

City of Deer Park
City Council Committee Meeting
Municipal Building
April 7, 2014

Mr. Comer opened the meeting, followed by the Pledge of Allegiance.

Prime Health Group

Mr. Comer introduced that the meeting would begin with Mr. Berens, Chief of Police Mike Schlie and Fire Chief Don Newman of the Deer Park Silverton Joint Fire District. Mr. Berens began by stating that Prime Health Group is a new business that opened in November/December, 2013 on Galbraith Road and that council is able to hear concerns from the public although this is not normally done during a committee meeting. He also noted that Mr. Tassell is working hard on getting as much information out as possible and that there have been no complaints or issues since the opening of Prime Health Group.

Public Comment

Evan Ruddick – 6840 Merwin Avenue, Madison Place, mother's home 4386 Matson Avenue

Mr. Ruddick reported he has had several friends suffer from heroin addiction. He noted that suboxone has been around for 12 years and approved by the FDA in 2002 and that he feels it is more risky due to a 5 – 6 month withdrawal time which he feels is longer than other drugs. He also stated that his research of Prime Health showed it to have a plastic surgeon by the name of Michael Venemeyer and received it's LLC on November 7, 2013.

Maryann Schultz – 8495 Beech Avenue

Ms. Schultz introduced herself as a teacher and counselor of 40 years and can see both sides of the argument. Her number one concern was of a car that was driven through the Talbert House on Madison Road by a disgruntled patient. She stated that it only takes one car to drive through the school or onto the playground. Ms. Schultz was afraid the same could happen at Amity Elementary where her 8 year old plays at and will attend this fall. Her other concerns were that the location of the clinic being so close to the school was not well thought out. She believes the patients seeking treatment should be secluded and have access to treatment, just not near a school zone. Ms. Schultz stated she will be willing to do everything she can to help the clinic find other property and mentioned a vacant location on Blue Ash Road.

Leah Hawkins – 4340 1/2 Webster Avenue

Ms. Hawkins stated she has been a Deer Park resident for 7 years and asked city council if something bad is improbable to happen then are they willing to be held accountable if something happened to one of our children. Ms. Hawkins also noted that she used to be married to someone who used drugs and that they do not know what they are doing when under the influence or withdrawing. She also stated that more families may move out of the Deer Park school district if clinic is not moved. Mrs. Hedger addressed the

question stating that the building that houses Prime Health Group meets zoning requirements and zoning is not council's approval or dis approval.

Martha Troy – 8487 Donna Lane

Ms. Troy voiced her concerns regarding the location of the clinic and the opening hours of the clinic being at 4:00 pm stating she feels it subjects kids attending after school programs that end at 4:00. Mr. Berens responded by stating that most of the patients are scheduled between 5:00 and 7:00 pm and that the patient times are by appointment so not everyone going there would be showing up all at once, patients are not allowed to be early and are warned about this and if are late will not be seen. Mayor Collins mentioned that security is present and Mr. Berens stated that a lot was heard already regarding the hours of the business and the safety concerns and these would be addressed tonight.

Shawn Gavin – 4125 St. John's Terrace

Mr. Gavin asked if Prime Health Group was recruited by LSR or has LSR had any contact with this business prior to their locating to Deer Park. Mr. Comer stated that there was none whatsoever. Mr. Gavin asked if the planning and zoning board were asked to review the local codes, the ordinances in Deer Park in regards to the particular type of business. Mr. Berens stated that they did not need to be reviewed as by right the group is allowed to occupy the space. Mr. Gavin also brought up House Bill 92 – Needle Exchange Program stating that it has been brought up over the past couple of months and wants to know if zoning can be used to regulate per the minutes he received from Dec. 2, 2013 council committee meeting, stating they cannot be zoned out of the city but the zoning code can be updated to limit where they could open. Stating that one council member stated we need to do due diligence and be prepared, and that the City Manager and the law director will continue to monitor this issue regarding needle exchange mobile (van). Mr. Gavin asked if the heroin clinic is intertwined with the mobile van – needle exchange program.

Mr. Berens stated that the office is a psychiatrist's office, has always been a medical office, and was a dentist office for years. The office treats any addiction; opiates, other controlled substances etc. not just heroin and that this has nothing to do with the needle exchange program. Mr. Gavin asked if the zoning director was asked about HB 92 prior to November/December when office opened. Mr. Berens stated that building official looked at location. Mr. Gavin asked why a temporary license was given. Mr. Berens stated that there was work that needed done in the building and their sign code needed to be met before a permanent license could be issued and that office did meet all zoning requirements. Mr. Gavin asked who the building official was. Mr. Berens replied that it is Jerry Stoker and that the zoning was met and no variance was needed. Mr. Gavin asked if the comprehensive plan meeting included a plan to have medical offices come to that corridor to which Mr. Berens replied yes if you are referring to a medical office.

Ken Brookbank – 7218 Delaware Avenue

Mr. Brookbank stated he is a 71 year resident of Deer Park and asked if the 1000 foot rule from a school was met. Mr. Berens and Mr. Comer advised that there is no 1000 foot rule from a school for a doctor's office. Mr. Brookbank stated he watched patients go in and out of the office on Saturday for 12 minutes at a time and come out with a

white piece of paper in their hands and also noted that our children are precious commodities.

Sheila Fisk – 4119 Oakwood Avenue

Mrs. Fisk stated her concern over the clinic being a drug addiction clinic and also a psychiatrist's office and was hoping that someone from the clinic would be here tonight. Her main concern was that the clinic was concerned about safety and had hired security and that other businesses don't have security. Mrs. Fisk stated the traffic and parking outside reminded her of a polling place on Election Day. Mrs. Fisk's daughter attends Amity and the traffic in and out of the area and all of the comments on social media concerned her but only because the clinic was concerned about safety.

Chief Michael Schlie – Deer Park Police Department

Chief Schlie met with the doctors at Prime Health Group. They asked what can they do to make it safe. He reported that they have private security and an off duty detail officer during their busy times. They also have cameras and take measures to safeguard the people they treat. There have been zero arrests, zero offenses and zero runs to Prime Health Group. Ms. Hawkins stated it only takes one time for something bad to happen. Chief Schlie stated he cannot react to what ifs but only to keeping the community safe. Mr. Berens stated that the patients are not court ordered. They recognize they are in trouble and need help and that they're doing whatever they can to get better. They spend 1 hour with a psychiatrist and stay drug free and are drug tested to remain in the program. They have a standard to meet and have to meet requirements. They are not able to do "doc shopping" as this is checked to make sure they are not getting multiple prescriptions. If they test positive a 1st time for drugs they have to go away and come back when clean. If they test positive a 2nd time they are kicked out of the program. Ms. Hawkins stated that more people are going to come around when they hear of this place. Ms. Schultz asked where people go that are turned away. She does not want an addict to leave with an attitude and is so concerned about safety. Mrs. Hedger added that the patients have to pay 250.00 for treatment out of pocket and this is their choice.

Michael Hayes – 8505 Needlewood Court

Mr. Hayes fears suboxone as much as drunk driving as a patient may be coming to clinic behind the wheel, driving through school zone. He noted that narcotics and cars don't mix. He stated that suboxone is recognized as a narcotic by the FDA.

Dana Seawardson, Nurse, Certified Suboxone Treatment Nurse/Educator and Teaching Advocate – West Chester, OH

Ms. Seawardson stated that suboxone works wonders in conjunction with therapy treatment. Patients must get therapy and drug tests. She also stated that patients looking for a "high" can get euphoric recall on most anything even water however while suboxone can be a dependent drug it is not able to be abused. Patients start with 1 – 2 mg and are increased to a maximum dose of 12- 16 mg. It is taken under the tongue to dissolve. Meds have serial numbers and can be tracked. Patients feel drowsy with their starting dose but it gets better after 2 – 3 doses. Her patients have stated how they feel normal again on suboxone and get relief and do not feel in withdrawal or defocused. Patients are members of NA and AA and must get blood work to rule out Hepatitis C, get

sober support with a sponsor. Suboxone is not for all addicts, some are referred to a higher level of care. Mr. Berens stated that it relieves the physical and stops the craving.

Steven Wilcoxson – 3250 Columbia Parkway, 45226 - grew up in Deer Park

Mr. Wilcoxson reported that he has personally taken suboxone and he nodded off while driving. Stated that on their website, Prime Health Group only encourages the 12 step program and other resources but does not require it.

Christiana Lawarre – 7900 Dalton Avenue

Ms. Lawarre inquired on the open time of the clinic. Mr. Comer stated open time is 4:00 p.m. Mr. Lehane stated most appointments begin between 5:00 p.m. – 6:00 p.m. Mr. Comer added that the office is open on Saturdays and Sundays.

Dawn Clifton – 4208 Hegner

Ms. Clifton stated she was married to a person who had a drug problem and does not deny the need for getting patients help as there is a crazy epidemic. Saw that Prime Health Group was for mild to moderate withdrawal and knows that even that is dangerous. Afraid it will attract drug dealers to come in to our small community. Asked why it's directly across from a school.

Margaret Pedrick – 3917 Galbraith Road

Ms. Pedrick stated if we are trying to have a stronger community to advance then this could keep us from progressing for the future. The 1st step is to work together. If Deer Park is perceived by it's people as an element they don't want around then it could be the ruin of Deer Park. She added that not working together will do a lot to show others we are stepping backwards as a community.

Doug McGrew – 4212 Myrtle Avenue

Mr. McGrew asked Chief Schlie if security for clinic was approached before or after permit was granted. Chief Schlie did not know the exact dates but stated that the clinic approached him asking what they can do to keep safe. Mr. McGrew stated it seems that the big stickler is the location but others says no medication on site. Direct flow of traffic is going to this clinic and is concerned that nothing will stop other businesses of same type from coming here. His family and neighbors have been affected by drug abuse and wants to know if new businesses of same type would be brought up ahead of time.

Mr. Ruddick asked if zoning concerns would be addressed. Mr. Tassell addressed that under HB92 the state of Ohio allows needle exchange but Mr. Tassell stated he is opposed to needle exchange and encouraged residents to reach out to Senator Jones or Senator Seitz.

Mrs. Hedger asked Mr. Tassell what he knew about zoning. Mr. Tassell, stated that Prime Health Group is no different than dentist or any other facility and that a methadone is a different kind of facility and is under a different zoning.

Mr. Helmes recommended that zoning laws may need to be looked at for the future of conditional use. Mr. Berens stated that looking at zoning code may be an option for future businesses coming into the city and added that police are trained to observe violators just as bars in Deer Park are observed when violators are arrested.

Chief Michael Schlie – Deer Park Police Department

Chief Schlie stated that if police get calls they can work with the safety director to shut it down under nuisance. He stated that he cares about this town as he and his children both grew up here. He added that can't plan for what if's but can only plan to keep it safe.

Chief Don Newman – Deer Park Silverton Joint Fire District

Chief Newman stated there have been no issues at Prime Health Group but if there would become a problem that he will work with Chief Schlie. Chief Newman did mention that in the last few weeks there have been 2 people brought back from a heroin overdose none of which were anywhere near the doctor's office.

Jeff Langdon – Superintendent Deer Park City Community Schools

Mr. Langdon noted that he is working closely with the Chief Schlie, Chief Newman, Mike Berens and the doctors of Prime Health Group and reported that the doctors have been very cordial. Mr. Langdon acknowledged that we do have a problem but that he has faith in this community and city council. Added that Mr. Bergen, Amity Elementary Principal, is on sidewalk in front of school every day while Mr. Langdon does extra things each day like drive up and down streets to keep an eye on our children's safety and thanked all for their efforts.

Cara Siemens – 7175 Maryland Avenue

Ms. Siemens advised Mr. Langdon that there were no extra staff outside at dismissal at Amity Elementary on 4/7/14. Mr. Langdon responded that he will look into and take care of.

Suicide Prevention

Mrs. Hedger announced that a suicide prevention task force is currently being established at Deer Park High School after two recent suicides of students who attended there. Mr. Langdon and Mr. Knapp, Deer Park High School Principal, are working with all principals, staff, and counselors.

8:03 p.m. – 8:15 p.m. break

Legislative and Finance

Patty Meiers, Tax Commissioner

Mr. Berens noted that Patty Meiers, Tax Commissioner will now be at the May 5, 2014 council committee meeting to discuss recommended additions to Deer Park Earnings Tax, HB5 Update.

March 2014 Income Tax Report

Mr. Berens reported that the March 2014 income tax report will be for acceptance at the April 14, 2014 council meeting. Mr. Comer reported that the Income Tax Report is still up this year.

Safety

March 2014 Fire District Monthly Report

March 2014 Police Department Monthly Report

Mr. Berens reported that the March 2014 Police Department and March 2014 Fire District reports will be discussed further next week at the April 14, 2014 council meeting and are in the mailboxes.

Chief Schlie mentioned that with summer coming we will see an increase of people being outside and the park being filled and suggested that all residents take appropriate safety measures by locking vehicles and using outside motion lights. Mrs. Hedger asked Chief Schlie that Mr. Berens be notified if any problems arise so that council will know.

Public Works

Sidewalk Program

Mr. Berens talked about the sidewalk program due to the number of deteriorating city sidewalks stating that the only way the city will inspect and mark sidewalks to be repaired is if a need to repair is noticed or if someone falls on a resident's sidewalk. There is 2500.00 in the sidewalk program. Mr. Comer noted that there is money always left over. Mr. Berens added that oak trees are growing into the grass areas and causing the sidewalks to crumble. Mr. Comer remembered that letters and flyers to residents in the past did not work and mentioned that residents could potentially share the cost with each other by getting one concrete truck to be delivered. Mr. Helmes added that it is up to homeowner to fix their sidewalk and noticed crumbling conditions of many of Deer Park sidewalks when he went recently went for a walk. Mr. Lehane and Mr. Berens both mentioned that because the zoning laws were re done, residents do not have to be bonded to fix their own sidewalks unless they are a contractor or business.

Ms. Newsom stated she talked to a contractor that has been used in the past in Deer Park successfully saying that there is a discount for 45 sidewalk blocks together and residents can either hire a contractor or fix it themselves. Ms. Newsom noted that a flyer/brochure can be created to announce to residents about the sidewalk program. This announcement can be written in the suburban press, newsletter, on city website and on Facebook and she will create a flyer/article. Residents can hire independent contractor or can be reimbursement of up to 50% for materials with receipt, if done by

resident. Sidewalk must pass inspection for reimbursement. Mrs. Newsom will work on writing this to be voted on by city council at the April 14, 2014 city council meeting.

Road Repairs

Mr. Berens reported that due to the rough winter this year and with all of the salt put down that 400 potholes have been repaired this year so far for a cost of only \$635.00 More potholes will be repaired when the hot mix is available in the spring/summer when the weather warms up. Mr. Tassell wondered if the deteriorating streets with rubble and rust could use more street sweeping to clear for more pothole repairs. Mr. Berens reported that a lot of questions were asked last year about street sweeping but that it is required by the EPA for water quality. This rids the streets of materials from trucks and fertilizers from lawns which gets into the catch basins and ultimately into the river. Some of the streets that are in really poor condition will require major work if the basins are crumbling. These streets cannot be repaired in house and will need to be completely taken out. Some of the unfunded projects from 2008 have been done and that the plan will be updated for the next few years. Redmont Avenue is on 2014's plan.

Redmont Avenue Update

Mr. Rapp mentioned that he saw surveyors on the corner of Blue Ash Road and Redmont and asked when the Redmont Avenue project will begin. Mr. Berens noted that was probably our engineers doing the pre work that it will move forward and that it is currently trying to be coordinated. The money will come available in July 2014, will go out to bid in early summer and will be a fall project. Redmont Avenue will be done from Blue Ash Road down to just short of Irwin. Mayor Collins asked if we could get a cap on it if we had the money to get the whole street done. Mr. Rapp noted that on Irwin between Clifford and Redmont the street is pretty bad. Mr. Comer noted that patching in house will help. Mrs. Hedger and Mayor Collins asked what streets will be our next target. Mr. Berens replied that the 4100 blocks of St. John's Terrace, O'Leary and Lansdowne are not very good but it will be up to our capital improvement plan. Mr. Berens stated that repaving good streets to get more life out of them is something to think about. Matson Avenue and Beech are ones that may benefit from this as they were recent projects in the last several years. It was mentioned that Sycamore Township or Silverton sharing companies will save money but that it's possibly a project for next year and that Redmont Avenue is this year. Mr. Lehane replied that a material called "blackmat" placed over blacktop can also extend life.

Comprehensive Plan

Mr. Berens stated that the comprehensive plan from 2008 needs to be updated. The city is working with Klinergers group, OKI to help us update our plan. A survey is going to be put on Facebook and the city website. He encouraged that the community respond to the survey to see what they think we should do. Mr. Tassell recommended that in order to get a grant that sidewalk concern should be mentioned as well.

Mr. Berens reported that there is a steering committee for the plan. The first meeting will be on April 28, 2014 at 6 pm as an open house in council chambers before the city council meeting.

Schedule:

City Council Meeting, Monday, April 14, 2014 at 7:00 p.m.

Park Board Thursday, April 17, 2014 at 7:00 p.m.

City Council Meeting, Monday, April 28 at 7:00 p.m.

Announcements

Mr. Comer reported that Mr. Perin informed him that the Park Board's annual Easter Egg Hunt will take place at 10:00 a.m. on Saturday April 12, 2014. Volunteers are appreciated and will meet at 8:00 a.m.

Mrs. Hedger requested information on the conditional zoning. Mr. Helmes stated an ordinance can be recommended but is then voted on by the zoning committee. Mrs. Hedger mentioned that the zoning committee is made up of residents. Mr. Berens stated that then it becomes a city ordinance and can be made conditional zoning if the state law allows that and will be contacting the building official tomorrow. It will be put on a future agenda for further discussion.

Mr. Applegate mentioned that the auditors came in this morning and will be here for the week and passed out a questionnaire. Mr. Comer stated that the questionnaire needs to be in to the state by the 15th.

Adjournment

Meeting adjourned at 8:54 p.m.

Joseph W. Comer
President of Council

Joanie Perin-Seitz
Clerk of Council