

**MINUTES - SPECIAL MEETING
BOONE TOWN COUNCIL
JANUARY 10, 2012**

A special meeting of the Boone Town Council was called to order at 6:05 p.m. in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Mayor Pro-Tem Jamie Leigh, Andy Ball, Rennie Brantz, Lynne Mason and Allan Scherlen. Town Attorney Sam Furgiuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Freida Van Allen, Police Chief Dana Crawford, Police Sergeant Danny Houck and Downtown Development Coordinator Pilar Fotta.

The purpose of the meeting was continued discussion on the Noise Ordinance.

Council discussed at length standards to be included in a new noise ordinance such as where to take decibel measurements, new decibel levels and the number of decibel meter readings that should be taken at the time a complaint is filed. Council agreed to include the following standards in a new ordinance that will be drafted by Town Attorney Sam Furgiuele.

- *Measure decibel levels for commercial areas only (B-1, B-2 & B-3).

- *Take measurements from property line or a maximum distance of 10 feet from the property line.

- *Take two 5-second readings within 60 seconds.

- *Sunday through Thursday Decibel Levels

- 7:00 a.m. to 11:00 p.m. - 65 db

- 11:00 p.m. to 7:00 a.m. - 55 db

- *Friday through Saturday Decibel Levels

- 10:00 a.m. to 10:00 p.m. - 85 db

- 10:00 p.m. to 2:00 a.m. - 65 db

- 2:00 a.m. to 10:00 a.m. - 55 db

Mayor Clawson declared a break at 8:08 p.m. Council reconvened at 8:18 p.m.

On a motion by Council member Ball, seconded by Council member Brantz, Council moved to amend the agenda to conduct a public hearing.

VOTE:Aye-All

Nay-None

PUBLIC HEARING

Mr. Terry Taylor of Grand Boulevard felt that the lower decibel levels should go into effect at 10 p.m. Sunday through Thursday and 11 p.m. Friday and Saturday and that measurements should be taken 10 feet from the building rather than the property line.

Mr. Mark Dixon of Galileo's felt if the db levels are not increased, the live music scene will be diminished.

Mr. David Johnson said he was unaware of any noise violations after 11:00 p.m.

Mr. Skip Sinanian of Boone Saloon felt that the 55 db level is too low and will not make it feasible for live music in downtown Boone.

Mayor Clawson closed the public hearing at 8:31 p.m.

Council continued discussion and set additional parameters for the noise ordinance revision:

- *Continuous meter reading over 15 seconds higher than the db level should be included within the two-5 second readings.

- *Meter readings will be driven by complaint and by observation.

- *Four written warnings will be allowed every year.

- *Definitions regarding venue need to be clearly defined.

- *Prohibit jake brakes at all times.

*Place penalties with each subsection.

Town Council finally directed the Town Attorney to revise the noise ordinance and to present the draft ordinance at the February 21, 2012 meeting.

ADJOURNMENT

On a motion by Council member Ball, seconded by Council member Leigh, Council moved to adjourn at 9:35 p.m.

VOTE: Aye-All
Nay-None

Town Clerk

Mayor