

## Audit Committee on 2020-12-09 1:00 PM - VIRTUAL MEETING

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

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

Meeting Time: 12-09-20 13:00

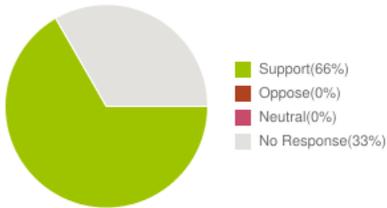
### eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Audit Committee on 2020-12-09 1:00 PM - VIRTUAL MEETING This meeting will be live-streamed on the County Legislative Information Center: <a href="https://milwaukeecounty.legistar.com/Calendar.aspx">https://milwaukeecounty.legistar.com/Calendar.aspx</a>	12-09-20 13:00	16	3	2	0	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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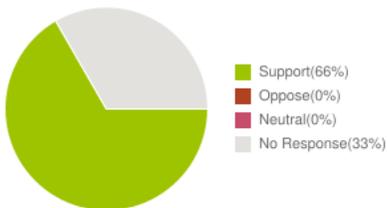
12-09-20 13:00

Agenda Name	Comments	Support	Oppose	Neutral
1 20-872 From the Executive Director of Parks providing an informational report on the progress of a sound study at The Rock Sports Complex (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)	3	2	0	0

### Sentiments for All Agenda Items

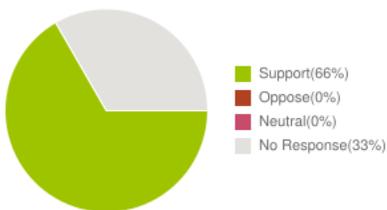
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



Agenda Item: eComments for 1 20-872 From the Executive Director of Parks providing an informational report on the progress of a sound study at The Rock Sports Complex (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

#### Overall Sentiment



### Dana Gindt

Location:

Submitted At: 3:04pm 12-09-20

Who created exhibit C "Noise and Light Addendum" for this project? It was stated at public meetings that County did a Sound Study and used data to determine 79 decibels was acceptable. The County partnership with this development started with Sue Black in 2012 without the County following its own procedures or policies. There was no RFP for the privatization of this park. Is there additional County neglect of procedures, policy and fiduciary duty regarding this development that started in 2012? There was no public meeting at the City, nor the Village of Greendale or nor the County regarding the 79 decibels, let alone allowing it for 30 minutes before it is a "violation". There are multiple public versions of this exhibit C - who authored this document and who approved it?

How did it go FROM: 2017 Staskunas Written commitment "that an important issue regarding sound needs to be resolved" and to "provide for sufficient noise and light protection for the neighborhood" and that a "comprehensive and meaningful noise and light mitigation plan is part of the option to purchase" AND County AND Milwaukee County Resolution 17-598 lines 47-49 "WHEREAS, the County and the Operator recognize the concerns of neighboring property owners, and realize that additional recreational use of the site will require added infrastructure to mitigate noise and light impacts on adjacent neighborhoods; and" line 69-73 "BE IT FURTHER RESOLVED, the County Board hereby authorizes the Department of Parks, Recreation, and Culture, the Department of Administrative Services, the OCC, and any other Department that may be necessary to execute and record all documents, and perform all actions as required to accomplish these tasks;" Exhibit C Noise and Light Addendum has multiple versions NONE of which list all relevant noise ordinances for the City of Franklin. Exhibit C 1st paragraph "Residents in the communities of Franklin and Greendale have expressed concerns regarding noise and light levels at and beyond the Project Boundaries, originating from activities associated with the Project." AND Milwaukee County Report for this project with several items in default. 1) Buyer must re-align sound speakers to avoid noise nuisances in the adjacent residential areas - NOT done 2) Must begin planning and installation of the noise mitigation improvements - There has been NO mitigation, a monitor is NOT mitigation. 3) Improve the location and orientation of the speakers,- NOT done, 3 speakers are pointed at residential homes. 4) Several Exhibits are missing from this Addendum include sound system information. Franklin Noise Ordiances 183-40, 15-3.1107 & 178 should be listed. Per City staff regarding 12-2-2020 agenda packet, the correct decibel level is 50. 3 inappropriately placed monitors on 140 acres is not mitigation, set at 79 decibels is negligent. No plans for sound system have been submitted to the City for this facility abutting residential homes.

### **Bernard Carreon**

Location:

Submitted At: 12:50pm 12-09-20

Hi,

I understand that there is an Audit Committee meeting today regarding the Comprehensive Sound Study being done for Ballpark Commons. I have so many questions about Exhibit C of the agreement as it relates to the sound and the approved decibel level of 79db.

I've included videos again below that give some idea of what we are experiencing in our home - which is over 1/2 mile from the stadium. Our bedrooms face west towards the stadium and my son has been kept up multiple times due to the announcer's voice and the music being audible in his bedroom with the windows closed. I've made multiple complaints to the police, the Franklin health department, and county officials. Despite this, my son was kept awake multiple times during the first weeks of this school year on school nights up until 12:00 AM due to the sound from the stadium sound systems. My son, Max age 10, spoke to the Franklin common council when he was 8 years old expressing his concerns. Max met with County Supervisor Eddie Cullen and asked to speak to Franklin's Mayor Olson, who declined to speak to him. Max also spoke to the Franklin Health Commision, also refused to come to the house to investigate and said that there was no studies or research done to back up our claims. This has been heartbreaking for our family.

IMG\_4111.MOV

IMG\_4115.MOV

Our family asks that something please be done about this sound. Where did this 79 decibels come from? Who agreed to this and why? I have so many questions that need to be answered about Exhibit C of the developer's agreement. Heath Eddy, Franklin's current planning manager, who was not around in 2017-18, compiled a recent report that included the following information:

" It should also be noted that the sound limit of 79 dB is significantly higher than that permitted in "all residential districts," which is 50 dB during the daytime and 45 dB at night (10:00 p.m. to 7:00 a.m.), as the UDO Section 15-3.1107 standards are understood to apply to the receiving district as well as the originating district. 'Ibis means that technically speaking a violation of the sound standard at the district line is more material than one originating in PDD 37. Therefore, the onus is on any operator in Ball Park Commons to apply a higher standard to noise beyond the limits of the higher noise generating location"

My son is obsessed with baseball and should be the number one fan, but he wants nothing to do with a business that continually harms him. It's bullying. If my son was being bullied at school - people would be up-in-arms. Max is being bullied in his bedroom at night and it is such a struggle to convince good people to do something about it. We can't understand why.

Thanks,  
Bernie Carreon and family.

**Andy Kleist**

Location:

Submitted At: 10:23am 12-09-20

I support a Comprehensive Sound Study as there is no record of a meeting with the County found anywhere defining who, when, or how 79dBA was established.

As stated in the County Resolution regarding the sale of the land, Resolution 17-598, lines 47-49 read, "WHEREAS, the County and the Operator recognize the concerns of neighboring property owners, and realize that additional recreational use of the site will require added infrastructure to mitigate noise and light impacts on adjacent neighborhoods;" and lines 69-73 go on to say that the County Board authorizes all departments "to execute and record all documents, and perform all actions as required to accomplish these tasks;" This resolution clearly acknowledges the noise issues and authorizes the County to take action to mitigate the sound, not monitor it.

On page 76 of Franklin's 12-1-20 Common Council 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, FPD Captain of Police, Curtis Goens, wrote in an email, dated April 23, 2019, 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, the monitor was still placed in that general location. There should be at least a dozen monitors for a property this large in the middle of the suburbs. And why are they only set to record noise above 65 decibels?

Also, on page 76, City staff acknowledges "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 sound ordinance for this residential and park designated district. 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 even listed anywhere in the Noise and Light Addendum.

Why must the threshold for noise be sustained for 30 continuous minutes before it is considered a violation. There is not a single sound ordinance for Milwaukee County or the City of Franklin that states anything about noise or sound issues having to be sustained for a certain amount of time. How much more helpless can surrounding residents get? Who established the 30 minutes of continuous noise? Why does the developer get 4 opportunities EVERY year to violate the Addendum before minimal action, if any, is ever taken?

There needs to be a study completed, stricter rules and regulations, lower decibel levels, more sound monitors that are properly placed, penalties and fines that motivate the developer to follow the rules, and City and County leadership that has some compassion for surrounding neighbors and taxpayers.