

FRANKLIN CITY COUNCIL  
OCTOBER 2, 2017

Members of the Franklin City Council met in regular session on Monday, October 2, 2017, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll Call showed:

Brent Centers	present
Paul Ruppert	present
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Debbie Fouts	present
Todd Hall	present

There were 10 visitors and one member of the press (Middletown Journal) at tonight's meeting. Also present: Mr. Russ Whitman, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Mr. Barry Conway, City Engineer; Mr. Ross Coulton, Assistant Safety Director; Mr. Steve Inman, Public Works Director; Mrs. Amy Miller, Acting Finance Director; Ms. Lynnette Dinkler, Acting Law Director; Judge Rupert Ruppert; Mr. Greg Demo, Magistrate; Ms. Katie Purdue, Chief Probation Officer; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was given by Judge Ruppert.

Mr. Centers stated electric aggregation was presented to the Economic Development Council Committee, not the Safety Council Committee. Mr. Bray made the motion to adopt, with noted amendment, and accept the tapes as the official minutes of the September 18, 2017 meeting; seconded by Mr. Aldridge.

The vote:

Mr. Ruppert	yes
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed.

#### RECEPTION OF VISITORS

There were no visitor comments tonight.

#### PUBLIC HEARING ORDINANCE 2017-25 AMENDING SECTIONS 911.08(B) TAP-IN FEES OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO

Mr. Inman stated that this applies to large commercial new construction projects. Tap fees for fire lines will be eliminated and we'll require only the tap fee cost of the size of service line for domestic use. Mr. Inman stated this is for businesses only and other cities are doing this. Mayor Centers stated we have talked about this in the past and need to do this.

Mayor Centers opened the Public Hearing and asked for any comments. There being none he closed the Public Hearing.

Mr. B. Centers made the motion to adopt Ordinance 2017-25; seconded by Mr. Hall. The vote:

Mr. Bray           yes  
Mayor Centers   yes  
Mr. Aldridge     yes  
Mrs. Fouts       yes  
Mr. Hall           yes  
Mr. B. Centers   yes  
Mr. Ruppert      yes

Motion passed.

**RESOLUTION 2017-47                    AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR  
FEDERAL FAST ACT FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING  
COMMISSION**

Mr. Conway stated that this is to apply for Federal Fast Act Funds for the following projects:

- Mill and repave North Dixie Highway from Kenneth Coons Blvd. to Pennyroyal Road  
Estimated local share \$188,750, funding year 2019 (total project cost \$630,000)
- Mill and repave South Dixie Highway from Riley Blvd. to the south corporation limit  
Estimated local share \$344,000, funding year 2023 (total project cost \$1.2 million)
- Mill and repave North Dixie Highway from Pennyroyal Road to the north corporation limit  
Estimated local share \$131,600, funding year 2023 (total project cost \$410,000)

This is the first step in the funding process; will be included in the Capital Improvement Fund; funds will be distributed in 2018 for the first project and in 2022 for the last two projects.

Mr. Ruppert made the motion to adopt Resolution 2017-47; seconded by Mr. Bray. The vote:

Mayor Centers   yes  
Mr. Aldridge     yes  
Mrs. Fouts       yes  
Mr. Hall           yes  
Mr. B. Centers   yes  
Mr. Ruppert      yes  
Mr. Bray           yes

Motion passed.

**RESOLUTION 2017-48                    APPROVING ADDENDUM NO. 1 TO THE REAL ESTATE  
AGREEMENT AMENDING THE ACREAGE AMOUNT AND AUTHORIZING THE SALE OF THE  
ADDITIONAL ACREAGE LOCATED ALONG SHAKER ROAD (EICHHOLZ PARK) TO WARREN  
COUNTY**

Mr. Lewis stated that when the final survey was done, this piece of land was not included. Warren County is purchasing 37.187 acres instead of 35.170 acres. The City will receive an additional \$18,644.50. Warren County has approved the amendment and we also have to approve it.

Mr. Hall made the motion to adopt Resolution 2017-48; seconded by Mr. Aldridge. The vote:

Mr. Aldridge     yes  
Mrs. Fouts       yes  
Mr. Hall           yes

Mr. B. Centers yes  
Mr. Ruppert yes  
Mr. Bray yes  
Mayor Centers yes

Motion passed.

PRESENTATION: 'HOPE FOR FRANKLIN' – CHIEF WESTENDORF, FIRE & EMS  
DEPARTMENT (copy attached)

Chief Westendorf stated that this is to share with you the information that we've learned over the last several months as we've been researching the data associated with our opioid response challenges that we face in our community. Also, Judge Ruppert, along with Magistrate Greg Demos and Katie Perdue, Chief Probation officer, are here tonight. Chief Whitman has also been a part of this. He introduced Katie Williams, Paramedic & Lieutenant with the Fire & EMS Department and an emergency room nurse, who has been a part of this. This is to go through and present background information of what ems responders are facing before it ends up in the Court & Probation systems. This will be informative and things are changing rapidly, even since we met with the Safety Council Committee.

Chief Westendorf began the presentation with a picture of what has become a common scene for the crews – a picture of a male driver and female in the passenger seat passed out, with a child in the back seat. He added that has become a common scene. He introduced Katie Williams, who also works at the Kettering Emergency Facility in Franklin. Ms. Williams explained the process the paramedics go thru when they arrive on the scene and what is carried in the paramedic bag. She is also part of the Greater Miami Valley EMS Council and chairs the Research Committee. The Research Committee is looking at ways to bring non-narcotic pain medication to the ems treatment, but it has been challenging. Chief Westendorf stated part of the goal tonight is to address some of the myths. One of the questions we get is what does it cost the taxpayer. The City belongs to participate in the 'Drug Bag Exchange' program. We pay a yearly fee to belong to the program through the greater Dayton Hospital Association. We have a bag on each ambulance, the supervisor car and a couple of step-down bags on the fire engines. We don't have to pay for any of the drugs used out of the bag. We take the bags to any of the providing hospitals in the area, to the pharmacy, they check it and will give us a new bag in return. This keeps 'out of service' time down and there's no additional fee for administering this medication. Mr. Bray asked what the fee is for the bag. Chief Westendorf stated we pay \$550/yr. to be part of the program and that includes the bags. Mr. Aldridge asked what the cost of one dose of narcan is. Ms. Williams stated 2 mg of narcan is \$45 - \$60 – the hospitals make no money on the bags. Mr. Bray asked with it now taking more doses of narcan to revive someone, do you have to open more bags. Ms. Williams stated we use to carry 3 boxes of narcan in each bag (2 mg each box, total of 6 mg) and now we carry 6 boxes of narcan in each bag. Chief Westendorf added that part of the reason for the increase use of narcan is the use of fentanyl and carfentanil, and because of multiple patients at one scene. Chief Westendorf stated that this includes the surrounding areas, not only the City.

Chief Westendorf continued:

Overview – 1) We are not: discussing global issues, assigning blame; 2) We intend: provide local information; define Franklin's public health problem; identify opportunities to positively impact current conditions based on research and evidence, based proactive; provide HOPE; 3) We want: educate & inform; deliver programs that will save lives improve the health of our community; provide resources to family & friends, inspire emergency service providers

Lethal Doses of Each Drug (examples are shown in the attached presentation) – Chief Westendorf stated we haven't had any heroin deaths this year, is almost gone now. Carfentanil & Fentanyl have almost completely replaced heroin. Opioid overdoses seen with OxyContin, Percocet, Dilaudid, and Vicodin.

Mr. Aldridge questioned if we're protecting our employees from the drugs – if enough is being done. Chief Westendorf stated it's a concern, have to be aware and to wear masks, gloves, etc.

Confirmed CFDF EMS Opioid Patients – Graph showing Patients & Deaths January 16 thru September 17. This shows increase in deaths beginning December 2016 going into January, due to the increase use of fentanyl and carfentanil.

Naloxone Administered by CFDF EMS – Graph Showing mg of Narcan administered 2/16 – 9/17. Shows increase use in beginning 1/17 because of increased use of fentanyl and carfentanil.

Remember: We are Treating People – 287 opioid overdose patients 1/1/16 - 9/2017, with 77% single occurrence and 23% multiple encounters. In 2016, there were 12 deaths and in 2017 we've had 21 deaths as of 7/23/17. Every part of our community is impacted. The impact on call volume for 2017 – 16% in March and down to 4% in September.

The Problem: It's Easier to Get High than to Get Help for Addiction - According to a 2016 surgeon general report, 10% of Americans with a drug use disorder obtain specialty treatment. The report found that the low rate was largely explained by a shortage of treatment options. It's easier to get high than to get help – still need to deal with addiction.

Changing Patterns? - Law Enforcement: recent increase of both seizure & arrests (local & regional); reducing supply results in the addict transitioning the drug of choice; Methamphetamine: routes (smoked, injected, snorted, ingested); Challenges - increased danger to responders. Chief Whitman stated he has officers on the Montgomery County Range Task Force & Warren County Drug Task Force. In recent searches, they've seized marijuana, cash, fentanyl, ecstasy, hand guns, LSD, crystal meth, etc. He explained as you follow the drug money, the drugs are coming from Mexico and the money goes to them; heroin is being phased out because of fentanyl and carfentanil; arrests up 30% over last year and drug arrest up 37%. We are working with the Fire Department and we don't carry narcan. Mr. Bray asked if the fentanyl and carfentanil is being made in Mexico. Chief Whitman stated, yes, and can also be made here. Mr. B. Centers asked if the percentage of arrests going up is direct involvement of why the calls for overdoses are down or do you think it's because they're switching drugs and that's why overdoses are down. Chief Whitman stated it's probably a combination of both; need to supply their habit; thefts etc. are up and we've been able to solve rather quickly; catching shoplifters all the time that are addicts that maybe we can help. Chief Westendorf added that there's probably some other factors as well. The availability of naloxone doesn't require the ambulance to respond anymore. Through various programs, naloxone is prescribed to family members and/or is available. Someone may be overdosing, they receive naloxone and we don't get the call. Just because we don't respond doesn't mean that's it not being used and they're not overdosing. It's a very complex problem. Today we get dispatched to trouble breathing, person unconscious, etc. Because they've learned the Police Department doesn't respond automatically on these calls and they know that. If the police responds, can result in an arrest. He noted that the dispatchers have been great in recognizing these callers and dispatching the police officers.

Discussion continued on seeing a shift of the calls and changing patterns in the behavior of the patient.

What do we do about this? Prevent Addiction from Starting: lobby for improved legislation, enforce laws & interrupt supply. Reduce Addiction When It Occurs: connect patients to medical treatment programs. Reverse Overdoses: expand naloxone availability and treat patients in need.

Redefining the Continuum of Care – Currently we respond to immediate need – we bring them back, transport to hospital and they sign themselves out and don't complete the care; or, we respond, bring them back and they refuse to be transported. That's not what we want to do – want to commit to a long term care program. Criminal charges are also a part of this and the Judge has a program in place to deal with this through probationary programs. But there is a gap and explained the following. Community Resource Info Packets - provide information & resources for support & assistance. Quick Response Teams - in-home intervention and follow-up visits. Community Narcan Project - Project Dawn. Safe Stations - in-station counseling & referral. Care Point -needle exchange program.

Community Response Information - Modeled after existing programs; distribute – proactively, at time of service, post-incident; Ease – low cost, wide involvement; Challenge – maintaining current information, patient dependent.

Quick Response Teams - Collaborative – police, fire/ems, counselor; Delivery – post-incident, place of occurrence/residence; moment of Clarity – reaction period; Goal – enrollment of in/out patient programs, establish rapport with individuals, network of support, change of behavior; QRT Results – Colerain Township, Hamilton and Middletown have programs and are claiming 70% - 80% success rate; while Colerain claims 80% enrollment and Middletown FD claims 92% enrollment. Discussed getting the people into treatment programs – the patient has to want help, can't make them and counselor is the one who has the connection with the patient. Ms. Williams offered info on her experiences of treatment programs. Chief Westendorf stated the goal is to remove barriers and get these people into programs. Ms. Dinkler also stated that Judge Rice started a program (federal court) and will get the information. Discussion continued.

Mrs. Fouts stated she gets questions weekly about this – “I call all the time (referred to the “interrupt supply” and nobody comes. Chief Westendorf stated he's sure if the Police Department pulls someone over and they are high on heroin, they are arrested. Mrs. Fouts stated she's not talking about that, there's more to it. She thinks citizens are tired of it – of their children seeing it on the streets and needles in their yards. At what point, when people call the Police Department about this to interrupt what's going on – when do they come out. She added, she gets these conversations every week “I called and nobody came” and this also happened to her. She saw an exchange in the parking lot, they went to an apartment building and then the traffic started. How do we stop this? It's the same people coming back to that parking lot every other day. When do we interrupt that flow before it gets this bad? Chief Westendorf stated that's what we are talking about and we share info with the Police Department and vice versa; calls are dispatched etc. and he thinks it's being handled. He thinks this program is the first step – if we can stop the desire and want for the drug – we are interrupting the cycle – and there's no one answer. Mrs. Fouts added she thinks it needs to start soon to help you down the road. Chief Westendorf agreed. Chief Westendorf stated we have letters of commitment from Kettering Medical Center, Talbert House, Sojourner and WC Public Health to help with this program.

Project DAWN (deaths avoided with naloxone) Dispersal Program - Seek Grant Funding; provide free naloxone to high risk individuals, family members, general public; will be dispensed from FD/PD. Mr. B. Centers asked if there's any problem with users getting this since its free? Chief Westendorf stated he's not aware of any problems. Discussion followed on this being available for no cost to the user; people with medical issues needing epi pens; prescriptions, seniors, etc. costs are rising and they can't afford it. Chief Westendorf noted that medical providers can't play God, don't know what's going on until we administer the medication. We have to care for the individuals & need to change the communities approach to this to understand the challenges if we are going to change this behavior.

Safe Stations - builds upon current efforts; similar model to QRT; proactive consultations to individuals; neutral (safe) location; 24/7 walk-in access to treatment resources and drop box for prescriptions. We currently have one at the Police Department.

Syringe Service Program - goals – reduce public health risk, aids, hep-B&C, associated infection, creates opportunities for additional programs, ability to swap out needles.

Will Franklin Benefit? – listed several coroner reports January thru September 2017; hepatitis cause of several deaths; and 81% are opioid related deaths from Franklin

What's next? - Goals – seek endorsement from full Council; host an open forum - expert panel, information to bust myths, answer questions, support referrals as need; formalize opioid response plan; expand partnerships.

Chief Westendorf stated he's met with the Safety Council Committee, Mr. Lewis, and the Court & Probation. He's asking for Council's endorsement to move forward with this program. There was much discussion on the presentation items.

Mayor Centers asked where and when do you plan to have the forum and how will the public be invited. Chief Westendorf stated he'd like to have it at the High School auditorium. He will present the same information as tonight and answer questions along with a panel of experts. Mr. B. Centers asked how it will this be promoted to the public. Chief Westendorf stated by Facebook, signs, newsletter, etc. Mr. B. Centers asked if there's been any problems or security issues with the drop boxes. Chief Westendorf stated, no, it's in the lobby. Mr. Ruppert added, at the Safety Council Committee meeting, you noted for every run you've made to the emergency room, four people come into the emergency room.

Discussion continued on the usage and types of drugs being used; working with Kettering Hospital and also in talks with Premier to be part this; opioid related cases are not included; and seeing more meth calls now.

Mayor Centers asked if Chief Westendorf or Ms. Williams has attended any open forums in other cities. Chief Westendorf stated we have attended meetings on different topics. No forums for the public have been held as far as they are aware. Mayor Centers added they need to be prepared because he thinks the public will think we are catering to the drug addicts. Chief Westendorf stated they are aware of this. Discussion continued we need these kind of programs; explaining the program to the public as the public might think we are catering to the drug addicts; enforcement will continue, but biggest problem is there's no room at the jail and when the new jail opens, it will be filled up also. There's a need to have these kind of forums to answer questions and there will be those that we can't change their minds.

Discussion continued with the audience and Council members on the drug problem, what can be done, informing the public, need resources & programs; need to change/stop the cycle; why they do drugs and how can you stop them from starting; any programs in the schools and family involvement is needed.

Chief stated we need to do something - can't afford not to.

Mayor Centers asked Judge Ruppert & Mr. Demos for comments and how successful is the Drug Court.

Judge Ruppert stated if he was giving the program a grade, it would be a "B". He noted the following: Drug Court is a small scale operation; about 25 people in the system; doing well and some have been in for 2 years. Out of the 25 in the program, there's been 4 criminal offenses, 2 dui, disorderly conduct and 1 drug change. When we look at the others who were supposed to be in the program, they either walked

away or we can't find them. When we do locate them, we checked 44 that got arrested and turned loose, 60% have committed major criminal offenses; burglaries, breaking & entering, assaults, and thieves.

Judge Ruppert thanked Chief Westendorf & Ms. Williams on the presentation. He explained how and when you can charge a person and feels should be able to charge them and can't. The drugs are very addictive, people can't kick it; can't send anyone to jail as they are full, there are no programs available and they steal & sell anything that they can. This programs sounds very good. Judge Ruppert told of an experiment which was done by a clinical phycologist from Ohio State, at a seminar, which showed how addictive the drugs are; we need to educate the kids and it's a bad problem. With the current program, we've had to send people home because the jails are full; not enough programs; can't send to a lock down program but Felony Courts can; if we refer to a program, they can walk away. Our current program, they attend 1 probation meeting a week; go to Drug Court once a week; drug tested 2-3 times a week; counseling sessions with either Talbert House or Solutions and they are also drug tested; separate mental health counseling 3x week, 3 hours each and attend at least one AA meeting a week. This is a major, difficult program. Most in the program have no family support, but they have each other in the program and some become good friends and help each other. We have a good relation with them and Mr. Demos keeps it casual, talks with them and makes sure they are doing what they're supposed to. They do slip up sometimes but we catch them and get them back in the program. He told of a recent experience in which a person had 4 drugs in their system, couldn't get into jail and they hanged themselves two days later. There's no jail space, need a place to treat them.

Mayor Centers asked if the Federal or States are looking at any anti-drug programs for the schools. Judge Ruppert stated they have DARE, that's all. It's a depressing problem; no good solution, and need support for the Chief's program.

Discussion continued with Judge Ruppert on the program differences from what is being proposed; proposed program should get to the people before they have to go to Drug Court; and the purpose of the program can provide resources before they get to Drug Court; need to be proactive, and get to the users that have just began using; and can affect anyone. Mayor Centers added this is an addiction and they need help – is not just hard-core drug users.

Discussion continued on the health component: needle replacement will come from grant money; needles are being found in our City parks; the program will help with people not using needles multiple times, which can cause hepatitis, aids, etc.; how the program will work; how many people can be treated; counseling; need to make sure we have everything in place to treat the people; costs of the program; public needs to know this is another service being offered, not taking away from any of our current services and we're offering people to get help.

Mayor Centers thanked everyone for coming tonight and everyone's comments.

Mayor Centers asked Council if they are in favor of moving forward with this. Consensus of Council agreed and Mayor Centers thanked Judge Ruppert, Mr. Demos, Magistrate, & Ms. Katie Perdue, Chief Probation Officer for attending tonight.

## CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- HB 49, Central Collection of Tax, is to be effective in January. Several Cities in the area are forming together to fight against central collection by the State. If Council agrees, we'll present a resolution at the next meeting to join the coalition to fight this, \$4,000 will be our share and he recommends the City do this.

Mr. B. Centers stated he's in favor of this. Mr. Bray added cities never win. Mr. Lewis noted we are a Charter City and that may make a difference. Also, if this passes, we'll be losing money. Mrs. Fouts asked what our State Rep's position is. Mr. Lewis stated he said he's not in favor of it.

Consensus of Council agreed they are in favor of this. Mr. Lewis stated a Resolution will be on the next Council agenda. Mayor Centers added if the State does this, there's no way we will win, no benefit to the City.

## COUNCIL COMMENTS

Mr. Hall stated he didn't make the River Ride – heard it went well. Mr. Lewis stated we didn't have as many riders this year with the date changed (usually held in June) and thanked Mr. Wiggershaus for supporting the City. Mr. Hall asked if the Hemlock Street project is starting next week– should be this week.

Mrs. Fouts stated a Government Affairs Council Committee is needed, to discuss social media. Mrs. Fouts asked if she should call 911 when she sees something. Chief Whitman stated yes, and Mrs. Fouts stated she called. Whitman stated if you call, we come, and you may not see us drive by but we answer every call that comes in. Also, the call stays on the Dispatcher's CAD until the officer answers the call. Mrs. Fouts stated she hasn't seen anyone show up or talk to her & she called twice in one day. Chief Whitman stated to get him the date & time and he'll pull the reports. Mrs. Fouts added that she thinks they do a great job and that this is an isolated incident.

Mayor Centers stated that twice this last month, he was driving through town and each time about an individual that looked like they were strung out and they showed up right away. Mrs. Fouts stated she's not lying about this. Mayor Centers said that he wasn't saying that. He added there was also another situation in where he called and they showed up. Mrs. Fouts stated two days this past week, the same thing occurred; one cruiser came 1 ½ hours later and said to call if they show up again; she called the next day and still didn't see anyone show up. Mr. Ross Coulton, Assistant Safety Director, asked if she should be talking to Mr. Lewis about this. Mrs. Fouts stated she's making a Council comment – and they do a great job.

Mr. Aldridge thanked Chief Westendorf, the Fire Department and Pastor Wolfenbarger for the Memorial Service given for Tony Abston at the Vineyard – great job honoring him. Also, he probably misunderstood when he got frustrated when you're talking about “we're not doing anything”. He thought you were talking about your guys showing up at the scene. He doesn't want to read in the paper that we're not doing anything – because we are trying to do something. You do a great job

Mr. B. Centers thanked Chief Westendorf for tonight's presentation. Also, thanks to Mr. Matt Jennings for attending tonight's meeting and he is running for Franklin Township Trustee. We met to review the Law Director resumes and have narrowed down the candidates to five. He, along with Mr. Lewis, was unable to attend the last Forever Franklin meeting. They appointed committees and will be at Fall Fest. Amy Johnson is President and Rodney Roberts is Vice Chairman.

Mr. Ruppert congratulated Mr. Bray on his trip to Washington D.C. – it's a great honor, incredible ceremony and a beautiful City. Thanked Chief Westendorf for the presentation, feel only thing we can do at this time. It's a sad situation at Las Vegas, our hearts go out to them and that can happen anywhere.

Mr. Bray stated awesome presentation by Chief Westendorf. The funeral for Tony Abston was very memorable. The trip to Washington DC was a great time and will always remember it. A total of 55

people went and Mr. Bray told of what all they saw & did. It was a great time and will always remember it.

Mayor Centers thanked him for representing the City. Mayor Centers noted that there is also a trip in April and there is still room on the bus. Also, Mayor Centers thanked Chief Westendorf and Katie Williams on tonight's presentation and appreciate the input from the audience. If we have a community forum, we need to be informed. Also, great job on the funeral service for Mr. Abston.

**EXECUTIVE SESSION: TO CONSIDER THE EMPLOYMENT OF A PUBLIC EMPLOYEE WITH NO ACTION AFTERWARDS**

Mr. B. Centers made the motion to enter into executive session to consider the employment of a public employee with no action afterwards; seconded by Mr. Hall. The vote:

Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes

Motion passed.

Mayor Centers and members of Council entered into executive session to consider the employment of a public employee with no action afterwards at 8:50 p.m. Mayor Centers and Council then exited the executive session and adjourned the meeting.

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Jane McGee, Clerk of Council