

Audit Committee on 2021-10-20 1:30 PM - VIRTUAL MEETING

This meeting will be live-streamed on the County Legislative Information Center (CLIC):

<https://milwaukeecounty.legistar.com/Calendar.aspx>

Meeting Time: 10-20-21 13:30

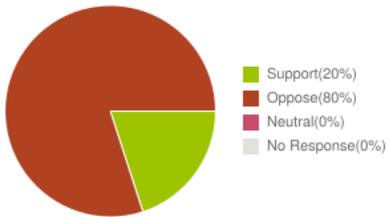
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Audit Committee on 2021-10-20 1:30 PM - VIRTUAL MEETING This meeting will be live-streamed on the County Legislative Information Center (CLIC): https://milwaukeecounty.legistar.com/Calendar.aspx	10-20-21 13:30	18	5	1	4	0

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



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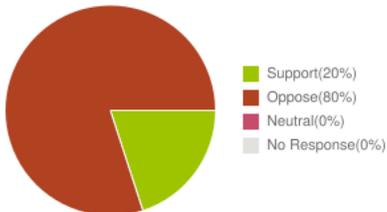
10-20-21 13:30

Agenda Name	Comments	Support	Oppose	Neutral
2 21-760 From the Director of Audits, an audit report titled "Between The Rock and a Hard Place: Former Landfill Becomes Entertainment Center with Unresolved Community Concerns Beyond the County's Ability to Solve." (09/15/21: Laid Over for One Meeting)	2	0	2	0
3 21-940 From the Interim Director of the Procurement Division an informational report regarding a request for proposals for a comprehensive sound study at the Rock Sports Complex (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)	1	1	0	0
4 21-935 From the Director of the Department of Administrative Services, an informational report providing a report on how the City of Franklin receives, tracks and enforces sound complaints and violations related to the Ballpark Commons (Rock Sports Complex) project. (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)	2	0	2	0

Sentiments for All Agenda Items

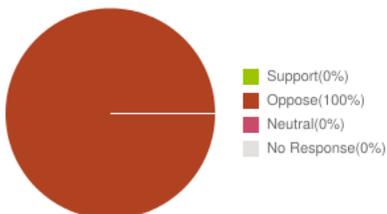
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Overall Sentiment



Agenda Item: eComments for 2 21-760 From the Director of Audits, an audit report titled "Between The Rock and a Hard Place: Former Landfill Becomes Entertainment Center with Unresolved Community Concerns Beyond the County's Ability to Solve." (09/15/21: Laid Over for One Meeting)

Overall Sentiment



Andy Kleist

Location:

Submitted At: 12:05pm 10-20-21

As a Greendale resident who lives directly north of The Rock Sports Complex, I oppose this audit as created. This audit simply scratches the surface and does not look thoroughly at all the compliance and noise issues regarding The Rock dating back to 2012. There is clearly a pattern of negligence by the developer and the County in the creation and handling of the terms of their agreements. The magnitude of the noise issues are mostly overlooked and have not been thoroughly investigated in the present audit. The present audit also shows a \$9 million dollar shortfall for compliance with TBE requirements. The original contract from 2012 shows unpaid rent of \$100,000, \$80,000 of unfunded youth programming, an unpaid endowment fund, and no information at all about the 5% contingent revenue share. Yet all these items seem to simply be overlooked, even though they show a pattern of negligence.

Dana Gindt

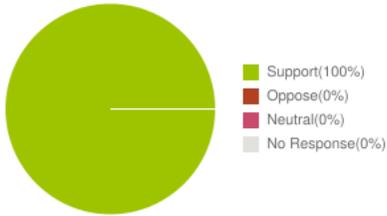
Location:

Submitted At: 12:34am 10-20-21

This audit is inaccurate and misleading and requires further evaluation of public testimony and documents. According to the 9-15-2021 audit report page 24 "In an interview on August of 2020 with Mayor of Franklin, he stated that the Rock has not exceeded the dBa in the noise ordinance" What ordinance is being referred to in this interview? Shouldn't that be clarified? Is it the adopted Exhibit C Noise and Light "mitigation" agreement that the County established without any City of Franklin Planning Department or City attorney approvals? Or the discussion of 70 to 79 decibels as the "objective" standard established by the County? This objective standard as stated by Corporation Counsel, DAS and elected officials is not objective. The EPA and several other science-based national and international organizations indicate 50 decibels is acceptable for residential areas, 79 decibels is nearly 30 decibels above that level. The City of Franklin ordinance described by DAS during the 2017 meetings was table 15-3.1107, which indicates 50 decibels for residential areas. The 70 to 79 decibels in Franklin requires a permit by the City, which would involve a public meeting. This Exhibit C was created in 2017, there was no permit or public hearing at the City regarding 70 to 79 decibels for this development in 2017. Of concern is that this interview by Audit staff with Mayor Olson took place at 1pm on 8/20/20, later that day, Mayor Olson testified during the Planning meeting that there are 3 speakers pointed out from the stadium that are a "problem for the neighbors and that he has been trying to get the developer just to turn those down". So what is the accurate picture of the situation with noise at the Rock? The audit report indicates there are no "violations" of what ordinance? or the Mayor testimony during a public meeting that speakers pointed at neighbors are a problem and he was trying to get the developer to turn them? Please note, that in the 2017 County Summary of final documents for the sale and also testimony by DAS that the noise mitigation plan required that "Buyer must re-align sound speakers to avoid noise nuisances in the adjacent residential areas". Clearly that is not the case. Those speakers remain pointed at residential homes. Were the summary of final documents and testimony of elected officials and staff examined during this 2021 audit of the Rock Sports Complex? Were all documents and testimony reviewed by the audit team for being in compliance with all conditions and the spirit and intention of the agreements? This is all public information, much of which was supplied to the auditor. It appears to me that the audit was limited and biased. Especially given the title which is offensive. Who indicated to the Audit department that "the unresolved community concerns were beyond the County's ability to Solve"? Corporation Counsel testified several times in 2017 that there was further recourse that the County Board could have if noise complaints continued. So further action is required to address the noise. A further, unbiased and comprehensive audit should be done for this development, which is not what has occurred. Where are the actual police reports over the past 3 years that will give a more accurate picture of the destruction of quality of life for those around this facility.

Agenda Item: eComments for 3 21-940 From the Interim Director of the Procurement Division an informational report regarding a request for proposals for a comprehensive sound study at the Rock Sports Complex (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

Overall Sentiment



Andy Kleist

Location:

Submitted At: 11:20am 10-20-21

As a Greendale resident who lives directly north of The Rock Sports Complex, I support having a comprehensive sound study conducted and oppose the staff recommending not performing one. Corporation Counsel has testified at numerous meetings that more could be done to help the citizens if noise continued to be an issue. They also testified that the County would have further recourse if noise complaints continued. Noise continues to be an issue and has never stopped being an issue for the past several years. The County has always been fully aware of this. The comprehensive sound study cost, which was a part of Franklin's approval of the PDD and in James Tarantino's 9-20-2017 PowerPoint, stated that ALL the terms of the Franklin PDD37 must be followed, including the condition to complete a comprehensive sound study. Even the developer understood this.

In the DAS PowerPoint presentation on the Noise and Light Mitigation Plan, it stated that 1) The Noise and Light plan is based on real objective standards and real tools are being proposed. What objective standards established 79 decibels as "reasonable or objective". The EPA indicates that 50 decibels is the acceptable noise standard for residential areas. So how is 79 decibels "objective"? The DAS PowerPoint also stated that 2) The Plan is the result of the County and the CITY efforts to mitigate concerns of the neighbors. Where is the documentation indicating the City of Franklin planning department, engineering, and city attorney supplied input into the Creation of Exhibit C?

County officials and staff testified at meetings that Exhibit C would be a "benefit to the neighbors". Does establishing a 79-decibel level surrounded by residential areas for 30 minutes without a violation seem like a benefit to me, my family, and neighbors? There is not a single sound ordinance for Milwaukee County or Franklin that states anything about noise or sound issues being sustained for 30 minutes or any amount of time. Was this the spirit and intent of Exhibit C?

On page 76 of Franklin's 12-1-2020 CC Agenda, City staff acknowledges that the sound monitor on 76th St. is "essentially useless as a monitor for sound violations from the Rock Sports Complex." Additionally, during the placement of the sound monitors, the FPD's Captain of Police, Curtis Goens, wrote in an email dated 4-23-2019 to Greg Marso, City Planning Manager Joel Dietl, and Mayor Steve Olson that "The very north location in the woods depicted in Exhibit C I think would be ineffective due to the extreme elevation change from where the noise is originating from and the buffer from the tree foliage." Yet that monitor was still placed in that general location. So, 2 of the 3 sound monitors are effectively useless. What science or acoustic engineer was used in the placement of these monitors?

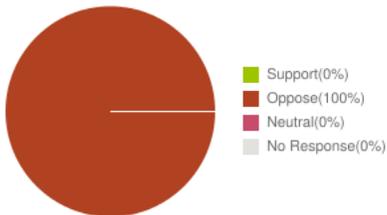
Also, on page 76 of Franklin's 12-1-2020 CC Agenda, the City staff acknowledges that "the sound limit of 79 dBA is significantly higher than that permitted in "all residential districts", which is 50 dBA during the daytime and 45 dBA at night (10pm -7am)." The City of Franklin is not even following their own ordinances. 79 decibels are 29 decibels above ANY residential district in Franklin and 15 decibels above ANY district, even the Manufacturing and Airport Overlay District. Franklin's other noise ordinances 184-40, 15-3.1107, and 178-5 are not listed anywhere in Exhibit C. Why are only select noise ordinances included in Exhibit C and not ALL of them?

A thorough audit of Exhibit C and a comprehensive sound study must be conducted. The County cannot come back now and tell us that they are unable to solve these problems. Now more than ever they need to step up on

behalf of the residents their decisions are affecting.

Agenda Item: eComments for 4 21-935 From the Director of the Department of Administrative Services, an informational report providing a report on how the City of Franklin receives, tracks and enforces sound complaints and violations related to the Ballpark Commons (Rock Sports Complex) project. (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

Overall Sentiment



Andy Kleist

Location:

Submitted At: 11:54am 10-20-21

As a Greendale resident who lives directly north of The Rock Sports Complex, my family and neighbors have put up with their noise on a regular basis and oppose the City of Franklin's current methods for dealing with complaints regarding The Rock. When complaints about the noise are made to the FPD, their response is that someone will review the sound monitor data the following week and it will be referred to the City. So, when a complaint is made, the FPD acknowledges that nothing will be done about it that night, and The Rock will not even know if their event is receiving complaints until days later, if ever. So how is this a proactive, sophisticated complaint process when neither entity is communicating noise issues in real time with one another? The developer has stated publicly at meetings that they have a tight control on the sound at their facility and they can adjust it within minutes if needed. How can that happen if the FPD is not investigating the noise complaints in real time and being proactive in communicating complaints with The Rock?

The City of Franklin indicates that complaints about noise should be made on the City online website. My question is when your neighbor is having a loud party until 2am, do you go to your computer and file a complaint, or do you call the police? The actual police reports AND online complaints from Franklin AND Greendale for 2019 to present need to be requested and reviewed by the County for this facility. The actual reports, and not just a log of complaints or a summary. That would give a more accurate review of the magnitude of issues of noise from this location. Since the City of Franklin logs many calls under "one" police complaint as their policy for the same location whether the calls are separated by hours or not.

Citizens have been registering concerns, attending meetings, making phone calls, sending emails for years and been ignored and dismissed. Many citizens have given up trying. Is that the intention of the County and the City of Franklin? To ignore legitimate complaints that destroy quality of life for its citizens for years to the point that citizens get fatigued, discouraged, and disgusted by the governments lack of equal protection and due process? I have personally had the FPD laugh at me when I called to complain about the noise about 2 years ago. That issue was dealt with, but this is the type of attitude and negligence surrounding residents are dealing with.

The city of Franklin has invested many, many millions of dollars in this development. They will never hold The Rock accountable for noise issues because it's a conflict of interest for them. Their current "hands-off" approach ensures nothing will ever be done about the noise. The County cannot tell us that they are unable to solve these problems. Now more than ever they need to step up on behalf of the residents their decisions are affecting.

Bernard Carreon

Location:

Submitted At: 9:23am 10-20-21

My children can't sleep at night and sometimes are kept awake until 12:30-1:00 AM by the announcements and music from the Milwaukee Milkmen games. This happens on School Nights. There is a stadium speaker on the West Side of the Ballpark that points OUT of the stadium, away from fans and directly across a parking lot at my son's bedroom window in the distance. It plays at the same volume as the rest of the speakers. Our yard becomes part of the stadium and we are over 1/2 mile away. This does not happen when there are UW Milwaukee baseball games at the stadium, so clearly there are choices being made by the owner to turn it up and project into the neighborhood during Milkmen games. When the land was sold to the developer by Milwaukee County, we were assured that there would be protection from sound from the stadium. This has not been the case. The Developer should have paid for this sound study when the land was sold, but that did not happen and needs to be remedied. To be clear, my family is not opposed to this development as a whole, we are opposed to having our children kept awake at night. I have lived near a stadium in a residential area before. I know the difference between acceptable noise and a public nuisance. According to the developer, the volume level of 79 decibels that is allowed came from Milwaukee County, but there is no record of this. The city of Franklin has shown a blatant disregard for the health and safety of my children and I hope you will not do the same and continue with this sound study so this issue can be put to rest and my children can get sound sleep in their bedrooms at night. Thank you for your efforts to resolve this problem that was created when the sale of this land was made.