

**CITY OF GLENDALE**  
**5909 North Milwaukee River Parkway**  
**Glendale, Wisconsin 53209**

COMMON COUNCIL MEETING MINUTES

Monday, January 27, 2025

1. Roll Call and Pledge of Allegiance.

Present: Mayor Bryan Kennedy, Ald. Jim Daugherty, John Gelhard, Phillip Bailey, Steve Schmelzling, and JoAnn Shaw.

Other Officials Present: Karl Warwick, City Administrator; Nathan Bayer, Attorney; Megan Humitz, City Clerk; and Todd Lynch, Lieutenant.

2. Public Comment. Glendale residents, business owners, and property owners are invited to speak to the Council on items not on tonight's agenda but within the City's ability to regulate or control. Mayor Kennedy did receive a public comment from Robert Cronwell, Glendale resident.

a) Robert Cronwell (Resides at: 7530 W Applewood Ln): States that he noticed that the City Hall did not have a Joint Review Board annual meeting in June 2024 to discuss active TIF districts. He also states that the City Council never approved the North Shore Library Capital Expense Budget which is in the agreement between the City and library. Robert states that the library plans on spending \$6.3 million this year, yet they are only budgeted for \$3.4 million in the library fund. Karl states that the North Shore Library bid has not been awarded yet, and construction hasn't been finalized. Karl also states that the North Shore Library has not sent any documentation for this Capital Expense Budget. Ald. JoAnn Shaw questions if the City has an operational budget for the library. Mayor Kennedy states that this operational budget was also included in the City's annual budget and has already been approved. Mayor Kennedy explains that the library sends their budget out to the four communities, which is then included in each of those four annual budgets. He goes on to say that there is separate approval needed if the library is going to call for a Capital Expenditures. Karl then states that the operational budget is automatically approved as long as it meets the agreement standards. This budget would include 2024's agreement, in addition to a percentage of CPI if approved by the Library Board. Mayor Kennedy opens the floor for public comment. No public comment.

3. Public Hearing:

a) Review: *Zoning Code Text Amendment* - To make "Beauty Shops" a Permitted Use in the B-1 (subarea) and B-3 Zoning Districts

Mayor Kennedy opened the public hearing by announcing that the City of Glendale has several Beauty Shops in the City. Mayor Kennedy states that this Zoning Tax Amendment, to make "Beauty Shops" a Permitted Use in the B-1 (subarea) and B-3 Zoning Districts, was approved in the past by the Community Development Director who approved them and viewed Beauty Shops as professional services. There is a state definition and state statute which is proposed that the City adds to the B-1 and B-3 zoning codes.

Mayor Kennedy states that this Zoning Tax Amendment to make “Beauty Shops” a Permitted Use in the B-1 (subarea) and B-3 Zoning Districts has already been to plan commission. Planning Commission referred this amendment back by unanimous vote. Mayor Kennedy called three times for anyone on the Zoom call or in the Council chambers that wished to speak for public comment. Hearing no additional public comment, Ald. Daugherty made the motion to close the public hearing, seconded by Ald. Bailey. Abstain: None. Absent: Ald. Tomika Vukovic. Motion carried.

Motion by: Ald. Schmelzling, seconded by Ald. Daugherty to approve the Ordinance 13.1.20 to allow Beauty Shops as a Permitted Use in the “B-1” and “B-3” Zoning Districts, Repealing and Replacing Section 13.1.20 (b) of Title 13 of Article C. Abstain: Ald. Tomika Vukovic. Absent: None. Motion carried.

- b) Review: *Zoning Code Text Amendment* - Title 13, Article K “Accessory Uses and Structures; Fences and Hedges; Portable Storage Structures and Donation Drop-Off Boxes,” and Section 13.1.142, “Fences and Hedges” of Title 13

Mayor Kennedy opens up this Public Hearing for the Zoning Code Text Amendment for Title 13, Article K “Accessory Uses and Structures; Fences and Hedges; Portable Storage Structures and Donation Drop-Off Boxes,” and Section 13.1.142, “Fences and Hedges” of Title 13. He states that the City has received a number of complaints from residents in the past 6-8 months for residents’ yards that do not appear to have curb appeal, such as the house with a dog run in the front yard and the house that’s entire front yard is a vegetable garden. What question is what is acceptable for the front yard and what is acceptable for the rest of the property. This Ordinance was sent to the Plan Commission, and the Plan Commission sent it back with unanimous recommendation since there was no public hearing at that meeting that the Council must approve.

City Administrator, Karl, questions if this Ordinance went to Plan Commission or if this discussion during the January 27<sup>th</sup> meeting was the initial discussion during this public hearing to motion for recommendation. It is required under the code for the park to then have a Plan Commission Meeting in March, and the Council would adopt the Ordinance after that. Mayor Kennedy confirms that this Ordinance did not go to Plan Commission and that the Common Council would refer it to the Plan Commission. City Administrator, Karl, presents a PowerPoint on Residential Fence Requirements and Zoning Code as well as the proposed Residential Fence Requirements. Meredith Perks, from Vandewalle & Associates, reiterates these requirements and when a fence permit is not needed. Ald. JoAnn states that on the south side of Glendale, there are smaller lots, and many residents utilize their front yards. She questions whether the City can limit what’s in the front yard based on a resident’s personal preference. Mayor Kennedy then explains the Natural Landscaping Ordinance. Ald. Schmelzling questions if raised garden beds in front yards would still be an eyesore, even though there is not a fence surrounding it. His concern is the limitations of residents utilizing their front yards.

Mayor Kennedy opened the public hearing. Mayor Kennedy did receive a public hearing from Steve Wisth, Brian Swanson, and Robert Cornwell, all Glendale residents.

Steve Wisth (Resides at: 6017 N Sidney Pl): He appreciated the comment to protect residential properties. He states that his neighbor recently cut a tree down and Steve used these stumps to create a fence-like-divider to prevent trucks from making U-turns in his front yard. He questions if these stumps would be addressed within this code. He also states that according to his property survey from 1956, his

house tilts and the easement in the back of his property cuts over his roof line where the utilities are. He wants to ensure that this Ordinance understands unique properties like his, and that the Council takes a lesser approach for this fence code.

Brian Swanson (Resides at: 1820 W Wayside Dr): He states that he agrees with the intent and purpose of the Amendment, however, he is concerned about Amendment Section 13.142.C2 which has no text that states what is intended for a front yard. This section does not state anything regarding front yards. He would like the Council to consider adding text to this specific paragraph for those new residents that move to Glendale and intend to put a garden fence in their side or back yard.

Robert Cronwell (Resides at: 7530 W Applewood Ln): States that he read through the ordinance, and he can't walk a block in Glendale without finding a house that violates this code. He is confused on the Ordinance language that states if there is a fence in the front yard, you can contain kids, pets, or a garden within that fence. He points out that not having a fence in the front yard can be a safety issue for kids. He points out that Plan Commission should now be labeled Park Commission. He states that windbreaks were redefined and are no longer artificial constructs. He questions the definition of a "decorative" picket and low brick masonry walls. He also said that he is seeing chain-link fences around the city which are in violation of code. He questions why the City is looking to pass an Amendment which will make it so 30-40% of houses in Glendale will already be violating this code.

Mayor Kennedy called three times for anyone on the Zoom call or in the Council chambers that wished to speak for public comment. Hearing no additional public comment, Ald. Bailey made the motion to close the public hearing, seconded by Ald. Schmelzling. Abstain: None. Absent: Ald. Vukovic. Motion carried.

Motion by Ald. Daugherty, seconded by Ald. Bailey, to refer to the Planning and Architectural Review Commission for a Public Hearing and Recommendation - Ordinance - Amending and Re-Naming Title 13, Article K "Accessory Uses and Structures; Fences and Hedges; Portable Storage Structures and Donation Drop-Off Boxes," and Section 13.1.142, "Fences and Hedges" of Title 13. Abstain: Ald. Shaw. Absent: Ald. Vukovic. Motion carried unanimously.

4. Consent Agenda:

Motion by: Ald. Daugherty, seconded by Ald. Bailey to adopt the January 13<sup>th</sup>, 2025, Accounts Payable, and Approval of the Monthly Reports. Abstain: None. Absent: Ald. Vukovic. Hearing no objections from the Council, the motion carried.

5. New Business: (The public may speak to the Council before the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).

a) Review and Possible Action: *Proclamation* - Declaring January 11, 2025, as Eagle Scout Recognition Day in the City of Glendale

Motion by: Ald. Schmelzling, seconded by Ald. Daugherty to approve the Proclamation of January 11, 2025, as Eagle Scout Recognition Day in the City of Glendale. Abstain: None. Absent: Ald. Tomika Vukovic. Motion carried.

b) Review and Possible Action: *Ordinance* - Repealing and Replacing Section 7.4.7 regarding Transient Merchant Food Establishments

Motion by: Ald. Daugherty, seconded by Ald. Bailey to repeal and replace Ordinance Section 7.4.7 regarding Transient Merchant Food Establishments to allow 1 truck at a time at special events and on residential zoning lots between 10AM – 9PM, with a maximum of three times per year. Abstain: None. Absent: Ald. Tomika Vukovic. Motion carried.

6. Commission, Committee, Board, and Staff Reports: (This is an opportunity for Council Members to Report on their Respective Committees, Commissions, and Boards of which they serve as a Member and for Staff and Administrator updates)

City Administrator, Karl Warwick, announced the launch of Community Core, the new permitting processor.

City Administrator, Karl Warwick, announced the authorization of the Solicitor's List using SeeClickFix has been marketed on social media.

Attorney, Nathan Bayer, announced information regarding two federal lawsuits. One is initiated by the Department of Justice and the other by Federal Trade Commission.

City Clerk, Megan Humitz, announced that the Absentee Ballots for the February 18<sup>th</sup> Spring Primary will be mailed out January 28<sup>th</sup>.

Mayor, Bryan Kennedy, announced that at the MMSD meeting, they discussed a bubble barrier for the riverfront to dispose of plastics. If proposed, Glendale will be one of the first cities in the United States to use the bubble barrier.

7. Adjournment.

There being no further business, a motion was made by Ald., seconded by Ald., to adjourn the meeting. Abstain: None. Absent: Ald. Vukovic. Motion carried and adjournment of the Common Council was ordered at 7:15 p.m.