

CITY OF AMHERST, OHIO

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Minutes of the Police and Fire Committee Meeting held March 17, 2025, at 7:00xx P.M. Present in Council Chambers were Chairman Winiarski, Mr. Dembinski, Mr. Heberling, Mr. Janik, Mr. Nahorn, Ms. Harmych, Mr. Wachholz, President Wasilk, Auditor Phillips, Treasurer Ramsey, Assistant Law Director Ward, Law Director Pecora, Safety/Service Jeffreys, Police Chief Cawthon, Mr. Dan Given from Republic Waste and Mr. Lawrence.

A-25-04 Amending the noise ordinance

Mr. Janik thanked Mr. Ward for making all the changes. He also thanked Mrs. Wasilk for the additions she made of the chart. The Chair acknowledged the work Mrs. Wasilk in contacting different groups. Mrs. Wasilk noted that Mr. Given from Republic Waste was here to speak along with Chief Cawthon. She has also spoken to Mr. Ward about reducing this so it's simply enforceable and a short window of time.

Chief Cawthon said he had met with Mr. Ward on this and found some of the things would not be in the best interest of enforcement. It would not be feasible for an officer to stand for 15 minutes and getting sound rating for that length of time. He recommended that this be made simple. He explained. (509.10) He demonstrated how the decibel meter he had worked. He suggested increasing the decibel level. He recommended an exemption for trash collection pickup days. He recommended adding Amherst Codified Ordinances to the Fireworks section. He feels they are accomplishing what they set out to do. Mrs. Wasilk provided her recommendations. She would like to see something that will stand up in court.

Mr. Janik motioned to omit the first two charts. Seconded by Mr. Nahorn. There was discussion and then Mr. Janik added that 15 seconds at 80 DB be added to his motion. Discussion. Roll call vote 6-1 with Mr. Janik voting no. Mr. Wachholz motioned to strike all three parts and add the 80 DB for 15 seconds. Seconded by Mr. Heberling. Chief Cawthon commented. Discussion. Roll call vote 6-1 with Mr. Janik voting no.

Mr. Wachholz motioned to amend in C-2 to strike "homeowners".
Seconded by Mr. Janik. The Law Department will insert the
correct verbiage. Roll call vote 7-0 to amend.

Mr. Janik motioned to amend Section 1 A 2 to change from 15 minutes to 15
seconds. Seconded by Mr. Nahorn. Discussion. Roll call vote 7-0 to
amend.

Mr. Janik motioned under 4 B to add ACO. Seconded by Mr. Nahorn.
Roll call vote 7-0 to amend.

Chair Winiarski spoke to 4C exempting municipal services from this
ordinance. He looked up municipal services and it's not only the taxes we
pay for services, but fees we pay for. For example, waste
services, baseball, football, soccer and other municipal services that we
pay for. Those are outside vendors that we pay for that we do not pay tax
dollars on. He would like to exempt municipal services that are
performing municipal duties. Mr. Pecora said they should be exempt. Mr.
Wachholz motioned to add these exemptions under 4 C. Seconded by Mr.
Heberling. Vote 7-0 to amend.

Chief Cawthon said in Section 3 a it talks about refuse collection
loading and do they want the time to remain in there. Mr. Pecora said
they are contemplating if this should be exempt. He spoke to the verbiage
it should be. Mr. Heberling agreed with Mr. Pecora's assessment. Mr.
Dembinski motioned to amend 509.10 by removing section 3 a. Seconded by
Mr. Heberling. Vote 7-0 to amend.

Mr. Dan Given from Republic Services said he appreciates that they are
considering this section and especially as trucks go through the
community. He said if they are going to remove that section, which is
great, he asked that refuse collection be clearly defined somewhere in
those ordinances that it's clearly exempt. Over time he has seen
unintended consequences as things are not thought through. Then there is
a "gottcha" and a private business or homeowner has to fight the battle to
bring in their common sense depending on what's occurring. He said if
Council does not ultimately remove that section, then he asked that the
fourth line where it says inside 500 feet of a residential zone, they add
the words "except refuse loading and collecting between appropriate
hours. He wants to make sure drivers avoid any problems within the
municipality. He spoke to these issues coming up in other
communities. He appreciates Mrs. Wasilk's help in this and looking it up,
he found that their trucks operate between 85 and 118 DBA. He spoke
further on various DBA's and council test the noise levels in various
areas. He is here to solve problems, and not to create problems.

Mr. Dembinski motioned to table this item. Seconded by Mr. Wachholz. Voice vote 7-0 to table.

A-25-05 Amending section 509.11 of the Codified Ordinances regarding unnecessary and excessive noise.

Mrs. Wasilk felt this should be tabled along with the other one to allow the law department to make sure that both items are consistent with each other.

Mr. Wachholz motioned to table, seconded by Mr. Nahorn. Voice vote 7-0 to table.

Mr. Heberling motioned to adjourn, seconded by Mr. Wachholz. Vote 7-0

The meeting was adjourned at 8:38 p.m.

Chuck Winiarski, Chairman
Police and Fire Committee