

Board of Health - Public Health Hearings
August 28, 2023
MEETING MINUTES

Call to Order and Roll Call

Mr. Patrick Wyatt called to order the City of Canton public nuisance hearings presided over by the Board of Health of Canton City Public Health on Monday, August 28, 2023 at 11:33 AM. Mr. Patrick Wyatt presiding. The meeting location was at the Foundations Centre, Goldsmith Room, 400 Market Ave., N, Canton, OH.

Roll Call:

Members Mr. Patrick Wyatt, Dr. Amy Lakritz, MD, Dr. Stephen Hickman, DVM, and
Present: Mrs. Cleo Lucas.
Members None
Absent:
Members Mayor Bernabei; Dr. James Johns, MD
Excused:
Staff Present: Health Commissioner James Adams, Gus Dria, and Sean Green.

Agenda corrections and approval.

1. Approve meeting agenda.

Dr. Hickman moved, and Mrs. Lucas seconded a motion to approve the August 28, 2023 meeting agenda for the public nuisance hearings.

Motion carried unanimously. The meeting agenda was approved.

Public Health Hearings

2. Public health nuisance hearings.

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

Mr. Dria provided testimony and presented photos illustrating the substandard environmental conditions at several properties located in the city of Canton. He also provided testimony on animal owners who had failed to comply with vaccination record reporting requirements concerning an animal involved in a bite incident. All present owners also provided their testimony.

Next meeting date.

3. Next meeting date - September 18 at 11:30 AM

The next City of Canton public nuisance hearings, presided over by the Board of Health of Canton City Public Health, are scheduled for Monday, September 18, 2023 at 11:30am.

Adjournment.

Mrs. Lucas moved, and Dr. Hickman seconded a motion to adjourn. Motion carried unanimously. The meeting adjourned at 12:00 pm.

CANTON CITY PUBLIC HEALTH

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Public Health
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Canton City Public Health

James M. Adams, RS, MPH
Health Commissioner

Monday, August 28, 2023

Hearing

The hearing for property at 611 Smith Ave NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:36 AM.

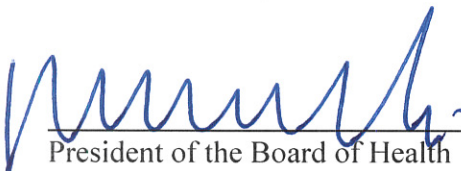
The property tenant, Roger Gates, was present. Mr. Gates and Hearing Officer Gus Dria were sworn in to testify.

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 items retaining stagnant water). Mr. Dria requested this to be declared a public health nuisance.

Mr. Gates testified that his mother, Charlotte Gates, is terminally ill and that there is a property trust which names Mr. Gates as the beneficiary. He further explained that he had been unable to clean the property due to financial hardship and lack of time while assisting his mother. He asked the Board of Health for a 30-day extension to abate the property.

The Board of Health granted Mr. Gate's extension request, and ordered the property to be abated by October 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.

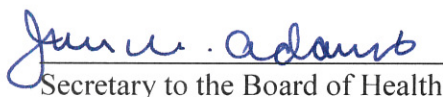
There being no further testimony, the hearing ended at 11:45 AM.



President of the Board of Health

SEP 25 2023

Date Signed



Secretary to the Board of Health

September 21, 2023

Date Signed

September 18, 2023

Date of Approval

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Hearing

The hearing for property at 2152 – 6th St NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:45 AM.

The majority owner and tenant of the property, John Postlewait, was present. Mr. Postlewait and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria testified that the environmental conditions at the property were substandard (i.e. the failure to restore potable water service at an occupied property). Mr. Dria added that Mr. Postlewait had been legally using water from the park to wash clothes, bathe, and flush toilets, and that the only public health nuisance was that the water to the home was not turned on.

Mr. Postlewait stated that he owned two-thirds of the property while his cousins owned the remaining third, and that he could not turn the water on until his cousins signed off to have the property probated.

The Board of Health agreed to table the issuance of an order to abate or vacate the property with the understanding that the Board would receive monthly updates on the status of the property until the water could be turned on.

There being no further testimony, the hearing ended at 11:49 AM.



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Monday, August 28, 2023

Hearing

The hearing for property at 618 Alexander PI NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:50 AM.

The property owner, Allyssa Bowersock, was not present. Ms. Bowersock's grandmother and roommate, Virginia Clay, was present. Ms. Clay and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria showed pictures of the violations, which included substandard environmental conditions (i.e. the accumulation of tires, scrap, junk, clutter, trash, garbage, rubbish and debris, and items retaining stagnant water and mosquito larvae). Mr. Dria requested that this be declared a public health nuisance.

Ms. Clay testified that there had been additional people staying at the property temporarily, and that those individuals had been the main contributors to the issues at the property. She added that she and Ms. Bowersock had been making efforts to clean the property, and asked that the Board of Health grant a 2-week extension to abate the property completely.

The Board of Health granted Ms. Clay's extension request, and ordered the property to be abated by September 19, 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.

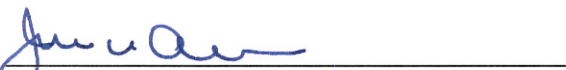
There being no further testimony, the hearing ended at 11:54 AM.



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Monday, August 28, 2023

Hearing

The hearing for property at 3715 Mahoning Rd NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:54 AM.

The property owners, John and William Kish, were not present. Hearing Officer Gus Dria was sworn in to testify.

Mr. Dria showed pictures of the violations, which included substandard environmental conditions (i.e. the accumulation of renovation/demolition waste, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested that this be declared a public health nuisance and ordered it to be abated by September 12, 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 11:54 AM.



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Monday, August 28, 2023

Hearing

The hearing for property at 1708 – 3rd St NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:55 AM.

A representative of the property owner, MAH Capital 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 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 September 5, 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 11:55 AM.

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The hearing for property at 1801 Trinity Pl NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:54 AM.

A representative of the property owner, Legends Point 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 stagnant water and waste within a non-operational inground swimming pool). Mr. Dria requested that this be declared a public health nuisance and ordered it to be abated by September 5, 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 11:55 AM.

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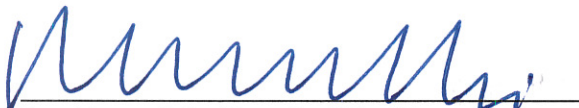
Hearing

The hearing for property at 427 Warner Rd SE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:56 AM.

The property owner, David Kinsey, 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 renovation waste, 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 September 5, 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 11:56 AM.



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Monday, August 28, 2023

Hearing

The hearing for property at 2109 Harrison Ave SW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:56 AM.

The property owners, Joanne Comstock and David Krach Sr., 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, furniture, 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 September 5, 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 animal owner, Brenda Robles, 511 Shorb Ave NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:57 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 this be declared a public health nuisance and ordered the vaccination records to be submitted by September 5, 2023 with the authorization to file criminal charges to achieve compliance with the revised code.

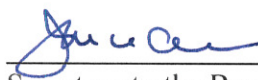
There being no further testimony, the hearing ended at 11:57 AM.



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Monday, August 28, 2023 Hearing

The hearing for animal owner, Angelica Vega, 1622 Colonial Blvd NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 11:57 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 this be declared a public health nuisance and ordered the vaccination records to be submitted by September 5, 2023 with the authorization to file criminal charges to achieve compliance with the revised code.

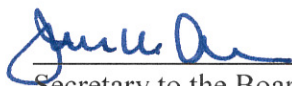
There being no further testimony, the hearing ended at 11:57 AM.



President of the Board of Health

SEP 25 2023

Date Signed



Secretary to the Board of Health

Sept. 27, 2023

Date Signed

September 18, 2023

Date of Approval