

CITY OF FRANKLIN
QUARRY MONITORING COMMITTEE*
MEETING AGENDA

Franklin City Hall, Common Council Chambers
9229 W. Loomis Road, Franklin, Wisconsin 53132
Thursday, July 11, 2019, 6:00 p.m.

- I. Call to Order and Roll Call
- II. Chairman appointment of a Commission member to take minutes in absence of the previous appointed staff.
- III. Approval of Minutes
 - a. Regular meeting of March 28, 2019
- IV. Citizen Comment Period

PLEASE NOTE: Due to the anticipated number of citizens who may attend, each speaker may need to be limited to three minutes, allowing everyone who wishes the opportunity to speak.
- V. Hearings
 - a. None.
- VI. Business (Action may be taken on any item)
 - a. Update on the Council action related to the blasting area survey change order, adding it to the Quarry Monitoring Services for 2019, and discussion on methods that will be used to carry out the survey services.
 - b. Review and discussion of a Quarry Information on the City's website.
 - c. Review and discussion of the proposed State language limiting local control for quarries.
 - d. Update on the newly implemented blasting notification by email from the Quarry operator.
 - e. Information on matters pertaining to citizen complaints, staff's quarry monitoring activities, and the consultant's quarry monitoring activities, previously reported by the Planning Manager.
 - f. Status Report on the Updated Quarry Reclamation Plan prepared by Payne & Dolan and Recommended for Approval by the Quarry Monitoring Committee.
- VII. Schedule Next Meeting
- VIII. Adjournment

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which the Common Council has decision-making responsibility. This may constitute a meeting of the Common Council per State ex rel. Badke v. Greendale Village Board, even though the Common Council will not take formal action at this meeting.*

Notice is further given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's office at (414) 425-7500.

City of Franklin
Quarry Monitoring Committee Meeting
March 28, 2019
Minutes

unapproved

I. CALL TO ORDER

Alderwoman Wilhelm called the March 28, 2019 Quarry Monitoring Committee meeting to order at 6:02 p.m. in the Common Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderwoman Kristen Wilhelm, Alderman Mike Barber, Member Margie Shore, and Member Fred Knueppel. Absent was Member Andrew Ruffing. Also present was Planning Manager Joel Dietl.

II. APPROVAL OF MINUTES

- a. Regular meeting of February 28, 2019.

Alderman Barber moved and Member Ruffing seconded approval of the February 28, 2019 minutes of the regular meeting of the Quarry Monitoring Committee. On voice vote, all voted 'aye'. Motion carried.

III. CITIZEN COMMENT PERIOD

Five persons spoke primarily in regard to continued and expanded monitoring of the quarry, surveying of the quarry limits, changes to the Planned Development District, etc.

IV. HEARINGS

- a. None.

No action needed. None taken.

V. BUSINESS

- a. Update from the Quarry Monitoring Committee Aldermanic Representatives related to Item G.3. of the March 19, 2019 Common Council meeting, with further action(s) as may be needed as a result of the Council's direction. This is to include all items from the March 19, 2019 Council action sheet attached).

The Quarry Monitoring Committee discussed the motions that were made at the March 19th Council meeting. The Committee further discussed additional surveying of the quarry and how that would be accomplished this year and next, who would be involved, etc.

Member Knueppel moved, and Alderman Barber seconded, a motion to direct that one Committee member and one quarry neighbor be present during the survey work with the point persons to be Alderwoman Wilhelm and Ms. Jill Erickson. On voice vote, all voted 'aye'. Motion carried.

The Quarry Monitoring Committee indicated that items #9 (Reclamation Plan) and #10 (Quarry Monitoring Committee appointments) be discussed at future Quarry Monitoring Committee and Common Council meetings.

Member Shore moved to recommend that the Mayor be requested to increase the size of the Quarry Monitoring Committee by one additional member. The motion failed due to lack of a second. Member Shore moved, and Member Kneuppel seconded, a motion that Ms. Jill Erickson be the Mayoral appointment to the Quarry Monitoring Committee. On voice vote, all voted 'aye'. Motion carried.

- b. Review and discussion of citizen questions pertaining to the Payne & Dolan quarry blast of October 1, 2018.

It was noted that this item had been completed, that the various citizen questions had been answered, and that tax information on the quarry was available.

The Quarry Monitoring Committee discussed additional ideas for monitoring activities, such as permanent markers of the extraction limits, airblast monitors, additional survey work, etc.

- c. Status report on the Updated Quarry Reclamation Plan prepared by Payne & Dolan and recommended for approval by the Quarry Monitoring Committee.

Planning Manager Dietl indicated that staff had not yet undertaken any further action on this item.

- 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 indicated that the City had received three complaints since the Committee's last meeting. All three were about a blast on March 21st, two of which were unofficial complaints about the blast, and one official complaint about the blast. Alderwoman Wilhelm noted that she had also received a complaint about the subject blast.

Member Kneuppel left at 7:47pm and returned at 7:49pm.

Planning Manager Dietl also indicated that setup of the City's seismograph had been scheduled for earlier that day, that aerial photos of the quarry from Payne & Dolan had been handed out, that summary blast information from Payne & Dolan was provided in the Committee packets, and that quarry email complaints will now go to Mr. Clint Weninger rather than office staff.

VI. SCHEDULE NEXT MEETING

It was agreed that the next meeting of the Quarry Monitoring Committee would tentatively be on April 25, 2019.

VII. ADJOURNMENT

Alderman Barber moved and Member Shore seconded to adjourn the March 28, 2019 Quarry Monitoring Committee meeting at 7:55 p.m. All present voted 'aye'; motion carried.

Vla.



PROFESSIONAL SERVICES AGREEMENT CHANGE ORDER

Change Order # 01 Date 11 June 2019
"Stantec" Stantec Consulting Services Inc.
Stantec Project # 193703639
1165 Scheuring Rd., De Pere, Wisconsin 54311
Ph: (920) 592-8400
email: mike.roznowski@stantec.com
Client City of Franklin
Client Project # N/A
9229 West Loomis Road, Franklin, Wisconsin 53132
Ph: (414) 425-4024
email: jdietl@franklinwi.gov

Project Name and Location: Quarry Monitoring Services

In accordance with the original Professional Services Agreement dated 15 February 2019 and Change Orders thereto, the Agreement changes as detailed below are hereby authorized.

Stantec will prepare an Exhibit depicting the centerlines of S. 51st St. and W Drexel Ave. with upper and lower Payne & Dolan quarry limits shown dimensioned to the road centerlines, in relation to the 650-foot minimum set-back. We'll prepare a brief memo describing conditions to accompany the Exhibit. UAV and photogrammetric measurement technology will be used in the survey process to map the quarry.

Total fees this Change Order	\$ 6,000.00
Original agreement amount	\$ 46,000.00
Change Order Number	\$ -
Change Order Number	\$ -
Change Order Number	\$ -
Change Order Number	\$ -
Total Agreement	\$ 52,000.00

Effect on Schedule: Services should be completed within 4 to 6 weeks of authorization to proceed.

Payments shall be made in accordance with the original agreement terms. All other items and conditions of the original Agreement shall remain in full force and effect.

Stantec Consulting Services Inc.

City of Franklin

Michael B. Roznowski, Principal
Print Name and Title

Stephen R. Olson Mayor
Print Name and Title

Signature

Signature

Date Signed:

6/11/19

Date Signed:

6/24/19



Vl.c.

City of Franklin
Office of the Mayor

June 19, 2019

The Honorable Tony Evers
Governor, State of Wisconsin
115 East Capitol
Madison WI 53702

Dear Governor Evers:

As you know, the City of Franklin has a limestone quarry. The substantial area of the properties adjoining the Franklin quarry are residential properties, primarily single-family homesteads.

After years of efforts by the City, working with the Wisconsin Department of Natural Resources and other Department(s) staff, the quarry operators and their representatives, and the Franklin residents and property owners, and numerous public meetings and hearings on the subject matter of the quarry use and operations, the City of Franklin, more than 22 years ago, on June 3, 1997, adopted Planned Development District Ordinances Nos. 23 and 24 (Limestone Quarry and Mixed Use). The then quarry operators participated in the drafting of the Ordinances and concurred with the result of their approval and adoption.

Payne & Dolan, Inc. was one of the then two operators and now is the singular operator of the entire quarry which is the entirety of the property regulated by the Ordinances.

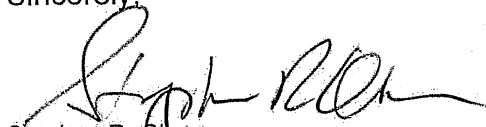
The Ordinances provide regulations for the operator's extraction and related quarry operations which provide for and protect the public health, safety and welfare and will satisfactorily mitigate any potential negative impacts of such uses on surrounding properties.

The regulations include in part, limits on blasting, specified hours of operation, extraction area boundaries, standards for opacity and air quality, and stormwater management and for a water quality plan. The Ordinances provide for the monitoring of blasting and the City as such has been assisted by a consultant for such ongoing services through the years. The City also has a Quarry Monitoring Committee which has regular public meetings through the years and attendees include the quarry operator and the City consultant.

The City of Franklin is opposed to the Transportation budget Omnibus Motion provisions adopted by the Joint Committee on Finance on the night of June 6, 2019, which preempt *Local Regulation of Nonmetallic Mining at Quarry Operations* (Motion #130, pp.

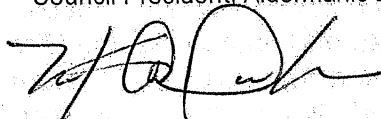
19-22). We understand that a similar provision was included in the 2017-2019 state budget, which was vetoed by former Governor Scott Walker, who said at the time he objected to "inserting a major policy item into the budget without sufficient time to debate its merits." The current Transportation budget should not preempt Local Regulation of Nonmetallic Mining at Quarry Operations and you should oppose that provision. If adopted, it should be vetoed by the Governor.

Sincerely,

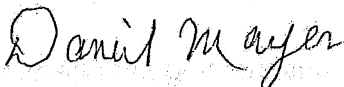


Stephen R. Olson
Mayor

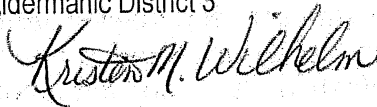
Mark Dandrea
Council President, Aldermanic District 1




Daniel Mayer
Aldermanic District 2



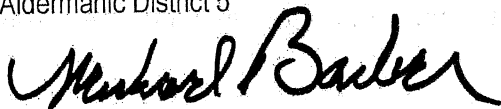
Kristen Wilhelm
Aldermanic District 3



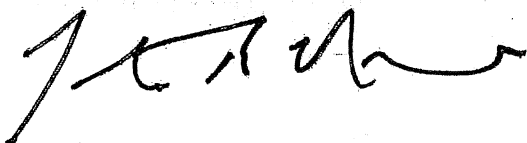
Steve F. Taylor
Aldermanic District 4



Michael Barber
Aldermanic District 5



John Nelson
Aldermanic District 6





PAYNE & DOLAN
INCORPORATED
A WALBEC GROUP COMPANY

May 8th, 2019

RE: Pre-Blast Notification

Dear Neighbor:

I hope this letter finds you well. It has recently come to our attention that some of our neighbors would like to have advance notice of when a blast will occur at the Franklin Aggregates quarry located on Rawson Avenue. Therefore, we are starting a pre-blast notification for those neighbors that are interested. The notification process would entail sending you a message the day of the blast by either text or e-mail informing you that blasting would be occurring that day.

The pre-blast notification process will start in early June, so if you are interested in receiving a notice, please provide your contact information including name, address, mobile phone number and/or email address to the address below or email, bbucholtz@payneanddolan.com, by May 31st.

Payne and Dolan Inc.
c/o Bryanna Bucholtz
N3W23650 Badinger Road
Waukesha, WI 53187

We believe this notification process will help us continue to build a strong relationship with the surrounding community in which we do business and live. If you have any questions, please don't hesitate to contact me at (262) 524-1258.

Sincerely,

Payne & Dolan, Inc.

Clint Weninger, P.G.
Land Resources Manager

An Equal Opportunity Employer • www.payneanddolan.com

PO Box 781 • N3W23650 Badinger Rd • Waukesha, WI 53187-0781 • 262.524.1700

V1. f1

From: Roznowski, Mike
To: Joel Dietl
Subject: FW: Sauls Seismograph Data
Date: Wednesday, April 03, 2019 5:06:50 PM
Attachments: image002.png

Joel.....see the email below. I told Clint I'd need to check with you and the city before I gave him access. This should be presented to the Quarry Committee to get a response back to Payne & Dolan.

Mike Roznowski
Principal
Direct (920) 278-3200 / office (920) 592-8400
Mobile: (920) 655-1852



From: Clint Weninger <cweninger@payneanddolan.com>
Sent: Tuesday, April 2, 2019 8:35 AM
To: Roznowski, Mike <Mike.Roznowski@stantec.com>
Cc: Derek Novotny <DNovotny@payneanddolan.com>
Subject: Sauls Seismograph Data

Good Morning Mike.

I understand that the Sauls seismographs are up and running. Can we get real time access to the data from those seismographs, similar to what we have provided to you and the City? Having access to this information will help us correlate the Sauls results with our blast data in real time.

Please let me know if this is doable.

Thanks.



CLINT WENINGER
Land Resources Manager
262.524.1258 office
262.366.5429 mobile
www.payneanddolan.com
An Equal Opportunity Employer

VI.f.

Franklin Aggregates
Recorded Ground Vibration and Airblast Levels
March 2019

Time	Event No.	Location	Distance	PPV	Freq	AO
3/28/2019 11:46	22	5800 ALLWOOD	3,410	N/T	N/T	N/A
3/28/2019 11:46	22	SE of Quarry	1,951	0.035	18.5	111
3/28/2019 11:46	22	7301 S 51st Street	1,180	0.113	41.7	109
3/28/2019 11:46	22	7526 S. 51st Street	1,189	0.07	18.5	113
3/25/2019 11:26	21	5800 ALLWOOD	3,271	N/T	N/T	N/A
3/25/2019 11:26	21	SE of Quarry	1,837	0.038	20.8	112
3/25/2019 11:26	21	7526 S. 51st Street	1,151	0.088	21.7	111
3/25/2019 11:26	21	7301 S 51st Street	1,294	0.103	41.7	107
3/21/2019 11:57	20	5800 ALLWOOD	3,706	N/T	N/T	N/A
3/21/2019 11:57	20	SE of Quarry	2,202	N/T	N/T	N/A
3/21/2019 11:57	20	7526 S. 51st Street	1,315	0.05	45.5	110
3/21/2019 11:57	20	7301 S 51st Street	959	0.095	35.7	106
3/21/2019 9:39	19	5800 ALLWOOD	3,366	N/T	N/T	N/A
3/21/2019 9:39	19	7526 S. 51st Street	1,027	0.22	38.5	115
3/21/2019 9:39	19	SE of Quarry	1,807	0.063	22.7	118
3/21/2019 9:39	19	7301 S 51st Street	1,160	0.145	38.5	109
3/18/2019 12:03	18	5800 ALLWOOD	3,694	N/T	N/T	N/A
3/18/2019 12:03	18	SE of Quarry	2,070	N/T	N/T	N/A
3/18/2019 12:03	18	7526 S. 51st Street	1,131	0.068	55.6	109
3/18/2019 12:03	18	7301 S 51st Street	864	0.133	45.5	108
3/18/2019 11:59	17	5800 ALLWOOD	3,694	N/T	N/T	N/A
3/18/2019 11:59	17	SE of Quarry	2,209	N/T	N/T	N/A
3/18/2019 11:59	17	7526 S. 51st Street	1,333	0.048	33.3	118
3/18/2019 11:59	17	7301 S 51st Street	983	0.093	41.7	106
3/13/2019 12:30	15	5800 ALLWOOD	3,702	N/T	N/T	N/A
3/13/2019 12:30	15	SE of Quarry	2,109	N/T	N/T	N/A
3/13/2019 12:24	15	7526 S. 51st Street	1,182	0.06	23.8	109
3/13/2019 12:24	15	7301 S 51st Street	881	0.11	38.5	109
3/13/2019 12:26	16	5800 ALLWOOD	3,643	N/T	N/T	N/A
3/13/2019 12:26	16	SE of Quarry	2,259	N/T	N/T	N/A
3/13/2019 12:26	16	7526 S. 51st Street	1,442	0.038	38.5	117
3/13/2019 12:26	16	7301 S 51st Street	1,114	0.065	41.7	108

V1. f.

Franklin Aggregates
Recorded Ground Vibration and Airblast Levels
April 2019

Time	Event No.	Location	Distance	PPV	Freq	AO
4/25/2019 11:39	38	5800 ALLWOOD	3,417	N/T	N/T	N/A
4/25/2019 11:39	38	SE of Quarry	1,896	N/T	N/T	N/A
4/25/2019 11:39	38	7301 S 51st Street	1,137	0.173	45.5	107
4/25/2019 11:39	38	7526 S. 51st Street	1,106	0.103	35.7	108
4/25/2019 11:45	39	5800 ALLWOOD	4,118	N/T	N/T	N/A
4/25/2019 11:45	39	SE of Quarry	2,757	N/T	N/T	N/A
4/25/2019 11:45	39	7301 S 51st Street	1,063	0.16	45.5	116
4/25/2019 11:45	39	7526 S. 51st Street	1,841	0.05	33.3	116
4/22/2019 12:39	37	5800 ALLWOOD	4,025	N/T	N/T	N/A
4/22/2019 12:39	37	SE of Quarry	2,796	N/T	N/T	N/A
4/22/2019 12:39	37	7526 S. 51st Street	1,953	0.06	35.7	116
4/22/2019 12:39	37	7301 S 51st Street	1,273	0.078	7.9	116
4/22/2019 12:34	36	5800 ALLWOOD	3,582	N/T	N/T	N/A
4/22/2019 12:34	36	7526 S. 51st Street	1,024	0.16	55.6	108
4/22/2019 12:34	36	SE of Quarry	1,937	0.023	23.8	104
4/22/2019 12:34	36	7301 S 51st Street	940	0.148	45.5	107
4/19/2019 13:00	35	5800 ALLWOOD	3,412	N/T	N/T	N/A
4/19/2019 13:00	35	7301 S 51st Street	1,087	0.118	45.5	108
4/19/2019 13:00	35	7526 S. 51st Street	915	0.163	45.5	107
4/19/2019 13:00	35	SE of Quarry	1,759	0.03	20.8	108
4/19/2019 9:38	34	5800 ALLWOOD	4,139	N/T	N/T	N/A
4/19/2019 9:38	34	SE of Quarry	2,769	N/T	N/T	N/A
4/19/2019 9:38	34	7301 S 51st Street	1,049	0.208	41.7	113
4/19/2019 9:38	34	7526 S. 51st Street	1,845	0.065	33.3	117
4/15/2019 11:45	32	5800 ALLWOOD	3,607	N/T	N/T	N/A
4/15/2019 11:45	32	7301 S 51st Street	930	0.158	41.7	110
4/15/2019 11:45	32	7526 S. 51st Street	1,070	0.13	33.3	108
4/15/2019 11:45	32	SE of Quarry	1,982	0.025	23.8	110
4/15/2019 11:47	33	5800 ALLWOOD	3,869	N/T	N/T	N/A
4/15/2019 11:47	33	SE of Quarry	2,796	N/T	N/T	N/A
4/15/2019 11:47	33	7301 S 51st Street	1,505	0.058	41.7	116
4/15/2019 11:47	33	7526 S. 51st Street	2,050	0.038	22.7	118
4/12/2019 12:10	31	5800 ALLWOOD	3,412	N/T	N/T	N/A
4/12/2019 12:11	31	SE of Quarry	1,870	0.028	15.2	112
4/12/2019 12:11	31	7301 S 51st Street	1,130	0.13	38.5	112
4/12/2019 12:10	31	7526 S. 51st Street	1,074	0.158	38.5	115
4/12/2019 11:58	30	SE of Quarry	1,707	0.038	33.3	104
4/12/2019 11:58	30	7301 S 51st Street	1,100	0.098	41.7	116
4/12/2019 11:58	30	7526 S. 51st Street	859	0.123	35.7	111
4/8/2019 12:21	28	5800 ALLWOOD	3,310	N/T	N/T	N/A
4/8/2019 12:21	28	7301 S 51st Street	1,208	0.133	38.5	113
4/8/2019 12:21	28	7526 S. 51st Street	1,004	0.105	41.7	114
4/8/2019 12:21	28	SE of Quarry	1,755	0.038	20	112

4/8/2019 12:24	29	5800 ALLWOOD	3,427	N/T	N/T	N/A
4/8/2019 12:24	29	7301 S 51st Street	1,195	0.118	38.5	110
4/8/2019 12:24	29	7526 S. 51st Street	1,253	0.085	27.8	115
4/8/2019 12:24	29	SE of Quarry	2,007	0.043	18.5	113
4/5/2019 13:30	27	5800 ALLWOOD	3,371	N/T	N/T	N/A
4/5/2019 13:27	27	7301 S 51st Street	1,125	0.118	38.5	108
4/5/2019 13:27	27	7526 S. 51st Street	889	0.115	29.4	111
4/5/2019 13:27	27	SE of Quarry	1,713	0.03	16.1	111
4/5/2019 10:45	26	5800 ALLWOOD	2,932	0.02	16.7	106
4/5/2019 10:45	26	7526 S. 51st Street	1,349	0.153	29.4	118
4/5/2019 10:45	26	7301 S 51st Street	1,674	0.093	38.5	112
4/5/2019 10:45	26	SE of Quarry	1,766	0.058	21.7	111
4/2/2019 13:00	25	5800 ALLWOOD	3,362	N/T	N/T	N/A
4/2/2019 13:00	25	7526 S. 51st Street	1,283	0.098	16.7	116
4/2/2019 13:00	25	SE of Quarry	1,990	0.04	19.2	114
4/2/2019 13:00	25	7301 S 51st Street	1,273	0.148	38.5	112
4/2/2019 9:55	24	5800 ALLWOOD	3,427	N/T	N/T	N/A
4/2/2019 9:55	24	7526 S. 51st Street	1,042	0.09	38.5	111
4/2/2019 9:55	24	7301 S 51st Street	1,104	0.125	41.7	109
4/2/2019 9:55	24	SE of Quarry	1,857	0.038	23.8	110
4/2/2019 9:53	23	5800 ALLWOOD	3,373	N/T	N/T	N/A
4/2/2019 9:53	23	7526 S. 51st Street	826	0.08	35.7	104
4/2/2019 9:53	23	SE of Quarry	1,671	0.028	25	106
4/2/2019 9:53	23	7301 S 51st Street	1,116	0.118	41.7	106

From: [Joel Dietl](#)
To: [Gail Olsen](#)
Subject: Quarry Complaints
Date: Thursday, June 20, 2019 3:06:54 PM

Gail,

Please forward the following information to Alderwoman Wilhelm, she may wish to pass this along at the Quarry Monitoring Committee meeting. Complaints received since the last QMC meeting on March 28th:

- 1 complaint about two blasts on 4-2-19;
- 1 complaint on one blast on 4-19-19;
- 1 complaint on two blasts on 5-7-19;
- 1 complaint on two blasts on 5-20-19;
- 1 complaint on one blast on 6-14-19.

Joel Dietl, AICP
Planning Manager
Department of City Development
City of Franklin
9229 W. Loomis Road
Franklin, Wisconsin 53132
Phone: 414-425-4024
Email: jdietl@franklinwi.gov

