

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

June 24, 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, June 20, 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.

Glendale resident Kathleen Carey, 5711 N Crestwood Blvd., submitted another request regarding the trees along the boulevard needing to be trimmed, as they currently require vehicles to pull into the boulevard in order to see around the intersection.

CONSENT AGENDA.

I. File No.

Adoption of Minutes, Approval of Monthly Reports, Approval of 2024 Used Vehicle Dealer's and Secondhand/Pawnbroker's License Applications, and Approval of Compliance Maintenance Annual Report and Glendale Resolution authorizing the filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources

Motion by Ald. Schmelzling, seconded by Ald. Gelhard, to Approve Adoption of Minutes, Approval of Monthly Reports, Approval of 2024 Used Vehicle Dealer's and Secondhand/Pawnbroker's License Applications, and Approval of Compliance Maintenance Annual Report and Glendale Resolution authorizing the filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

III. File No.

Renewal Alcohol Beverage License Applications for the period July 1, 2024 through June 30, 2025.

Ald. Daugherty stated the State of Wisconsin requires all Alcohol Beverage Licenses be renewed every year prior to July 1. All licenses before the Council have been approved for location, and all background checks have been concluded by the City of Glendale Police Department. Dr. Dawg and Buchanan's currently have unabated issues with the NSFD. If the issues are not corrected by midnight on June 30, 2024, the business will not be allowed

to sell alcohol and the Glendale Police Department will enforce this restriction. Staff recommends approval of the 2024 Renewal Alcohol Beverage License applications, contingent on all outstanding NSFD issues being abated by June 30, 2024.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to approve the 2024 Renewal Alcohol Beverage License applications as presented, contingent on all outstanding NSFD issues being abated by June 30, 2024 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No.

Change Order 1 for the 2024 Glendale Sanitary Sewer Cleaning and Televising

Mr. Charlie Imig, Director of City Services, stated the 2024 Capital improvement Plan and the adopted Budget includes \$500,000 for Sanitary Sewer Improvements. A total of \$50,000 is estimated for engineering contract administration, televising review, analysis, and improvement recommendations report. The 2024 Sanitary Sewer Cleaning and Televising project was awarded to Aqualis for \$198,750.00 at the June 10, 2024, meeting. That leaves approximately \$250,000 remaining in the 2024 budget. Staff is looking to utilize as a change order to the Sanitary Sewer Cleaning and televising contract. Change order 1 is an additive change order to include 600 manhole inspections, in the amount of \$21,150. The Purchasing Policy requires Common Council approval for all change orders in excess of \$10,000. These inspections will be beneficial to the City for future planning of maintenance and repairs required for the sanitary sewer collection system.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to accept Change Order 1 for the 2024 Sanitary Sewer Cleaning and Televising project for the amount not to exceed \$21,150 was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No.

Indenture Agreement – 6430 N Sunset Lane to Permit a Fence on a City Easement

Mr. Charlie Imig, Director of City Services, stated the owner of 6430 N. Sunset Lane, the Clovernook subdivision, has requested permission to construct a fence within a City Storm Sewer Easement. That easement, as approved by the City, prohibits the construction of a structure within a City easement. The easement is east/west on the southern portion of the property. The easement document has been provided. The applicant is requesting permission to construct a fence within the easement. To proceed with, the Common Council must approve the use of an easement for a fence. The proposed agreement places requirements on the applicant, including requiring removal in the event a repair is necessary and any costs associated with the use of the easement is the responsibility of the applicant. The construction and placement of this fence will not interfere with any utility.

Motion by Ald. Gelhard, seconded by Ald. Daugherty, to approve the Indenture for use of a storm sewer easement at 6430 N Sunset Lane for the construction of a fence, as a non-precedence setting one-time decision, was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VI. File No.

Zoning Text Amendment to Permit Drive-Through Facilities

Administrator Warwick stated the majority of business and commercial uses are permitted under different variations of B-1 business and commercial districts located in 13.1.34. Restaurants are listed as a permitted use in the B-1 (B, D-2, E, F-1, G-1, H-1, and M). The Zoning permits restaurants in these zoning districts with seated dining, full waiting service and no drive-through service. To permit drive-through facilities, the City has typically re-zoned the property to Planned Development and developed an agreement with drive-through facilities to be permitted. In the past several years, the restaurant industry has been evolving to be more focused on drive-through facilities and to not necessarily have seated areas for customers. The revised zoning text amendment removes these items from being prohibited in the Business uses that allow restaurants. It also includes standards for drive-throughs. In summary, they must be located in a “B-1” business and commercial zoning districts in Article C, “Zoning Districts”, be in a zoning district where restaurant are located and must have a minimum of 25 linear feet of frontage on Port Washington Road, south of West Green Tree Road, and north of West Hampton Avenue; are required to have appropriate staging areas not to negatively impact traffic; are required to minimize the impact of lighting and sound on adjacent properties; are restricted to the hours between 5:00 a.m. and 10:00 p.m. when the site is contiguous to residentially zoned property; are required to adhere to other operational requirements; and are restricted to a certain number and area of signs. This item has been referred to the Planning and Architectural Review Commission for a Public Hearing on July 9th. Final approval of the zoning text amendment would require Common Council approval. The City Code requires the Common Council to hold a public hearing for a zoning text amendment.

Motion by Ald. Gelhard, seconded by Ald. Schmelzling, to refer the Zoning Text Amendment to Permit Drive-Through Facilities to the Planning and Architectural Review Commission and direct staff to schedule a second public hearing for the Common Council meeting on July 22nd was approved. Ayes: Ald. Vukovic, Gelhard, Bailey, Schmelzling, and Shaw. Noes: Ald. Daugherty. Absent: None. Abstain: None. Motion carried.

VII. File No.

Resolution Authorizing the Construction of a City Public Sidewalk in Milwaukee County Right of Way on N Port Washington Road (CTH W) from W Calumet Road to a Point ~200 Feet South

Administrator Warwick stated on October 4, 2022, the City approved a request from Spring North Corporation d/b/a BP Pantry 41 for a Specific Development Plan in a Planned Development for a proposed gas station and convenience store, 7575 North Port Washington Road, and Development Agreement. As part of the plans, the developer included a sidewalk along W Calumet Road and on N Port Washington Road. Also, on October 4, 2022, approved as part of the Planned Development Agreement that all City sidewalks and curb cuts are to be installed by Developer at Developer’s sole expense. The North Port Washington Road segment is 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 enclosed Resolution would permit the installation of a sidewalk by the developer and grant all future maintenance to the developer.

Motion by Ald. Gelhard, seconded by Ald. Vukovic, to adopt the Resolution Authorizing the Construction of a City Public Sidewalk in Milwaukee County Right of Way on N Port Washington Road (CTH W) from W Calumet Road to a Point ~200 Feet South was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

VIII. File No.

Resolutions(s) for the Construction of Public Sidewalk on North Port Washington Road and for the Construction of a Multi-Use Path on West Good Hope Road

Administrator Warwick stated the City of Glendale has agreed to construct bike and pedestrian improvements in various locations in public right-of-way areas with the remaining \$1.3 million in ARPA Funds. Two of the areas are in the County right-of-way and require the City adopt the enclosed Resolutions that pledge the City of Glendale will fund the improvements and provide all future maintenance. The Resolutions also state that in the event of a roadway reconstruction, the improvement must be reconstructed. The County has informed the City

of Glendale that they plan to reconstruct North Port Washington Road from Good Hope to West Coventry Court. If this occurs and these improvements are disturbed, the County would be required to restore these improvements. If the County receives federal funding for this improvement, Glendale could have these improvements constructed with a 20% local contribution. The timing and certainty of this project is not clear, and it is possible that this does not occur for a long period of time. The County informally stated that they plan to reconstruct this area in the next five to seven years. Constructing this project now guarantees the improvement will be installed at today's costs. Waiting until Port Washington Road is reconstructed could provide this improvement at a 20% local share, however the timing and certainty is unknown. If the City desires to approve this project, this Resolution must be adopted. The County has also informed us they plan to reconstruct West Good Hope Road from I-43 to I-41 (5.70 miles). The improvement will be carried out in stages and is planned to begin within the next five to seven years. Currently, the County plans to commence this project from Range Line to Green Bay and complete the project in various stages over the following 4 to 5 years. The exact timing and stages are not known because the County has not submitted for the required federal funding (80%). This project is a higher priority for the County than Port Washington and they have already started design engineering, but it was delayed because of the I-43 improvements. The City will be working closely with the County to develop a plan that will hopefully slow down traffic and reduce the roadway footprint from three lanes to two lanes. With this reconstruction it is unlikely that the City's multi-use path on Good Hope would be disturbed. Waiting until Good Hope Road is reconstructed could provide this improvement at a 20% local share. The timing of this improvement is unknown and even if the County began construction in 5-years, it could be sometime after this that this portion is improved. If the City desires to approve this project, this Resolution must be adopted. The City has pledged funds to construct a multi-use path on Good Hope Road and a sidewalk on both sides of North Washington Road in 2024 using federal ARPA Funds. Adoption of these Resolutions is required to obtain a permit from the County to complete this work. Below is a cost estimate of the originally selected projects. The project on Lydell at the Target property has been eliminated as Bayshore's owner did not agree to provide an easement because the property is for sale. The Civic Drive sidewalk may also be removed because the owner has not been willing to approve an easement necessary to construct the sidewalk.

Motion by Ald. Bailey, seconded by Ald. Vukovic, to adopt the Resolution – Municipal Construction of a City Public Sidewalk in Milwaukee County Right of Way on North Port Washington Road, South of Good Hope Road was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Vukovic, seconded by Ald. Bailey, to adopt the Resolution – Municipal Construction of a City Public Multi-Use Path in Milwaukee County Right of Way on West Good Hope Road, From the Milwaukee River Parkway to Green Bay Avenue 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. Vukovic, seconded by Ald. Shaw, 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 7:01 p.m., until Monday, July 8, 2024, at 6:00 p.m.

Megan Humitz
City Clerk