

CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

January 13, 2025

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, and Steve Schmelzling. Absent: Ald. Shaw.

Other Officials Present: Karl Warwick, City Administrator; Rhett Fugman, Police Chief; Nathan Bayer, City Attorney; 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, January 9, 2025, 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 December 9, 2024, Approval of Accounts Payable, and Approval of Resolution Proclaiming May 4, 2025 as World Migratory Bird Day.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to Adopt the Minutes of the Meeting held on December 9, 2024, Approval of Accounts Payable, and Approval of Resolution Proclaiming May 4, 2025 as World Migratory Bird Day was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

Ordinance Update – Transient Food Merchants

Administrator Warwick stated several months ago, the Common Council approved an ordinance amendment for the entire section 7.4 that includes solicitors, and transient merchants. This update was meant to update solicitor regulations and staff did not focus on the solicitor section of the code. Following this update, staff noticed that a transient merchant was operating that prompted a review of the code to determine whether the operation was permitted and whether a permit is required. In review section 7.4.7, identifying the circumstances when a transient food merchant is permitted and whether a permit is required was not clear. Staff has updated section 7.4.7 of the City to clarify circumstances when transient food merchants are permitted, when a permit is required and when they are prohibited. The regulations generally remained the same. Clarifications were made to the section on the regulations for transient food merchants at retail parking lots and at retail establishments, such as Bayshore and the Bavarian. Transient food merchants are permitted: Retail parking lots permitted to operate and during times that retail sales are permitted, Retail locations permitted to make retail sales and during times that retail sales are permitted, City events approved by the Common Council, City property when sponsored by the City, and On the property of not-for-profit entities. Permits are not required when administered

by the City or a not-for-profit entity. Transient merchant food sales are prohibited on public streets and in the right-of-way.

Glendale resident Robert Cronwell, 7530 N Applewood Lane, questioned if a person can hire a food truck for an event at a private residence, according to the changes in this ordinance. Per Mayor Kennedy, the truck would need to be parked in the resident's driveway but would be allowed. The ordinance prohibits the truck be parked on City streets/in a public right-of-way.

Ald. Daugherty recommended adding language to the ordinance regarding private property, as well as events with an approved street use permit.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to refer the ordinance back to City staff for review and revisions was approved. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

III. File No.

Consideration of a Resolution – Authorizing the Vacation and Discontinuance of An Unimproved Portion of the Right of Way Reserved/Created by CSM 8771

Administrator Warwick stated the City previously approved the creation of a right-of-way area around various properties near 2510 Good Hope Road, per the attached exhibit. Originally, the City's right-of-way (ROW) extended into the property known as 2510 Good Hope Road. To permit the development of a project, the City approved the vacation of a portion of this right-of-way following a noticed public hearing on November 11, 2024. The City needs to consider the vacation of a remaining portion of the right-of-way that connects the parcel to Range Line Road. To vacate property, the City must adopt a Resolution initiating the vacation of the right-of-way, with a public hearing no sooner than 40 days after the adoption of this Resolution. A Class 3 Public Notice is required for the public hearing. The proposed public hearing would take place on February 24, 2025. Wis. Stat. § 62.23(5) requires any prospective discontinuance of a public ROW to be reviewed by that municipality's Plan Commission (CDA in this case) to determine if the abandonment is in the public interest. Upon the CDA's recommendation of approval or disapproval, the draft resolution vacating the ROW would be considered by the Glendale Common Council at a public hearing no less than 40 days after the introduction of this Resolution. Further, Wis. Stat. § 66.1005(1), relating to the reversion of land titles, states, "When any highway or public ground acquired or held for highway purposes is discontinued. . .[it] shall belong to the owner or owners of the adjoining lands. . ." If approved, this portion of unimproved right-of-way will revert to the property owner for the construction of a private access drive to the residential development.

Motion by Ald. Daugherty, seconded by Ald. Bailey, to approve the Resolution, initiating discontinuance of a public way 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. Shaw, seconded by Ald. Schmelzling, 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, over which the Council has jurisdiction or exercises responsibility (City Administrator Performance Review). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

A closed session of approximately 24 minutes was held. The Council discussed the performance review of the City Administrator.

Motion by Ald. Daugherty, seconded by Ald. Gelhard, to reconvene to open session and regular order of business. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent:

None. Abstain: None. Motion carried.

ACTION ON CLOSED SESSION ITEMS.

There was no action taken on closed session items. Closed session adjourned at 6:54 p.m.

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. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 6:55 p.m., until Monday, January 27, 2025, at 6:00 p.m.

Megan Humitz
City Clerk