

## **Attorney Flat 1 Evidence of Concerns**

### **Email 1**

**RE: Harmony at Grandview**

**From:** Nelson, Cory Cpt

**Date:** Thursday, July 25, 2019 2:52:40 PM

**To:** Zilavy, Jennifer; Skenandore, Joey; Payne, Howard; Lemmer, Lindsay; 'Terrell Walter'

**Cc:**

**Subject:** RE: Harmony at Grandview

**Attachments:** image001.jpg (3 Kb), image002.png (21 Kb)

Just an FYI, large incident over there today, a person wanted for a previous attempted homicide who was in a stolen car was located in the parking lot of the Harmony complex. A gun and several magazines recovered after a foot chase through the complex. Violent Crime Unit and Narcotics Task Force were involved in this case along with numerous district officers.

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### **Email 2**

**Request for training on HIK system - Harmony Apts**

**From:** Payne, Howard

**Date:** Tuesday, March 17, 2020 7:15:21 PM

**To:** Josh Larson; Terrell Walter

**Cc:** Payne, Howard; Tim Szeklinski; Lauri Stamps

**BCC:** Skenandore, Joey; Nelson, Cory Cpt; Lemmer, Lindsay; Zilavy, Jennifer;

JSkenandore@cityofmadison.com; CSNelson@cityofmadison.com;

district3@cityofmadison.com; JZilavy@cityofmadison.com

**Subject:** Request for training on HIK system - Harmony Apts

**Attachments:** IMG\_0228.jpg (91 Kb), ATT00001.txt (1 Kb), IMG\_0229.jpg (137 Kb), ATT00002.txt (1 Kb)

Good day!

As of March 17th, 2020, we have had two shooting investigations to occur at the Harmony Apartments. Myself, along with detectives and lieutenants, have had problems securing video copies of footage from the property. The photographs attached below are the physical configuration of the HIK system, but I do not see the locations where hard drives or jump drives could be plugged in to, in order to download footage; as the District Attorney's Office would require in these high level investigations.

I am requesting, since the system was not live when the last training was scheduled, a new

training date be coordinated for any individual(s) who is interested in learning this system. I was able to capture still photos without a problem, but video downloading is the challenge.

I also would like to entertain a conversation about expansion on the number of cameras that are available. The shooting incident from March 17th, 2020 lacked a large degree of coverage and having additional cameras on the property, in specific locations, would have proven to be very helpful. Both shooting events were significant, and there is much work to do, in order to have this property covered in a way to have residents feel safe and bolster the ability of police to investigate these recurring events.

I will be working the rest of this week and will make myself available to deal with these issues.

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### **Email 3**

Hey everyone,

I'm getting a fair number of emails from folks about the 4-year old who was shot at The Harmony, asking what the city is doing to address this.

I've drafted a response to folks, but I want to make sure what I'm saying is accurate and that you are comfortable with it. At your earliest opportunity, could you please read the draft response here and let me know if it's okay with you or if you have edits or concerns:

[https://docs.google.com/document/d/1ODIPCGozl0\\_X3KWmOJ9KQH0QtFI3itOjpEuaOhCW\\_Qg/edit?usp=sharing](https://docs.google.com/document/d/1ODIPCGozl0_X3KWmOJ9KQH0QtFI3itOjpEuaOhCW_Qg/edit?usp=sharing)

Thank you,

Lindsay

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### **Email 4**

Hi Terrell,

I am disappointed that it has taken this long. If they are in fact installed on the 9th, that is fine.

However, if they are not installed on that date, the City will be forced to look at enforcement under the Chronic Nuisance Premises Ordinance. I honestly hope it does not come to that. Please keep me informed on this issue.

Have a great weekend!

Jennifer

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### **Email 5**

Good Morning Terrell,

Thank you for being at the meeting last night and gracefully enduring some of the disgruntled neighbors. I was extremely surprised to learn last night that you have not yet installed cameras on the property. The City's expectation, based upon your representation at our July meeting, was that you would for sure have the cameras installed prior to the community meeting last night. Time is of the essence on camera installation and that time has expired. The City needs those cameras installed and operational no later than August 31, 2019. The City will have to consider punitive measures if those cameras are not installed by that time because they are essential to managing residents and addressing public safety issues. I regret having to threaten punitive measures, but I trusted that you would have the cameras installed by last night and I am not comfortable leaving an installation date up-in-the-air.

Part of this goes back to communication. I expected that if you were not successful in getting the cameras in place by last night's meeting that you would have let the Alder, the police, or me know that. Perhaps the Alder and the police were aware, but I was not. I can understand neighbors' frustrations at being given false hope that something will happen and then that something repeatedly does not happen.

The City does want to work with you to resolve the neighborhood/community issues, but it becomes difficult to stand by you and publicly offer support if you fail to follow through on a key promise.

Again, thank you for being there last night and educating the community about your plan. I was happy to hear some of your residents say that things have improved—let's continue on that path and continue forward progress.

Jennifer

Jennifer Zilavy

Assistant City Attorney

210 Martin Luther King Jr. Blvd.

Madison, WI 53703

608-266-4511

608-267-8715 (fax)

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## Email 6

**Sent:** Thursday, August 1, 2019 1:51 PM

**To:** Zilavy, Jennifer; Lemmer, Lindsay; 't.walter@royalcapital.net'

**Cc:** Skenandore, Joey; Payne, Howard; 'chris@accmanagementgroup.com'; 'amy@accmanagementgroup.com'; van Lith, Karl

**Subject:** RE: Response Needed--August 7 Harmony Apartments Meeting Agenda

Calls for service are still on the rise at the Harmony. We are up 15% (in July) more than last month and that does not include the parking complaints and proactive efforts from our officers

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## **Email 7**

**From:** Zilavy, Jennifer JZilavy@cityofmadison.com  
**Sent:** Friday, September 13, 2019 11:38 AM  
**To:** Terrell Walter t.walter@royalcapital.net  
**Cc:** Nelson, Cory Cpt CSNelson@cityofmadison.com; Skenandore, Joey JSkenandore@cityofmadison.com; Payne, Howard HPayne@cityofmadison.com; Lemmer, Lindsay district3@cityofmadison.com  
**Subject:** Cameras at Harmony at Grandview

Hi Terrell,

I am very disappointed that I am now sending you a third email asking you to provide information about the camera system you had installed at Harmony. A complete lack of silence from you regarding my prior requests speaks volumes as to Royal Capital Group's cooperation with the City and desire to work together to address nuisance issues associated with the property. We have been waiting for the cameras since May. You have been lax in communicating with the City regarding plans and progress at Harmony. Your complete lack of response to my request for information regarding the cameras you have installed is disconcerting and frustrating. The City was willing to work with you, and supported you at the neighborhood meeting. We now feel duped for believing your promises of due diligence and cooperation in addressing nuisance issues at Harmony. It is a shame that your actions, or lack thereof, have eroded the City's goodwill.

Jennifer

Jennifer Zilavy

Assistant City Attorney

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## **Email 8**

**From:** Lovett, Rebecca L <RLovett@uwhealth.org>  
**Sent:** Monday, January 25, 2021 9:48 PM  
**To:** Zilavy, Jennifer <JZilavy@cityofmadison.com>  
**Cc:** Lemmer, Lindsay <district3@cityofmadison.com>; Payne, Howard <HPayne@cityofmadison.com>  
**Subject:** Break In – Ragan Street – 1/23 – Harmony Apartments Related

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

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Good evening Assistant City Attorney Jennifer,

There have been many break ins and car thefts in our Neighborhood – Grandview Commons North – over the past few months. The most recent event on 1/23/2021 was on Ragan Street, very close to my house. It was posted on Nextdoor and I have included 3 attachments in regards to this post/thread. The gentleman Olanji Butler posts about how he recognizes the 2 individuals and that they live at the Harmony Apartments.

I am very concerned about this statement by him. I am wondering if there is any truth to this statement? Is this break in related to the Harmony Apartments and those that live there? Is there any tie between the recent break ins and thefts and the Harmony Apartments?

The last time we spoke via email correspondence on 8/3/2020 you mentioned that The Harmony Apartments have 22 cameras and security patrol. From the cameras and security patrol, is there any footage of these same 2 individuals from 1/23/2021? Is the security patrol still occurring?

I am very concerned for my safety and those surrounding me. I am hoping you can provide me with some comfort and peace of mind if this is related to the Harmony Apartments or not, after all that we have been through with that property.

Thank you and have a good evening,  
**Becky**

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**Email 9:**

**Declaration of Chronic Nuisance Premises**

**From:** Nelson, Cory Cpt

**Date:** Thursday, April 9, 2020 4:13:32 PM

**To:** Valenta, Paige; Zilavy, Jennifer; Lemmer, Lindsay; Davis, Norman; Conrad, Thomas; Birap; Bunnaw, Kyle

**Cc:**

**Subject:** Declaration of Chronic Nuisance Premises

**Attachments:** CNP Declaration for 141 Metro Terr. #106.pdf (155 Kb), image001.png (21 Kb)

All,

See attached for Notice of Declaration of Chronic Nuisance Premises against the Harmony at Grandview Commons Apartments which is owned by the Madison East Partnership c/o Royal Capital Group in Milwaukee.

Captain Cory Nelson  
City of Madison Police-East District  
809 S. Thompson Dr.  
Madison, WI 53716  
Office phone- 608-267-2100

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**Email 10:**

**From:** Zilavy, Jennifer JZilavy@cityofmadison.com  
**Sent:** Friday, August 30, 2019 11:56 AM  
**To:** Terrell Walter t.walter@royalcapital.net  
**Subject:** Re: Harmony at Grandview

Hi Terrell,  
I am disappointed that it has taken this long. If they are in fact installed on the 9th, that is fine. However, if they [cameras] are not installed on that date, the City will be forced to look at enforcement under the Chronic Nuisance Premises Ordinance. I honestly hope it does not come to that. Please keep me informed on this issue.  
Have a great weekend!  
Jennifer

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**Email 11:**

**Drug Abatement - 5924 Jackson Quarry #207**  
**From:** Gary, Jamar  
**Date:** Tuesday, April 19, 2022 3:31:37 PM  
**To:** Lemmer, Lindsay; Zilavy, Jennifer; Valenta, Paige  
**Cc:** Graham, Alexa; Conrad, Thomas  
**Subject:** Drug Abatement - 5924 Jackson Quarry #207  
**Attachments:** Drug Abatement 5924 Jackson Quarry #207.pdf (584 Kb)

The attached drug abatement letter was placed in outgoing mail on 4/19/22.

Captain Jamar Gary  
East Police District  
Madison Police Department  
809 S Thompson Drive  
Madison, WI 53716  
Office: 608-267-2100  
Cell: 608-575-8042

(Full abatement notice content follows, with legal citation and specific incident from 4/1/22, recommendations to the property owner, and list of nuisance abatement measures.)

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**Email 12:**

**From:** Lovett, Rebecca L R Lovett@uwhealth.org  
**Sent:** Thursday, September 22, 2022 9:07 AM  
**To:** Zilavy, Jennifer; Paulson, Erik  
**Cc:** Gary, Jamar; Graham, Alexa; North Star Neighborhood Association; shoagland@dsirealestate.com  
**Subject:** The Harmony Apartments

Good Morning Jennifer and Erik,  
My name is Becky Lovett and I live on the street parallel to the Harmony Apartments. I have been emailing and filling out forms online since The Harmony apartments were filled with tenants. I just looked back at my emails, and my first email to Lindsay Lemmer about the Harmony apartments nuisance was on June 7, 2019. This has been going on consistently now for three years plus...

(Full email continues detailing crime, neighbor complaints, and concerns about ongoing nuisance and property mismanagement.)

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**Email 13:**

**From:** Lovett, Rebecca L R Lovett@uwhealth.org  
**Sent:** Wednesday, October 5, 2022 11:21 PM  
**To:** Zilavy, Jennifer JZilavy@cityofmadison.com; Paulson, Erik district3@cityofmadison.com; Gary, Jamar JGary@cityofmadison.com  
**Cc:** Graham, Alexa agramham@cityofmadison.com; North Star Neighborhood Association board@northstarmadison.org; Shandar Hoagland shoagland@dsirealestate.com  
**Subject:** Re: The Harmony Apartments

...I feel unsafe in this neighborhood with what is going on with the Harmony apartments. My neighbors are leaving and it is because of what is going on with the Harmony apartments. We do not feel safe in our own homes! That is an awful feeling!...

(Full email continues with emotional appeal, detailed grievances, and request for reinstatement of nuisance abatement.)

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**Email 14:**

**Message:** Chronic Nuisance Letter

**From:** Kevin Newell

**Date:** Tuesday, May 12, 2020 6:20:33 PM

**To:** Zilavy, Jennifer

**Cc:** Terrell Walter; Nelson, Cory Cpt; Lemmer, Lindsay; Andi Simmons; Lemmer, Lindsay

**Subject:** Chronic Nuisance Letter

**Attachments:** image001.png (20 Kb)

All, please see my response in red to Jennifer's original email below.

Kevin L. Newell, MBA

President/CEO

Royal Capital Group LLC

(office) 414.847.6275

(mobile) 414.202.9351

710 N Plankinton Ave, Suite 300

Milwaukee, WI 53203

Visit Us: [www.RoyalCapital.net](http://www.RoyalCapital.net)

Sent via mobile, please pardon any errors with traditional grammar.

(Full response includes back-and-forth on nuisance abatement strategy, security, community programming, cameras, and extended commentary from both Newell and Zilavy regarding City support and developer responsibilities.)