

Cuyahoga Falls City Council
Minutes of the Public Affairs Committee Meeting
June 16, 2008

Members: Kathy Hummel, Chair
Vince Rubino
Ken Barnhart

Mrs. Hummel called the meeting to order at 6:23 p.m. All members were present.

Legislation Considered
Temp. Ord. A-74

Discussion:

Mrs. Hummel indicated that Temp. Ord. A-62 was still on hold per Administration.

Temp. Ord. A-74

An ordinance enacting Chapter 1336 of the Codified Ordinances, titled "Clandestine Drug Labs" and declaring an emergency.

Hope Jones spoke about the meth lab that was discovered last year on Cook Street. When the Mayor saw the extent of the damage, he requested that Chief Conley, Mrs. Truby and others work together to look at the issue. He felt the state was not currently doing anything since legislation was stalled in Columbus. Ms. Jones added that meth became popular in the 1990's. In 2000, 18 labs were seized in Ohio. In 2005 it was up to 497. Cuyahoga Falls has an average of four to six labs seized per year. In fact, Summit County leads the state in seizures.

The approximate cost to law enforcement is \$5,000 to \$10,000, and the cost to the homeowner for residual clean up is approximately \$3,000 to \$5,000. This ordinance would authorize the City to clean up and mandates that buyers or lessees be informed that the property once housed a meth lab.

Sgt. Perry Tabak of the Cuyahoga Falls Police Department showed a video and some photographs of meth labs, meth users, clean up sites and how meth affects people even months after removal.

Ms. Jones stated that Colorado, Washington, California and Wisconsin currently are leaders in dealing with these labs. As of this date, there is no other city in Ohio addressing the issue. The way this proposed ordinance works is that after an agency has seized a lab, it would notify the Department of Health, CSB (if necessary) and the City Building Official. The clean up of the site would then be done by a firm that is certified by the City. The owner is notified by the Chief Building Official and a warning notice is placed on the property. A notice is also given to the police department. Until the site is properly cleaned, it is very important that no one except authorized personnel be permitted inside.

The clean up firm would do the pre-testing of the house. It receives all of the information that the City has on the meth lab and then sends all of its tests to a testing lab. If the contaminants come back above the safe occupancy level, a plan is then drawn up on how to clean the house. The Chief Building Official approves the plan and then clean up begins. Afterwards, the residence is again tested to be sure it is below safe occupancy levels.

In this ordinance, if an owner does not handle proper clean up, the City will go in, remediate the property and then assess the homeowner. The ordinance also mandates that if the property is sold or rented, notification to the new owner/tenant must be given.

Mr. Barnhart asked if there was any data as to whether these meth labs are housed in more owner occupied properties or rentals. Sgt. Tabak indicated that approximately 75% are rentals. Mr. Barnhart stated that he and other landlords need to be aware of what to look for.

Mrs. Hummel indicated that she made landlords aware of this legislation and that there were several in the audience to speak to this ordinance. She added that Council and Administration need to keep in mind that this has a huge human cost factor, from the neighborhood to the landlord.

Mrs. Pyke stated she was glad to see this legislation and wanted to know who would determine who would be notified. Ms. Jones stated the Chief Building Official would make that decision

Mrs. Klinger was also glad to see this legislation, however, she is concerned on how it would apply to hotels. Specifically, how would notification be given to people staying at the hotel and who would the hotels have to notify? She also questioned apartment complexes and what would happen if the contamination was in one apartment or in one hotel room. Would the City then have to notify other hotel room guests or apartment tenants? Ms. Jones stated they would.

Mr. James asked whether there was a particular odor that these labs gave out. Sgt. Tabak stated that it ranges depending on what is being used to produce the meth. He said there was usually a strong chemical odor, or an odor like cat urine. Mr. James also wanted to know if the City could put out some sort of alert on a utility bill in order to begin educating people. Mrs. Carr indicated they could do some sort of public service announcement.

Mr. Walters wanted to know whether chemicals that are used could be traced back to the source? Sgt. Tabak stated that some are controlled (such as ephedrine), however, he has found that once a chemical is banned, the maker then changes to something else. Mr. Walters also questioned whether the bi-product was a vapor or a liquid. Sgt. Tabak stated it could be both depending what stage of the cooking process they were in. Mr. Walters asked Ms. Jones how the City would know if disclosure happens properly? Ms. Jones indicated that a sold house would be easier, however, the landlord issues are something that need to be ironed out. A suggestion was that possibly a list be maintained for when people sign up for their utilities.

Mrs. Colavecchio questioned Sgt. Tabak as to how long these contaminants were potent? Neither Sgt. Tabak nor Ms. Jones knew. Mrs. Colavecchio also wondered what the possibility was that a property could be retested and taken off the notification list. Ms. Jones believed that certification could possibly be done at some point afterwards.

Fatima Rida (resident and also landlord of property on 4th St.) asked whether homeowners or renters insurance would possibly cover any of these costs. Mr. Barnhart stated he checked with State Farm and was told it would not be covered. Ms. Rita also would like to see action taken if the landlord suspects something, possibly a quicker eviction process. She added that she did not agree with this ordinance.

Dennis Bates, 730 Woodbrook Road, President of the Landlord Association, wanted to inform Council that a presentation was given to the Association recently by Capt. Baker of the Summit County Drug Unit. Mr. Bates stated that landlords were trying to make themselves aware of meth and the labs.

Paula Suveges of Orville Avenue, owns rental property and stated they are very concerned about this issue, however, the bigger problem is that after a meth lab is discovered, a house/rental would not be worth much.

Mrs. Hummel asked whether possibly, at budget time, the City would be able to use some CDBG monies for remediation. She felt that the City is on target with this legislation, however, it needs to look at the cost it

would be charging homeowners for government-provided services. Ms. Jones disagreed and stated there is an incredible amount of resources that are required when a meth lab is discovered.

Ms. Jones wanted everyone to be aware that this is just the beginning of this process and that Administration is open to suggestions. Mrs. Hummel suggested that Council hold this legislation for further discussion.

Committee recommended bringing out Temp. Ord. No. A-74.

The meeting adjourned at 7:55 p.m.