

**From:** molly <gdghali@gmail.com>  
**Sent:** Tuesday, August 3, 2021 4:24 PM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** Common Council Meeting 8/3/21 Item#118; Legistar #66772

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Dear Madison Alders,

In regards to Legistar Item #66772, my residence abuts a Streatery Parking Lot Patio of an east side establishment. I ask you to please support Alderman Benford's resolution to limit amplified music in residential settings.

I have full empathy for the struggles faced by this business due to COVID. I have been a patron and donated to their Go Fund Me efforts, but allowing amplified music in these venues that are located directly next to a residential family dwelling forces us to listen to concerts up to three times a week, every week. I have to close my windows in order to enjoy what I might want to do during that time whether it be reading, watching a television show or movie, or listening to my own music choice. That's unfair. I think when the resolution allowing amplified music was passed earlier this year consideration was not given to the possibility that some of these new patios would be right next to family homes. It's an unnecessary and frustrating intrusion into our lives.

Respectfully,  
Molly O'Connell  
2202 Sommers Ave  
Madison WI

**From:** robinstehle <robin.stehle@gmail.com>  
**Sent:** Tuesday, August 3, 2021 4:45 PM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** Common Council Meeting 8/3/21 Item#118; Legistar #66772

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Dear Madison Alders,

In regards to Legistar Item #66772, I ask you to please support Alderman Benford's resolution to limit amplified music in residential settings.

I live directly behind The Harmony Bar and Grill, a restaurant on Atwood Avenue. Per the Streatery policy, this restaurant has expanded their outdoor seating and now has live amplified music three times per week. Previous to this, the Harmony had no outdoor seating or outdoor events that we were aware of. This space was a functioning parking lot.

Often, the live music is so incredibly loud that we can feel our house shaking. If we go in the backyard on these nights, we are unable to hear each other over the music. We can't open windows on these nights. The most difficult part about the music is the impact it is having on my seven month old son. His nursery is on the back side of the house, and the music is so loud that he wakes up and is usually unable to sleep in his room on those nights. It has been incredibly stressful.

When the Streatery was first introduced, I supported the temporary policy, as I want small businesses to succeed during these challenging times. We actually ordered from the Harmony many, many times - during and before the pandemic. I want this restaurant to succeed. However, as the Harmony has added more and more tables, started amplifying music, and our backyard has gotten louder and louder - we are really struggling. Even when the music is not amplified, the sound of people talking over the music was still incredibly overwhelming. I understand supporting small businesses, but not at the expense of everyone living nearby. As the possibility of Streatery becoming permanent is being discussed, I hope that the idea of families living nearby some these establishments is considered. I worry that if the music continues, we will need to move, because our kids can't sleep in that environment. It feels like there is a music venue in our backyard.

Once again, please support Alderman Benford's resolution to limit amplified music in residential settings.

Thank you,  
Robin Stehle  
2206 Sommers Avenue  
Madison, WI

**From:** robinstehle <robin.stehle@gmail.com>

**Sent:** Sunday, August 15, 2021 7:41 PM

**To:** Blake-Horst, Meghan <MBlake-Horst@cityofmadison.com>; Tucker, Matthew <MTucker@cityofmadison.com>; streetvending <streetvending@cityofmadison.com>; Mikolajewski, Matthew <MMikolajewski@cityofmadison.com>; All Alders <allalders@cityofmadison.com>

**Cc:** Benford, Brian <district6@cityofmadison.com>; DMitc8799 <dmitc8799@aol.com>; Mitchel Wallace <mitchel.wallace@gmail.com>; molly <gdghali@gmail.com>

**Subject:** Struggling with Streatery

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Hello,

I live beyond the Harmony Bar and Grill, which is on Atwood Avenue. I am reaching out again to inquire about the following:

**Do you have updates on the expansion of Streatery beyond next April?**

**Have you reached out to neighbors of these bars and restaurants who are affected by this policy? We were told this would happen.**

Please, please can you provide updates for us, because we are really struggling. Last night, there was incredibly loud amplified music for four hours straight. The sound of bar patrons talking over the music is so incredibly overwhelming and is affecting the mental health of my family. As I've said before, my 8 month old son can no longer sleep in his nursery on these nights, or really any night now, because his bedroom faces the bar. Even when there is no amplified music, the sound of bar patrons talking loudly seeps into our house at all times. Yesterday, for example, there was a very large graduation(?) party happening right along our fence line. This is a typical weekend. We can't raise a family in this location, and this is not fair. Previously to Streatery, we loved the Harmony and never once struggled with any noise.

What are the plans for Streatery? Are there updated rules that reflect the current policies?

**Why do downtown establishments have the same rules as restaurants and bars in residential neighborhoods? Is a distinction being made when making plans for the future of Streatery?**

Thank you,

-Robin Stehle

2206 Sommers Avenue

**From:** Nicholas Davies <nbdavies@gmail.com>  
**Sent:** Thursday, August 19, 2021 6:46 PM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** No on 66772 (Banning music at streateries)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear alders (and Alder Benford especially),

Having endured a noisy living situation, I empathize with the residents calling for this measure, but there are some problems with it as written:

It focuses on amplification, which is not necessarily the problem at all. You can have instruments that play through amplifiers at reasonable levels. You can also have acoustic instruments that are very loud and carry very far.

For example, I play an electronic keyboard, which would be literally inaudible without plugging into some type of speaker. It isn't necessarily going to disturb anyone's evening, if the amp is turned down. I also play trumpet, which is not amplified. It has exactly one volume setting: loud.

The side effect is that these establishments would be prohibited from using any type of speaker at any volume at their outdoor patio. While live acoustic music could be as loud as desired. This likely wouldn't be uniformly abided or enforced, allowing for selective, inequitable enforcement.

This measure needs to be revised to specify a target decibel range. Though high decibel noise may already be covered by existing ordinance.

We also need to be wary of driving live music into indoor spaces during an uptick in COVID cases.

Instead of a broad ban, I want to suggest limiting the times of day when live music can occur (ie. an evening cutoff hour), and limiting the overall frequency/duration (x hours per week, y days per week). These are the kinds of things that residents and restaurant/cafe owners could normally work out between themselves, rather than requiring municipal micromanagement; I certainly hope that this is only becoming city business because those simple neighborly solutions have already been tried and exhausted.

We shouldn't be banning outdoor live music altogether, we should take resident concerns seriously, and find a compromise that works for everyone involved. If this comes up for a vote in its current, extreme/flawed form, it deserves to be voted down, which would unfortunately leave the affected residents without a solution. I encourage you to revise it while it's still moving through the process.

Thank you,  
Nick Davies  
3717 Richard St

**From:** diana.miller60@yahoo.com <diana.miller60@yahoo.com>  
**Sent:** Monday, August 23, 2021 10:10 AM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** [All Alders] Noise ordinance

**Recipient:** All Alders

**Name:** Diana Miller  
**Address:** 3010 Oakridge Ave , Madison, WI 53704  
**Phone:** 608 228-3963  
**Email:** [diana.miller60@yahoo.com](mailto:diana.miller60@yahoo.com)

**Would you like us to contact you?** No, do not contact me

**Message:**

I don't support the proposed noise ordinance. I lived on the Eastside a lifetime and raised kid and grandchildren here. We purposely chose to live in this neighborhood because of the many venues and diversity it offers. This ordinance is being considered out the interest of few families allegedly with small children who have difficulty sleeping. It's not representative of the majority of us who live here and enjoy the music. Children grow up rather fast and move on. The approval will adversely impact is on the few venues where they live and may ultimately close them. It's sad when the interest of a few supercede the interests of the community as a whole. Living in a densely populated urban area comes with many noises everywhere. The worst offenders are the military planes that shake and rattle my windows yet when I bought my property I was well aware of this and happily lived here for years. The venues that are already highly regulated are not the problem. Please vote NO! Serving the interest of a few is self serving and unnecessary.

**From:** adampcasey@gmail.com <adampcasey@gmail.com>  
**Sent:** Wednesday, August 25, 2021 9:05 AM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** [All Alders] Live music in streatery

**Recipient:** All Alders

**Name:** Adam Casey  
**Address:** 2263 E Washington Ave, Madison , WI 53704  
**Phone:** 608-444-3992  
**Email:** [adampcasey@gmail.com](mailto:adampcasey@gmail.com)

**Would you like us to contact you?** No, do not contact me

**Message:**

Please pay attention to your committee recommendation about the streatery live music. The city needs to allow these struggling businesses every opportunity to survive these trying times. Especially with the specter of another shutdown potentially on the horizon.

Thank you.

**From:** Alexandra Soglin <arsoglin@gmail.com>  
**Sent:** Monday, August 23, 2021 7:59 PM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** Outdoor Amplified Music in Streateries

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Here is a copy of my statement from tonight's Arts Commission Meeting.

Hello, thank you for this opportunity to speak. My name is Alex Soglin, I am the front of house manager at Brasserie V on Monroe Street and I am the President for Madison Originals .

Madison Originals is made up of 43 locally owned Dane County restaurants and an additional 28 associate members, including the Wisconsin Restaurant Association.

The last few years were very difficult for restaurants, particularly locally owned venues without the backing of a national parent company.

We made a lot of changes -- carry out programs, outdoor dining, new menus.

Some of us turned to old tried and true ideas like live music entertainment which is important to our customers, the musicians, and our businesses.

There was a problem with an outdoor music program, at a Madison establishment. and its neighbors.

The response was nuclear in the form of the proposal before you to basically end it at many establishments which are near residential zoned properties.

When things are going well for 95% of the people it seems too much to create a regulation for everyone.

Why not have this worked out between the establishment in question and its neighbor?

Why not solve this by people sitting down and working this out.

Our members are all over Madison and we know of no other problems - and if there are we wish people would speak up and let us know.

In some circles it is fashionable to dislike government for being too regulatory, too swift to make something illegal - for over reaching.

It is proposals like this that feed that distrust,

I just want to clarify, the second alleged problem restaurant mentioned in this mornings State Journal article is not part of the Streatery program. They have separate licensing for outdoor amplified music.

Thank you for your time, I will be glad to answer any questions.

Alexandra Soglin  
FOH Manager  
Brasserie V  
608-770-1057



**From:** kia.m.karlen@gmail.com <kia.m.karlen@gmail.com>  
**Sent:** Friday, August 27, 2021 10:30 AM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** [All Alders] Streatery music, file #66772

**Recipient:** All Alders

**Name:** Kia Karlen  
**Address:** 94 S. Fair Oaks Ave., Madison, WI 53714  
**Email:** [kia.m.karlen@gmail.com](mailto:kia.m.karlen@gmail.com)

**Would you like us to contact you?** No, do not contact me

**Message:**

I wish to register in opposition to the proposed changes to the Streatery music program Legistar file #66772, #107 on the draft agenda for 8.31. As I understand it, the proposed change would affect 30 or more local Streatery restaurants, due to complaints from a handful of residents about a single venue. It is clearly safer for bars and restaurants to continue to offer outdoor dining and entertainment through the fall, and the remaining 2021 outdoor music season is fleeting - it can be measured in weeks, not months. I encourage you to let the existing Streatery ordinance stand as is, and if need be, reassess when the whole program comes up for renewal in spring 2022. Thank you for the opportunity to weigh in.

**From:** anewalker@homelandgarden.com <anewalker@homelandgarden.com>  
**Sent:** Friday, August 27, 2021 2:14 PM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** Amplified music--Madison Streatery program

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Alders

I strongly support Alder Benfords resolution to ban **amplified** music within 100 feet of residential property. While I support musicians and small business's, and am a small business myself, I also support the right of residents to some peace and quiet.

At the recent meeting of the Madison Arts Commission, an owner of a local bar said that neighbors should "take one for the team" as a way to help local business. Many of us in the neighborhood do support local business. We proudly spend our money locally.

There has long been an attitude among business owners that city's are simply noisy places and that neighbors desire to enjoy the peace of their homes and yards is somehow not reasonable. Area business's located in established neighborhoods. That requires some finesse as a business owner to make that work. Telling neighbors to simply "take one for the team" is typical and, not the right answer. We're all in this together.

I ask you to support Alder Benfords resolution to ban **amplified music** within 100 feet of a neighbors home.

Respectfully,

Anne Walker

**From:** Wolf, Karin <KWolf@cityofmadison.com>

**Sent:** Friday, August 27, 2021 6:32 PM

**To:** Rhodes-Conway, Satya V. <SRhodes-Conway@cityofmadison.com>; All Alders <allalders@cityofmadison.com>

**Cc:** Vakunta, Linda <LVakunta@cityofmadison.com>; 'Anna January' <annataylorjanuary@gmail.com>

**Subject:** Memo from Chair of Madison Arts Commission

Good Evening Mayor Satya & Alders;

The Chair of the Madison Arts Commission asked me to forward you this memo regarding Resolution File ID 66772 in advance of your Tuesday, Aug 31 Common Council meeting.

Thank you,

Karin Wolf

Madison Arts Commission

# MEMO

Date: August 27, 2021

To: The City of Madison Common Council

From: Anna January, Chair, Madison Arts Commission

Dear Common Council,

On behalf of Madison Arts Commission, I write to informally request you place Resolution 66772 on file without prejudice. The resolution, sponsored by Alder Benford, proposes “restricting live outdoor music performances with amplified sound at any Streatery located within 100 feet of a structure containing a residential dwelling unit.”

The Commission met on Monday, August 23<sup>rd</sup> to discuss the resolution and hear public comment. While we acknowledge the complicated nature of the situation, MAC informally recommends that the resolution be placed on file without prejudice. Though the resolution is stemming from relatively few isolated complaints, it would affect the majority of music venues operating with a Streatery entertainment license.

According to the Greater Madison Music City Economic Impact & Mapping Report, the music ecosystem in Dane County for 2018 generated and supported a total of 5,791 jobs (1.86% of the employment in the county). In the same year, the output generated by the music ecosystem was \$636 million, its total GVA \$428 million and the total compensation of the workers was \$218 million.

Public Health restrictions related to COVID 19 have had a detrimental impact on this industry, with full-time musicians reporting a significant loss in income. The Streatery Entertainment License offered a small but important source of income, opening approximately 30 informal outdoor music venues.

Due to the large scale, detrimental effects Resolution 66772 would have on the arts community, musicians, and venues, Madison Arts Commission asks that the resolution be placed on file without prejudice. The commission believes the resolution paints with too broad a brush and would have immediate negative implications for the Madison economy overall. Furthermore, MAC is apprehensive to recommend the approval of such a regulation due to potential long-term effects. While only applied to Streatery entertainment licenses currently, instituting such a regulation in limited capacity opens the doors to broader use in the future.

**From:** Nicholas Davies <nbdavies@gmail.com>  
**Sent:** Monday, August 30, 2021 10:47 AM  
**To:** All Alders <allalders@cityofmadison.com>  
**Subject:** Re: No on 66772 (Banning music at streateries)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear alders,

As an update, this item is now on the agenda for consideration by the full Council. However, no amendments/alternates/substitutes have been made to address the serious problems with it as written. It also comes back to you without the review and recommendation of any committees.

You all are as aware as I am, that this is not how city ordinance is made. My suspicion is that Alder Benford only continues pursuing this due to undue pressure from a small handful of his constituents dealing with a situation at one or two particular venues, and if Alder Benford sincerely believed in the necessity and purpose of this item, he would have modified it to make it more viable.

Alder Benford has proven responsive, intelligent, and strategic on other issues, and so I can only conclude that he intends for this item to fail, so that he can tell these few constituents that he did all he could, and hopefully leave it at that.

I also want to add that in my previous comments, I did not know that the resolution originally permitting amplified music at streateries already limited the hours when it's allowed:

*WHEREAS, MGO § 24.04(3) already allows amplified sound between the hours of 12:00 noon and 1:30 p.m. and 5:00 p.m. and 7:00 p.m. every day of the week, except with certain permits that are not applicable to outdoor dining spaces; and*

*WHEREAS, in addition to these hours, staff and musicians have identified the hours of 3:00 p.m. to 8:00 p.m., Thursday-Saturday, as an optimal time for outdoor amplified music performance at Streateries.*

So that resolution only added 3 additional hours per day on 3 days of the week (9 hours per week total) when music can occur, compared to what was already permitted (24.5 hours per week), whenever the complainants on Sommers Ave chose their residences with convenient access to Harmony Bar.

As a city, we should instead be reconsidering how noise complaints are handled. Chronic noise is hazardous to health and livelihood, and there should be a more robust process to address it. However, as "Citizen Dave" pointed out in a recent blog, noise complaints are currently handled as calls for police service, meaning that we send unnecessarily armed and dangerous individuals into a nonviolent situation, and even that only addresses the problem on a very temporary basis, until police are called away to more legitimately pressing business.

The city could do more to address noise by regulating--or giving preferential approval or incentivization--to residential construction that ensures better noise insulation. In terms of windows and exterior walls, insulation against noise typically coincides with better temperature insulation, and thus better energy efficiency. But this is also true between the floors of multi-story housing, where without proper insulation between levels, noise can bleed between floors, and heat can rise.

So while noise pollution is a problem in a densifying city like ours, this item is not a solution.

Thank you,

Nick Davies  
3717 Richard St