

**RESOLUTION NO. R-28-18**

**A RESOLUTION OPPOSING STATE ISSUE 1  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Mayor and Council have been advised of State Issue 1 To Reduce Penalties for Crimes of Obtaining, Possessing, and Using Illegal Drugs, a constitutional amendment proposed by initiative petition; and

**WHEREAS**, State Issue I will appear on the statewide ballot on Tuesday, November 6, 2018 for consideration by Ohio voters; and

**WHEREAS**, this constitutional amendment would greatly alter the sentencing laws for obtaining, possessing and using any drug such as fentanyl, heroin, methamphetamine, cocaine, LSD, and other controlled substances; and

**WHEREAS**, State Issue I would shift the costs for drug treatment from the State to the local governments; and

**WHEREAS**, local government entities are already struggling to fund the opioid crisis in their jurisdictions as a result of the drastic budget cuts they have experienced in recent years; and

**WHEREAS**, the projected savings of \$100 million annually applies to the State only, while local governments will see significant increases in costs for treatment, probation, courts, and local jails—costs that tax payers will be required to pay; and

**WHEREAS**, because this is a constitutional amendment, it would require another statewide initiative and election, not just a legislative action to amend it, should problems arise.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 – This Council hereby opposes State Issue 1 on Tuesday, November 6, 2018.

Section 2 – This Council does hereby declare its opposition to State Issue 1.

Section 3 – It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 – That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to oppose State Issue 1 prior to the November 6<sup>th</sup> election; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Resolution R- 28-18 (Con't.)

PASSED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director