

# NEWTON FALLS CITY COUNCIL

## REGULAR MEETING AGENDA

MONDAY, JANUARY 6, 2020

6:00 P.M.

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### CITY COUNCIL MEMBERS

Zachary Svette, Ward 1,  
John Baryak, Ward 2  
Lyle Waddell, Ward 3  
Sandra Breymaier, Ward 4  
Tarry Alberini, At-Large

### MAYOR

Kenneth A. Kline

### CITY MANAGER

David M. Lynch

### LAW DIRECTOR

A. Joseph Fritz

### CITY CLERK

Kathleen M. King

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## 1. Call to Order

## 2. Pledge of Allegiance/Silent Prayer

Don James – Fellowship of Christian Athletes

## 3. Roll Call

## 4. Special presentations by staff members or invited consultants

## 5. Public Comments (limited to those items as identified on the agenda)

## 6. Reports

Mayor  
Council Members  
Finance Director  
Law Director  
City Manager

Changes to tonight's agenda

## **7. Approval of Previous Minutes**

December 16, 2019 - Regular Meeting

December 23, 2019 - Special Meeting

December 30, 2019 - Special Meeting

## **8. Public Hearings:**

## **9. Unfinished Business:**

## **10. New Business:**

1. Res. 01-2020: Resolution of Appreciation to Chief Justice Maureen O'Connor.
2. Res. 02-2020: Consent legislation with ODOT.
3. Motion to appoint Council Vice President for 2020.
4. Motion to assign Council Committees for 2020.
5. Motion to appoint Tim Stintson to the Park & Recreation Commission for a three year term commencing on appointment, ending December 31, 2022.
6. Motion to appoint Terry Coons to the Civil Service Commission for the unexpired term commencing on appointment, ending December 31, 2024.
7. Motion to move hold the second meeting in January on Tuesday, January 21, 2020 at 6:00 p.m.

## **11. Public Comments**

## **12. Closing Remarks: Mayor, City Manager and Council**

## **13. Motion to Recess into Executive Session (if necessary)**

Move into executive session, by majority vote, for any of the following reasons with a motion and second.

1. Personnel Matters: To consider one or more, as applicable, of the marked items
- Appointment
  - Employment
  - Dismissal
  - Discipline
  - Promotion
  - Demotion
  - Compensation
  - Investigation of charges/complaints (unless a public hearing is requested)
2. Purchase or Sale of Property
3. Pending or Imminent Court Action
4. Collective Bargaining Matters
5. Matters Required to be Kept Confidential
6. Security Matters
7. Hospital Trade Secrets
8. Confidential Business Information of an Applicant for Economic Development Assistance
9. Veterans Service Commission Applications

## **14. Adjourn:**

**RESOLUTION 1-2020**

**A RESOLUTION OF APPRECIATION TO CHIEF JUSTICE OF THE OHIO SUPREME COURT, MAUREEN O'CONNOR.**

*(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 2 Councilman John Baryak, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini and City Manager David Lynch)*

WHEREAS, the Ohio Supreme Court is the highest Court of Appeals for State issues in Ohio; and

WHEREAS, the Chief Justice of the Ohio Supreme Court, Maureen O'Connor, has dedicated her career to the upholding of the Rule of Law; and

WHEREAS, The Chief Justice blessed Newton Falls by personally, administering the Oath of Office to our new Mayor.

COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY RESOLVES:

SECTION I: The City Council, Mayor and all citizens express our deep appreciation to Chief Justice, Maureen O'Connor for donating her valuable time to elevate our community in giving the Oath of Office to our new Mayor on January 1, 2020.

PASSED THIS 6<sup>TH</sup> DAY OF JANUARY 2020.

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Mayor, Kenneth A. Kline

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Sandra Breymaier

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John Baryak

\_\_\_\_\_  
Zachary Svette

\_\_\_\_\_  
Lyle A. Waddell

\_\_\_\_\_  
Tarry Alberini

ATTEST: \_\_\_\_\_  
Clerk of Council

**RESOLUTION 02-2020**

**AN RESOLUTION AUTHORIZING THE CITY MANAGER TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO MICRO-SURFACE SR 534.**

*(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 2 Councilman John Baryak, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini and City Manager David Lynch)*

WHEREAS, The State has identified the need for the following project:

Mico-surfacing of SR 534 from just South of Maple Drive to East Broad Street, within the City of Newton Falls.

THE COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY RESOLVES:

SECTION I: Being in the public interest, the Village of Newton Falls gives consent to the Director of Transportation to complete the above described project.

SECTION II: The Village of Newton Falls shall cooperate with the Director of Transportation to complete the above-described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The Village of Newton Falls further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the Village of Newton Falls which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION III: The Village of Newton Falls agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The Village also understands that right-of-way costs include eligible utility costs.

SECTION IV: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstruction; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION V: The Newton Falls City Manager is hereby empowered on behalf of the Village of Newton Falls to enter into contracts with the Department of Transportation which is necessary to complete the above-described project.

PASSED IN COUNCIL THIS 6<sup>th</sup> DAY OF JANUARY 2020

\_\_\_\_\_  
Mayor, Kenneth A. Kline

ATTEST: \_\_\_\_\_  
Clerk of Council, Kathleen M. King