

SPECIAL SESSION:

Kenton City Council met in Special Session on August 8, 2021, at 7PM in Chambers. Present: President Joel Althaus, John McEntee, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray. Absent: David Beazley & Patti Risner.

Althaus: We'll dispense with the prayer & pledge of allegiance this evening and get right to old business. We have an item up for 2nd reading.

OLD BUSINESS:

ORDINANCE NO. 21-018, 2ND READING, TITLE ONLY; AN ORDINANCE TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY.

Althaus: Of course most of you know, or all of you should know, we did meet & had 4 Councilmembers here on Friday at 5PM to read this item the 1st time. I'd also note we have 5 Councilmembers present this evening. Before we move forward, I'd like to turn it over to our Law Director John Schwemer to give us a little bit more in-depth...

Schwemer: You all should have the ability with the link forward to spend a couple of hours reading all of that stuff. Tim, I can make sure if you'd like the link...I don't know if you have access to that or not.

Tim Thomas of Kenton Times: Brenda gave that to me.

Schwemer: Ok. It's lengthy but a lot of that spreadsheet is just the payouts of all the townships, the cities, villages & communities and it goes on for 100(+) pages. But basically, this has been going on for a couple of years the timing of which or urgency has left me a little bit grouchy because this just came about...I got news & forwarded you guys the email & we were supposed to have all this stuff on Monday & they didn't get it to us until the end of the day Tuesday, which left us with little or no options. I really wanted to have a final vote on this on Monday because we need to pass this with 2/3 vote so I thought the chance of getting a vote together would be slim to none. The more municipalities that approve this up to the 95% threshold there is more money that will be available split equally between the groups. If we don't vote on this we don't necessarily lose out, we're just saying we don't want a little more of the share. So we're a part of this whether we approve this or not, but it's just a component where the more cities, county commissioners and everybody that approves this it increases the percentage. Basically, when we do this, understand we're losing the right to sue these companies down the road. Okay? The reality is, can we afford to sue these companies down the road short of a class action like this? No, I mean millions of dollars have been spent on this litigation. We would never have the resources to do that without pooling with a large number of people and it wouldn't be litigation here in Ohio. So that's kind of the nuts & bolts of it. If we don't vote to approve it do we get money? Yes, we'll get money but every group that doesn't it's kind of lowering the pot available to the Ohio group. Keep in mind, a portion of the funds are paid directly to the individual groups, but 55% goes...this structure will be weird, but its districts created through the State of Ohio and we're in a district where we're kind of in the southern end of our district as it goes all the way up to Toledo but doesn't include Toledo. There will be a committee formed of a lot of members & they'll determine how to use the 55% within the terms of our region. So that's money that who knows how that will all go but our community will have a voice...I don't know whether it will be us or somebody from the Commissioners, but we will have a vote in that down the road. But keep in mind these funds are earmarked for opioid prevention and that's a little unclear kind of like all the other funds we've received lately...you never know upfront what we can use those for but its really for opioid prevention & awareness. Maybe some of this can be used by our KPD, maybe especially like the resource officers to pay for a portion of the salaries because they're in the schools & they can do education, but you really don't know what we can all use this for. Of course we don't have a treatment center here in Hardin County & we won't receive enough money to form a treatment center, but maybe with the 55% it's an option in the future. So that's the nuts & bolts of what is going on. Are there any questions on this? We'll rehash this tomorrow night.

Althaus: Just a reminder tomorrow night it is crucial that emergency language be enacted.

Schwemer: Or we might as well not be voting on it.

Althaus: Right, so we've got to have 5 here assuming you want to vote in the affirmative. You're the only 5 that are going to be here, our other 2 Councilmembers will not be. So just a reminder. Any questions?

Thomas: Do you know, John, the financial figures?

Schwemer: I can give this whole book to you, if you want...

Althaus: I thought you were going to read it all, Tim, between Friday night at 5PM & tonight.
Ha.

Schwemer: Like Hardin County's direct payment of 70% would be like \$315,000 & 100% would be \$450,000, but it goes up with this foundation portion up to nearly \$12 million dollars over an 18 year period. Kenton's portion of 70% would be \$43,000, 100% would be \$61,000 and then you go up to the foundation portion and 70% is \$8.5 million and 100% is \$12 million. But again, how that is spent & how its allocated that won't all directly necessarily come to us...

Althaus: That's the regional portion.

Schwemer: Yes.

Thomas: The districts you talked about earlier?

Schwemer: Yes. Like I said, with all that kind of money...I've never ran a resource prevention center, but it may be something where we're funding a regional one that's maybe not even here in Hardin County, but we have good connections & places that we can send people that aren't too far away. But I don't know, that's all up in the air. Again, if we just walk away from this, we're leaving a lot of potential on the table. We may find that we have a very difficult time spending some of this money, but again due to our connection with resource officers & stuff I'm thinking we can probably find a way to put that money to use without changing necessarily a lot of what we're doing just for the benefit of using the money. But that's to be seen & if not it will go back.

Althaus: In the end we're doing our part & we just hope all other municipalities are doing theirs. Alright, if there are no objections, we'll move that forward to a 3rd reading tomorrow night at 7PM at our regular Council meeting. Is there anything else anyone would like to add?

Murray: Just a reminder of the tour tomorrow night at 5:30PM at the WWTP out on Gilmore Rd.

Althaus: Okay, if no one has anything else, we're adjourned.

Joel Althaus
President of Council

Brenda Hanna
Clerk