

COUNCIL MEETING

Minutes of February 1, 2016

City of Independence, Ky.

Opening

The City Council of the City of Independence, Kentucky met on Monday, February 1, 2016 at 7:00 p.m. in the Council Chambers of the Independence Municipal Center, 5409 Madison Pike, Independence, Kentucky with Mayor Christopher Reinersman presiding. Mayor Reinersman called the meeting to order. Representatives from the Red Hearts group led the Pledge of Allegiance and Council Member Jim Bushong led the invocation. Roll was called and the following Council Members registered present: Bill Aseere, Tom Brinker, Jim Bushong, Lucas Deaton, Carol Franzen and Donna Yeager. Also present was City Administrator Chris Moriconi, City Clerk Patricia Taney, Assistant City Clerk Gina Gabbard and City Attorney Jack Gatlin.

Proclamation – Congenital Health Defect Awareness Week – February 7th – 14th, 2016

Mayor Reinersman presented a Proclamation to recognize and the week of February 7th – 14th, 2016 as Congenital Heart Defect Awareness Week.

Approval of the January 4, 2016 Regular Meeting Minutes

Mayor Reinersman called for a motion to approve the minutes of the regular meeting held on January 4, 2016. Council Member Yeager so moved, with a second by Council Member Bushong. No amendment to the minutes were noted, roll was called and answered with all ayes. Motion carried 6-0.

Resolution No. 2016-R-02 – Supporting the Implementation of a Needle Exchange Program to be Administered by the Northern Kentucky Independent District Health Department from the County Health Centers or St Elizabeth Healthcare Hospitals

Mayor Reinersman presented to Council Resolution No. 2016-R-02 which is a resolution supporting and urging the implementation of a Needle Exchange Program to be administered by the Northern Kentucky Health District and St. Elizabeth Healthcare Hospitals. The Mayor stated the issue of increased heroin use has been a regular topic of the Kenton County Mayors Group as well as a main concern of the Northern Kentucky Health Department. The Mayor read statistics from St. Elizabeth Healthcare regarding overdoses: in 2011 there were 120, in 2012 there were 225, in 2013 there were 285, in 2014 there were 336 and in 2015 there were 565 overdoses. He stated this program gives addicts the opportunity to not share needles with others, talk to substance abuse counselors, get tested for diseases and discuss treatment options.

Dr. Lynne Saddler MD, the District Director of Health from the Northern Kentucky Health Department, presented information about the Needle Exchange Program. She stated the Northern Kentucky Health Department's responsibility is to prevent disease, promote wellness and protect the public against health threats within Boone, Campbell, Kenton, and Grant counties and is mandated by KRS 211.180.

Dr. Saddler explained that the increase in IV drug use (particularly heroin) has led to a rise in:

- Drug overdoses and untimely deaths
 - Emergency room visits and hospitalizations
 - Babies born to women with drug addiction
-

- Communicable diseases (such as hepatitis C)
- Arrests and incarcerations for drug possession, trafficking and other criminal activity
- Impact on businesses and economic development

She also stated the public health is concerned about IV drug use because:

- Sharing needles, syringes, and other drug equipment transmits diseases – hepatitis C, hepatitis B and HIV
- Contaminated needles, syringes, and other drug equipment get discarded in public places which puts the public and first responders at risk for diseases from accidental needle sticks.

Dr. Saddler advised of several diseases associated with IV drug use which include:

- Hepatitis C – viral infection of the liver, can cause liver failure and/or death if untreated.
- HIV – chronic disease with a lifetime cost of \$600,000 for treatment.
- Hepatitis B – viral infection of the liver and can become a lifelong infection.
- In the last five years, Hepatitis B rates are up 65%, Hepatitis C rates are up 120% and HIV rates have not yet increased significantly.

She added Kentucky's Heroin Law, SB-192, enables local health departments to operate a needle exchange program with the approval of the city and county in which the program would operate. The Northern Kentucky District Health Department's Board has approved the program but the cities and counties need to approve before the program can begin.

Dr. Saddler explained the Needle Exchange Program is a comprehensive public health program to reduce the spread of communicable diseases like Hepatitis C and B and HIV in a community. The program exchanges sterile syringes, needles and clean injection equipment for contaminated equipment and properly disposes of contaminated equipment. She stated the benefits of the program are to help reduce the spread of diseases and advance public safety for the public, law enforcement officials and first responders. She added the programs are cost effective compared to treating HIV and Hepatitis C and for every dollar spent on the program, will save \$7 with the cost of HIV treatment.

Dr. Saddler clarified common misconceptions and myths of these types of programs by stating that they do not encourage individuals to start using drugs, does not increase drug use among existing users and does not increase crime in neighborhoods in which such a program operates.

Mayor Reinersman thanked Dr. Saddler for her presentation and asked Council if they had any questions. Council Member Franzen asked what percentage of needle exchange program participants go into treatment, what is the success rate of completing treatment and if any data was available to indicate these programs do not bring additional crime to the areas in which these programs operate. Dr. Saddler stated there are two studies regarding the likelihood of a participant going to treatment, one says a participant is five times more likely and the other study says 25% more likely. She did not have stats on the success rates of the treatment programs. She stated Baltimore did a study and found there was no additional crime in surrounding areas to the program operation center and in fact they found a decrease in crime in surrounding areas.

Council Member Aseere questioned the cost to taxpayers for this programs. Dr. Saddler said the estimated cost is \$385 per participant, per year. She added the Health Department currently offers the testing services to anyone who walks through the door of the Health Centers and funding is already in place to cover the costs of those services.

Council Member Franzen asked if the \$250,000 funding from the private foundation is for one year only or if it will be an annual funding and how the Health Centers will distribute the needles to participants. Dr. Saddler stated the private foundation funding is secured for one year. She added there are initial steps for participants but the actual number of needles given is based on how many times the participant uses and when they anticipate coming back to the center. Participants will also receive a sharps container to bring back their next visit and that's how the exchange begins one for one. She stated St. Elizabeth Hospital is picking up the cost of the needle disposal.

Council Member Deaton asked if the grants were a local or state wide grant, and if the goal of this program is to help users lessen their drug usage and go into treatment. Dr. Saddler stated the private foundation grant is just for the NKY Health District and the federal funding goes to the state for distribution between the different health departments. Dr. Saddler clarified the Health Department's area of expertise is stopping the spread of diseases but stressed the importance of having onsite counselors and partnerships with local treatment centers. She stated this program is only approved to operate at the NKY Health Department Health Centers, there is not a Health Center in Independence and this Resolution is supporting the program at the designated centers in Northern Kentucky. The Mayor commented a needle exchange operation center couldn't be set up in Independence unless Council approved an ordinance to do so. Council Member Deaton commented it is Council's responsibility to help protect the police, first responders and the community. He commended Mayor Reinersman for bringing this to the table as it shows great leadership.

Chief Lucas addressed Council and expressed his support for adopting the Resolution citing that it's a safety issue; it helps protect the police, EMTs, first responders as well as the general public. He stated last year the police department would touch a heroin incident once a week and this year it has become a daily occurrence. He stated two years ago, the Health Department came to train the police and it was the best two hours of training they ever had. Chief Lucas stated the police officers wore poke proof gloves and need to ask victims and suspects if they have anything that could poke them.

Alan Daly, 10330 Limerick Circle, Independence – voiced his support of the needle exchange program. He stated is a good idea for the safety of our troops but believes there should be specific exchange requirements on how many are given out against how many are brought in. Dr. Saddler stated the maximum number would be initially 40 and after 1-2 visits, it should be an even exchange.

Kevin Napier, 112 Walnut Creek Drive, Independence - a candidate for the House of Representatives in District 61, voiced his support for the program. He stated he is the founder of the Kentuckians Against Heroin and has worked with the Lexington Health Department in implementing their needle exchange program. He stated he works with the recovery unit and

there's been 12 referrals from the Lexington Health Department that have successfully completed treatment and are back into the workforce. In 2015, the Lexington needle exchange program had 199 visits, took in 5,293 and gave out 5,389 which is less than a 100 difference.

Sean Fitzgerald, 2116 Comice Court, Independence - an attorney and candidate for State Representative in District 64, expressed his concern regarding the program. He stated he is opposed to the needle exchange because there isn't a requirement for all needles to be turned back in. Dr. Saddler stated the participants are counseled each visit and told to bring back all needles given. She added the program may not start off one for one but they work towards it. She also clarified the four NKY Health Centers are in Covington, Newport, Florence and Williamstown and this resolution is not proposing to open additional centers. Mr. Fitzgerald stated he found unsuccessful studies of needle exchange programs in Seattle, San Francisco and Montreal. Dr. Saddler stated the Seattle's program was successful with the prevention of increased HIV rates.

Council Member Aseere questioned who would decide if this program passes. Mayor Reinersman stated the first step is the Health Department, then Kenton County has to approve, followed by the cities in which the centers would operate. The Health Department has already approved it and Kenton County Judge Executive Knochelmann has said he would not support the program until he knows the cities are behind it as well. The Mayor added The City of Williamstown has already passed a resolution showing their support of the program and he hopes by Independence passing it as well, other cities will begin discussing the need for a needle exchange program.

Jason Merrick, 1108 Amblewood Court, Independence - the Director of Addiction Services at the Kenton County Detention Center, voiced his support for the program. He stated he is a former heroin addict in long term recovery and stated the program provides a level of empathy and understanding at a human level. Mr. Merrick shared his story of addiction and recovery; he found support at a needle exchange program, completed treatment, is now a contributor to his community and getting ready to close on his first home.

Marge Cook, 96 Carrie Way, Independence – expressed concern regarding the needle exchange program bringing in all the needles off the streets and feels that the police would have the protection they need from the poke proof gloves.

Charlotte Wethington, 13587 Madison Pike, Independence – voiced her support for the program. She stated this program would give the City a chance to be proactive instead of reactive and these addicts need and deserve treatment like anyone else. Mrs. Wethington added the overdose cases at St. Elizabeth Hospital went from 252 in 2011 up to 1,168 in 2015.

There being no further discussion, City Attorney Jack Gatlin read Resolution No. 2016-R-02 which would support the implementation of a needle exchange program to be administered by the Northern Kentucky Independent District Health Department at the County Health Centers or St. Elizabeth Healthcare Hospitals in accordance with KRS 218A-500.

Mayor Reinersman called for a motion to approve Resolution No. 2016-R-02. Council Member Brinker so moved with a second by Council Member Deaton. Roll was called and answered with 5 ayes and a no vote by Council Member Aseere. Motion carried 5-1.

Resolution No. 2016-R-03 – Supporting a Kenton County Vacant Properties Registration

Mayor Reinersman presented to Council Resolution No. 2016-R-03, which expresses support for calling on the Kenton County Fiscal Court to adopt a Vacant Properties Registration Ordinance. The Mayor stated this deals with foreclosed homes and comes from the County Attorney's office and Planning and Development Services (PDS). He added his desire is to send the message to the Fiscal Court that our City supports this registration program and hopes the County will support it as well.

Mr. Gatlin read Resolution No. 2016-R-03. A motion was made by Council Member Yeager to adopt Resolution No. 2016-R-03, with a second by Council Member Franzen. Roll was called and answered unanimously. Motion carried 6-0.

Proposed Ordinance – Rental License Application – 1st Reading (Postponed)

Mayor Reinersman presented to Council for a first reading and ordinance which supports a Rental License Application for rental properties within the City. He stated this ordinance is in the very early stages and would like each Council Member to carefully review this draft before the final reading. He stated a registry of rental properties with the owner's information would be helpful when dealing with code enforcement problems.

Council Member Bushong made a motion to table the proposed ordinance regarding the Rental License Application process, seconded by Council Member Deaton. Roll was called and answered unanimously. Motion carried 6-0.

Declare Surplus Property – 2005 Ford F550XL Dump Truck

Mayor Reinersman presented to Council a 2005 Ford F550XL Dump Truck which needs to be declared surplus property. He stated the truck will be sold either through the Kenton County auction or auctioned online at govdeals.com.

Council Member Bushong made a motion to declare the 2005 Ford F550XL Dump Truck as surplus property, seconded by Council Member Yeager. Roll was called and answered unanimously. Motion carried 6-0.

Declare Surplus Property – Police Department Items

Mayor Reinersman presented to Council an inventory list of broken and outdated computers, monitors, docking stations, batteries, cruiser seats, tables and car benches to which need to be declared surplus property for the purpose of recycling and/or destruction.

Council Member Franzen made a motion to approve the list of items as surplus property, seconded by Council Member Aseere. Roll was called and answered unanimously. Motion carried 6-0.

Attorney's Report – Jack Gatlin

Mr. Gatlin stated the litigation against Sanitation District 1 (SD1) has not yet been filed as cities are still jumping onboard. He added the following cities have passed resolutions to join in the lateral lines lawsuit: Ft. Mitchell, Independence, Erlanger, Crescent Springs, Ft. Wright, Park Hills, Silver Grove, Cold Spring and several other cities will be joining in the next couple of

weeks. Mr. Gatlin added the attorneys representing the cities will be meeting with the SD1 Board and are hopeful of going re-instating SD1's original policy of repairing and paying for the lateral line breaks.

City Administrator Report – Christian J. Moriconi

Mr. Moriconi stated the City is working on a grant for an access road and parking lot off Peach Drive for new basketball courts going in behind the Municipal Center building. The deadline for the grant is April 30th. He stated he probably won't know if the City will be granted the funds until October or November but will keep Council posted.

Mayor's Report – Christopher J. Reinersman

Mayor Reinersman congratulated the Independence Fire District for their significant accomplishment of having their Insurance Services Office (ISO) rating upgraded from a 4 to a 3. He also gave credit to the NKY Water District and Kenton County Dispatch for their efforts. The Mayor reminded everyone about the City's Facebook page and mentioned that Dollar Tree and Kroger Fuel Center both opened this week. He stated the Dollar Tree Facebook post on Thursday had over 16,500 views and the Kroger Fuel Center Facebook post had over 25,000 views prior to the Council Meeting. He encouraged everyone to like the City Facebook page to stay informed of City events.

Adjournment

There being no further business, a motion was made by Council Member Bushong and seconded by Council Member Franzen to adjourn. Motion carried with all ayes and the meeting ended at 9:11 p.m.

Christopher J. Reinersman, Mayor

ATTEST:

Patricia H. Taney, City Clerk