AUSTIN LIVE MUSIC TASK FORCE  
Sound Control, Ordinances, and Issues Subcommittee  
Public Forum - Monday, May 19, 2008, 6:30 p.m.  
Austin City Hall, City Council Chambers Rm 1001  
301 W. 2nd Street, Austin, Texas 78701

MINUTES

The Live Music Task Force Subcommittee on Sound Control, Ordinances and Issues convened in a public forum on Monday, May 19, 2008 at Austin City Hall Council Chambers Room 1001, 301 W. 2nd Street in Austin, Texas.

Chair Oveisi called the meeting to order at 6:49pm.

Task Force Members present: Paul Oveisi, Jill George, Saundra Kirk, and Scott Trainer.

City staff present: Rich Bailey, Taja Beekley, Jim Butler and Vincent Kitch.

A. INTRODUCTORY REMARKS

Chair Oveisi provided an overview of the Live Music Task Force, the four subcommittees that have been formed and the purpose of tonight’s public forum.

Member Saundra Kirk requested each person report on his or her experiences on how music impacts residences and to provide any recommendations or solutions.

Member Scott Trainer noted the next public forum held by the Sound Control, Ordinances and Issues Subcommittee will be Thursday, June 26th.

Member Jill George welcomed the attendees.

C. PUBLIC INPUT

Robert Corbin, a South Austin Resident reported that a couple months ago he started hearing music inside his house, and discovered it was coming from a club over two miles away. He contacted the police, after which the owner of the club made adjustments. This is a recurring situation with Threadgills, located one mile away. The City’s sound ordinance exists to favor music. He believes no one should have to listen to music that is not of their choice and he feels terrorized in his own home. Does not understand why this
problem occurs with today’s available technology. He expressed concern over young people’s safety, specifically the potential for hearing loss in front of loud speakers.

Jeff Jack, President of Zilker Neighborhood Association and member of Austin Neighborhood Council discussed some of the local clubs in his neighborhood. He supports a balance between music and livability. The City’s current sound ordinance is ineffective, especially with a growing downtown, making entertainment districts important. Also, defined hours of operation are essential and should be limited near residential areas. Venue owners need to agree to restrictive covenants. At 85 DB, the loudness of sound is detrimental to hearing. Austin Bergstrom Airport can not have residences within a certain distance because of associated noise. Enforcement is an issue, sometimes police do not respond to a complaint in a timely manner or after the police have left, the music is cranked back up. It would be ideal if music people served as their own monitors. He would like the Live Music Task Force to develop new rules and take into consideration tougher penalties and a special zoning classification for music.

Tressie Damron, a resident of Castle Heights neighborhood has experienced problems with loud music. She would like more education and training at the police cadet level. Right now the solution for reducing the noise is complaint driven. Clubs need sound proofing and roof-top venues should not be allowed.

Gardner Sumner, a member of Zilker Neighborhood Executive Board, lives on Treadwell Street and complains that noise comes from all directions into the night. He requests to strengthen the noise ordinance, not weaken it. In addition, the ordinance is not effective if the police do not enforce it. He does not understand why sound amplification needs to be so powerful as to travels two miles away. It is not right for people to not be able to sleep in their homes at night.

Vicki Faust, a homeowner in Travis Heights lives behind Continental Club, near Guero’s restaurant. Lately, the noise has gotten louder. She spoke with Botticelli’s South Congress owners when the restaurant first opened and they were agreeable. She now fears the local noise will hurt her Bed & Breakfast business. The two most difficult things are parking and noise. She has no complaints about Continental Club; it’s the outside venues. She would like the Live Music Task Force to identify outdoor venues near residential areas and develop special considerations. The only options she currently has to deal with noise problems are to call the police or sue the venue owners.

Michael Lahrman, a band manager stated it disturbs him what other people refer to as noise, to him noise is traffic. People are taking advantage of their neighborhoods; they may not have professional sound or set-up. He thinks Threadgills is a wonderful venue with reasonable and tasteful music. Some restaurants play music at happy hour to draw crowds, but don’t have a sound person onsite. He would like to include buses or the interstate (if it’s over 85 DB) in the noise ordinance. The answer is not to have attendees wearing headphones at a concert. Unfortunate that people are having difficulty sleeping and that needs to be recognized, but we need to protect the people who are doing it right.

Member Saundra Kirk explained that noise is any unwanted sound and asked Michael Lahrman to clarify his statement on bringing the music industry down. He responded that
downtown condos will continue to pose a problem with festivals and live music as the residents complain the noise is bothersome.

Gail Armstrong, a South Austin resident for the past 30 years stated the noise ordinance is a joke. She has never had a painter invade her home; it is only the musician, who enters her private residence to perform. The types of music coming into her house are neither the choice she prefers to hear nor when she wants to hear it. She believes this situation is not right and it happens on a daily basis.

Bill Neale, moved from Dallas to Austin in 1974 and currently live on Kinney Avenue in South Austin. He experiences a lot of problems trying to sleep because of non-permitted music, most recently with Enchanted Forest that has outside parties, which after the police leave, they turn the music back up. He has called the police to report a nearby Church. Music coming from South Austin Museum of Popular Culture and Austin Pizza can be heard in his living room. He believes the “Live Music Capital of the World” mentality attributes to the problem. There are different things that make this town great like bicycling and books, not just music. He expressed a concern for the impact of loud music on kids.

Jerry Jackson, resident of South Austin in the Circle C subdivision, used to do sound and productions on a professional basis. He suggested that one solution could be to require all outside venues to have on site sound engineer. The problem arises with how the equipment is set up. He calls the police all the time about neighbors having parties that are too loud. Venues and clubs are located throughout the neighborhoods and police have problems finding the source of the sound. It is not the loudness of the sound, but the articulation, which can be controlled or contained. 85 DB may seem loud, but every yard man is making the same loudness. Lowering music at a venue will affect the patrons and could reduce opportunities.

Teresa Ferguson, a Music Commissioner explained that venues are the incubators for Austin’s live music industry; part of the conversation is about defending musicians and preserving Austin’s culture. In regulating music in neighborhoods, it is difficult to differentiate between a downtown neighborhood and an entertainment district. She suggested examining the complaint driven solution. She asked if anyone has noticed improvement or difference since meters are now used by the police. She proposed having on City staff a sound engineer to approve buildings for live music as a beneficial service. If the DB is lowered, it will be overkill and should not be the first step. There needs to be better communication on best practices, residents talking with venues, enforcement and incentives for sound proofing.

Member Saundra Kirk asked Teresa Ferguson about the Music Commission’s work on sound issues, particularly the goal to educate venue owners. Ferguson replied that it takes City Council to vote on an action for something to be accomplished. Kirk stated that APD requested a rewrite of the sound ordinance, since it is difficult to understand, which has not happened. Procedures have changed to some extent, but it must be incorporated in police training and implemented in the field.

An attendee stated the loudness of music was less in the past. He asked how 85 DB is deemed to be okay, when a person can hear the sound one mile away with doors and
windows closed. Chair Oveisi responded that only an acoustical engineer can adequately answer this question.

D. CONCLUDING REMARKS

Chair Oveisi encouraged everyone to attend the next public forum on sound issues and thanked them for participating tonight. This Thursday, May 22\textsuperscript{nd} a public forum will be held for program assistance for local musicians.

E. ADJOURNMENT

Chair Oveisi adjourned the public forum at 7:52pm.