



Public Health
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Canton City Public Health

Public Nuisance Hearings
Monday, July 24, 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, July 24, 2023 at 11:32 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 Valerie Fletcher.

Agenda Corrections and Approval

1. Approve meeting agenda

Dr. Hickman moved, and Dr. Lakritz seconded a motion to approve the July 24, 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 12:00 PM.

APPROVED:

August 28, 2023
Date of Approval



President of the Board of Health

SEP 05 2023

Date Signed



Secretary to the Board of Health

8/28/2023

Date Signed

CANTON CITY PUBLIC HEALTH

420 MARKET AVENUE NORTH
CANTON, OHIO 44702-1544

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James M. Adams, RS, MPH
Health Commissioner

Monday, July 24, 2023

Hearing

The hearing for the property at 1134 Plain Ave NE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore at 11:32 AM.

The property tenant, Mandalina Forgas, was present. Ms. Forgas 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 trash bags, 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 to be abated or vacated by August 1, 2023.

Ms. Forgas testified that she is attempting to get assistance to pay the water bill and has an appointment with the Stark County Community Action Agency (SCCAA) on August 18, 2023. Ms. Forgas stated that she will have the trash cleaned up today, but asked that the Board of Health grant her until August 27, 2023 to have the water turned on.

The Board of Health ordered the trash on the exterior of the property to be abated by August 1, 2023, and for the water to be turned on at the property or for the property to be vacated by August 27, 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 11:38 AM.

President of the Board of Health

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The hearing for the property at 3907 Tuscarawas St (Apt #'s 3, 6, 9, and 11), Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:38 AM.

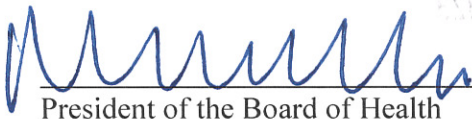
Edward Malecki was present in representation of the property owner, Aldino Dimassimo. Mr. Malecki and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violation, which included substandard environmental conditions (i.e. inoperable plumbing/no potable water service at an occupied property, water damage from plumbing leaks, musty odors, poor cleanliness, the accumulation of water-damaged items, scrap, junk, clutter, trash, garbage, rubbish and debris, insect infestations and unsanitary conditions). Mr. Dria requested this to be declared a public health nuisance.

Edward Malecki testified that that he has power of attorney for the property owner, Aldino Dimassimo, which gives Mr. Malecki the ability to make decisions regarding this property. Mr. Malecki explained that the units in question are occupied by squatters who broke in; Mr. Malecki added that evictions have been filed and approved, and that he would file for setouts by the end of the day.

The Board of Health ordered the property to be vacated immediately and to remain vacant until satisfactory Building Code Enforcement and Health Department inspections, and to authorize Canton City Public Health to abate the nuisance or use appropriate legal action to secure compliance. The cost of such abatement is to be placed on the taxes of the property as a lien, according to law.

There being no further testimony, the hearing ended at 11:47 AM.



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Monday, July 24, 2023 Hearing

The hearing for property at 1703 Clarendon Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:47 AM.

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

Mr. Dria showed testified that he found the environmental conditions of 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.

Ms. Eddy testified that she would have the water turned on by the end of the week.

The Board of Health ordered the property to be abated or vacated by August 1, 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 11:49 AM.



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Monday, July 24, 2023 Hearing

The hearing for property at 3720 Lesh St NE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:49 AM.

The property tenant, Kasey Griffith was present. Ms. Griffith 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 trash bags, scrap, junk, clutter, trash, garbage, rubbish and debris, and a swimming pool and ornamental pond retaining stagnant water and mosquito larva). Mr. Dria requested this to be declared a public health nuisance.

Ms. Griffith testified that the property owner, Sherry Dalo, is her mother and that she recently passed away in May, after which Ms. Griffith moved into the property. Ms. Griffith explained that she is working to clean the property and will be having a trailer full of garbage hauled away within the next day or two. Ms. Griffith stated that she will have the property completely abated by August 1, 2023.

The Board of Health ordered the property to be abated August 1, 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 11:52 AM.

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Monday, July 24, 2023 Hearing

The hearing for property at 1326 Worley Ave NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:52 AM.

The property owner, Franklin Perrine, was present. Mr. Perrine 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/inaccessible plumbing, no potable water service at an occupied property, hoarding-type conditions, poor cleanliness, the accumulation of junk, clutter, trash, garbage, rubbish and debris, and general unsanitary conditions on the interior). Mr. Dria requested this to be declared a public health nuisance. Mr. Dria also stated that the house is falling apart and will be getting demolished.

Mr. Perrine stated that he and his partner would be moving out of the house by September 1, 2023.

The Board of Health ordered the property to be abated or vacated by September 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.

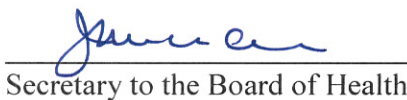
There being no further testimony, the hearing ended at 11:57 AM.



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Hearing

The hearing for property at 1629 Rowland Ave NE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:57 AM.

A representative of the property owner, Polaris Investments, LLC, was 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 failure to remove noxious and offensive animal waste odors). Mr. Dria requested this to be declared a public health nuisance and ordered it to be abated by September 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 11:59 AM.

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Monday, July 24, 2023 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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The hearing for property at 915 Rosemont Ct NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

The property owners, Joseph and Linda Smallwood, 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 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 August 1, 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 11:59 AM.



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Monday, July 24, 2023

Hearing

The hearing for property at 2815 – 11th St NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

The property owner, Jeremy Dibartolo, 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 junk, clutter, trash, garbage, rubbish and debris, a tire retaining stagnant water, 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 August 1, 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.

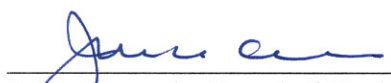
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Monday, July 24, 2023

Hearing

The hearing for property at 3014 – 3rd St NW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

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, 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 August 1, 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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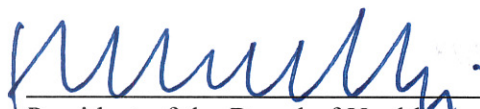
Hearing

The hearing for property at 1633 Henry Ave SW, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

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 carpet, furniture, trash bags, 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 August 1, 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.

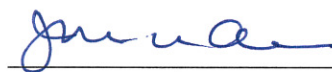
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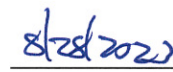
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Hearing

The hearing for property at 321 Mill St SW, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

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 animal waste and associated odors, carpet, 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 August 1, 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 11:59 AM.

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Monday, July 24, 2023 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 11:59 AM.

The property owner, Clifford Cantwell, 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 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 August 1, 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.

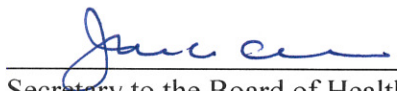
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Monday, July 24, 2023 **Hearing**

The hearing for property at 3722 Lesh St NE, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

A representative of the property owner, Bernier Group, 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 trash bags, 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 August 1, 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 11:59 AM.



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The hearing for property at 2030 – 2nd St NE, Canton, Ohio, was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

The property owner, Randle Pugh, 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 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 August 1, 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 animal owner, Cynthia Totten, 812 – 5th St NE, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

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 11:59 AM.



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The hearing for animal owner, Stephanie Pesantez, 1041 Chalker St, Canton, Ohio was called to order by Pat Wyatt, Canton City Board of Health President Pro Tempore, at 11:59 AM.

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.

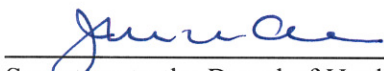
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