

**CITY OF VIENNA**  
**EMERGENCY AGENDA - SPECIAL COUNCIL SESSION**  
**Council Chambers - 609 29<sup>th</sup> Street, Vienna, WV**  
**February 16, 2023**  
**6:00 p.m.**

**INVOCATION & PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC FORUM**

**REPORT OF THE MINUTES**

**UNFINISHED BUSINESS:**

None.

**NEW BUSINESS:**

1. Resolution approving the final settlement agreements in the ongoing opioid litigation with Walgreens, Fruth Pharmacy, Bypass Pharmacy, The Pharmacy, Clendenin Pharmacy, and Rhonda Pharmacy
  
2. OUTSIDE AGENCY BUDGET PRESENTATIONS
  - Greater Parkersburg Convention and Visitors Bureau
  - River City Runners Club
  - Wood County Development Authority
  - Chamber of Commerce of the Mid-Ohio Valley
  - Kid's First Program/Family Crisis Intervention Center
  - Wood County Senior Citizens
  - Humane Society of Parkersburg
  - Artsbridge
  - Mid-Ohio Valley Fellowship Home
  - Mid-Ohio Valley Health Department
  - Vienna Recreation Improvement Association
  - Friends of Vienna
  - Mid-Ohio Valley Regional Council
  - YMCA of Parkersburg
  - Vienna Library
  - Latrobe Street Mission

**COUNCIL COMMENTS:**

**ANNOUNCEMENTS:**

- The next Regular Council Session is scheduled for February 23 2023, at 6:00 p.m.

**RESOLUTION APPROVING THE FINAL SETTLEMENT AGREEMENTS IN THE ONGOING OPIOID LITIGATION WITH WALGREENS, FRUTH PHARMACY, BYPASS PHARMACY, THE PHARMACY, CLENDENIN PHARMACY, AND RHONDA PHARMACY**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VIENNA**, upon recommendation of its Opioid Litigation Counsel, that it hereby accepts and adopts the FINAL SETTLEMENT AGREEMENTS, attached hereto and incorporated by reference herein, as part of the City's ongoing opioid litigation with **Walgreens, Fruth Pharmacy, Bypass Pharmacy, The Pharmacy, Clendenin Pharmacy, and Rhonda Pharmacy**. Council further authorizes the Mayor, or his agents or designees, to take any steps as are reasonably to adopt these five settlement agreements, including the execution of any and all documents to facilitate the same.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Randall C. Rapp, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Elam, Recorder

**OUTSIDE AGENCY  
BUDGET PRESENTATIONS  
FEBRUARY 16, 2023**

<u>Agency</u>	<u>22-23 Funding</u>	<u>23-24 Request</u>
Greater Parkersburg Convention and Visitors Bureau	50% Hotel/Motel Tax	50% Hotel/Motel Tax
River City Runners Club	\$1,000	\$1,000
Wood County Development Authority	\$5,000	\$5,000
Chamber of Commerce of The MOV	\$3,000	\$3,000
Kid's First Program/Family Crisis Intervention Center	\$3,500	\$3,500
Wood Co Senior Citizens	\$4,300	\$4,300
Humane Society of Parkersburg	\$31,132	\$31,132
Artsbridge	\$2,000	\$2,000
MOV Fellowship Home	\$3,500	\$3,500
MOV Health Department	\$4,800	\$6,000
Vienna Recreation Improvement Assoc.	-0-	TBD
Friends of Vienna	\$25,000	\$25,000
MOV Regional Council	\$4,115	\$6,285 – Mandated Funding
WWW	\$4,005	\$3,696 – Mandated Funding
YMCA (Mud Run)	\$1,000	\$1,000
Vienna Library	\$373,355	Mandated Funding Calculated from assessed property values
Latrobe Street Mission	\$2,500	\$2,500

**WEST VIRGINIA LOCAL GOVERNMENT**  
**ELECTION AND RELEASE FORM**

This Election and Release Form for West Virginia Participating Local Governments resolves opioid-related Claims against Walgreens under the terms and conditions set forth in the Walgreens West Virginia State-Wide Opioid Settlement Agreement executed on January 13, 2023 (the “Agreement”), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Local Government agrees that, in exchange for the consideration described in the Agreement, the Participating Local Government is bound by all the terms and conditions of the Agreement. By executing this Election and Release Form, the Participating Local Government submits to the jurisdiction of the panel overseeing the mass litigation proceeding captioned *In re: Opioid Litigation*, Civil Action No. 21-C-9000 (W. Va. Cir. Ct. Kanawha County) (the “Court”). To the extent the Participating Local Government has asserted Claims against Walgreens in Actions that are pending before the Court, the Participating Local Government hereby grants all necessary right and authority to the West Virginia Attorney General to seek dismissal of the Participating Local Government’s Action through the submission of the Consent Judgment as contemplated in the Agreement. If a Participating Local Government’s Action is pending in another court as of the Effective Date, the Participating Local Government hereby agrees to dismiss (or if necessary move to dismiss) that Action as to Walgreens and any other Released Entities within seven (7) business days of the Effective Date.

Dated: \_\_\_\_\_

\_\_\_\_\_  
LOCAL GOVERNMENT

BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
TELEPHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

**EXHIBIT \_\_\_\_**

**WEST VIRGINIA LOCAL GOVERNMENT  
ELECTION AND RELEASE FORM**

This Election and Release Form for West Virginia Participating Local Governments resolves opioid-related Claims against “The” Pharmacy, Bypass Pharmacy, Rhonda’s Pharmacy, Clendenin Pharmacy and Fruth Pharmacy under the terms and conditions set forth in the attached West Virginia State-Wide Opioid Settlement Agreements (“Agreements”) the provisions of which are incorporated by reference in their entirety.

Upon executing this Election and Release Form, a Participating Local Government agrees that, in exchange for the consideration described in the Agreements, the Participating Local Government is bound by all the terms and conditions of the “Agreements”. By executing this Election and Release Form, the Participating Local Government submits to the jurisdiction of the panel overseeing the mass litigation proceeding captioned *In re: Opioid Litigation*, Civil Action No. 21-C-9000 (W. Va. Cir. Ct. Kanawha County) (the “Court”).

To the extent the Participating Local Government has asserted Claims against “The” Pharmacy, Bypass Pharmacy, Rhonda’s Pharmacy, Clendenin Pharmacy and Fruth Pharmacy, in Actions that are pending before the Court, the Participating Local Government hereby grants all necessary right and authority to the Plaintiffs and/or their attorneys in the Action to seek dismissal of the Participating Local Government’s Action as contemplated in the “Agreements”. If a Participating Local Government’s Action is pending in another court as of the Effective Date, the Participating Local Government hereby agrees to dismiss (or if necessary move to dismiss) that Action as to “The” Pharmacy, Bypass Pharmacy, Rhonda’s Pharmacy, Clendenin Pharmacy and Fruth Pharmacy and any other Released Entities within seven (7) business days of the Effective Date.

Dated: \_\_\_\_\_

[WEST VIRGINIA LOCAL GOVERNMENT]

By: \_\_\_\_\_

[NAME, TITLE]

[ADDRESS]

[TELEPHONE]

[EMAIL ADDRESS]