ordinance does state the person running the meeting needs to be present in the room, unless the entire meeting is held via Zoom.

Administrator Safstrom stated if a meeting is not noticed for Zoom, there cannot be Zoom participation if there will be voting items. Therefore going forward, all meetings will have a Zoom notice.

This item was discussed for informational purposes only.

.IX. File No.  
Reminder the October 25, 2021, Council Meeting will begin at 4:00 p.m. with a review of the 2022 Annual Program Budget.

Administrator Safstrom stated as a reminder the October 25, 2021, Council Meeting will begin at 4:00 p.m. with a review of the 2022 Annual Program Budget.

This item was discussed for informational purposes only.

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.

CLOSED SESSION.

Motion by Ald. Shaw, seconded by Ald. Gelhard, to convene in Closed Session per Wis. Stats. §19.85(1)(g) for Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (7113 N. Navajo Ave. – update and discussion of strategy; Moeckler v. Glendale discussion of strategy). Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 27 minutes was held. The Council discussed the 7113 N. Navajo Ave. Property and Moeckler v. Glendale.

Motion by Ald. Gelhard, 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. Gelhard, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Wiese, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 7:38 p.m., until Monday, October 25, 2021, at 6:00 p.m.

Megan Humitz  
City Clerk

Recorded: October 12, 2021.