

City of Trotwood

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Meeting Minutes - Draft

Tuesday, August 10, 2021

5:00 PM

Special Meeting

**Trotwood Government Center
Second Floor Conference Room**

City Council

Mayor Mary A. McDonald
Vice Mayor Tyna R. Brown
Council Member Charles Ron Vaughn
Council Member Rhonda C. Finley
Council Member Robert L. Kelley, Jr.
Council Member Yvette Page
Council Member Bettye L. Gales
Clerk of Council Kara B. Landis

I. Call to Order: Mayor Mary A. McDonald

Mayor McDonald called the meeting to Order at 5:00 p.m.

II. Pledge of Allegiance

Mayor McDonald led the Pledge of Allegiance.

III. Roll Call: Clerk of Council

Clerk Landis took Roll Call.

Present: 6 - Mayor Mary A. McDonald, Councilmember Charles Ron Vaughn, Councilmember Robert L. Kelley Jr., Councilmember Yvette Page, Councilmember Bettye L. Gales and Vice Mayor Tyna R. Brown

Excused: 1 - Councilmember Rhonda C. Finley

IV. Motion to Approve the Agenda

Mayor McDonald requested a Motion on this item. Council Member Vaughn made a Motion, seconded by Council Member Page, to approve the Agenda. The Motion CARRIED by the following vote (NOTE: Vice Mayor Brown arrived after this vote was recorded):

Aye: 5 - Mayor McDonald, Councilmember Vaughn, Councilmember Kelley Jr., Councilmember Page and Councilmember Gales

Excused: 2 - Councilmember Finley and Vice Mayor Brown

V. Resolutions

[R21-35](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO ACCEPT THE MATERIAL TERMS OF THE ONEOHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT.

Attachments: [R21-35](#)

[Agreement Form - City of Trotwood](#)

City Manager Pope explained that this settlement is with the three big distributors of opioids. Council previously agreed to participate in the settlement with Purdue Pharma as it relates to the manufacturing of opioids; this is simply the next phase in addressing the opioid epidemic in Ohio.

City Manager Pope introduced Attorney Ben Mazer, who was sitting in for Law Director Steve McHugh. Attorney Mazer explained this is the settlement with the three big distributors and is specific to Ohio, with the State slated to receive almost \$1 billion. Attorney Mazer shared the estimated percentages to be expected and the Ohio Attorney General (OAG) is projecting that the City of Trotwood is likely to receive a floor amount of approximately \$114,452 and a ceiling amount of approximately \$163,503. Any funds received will have to be used to abate the opioid epidemic.

Attorney Mazer further explained that the settlement structure is difficult to understand, but the State of Ohio is estimated to receive at least 55% of the total amount and the distribution of the settlement balance is structured with incentives. The specific percentage by jurisdiction will depend on how many jurisdictions participate. The OAG is asking for 95% of municipalities to opt in. One of the benefits in joining the settlement means you don't have to handle your own litigation. Attorney Mazer shared that part of the settlement is to request the Ohio legislature to ban any new litigation against the "big three" companies.

Council Member Kelley asked once the money is distributed if there is a time period for when it has to be used. Attorney Mazer explained they have not yet been made aware of any time limits, but he did want to advise that the funds would be distributed over a period of 18 years and are expected to start flowing as early as by the end of this year, and two payments next year. Ohio is one of the first states in line for a settlement, along with New York.

Attorney Mazer shared that the City of Trotwood is slated to receive one of the highest amounts in the State. Council Member Gales asked what is the latest date to opt in. Attorney Mazer shared that although we just became aware of this, it is due on Friday (August 13).

Council Member Vaughn believes giving these companies no borders to repeat the things they've done in the past is horrid, but there are no other options. If cities don't participate, the lawmakers may say you can't sue the companies. Council Member Gales commented that it would cost a lot more money to not participate. Council Member Page stated the companies would drag this out so that we wouldn't be able to fight and that this is probably the best resolution, which it is better than getting nothing at all. Council Member Vaughn stated he wanted to go on the record and say this is the most ridiculous offer to put our

people into this situation and he can't conceive agreeing to it. The settlement amount is minimal and will achieve very little success in fighting the drug addiction.

Mayor McDonald asked City Manager Pope to share his view. City Manager Pope stated that he feels we are being put in a position where we don't have a choice because all the other municipalities will sign on knowing the lawmakers may pass legislation so they can't fight back. Trotwood is a small community and would not have the resources to fight the companies even if lawmakers didn't pass a law. His recommendation is to go ahead and move forward, he does agree with Council Member Vaughn's perspective on what little can be done with the amount received.

Deputy City Manager Kellum added that there are two other entities to keep in mind. The County is getting money and tasked with intervention strategies and Ohio BWC is also a huge player and have some of their own strategies they will be implementing.

Mayor McDonald requested a Motion on this item. Council Member Page made a Motion, seconded by Vice Mayor Brown, to approve this Resolution. The Motion CARRIED by the following vote:

Aye: 6 - Mayor McDonald, Councilmember Vaughn, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

Excused: 1 - Councilmember Finley

VI. Motion to Adjourn

Mayor McDonald requested a Motion on this item. Council Member Page made a Motion and all Council Members were In Favor. The meeting was Adjourned at 5:20 p.m.