



Council Work Session Minutes February 13, 2023

PRESENT: Council President Rounds, Councilmen Haase, Stavole, Councilwomen Maruschak, DeSouza, Durichko and Walsh; Clerk of Council Allen.

ADMINISTRATION PRESENT: Mayor Gallo, Law Director Schneider, Captain Czack

The meeting was called to order by Council President Rounds at 6:31 p.m.

Council President Rounds began the discussion reviewing the January 23, 2023 discussion around the proposed noise ordinance for use of power equipment. I feel that we met a consensus for the quiet time to be from 9:00 p.m. to 7:00 a.m., 7 days a week, 12 months of the year. We left that meeting discussing the level of noise, and I'll share what my notes included 80-85 decibels is a lawnmower.

Councilwoman Maruschak added that 60 decibels is normal conversation level, 70 is a washing machine or dishwasher.

Council President Rounds stated that we can change this but I find it interesting that it did originally read that it shall not exceed 60 decibels and that's normal talking. We know that's not appropriate and we also know that dishwasher or washing machine from inside the house doesn't make sense. We are definitely looking at 80 decibels or higher.

Councilman Stavole added that he thought a coffee grinder was 80 decibels and that he felt we need to be cognizant of what people are doing in the neighborhood. If they're running a stump grinder it's going to be louder than a lawnmower.

Council President Rounds expressed, if it's more about the level of noise rather than the equipment that is being used? I had a couple calls about residentially owned snowblowers. Resident that called asked if we'd consider that part of this ordinance? If we are thinking it's more about noise rather than the equipment, maybe we should consider other equipment.

Councilwoman Walsh added that snowblowers are addressed in Section A, in which they are not included.

Councilwoman Durichko stated that cutting your grass doesn't prevent you from getting out of your driveway to go to work; school or take care of an aging parent or whatever you have to do. If a snowstorm comes at 2 o'clock in the morning and you have to be somewhere at 6 in the morning then you have to snowplow at 5:00 a.m. I like that exemption.

Councilwoman Maruschak added, I think that leaving the 50 feet in the proposed ordinance is a good measure of distance, so that if someone was using a stump grinder the noise level would still sound like 2 yards away, we're not talking about next door. If it's next door it's going to be louder than that.

Councilman Stavole used the example that if there's a storm at night and a tree comes down, if the utility company comes at 11:00 at night to get the tree out, power back on are they now breaking the rules here? It would definitely be after the time. We have to consider everything the idea is not to impede everybody from taking care and cleaning up after an emergency. The sewer truck is out there and it's not quiet, and they are out every time of the day and night trying to get someone's sewer open.

Councilwoman Walsh added the title is domestic power tools. Would a stump grinder, tree service company in emergency, would that be a domestic power tool?

Several colleagues responded no.

Councilman Stavole responded that it depends on the definition because he can go to Home Depot and rent a stump grinder does that make it commercial or domestic?

Councilwoman Walsh suggested adding an emergency clause and the definition of “what are domestic power tools”.

Councilwoman DeSouza added that she agreed that there should be some type of provision for an emergency. When a tree comes down, you need to get it out because it could be sitting on your roof.

Councilwoman Durichko added that maybe it’s not about domestic tool, but domestic use. It doesn’t matter what the tool is as long as it falls under domestic use above a certain noise level within that time perimeter. That doesn’t restrict service, police, fire from doing what needs to be done because it’s not domestic use.

Councilwoman Maruschak said she was still struggling with the power model vehicles. We’re going to have to define power model vehicles further.

Captain Czack replied that it’s probably like a gator or razor side-by-side (ATV’s), people ride them in their yards, two-to-four-seater, some people use them for working in the back yard, others use them for riding, we do have them in the city.

Council President Rounds asked if we could go back to the snowblower for just a second. If my neighbor is out at 3:30 am to snowplow and I’m trying to sleep because I’ve got to get up at 6:30 am, I guess you can’t dictate peoples reasoning or their time, I guess it just goes back to the sound level.

Captain Czack added that she would suggest using when the snow ban parking is in effect is when they are allowed to snowplow. You can cover yourself because the city has already put the snow ban into effect for 2 inches or more. Snowplowing for our streets and utilities, including our sewer workers is completely exempt in our ordinances.

Council President Rounds asked the mayor and the Law Director Schneider if they know of commercial hours for snowplowing?

Mayor Gallo responded that she didn’t have the code in front of her, but she believes they are allowed during all hours in residential areas.

Council President Rounds said he believes we are getting closer in finalizing the proposed ordinance. We need to clarify the definitions. We seem to be okay with the times and the noise levels.

Our Work Session comes to a close at 6:47 p.m.



Barbara Allen
Clerk of Council



Tom Rounds
Council President