

City of Franklin
Quarry Monitoring Committee Meeting
October 13, 2014
Minutes

Approved
November 7, 2014

I. CALL TO ORDER

Chairman Kristen Wilhelm called the October 13, 2014 regular Quarry Monitoring Committee meeting to order at 6:32 p.m. in the Lower Level Conference Room at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderwoman Kristen Wilhelm and Alderman Doug Schmidt, and Members Margie Shore and Fred Knueppel (arrived at 6:48 p.m.). Also present was Planning Manager Joel Dietl.

II. APPROVAL OF MINUTES

- a. Regular meeting of August 14, 2014.

Alderman Schmidt moved and Alderwoman Wilhelm seconded approval of the August 14, 2014 minutes of the regular meeting of the Quarry Monitoring Committee as amended at Item V.a.. On voice vote, all voted 'aye'. Motion carried.

III. CITIZEN COMMENT PERIOD

Chairman Wilhelm opened the floor to citizen comments at 6:40 p.m., which was closed at 6:48 p.m..

IV. HEARINGS

- a. None.

No action needed. None taken.

V. BUSINESS

- a. Review of a proposed Professional Services Agreement between the City of Franklin and Stantec Consulting Services Inc. for quarry monitoring services for 2015.

The Committee reviewed a proposed draft quarry monitoring contract scope of services and budget for 2015 and an associated quarry observation form both prepared by Stantec Consulting Services Inc.

Motion by Member Shore, seconded by Alderman Schmidt, to suspend regular business to allow members of the audience to speak. All voted 'aye', motion carried. Motion by Alderman Schmidt, seconded by Member Shore, to return to regular order of business. All voted 'aye', motion carried.

The Committee reviewed the itemized description of services and cost estimates provided by Stantec Consulting Services Inc. and suggested the use of video in addition to photos for dust observation, the use of Payne & Dolan's blasting data to assist the consultant, and certain changes to improve the clarity of the consultant's observation form.

Motion by Alderman Schmidt, seconded by Member Knueppel, "That the Committee recommends that the Stantec Consulting Services Inc. contract come before the Common Council meeting on October 21, 2014 for consideration, including the three suggested changes by the Quarry Monitoring Committee to the contract provided by Stantec, and that the Committee recommends continuation of the quarry monitoring by Stantec as soon as possible with the agreement that the contract remain within the budgeted amount of \$42,000." All voted 'aye', motion carried.

- b. Preparation of a Reclamation Plan pursuant to Planned Development District Nos. 23 and 24, City of Franklin Ordinance No. 2001-1649, *An Ordinance to Create Chapter 176 of the Municipal Code Pertaining to Non-Metallic Mining Reclamation*, and Wisconsin Administrative Code NR 135 Nonmetallic Mining Reclamation.

The Committee discussed a comparison of City of Franklin Ordinance No. 2001-1649, *An Ordinance to Create Chapter 176 of the Municipal Code Pertaining to Non-Metallic Mining Reclamation* with the Wisconsin Administrative Code NR 135 Nonmetallic Mining Reclamation's model ordinance, and the Wisconsin Department of Natural Resources' request that the City update its ordinance to reflect the current model ordinance. The Committee also expressed its willingness to work on this subject.

Motion by Alderman Schmidt, seconded by Member Shore, "That the Committee recommends that the Common Council provide direction on using the Ordinance as is, making corrections to it, or using the Wisconsin Department of Natural Resources Model Ordinance and inserting appropriate City language." All voted 'aye', motion carried.

The Committee discussed the reclamation plan related elements of Planned Development District Nos. 23 and 24, of City of Franklin Ordinance No. 2001-1649, *An Ordinance to Create Chapter 176 of the Municipal Code Pertaining to Non-Metallic Mining Reclamation*, and of Wisconsin Administrative Code NR 135 Nonmetallic Mining Reclamation. The Committee also reviewed a summary comparison of these documents prepared by Planning Manager Dietl.

Motion by Member Shore, seconded by Alderman Schmidt, "That the Committee recommends that the Common Council notify Payne & Dolan of the need for updating the Reclamation Plan as recommended by the Wisconsin Department of Natural Resources and that the Common Council set a date on when the Reclamation Plan will be completed." All voted 'aye', motion carried.

- c. Implementation of the recommendations from the Quarry Monitoring Committee pertaining to quarry monitoring and the terms and provisions of Planned Development District No. 23.

The Committee discussed its recommendations relating to PDD No. 23 in light of recent actions by the Plan Commission and the Common Council, and began a review of each recommendation's status.

Member Knueppel vacated his seat at 8:35 p.m. and returned to his seat at 8:38 p.m.

Motion by Member Shore, seconded by Alderwoman Wilhelm, "That the Committee recommends that the Common Council set timelines for action on each of the Committee's recommendations." All voted 'aye', motion carried.

Motion by Alderwoman Wilhelm, seconded by Member Shore, "That the Committee recommends that the Police Chief be consulted for input in general, and as it applies to the quarry in particular, on the City's noise ordinance." All voted 'aye', motion carried.

Motion by Alderman Schmidt, seconded by Member Shore, that "If the Committee is unavailable to meet prior to the November 18, 2014 Common Council meeting, that staff should provide the PDD No. 23 related recommendations status and possible implementation information completed so far, to the Common Council."

- d. Updates from the Planning Manager about matters pertaining to citizen complaints, staff's quarry monitoring activities, and the consultant's quarry monitoring activities.

Planning Manager Dietl noted that the City had received the following citizen complaints since the Committee's last meeting: one complaint about a blast on August 14th; one complaint about two separate blasts on August 22nd; one complaint about two separate blasts on September 12th; one complaint about excessive smoke and fumes from the asphalt plants within the quarry on September 24th; one complaint about two separate blasts on September 26th; one complaint about two separate blasts on September 30th; two complaints about a blast on October 2nd; one complaint about a blast on October 23rd; and one complaint about a blast on October 27th. Planning Manager Dietl noted that the subject blasts, as recorded by Payne & Dolan, were under the PDD limit of 0.3 inches/second.

Planning Manager Dietl noted, and the Committee discussed, probable upcoming changes to the online quarry complaint information, including the Quarry Event Form, as suggested by Alderwoman Wilhelm and a concerned citizen.

VI. SCHEDULE NEXT MEETING

It was agreed that the next scheduled meeting of the Quarry Monitoring Committee will be at the call of the Chairman, but prior to November 12th.

VII. ADJOURNMENT

Alderman Schmidt moved and Member Knueppel seconded to adjourn the October 13, 2014 Quarry Monitoring Committee meeting at 9:00 p.m. All voted 'aye'; motion carried.