

Cuyahoga Falls City Council
Minutes of the Public & Industrial Improvements Committee Meeting
January 5, 2009

Members: Debbie Ritzinger, Chair
Mark Ihasz
Terry Mader

Mrs. Ritzinger called the meeting to order at 7:09 p.m. All members were present.

The minutes from the October 6, 2008, October 20, 2008, November 3, 2008 and November 24, 2008 committee meetings were approved as submitted.

Legislation Considered:

Temp. Ord. A-149

Discussion:

Temp. Ordinance A-149

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition and removal of demolition debris from dangerous buildings located at 2810 Bailey Road and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law and declaring an emergency.

Mrs. Truby stated that about a year ago, there was a fire at 2810 Bailey Road, which is the Bailey Road Mini Mart. Since then, everyone has been working to find the property owners to have them bring the building up to code. Last year, the City mowed the property five times. On October 7, 2008, a search warrant was obtained and a condemnation notice sent to the owners. They were given 30 days to either provide drawings showing plans to improve the building or to demolish the property. There was no response so Administration is requesting for permission to demolish the property and have the costs certified to the property owner.

Jonathan Dailey, the City's Building Inspector, explained that when they went into the building with the search warrant on October 7, they observed signs of spoiled products and significant fire damage. The HVAC system and every other major system also had significant damage. In addition, they noted 24 housing code violations.

Mrs. Ritzinger added that the estimated cost was \$17,000 and that it would be applied to the taxes. Mrs. Hummel asked if it had been determined that it is a dangerous building. Mr. Daley stated it had. Mr. Walters thanked Administration for addressing this situation. Everyone involved has worked hard. He stated that the smell coming from the building in the summer months was really bad and that rodents have been seen running in and out. He asked whether it was still required that the tanks be removed after one year. Mrs. Truby indicated that was a state law and that they were looking into it. It has to do with the timing after a gas station is abandoned. Mr. Walters stated this property is in the middle of a residential neighborhood and that the residents were 100% in favor of this legislation. He asked if the canopy and pumps could be removed as well. Mr. Arrington stated he would have to check and see how far the City can

go. The City will make sure every "T" is crossed and "I" is dotted. It will take down what it is authorized by law. Mr. Walters asked when demolition will take place. Mr. Bell stated they have to take asbestos samples, which they will do next week, and need to wait 10 days after that before demolition can begin. Mrs. Klinger felt that underground storage tanks may fall outside of the City's jurisdiction. Mr. Demasi indicated it falls under the State Fire Marshall. Mrs. Klinger asked if the City would be obligated to remove them. Mr. Demasi stated the City is not taking ownership of the property. It is just abating the nuisance.

The Committee recommended bringing out Temp. Ord. No. A-136.

The meeting adjourned at 7:15 p.m.