

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

April 8, 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, John Gelhard, Phillip Bailey, Steve Schmelzling, and JoAnn Shaw. Absent: Ald. Jim Daugherty.

Other Officials Present: Karl Warwick, City Administrator; Rhett Fugman, Police Captain; Jessica Ballweg, Deputy City Administrator; Charlie Imig, Director of Public Works; Jialin Li, Finance Manager; Kenneth Smith, Planner; 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, April 4, 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 of Meeting held on March 25, 2024 and Approval of Accounts Payable.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to Adopt the Minutes of Meeting held March 25, 2024 and Approve Accounts Payable was approved. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

2024 General Obligation Bond Closing and Outstanding Debt Obligations

Administrator Warwick stated Annually, the City issues debt to fund the previous years' capital improvements. Prior to the issuance of the debt, the Common Council must approve a parameters resolution authorizing the issuance and sale of general obligation bonds. The Resolution includes the anticipated interest rate of 4.5% and the principal payment schedule from 2025 and expiring in 2034 for the \$4.82 million issuance. The actual payment schedule was determined upon the closing of the loan. The loan closed with an interest rate of 3.296% and the repayment schedule was provided. The principal and interest payments are in line with the parameters provided to the Common Council in the Resolution. Staff are presenting the principal and interest payments for review.

Staff also reviewed the projections for the City's loan range debt by function, including refinancing the debt obligation scheduled to close in 2028 and borrowing options for the upcoming police station project in 2026.

The future debt schedule includes the totality of existing debt obligations to their conclusion, anticipated debt based on the approved 5-Year Capital Improvement Program and debt obligations for an anticipated \$8.4 million police station remodel with the first debt payment in 2026. Scenarios are also presented for increasing funding for the City Road Resurfacing program and initiating \$500,000 annually in debt to fund community improvements for parks, pedestrian improvements, or other desired community improvements. The scenario provides options to increase road resurfacing funding from the current \$450,000 to \$750,000 in 2029, \$1 million in 2023 and \$1.5 million in 2039. Currently, the City's funding for road resurfacing is approximately 15% of what is needed to be to meet the demands of this aging infrastructure. If this plan is implemented, by 2039, the City would have improved the funding percentage to approximately 50% of the replacement need (this does not assume any inflationary increases – only today's cost). In today's cost approximately \$3.5 million would need to be spent on road resurfacing to maintain the industry standard 20-year road resurfacing schedule.

No action taken. This item was for discussion purposes only.

III. File No.

Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention

Chief Ferguson stated the Republican National Convention is being held in Milwaukee July 14-18, 2024. The Milwaukee Police Department has requested assistance from local police departments to provide public safety during the RNC. We have tentatively committed to providing two officers per day for general security and 3 officers, as needed, as part of the North Shore Mobile Field Force. MPD will reimburse the City for the salary and benefit costs, including any overtime, for officers assigned to the RNC. The Department plans on providing officers to the RNC on overtime to maintain police coverage within the City. The actual number of officers assigned to the RNC will be determined by MPD at a later date. The overtime rate for a police officer, to include benefits, is \$92.11 per hour. Attached is the Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention between the City of Milwaukee and the City of Glendale. The Agreement needs to be signed by both the Mayor and a Police Department representative.

Motion by Ald. Gelhard, seconded by Ald. Shaw, to approve the Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention was approved. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Abstain: None. Motion carried.

IV. File No.

Resolution Establishing Property Tax Pilot Agreement Policy

Administrator Warwick stated the City of Glendale has approved several Property Tax Pilot Agreements in circumstances where a property transitioned to a tax-exempt use through an action of the City. Based on our reach of each of these agreements, it was difficult to determine what circumstances triggered each agreement and why there are substantial differences in each agreement. The provided Resolution is meant to establish a policy for the negotiation and adoption of future agreements.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to approve the adoption of the Resolution Adopting a Policy on Property Tax Pilot Agreements was approved. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Abstain: None. Motion carried.

V. File No.

Referral to the Planning and Architectural Review Commission of a zoning map amendment by Dontia Holding Co., which may do business as Silver Spring Dental Spa, LLC, to a B-4 Office-Research-Service District for the Silver Spring House at 6655 N Green Bay Avenue, in an R-7 Residential District, Tax Key Number 134-9979-001

Administrator Warwick stated the new landowner, Dontia Holding Co., is petitioning the City of Glendale to rezone from R-7 Residential to a B-4 Office-Research-Service Business District as the current R-7 Residential Zoning District does not allow the proposed use. The structure on this site is the Milwaukee County Landmark historically known as the Silver Spring House. This Business Use would coincide with the rezoning and potential rehabilitation of this historic structure. Historically a bar and restaurant for more than a century, the restaurant first closed in February 2018, briefly reopened, then closed again 18 months later in October 2019. It was in bank receivership until Dontia Holding Co. purchased the property on October 24, 2023. Dontia Holding Co. intends to do business as Silver Spring Dental Spa, LLC for a “private dental office that offers general dentistry, cosmetic dentistry, and health amenities.” The applicant aspires to create a “state of the art digital dental office equipped with three operatories, sterilization suite, staff kitchen and break area. There will also be health amenities, such as a steam shower, jacuzzi and sauna, for patients.” The proposed use would conform to the B-4 Office-Research-Service Business District as “Medical and dental offices and centers” are permitted uses in that district. Further, the proposed use conforms with the “commercial” designation in the 2040 Comprehensive Master Plan (p. 34), with the goal of developing a “downtown” around N. Green Bay Avenue and W. Mill Road.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to approve the referral of the proposed rezoning of 6655 N Green Bay Avenue from R-7 to a B-4 Office-Research-Service Business District to the Planning and Architectural Review Commission and to schedule a public hearing was approved. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Abstain: None. Motion carried.

VI. File No.

Employee Handbook Updates – Paid Time Off, Compressed Work Schedules and Others

Administrator Warwick stated there are several proposed modifications to the Employee Handbook. These modifications include:

Paid Time Off Policy

At the July 26, 2021, meeting, the Common Council approved a comprehensive Paid Time Off Policy for non-bargained employees that replaced the traditional vacation and sick leave policy. Police officers retained their vacation and sick policy that was collectively bargained. Below is a general summary of the approved modifications:

- Employees vacation and sick time were combined into paid time off (PTO), resulting in four less days off per year per employee depending on the number of years of service.
- PTO is accumulated monthly, with established maximum accumulated hours (per the Handbook).
- Accumulation above the maximum results in those hours being placed in a Frozen Leave Bank (only to be used for FMLA eligible leave).
- Use of PTO for medical leave typically triggers the filing of FLMA paperwork.
- Employees are permitted to use PTO only with advanced notice to their supervisor, except for three days annually. Any leave requested with less than three days’ advanced notice results in a violation of the employee handbook and potential discipline.
- All pre-existing sick leave was placed in a Frozen Leave Bank only for FMLA eligible leave.

This new PTO Policy has been in place for more than two years and staff across the City have been working collaboratively over the last several months to review the current PTO Policy and generally discussed:

- If the current PTO policy is in the best interests of the City and our employees.
- Whether it deters employees from accepting new positions or promotions.
- Whether it helps retain employees.

Based on this evaluation, staff concludes that:

- Since City employees do not possess short term disability protection, the amount of allowable PTO accumulation is not sufficient to protect employees who may experience an ongoing medical issue that requires extended absences from work.

- Mandating that use of the frozen sick bank be FMLA eligible creates burdensome paperwork. The submission of FMLA paperwork is typically rare, but under the current policy, it is a regular occurrence.
- Police officers, in the collective bargaining agreement, retained their benefits, which provides them.
 - The ability to be paid up to 140 sick days upon retirement.
 - Retained the ability to provide less than 3-days' notice for sick leave (12 days annually).
 - Maintained the traditional vacation/sick leave.

In reviewing the current PTO Policy, and the Vacation/Sick Policy in the collective bargaining, staff generally has the following conclusions:

- With the absence of a short-term disability program, staff feels it important to modify the policy to allow employees to be granted and be allowed to accumulate sick leave.
- The amount of paid time off was reduced in a calendar year by approximately four total days and restoring those days would help to recruit, retain, and encourage promotions within the Police Department and other departments.
- Police union employees also receive up to 140 days of sick time paid out at retirement. With the 2019 change, all other employees are not eligible for this benefit and again, has led to police officers not accepting promotions.
- Amending the policy to pay out unused sick time upon retirement provides an incentive for employees to remain with the City until retirement. Removing that incentive has restricted our retention efforts.
- The City primarily relies on shift work (police, public works, desk clerks, City Hall counter staff). With shift work, employees should be afforded additional abilities to "call in sick" and the current policy limits that. PTO Policies work in some types of organizations, but those that rely heavily on shift work have not seen great success in this type of policy.

The draft Handbook, re-institutes the vacation/sick program, leaving the same number of vacation days and adding 4 sick days, that carryover, for all eligible employees. The revised program also grants vacation/sick on January 1st annually. It also provides a payout of 50% of accumulated sick, up to 408 hours, which is half the payout in the collective bargaining agreement. The current Handbook does not include a payout for sick leave upon retirement.

Compressed Schedule & Flexibility in the Workplace

The Employee Handbook does not contain provisions to permit remote work, flextime, compressed work schedule or flexible schedules. These are becoming more common in workplaces and municipalities across the country and in the State of Wisconsin. To help with recruitment and retention, the Handbook was amended to propose that certain positions that are suited for flexible work schedules or working from home as can do so permitted by the Department Head or City Administrator.

The Handbook also includes an allowance for a compressed schedule from Memorial Day to Labor Day. Under this, certain employees would be permitted to "compress" their schedule as permitted by the City Administrator. The proposal would be to compress the City Hall schedule to close at noon on Fridays during this time with employees maintaining a 40-hour work week. A Public Works schedule compression would be determined by the City Administrator and Director of Public Works. Within the North Shore, both Fox Point and Bayside close their Village Halls at noon on Fridays throughout the entire year.

Uniform Allowance

The Police Union Contract provides a \$750 uniform allowance per officer. The current Handbook sets the amount for supervisors at \$550. The proposed Handbook increases the amount to match the officer's uniform allowance at \$750. The Police Desk Clerks have historically been provided a \$350 uniform allowance. The proposed Handbook includes this. The proposed Handbook also increases the uniform allowance for Public Works employees from \$250 to \$350 (clothing and boots).

HRA Contributions

Under the police collective bargaining agreement, funds are deposited into an employee's Health Retirement Savings Account, starting at \$50 per pay period and maximizing at \$150 for 5 years of service. This is meant to bridge the gap between retirement age (53) and eligibility for Medicare. Employees lose this benefit if they leave

the collective bargaining agreement via promotion or by leaving their position. To secure the funds a protective service employee must be employed with the City for 15 years.

The Handbook proposes to maintain these HRA contributions for all “protective service” employees, such as Sergeants, Lieutenants, Captains, and the Chief, because being promoted out of the collective bargaining agreement results in the loss of the HRA benefit.

The draft Handbook also includes a \$50 per pay period HRA contribution for all other employees. The retirement age for non-protective employees in WRS is later than protective service employees, therefore the “gap” to bridge to retirement is less.

The City’s maximum contribution would be \$21,600 for protective service employees and \$18,000 for non-protective employees. If an employee does not remain with the City for 15 years, all contributions return to the City and can be re-invested into this. Contributions would begin January 1, but the years of service credit would begin with the employee’s hire date.

This contribution would only apply to employees who do not receive post-retirement health insurance benefits from the City.

Conferences/Training

The City’s policies on travel, training, conferences, and memberships are vague and do not fully capture the detail necessary to properly manage the City’s training program, conference attendance and professional membership program. The draft policy establishes types of training that are eligible for attendance. It also states that if funds were budgeted, that the type of training is included in the Handbook and the training is approved by the supervisor, the employee may attend the training. All conditions must be met for an employee to attend training.

This policy would no longer require approval for out of State travel by the Common Council if all the conditions of the policy are met. The Policy also describes the fees to be paid by the city for travel, training, and memberships and it establishes a per diem amount (\$50) for overnight travel. It also establishes the positions that are eligible for professional membership reimbursement and that are eligible to attend conferences.

Light Duty Policy

The City, on occasion, will make light duty assignments for injured (on or off the job) employees as an option to continue to work when that employee is not capable of performing the necessary job tasks in their job description because of the injury. The City currently does not have a policy establishing operating parameters for light duty assignments. The proposed Handbook establishes a Light Duty Policy.

Evaluation Period

It is common for employers to have an Evaluation (Probationary) Period which is time for both the employee and supervisor to get acquainted and evaluate the employee’s new role with the City. The Draft Handbook creates a 12-month Evaluation period, where the employee will be evaluated at the conclusion of and a determination on their employment can be made. Also included is a requirement that if the City spends \$2,000 on required training for an employee to be able to perform their required job duties and they leave employment during the evaluation period, the employee must repay this amount in this final paycheck.

Cellphone Policy

The City maintains a policy that eligible employees be reimbursed a set amount for use of their personal cellphone for work-related purposes. The proposed Handbook streamlines this policy, reduces reimbursement categories from three to two and increases them by \$5 and \$10, respectively. The \$5 per month reimbursement amount was eliminated because the use of cellphones for work is becoming more frequent. We would initiate this beginning 2025.

Outside Employment

The City's current Handbook requires City Administrator approval for outside employment. The Draft Handbook permits outside employment provided it does not interfere with the employee's job duties and only work for the City is completed while working.

Policy on Harassment, Discrimination and Sexual Harassment

The Draft Handbook expands these policies, creates additional examples of policy violations, and describes procedures for reporting and the City's response to complaints.

Prohibited Software and Recording

The Draft Handbook establishes a policy prohibiting the installation of non-authorized non-City provided software on City equipment. The Draft Handbook also creates a section that permits the City to record via video and audio. We already have these recording systems, and the Draft Handbook creates a section that formally notifies employees of this.

Tuition Assistance

The draft Handbook includes more descriptive information on tuition assistance. The current Handbook simply allows tuition assistance with no further regulations. The draft Handbook provides a description on when tuition assistance will be permitted, submission requirements for reimbursement, performance requirements for reimbursements and a repayment schedule if the employee voluntarily leaves employment.

Health Insurance Eligibility

The current Handbook provides health insurance benefits to all qualified full-time employees and part-time employees working 1,200 hours (23 hours/week) in a year. The draft Handbook was updated for compliance with the Affordable Care Act, which requires employers our size to provide health insurance benefits at generally 30 hours per week.

Motion by Ald. Schmelzling, seconded by Ald. Vukovic, to lay over approval of the revised Employee Handbook to the April 17, 2024 Common Council meeting was approved. Ayes: Ald. Vukovic, Gelhard, Schmelzling, and Shaw. Noes: Ald. Bailey. Absent: Ald. Daugherty. 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, in all departments (Position Wage Range, and Compensation of All Employee Positions) over which the Council has jurisdiction or exercises responsibility. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Motion carried.

A closed session of approximately minutes 36 was held. The Council discussed compensation wage adjustments based on the compensation study.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. 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. Bailey, to adjourn the meeting. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: Ald. Daugherty. Motion carried and adjournment of the Common Council was ordered at 7:32 p.m., until Monday, April 17, 2024, at 6:00 p.m.

Megan Humitz
City Clerk