

**CITY COMMISSION WORKSHOP MEETING
AUGUST 1, 2011
4:30 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

Elected Officials Absent:

Mary Lancaster, Commissioner, Ward 1

Staff Present:

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 4:30 p.m.

1. PROPOSED ORDINANCE NO. 2011-18 DISCUSSION OF THE ELIMINATION OF THE CITY'S NOISE EXCEPTION PERMIT

Six months ago Commission suspended the Noise Exception Permits, during which no major problems were reported. Attorney Barnebey confirmed the proposed ordinance does allow for exemptions for the fair and governmental events, and the Commission can add additional exceptions. He stated it is possible there could be potential issues with some outside events. He and Chief Wells agree that given how the City has been enforcing the noise ordinance, there is no reason to have the noise exception permit and it should be repealed.

Discussion ensued on how excessive noise can be controlled. Attorney Barnebey will research if and how excessive noise can be legally controlled in the City. He did confirm that how the ordinance is drafted would give the City control over both private and public properties.

Attorney Barnebey explained that an alternative to repealing the noise exception permits would be to set reasonable parameters in the ordinance, such as time limits. But, based on past discussion of Commission's opinion that there should not be an exception once there is a complaint, there is no reason for the exception permit. Chief Wells opined that the only way to control the noise is to allow the Police Department to enforce the ordinance and statutes.

It was general consensus of the Commission to move the ordinance forward to the 7:00 meeting as written.

MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 4-0 to adjourn the meeting at 4:50 p.m.

Minutes approved: August 15, 2011

James R. Freeman

James R. Freeman
City Clerk