



Board of Health – Public Nuisance Hearings
Monday, June 26, 2023 @ 11:30 AM – Goldsmith Room
Minutes

Call to Order and Roll Call

Pat Wyatt called to order the city of Canton public nuisance hearings presided over by the Board of Health of Canton City Public Health (CCPH) on Monday, June 26, 2023 at 11:30 AM.

A roll call found the following Board members were present: Pat Wyatt, Dr. Amy Lakritz, Dr. Stephen Hickman, and Cleo Lucas.

Staff members present: Health Commissioner James Adams, Gus Dria, and Sean Green.

Agenda Corrections and Approval

1. Approve meeting agenda

Mrs. Lucas moved, and Dr. Lakritz seconded a motion to approve the June 26, 2023 meeting agenda.

Motion carried unanimously. The meeting agenda was approved.

Hearings

2. Public Health Nuisance Hearings

Hearing Officer Gus Dria and all present property owners were sworn in.

Mr. Dria testified and provided photos of substandard environmental conditions for several properties located in the city of Canton. The property owners who were present also provided their testimony.

Adjourn

Dr. Hickman moved, and Mrs. Lucas seconded a motion to adjourn. Motion carried unanimously. The meeting adjourned at 12:12 PM.

APPROVED:

July 24, 2023
Date of Approval

President of the Board of Health

AUG 02 2023
Date Signed

Secretary to the Board of Health

7/24/2023
Date Signed

CANTON CITY PUBLIC HEALTH

420 MARKET AVENUE NORTH
CANTON, OHIO 44702-1544

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Canton City Public Health

James M. Adams, RS, MPH
Health Commissioner

Monday, June 26, 2023

Hearing

The hearing for the property at 1851 Kimball Rd SE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore at 11:38 AM.

William Sams was present in representation of the property owners, Michael Hudas and Thomas Hudas. The property tenants, Gary Roher and Kellie Tucke, were present. Mr. Sams, Mr. Roher, Ms. Tucke, and Hearing Officer Gus Dria were all sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of scrap, junk, clutter, trash, garbage, rubbish and debris, illegal open burning of waste materials and the failure to restore potable water service at an occupied property. Mr. Dria requested this to be declared a public health nuisance and to be abated or vacated by July 4, 2023.

William Sams testified that that he has power of attorney for Michael Hudas, which gives Mr. Sams the ability to make decisions regarding this property; Mr. Sams presented a copy of the power of attorney to the Board of Health. Mr. Sams explained that he had the electricity turned off to the property one week ago and also provided a 3-day notice of eviction to the tenants, Gary Roher and Kelli Tucke, on June 20, 2023 due to missed rent payments.

Ms. Tucke testified that she and Mr. Roher are up-to-date on their rent payments, however, the owners did not pay the water bill which resulted in the water being turned off. Ms. Tucke added that she is working to pay the water bill, but needs some time.

The Board of Health ordered the property to be abated or vacated by July 4, 2023, and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 11:50 AM.

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Hearing

The hearing for the property at 1455 John Ct SE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:50 AM.

The property tenant, Meredith Moore, was present accompanied by his sister, Judith Moore. Mr. Moore, Ms. Moore, and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria testified that he found the environmental conditions at the property to be substandard (i.e. the failure to restore potable water service at an occupied property). Mr. Dria requested this to be declared a public health nuisance.

The property tenant, Meredith Moore, testified that he has been unable to get the water turned on because the house is still in the name of his late mother, Annie Moore. Mr. Moore's sister, Judith Moore, stated that the Canton Water Department informed her that they will turn the water on once they receive a letterhead from probate court stating that the property is in Mr. Moore's name. Ms. Moore confirmed that she and Mr. Moore have begun the process of getting the water turned back on, and asked that the Board of Health allow them enough time to complete this process.

The Board of Health granted Mr. Moore until July 26, 2023 to have the water turned on at the property or to vacate the property until the water is turned on, and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 11:57 AM.

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Hearing

The hearing for property at 1511 Harrison Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:57 AM.

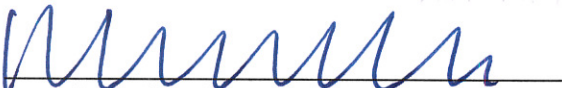
The property owner, Linjun Xu, was present. Mr. Xu and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. inoperable plumbing/sewage backup, sewage in the basement and sewage associated odors, poor cleanliness, the accumulation of junk, clutter, trash, garbage, rubbish and debris and unsanitary conditions on the interior, and the accumulation of junk, clutter, trash, garbage, rubbish and debris on the exterior). Mr. Dria informed the Board of Health that this house had been regularly rented out as an Air BnB until around one month ago. Mr. Dria requested this to be declared a public health nuisance.

Mr. Linjun Xu stated that this house has been vacant for over a month and a half and that he has been working to abate the property.

Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or remain vacant until satisfactory Building Code Enforcement, Zoning and Health Department inspections and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

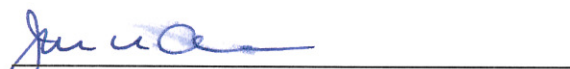
There being no further testimony, the hearing ended at 12:00 PM.



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Hearing

The hearing for property at 633 Garfield Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:00 PM.

The property owner, Steve Filliez, was not present. The property tenant, Eugenia Huffman, was present. Mrs. Huffman and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of landscape waste, renovation waste, junk, clutter, trash, garbage, rubbish and debris on the exterior and poor cleanliness, the accumulation of animal waste, and associated animal waste odors, junk, clutter, trash, garbage, rubbish and debris, a cockroach infestation, and general unsanitary conditions on the interior, and the failure to implement a pest control plan to eliminate the cockroach infestation).

Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated July 4, 2023 for the interior and July 26, 2023 for the exterior and for the start of a pest control treatment contract with weekly inspections demonstrating improvements. If these issues are not abated, Canton City Public Health will be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

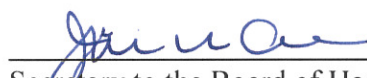
There being no further testimony, the hearing ended at 12:03 PM.



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Hearing

The hearing for property at 400/406 Hazlett Ave NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:03 PM.

The property owner, Helen Coffee, was present. Ms. Coffee and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation tires, trash bags, scrap, junk, clutter, trash, garbage, rubbish and debris, and a non-operating swimming pool). Mr. Dria requested this to be declared a public health nuisance.

Helen Coffee stated that the tenants who are living with her in the house have caused the waste accumulation, and that she is in the process of evicting these tenants. Ms. Coffee asked that the Board of Health allow her until July 11th to have the property cleaned.

The Board of Health ordered the property to be abated by July 11, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 12:08 PM.

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Monday, June 26, 2023

Hearing

The hearing for property at 416 Lawn Ave NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:08 PM.

The property owner, Tammie Binion, was present. Ms. Binion and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of tires, scrap, junk, clutter, trash, garbage, rubbish and debris, and illegal open burning of waste materials). Mr. Dria requested this to be declared a public health nuisance.

Tammie Binion stated that the property was recently transferred into her name less than one month ago and that the house is currently occupied by squatters who were never authorized to live there. Ms. Binion further explained that she intends to file an eviction notice, and asked that the Board of Health allow her 30 days to abate the property.

The Board of Health ordered the property to be abated by July 26, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 12:11 PM.



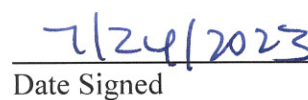
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Hearing

The hearing for property at 3221 Market Ave N, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owner, Gay Gray, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. a non-operating swimming pool with stagnant water). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or vacated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 12:11 PM.

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Hearing

The hearing for property at 2513 – 7th St NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owner, Steve Filliez, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of trash bags, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 12:11 PM.



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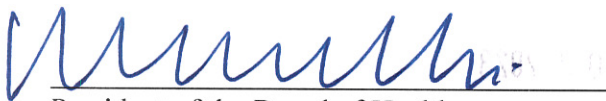
Hearing

The hearing for property at 626 Wertz Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owner, Anena Tubbs, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria found the environmental conditions at the property to be substandard (i.e. the failure to restore potable water service at an occupied property). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or vacated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

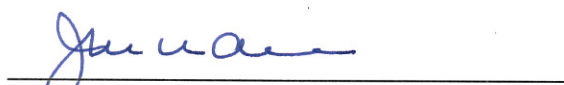
There being no further testimony, the hearing ended at 12:11 PM.



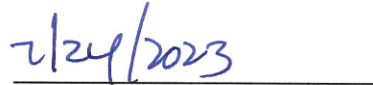
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Monday, June 26, 2023

Hearing

The hearing for property at 1374 Heising Ct SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owner, Peggy Henning, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of scrap, junk, clutter, trash, garbage, rubbish and debris, and the failure to restore potable water service at an occupied property). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or vacated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

There being no further testimony, the hearing ended at 12:11 PM.



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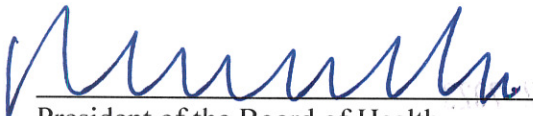
Hearing

The hearing for property at 708 Cook Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owner, David Dreasher, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of clothes, scrap, junk, clutter, trash, garbage, rubbish and debris, and the failure to restore potable water service at an occupied property). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or vacated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

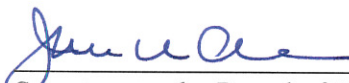
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The hearing for property at 717 Estep Pl SW, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The property owners, Earl Buckius and Michael Buckius, were not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of tires, scrap, junk, clutter, trash, garbage, rubbish and debris, and the failure to restore potable water service at an occupied property). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated or vacated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

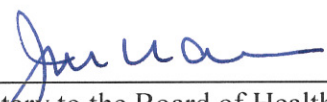
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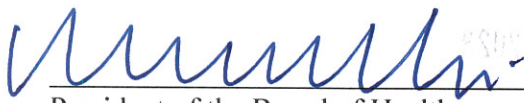
Monday, June 26, 2023 Hearing

The hearing for property at 201 – 15th St SE, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

A representative of the Eddie Hmeidan Estate was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of furniture, trash bags, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

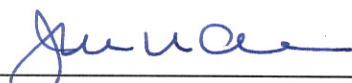
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The hearing for property at 2312 Coventry Blvd NE, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

A representative of the property owner, SB2 Properties LLC, was not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. the accumulation of tires, trash bags, renovation waste, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated by July 4, 2023 and for Canton City Public Health to be authorized to abate the nuisance or to use appropriate legal action to secure compliance. The cost of the abatement is to be placed on the taxes of the property as a lien, in accordance with law.

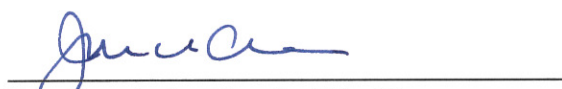
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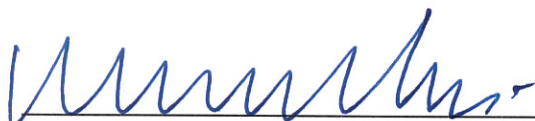
Hearing

The hearing for animal owner, Kim Latham, 4615 Pleasant Hills Rd, Canton, Ohio was called to order Pat Wyatt, Canton City Board of Health President Pro Tempore, at 12:11 PM.

The owner was not present. Gus Dria was sworn in to testify.

Mr. Dria testified that the owner of the animal failed to comply with vaccination reporting requirements for an animal involved in a bite. Mr. Dria requested that the animal owner be declared as having failed to provide rabies prevention verification and to be authorized to file criminal charges to achieve compliance with the revised code.

There being no further testimony, the hearing ended at 12:11 PM.



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