April 5, 2013

11:30 a.m.

**Amended Meeting Minutes for the March 21, 2013 Metro and Urban Parks Ad Hoc Committee**

**Correction:** Reflects that CM Boyer wants “a maximum” standard by which decibels could be measured at music events.

**Topic:** Report Summaries. Discussion of immediate actions that can be taken to reduce noise at upcoming events.

**Location:** Conference Room A, Suite 425, City Hall, 117 West Duval Street

**In Attendance:** Chair CM E. Denise Lee, CM Don Redman, CM Lori Boyer; CM Bill Gulliford; R.S. Pace, EQD; J. Richardson, EPB; Ginny Myrick, Myrick Policy Group; Paige Johnson, OGC; Vince Seibold, EQD; Jeff Clements, Council Research; Tonisha Gaines, Special Events manager; Scott Wilson, ECA District 4; Leeann Summerford, ECA District 4 At-Large; Janice Billy, CAO; Mark Hartley, Parks & Recreation; Mike Yokan, promoter; Leonard Propper, JSO; Velma Roundsville, citizen; Christina Parrish, Urban Core CPAC; Mike Boylan, WJCT; Daryl Joseph, Parks & Recreation; Bradford Hall, Director OFC Counsel; Stan Johnson, ECA District 13; and Dan Macdonald, ECA District 8.

CM Dr. Johnny Gaffney had an excused absence.

CM Gulliford convened at 11:07 a.m. CM Lee took over the chair when she arrived at 11:15 a.m. The minutes for the February 21 and March 7 meetings were accepted. (The February 21 minutes were not accepted due to a lack of a quorum on March 7.)

Due to the lack of a quorum at the last meeting, Chair CM Lee suggested that those who gave reports previously present report summaries.

Paige Johnston began by recapping her report on restricting vulgar speech in the park.

CM Boyer asked why the FCC can regulate speech over broadcast airwaves, why then can’t the city regulate amplified speech. CM Gulliford said the city may not be able to control bands but the bands could be indirectly controlled by placing fines on the promoters. CM Redman said that if the speech cannot be controlled then the amplification that allows it to leave the park and be heard in neighborhoods needs to be controlled.

CM Boyer requested that contracts be revised to include promoter penalties for vulgarity. CM Redman said performers have been in violation of sound ordinances in the recent past.

CM Boyer wants to have a hotline for residents to call to complain that will be manned so that the complaints are registered rather than just recorded. She also wanted to have a third party to monitor the sound throughout a concert. The cost would be paid by the promoter. CM Lee wondered if there is conflict between demanding monitoring for ticketed events while not imposing that cost on non-ticketed events.

Steve Pace of EQD explained that several factors, primarily weather, determine when and why volume leaves the park and crosses the river.

CM Boyer said she wants a maximum standard by which decibels could be measured at music events. Ms. Johnston offered that restricting any ordinance to just music would preclude it from being applied to other ticketed events like comedy shows.

Assistant Chief Leonard Propper said that this is not a new issue. And that if the sound is disrupting neighbors across the water it needs to be reported as a breach of peace. Residents should call 630-0500 to complain. In the past, concerts have been told to turn down the sound.

CM Lee said this is good in theory but response is slow and when an officer arrives at the home of the complainant the offensive sound may not be present, only to start up again once an officer leaves.

Jeff Clements gave his report about parks similar to Metropolitan Park. CM Boyer wondered if any of the parks that closed did so because of noise problems. There was nothing to indicate that noise had anything to do with the closings. They all appeared to be real estate motived.

Tonisha Gaines repeated the highlights of her report. She mentioned that the rental rate may seem low, but there are several additional costs the city charges for an event. She spoke briefly about circuit speakers similar to those in Chicago. This system is tailored to the park with the purpose of containing the sound to the park boundaries.

CM Gulliford said that people put no confidence in reporting complaints to the police because they often get a recording. He called for the development of a 24-hour, 7-day-a -week hotline that is manned by operators.

CM Boyer asked that a history of the park be conducted to determine where the 12 ticketed events stipulation originated and if it can be expanded. The pavilion, WJCT property and the park property are all intertwined.

CM Lee asked Special Events and OGC to compile the history in a narrative form so that the committee can get a better understanding of the park’s development.

Janice Billy recapped her report on Metro Park’s Trust Fund. CM Gulliford suggested that the DIA consider Metro Park redesign as being an important part of downtown redevelopment.

CM Lee appointed CM Gulliford to lead a subcommittee that will include CM Boyer and CM Redman to determine the park’s needs for improvement. She asked Ms. Gaines to attend the meetings. CM Gulliford asked that Mike Boylan of WJCT and promoter Mike Yokan both participate as well. CM Boyer wants to investigate any leftover funds from other accounts that could be applied to park improvements.

Mr. Yokan said that he is taking voluntary steps to alleviate the possibility of disturbing neighbors at this two-day music event set for the end of April. He is self-imposing a 10 p.m. curfew on Sunday. There will be no sound checks before 9 a.m. and there will be no white noise. He is looking at the expense of moving the second state to a new location near the Firefighters Museum in hopes of having sound travel parallel to the water rather than across it. However, a lack of fencing, power and other security considerations may make the move cost prohibitive.

CM Gulliford and CM Lee thanked Mr. Yokan for his willingness to work with the city. They encouraged other promoters to show the same sense of cooperation.

Ginny Myrick spoke to remind the committee that Metropolitan Park is first and foremost a park, not a concert venue.

CM Boyer asked Ms. Gaines for the number of a Special Events person who will be working upcoming events. The number is 300-4564. She asked Ms. Gaines to prepare a flier for the next meeting that could be used to make the public aware of this number.

The meeting adjourned at 1 p.m.

Included:

Minutes

Attendance Sheet

Meeting Notice

CM Dr. Johnny Gaffney excused absence form

Agenda