



414-425-7500

**License Committee
Agenda***

**Franklin City Hall Health Wing
9229 W. Loomis Rd
Franklin, WI
December 20, 2022 – 5:30 p.m.**

1.	Call to Order & Roll Call	Time:
2.	Citizen Comment	
3.	Approval of Minutes from the Regular License Committee Meeting of November 15, & December 6, 2022 and the Special License Committee Meeting of November 28, 2022.	
4.	License Applications Reviewed	Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 New 5:35 p.m.	Tengel, Lindsay Hideaway Pub & Eatery			
Operator 2022-2023 New	Baker, Nicole E CVS Pharmacy			
Operator 2022-2023 New	Becker, Amanda D Romey's Place			
Operator 2022-2023 New	Singh, Simran Franklin Liquor Store			
"Class A" Beer & Liquor Change of Agent 2022-2023	Walgreen Co. DBA – Walgreens #05459 9909 W. Loomis Rd. Austin Korth			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	VFW Post 10394 (Franklin/Hales Corners) – St. Martin's Fair Fee Waivers: St. Martin's Fair Licenses: Operators, Temporary Entertainment & Amusement, Temporary Class "B" Beer Licenses, and Peddler's Permit Dates of Event: 9/3/2023 – 9/4/2023 Location: Post Property, 11300 W. Church St.			
5. Fireworks Display Process	Fireworks Display Process for License Committee Consideration and Discussion for Recommendation to the Common Council			

Type/ Time	Applicant Information	Approve	Hold	Deny
6. Review & Discuss Extra Ordinary Events	Review and Discuss Extra Ordinary Events & Previous Citizen Input From 11/10/2022			
7.	Adjournment.	Time:		

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414-425-7500

**License Committee
Agenda***

**Franklin City Hall Hearing Room
9229 W. Loomis Rd
Franklin, WI
November 15, 2022 – 5:45 p.m.**

1.	Call to Order & Roll Call – Alderwoman Eichmann, Wilhelm, Hanneman	Time: 5:47 p.m.
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Reserve Class B Combination 2022-2023 5:50 p.m.	DBA Andy's On Ryan Rd Ryan Fuel LLC Kavita Khullar, Agent 5120 W Ryan Rd		Hold at Request of Applicant	
Operator 2022-2023 New	Beaudot, Lauren T Pick'n Save #6431	√		
Operator 2022-2023 New	Drahonovsky, Cruz Walgreens #05459	√		
Operator 2022-2023 New	Jaime, Castiven No Location	√		
Operator 2022-2023 New	Tengel, Lindsay Hideaway Pub & Eatery		Hold For Appearance	
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Xaverian Missionaries – Annual Mission Festival Fee waivers: Extraordinary Event License, Temporary Class "B" Beer and Wine License, Operator Licenses, Temporary Food Licenses, and Sign Permits Dates of Event: 6/24/2023 – 6/25/2023 Location: Xaverian Missionaries, 4500 W. Xavier Dr.	√		
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Fleet Reserve Association Branch 14 – St Martin's Fair Fee Waivers: St. Martin's Fair Permit Dates of the Event: Sept 3 – 4, 2023 Location: St. Martin's Labor Day Fair	√		

Type/ Time	Applicant Information	Approve	Hold	Deny
3.	An Ordinance to Amend the Municipal Code to Update the Specified Duties of the License Committee as set forth in §19-4A.(3) License Committee.	Recommend adoption with an update to the signature line.		
4.	License Committee Administrative Rules and Procedures Amendments.	Approved with corrections for proper pagination.		
5.	Set special meeting for Firework Permit Review for discussion & review of Fireworks Ordinance	Schedule Special License Meeting on November 28 – 4:00 p.m.		
6.	Adjournment	Aldерwoman Wilhelm moved to adjourn the meeting at 6:18 p.m. Seconded by Aldерwoman Hanneman. All voted Aye, motion carried.		

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414-425-7500

**License Committee
Agenda***

**Franklin City Hall Alderman Room
9229 W. Loomis Rd
Franklin, WI
December 6, 2022 – 5:30 p.m.**

1.	Call to Order & Roll Call – Alderwoman Hanneman Called to Order, Alderwoman Wilhelm Present, Alderwoman Eichmann – Not Present	Time: 5:30 p.m.
2.	Approval of Minutes from the Regular License Committee Meeting of November 15, 2022 and the Special License Committee Meeting of November 28, 2022. – Discussion Only, Carry Over to Next Meeting on December 20, 2022.	
3.	License Applications Reviewed	Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 New 5:35 p.m.	Tengel, Lindsay Hideaway Pub & Eatery		Hold For Appearance	
Operator 2022-2023 New	Cottrell, Elijah D No Location	√		
Operator 2022-2023 New	Grzybowski, Stevie A Staybridge Suites	√		
Operator 2022-2023 New	Labun, Viktoria Andy's on Ryan Rd	√		
Operator 2022-2023 New	Stankowski, Jennifer M Irish Cottage	√		
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Health Dept – Community Events Fee Waivers: Park Permits Names & Dates of Events: Spring Walk/Run – 5/20/2023; Bike Rodeo – 6/3/2023; Movie Night – 8/25/2023; Trunk or Treat – 10/26/2023 Locations: Lions Legend Park 1, Legend Dr., Schlueter Pkwy.	√		

Type/ Time	Applicant Information	Approve	Hold	Deny
<p>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</p>	<p>Franklin Lions Foundation – Meetings & Fund Raisers Fee Waivers: Park Permits – Easter Egg Hunt, Club Meetings; St. Martin’s Fair Labor Day Licenses – Temporary Class “B” Beer, Operators, Peddler’s Permit. Dates of Events: 4/8/2023, 6/13/2023, 7/11/2023, 9/12/2023; 9/3 – 9/4/2023 Locations: Lions Legend Park 1; Ken Windl Pavilion; St. Martin’s Labor Day Fair</p>	<p>√ Pending Copy of Insurance Rider on File at the Clerk’s Office</p>		
<p>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</p>	<p>Franklin Noon Lions Club – Civic Celebration & St. Martin’s Fair Fee Waivers: Civic Celebration Licenses – Temporary Class “B” Beer, Operators, Food; St. Martin’s Fair Labor Day Licenses –Temporary Class “B” Beer, Operators, Peddler’s Permit Dates of Events: 6/30 – 7/2/2023; 9/3 – 9/4/2023. Locations: Civic Celebration; St. Martin’s Labor Day Fair</p>	<p>√ Pending Copy of Insurance Rider on File at the Clerk’s Office</p>		
<p>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</p>	<p>Franklin Park Concerts, Inc – Free Concerts Fee Waivers: Park Permits, Band Shell Fees Dates of Events: 6/25/2023, 7/9/2023, 7/23/2023, 8/6/2023, and 8/20/2023 Location: Lions Legend Park 1</p>	<p>√</p>		
<p>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</p>	<p>Franklin Police Citizens Academy Alumni Fee Waiver: St. Martin’s Fair Labor Day Permit Date of Event: 9/3 – 9/4/2023 Location: St. Martin’s Labor Day Fair</p>	<p>√</p>		
<p>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</p>	<p>St Martin Of Tours Parish – Fundraisers & St. Martin’s Fair Fee Waivers: Temporary Class B Beer & Wine, Temporary Entertainment & Amusement, and Operator’s Licenses; Labor Day Fair Permit Dates of Events: 1st Quarter, 2nd Quarter, 3rd Quarter, 4th Quarter 2023 Dinners; 9/3 – 9/4/2023 Location: St. Martin of Tours Parish Hall at 7963 S. 116th St; St. Martin’s Labor Day Fair</p>	<p>√</p>		
<p>4. Fireworks Display Process</p>	<p>Fireworks Display Process for License Committee Consideration and Discussion for Recommendation to the Common Council</p>	<p>Discussion took place to request the Clerk to add the Review & Update of the Extra Ordinary Event Form on to the next agenda & the previous citizen input from 11/10/2022. Alderwoman Wilhelm moved and Alderwoman Hanneman Seconded to allow Citizen Comment to address License Committee. Alderwoman Hanneman moved and Alderwoman Wilhelm seconded to carry over to the next License Committee Meeting on 12/20/22.</p>		

Type/ Time	Applicant Information	Approve	Hold	Deny
5.	Adjournment	Alderwoman Wilhelm moved and Alderwoman Hanneman Seconded to adjourn at 6.00 p m		

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414-425-7500

**Special License Committee
Agenda***

**Franklin City Hall Hearing Room
9229 W. Loomis Rd
Franklin, WI
November 28, 2022 – 4:00 p.m.**

1.	Call to Order & Roll Call – Alderwoman Wilhelm, Alderwoman Hanneman – Not Present: Alderwoman Eichmann	Time: 4:00 p.m.
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Type/ Time	Applicant Information	Approve	Hold	Deny
2. Fireworks Display Process	Fireworks Display Process for License Committee Consideration and Discussion for Recommendation to the Common Council	Discussion on Draft Fireworks Application & Municipal Code Changes as necessary. To be Held over to the Regular December 6, 2022 License Committee Meeting.		
3.	Adjournment			
	Alderwoman Shari Hanneman moved to adjourn the meeting at 4:59 p.m. Seconded by Alderwoman Kristen Wilhelm. All voted Aye; motion carried.			

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FIREWORKS PERMIT APPLICATION

THIS APPLICATION MUST BE SUBMITTED AT LEAST 14 DAYS PRIOR TO THE DATE OF DISPLAY



Applicant's Name or Group Name: _____ **Date :** _____

Date of Fireworks Display : _____

The Attorney General's Office has determined that the permit must give a single specific date on which the fireworks may be used. A separate permit is required for each date and location. Pursuant to City of Franklin Municipal Code, fireworks are only permitted on Fridays and Saturdays, except for July 2,3,4, or 5, between the hours of 8:00 am and 10:30 pm.

Location of Fireworks Display:

Property Owner's Name: _____

Phone Number: _____

Email: _____

Public or Private Display? _____ **# of Attendees?** _____

Name of person(s) discharging fireworks: _____

The following fireworks will be displayed:

State law requires this permit to specify the kind and quality of fireworks. The Wisconsin Department of Justice has determined that the term "Class C" does not satisfy the requirement. No mortar salutes shall be permitted.

I certify that I am familiar with all Federal laws, State of Wisconsin Statutes, & local ordinances and municipal codes. pertaining to the display of fireworks, and if granted said permit, do agree with and obey all provisions thereof.

I as the applicant understand that the issuance of a permit creates no legal liability, expressed or implied, on the Franklin Fire Department or the City of Franklin; and I certify that the above information is accurate.

Applicant's Signature: _____ **Date:** _____

Fee: \$150 paid

Proof of indemnity bond or liability insurance provided

Permit Issued By: _____ **Date:** _____

Wis.Stat §167.10(3)(f)2 allows the purchase of fireworks on dates: _____

Pursuant to City of Franklin Municipal Code, a copy of this permit along with proof of indemnity bond or liability insurance shall be filed with the City Clerk at least 48 hours prior to the date of the fireworks display. Any violation of this permit is subject to penalties outlined in § 133-18 of the City of Franklin Municipal Code.

Franklin Fire Department :
8901 W. Drexel Ave., Franklin, WI 53132-9725
414-425-1420 / fax: 414-425-7067

Fireworks Permitting and Regulations

Date: December 13, 2022
 To: City of Franklin Licensing Committee
 From: Residents impacted by fireworks noise
 Subject: Fireworks Permitting and Regulations

As indicated in the previous letter submitted to the License Committee November 10, 2022, we are requesting to limit fireworks events allowed of one per month, for a total of 4 per year related to a particular group, location, individual or development and further that fireworks are only allowed on Friday and Saturday except for July 4th weekend. Sample language:

The maximum number of fireworks/pyrotechnics allowed for any person, group, individual, location or company shall be for one event per month from May to August exclusively operated on Fridays or Saturdays with the exception for Independence Day. All fireworks events are contingent upon submittal of complete applications, inspections, payment of fees and complete compliance with previous permits for the same applicant, group, development or location. Such approvals can be immediately revoked, and restrictions imposed on any future fireworks event for the person, group, company or location for non-compliance of the application, permit, presentations or approvals.

As citizens of the area, we understand that the fireworks display process is related to all fireworks but clearly this discussion of policy, permitting and ordinance but was likely commenced as a result of one development having 9 fireworks events this year including one unpermitted event.

Requests:

- Maximum 4 fireworks events per year for any development, group, location, individual or company. Fireworks events to occur once per month from May to August.
- Per Wisconsin Statute 167 each firework permit is a separate application and review.
- Violation of any part of permit, ordinance, presentation or application would result in revocation of any future fireworks events that year and a prohibition for that location, group, individual or company for a term of twelve months.
- Firework / Pyrotechnic events allowed only on Fridays and Saturdays, only exception is for July 4th if date falls on a weekday. That event is included on the total limit of 4 per year at one development, location, group, or individual.
- Fireworks events allowed exclusively to be completed between the hours of 10 am and 10 pm. City of Franklin ordinance 15-3 1107 A weighted decibel scale has a lower maximum decibel level allowance after 10pm. Firework events and use of PA system need to end at 10 pm.
- No mortar salutes. Previous permits prohibited their use but were still used in violation of the permit. No citations were issued.
- Sound control for amplification devices, including specific information on location, number, orientation, power and what ordinance or code enforcement is to be included on application. Similar to question #11 on Extraordinary Entertainment permit. This question needs to be answered accurately and thoroughly.
- Permits for special event in conjunction with fireworks permits require complete and accurate information. Applications for special events should not be accepted without the required minimum 30 business day submittal deadline for the special event.

- Events without permits need to receive citations for violations of City regulations and restrictions of future events need to be reviewed and applied related to all events for the location, group, individual, development or company.
- Application and ordinance to establish fines for violations of any application, permit, ordinance, code, plan or presentation.
- Applications related to Fireworks events / Extraordinary Entertainment / Special Events need to be included on the License Committee and Common Council public packet. Including all related materials, plans and applications.
- Public comment to be included on agenda for License Committee agenda items for any Fireworks / Extraordinary Entertainment / Special event applications.
- Audio portions of the License Committee related to any entertainment, special events or fireworks to be available on the City of Franklin website.
- The fireworks ordinance rewrite and permit draft should be included on the Committee of the Whole public meeting tentatively scheduled for February prior to any Common Council vote for approvals.
- Prior to finalizing any submittal to the Common Council, the Sound Study information from the RSG acoustic engineering firm and their recommendations should be integrated into the ordinance and permit.

The number of events, type and repeated use at one location needs to be limited to 4 per year and only on Fridays and Saturdays with the one exception for July 4th. Many communities limit fireworks use exclusively to July 4th / civic celebration weekend and prohibit fireworks use between 10pm and 8 am.

City of Muskego fireworks application:

A group user permit shall only be granted for a one-time event per calendar year. In the event that a fireworks show is cancelled due to weather conditions, the group user permit is valid for the next calendar day only.

We are also asking for an examination into the fireworks process related to citations. The fireworks violation July 30, 2021 did not receive a citations for three violations of the City permit. Violations included: hours of operation, use of amplification (announcer and music over PA / outdoor speaker system) and the use of mortar salutes. Fines and restrictions should have been enacted. The citation process and application process need to be clearly defined and enforced.

We are also requesting the July 4, 2022 unpermitted event receive a citation. This event did not follow any permitting process and created a potential safety issue that the City should not disregard.

An explanation why no enforcement of citations or restrictions have been issued for the 2021 and 2022 fireworks violations.

Residents surrounding one multi-fireworks event location are requesting that the Comprehensive Sound Study report be examined prior to City of Franklin permits modified or ordinances revised. The Franklin Planning Manager report 11-23-2020 indicated issues related to noise. No action has been taken to mitigate noise in any meaningful way. Limiting the number of fireworks events allowed by an individual, group, location or development is a step in the right direction.

Fireworks have a substantial noise impact area including residential and Park areas. City ordinances indicate that the maximum decibel level at the property line to residential districts is to be 50 decibels from 7am to 10 pm and maximum 45 decibels from 10 pm to 7am As indicated in the City of Franklin Planning Manager Report 11-23-2020. The Comprehensive Sound Study sponsored by Milwaukee County includes fireworks

analysis and recommendations. The City of Franklin should receive this Sound Study input for ordinances related to fireworks, vibrations, nuisance, noise to address general wellbeing and quiet enjoyment standards.

Respectfully,

Dana Gindt, 9011 West Hawthorne Lane, Franklin

Donnella Mc Adams, 8735 Hawthorne Court, Franklin

Dale Kirner, 8630 West Hawthorne, Franklin

Joy Draginis – Zingales 7573 Highview Drive, Greendale

Andy Kleist, 6025 Parkview Road, Greendale

Kyle Baldwin 6090 Parkview Road, Greendale

Clarice Vichich 8930 West Hawthorne, Franklin

Matt Sobocinski, 8759 West Hawthorne Court, Franklin

John Czaskos 8625 West Hawthorne, Franklin

Bonnie Czaskos 8625 West Hawthorne, Franklin

Bernie Carreon 6928 South 90th, Franklin

Deb McGuire 9100 West Hawthorne, Franklin

Special Event Process

Date: November 13, 2022

To: City of Franklin License Committee

From: Residents impacted by noise from the Rock / Ballpark Commons

Subject: Noise Nuisance from the Rock Sports Complex from unpermitted events

We are requesting the License committee to direct staff to research the events held at the Rock Sports Complex / Ballpark Commons in 2022 which neighbors believe were unpermitted.

Details of the permitting process including who approves and reviews the initial applications for Extraordinary Entertainment Special Events prior to being placed on the License Committee is requested to be included in the report related to unpermitted events.

Of concern is specifically the information on Extraordinary Entertainment Special Event applications related to sound control. Item 11 The applications submitted often are incomplete and do not address the issues of noise control. Applications often do not answer the question of sound control related to amplification, power, location, number, orientation of speakers. Nor define specifically what ordinance they are following. This application should be revised to be more specific and thorough with a clear procedural process.

Neighbors were aware of unpermitted events because of the disruptive noise crossing into the residential areas around this development. There appears to be no application and no permit for these events.

Below is a list of some dates that broadcast disruptive noise into the surrounding areas across the development property / boundary line. Per the City Planning Manager report 11-23-2020 the maximum decibel level at the residential property line is determined by the receiving or more restrictive district. As the Planning Manager presented, the maximum level allowed is 50 dbA from 7 am to 10 pm then from 10 pm to 7 am 45 dbA at the property line. Many events at this development operate past 10:00 pm.

The following 17 events have likely occurred in 2022 without a permit or proper review: (Plus 5 dates are still pending) Unpermitted events occurred in previous years also.

July 3, 4, 2022, August 25, 2022, September 2, 3, 4, 6, 12, 16, 17, 18, 2022, December 2,3, 4, 9, 10, 11, (17, 18, 22, 23, 24).

Nearly all of these events at the Rock / Ballpark Commons were disruptive to surrounding residents. We request that research be completed for these dates and a report be included on a future License Committee meeting and Common Council as a separate agenda item. That the information includes a summary of what action will be taken for the unpermitted events, including the fireworks.

Concerns and requests include the following:

- 1) Unpermitted events need to be investigated and reported on the License Committee and Common Council as a separate agenda item. Above are some dates believed to be unpermitted.
- 2) Details and explanation of what action including citations will be issued for any events found to have occurred without a permit.
- 3) Clarification and revision of the application process for extraordinary entertainment special events.
- 4) A disclaimer needs to be added to the application and ordinance regarding events that are advertised before permits are approved will be at the operator's own risk and applications must be

submitted a minimum of 30 working days prior to the event and actually enforce this existing part of the application.

- 5) Applications that include a series of events that span over several weeks or months should require a separate review prior to each additional month or bi-weekly to evaluate compliance with ordinances, presentations, permits, regulations and to mitigate noise disturbances or issues that need to be addressed.
- 6) Applications related to Extraordinary Entertainment / Special Events need to be included on the License Committee and Common Council packet. Including all related materials and plans
- 7) Public comment should be permitted during License Committee agenda items for Extraordinary Entertainment / Special event/ Fireworks applications.
- 8) Audio for the Extraordinary Entertainment Special Event portions of the License Committee need to be included on the Franklin website.

Surrounding residents request that research into 2022 unpermitted events at the Rock Sports Complex / BPC be included in a report to the License Committee and Common Council as a separate agenda item after research is completed in a timely manner.

Respectfully,

Dana Gindt, 9011 West Hawthorne Lane, Franklin

Donnella Mc Adams, 8735 Hawthorne Court, Franklin

Dale Kirner, 8630 West Hawthorne, Franklin

Joy Draginis – Zingales 7573 Highview Drive, Greendale

Andy Kleist, 6025 Parkview Road, Greendale

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Bonnie Czaskos 8625 West Hawthorne, Franklin

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Beverly Marek, 8730 West Hawthorne, Franklin