CITY OF GLENDALE COMMON COUNCIL
Meeting Minutes
August 28, 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 6:00 p.m.

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

Other Officials Present: Karl Warwick, City Administrator; Nathan Bayer, City Attorney; Mark Ferguson, Police Chief; John Fellows, Community Development Director; Charlie Imig, Director of Public Works; Jessica Ballweg, Director of Human Resources; 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.

City Administrator Warwick advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, August 24, 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.

Glendale resident Daniel Hess, 2055 W Green Tree Road, expressed concern that the striping on W Green Tree Road and the bicycle sharrows will do nothing regarding the speeding, if there is a lack of police patrolling in the area to enforce the speed limits. He raised concern over the safety for pedestrians and bicyclists in the area. Ald. Schmelzling stated he believes the sharrows and striping will help the majority of speeders, but it will not stop everything.

Glendale resident David Kerns, 6501 N Elm Tree Road, expressed concern regarding the bump outs in the Clovernook neighborhood straight down the hill from Nicolet High School which often force traffic into the opposite lane of traffic, which becomes worse with school in session. Mr. Kerns is requesting a physical barrier to keep traffic in its respective lane, as it is unlikely striping will help. Mayor Kennedy indicated staff will look into this issue.

CONSENT AGENDA.

I. File No. ____________________

Adoption of Minutes of Meeting held on August 14, 2023, Approval of Monthly Reports, Approval of Payment 5 and FINAL to UPI, LLC in the Amount of $75,031.70 for the I-43 Segment Watermain Replacement Project, Approval of Payment 1 and PRE-FINAL to Primoris Electric Inc. in the Amount of $61,842.25 for the 2023 Sidewalk Program, and Approval of Payment 1 to Stark Pavement Corporation in the Amount of $195,799.17 for the 2023 Various Pavement Repair Program.

Motion by Ald. Vukovic, seconded by Ald. Gelhard, to Adopt the Minutes of Meeting held on August 14, 2023, Approve Monthly Reports, Approve Payment 5 and FINAL to UPI, LLC in the Amount of $75,031.70 for the I-43 Segment Watermain Replacement Project, Approve Payment 1 and PRE-FINAL to Primoris Electric Inc. in the Amount of $61,842.25 for the 2023 Sidewalk Program, and Approve Payment 1 to Stark Pavement Corporation in the Amount of $195,799.17 for the 2023 Various Pavement Repair Program were approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Discussion, consideration, and recommendation regarding a Specific Development Plan within a Planned Development for AH+S Realty, LLC/Olivia Inc. (doing business as Casa de Corazón) for a proposed daycare and preschool at 4600 N. Port Washington Rd., in a Planned Mixed Use land use classification, Planned Unit Development (PD) zoning classification, 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"). The process for the Planned Development District includes three steps. Step one is a map amendment and general development plan approval. Step two is approval of a specific development plan. Step three is approval of a development agreement with recording.

Casa de Corazón intends to operate the property as a daycare and preschool that serves 188 children per day. It will be a Spanish immersion center (the "Center") operating under the Casa de Corazón franchise. The Center will have 14 classrooms ranging in age from 6 weeks until children begin traditional five-year-old kindergarten. It will employ three center directors, two administrative assistants, a facilities manager, a kitchen manager, three cooks, 28 teachers, seven substitute staff, and other officers and employees of the User for a total of 50 full-time positions created. These positions will predominantly be filled by native Spanish-speaking women, many of whom, historically, are single mothers. The Casa de Corazón prides itself on being socially responsible and environmentally friendly, this site is to be solar-powered, and manage its runoff water through a project with the MMSD in the parking lot. The User will also create more green space onsite as the User intends to construct a large grass and mulch playground with multiple age-appropriate structures. Casa de Corazón will also create a garden on-site to incorporate food production into the Center's curriculum. Additionally, the User will convert the old guardhouse onsite into a chicken coop where the User will raise pasture-raised organic chickens for egg production to feed the children on site as part of our commitment to local and ethical practices. Lastly, the User intends to build a small vehicle garage in the northeast corner to house the Center's buses and vans when the vehicles are not in use. Finally, Casa de Corazón plans to house its corporate office in a small section of the existing building on the property. Staff recommend the Common Council approve the Specific Development Plan subject to staff comments.

The Planning and Architectural Review Commission recommended Common Council approval of the specific development plan, as submitted subject to staff comments. Staff comments include the following:

- There is a private storm sewer located within this parcel. Owner to ensure all catch basins are inspected and repaired as necessary.
- Storm sewer appears to be in the area that is designated "Outdoor Playground, Gardens, Greenspace". Must account for the potential loss of inlets.
- Subsequent comments may be forthcoming, regarding plan set revisions.
- Based on the preliminary concept map, it appears there may be added impervious surface. If there will be over 5,000 SF of impervious surface added, stormwater management will be required. Please see the attached Criteria and Review Checklist for applicability.
- Any stormwater management facilities installed on the site to meet requirements must be accompanied by a maintenance agreement. A draft agreement is available upon request.
- There is a private storm sewer located within this parcel. Owner to ensure all catch basins are inspected and repaired as necessary.
- Storm sewer appears to be in the area that is designated "Outdoor Playground, Gardens, Greenspace". Must account for the potential loss of inlets c. Utility modification plans must be submitted.
- Subsequent comments may be forthcoming at the time of permitting.
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Motion by Ald. Bailey, seconded by Ald. Daugherty, to approve the Specific Development Plan within a Planned Development for AH+S Realty, LLC/Olivia Inc. (doing business as Casa de Corazón) for a proposed daycare and preschool at 4600 N. Port Washington Rd., in a Planned Mixed Use land use classification, Planned Unit Development (PD) zoning classification, Tax Key Number 234-8003-000, as submitted was approved.

Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

III. File No.

Discussion, consideration, regarding a Development Agreement for a Planned Development for AH+S Realty, LLC/Olivia Inc. (doing business as Casa de Corazón) for a proposed daycare and preschool at 4600 N. Port Washington Rd., in a Planned Mixed Use land use classification, Planned Unit Development (PD) zoning classification, Tax Key Number 234-8003-000.

Mayor Kennedy stated the 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"). The process for the Planned Development District includes three steps. Step one is a map amendment and general development plan approval. Step two is approval of a specific development plan. Step three is approval of a development agreement with recording. The Planning and Architectural Review Commission recommended Common Council approval of the specific development plan as submitted subject to staff comments. The Development Agreement is our standard agreement with standard conditions and expectations. The Development Agreement has been prepared by staff and the City Attorney and has been reviewed and approved by the Applicant. The Development Agreement outlines the standards to which the property will be developed, site uses and improvements, and occupancy. The agreement outlines the understanding between both parties. Staff recommends the Common Council grant approval of the Development Agreement.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to approve the Development Agreement for a Planned Development for AH+S Realty, LLC/Olivia Inc. (doing business as Casa de Corazón) for a proposed daycare and preschool at 4600 N. Port Washington Rd., in a Planned Mixed Use land use classification, Planned Unit Development (PD) zoning classification, Tax Key Number 234-8003-000, as presented was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

IV. File No.

2024 City Budget Preparation and Review Schedule.

Administrator Warwick stated The City Council is annually required to adopt a budget and property tax ley in accordance with State Statutes. With the new fiscal year commencing January 1, 2024, staff and our North Shore partners have begun to prepare the 2024 budget and staff is presenting the proposed timeline for adoption of the 2024 City Budget. To allow City staff the necessary time to prepare the 2024 City budget, the following schedule is proposed:

- August: Review/Discussion on budget submittals from North Shore Library, North Shore Fire/Rescue/North Shore Health Department and North Shore Water Commission.
- August/September: Department Heads finalize budget requests.
- August/September: Preparation of proposed 2024 budget for presentation to the Common Council.
- October 1: Draft Budget Released to Common Council and Public.
- October 9: Common Council reviews Draft Budget.
- October 23: Public Hearing on the 2024 City Budget.
- November 14: Adoption of the 2024 City Budget.
- December 15: Deadline to determine property tax levy.
- January 1: Start of new Fiscal Year.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to approve the Adoption of the 2024 Budget Schedule, as presented was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

V. File No.______________________
Review and Approval of the Request from Nicolet High School Regarding Homecoming Parade.

Administrator Warwick stated Nicolet High School has requested permission to facilitate a Homecoming Parade. The Parade set-up will commence at 4:15 p.m. on Friday, September 29. The parade would begin at 4:45 p.m. and last until 5:45 p.m. The parade route would include W. Daphne Road, N. Jean Nicolet Road, and the wider Nicolet High School grounds.

Motion by Ald. Gelhard, seconded by Ald. Schmelzling, to approve the Nicolet High School Homecoming Parade request for Friday, September 29, 2023, was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

VI. File No.______________________
Resolution Approving the 2023 North Shore Library Agreement.

Administrator Warwick stated on May 8th, 2023, the City Council approved a revised Noth Shore Library Agreement, primarily to increase the number of Library Board members from 9 to 10 and increase the number of Library Board members from Glendale from 4 to 5. Both Bayside and Fox Point adopted this agreement as presented. After this, River Hills attorney reviewed the agreement and made several minor amendments that clarified representation, and updated wording to be consistent throughout the agreement.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to postpone approval of the Resolution Approving the 2023 North Shore Library Agreement as presented until the September 11, 2023 Common Council meeting was approved. Ayes: Ald. Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: Ald. Vukovic. Motion carried.

VII. File No.______________________
Appointments to Library Board and the Citywide and Richard E. Maslowski Community Park Activities Committee.

Administrator Warwick stated a letter was provided from Mayor Kennedy recommending appointments to the Library Board and the Citywide and Richard E. Maslowski Community Park Activities Committee.

Motion by Ald. Shaw, seconded by Ald. Bailey, to postpone approval of the 2024-2028 Capital Improvement Program until the September 11, 2023 Common Council meeting was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

VIII. File No.______________________
Authorization to Execute – Agreement for Professional Services for a Water Utility Rate Case and Proforma Analysis, not to Exceed $15,500.

Mayor Kennedy stated At the July 24th City Council meeting, the City Council reviewed the utility billing cycle, options for utility bill printing and reviewed the rate of return for the water utility. Based on these discussions, the City Council directed staff to provide options to perform a Rate Case with the Public Service Commission (PSC) to seek approval for a water utility rate adjustment. As a result of these discussions, staff is presenting an agreement with the City's utility billing contractor City Water to present a rate case to the PSC. City Water prepared the City's last two required PSC Reports that summarizes the Water Utility's revenue/expenses for that year. Based on this, City Water possesses the knowledge, skills, and abilities to prepare this report and they possess the required financial knowledge of the City's Water Utility. The enclosed Water Utility Information Sheet demonstrates the net rate of return and other water utility financial information since 2017. The rate of return has progressively decreased from 4.37% in 2017 to -.046% in 2022. With the rate of return currently in the negative, staff is asking the City Council to consider authorizing the execution of an agreement to present a rate case to the PSC to provide the City the ability to adjust rates so that the Water Utility does not operate with a negative financial performance.

Motion by Ald. Schmelzling, seconded by Ald. Bailey, to approve the Authorization for the City Administrator to execute the Agreement for Professional Services for a Water Utility Rate Case and Proforma Analysis, not to Exceed $15,500 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. None. Abstain: None. Motion carried.

IX. File No.

Authorization to Execute – Agreement for Professional Services for a Pay Plan and Compensation Study with GOV HR not to Exceed $16,500.

Administrator Warwick stated last year, the Glendale Common Council adopted a revised Salary Classification and Compensation that was prepared and presented by staff. These were developed by City Staff by ranking each position and placing each position in a salary classification (Internal pay equity) and reviewing salary data from other municipalities and matching ranges for like positions (External pay equity). Staff is asking the Common Council to consider authorizing the execution of a professional services agreement to authorize an independent firm, who specializes in compensation studies, to perform these tasks to ensure the positions are accurately compared based on the essential tasks of each position and not just the job title, ensure that internal knowledge of employees and positions did not influence the pay plan, development of a list of comparable positions and communities that can continually re-used by staff to amend the plan in the future, and assist staff in accurately placing newly created positions with the correct pay plan based on the position's essential tasks. Staff continues to hear feedback from employees regarding internal and external pay inequities. Staff feels that ensuring internal and external compensation is appropriately administered is an important task that should be validated. Staff is asking approval of this expense because these funds were not budgeted. With the vacancies in staff throughout the year, funds are available to perform this study this year. A portion of the compensation evaluation, employees will be asked to complete a description of their position. This evaluation will facilitate staff's ability to update job descriptions so that workload is accurately captured in each job description. There is an option for the company to perform this task, however, the City Administrator feels staff can do this with the information gathered.

Motion by Ald. Bailey, seconded by Ald. Shaw, to approve the Authorization for the City Administrator to execute an Agreement for Professional Services for a Pay Plan and Compensation Study with GOV HR not to exceed $16,500 was approved. Ayes: Ald. Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: Ald. Vukovic. Absent: Ald. None. Abstain: None. Motion carried.

IX. File No.

Review of Silver Spring Reconstruction Project

Administrator Warwick stated the purpose of the memorandum is to provide introductory information on the status of the Silver Spring Reconstruction Project that City Staff has been working on, upon receiving the Federal earmark for this project. Silver Spring Drive connects the City of Milwaukee to Glendale and leads into the Village of Whitefish Bay. Silver Spring Drive also connects residents of Glendale and Milwaukee onto I-43. The average daily traffic load is approximately 30,000 vehicles. Milwaukee County transit's bus route runs along Silver Spring Drive. Silver Spring Drive is a boulevard street, limiting turns to breaks in the boulevard and at the six traffic signals in this area. The Five-Year Capital Improvement Plan includes funds for the reconstruction of Silver Spring from 27th Street to the Milwaukee River. The preliminary cost estimate in the CIP Plan is $11 million (subject to change, based on scope of the project and updated cost estimates). The City received a $4 million Federal earmark from Congresswoman Moore's office. Approximately 30% of the project area is in the City of Milwaukee, meaning their share of the project cost would be approximately $3.3 million. Since the funds received are a Federal earmark, this project is still eligible for other grant funding to reduce the local share. Grants include Surface Transportation Urban Program (STP) and Transportation Alternatives Program (TAP). The City could also pledge the $1.5 million of ARPA Funds towards eligible bike/pedestrian improvements if grants are not awarded. Staff has met with representatives from the City of Milwaukee, Milwaukee County DOT, and Milwaukee County Transit Authority to discuss the project, the goals of the project for each entity and shared funding. The roadway improvements for Silver Spring are approximately $6 million. Glendale, the City of Milwaukee, and WISDOT are currently performing engineering analysis on the roadway to determine the most effective way to efficiently move traffic and reduce reckless driving. We are exploring options such as raised medians, raised intersections, and traffic circles at intersections. Also being explored is the possibility of restricting access to Silver Spring by installing cul de sacs at various entry points. For examples, installing cul de sacs at 11th, 12th, and

13th streets in Milwaukee and move the entrance to Milwaukee River Parkway. The majority of the cul de sac are in Milwaukee and would need to be approved by the City of Milwaukee. Glendale previously installed cul de sacs at various locations on Silver Spring to do the serve the same purpose. The south side of Silver Spring includes a parking lane. The parties are exploring an option to remove the parking lane to install a bike lane to connect the Oak Leaf Trail near Green Bay to the Oak Leaf Trail near the Milwaukee River. The Milwaukee County Transit System (MCTS) has begun the environmental review and design process to deploy bus rapid transit (BRT) service along the 27th Street corridor, the second route planned for Milwaukee County's newest BRT system. This BRT route is proposed to run from 27th and Drexel, near IKEA to Bayshore Mall. The BRT will run east/west on Silver Spring from Teutonia to Port Washington. The east/west BRT, which is in service, runs from Wauwatosa, primarily along Wisconsin Avenue to Jackson Street in Milwaukee. The route, along Wisconsin Avenue includes a bus only lane, adjacent to a singular driving lane. The parties are exploring an option for a bus only lane here too, however the traffic volume on Silver Spring is significantly higher than Wisconsin Avenue, so that option may not be a possibility. Also included in the project are new roadway surface, new LED streetlights, drainage improvements, and new signs and pavement markings. As the engineering analysis progresses, the design will be refined and brought back to the Common Council for feedback.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to authorize giving direction to staff to continue preliminary design concepts for Silver Spring Drive consistent with the discussion at the Common Council meeting, to submit grant applications for STP, TAP and other eligible grants for the Silver Spring Drive projects consistent with the discussion at the Common Council meeting, to prepare and present for approval a 2023 Budget Amendment to include the revenue and expenditures for the Silver Spring Project, and to negotiate and present for approval an agreement with Clark Dietz for design engineering services for the Silver Spring Drive Project was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. 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. Daugherty, seconded by Ald. Schmelzling, to convene in Closed Session per Wis. Stats. §19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved (Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried.

A closed session of approximately 28 minutes was held. The Council discussed the case Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934

Motion by Ald. Gelhard, 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: Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried and adjournment of the Common Council was ordered at 7:40 p.m., until Monday, September 11, 2023, at 6:00 p.m.

Megan Humitz
City Clerk