

Cuyahoga Falls City Council
Minutes of the Public & Industrial Improvements Committee Meeting
December 21, 2009

Members: Debbie Ritzinger, Chair
Mark Ihasz
Terry Mader

Mrs. Ritzinger called the meeting to order at 6:50 p.m. All members were present

The minutes from the December 7, 2009 Committee meeting were approved as submitted.

Legislation to be Discussed:

Temp. Ord. B-98

Discussion:

Temp. Ord. B-98

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the removal of clandestine drug lab contamination at 306 Linwood and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law and declaring an emergency.

Peter Bell stated that several months ago, this house was raided by the police. There was contamination in the basement, master bedroom, and heating system. The family is currently living elsewhere. This ordinance will allow the City to go in and clean it up. The estimate is \$6,500 for clean-up. The City has already paid for the testing. Mrs. Ritzinger stated there was also a garage and house next door that were involved. Mr. Bell stated those were handled privately.

Hope Jones stated when the Administration originally presented this legislation, a question came up regarding ownership and the fact that the person arrested also had an ownership interest in the home. There was concern why the City would clean up the house when the person could be able to move back in. The owner is Jean Lehman, who has a life estate interest. The remaindermen are her daughter and son, Debbie Lehman and Walter Lehman. Walter was the individual arrested. He is currently living in Akron. She looked to see what could be done to give Council and Administration a better feeling about cleaning the property up. Mrs. Lehman is house-bound and, if Walter was forbidden from ever entering the premises, she would never get to visit with her son. Ms. Jones referred to two letters signed by Jean and Debbie Lehman that state they will not allow Walter to stay on the property overnight. If he does or if he breaks in, they will call the police. Mrs. Lehman's daughter will also follow those guidelines. Before tonight's meeting, Mrs. Lehman signed a notarized document indicating she would agree to those terms. Debbie Lehman was not present but Ms. Jones stated she will get her signature as well.

Mrs. Ritzinger asked how long it will take to clean the property up if Council approves this. Mr. Bell stated it will take about a week to clean it and another week to do the testing from a separate company. Overall, it will be a couple of weeks. Mrs. Colavecchio asked if Ms. Jones knew whether Walter was undergoing rehabilitation or was in some kind of treatment program. Ms. Jones did not believe so. One of the court cases was pending when Walter was in an accident. He is currently on a pretrial diversion program but there is nothing indicating he had to do a treatment program.

Mrs. Hummel stated the ordinance indicates that costs will be collected in the manner provided by law and asked if that meant it would go on the taxes. Ms. Jones indicated it did. Mrs. Hummel asked if the agreement signed by the Lehmans would state that Walter is not allowed to stay in the house as long as that remains unpaid. Mrs. Jones stated it did.

Committee recommended bringing Temp. Ord. B-98.

Meeting adjourned at 7:00 p.m.