



# City Commission Special Meeting

Tuesday, December 28, 2021 at 3:00 PM  
Commission Chambers, 124 S Bluff, Anthony, KS 67003

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## MINUTES

### CALL TO ORDER

Mayor Cleveland called the December 28, 2021 Special Meeting to order.

### ROLL CALL

#### PRESENT

Mayor Greg Cleveland  
Commissioner Sherrie Eaton  
Commissioner Eric Smith

City Clerk/Admin Cyndra Kastens, Deputy City Clerk Sherri Miller and Water/WW Dept Head Terry Stark

#### ABSENT

Commissioner Kenny Hodson Jr.  
Commissioner Jan Lanie

### ITEMS OF BUSINESS

#### 1. Approve Resolution No 1097 Opioid Settlement

##### RESOLUTION NO. 1097

A RESOLUTION OF THE CITY OF ANTHONY, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.

**WHEREAS**, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing litigating municipalities such as the City of Anthony to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the city's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

**WHEREAS**, the City of Anthony sustained damages related to the opioid epidemic; and

**WHEREAS**, the City of Anthony desires to enter an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF , KANSAS:**

**Section 1. Authorization of the Agreement.** City hereby authorizes the release of its legal claims arising from covered conduct to the Attorney General, and the assignment of any future legal claims arising from covered conduct to the Attorney General, pursuant to the Agreement by and between the Attorney General and the City in substantially the form presented to and reviewed by the governing body at this meeting (copies of this document shall be on file in the records of the City), with such changes therein as shall be reviewed by the City Attorney and the officials of the City executing such documents.

**Section 2. Execution of the Agreement.** The City Clerk/Administrator is hereby authorized and directed to execute, seal, attest and deliver the Agreement in substantially the form presented to and reviewed by the governing body at this meeting and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of the City.

**Section 3. Certification of Costs and Expenses.** The City hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the City can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The City Clerk/Administrator is hereby authorized to execute, seal, attest and deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of the City.

**Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

**ADOPTED** this 28<sup>th</sup> day of December, 2021 and **SIGNED** by the Mayor.

A motion was made to approve Resolution No 1097 as presented.

Motion made by Commissioner Eaton, Seconded by Commissioner Smith.  
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Smith

**2. Approval of RV Dump Station Lift Station from Ray Lindsey Corporation for \$29,979.00**

Admin Kastens presented the quote from Ray Lindsey Corp for the lift station needed for the RV Dump at the lake. After discussion, a motion was made to approve the quote to Ray Lindsey Corp. for the RV Dump Lift Station in the amount of \$29,979.00 plus tax with adjustments as made by EBH and KDHE.

Motion made by Commissioner Smith, Seconded by Commissioner Eaton.  
Voting Yea: Mayor Cleveland, Commissioner Eaton, Commissioner Smith

**ADJOURNMENT**

Mayor Cleveland made a motion to adjourn the special meeting. Commissioner Smith seconded. Motion carried 3-0.

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Gregory Cleveland, Mayor

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Cyndra Kastens, City Clerk/Administrator