

CITY OF FRANKLIN
QUARRY MONITORING COMMITTEE*
MEETING AGENDA

Franklin City Hall, **Council Chambers**
9229 West Loomis Road, Franklin, Wisconsin 53132
Wednesday, November 24, 2021, 6:00 p.m.

- I. Call to Order, Roll Call and Pledge of Allegiance
- II. Approval of Minutes
 - a. Regular meeting of October 28, 2021.
- III. Citizen Comment Period
PLEASE NOTE: Each speaker may need to be limited to three minutes, allowing everyone who wishes the opportunity to speak.
- IV. Hearings
- V. Business (Action may be taken on any item)
 - a. Review and discussion on matters pertaining to citizen complaints, blasting data from Payne & Dolan and Stantec (the City's consultant).
 - b. Status update on the quarry monitoring services scope of work for calendar year 2022 by Stantec Consulting Services, Inc.
 - c. Status update on the Franklin Aggregates Reclamation Plan.
- VI. Meeting scheduling discussion
- VII. 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
Council Chambers, Franklin City Hall
6:00 PM
October 28, 2021
Minutes

unapproved

I. CALL TO ORDER

The October 28, 2021, Quarry Monitoring Committee meeting was called to order by Alderwoman Kristen Wilhelm at 6:00 p.m. in the Council Chambers at City Hall.

Alderwoman Kristen Wilhelm, Alderman Mike Barber, members Fred Knueppel and Jon TenHaken, and non-voting member Dina Swanson were present. Also present were Principal Planner Régulo Martínez-Montilva and Kristen Gunderson-Inden of Stantec.

II. APPROVAL OF THE MINUTES

a. Regular meeting of August 26, 2021.

Alderman Barber moved and member TenHaken seconded to approve the minutes as amended. On voice vote, all present voted 'aye'; the vote was 4-0-0, motion carried.

III. CITIZEN COMMENT PERIOD

Citizen comment period opened at 6:03 p.m. and closed at 6:03 p.m. No citizen comments.

IV. HEARINGS

a. None.

No action needed. None taken.

V. BUSINESS

a. Quarterly presentation by Stantec Consulting Services, Inc., 3rd quarter of calendar year 2021 (July, August and September).

Kristen Gunderson-Inden presented the 3rd quarter monitoring report. Alderman Barber moved and member TenHaken seconded a motion to accept the 3rd quarter monitoring report and place on file, and forward to the Common Council for review.

b. Review and discussion on matters pertaining to citizen complaints, blasting data from Payne & Dolan and Stantec (the City's consultant).

No action taken.

c. Review and discussion on quarry monitoring services scope of work for calendar year 2022.

Kristen Gunderson-Inden presented the quarry monitoring services scope of work that is being used for this year 2021. Mrs. Gunderson commented that no exceptional blast reports have been requested this year. Alderman Barber asked if the unused exceptional blast report item could be used for relocating monitors, Principal Planner Martínez commented that he will follow up on this matter. Alderman Barber moved and member TenHaken seconded a motion to forward the 2022 contract to the Common Council as written in 2021, and to renew the contract, with the thought of moving the Stantec monitor (7301 S. 51st Street) to the south, pending evaluation of additional information to be discussed in the next meeting.

d. Discussion on frequency of regular committee meetings.

Alderman Barber moved and member TenHaken seconded a motion to hold the next meeting on November 23, and the following meeting in January as the normal last Thursday of the month.

e. Status update on the Franklin Aggregates Reclamation Plan.

Principal Planner Martínez informed the committee that the Plan Commission recommended approval with conditions of the reclamation plan, following public hearing held on September 23 and October 21. The reclamation plan is scheduled for the November 2, Common Council meeting next week for decision.

VI. SCHEDULE NEXT MEETING

Next meeting scheduled for November 23, 2021, based on quorum.

VII. ADJOURNMENT

Member Barber moved and member TenHaken seconded to adjourn the October 28, 2021, Quarry Monitoring Committee meeting at 6:34 p.m. All present voted 'aye'; motion carried.

Franklin Aggregates
Recorded Ground Vibration and Airblast Levels for PDDs #23 & 24
October 2021

Time	Activity	Location	Distance	PPV	Freq	AO
10/27/2021 12:25	69	5800 ALLWOOD	3,614	N/T	N/T	N/A
10/27/2021 12:25	69	7526 S. 51st Street	1,359	0.085	50	111
10/27/2021 12:25	69	SE of Quarry	2,185	0.03	21.7	107
10/27/2021 12:25	69	7301 S 51st Street	1,081	0.163	33.3	107
10/22/2021 10:12	68	5800 ALLWOOD	3,576	N/T	N/T	N/A
10/22/2021 10:12	68	7526 S. 51st Street	1,365	0.078	29.4	114
10/22/2021 10:12	68	SE of Quarry	2,170	0.028	18.5	112
10/22/2021 10:12	68	7301 S 51st Street	1,122	0.108	33.3	107
10/20/2021 11:03	67	5800 ALLWOOD	3,673	N/T	N/T	N/A
10/20/2021 11:03	67	7526 S. 51st Street	1,190	0.153	29.4	109
10/20/2021 11:03	67	SE of Quarry	2,099	0.038	25	107
10/20/2021 11:03	67	7301 S 51st Street	917	0.22	33.3	106
10/13/2021 12:24	66	5800 ALLWOOD	3,644	N/T	N/T	N/A
10/13/2021 12:24	66	7526 S. 51st Street	1,170	0.128	21.7	109
10/13/2021 12:24	66	SE of Quarry	2,071	0.033	26.3	99
10/13/2021 12:24	66	7301 S 51st Street	936	0.155	45.5	99
10/11/2021 10:49	65	5800 ALLWOOD	1,229	0.12	33.3	106
10/11/2021 10:49	65	7526 S. 51st Street	2,206	0.05	27.8	112
10/11/2021 10:49	65	SE of Quarry	1,320	0.07	33.3	110
10/11/2021 10:49	65	7301 S 51st Street	3,289	N/T	N/T	N/A
10/8/2021 13:04	64	5800 ALLWOOD	3,559	N/T	N/T	N/A
10/8/2021 13:04	64	7526 S. 51st Street	1,348	0.093	33.3	118
10/8/2021 13:04	64	SE of Quarry	2,148	0.033	25	108
10/8/2021 13:04	64	7301 S 51st Street	1,127	0.148	35.7	111
10/6/2021 10:56	63	5800 ALLWOOD	1,170	0.075	38.5	111
10/6/2021 10:56	63	7526 S. 51st Street	2,280	0.028	27.8	113
10/6/2021 10:56	63	SE of Quarry	1,439	0.065	27.8	110
10/6/2021 10:56	63	7301 S 51st Street	3,324	N/T	N/T	N/A
10/1/2021 10:55	62	5800 ALLWOOD	1,244	0.05	33.3	111
10/1/2021 10:55	62	7526 S. 51st Street	2,200	0.025	17.9	111
10/1/2021 10:55	62	SE of Quarry	1,356	0.048	31.3	108
10/1/2021 10:55	62	7301 S 51st Street	3,256	N/T	N/T	N/A

PDD Vibration Limit - Per the PDD #23 and #24 Ordinances, ground vibration resulting from P&D blasting shall not exceed 0.30 inches per second on at least 85% of its blasts within any single calendar year. The Operator shall not exceed the ground vibration limitation imposed by the Wisconsin Department of Industry, Labor and Human Relations in Figure 7.64 of ch. ILHR 7, Wis. Adm. Code (new reference now Wis. Adm. Code, Safety and Professional Services Chapter 307), or 0.65 inches per second, whichever is more restrictive, on any blast.

PDD Airblast Limit - Per the PDD #23 and #24 Ordinances, airblast resulting from P&D blasting shall not exceed 123 dB on at least 85% of its blasts within any single calendar year. The Operator shall not exceed the airblast limitation imposed by the Wisconsin Department of Industry, Labor and Human Relations in ch. ILHR 7, Wis. Adm. Code on any blast (new reference now Wis. Adm. Code, Safety and Professional Services [SPS] Chapter 307).



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Search:

Date	Time	Shot #	Seismo Loc	PPV	AO
11/10/2021	12:15 pm	73	Franklin Quarry (7301 S 51st Street)	N/T	N/T
11/10/2021	12:10 pm	73	Franklin Quarry (5800 ALLWOOD)	0.043	111
11/10/2021	12:10 pm	73	Franklin Quarry (7526 S. 51st Street)	0.075	103
11/10/2021	12:10 pm	73	Franklin Quarry (SE of Quarry)	0.095	106
11/08/2021	12:50 pm	72	Franklin Quarry (7301 S 51st Street)	N/T	N/T
11/08/2021	12:49 pm	72	Franklin Quarry (7526 S. 51st Street)	0.035	106
11/08/2021	12:49 pm	72	Franklin Quarry (5800 ALLWOOD)	0.163	110
11/08/2021	12:49 pm	72	Franklin Quarry (SE of Quarry)	0.040	107
11/02/2021	11:40 am	71	Franklin Quarry (5800 ALLWOOD)	N/T	N/T
11/02/2021	11:36 am	71	Franklin Quarry (SE of Quarry)	0.023	107
11/02/2021	11:36 am	71	Franklin Quarry (7526 S. 51st Street)	0.090	115
11/02/2021	11:36 am	71	Franklin Quarry (7301 S 51st Street)	0.173	108
11/01/2021	12:00 pm	70	Franklin Quarry (5800 ALLWOOD)	N/T	N/T
11/01/2021	11:58 am	70	Franklin Quarry (7526 S. 51st Street)	0.160	117
11/01/2021	11:58 am	70	Franklin Quarry (SE of Quarry)	0.030	116
11/01/2021	11:58 am	70		0.183	111

Date	Time	Shot #	Seismo Loc	PPV	AO
			Franklin Quarry (7301 S 51st Street)		
10/27/2021	12:30 pm	69	Franklin Quarry (5800 ALLWOOD)	N/T	N/T
10/27/2021	12:25 pm	69	Franklin Quarry (7526 S. 51st Street)	0.085	111
10/27/2021	12:25 pm	69	Franklin Quarry (SE of Quarry)	0.030	107
10/27/2021	12:25 pm	69	Franklin Quarry (7301 S 51st Street)	0.163	107

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 FirstPrevious12345...16NextLast
 Franklin Quarry

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Regulo Martinez-Montilva

From: Roznowski, Mike <Mike.Roznowski@stantec.com>
Sent: Wednesday, November 17, 2021 1:59 PM
To: Heath Eddy; Regulo Martinez-Montilva
Cc: Gunderson-Inden, Kristen
Subject: Stantec work scope & fee for 2022
Attachments: stantec_franklin_quarry mntg scope of work 2022_final.pdf

Heath & Regulo,

Attached is the scope of work and fees for Stantec's 2rd party quarry monitoring for 2022. Since we are still evaluating data (plan to have completed next week)I simply placed a generic statement within this that indicates the monitor location(s) may or may not be moved for all or a portion of 2022 – thus we have flexibility. It would be great if you could distribute this to the members and have it reviewed and approved at your next meeting, which I believe is the end of this month (particularly since there is no meeting in December).

In a nutshell, out proposed costs will remain the same next year. No increase.

Let me know if you have questions. Thanks.

Mike Roznowski, CHMM

Senior Principal

Stantec Consulting Services Inc.

1165 Scheuring Road, De Pere WI 54115-1001

Direct: 920 278-3200 / Mobile: 920 655-1852



Better Together, Even if We're Apart. Read [more](#) about Stantec's COVID-19 response, including remote working and business continuity measures.

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ATTACHMENT A - QUARRY MONITORING SERVICES

SCOPE OF WORK AND ASSOCIATED COST

The following scope of work items, each with their own associated professional fee, is offered to the City by Stantec for calendar year 2022.

DESCRIPTION	EVENT PERIOD	COST PER EVENT	# OF EVENTS	SUBTOTAL	NOTES REGARDING SCOPE OF SERVICES
Operations Monitoring	daily	\$700	9	\$6,300	Visual assessments around quarry perimeter, concentrating on Rawson Avenue adjacent to the quarry entrances. Will include weather data as part of observation summary, along with photos and short duration videos during periods of high winds. A percentage of the visits will also include on-site observations and records review.
Blast Monitoring	monthly	\$1,775	12	\$21,300	Stantec will provide remote vibration monitoring by using Nomis Seismographs. We plan to subcontract Sauls Seismic to assist with this scope of work. Two separate seismographs will be installed, each co-located with two existing Payne & Dolan (Vibra-Tech) monitors located at: 7301 S. 51 st Street and 5800 W. Allwood Drive. Each monitor will be provided with an enclosure and will either be pole mounted or located in a short-stack weatherproof enclosure. Power will be provided via an internal battery and an external battery connected to a solar panel. All maintenance/repair and annual calibration of seismographs are included. This type of configuration will provide continuous (24/7) remote monitoring, allowing Stantec to have access to data anytime via the Internet. No written reports or summaries will be provided monthly. (Note: An evaluation whether one or both of the Stantec monitors should be relocated adjacent a different Payne & Dolan monitor will likely be conducted prior to the end of 2021. If either monitor is moved, the Blast Monitoring costs provided here will remain the same.)
Exceptional Blast Complaint Evaluation	Per City request	\$1,000	3	\$3,000	For unusual blast events (e.g., resulting in multiple complaints), at the City's request, Stantec will prepare a brief summary report describing: seismic data from both Stantec/Payne & Dolan placed monitors; wind direction and speed the day of the complaint, a figure showing blast and complaint locations. (Note: If no exceptional blast complaints occur, this portion of the budget may be used for another purpose as requested by the City.)
Quarterly Reports and Presentation	Quarterly (May, August, November 2022, and February 2023)	\$3,600	4	\$14,400	<p>Stantec will prepare a quarterly report (to be distributed/presented as part of the regularly scheduled Quarry Monitoring Committee meetings) describing:</p> <ul style="list-style-type: none"> • Operations monitoring completed in prior quarter • Blast monitoring completed in prior quarter (summary of blasting data, comparing the Payne & Dolan unit recordings, to the Stantec unit recordings) • Citizen complaints received by the City of Franklin in prior quarter <ul style="list-style-type: none"> ○ For off-site dust complaints <ul style="list-style-type: none"> ▪ weather conditions (wind direction and speed) the day of the complaint ○ For off-site seismic complaints <ul style="list-style-type: none"> ▪ seismic data from both Stantec and Payne & Dolan placed monitors ▪ weather conditions (wind direction and speed; temp.; humidity; precipitation) the day of the complaint ▪ a figure showing locations of blasts along with location of complaints <p>The February 2023 quarterly report and presentation will also present highlights of the operations, blast monitoring, and complaint evaluations, completed during calendar year 2022. This annual report is not meant to repeat what has already been provided in the prior quarterly reports; rather, it is intended to be a brief summary.</p>

\$45,000 TOTAL (compared to budget: \$45,000)

Note: The number of Exceptional Blast Complaint Evaluations is estimated, since the exact number cannot be determined at this time. In addition, based on prior years Stantec is estimating approximately 25 different blasts will result in complaints needing to be evaluated as part of the quarterly reports and presentations. Stantec agrees to be flexible with the City regarding this scope of work as the year progresses as the actual number of events are determined, and agrees not to exceed the approved budget without prior approval.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2021-2484

AN ORDINANCE TO APPROVE A QUARRY NONMETALLIC MINING RECLAMATION PLAN AND TO INCORPORATE SAME INTO UNIFIED DEVELOPMENT ORDINANCE SECTION 15-3.0428, ORDINANCE NO. 97-1456 (PDD NO. 23) PURSUANT TO §13.26S.5. AND UNIFIED DEVELOPMENT ORDINANCE SECTION 15-3.0429, ORDINANCE NO. 97-1457 (PDD NO. 24) PURSUANT TO §13.27T.5. AND TO AUTHORIZE THE ISSUANCE OF A RECLAMATION PERMIT IN RELATION THERETO (PAYNE & DOLAN, INC., OWNER AND APPLICANT)

WHEREAS, on April 29, 2021, Payne & Dolan, Inc. submitted a Reclamation Plan for the quarry and its use upon property zoned Planned Development District No. 23 (Limestone Quarry and Mixed Use) and Planned Development District No. 24 (Limestone Quarry and Mixed Use), 5335 West Rawson Avenue, Franklin, Wisconsin 53132, located within the approximate boundaries of West Rawson Avenue on the north, West Drexel Avenue on the south, South 51st Street on the east and South 68th Street on the west;

WHEREAS, a reclamation plan is required for nonmetallic mining uses pursuant to Wis. Stat. § 295.12(3)(c) and §176-13A. of the Municipal Code of the City of Franklin, Wisconsin, and City of Franklin Unified Development Ordinance Section 15-3.0428, citing Ordinance No. 97-1456 (PDD No. 23), §13.26S., and Unified Development Ordinance Section 15-3.0429, citing Ordinance No. 97-1457 (PDD No. 24), §13.27T.;

WHEREAS, the Reclamation Plan was submitted by the applicant following substantial reviews by and upon being recommended for approval by the Quarry Monitoring Committee;

WHEREAS, a public informational hearing upon the Reclamation Plan was held before the Plan Commission pursuant to Wis. Stat. § 295.12(3)(d) and §176-15 of the Municipal Code of the City of Franklin, Wisconsin, on September 23, 2021; and a public hearing with regard to the issuance of a permit for the Reclamation Plan and the incorporation of the Plan into PDD Nos. 23 and 24, was held before the Plan Commission on October 21, 2021;

WHEREAS, the Plan Commission having reviewed the Reclamation Plan and having recommended approval thereof, incorporation into PDD Nos. 23 and 24 and the issuance of a permit thereunder to the Common Council, and the Department of City Development and the Engineering Department also having reviewed and recommended, accordingly; and

WHEREAS, a copy of the proposed Reclamation Plan was available and open to inspection by the public, together with a copy of this ordinance in draft form, in the Office of the City Clerk for not less than two weeks prior to October 21, 2021, pursuant to Wis. Stat. § 66.0103(1), providing in part that some or all of a City's general ordinances in code form may be

enacted by an ordinance that incorporates the code by reference, and the Common Council having considered such proposed amendments and having found same to be reasonable and necessary to promote and protect the public health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: The Reclamation Plan and the issuance of a permit therefore for the quarry and its use upon property zoned Planned Development District No. 23 (Limestone Quarry and Mixed Use) and Planned Development District No. 24 (Limestone Quarry and Mixed Use), 5335 West Rawson Avenue, Franklin, Wisconsin 53132, located within the approximate boundaries of West Rawson Avenue on the north, West Drexel Avenue on the south, South 51st Street on the east and South 68th Street on the west, dated April 29, 2021, be and the same is hereby approved, subject to review by all applicable City Departments, including, but not limited to the Department of City Development and the Engineering Department, and any conditions required upon and following such reviews, pursuant to Chapter 176 of the Municipal Code, Nonmetallic Mining Reclamation, and subject to and pursuant to obtaining all required reviews and approvals as may be required pursuant to Chapter 295 Subchapter I, Nonmetallic Mining Reclamation, of the Wisconsin Statutes.

SECTION 2: Unified Development Ordinance Section 15-3.0428, citing Ordinance No. 97-1456 (PDD No. 23), §13.26S.5. and Unified Development Ordinance Section 15-3.0429, citing Ordinance No. 97-1457 (PDD No. 24), §13.27T.5., hereby incorporate and include the Reclamation Plan dated April 29, 2021 into and as a part of Unified Development Ordinance Section 15-3.0428 and Unified Development Ordinance Section 15-3.0429, respectively; the Reclamation Plan dated April 29, 2021 is and shall be maintained and available for public inspection in the Office of the City Clerk, the Reclamation Plan having been presented to and approved by the Common Council on November 2, 2021, and which is incorporated herein by reference pursuant to §66.0103(1) of the Wisconsin Statutes, and as previously proposed had been on file for public inspection in the Office of the City Clerk for more than 2 weeks prior to such date and which as approved by the Common Council shall so remain, also pursuant to §66.0103(1) of the Wisconsin Statutes.

SECTION 3: The City Clerk is hereby directed to obtain the inclusion in the Municipal Code Unified Development Ordinance of an Editor's Note by the codifier or otherwise, immediately following Unified Development Ordinance Section 15-3.0428, citing "Ordinance No. 97-1456 (PDD No. 23) §13.26S.5." and Unified Development Ordinance Section 15-3.0429, citing "Ordinance No. 97-1457 (PDD No. 24) §13.27T.5.", stating: "The

quarry Reclamation Plan dated April 29, 2021 is available for public inspection in the Office of the City Clerk.”

- SECTION 4: The operator shall bear the cost of a groundwater study to determine if the water in the lake will reach the level anticipated in this reclamation plan, this study shall be prepared by a registered professional geologist or professional engineer 5 years or less prior to the cessation of the extraction operations. If the study indicates that the anticipated lake level cannot be achieved, the operator shall prepare an alternate reclamation plan eliminating the lake and filling the pit.

- SECTION 5: The operator shall add a water elevation range for the reclaimed quarry lake to the criteria for assessing successful reclamation in Section VII of the Reclamation Plan.

- SECTION 6: Pursuant to Municipal Code Section 176-13D.(1), the operator shall bear the cost of a site-specific engineering analysis performed by a registered professional engineer to evaluate the proposed earthwork, including final slopes angles and slopes stabilization measures, this study shall be prepared 5 years or less prior to the cessation of the extraction operations.

- SECTION 7: The operator shall adjust the financial assurance to match the total cost of reclamation (\$670,460) in accordance with Municipal Code Section 176-14A.(12).

- SECTION 8: City staff shall review the Reclamation Plan every five (5) years and recommend any changes as needed to the Quarry Monitoring Committee.

- SECTION 9: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

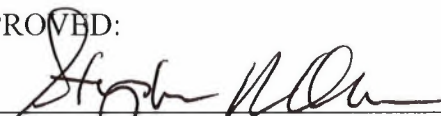
- SECTION 10: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

- SECTION 11: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of November, 2021, by Alderman Wilhelm.


Passed and adopted at a regular meeting of the Common Council of the City of Franklin
this 2nd day of November, 2021.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0