April 8, 2013

12:25 p.m.

**Meeting Minutes for the April 4, 2013 Metro and Urban Parks Ad Hoc Committee**

**Topic:** Subcommittee report. History of Metropolitan Park. Discussion of sound levels for upcoming Welcome to Rockville concert

**Location:** Lynwood Roberts Room, City Hall, 117 West Duval Street

**In Attendance:** Chair CM E. Denise Lee, CM Don Redman, CM Lori Boyer; CM Bill Gulliford; CM Kim Daniels; Michelle Barth, Mayor’s Office; R.S. Pace, EQD; Jim Klement, EDC; Ginny Myrick, Myrick Policy Group; Danny Wimmer, Concert Producer; Danny Hayes, Concert Promoter; Les Targonski, sound engineer; Gary Ulrich, citizen; Paige Johnson, OGC; Jeff Clements, Council Research; Tonisha Gaines, Special Events manager; Scott Wilson, ECA District 4; Leeann Summerford, ECA District 4 At-Large; Janice Billy, CAO; Mike Yokan, promoter; Daryl Joseph, Parks & Recreation; Annette Hastings, City Council/TDC; Jennifer Hewitt-Apperson, DVI; Kelley Boree, Parks & Recreation; Steve Patterson, Florida Times-Union; Kevin Meerschaert, WJCT; and Dan Macdonald, ECA District 8.

CM Dr. Johnny Gaffney had an excused absence.

CM Lee called the meeting to order at 11:11 a.m. The minutes for the March 21 meeting were amended to reflect that CM Boyer wants to establish a maximum sound level standard for concerts in Metropolitan Park. The minutes were accepted with this change.

CM Gulliford, chair of the subcommittee on park renovations gave his report. The subcommittee suggested the following (in order of importance):

1. That consideration be given first to rebuild a single stage, replacing the canopy that is well beyond its useful life, and orienting the stage in a direction more to the north in order to minimize the impact of noise on the neighbors on the other side of the river, while taking advantage of the barriers to noise that exist to the north of the venue.
2. Some consideration thereafter should be given to the possible replacement of the trailer or trailers used by the city for performers.
3. Improvements to amenities for performers and attendees such as permanent dressing rooms, bathrooms and the like should be a future consideration.
4. Provide updated, state-of-the-art speakers should be a future consideration based on economic justification dictated by park usage and problems.

CM Lee wanted to make sure that accommodating neighborhoods across the river does not impact those northeast of Metropolitan Park.

CM Gulliford said that there are several barriers (expressway and buildings) that would act as sound barriers to protect the northeast neighborhoods.

CM Lee asked if any sound studies have been conducted in the past.

Steve Pace of Environmental Qualitytold the committee that his is a regulatory agency, not a design group. He offered to give the committee names of three such companies that could offer advice about constructing a new stage and what it would cost.

CM Lee asked that the subcommittee meet again with a design group with the Environmental Quality staff and the Council Auditor in attendance to discuss what it would take to build a new stage that wouldn’t adversely affect neighborhoods.

CM Boyer said that it wouldn’t make any sense to build any amenities until a decision is made about constructing a new stage in a new location.

CM Lee asked if there was a technical architect at this subcommittee meeting. If the stage is to be moved, she wanted to make sure professionals recommend the proper location for a proposed new stage. She also wanted to get some information about the cost of replacing production trailers. She wanted to make sure that a Band-Aid isn’t being put on the situation.

CM Gulliford said that the city needs to find out if it is cost effective to build circuit speakers, especially if the city is limited to 12 ticketed events per year.

Paige Johnston of the OGC presented her report on the history of Metropolitan Park’s development and construction. It is a complicated transaction dating back to the Godbold Administration when it wanted to build a passive park on the site that is now the Jacksonville Landing. It was later decided that the city would partner with WJCT to move this to the land next to the public television studios. WJCT would build and maintain the canopied stage and the city would be responsible for constructing and maintaining the park. Federal money from the National Parks Service was used in this project and it is from this money it is believed that the limitation of 12 ticketed concerts comes from. However, Ms. Johnston said she is still looking for documentation from the National Parks Service that specifies this stipulation. In 2006, WJCT gave up its participation in the park and gave the stage to the city as well its access to 6 of the 12 ticketed events, which had been used for fundraising purposes.

CM Boyer, in making reference to one of the exhibits in Ms. Johnston’s package, wondered if then Mayor Godbold considered the football stadium (then known as the Gator Bowl) part of Metropolitan Park. She wants this to be clarified.

Ginny Myrick suggested that participants in the development of the park as a performance venue – Jake Godbold, Mike Tolbert, Rick Catlett or Martha Barrett be asked to discuss the park’s early development with the committee.

The committee then discussed the sound problems that may come about because of the April 27 and 28 Welcome to Rockville concerts. Tonisha Gaines of Special Events explained that at the upcoming concerts the city is looking for funding to pay for sound measurements to be made in the park and in affected neighborhoods. She also showed fliers designed to advertise telephone numbers people should call about noise complaints.

Ms. Johnston spoke about the proposed ordinance 2013-166 that would increase the size of the entertainment zone to include the Arena, Ball Park, EverBank Field, the Fairgrounds and Metropolitan Park. She said this ordinance wouldn’t help the situation because noise complaints are measured at the place of the complaint, not where the sound is created.

Danny Hayes of Danny Wimmer Productions spoke about their concern that if they are found in violation their company could be fined, people arrested and that the Sunday show could even be shut down. He said it was his understanding that noise ordinances were waived when lease agreements for the park were signed and that there was no need to have a waiver permit for the noise ordinance.

Promoter and lawyer Mike Yokan said the company needed an emergency ordinance so that they could do the show without being placed in jeopardy.

Mr. Pace again explained the plan to measure sound at the sound board and in the communities. Michelle Barth of the Mayor’s Office said that the administration is looking for money to conduct this study. It was estimated that it would cost $2,000.

CM Lee asked that emergency legislation be drafted to allow for $2,500 be used from the Metropolitan Park Trust Fund to pay for the monitoring. Kelley Boree said she would continue to look for other park funds that can be transferred as to avoid having to pass emergency legislation.

CM Daniels explained why she drafted Ordinance 2013-166. She wasn’t trying to subvert the Ad Hoc committee’s work; rather she was looking for a solution to the promoter’s problem.

CM Boyer said that in the in the near future the permitting process for Metropolitan Park needs to be addressed. Contracts for events expected to bring in 500 people need to be different than those that will draw several thousand. She also clarified that the monitoring was going to be done in three, 4-hour shifts each day of the Welcome to Rockville concerts. CM Lee wanted to make sure there were enough people involved to do proper testing.

Ms. Myrick spoke saying that Metropolitan Park is not an amphitheater. She was surprised to learn that there will be several stages in use at the Rockville event and saw that as a primary contributor to the noise problem. She suggested legislating that only the main stage be allowed to be used in the future. She also thought that the legislation that created the Entertainment District for the 2005 Super Bowl be repealed.

She also said that the JEDC, which no longer exists, is involved in permitting events like fireworks. This needs to be addressed.

CM Boyer presented a compromise for the Welcome to Rockville concerts. She wants to use them as a chance to monitor sound from the park and its affect on neighborhoods. The sound ordinance would-be waived in Metropolitan Park and its boundaries for 9 a.m. to 11 p.m. April 27 and from 9 a.m. to 10 p.m. on April 28 through May 31. The compromise would waive any penalties or fines for noise ordinance violations in the neighborhoods. The promoters would limit the decibel reading at the sound board to no more than 90 decibels.

CM Lee agreed with the compromise but asked that the compromise only last until April 30 so that other promoters wouldn’t try to squeeze in unsigned shows to get in under the noise ordinance waiver. CM Boyer was agreeable to this stipulation saying if more time was needed, it could be extended through another ordinance. Ms. Johnston was asked to draft emergency legislation to be presented at the April 9 City Council meeting.

The meeting adjourned at 1:26 p.m.

Included:

Minutes

Attendance Sheet

Meeting Notice

CM Dr. Johnny Gaffney excused absence form

Agenda