

## **Parks and Culture Committee,**

This is a request to include neighbors in discussions regarding the future of Villa Terrace. In the past, decisions have been made without consulting neighbors and those decisions have negatively impacted our quality of life.

### **What follows is important background information for those unfamiliar with the situation:**

This began when the Milwaukee Art Museum removed the majority of art pieces that could now be displayed in the new Burke Bris Soleil building.

To close the financial gap that resulted, decisions were made to host weddings without consulting or informing neighbors.

For several years, the unacceptable noise levels resulted in police calls and visits until neighbors learned that the Alderman was responsible for issuing the Villa Terrace a noise permit.

Alderman Kovak was contacted and a meeting at a neighbor's home scheduled. During that meeting, we outlined the issues, the number of police calls that were placed (within the last three months more than 10) and a complaint filed with the Community Liaison Officer, Milwaukee Police Department, District 1.

The neighbors agreed to meet with the Villa Terrace Board President to see if a solution could be reached; that meeting was scheduled by Alderman Kovak's office.

During that meeting, neighbors discussed their frustrations with great restraint and also learned that the Villa Terrace had signed wedding contracts more than 18 months out. As an act of compassion, the neighbors agreed to not force the Villa Terrace to cancel those contracts, but instead, define event parameters as a test to see if this would work.

Here is the list of agreements from that meeting:

**Host: Andy Nunemaker, Villa Terrace neighborhood meeting                      Date: October 24, 2018, 4p**

**Present: Stephen De Leers, VT Board President / Nik Kovak, Alderman**

**Discussion centered on noise volume from people's voices, microphone announcements, & music.**

### **Agreements:**

- 1. Villa Terrace will have someone on site for us to contact when the noise gets too loud.**
- 2. That individual would be responsible for emailing us the wedding events details and onsite contact person if the sound is unacceptable, etc.**
- 3. We agreed to stop calling the police and will contact the event manager first.**
- 4. All music will be indoors and stop at 10:30p. We requested 10p but negotiated 10:30p because of current wedding contracts.**

5. Two weddings were the exception: 1. With an outdoor harp. 2. With an outdoor trio (soft music).
6. All microphones will be turned down or off when people are on the east porch (to accommodate current wedding commitments).
7. Weddings are scheduled through the beginning of summer 2020.
8. NO weddings would be held in the gardens. NO outdoor music, microphones, tents etc.
9. Exception would be the Villa Terrace Gala.
10. No large wedding / event contracts.
11. Neighbors wanted to end the weddings, but current contracts would cause distress for those wedding parties.

Within a year or so of that agreement, lock downs from Covid-19 forced future wedding events to be cancelled.

When they resumed, at least once per weekend - in lieu of calling the police - a neighbor would contact Megan Maikowski, Events Manager, requesting the volume of music / party guests, etc. be turned down.

### **Present Situation**

The wedding and other events (Jazz on the porch) noise has become intolerable. Both inside our homes and outside on our porches, it's virtually impossible to entertain guests or have a quiet conversation without competing with the Villa Terrace noise. Time has proven that no matter how much the Villa Terrace Events Team works to control noise, it's impossible.

### **Next Step**

Large parties / events, music on the east terrace, groups of people walking / talking loud on the streets after 11p each weekend night has become unacceptable. Please see current signed petition.

A different use for the Villa Terrace that is acceptable to neighbors must be implemented.

For reference, here is the Milwaukee Noise Violation Instructions:

### **Noise Complaints FAQ**

#### **What does the ordinance say?**

An owner of property (residential, commercial, rental or owner-occupied) may not have a noise nuisance on their property. (80-63 Milwaukee Code of Ordinances)

Point source noise (noise from factories, equipment on commercial buildings, etc.) is measured and regulated by DNS.

Intermittent noise (boom boxes, loud parties, live music, etc.) is measured by the Milwaukee Police Department (MPD). If they can hear noise 50 feet away from the property, they can issue a citation.

If a citation is issued to an occupant, MPD will forward a copy to the Department of Neighborhood Services (DNS) who will issue a notice of violation to the property owner.

If a second citation is issued to the same tenant and the owner takes no action to correct the problem, DNS will notify the owner that the cost of police services and related administrative costs will be assessed against the tax bill of the property from where the noise was produced.

### **What should property owners do?**

Educate their tenants about both the law and their lease. All leases prohibit such noise violations by state law.

Advise tenants to give their telephone numbers to neighbors who could call them before they call the police.

If you receive a Notice of Noise Violation from DNS, discuss it with your tenants. If the lease is month to month, consider serving a 14 or 28 day notice to end the lease due to a lease violation or warn them that the next such incident will result in eviction.

If the lease is greater than month to month, give a 5 day notice to cure and explain the consequences of a second noise violation.

If you receive a second notice, consider an eviction action as an alternative to your being assessed a tax lien for police and administration costs.

For duplex and multi-family dwelling owners, use the opportunity to prevent noisy tenants from driving away your good tenants.

Talk to the neighbors at your property should you get a notice of violation related to a noise nuisance and let them know what action you are taking. Give them your telephone number so that they can let you know what is happening to your property.

Take DNS's Landlord Training Program. If you have done so some time ago, come back for a refresher. Call 286-2954.

### **What should tenants do?**

Enjoy your home at a noise level that does not disturb others.

Keep windows and doors closed to minimize noise from leaving the premises.

If you plan on a party and can foresee potential problems, call your neighbors and give them your telephone number. Ask them to call you instead of calling the police if the noise is a problem.

If you receive a noise citation, plan on a visit from your landlord and be prepared to explain why it will not happen again. Apologize to neighbors. Pay the ticket or contest it in court.

If you receive a second citation, plan on looking for a new place to live. Most landlords screen out tenants with a history of eviction, so plan on a difficult search.

### **What should neighbors do?**

If noise gets too loud from a neighbor's property, call the occupant and ask nicely to have them keep the noise down. Surprisingly, asking nicely often is effective.

If you do not know who to call, consider calling the landlord if it is a rental unit.

If all else fails, call the Milwaukee Police Department at 933-4444.

If they do not respond by the time that the noise ends, you can ask the police to issue a ticket IF you are willing to appear as a witness in Municipal Court.

If the problem persists and you have documented it adequately, you may be able to institute legal action for damages. Contact the property owner with a written notice that a problem has occurred and ask for their assistance in preventing a recurrence. In cases of persistent problems, your documentation may be the basis for a private suit for deprivation of the quiet enjoyment of your property. Keep a chronological diary with dates, times, addresses and a description of the incident.

Solicit neighbors to do the same.

**What is not covered by the noise ordinance?**

Noise from vehicle horns – that is handled by the Milwaukee Police Department. No matter what time of day or what day it is, a car tooting its horn is an alarm and an alert. IT IS NOT A DOOR BELL!

If the police are unable to respond in a timely manner, they will issue a noise citation if you are willing to be the witness in court. Get the license plate number and vehicle description. For car stereo noise call MPD or visit any police station and request a PL-36 Noise form. Follow the directions. Auto audio violators face up to \$500 fines, plus confiscation of their audio equipment.

**What if the noise is coming from an owner-occupied property?**

The Nuisance Noise Ordinance applies here as well. The owner will be notified after the first citation and charged with the cost of the police services after the second citation.

Petition summary and background	STOP THE WEDDINGS AT VILLA TERRACE, A NOISE NUISANCE
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop ISSUING noise variance permits for weddings at Villa Terrace

Printed Name	Signature	Address	Comment	Date
① Suzanne Hutton	<i>Suzanne Hutton</i>	2230 N. Terrace Ave		6/24/24
② Patricia Van Alphen	<i>Pat Van Alphen</i>	2344 E BACK bay		6/24/24
③ BLUSSUSSIAN B	<i>B. Blussussian</i>	2225 E Broad Street RD		6-28-24
④ Christine McMahon	<i>C. McMahon</i>	2330 E BACK Bay ST		6-24-24
⑤ Karl R Hoff	<i>Karl R Hoff</i>	2228 N Terrace		6-24-24
⑥ James Hutton	<i>James Hutton</i>	2250 N. Terrace Ave		6-25-24

We the undersigned urge our leaders to stop issuing noise variance permits for weddings at Villa Terrace

P. 2

Printed Name	Signature	Address	Comment	Date
⑦ Kip Johnson	<i>Kip Johnson</i>	2234 N. Terrace Ave		8-13-24
⑧ TROY R TROCH	<i>Troy R Troch</i>	5100 RUSSETT DR GARDEN CITY	owns the home at 2322 E. Back Bay Bay, Remodeled	8-14-24
⑨ PHYLLIS WAX	<i>Phyllis Wax</i>	2330 E BACK BAY		8-14-24
⑩ T. ROBERT	<i>T. Robert</i>	2735 TERRACE AVE		
⑪ Deborah Hernandez	<i>Deborah Hernandez</i>	2236 N. TERRACE Ave		8-25-24
⑫ Josh McEllella	<i>Josh McEllella</i>	2202 N Terrace Ave		8/24/24
⑬ Amy McEllella	<i>Amy McEllella</i>	2202 N. Terrace Ave		8/24/24

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**From:** Gina Cornejo gcornejo@cavtmuseums.org  
**Subject:** Re: Hi Neighbors! Upcoming events at the Villa Terrace.  
**Date:** August 30, 2024 at 7:46 PM

**To:** Event Rentals rentals@cavtmuseums.org

**Cc:** Emmons, Jordan jemmon@milwaukee.gov, holtonsue@sbcglobal.net, Stephanie sfvaquirk@gmail.com, Daykin, Thomas tom.daykin@jrn.com, uzanne Holton holtonsue@icloud.com, ccm@christinemcmahon.com, Dan Mahlik dan.mahlik@duetresourcegroup.com, gunderson\_cm@yahoo.com, Rhonda Downey Rd5393@gmail.com, Pat Van Alyea pat2344@sbcglobal.net, Thomas Roesch thomasroesch@tfroepschcpa.com, Jeffrey L Koenig koenig.jeffrey@gmail.com, Plumley, Molly mpluml@milwaukee.gov, Monica Miller mmiller@cavtmuseums.org

Hi Neighbors!

Just filling you in on upcoming events at the Villa! September 2024:

COMING UP:

September 6, Rehearsal Dinner 3-11pm.

September 7, ceremony + reception 2-midnight

September 13, Wedding Photography from 12-2pm **and** ceremony + reception 2-midnight

September 14, ceremony + reception 2-midnight

September 20, wedding ceremony 2-5pm

September 21, ceremony + reception 2-midnight

September 22, Member Picnic, 12:45-5pm

September 27, ceremony + reception 2-midnight

September 28, DOORS OPEN MKE 10-2pm **and** ceremony + reception 2-midnight

September 29, wedding ceremony 1:30-6:30pm

For each of these weddings we do adhere to our **10:30pm stop of music**.

**10:30pm - 11:00pm** is our designated clean up time for our guests. You might hear a bit of post-wedding joy from our guests as they depart during this half hour.

We also aim to maintain our **2pm** time for all Vendors to arrive onsite.

This is when more traffic, street parking obstacles, and general commotion can occur on our street with Vendors of catering, florists, DJs, even rented furniture, making their deposits.

We have our time of **11pm-12am** as our Villa Terrace Event Staff, Bartending Staff, and a variety of Vendors packing up and cleaning up. This is usually quiet business as we aim to have every guest of our weddings and receptions out and onto their next location by 11pm. Please pardon any lingering noise of voices that carry when folks are outside in our courtyard, navigating themselves to their vehicles.

I do hope these updates help inform each of us this August-September as we welcome wedding goers from near and far!

Thank you for your time,

Gina

On Sat, Aug 17, 2024 at 9:07 PM Event Rentals <[rentals@cavtmuseums.org](mailto:rentals@cavtmuseums.org)> wrote:

Hi Neighbors!

Just filling you in on upcoming events at the Villa! August 23 - September 1, 2024:

For this weekend, we have another line up of weddings:

August 23, ceremony + reception 2-midnight

August 24, ceremony + reception 2-midnight

August 25, ceremony + reception 2-midnight

Next week weddings:

August 30, ceremony + reception 2-midnight  
August 31, ceremony + reception 2-midnight  
September 1, ceremony + reception 2-midnight

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Gina

On Wed, Aug 7, 2024 at 3:04 PM Event Rentals <[rentals@cavtmuseums.org](mailto:rentals@cavtmuseums.org)> wrote:

Hi Neighbors!

Just filling you in on upcoming events at the Villa!

For this weekend, we have another line up of weddings:

August 8, ceremony 2-5pm  
August 9, ceremony + reception 2-midnight  
August 10, ceremony + reception 2-midnight  
August 11, elopement 2-3:30pm

Next week weddings:

August 16, ceremony + reception 2-midnight  
August 17, ceremony + reception 2-midnight  
August 18, ceremony + reception 2-midnight

For each of these weddings we do adhere to our **10:30pm stop of music**.

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Gina



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**Event Rentals Department**

**Museum:** 414.296.1101 | **Direct Line:** 414.867.3196

**Office Hours:** Tuesday through Saturday 10-5 pm (November-April) | Wednesday through Sunday 10-5pm (May-October)

*Please allow 48 hours for a response. E-mails received on Friday may not be responded to until Tuesday/Wednesday.*



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Villa Terrace Museums**  
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