

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

DATE: October 1, 2021

TO: Supervisor Marcelia Nicholson, Chair, County Board of Supervisors

FROM: Aaron Hertzberg, Director, Department of Administrative Services

SUBJECT: 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.

REQUEST

There is no request at this time; this report is for informational purposes only.

BACKGROUND

File 19-619 – An informational report on the status of compliance with Milwaukee County agreements by the developer of the Ballpark Commons Project

File 19-455 - An informational report regarding the Ballpark Commons development, including compliance with insurance standards, community benefits, noise and light requirements, the continued operation of the ski hill, and the operation and maintenance of the methane monitoring and extraction system

File 17-598 - Proposed Contribution and Participation (Trust) Agreement with BPC County Land LLC, for the sale of the Crystal Ridge landfill; and authorization to execute a new Lease Agreement for land zoned as parkland between Milwaukee County and The Rock Sports Complex, LLC for the ski hill property located in the Village of Greendale

File 17-334 - Proposed Ballpark Commons Development and potential impact on Milwaukee County

File 17-366 -The Rock Sports Complex Cancellation and New Lease for Ski Hill in Village of Greendale

File 17-373 - Amend Sections 68.01 and 71.12 of Ordinances to remove County Trunk Highway K (W. Old Loomis Rd)

REPORT

During the September 15, 2021 meeting of the Milwaukee County Board Audit Committee a request was made for information related to how the City of Franklin receives sound complaints related to the Ballpark Commons (Rock Sports) complex and what processes are in place to track and enforce such complaints and violations.

Background

Following approvals by the County Board (File 17-598), Milwaukee County sold the property now known as Ballpark Commons, in the City of Franklin, to developer BPC County Land LLC. Regardless of Milwaukee County's prior ownership of the land the City of Franklin's ordinances and plan approvals regulate sound at the property. Milwaukee County does have a mechanism

for enforcing material violations of Franklin’s sound ordinance, if “an exceedance (“Trigger Event”) that is not permitted and is not corrected and remediated within 30 minutes of the Trigger Event. After four such material violations in a calendar year the County “shall have the right to impose penalties on the operator...”

The City of Franklin remains the primary receiving and enforcement entity for all complaints and violations related to sound activities within the city. To that end, Milwaukee County recognizes the public interest in clarifying how Franklin receives complaints, how it follows up on complaints and how it otherwise approaches enforcement of sound activities at the development site.

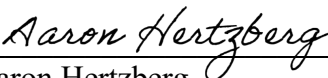
On September 15, 2021, DAS Director Aaron Hertzberg emailed City of Franklin Mayor Steve Olson requesting information related to sound enforcement at the development site. A copy of that request, the response from the City of Franklin and follow up communication is attached to this file.

As outlined in its response to the Audit report, DAS Economic Development will work to formalize its practices for tracking complaints, violations, and material violations at the development site and reporting such information to the County Board. Staff also intends to take enforcement action to the fullest extent available within its agreements.

RECOMMENDATION

Informational only. No action requested at this time.

Submitted by:



Aaron Hertzberg
Director, Administrative Services

- cc: David Crowley, County Executive
- Audit Committee Members
- Economic and Community Development Committee Members
- MaryJo Meyers, Chief of Staff, Office of the County Executive
- Kelly Bablitch, Chief of Staff, County Board of Supervisors
- Scott Manske, Comptroller
- Steve Cady, Research & Policy Director
- Jennifer Folliard, Director of Audits