

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

April 17, 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; Mark Ferguson, Police Chief; Jessica Ballweg, Deputy City Administrator; Charlie Imig, Director of Public Works; Jialin Li, Finance Manager; 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 11, 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.

ANNUAL ORGANIZATIONAL MEETING (WIS. STAT. §62.09).

I. File No. _____

Annual Review of Council Operation Procedures (Ordinance 2.2.16(f)).

The Council reviewed Ordinance 2.2.16(f). This item was for informational purposes only.

II. File No. _____

Election of Common Council President.

State Law requires the members of the Common Council to elect one of their members as Council President. The Council President acts in the absence of the Mayor, however the position has no appointive or veto authority.

Ald. Bailey nominated Ald. Schmelzling, who accepted the nomination. Ald. Shaw. nominated Ald. Shaw, who accepted the nomination. Mayor Kennedy asked three times if there were any other nominations. No other nominations were received.

Motion was made by Ald. Gelhard, seconded by Ald. Daugherty to close nominations. In a roll call vote, there were 4 votes for Ald. Schmelzling and 2 votes for Ald. Shaw. Ald. Schmelzling was elected Council President for 2024-2025 by open vote.

III. File No. _____

2024-2025 Common Council Standing Committee Appointments.

Motion was made by Ald. Gelhard, seconded by Ald. Schmelzling, to approve the appointments submitted by the Mayor. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

IV. File No._____

Appointments to Various City Committees, Commissions and Boards.

Mayor Kennedy stated there were new appointments to a few committees, commissions and boards while the rest have remained largely the same from the previous appointments.

Motion was made by Ald. Gelhard, seconded by Ald. Bailey, to confirm the appointments to the various City committees, commissions and boards as submitted. Ayes: Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Motion carried unanimously.

PUBLIC COMMENT.

No public comment.

CONSENT AGENDA.

V. File No._____

Adoption of Minutes of Meeting held on April 8, 2024, Approval of Monthly Reports, Approval of the Resolution Setting the Time and Date of the First 2024 Board of Review Meeting, Approval for Out of State K-9 Training in Joliet, Illinois, and Approval of Appointment of Timothy Krystyn as the City Forester for 2024.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to Adopt the Minutes of Meeting held April 8, 2024, Approve Monthly Reports, Approve the Resolution Setting the Time and Date of the First 2024 Board of Review Meeting, Approve Out of State K-9 Training in Joliet, Illinois, and Approve Appointment of Timothy Krystyn as the City Forester for 2024 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

VI. File No._____

Wisconsin DOJ Drug Trafficking Response Equipment Grant

Chief Ferguson stated the Police Department applied for, and received, a \$45,084 grant to purchase equipment for drug trafficking response. There is no matching funds requirement. The Department will purchase pre-authorized equipment and submit invoices to DOJ for reimbursement. Grant requirements include quarterly progress and financial reports, and that all equipment must be purchased by March 31, 2025. Grant award is subject to City approval. Funds would be used to purchase an undercover vehicle, portable MorphoIDent unit, and vehicle-mounted surveillance equipment. A Budget Amendment for this purchase would be presented later with other proposed budget amendments.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, to approve the Wisconsin DOJ Drug Trafficking Response Equipment Grant to Purchase \$45,084 in Drug Response Equipment was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VII. File No._____

Memorandum of Understanding concerning Emergency Medical Prophylaxis

Administrator Warwick stated The North Shore Health Department has asked the City of Glendale to be an emergency staging location in the event there is an emergency need for the for the deployment and dispensing of prophylactic medications and other supplies made available from the Centers for Disease Control and Prevention's (CDC) Strategic National Stockpile (SNS), through the Wisconsin Department of Health (DHS) and NSHD. Under the agreement, Glendale would be considered an Open Pod, which means this location would be available to the general public.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to approve the authorization to the City Administrator to execute the Memorandum of Understanding concerning the Open POD Provision of Emergency Medical Prophylaxis was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.

Review and Approval of Bid for the 2024 Alley Reconstruction Project

Dr. Mustafa Emir, City Engineer from Clark Dietz, stated according to the City of Glendale 2024 capital improvement plan, \$468,000 was approved in the budget for Alley Improvements and \$144,000 for Traffic Calming Improvements. This project will utilize both sets of funds to complete two (2) alleys and four (4) traffic calming islands. The estimated construction engineering costs are \$74,000. The bid results for the 2024 Glendale Alley Program were as follows: Milwaukee General Construction total base bid plus awarded alternates \$340,930.30; LaLonde Contractors total base bid plus awarded alternates \$360,677.40. Based on Article 3 of the Bid Form, the award of the contract will be determined by the lowest sum of the Base Bid and additive Bid Alternates selected for award by the Owner. Alternates 1, 3, 4, 5 and 6 are the most beneficial to the City of Glendale and include an asphalt shoulder adjacent to an alley for reduced maintenance and traffic islands in four (4) intersections. The alley reconstruction project will occur on the alley on both sides of Ironwood, north of Glendale Avenue. Traffic calming will be installed at two locations on Glendale Avenue and Marne. Staff recommends awarding the 2024 Glendale Alley Reconstruction Program contract to Milwaukee General Construction in the amount of \$340,930.30 which includes the base bid and alternates 1, 3, 4, 5 and 6. Milwaukee General Construction is an established contractor in the area and has performed well on other similar construction projects.

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to approve the acceptance of the lowest sum total of the Base Bid and Additive Bid Alternates selected for award (Alternate 1,3,4,5, and 6) and award the contract to Milwaukee General Construction in the amount of \$340,930.30 for the 2024 Alley Reconstruction Project was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None . Abstain: None. Motion carried.

IX. File No.

Review and Approval of Bid for the 2024 Private Property Inflow and Infiltration (PPII) Reduction Program

Dr. Mustafa Emir, City Engineer from Clark Dietz, stated under an agreement with MMSD, they fund 100% of the City's Private Property Infiltration and Inflow (PPII) Reduction Program to reduce the amount of sanitary sewage released into the groundwater. The City is required to bid and manage the program, with MMSD reimbursing the City for construction and engineering expenses. This year, the low bid exceeds the original MMSD funding agreement. A breakdown of MMSD funding was provided: the original MMSD funding agreement for the 2024 Glendale PPII Program between MMSD and the City of Glendale is \$880,000 which includes \$112,755 for engineering and \$767,245 for construction; MMSD also has an additional \$253,423 of uncommitted funds allocated to the City of Glendale. Should this Contract be awarded contingent of MMSD approval, the uncommitted funds will be formally requested to cover the remaining balance of the contract; the original MMSD funding agreement including the uncommitted funds results in a total funding value of \$1,133,423 which is enough to fund engineering and construction. The bid results for the 2024 Glendale PPII Program were as follows: MJ Construction, Inc. in the amount of \$998,494.00; Globe Contractors, Inc. in the amount of \$1,117,770.00; and Mid City Corporation in the amount of \$1,472,221.00. MJ Construction, Inc are preapproved by MMSD for this specific work and have completed multiple MMSD contracts in the past few years for various neighboring municipalities. MJ Construction, Inc. confirmed they will hold their unit prices for 90 days while the City of Glendale secures their additional MMSD funding. Staff recommends awarding the 2024 Glendale PPII Program contract to MJ Construction, Inc in the amount of \$998,494.00, contingent of securing required MMSD funding.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to approve the acceptance of the low bid and award of the contract to MJ Construction, Inc for the base bid amount of \$998,494.00 contingent of

securing required MMSD funding for the PPII Reduction Program was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

X. File No.

Review and Approval of Bid for the 2024 Roadway Resurfacing Project

Dr. Mustafa Emir, City Engineer from Clark Dietz, stated three bids were received, reviewed, and tabulated for the 2024 Roadway Resurfacing Project. Upon confirmation of the bid documents, Wolf Paving, Co., Inc. was the low bidder for this project. According to the City of Glendale 2024 capital improvement plan, there is \$504,000 for Road Resurfacing is \$504,000. The estimated construction engineering costs are \$32,500 for this project. The following are the bid results for the 2024 Road Resurfacing Program: Wolf Paving Co, Inc. in the amount of \$215,926.00; Payne and Dolan, Inc. in the amount of \$223,655.00; and Stark Pavement Corp. in the amount of \$233,303.00. The remaining available Roadway Funds will be used to complete the roadway resurfacing as part of the watermain program. The remaining Roadway funding amount of \$255,574 is estimated to be sufficient to complete that work. Staff recommends awarding the 2024 Road Resurfacing Program contract to Wolf Paving Co, Inc in the amount of \$215,926.00. Wolf Paving, Co., Inc. is an established contractor in the area and has performed well on other similar construction projects.

Motion by Ald. Bailey, seconded by Ald. Gelhard, to approve the acceptance of the low bid and award of the contract to Wolf Paving Co, Inc for the base bid amount of \$215,926.00 for the 2024 Roadway Resurfacing Program was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

XI. File No.

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

Glendale resident Robert Cronwell, 7530 N Applewood Lane voiced several concerns with various items in the Employee Handbook. Mayor Kennedy indicated these items have been addressed and corrected and the version distributed in the packet was not the final version distributed to Council members.

Administrator Warwick stated there are several proposed modifications to the Employee Handbook. The Employee Handbook is being presented for consideration with one modification: to include the compensation adjustment language that was previously discussed. The 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. Gelhard, seconded by Ald. Schmelzling, to approve the revised Employee Handbook was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

XII. File No. _____ Pay Grades and Pay Classification Plan

Administrator Warwick stated the City of Glendale recently completed an employee compensation study. Based on the study, employee pay ranges and the employee classification system are being presented for consideration.

Motion by Ald. Bailey, seconded by Ald. Daugherty, to approve the 2024 Pay Ranges and 2024 Classification Pay Plan was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None . Abstain: None. Motion carried.

XIII. File No. _____

Employee Position Re-Assignments and Compensation Adjustments

Administrator Warwick stated there were recommended employee compensation adjustments and position re-assignments submitted to Council members via email.

Motion by Ald. Bailey, seconded by Ald. Schmelzling, to approve the employee compensation adjustments and position re-assignments per the City Administrator's worksheet 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, a motion was made by Ald. Gelhard, seconded by Ald. Daugherty, 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 6:49 p.m., until Monday, May 13, 2024, at 6:00 p.m.

Megan Humitz
City Clerk