

Board of Health - Public Health Nuisance Hearings
February 27, 2024
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 Tuesday, February 27, 2024 at 4:31 PM. Mr. Patrick Wyatt presiding. The meeting location was City Hall, Council Chambers, 218 Cleveland Ave SW, Canton, OH.

Roll Call:

Members Mr. Patrick Wyatt, Dr. James Johns, Dr. Amy Lakritz, Mrs. Cleo Lucas,
Present: Ms. Kimberly Kingsbury

Members None
Absent:

Members Mayor William Sherer II
Excused:

Staff Present: Health Commissioner Amanda Archer, Gus Dria, Annie Butusov, and Sean Green.

Others Present: John Mariol of Canton City Building/Code

Agenda corrections and approval.

1. Motion to approve agenda.

Mr. Wyatt pointed out that the nuisance hearings meeting agenda contained an error concerning the stated location of the meeting. He suggested making a motion to approve the agenda with the correct meeting location as City Hall, Council Chambers, 218 Cleveland Ave SW, Canton Ohio.

Subsequently, Dr. Johns moved, and Dr. Lakritz seconded a motion to approve the February 27, 2024 meeting agenda with the correct location of Council Chambers, 218 Cleveland Ave SW, Canton, Ohio. A roll call vote was taken:

Dr. Johns– Yes Mr. Wyatt – Yes Dr. Lakritz – Yes

Mrs. Lucas – Yes Ms. Kingsbury – Yes

Motion carried unanimously. The nuisance hearings meeting agenda was approved.

Public Health Nuisance Hearings

2. Public health nuisance hearings.

Hearing Officer Gus Dria and CCPH Environmental Health Director Annie Butusov were sworn in to provide their testimonies. All present property owners were also sworn in to provide their testimonies.

Mr. Dria presented both verbal testimony and photographic evidence to exhibit the substandard environmental conditions at several properties within the city of Canton.

Mr. Dria also provided testimony regarding animal owners who had failed to comply with vaccination reporting requirements following incidents of animal bites. No animal owners were present to provide their testimony.

Next meeting date.

3. Next meeting date - Tuesday, March 26, 2024 at 4:30 PM

The next City of Canton public nuisance hearings, presided over by the Board of Health of Canton City Public Health, are scheduled for Tuesday, March 26, 2024 at 4:30 PM.

Adjournment.

Dr. Lakritz moved, and Ms. Kingsbury seconded a motion to adjourn. Motion carried unanimously. The meeting adjourned at 5:01 PM.

APPROVED:

March 26, 2024
Date of Approval

President of the Board of Health

Date Signed

Secretary to the Board of Health

Date Signed

CANTON CITY PUBLIC HEALTH

420 MARKET AVENUE NORTH
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Amanda Archer, MPH
Health Commissioner

Monday, February 27, 2024 Hearing

The hearing for the property at 1449 Edwards Ave NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:33 PM.

The property owner, Denise Ifeanyichukwu, was present. Ms. Ifeanyichukwu 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 renovation waste scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance.

Denise Ifeanyichukwu testified that she had been working to clean the property but encountered difficulties doing so due to her age and disabilities. Eddie Scott, who was in attendance for a separate hearing, offered to help Ms. Ifeanyichukwu clean her property.

The Board of Health ordered the property to be abated by March 6, 2024. 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 4:38 PM.

President of the Board of Health

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Monday, February 27, 2024 Hearing

The hearing for the property at 812-5th St NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:38 PM.

The property owner, Justin Zurfley, was present. Mr. Zurfley 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 requested this to be declared a public health nuisance.

Justin Zurfley testified that he had been working to get the water turned on at the property and requested a two-week extension to do so.

The Board of Health granted Mr. Zurfley's extension request and ordered the property to be abated or vacated by March 13, 2024. 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 4:40 PM.

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Monday, February 27, 2024

Hearing

The hearing for the property at 802 Brad Ave SE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:40 PM.

The property owners, David Baiker and Linda Baiker, were present. Mr. Baiker, Mrs. Baiker, 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 human waste, renovation waste, scrap, junk, clutter, trash, garbage, rubbish and debris on exterior and plumbing in disrepair/sewage backup inside the house). Mr. Dria requested this to be declared a public health nuisance.

The Board of Health ordered the property to be abated by March 6, 2024. 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 4:45 PM.

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Monday, February 27, 2024

Hearing

The hearing for the property at 509 – 8th St NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:46 PM.

Tom Ascani was present in representation of his father, Thomas Ascani, who was the listed property owner. Mr. Ascani 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 e-waste, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance.

Tom Ascani testified that he was making progress on cleaning the property and would have it fully abated by March 6, 2024.

The Board of Health ordered the property to be abated by March 6, 2024. 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 4:48 PM.

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Monday, February 27, 2024

Hearing

The hearing for the property at 1615 St. Elmo Ave NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:48 PM.

The listed property owners, Jack McKeown and Penny McKeown, were both deceased. The property resident, Eddie Scott, was present in representation of his mother, Tammy Beagle, who was in the process of transferring the property into her name. Mr. Scott and Hearing Officer Gus Dria were sworn in to testify.

Mr. Dria reported substandard environmental conditions at the property (i.e. the failure to restore potable water service at an occupied property). He explained that the residents had been bringing water into the house from outside sources. Mr. Dria also noted that he had not yet been able to enter the home to inspect the interior for cleanliness.

Eddie Scott testified that the water bill had been paid off but the water service could not be reinstated until the property's legal transfer to his mother, Tammy Beagle, was finalized through probate – a process complicated by the fact that the owner, Penny McKeon (Tammy's sister), had passed away without preparing a will. Mr. Scott also stated that an interior inspection by Mr. Dria could be arranged once his mother's health improves.

The Board of Health ordered the property to be abated or vacated by March 6, 2024. Mr. Dria will schedule an interior inspection and monitor the probating of the estate. 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 4:52 PM.

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Hearing

The hearing for the property at 816/818 McGregore Ave NW Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:53 PM.

The property owner, Ashley Risby, was present. Ms. Risby and hearing officer Gus Dria were sworn in to testify.

Mr. Dria reported substandard environmental conditions at the property (i.e. the failure to restore potable water service at an occupied property).

Ashley Risby testified that she had paid the water bill and the water had been turned on, but it was shut back off due to plumbing issues. She explained that a plumber had just repaired the issues and that the water was scheduled to be turned back on between 5:00pm and 7:00pm.

The Board of Health asked that Mr. Dria verify the water service restoration the following day. Should the water service still be disconnected upon inspection, an order will be issued for the property to be abated or vacated by March 6, 2024. 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 4:55 PM.

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The hearing for the property at 1241 Worley Ave NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:56 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 furniture, trash bags, scrap, junk, clutter, trash, garbage, rubbish and debris). Mr. Dria requested this to be declared a public health nuisance.

The Board of Health ordered the property to be abated by March 6, 2024. 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 4:58 PM.

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The hearing for the property at 705 Newton Ave NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:56 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. plumbing in disrepair and the accumulation of sewage, water, dead mice, junk, clutter, trash, garbage, rubbish and debris in the basement). Mr. Dria requested this to be declared a public health nuisance.

The Board of Health ordered the property to be abated by March 6, 2024. 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 4:58 PM.

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Monday, February 27, 2024

Hearing

The hearing for the property at 2622 Crown Pl NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:58 PM.

A representative of the property owner, Van Epps Home YB 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.

The Board of Health ordered the property to be abated or vacated by March 6, 2024. 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 4:59 PM.

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Monday, February 27, 2024 Hearing

The hearing for the property at 2820 Blair Pl SW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:59 PM.

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

Mr. Dria reported substandard environmental conditions at the property (i.e. the failure to restore potable water service at an occupied property).

The Board of Health ordered the property to be abated or vacated by March 6, 2024. 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 4:59 PM.

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Monday, February 27, 2024 Hearing

The hearing for the property at 1620 Wooster Ave NE, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore at 4:59 PM.

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

Mr. Dria reported substandard environmental conditions at the property (i.e. the failure to restore potable water service at an occupied property).

The Board of Health ordered the property to be abated or vacated by March 6, 2024. 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 5:00 PM.

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Monday, February 27, 2024 Hearing

The hearing for animal owner, Ethan Grubbs, 225 Grandview Ave NW, Canton, Ohio was called to order by Mr. Patrick Wyatt, Canton City Board of Health President Pro Tempore, at 5:00 PM.

The owner was not present. Hearing Officer 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.

The Board of Health ordered the vaccination records to be submitted by March 6, 2024, and authorized the filing of criminal charges against the animal owner if the records are not submitted by the provided deadline.

There being no further testimony, the hearing ended at 5:00 PM.

President of the Board of Health

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Secretary to the Board of Health

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