

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

October 14, 2024

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; Rhett Fugman, Police Chief; Jessica Ballweg, Deputy City Administrator; Charlie Imig, Director of Public Works; 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, October 10, 2024, 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 for Meeting held on September 23, 2024, Approval of Accounts Payable, Approval of Payment 2 and FINAL to Primoris Electric, Inc. in the amount of \$1585.70 for work completed on the 2023 Sidewalk Program, Approval of Payment 1 to Milwaukee General Construction in the amount of \$342,474.30 for work completed to date on the 2024 Alley Reconstruction Project, Approval of Payment 1 to UPI, LLC in the amount of \$152,754.34 for work completed on the 2024 Clovernook Storm Sewer Replacement Project, Approval of Payment 1 to Wolf Paving Co., Inc. in the amount of \$267,610.73 for work completed on the 2024 Roadway Resurfacing Project, Approval of Payment 1 to UPI, LLC in the amount of \$445,525.49 for work completed on the 2024 Watermain Replacement Project, and Approval of the Denial of Claim – Casey Ehler.

Motion by Ald. Daugherty, seconded by Ald. Bailey, to Approve Adoption of Minutes for Meeting held on September 23, 2024, Approval of Accounts Payable, Approval of Payment 2 and FINAL to Primoris Electric, Inc. in the amount of \$1585.70 for work completed on the 2023 Sidewalk Program, Approval of Payment 1 to Milwaukee General Construction in the amount of \$342,474.30 for work completed to date on the 2024 Alley Reconstruction Project, Approval of Payment 1 to UPI, LLC in the amount of \$152,754.34 for work completed on the 2024 Clovernook Storm Sewer Replacement Project, Approval of Payment 1 to Wolf Paving Co., Inc. in the amount of \$267,610.73 for work completed on the 2024 Roadway Resurfacing Project, Approval of Payment 1 to UPI, LLC in the amount of \$445,525.49 for work completed on the 2024 Watermain Replacement Project, and Approval of the Denial of Claim – Casey Ehler. was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

I. File No.

Ordinance – Amending Sections 8.4.4 “Definitions,” 8.4.7 “Licensing and 8.4.27 “Expiration Dates” Related to Food Licensing and Regulations

Brad Simerly stated the North Shore Environmental Health Consortium (NSEHC) is a program of the North Shore Health Department. The NSEHC conducts inspections and issues licenses for all food establishments, temporary events, farmers' markets, public pools, and hotels as an agent for the Department of Agriculture, Trade and Consumer Protection (DATCP). The NSEHC is requesting the ordinance Ch. 8.4.4 to Ch. 8.4.27 relating to Food Licensing and Regulations be amended. In an effort to keep current, the proposed ordinance amendment is to address changes made to statute which have been requested by DATCP to be added or changed in local ordinance. The revision to this ordinance is to ensure that it meets state standards.

Motion by Ald. Gelhard, seconded by Ald. Schmelzling, to approve an Ordinance Amending Sections 8.4.4 "Definitions," 8.4.7 "Licensing and 8.4.27 "Expiration Dates" Related to Food Licensing and Regulations was approved. Ayes. Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

II. File No. _____

Amendment to the Employee Handbook Regarding Compressed Schedules

Administrator Warwick stated the Common Council previously approved an amendment to the Employee Handbook permitting condensed schedules for appropriate positions, including the closure of City Hall on Fridays at noon from Memorial Day to Labor Day. The compressed work schedule for the Department of Public Works included the ability to leave at 10:30 am on Friday, after working a full schedule during that week. The Common Council directed staff to prepare an update to the Employee Handbook continuing compressed schedules outside of the "summer", with some additional restrictions as drafted below in the enclosed Handbook amendment.

Staff recommend adoption of the Employee Handbook with the following changes to the Compressed Work Week schedule (Section VI E.):

- The City operates a compressed work week from Memorial Day to Labor Day, with the City Hall building closing at Noon on Fridays to the public.
- The City may operate a compressed work week from Labor Day to Memorial Day, provided:
 - o The regular 8:00am – 4:30pm City Hall hours are maintained,
 - o Staff is sufficient to offer in person services to the public, such as voter services, property tax payment collection, and other necessary services throughout the calendar year.
- Department of Public Works maintenance staff is permitted to operate on a year-round compressed work schedule, which permits the closing of the Public Works yard for public access no earlier than 10:30am on Fridays during a compressed work week, and in compliance with all compressed work week requirements.

Motion by Ald. Bailey, seconded by Ald. Vukovic, to approve the amendment to the Employee Handbook Regarding Compressed Schedules was approved. Ayes. Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

III. File No. _____

Revised State/Municipal Financial Agreement (SMFA) for a State-Let Highway Project for Improvements to Green Bay Avenue from Silver Spring to Fairlane at a Local Estimated Share of \$562,125

Administrator Warwick stated this agreement covers (75% State/25% Local) the preliminary engineering/plan development, as well as any non-participating construction items. Real estate acquisition, new sidewalk and multi-use path and participating construction items are covered 100% by the State. This is a milling and resurfacing of N Green Bay Avenue (STH 57) from just north of W Silver Spring WB on/off ramps to 0.1 MI S of W Fairlane Avenue. Included with the resurfacing are new pavement markings, some ADA ramp improvements and any signal maintenance/updates due to age that are identified. The cost share for this work, as previously written, will be an 75/25 split WisDOT to Glendale, which brings Glendale's share in terms of today's dollars to \$562,125. The State Municipal Financial Agreement (SMFA) is with a 75/25 cost share, so that both parties carry the burden of costs increasing or decreasing at the time of the project being LET for construction. Currently, this is not a budgeted item, so funding would need to be committed this year but will not be due, at least, until 2027.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, approve the Revised State/Municipal Financial Agreement (SMFA) for a State-Let Highway Project ID: 2565-00-05/25/75 (Improvement of Connecting Highway STH 57 from W Silver Spring Drive to 0.1 MI S of W Fairlane Avenue) as presented, was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No.

Change Order – Watermain Replacement Program to Remove five (5) Private Lead Laterals with UPI, LLC not to exceed \$44,360

Administrator Warwick stated during construction of the Eula Court watermain, four lead laterals were discovered and one in the area was also discovered for a total of five. These lead laterals are all located on the private property side of the City's water shut off box, which prohibits the Water Fund from funding the replacement. The cost per service here is \$8,872, which could vary in future years depending on the location, length of the lateral and other unknown factors. Staff is asking for ratification for the change order signed by the City Administrator and approved in advance by the Mayor and Council President. The City's Purchasing Policy requires this process for change orders in excess of \$10,000.

Motion by Ald. Schmelzling, seconded by Ald. Vukovic, to ratify approval of the change order for the watermain replacement project with UPI, LLC, not to exceed \$44,360 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No.

Resolution – Suspending Enforcement of the 45-day requirement for the replacement of private lead laterals as required in 9.2.16(3)(c) for a twelve-month period.

Administrator Warwick stated the City of Glendale recently used approximately \$300,000 in ARPA funds to replace private lead laterals. With the information available to the City, it was our belief that all lead laterals that were lead were replaced, except for 140 that had not been inspected. We have now inspected the majority of the 140 unknown and have found zero new lead lateral pipes. During the Eula Court watermain replacement project, five (5) lead lateral services were discovered. City Code requires a homeowner to replace the lead lateral within 45 days of it being discovered. While the City intends to replace these lead laterals this month, there are several hundred homes in the Crestwood, Port Hampton and Sprecherville areas that need to be inspected to confirm whether they are lead laterals or not. These homes have the potential for a lead lateral due to the age of the home. This fall, the City will be sending letters to these homes asking for an inspection of the lateral service line, with an inventory developed in the early spring. In the event more lead laterals are located, staff is recommending adoption of this Resolution suspending the 45-day requirement so that the City has time to apply for grants to fund this project and to bid the lead lateral replacements.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to adopt a Resolution Suspending Enforcement of the 45-day requirement for the replacement of private lead laterals as required in 9.2.16 (3) (c) for a twelve-month period was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No.

Ordinance – Amending Section 10.1.26 Schedule J Regarding Parking Prohibited

Administrator Warwick stated provided was an ordinance amending the Glendale Code or Ordinances 10.1.26, Schedule J to prohibit parking on W Glendale Avenue and W Marne Avenue at the specified locations. Staff is proposing to codify this regulation so enforcement can be performed at the locations where the traffic calming islands were recently installed. If cars are parked at these locations, traffic would not be able to proceed.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve an Ordinance Amending Section 10.1.26 Schedule J "Parking Prohibited", to prohibit parking on W Glendale Avenue and W Marne Avenue at the specified locations was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No.

Ordinance – Creating Section 3.6.2 “Fees for City Services, Permits, and Licensing” and amending the Code of General Ordinances of the City of Glendale, removing fees established in the Code of General Ordinance having fees set by Resolution

Administrator Warwick stated the City has numerous fees and fines located in various places of the City Code and in various other ordinances, resolutions or motions. Adoption of the enclosed ordinance would consolidate all fees and fines within a Resolution to be adopted by the Common Council. The Ordinance states that all fees and fines are in Section 3.6.2. This section generally states that:

“Fee Schedule. From time to time the Common Council by Resolution shall determine the fee schedule. The fee schedule shall remain in effect unless superseded by a newer fee schedule as determined by the Common Council. The Common Council may enact fee resolutions addressing fees specific to a City department or departmental division without changing the entire fee structure.”

If the provided Ordinance is adopted, the Council would be asked to adopt a Resolution establishing the City’s Fee Schedule. In the event, we neglected to repeal a fee that’s included in the Resolution, the Ordinance creates Section 3.8 “All City Fees” that states the Resolution shall prevail in the event of a conflict. Not included is the North Shore Fire/Rescue Fee Schedule as the City is required to adopt that a specific way.

Motion by Ald. Shaw, seconded by Ald. Bailey, to approve adoption of Ordinance – Creating Section 3.6.2 “Fees for City Services, Permits, and Licensing” and amending the Code of General Ordinances of the City of Glendale, removing fees established in the Code of General Ordinances having fees set by Resolution was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.

Resolution – Establishing Fees for City Services

Administrator Warwick stated the provided Resolution The enclosed Resolution would establish a Fee Schedule for the following areas: General Fee Schedule; Sign Permit Fee Schedule; Seven-Year Refuse, Recycling and Yard Waste Fee Schedule; Building Permit Fee Schedule; Storm, Sanitary, Water and Environmental Fee Schedule (Glendale Utility); North Shore Health Department Fee Schedule; Richard E. Maslowski Park Fee Schedule; and Police Parking Fee Schedule. The fees listed in each fee schedule have not been amended, except for the Refuse, Recycling, Yard Waste, Environmental Fees that were previously discussed with the adoption of the new Waste Disposal Agreement with John’s and North Shore Health Pool License fees (in separate memo per their request).

Motion by Ald. Daugherty, seconded by Ald. Vukovic, to adopt the Resolution Establishing Fees for City Services 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 Construction of a City Public Sidewalk in Milwaukee County Right of Way from the 2225 W Mill Road (Canterbury Court) Development connecting to the Sidewalk on the North Side of W Mill Road, at the east side of N Atwahl Drive Intersection

Administrator Warwick stated on June 3, 2008, the City approved a request from Northland Development, LLC. for a Specific Development Plan in a Planned Development for the Canterbury Court project, 2225 W Mill Road and Development Agreement. As part of the plans, the developer was to include a pedestrian connection to the existing sidewalk on the north side of W Mill Road. Also, as part of the Planned Development Agreement, it was approved that all City sidewalks and curb cuts are to be installed by Developer at Developer’s sole expense. The W Mill Road and connection to the existing sidewalk to the north are in Milwaukee County right of way. Subsequently, the County is requiring a Resolution for construction, ownership, and maintenance of said sidewalk on a Milwaukee County Trunk Highway. The provided Resolution would permit the installation of a sidewalk by the developer and grant all future maintenance to the developer.

Motion by Ald. Shaw, seconded by Ald. Schmelzling, to approve the Resolution Authorizing the Construction of a City Public Sidewalk in Milwaukee County Right of Way from the 2225 W Mill Road (Canterbury Court) Development connecting to the Sidewalk on the North Side of W Mill Road, at the east side of N Atwahl Drive Intersection 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. Bailey, seconded by Ald. Gelhard, to convene in Closed Session per Wis. Stat. Sec. 19.85(1)(c) to consider the employment, promotion, compensation, wage ranges or performance evaluation data of public employees over which the Council has jurisdiction or exercise responsibility (Performance Evaluation of Accountant and Administration Positions). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately minutes 27 was held. The Council discussed the performance evaluation of the accountant and administration positions.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, 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.

Mayor Kennedy stated beginning several years ago, the City has contracted with two Financial Management firms for audit assistance and financial management assistance. With the completion of all past audits, the City simply relies on Lauterbach and Amen to aid the City with various financial management tasks on an hourly basis. Currently, they assist with audit support, bank reconciliations and various financial assistance when necessary, such as financial reports and property tax assistance. The City has used this time to evaluate the necessary resources to consistently maintain accurate and timely all financial tasks. Over the past year, staff has evaluated the demands of financial management tasks and the resources necessary to be timely, accurate, efficient and compliant. With this evaluation, staff is presenting a financial management agreement with Lauterbach and Amen to perform: Payroll services, including filling of all required reporting; Payroll, timesheets, and human resources management program; Various accounting services; Audit preparation support; and Budget assistance. The specific items are listed in the provided three-year agreement. Staff feels the agreement would provide sufficient financial resources to make the City accurate, efficient and compliant in the long-term with a fixed rate agreement over a three-year period with cost adjustments annually on January 1 during the term of the agreement. Lauterbach and Amen has been assisting the City over the past several years on many of these tasks on an hourly basis. This agreement expands the work to be completed under this agreement and adjusts the payment to be a fixed cost. Lauterbach provides similar financial management services to other municipalities in Wisconsin and other states.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to authorize the City Administrator to execute a multi-year agreement with Lauterbach and Amen for Financial Management Services was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

ADJOURNMENT.

There being no further business, a motion was made by Ald. Gelhard, seconded by Ald. Bailey, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried and adjournment of the Common Council was ordered at 7:21 p.m., until Monday, October 28, 2024, at 6:00 p.m.

Megan Humitz
City Clerk