



TOWN COUNCIL STUDY SESSION AGENDA
November 9, 2020
5:30 PM

I. Town Council Items

II. Study Session Items

1. Noise Ordinance Amendment Update - Fussa/Wynn/Tsurapas/Hudson/Guest - 45 minutes
2. Parker Arts 2021 Programming Update - Glassburn - 20 minutes
3. Cares Act Funding Discussion - Mary Lou Brown - 30 minutes
4. Special Election Date Discussion - Jim Maloney - 20 minutes

III. Upcoming Council Meeting Agenda Review



MEMORANDUM

TO: Honorable Mayor and Members of Town Council

FROM: John Fussa, Community Development Director
Jamie Wynn, Assistant Town Attorney
Jim Tsurapas, Chief of Police
Chris Hudson, Deputy Director of Engineering

DATE: November 9, 2020

SUBJECT: Noise Ordinance Amendment Update

ISSUE:

The Town Council directed staff to review and initiate an amendment to the Town's Noise Ordinance at its May 11, 2020 Study Session. Staff and the project consultant CENSEO AV+Acoustics will update the Council about the status of the project and conduct a sound demonstration. The purpose of the demonstration is to inform the Council about existing sound and noise in the Town as well as the characteristics of sound at various decibel levels.

FISCAL/BUDGET IMPACT:

N/A

BACKGROUND:

The Town has regulations to address the emission of sounds, noise and vibration at Chapter 6.03, Noise Regulations, of the Municipal Code. The purpose of the regulations is "...to prevent excessive sound and vibration which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life." The regulations primarily address outdoor loudspeakers/public address systems and construction by limiting the times of day when these activities may occur.

When the Town Council directed an amendment to the Noise Ordinance, it also directed that the amendment include standards to regulate sound and noise by decibel levels. Staff researched this aspect of the project and determined that it was necessary to retain an acoustic/sound expert because of the specialized nature of this field. Staff subsequently engaged in a competitive procurement process during the summer and selected CENSEO AV+Acoustics to assist the Town with the project.

Staff and CENSEO AV+Acoustics will update the Town Council about their progress with the technical work to support the Noise Ordinance Amendment. The topics to be discussed include a summary of the technical effort; a survey of how other communities address sound and noise; recent measurement of background sound and noise; initial findings; and next steps. There will be a demonstration near the end of the presentation to inform the Town Council and staff about the background sound and noise profile of the Town and the characteristics of sound and noise levels at varying decibel levels.

Staff and CENSEO AV+Acoustics will prepare draft recommendations for revised sound and noise standards after the presentation to Town Council and any comments or input that the Council may provide.

RECOMMENDATION:

For update purposes only

REQUESTED DIRECTION:

Project Update

ATTACHMENT:

1. CHAPTER_6.03___Noise_Regulations

CHAPTER 6.03 - Noise Regulations

6.03.010 - Purpose.

- (a) Excessive sound and vibration are a serious hazard to the public health and welfare, safety and the quality of life.
- (b) A substantial body of science and technology exists by which excessive sound and vibration may be substantially abated.
- (c) The people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, welfare or safety or degrade the quality of life.
- (d) It is the policy of the Town to prevent excessive sound and vibration which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(Ord. 5.59 §1, 2001)

6.03.020 - Definitions.

For the purposes of this Chapter, certain words and phrases are defined as follows:

Construction means any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action.

Demolition means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

Noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological effect on humans and which is the subject of a complaint made by any person.

Person means any individual, association, partnership or corporation.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a governmental entity.

Public space means any real property or structures thereon which are owned or controlled by a governmental entity.

Weekday means any day, Monday through Friday, which is not a legal holiday.

(Ord. 5.59 §2, 2001)

6.03.030 - General prohibitions.

It shall be unlawful for any person to make, continue or cause to be made or continued, any noise disturbance, including, but not limited to, the specific prohibitions described in Section 6.03.040 below. Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way, public events held on Town property with the consent of the Town, and the operation of emergency vehicles are exempt from the operation of this Chapter.

(Ord. 5.59 §3, 2001)

6.03.040 - Specific prohibitions.

The following acts and the causing thereof are declared to be in violation of this Chapter:

- (1) Outdoor loudspeakers/public address systems. Using or operating any loudspeaker, public address system or similar device between the hours of 10:00 p.m. and 7:00 a.m. the following day.
- (2) Construction. Operating or permitting the operating of any tools or equipment in connection with construction, drilling or demolition work between the hours of 7:00 p.m. and 7:00 a.m. the following day on weekdays, between the hours of 7:00 p.m. and 8:00 a.m. on Saturdays, and between the hours of 7:00 p.m. and 10:00 a.m. on Sundays or holidays, except for emergency work on public service utilities or emergency work by Town personnel or by special variance issued by the Director of Engineering or designee.

(Ord. 5.59.1 §1, 2019; Ord. 1.467 §8, 2015; Ord. 5.59 §4, 2001)

6.03.050 - Violations; penalty.

It is unlawful to violate the provisions of this Chapter. Any person who is convicted of a violation of the provisions of this Chapter shall be punished by a fine of not more than four hundred ninety-nine dollars (\$499.00).

(Ord. 5.59 §5, 2001)



MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: Carrie Glassburn, Assistant Cultural Director
DATE: November 9, 2020
SUBJECT: Parker Arts 2021 Programming Update

ISSUE:

On December 7, 2020, Town Council will be reviewing the proposed 2021 contract renewal for Evolution Media. In preparation for that Consent Agenda item, the Cultural team will be sharing initial programming plans for 2021, and the media strategy designed to support those plans.

FISCAL/BUDGET IMPACT:

The expenses associated with the 2021 programming and marketing plans are already accounted for in the proposed 2021 Cultural budget.

BACKGROUND:

The 2021/2022 Parker Arts Performance Season will no-doubt be impacted by the ongoing COVID Pandemic. While it is difficult to forecast what the exact circumstances will be next year, the Cultural team will share tentative marketing and programming plans based on current conditions and future predictions.

RECOMMENDATION:

None.

REQUESTED DIRECTION:

This presentation is for informational purposes only, no action is needed.

ATTACHMENT:

None