

NEWTON FALLS CITY COUNCIL

REGULAR MEETING AGENDA

MONDAY, JUNE 15, 2020

6:00 P.M.

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

1. Call to Order

2. Pledge of Allegiance/Prayer

Life Church Newton Falls - Brent Erb

3. Roll Call

4. Special presentations by staff members or invited consultants

City Manager Proclamation for Officer Brian Foor and call center Supervisor Dale Hahne of Trumbull County 9-1-1 for the siren activation on June 10, 2020.

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

June 1, 2020 - Regular Meeting

8. Public Hearings: None
9. Unfinished Business: None

10. New Business:

1. Res. 18-2020: Condolences to Michael Rowe family.
2. Res. 19-2020: Awarding a lease contract for the AMI system.
3. Ord. 2020-17: Amending Section 521.06 in reference to sidewalks to require railroad to maintain underpasses.
4. Ord. 2020-18: Amending Chapter 557 in reference to weeds grass, and shrubs to require railroads to maintain underpasses.
5. Ord. 2020-19: Providing for the issuance of bonds in reference to acquisition and improvement of real property.
6. Ord. 2020-20: Providing for the issuance of bonds in reference to improvements to baseball fields.
7. Ord. 2020-21: Providing for the issuance of bonds in reference to acquisition and installation of certain sewer improvement on Medley Avenue.
8. Motion to accept the Finance Department May monthly report, and attachments as presented.
9. Motion to accept the Police Department May monthly report.

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 (National Security)
7. Hospital Trade Secrets
8. Confidential Business Information of an Applicant for Economic Development Assistance
9. Veterans Service Commission Applications

14. Adjourn:

Newton Falls City Council met in Regular session on Monday, June 1, 2020 at 6:00 p.m. in Council Chambers. Mayor Kline, called the meeting to order following the Pledge of Allegiance.

ALSO, PRESENT:

David M. Lynch, City Manager; Kathleen M. King, City Clerk; Attorney A. Joseph Fritz; Chief Fixler, Anna Musson, Finance Director; Gene Fixler, Police Chief.

ROLL CALL:

Waddell, Breymaier, Baryak, attending remotely by phone were Svette, Alberini.

ABSENT:

SPECIAL PRESENTATIONS BY STAFF MEMBERS OR INVITED CONSULTANTS:

PUBLIC COMMENTS:

Tim Stintson, 253 Arlington Road commented that the venue tonight was good, and he congratulated the City for pulling it off.

Mr. Stintson spoke against Ordinance 2020-16 and felt the property should be put up for auction.

Mr. Stintson also expressed concern of Ordinance 2020-10 and questioned the replacement of fixtures in City Hall as well as furnaces.

REPORTS:

Kline:

- Thanked the individuals who came out tonight and stated we were trying to take the opportunity to bring as much normalcy as possible.
- Mayor Kline also stated with the circumstances going on now with the corona virus and rioting we should not allow outside forces to control us as individuals or as a community.

Waddell:

- Is continuing to monitor other organizations through webinars.
- The community garden originally started with 3,00 square feet and has filled up. Since then he has added another 1,000 square feet to the area.

Alberini:

- Working with neighbors who would like to establish a block watch program. He has gotten clearance from the Chief of Police and City Manager and encouraged other wards to do the same.

CITY MANAGER:

- ✓ Handed out a report on the Covid spending. To date the amount spent is \$54,956.02 with the vast majority of that for medical supplies. That amount equals about 11.8% of the \$462,000. We are still optimistic Senate Bill 310 will get passed eventually and we can recoup some of the money spent.
- ✓ This meeting tonight almost did not happen because just before the meeting the electric went out. The electric was out yesterday as well. Our electric comes through transmission lines through First Energy which has been a great frustration to our Electric Company.

Baryak asked if the expenses handed out on the Coronavirus is accurate and all inclusive. Ms. Musson stated this report was accurate as of May 31st.

FINANCE DIRECTOR:

The 2020 financial goals for the City we have been trying to do a debt management analysis an at the next Council meeting legislation will be presented dealing with our debt management strategy.

The new playground equipment from the Ohio Nature Works Grant will be installed around June 11th.

LAW DIRECTOR: Nothing at this time

CHANGES TO TONIGHT'S AGENDA:

Moving the executive session up in the meeting was discussed and a motion will be made at the appropriate time.

APPROVAL OF PREVIOUS MINUTES:

Waddell made a motion seconded by Breymaier to adopt the minutes from the May 18, 2020 Regular Meeting as submitted by the Clerk.

ROLL CALL: Alberini aye, Waddell aye, Breymaier aye, Baryak aye, Svette aye.

MOTION PASSED 5 – 0

PUBLIC HEARINGS:

RESOLUTION 17-2020: A RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mayor Kline opened the public hearing on this Resolution. No one addressed Council at this time. Mayor Kline declared this public hearing closed.

ORDINANCE 2020-14: AN ORDINANCE AMENDING ORDINANCE 2018-06 ESTABLISHING TERMS, AND CONDITIONS OF EMPLOYMENT AND RULES AND REGULATIONS REGARDING PERSONNEL POLICIES, PRACTICES AND PROCEDURES FOR EMPLOYEES OF THE CITY OF NEWTON FALLS, OHIO.

Mayor Kline opened the public hearing on this Ordinance . No one addressed Council at this time. Mayor Kline declared this public hearing closed.

ORDINANCE 2020-15: AN ORDINANCE RENEWING THE LAW DIRECTOR'S CONTRACT.

Brian Kropp, 247 Elizabeth Street stated no matter who the Law Director is this is a very important position and the contract has a lot of flaws that should be looked at before a vote.

Mr. Kropp was concerned about the 16 hours outlined in the contract and that he could hire an assistant prosecutor. He also expressed concern about the additional \$125.00 per hour in the contract for civil litigation and jury trials. Lastly, he questioned the amount of time for severance pay and suggested a two-year contract with six months' severance.

After no further comments Mayor Kline declared this public hearing closed.

ORDINANCE 2020-16: AN ORDINANCE SELLING A PORTION OF PARCEL 53-003024 TO CHRISTOPHER KING.

Mayor Kline opened the public hearing on this Ordinance . No one addressed Council at this time. Mayor Kline declared this public hearing closed.

ORDINANCE 2020-10: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A CONTRACT FOR AN AMI IMPLEMENTATION PROJECT WITH GARDINER SERVICE COMPANY LLC.

Tim Stintson, 253 Arlington Road felt this was a huge amount of money to spend on an additional contract. He asked if there was an opt out option and who controlled the privacy.

Brian Kropp said he had serious reservations about this contract and had not heard any discussion on this matter. This is a contract for \$3 million dollars and there is no itemized cost sheet. He also questioned the project schedule included and what would happen if this went into winter. Mr. Kropp expressed concerns on possible failure of the meters and replacement.

After no further comments Mayor Kline declared this public hearing closed.

UNFINISHED BUSINESS:

Baryak made a motion seconded by Breymaier to adjourn into executive session at 6:34 p.m. for the purpose of employment and compensation for the Law Director.

ROLL CALL: Waddell aye, Breymaier nay, Baryak nay, Svette aye, Alberini aye.
MOTION PASSED 3 – 2

Waddell made a motion seconded by Breymaier to adjourn from executive session at 7:32 p.m. and reconvene the regular meeting.

ROLL CALL: Breymaier aye, Baryak aye, Svette aye, Alberini aye, Waddell aye.
MOTION PASSED 5 – 0

Waddell made a motion seconded by Svette to require that AMI meter installation only occur after and if approved by the state and county departments of health in order to protect the citizens from Corona virus concerns using health department designed methods.

Mr. Lynch stated this motion was initiated by Svette to address safety concerns. Svette said he had a concern with the installation during the Covid epidemic and we would need to make sure the epidemic was over and all state, federal and health departments guidelines are followed. Mr. Lynch said he whole heartedly endorses this motion and would encourage adoption.

ROLL CALL: Baryak nay, Svette aye, Alberini aye, Waddell aye, Breymaier aye.
MOTION PASSED 4 – 1

ORDINANCE 2020-14: AN ORDINANCE AMENDING ORDINANCE 2018-06 ESTABLISHING TERMS, AND CONDITIONS OF EMPLOYMENT AND RULES AND REGULATIONS REGARDING PERSONNEL POLICIES, PRACTICES AND PROCEDURES FOR EMPLOYEES OF THE CITY OF NEWTON FALLS, OHIO.

Waddell made a motion seconded by Breymaier to adopt this Ordinance.

Baryak said comp time is not really the issue. Everyone else in the county is laying off and cutting back 10%. We don't know what our revenue stream is, and all we are doing is kicking the can down the road. Pretty soon they will be taking time off and then take vacation and maybe then we will be paying another person. He was not against comp time but against the money. One minute we don't have money and then the next we go ahead and do what we want to do. We have to start working on our infrastructure and parks.

ROLL CALL: Svette aye, Alberini aye, Waddell aye, Breymaier aye, Baryak aye.
MOTION PASSED 5 – 0

ORDINANCE 2020-15: AN ORDINANCE RENEWING THE LAW DIRECTOR'S CONTRACT.

Alberini made a motion seconded by Waddell to adopt this Ordinance.

Mr. Lynch stated that there has been a lot of discussion on this ordinance. Clarifying comments made earlier in reference to the 16 hours in the contract. This is not a 16-hour contract. Those

hours are on the prosecution side and a requirement of the Ohio Revised Code minimum provision. In another section relating to Law Director and money per hour in the contract he asked Council to pass the contract with an amendment which would strike the \$125.00 per hour provision contained in Section 3 and in addition Section 3 be amended to describe the position as full-time equivalent.

Waddell made a motion seconded by Alberini to eliminate Section 3 in reference to \$125.00 and in Section 3 insert that this position will be full-time equivalent.

ROLL CALL: Alberini aye, Waddell aye, Breymaier aye, Baryak nay, Svette aye.
MOTION PASSED 4 – 1

Mr. Lynch said this has been a controversial matter but ought not to be. Since the time he arrived Mr. Fritz has been defacto a full-time Law Director and all he has asked is for health insurance and a nominal \$2,000 increase. Mr. Lynch reviewed the work the Law Director does for the City. He asked Council to pass the contract in its amended form.

Attorney Fritz cleared up a few misconceptions about the contract. The position of Law Director in Newton Falls under Ohio law is responsible for the Newton Falls Municipal Court. The sixteen hours in the contract is a requirement to show that the Law Director is having someone prosecuting in the Court. He explained the Assistant Prosecutors position and that is someone was acting as Assistant Prosecutor it was his responsibility to pay that person not the Cities. The purpose of the fact it says full time equivalency is because the health insurance came up.

Attorney Fritz explained the severance only comes into place if he does not do his job. If terminated for no reason he can get severance pay. If he does the job poorly, not show up he does not get severance. His decisions are made not on a political basis but on the law. He also noted that he works in excess of the 16 hours and it's probably more than 40 hours a week.

Attorney Fritz said he sent a copy of the contract and a cover sheet explaining what he was asking for about a month ago to all members of Council. Mr. Lynch approached him, and they negotiated with most of what you see tonight.

Baryak said his decision is not personal. He commented on the money aspect and the cost of hospitalization and a four-year contract and that maybe some of the council may not be here in four years. He said when he went to hire Mr. Lynch there were charges brought against him that is why he brought Mr. Lynch in. Those charges were never got brought forward and he did not see him jump up He did not remember what those charges were. Everything was done to keep him from hiring Mr. Lynch. He understood the arguments but a two or three-year contract or nine months severance. He did not feel he needed 18 months should the next Council decide they want to look for somebody else. He commented on raises and vacations and that the contract was put together without his knowledge tonight in executive session was the first time.

Waddell reiterated that Mr. Baryak does not want a four-year contract. He stated Mr. Baryak with two other council gave a four-year contract to the City Manager and it was the first four-

year contract we ever had. When Mr. Alberini made a motion to reduce that seconded by Mr. Beer to a three-year contract. Mr. Baryak voted against it. So he set the precedent.

Alberini heard Mr. Baryak's points and they are well taken. When Mr. Baryak says it's not personal, unfortunately in this case it has been personal this whole time. Alberini said we are getting an outstanding bargain for the value Mr. Fritz has brought to Newton Falls. We have not been sued which is unusual and has saved us money in lawsuits. Joe has proven his value to us as a community leader and our attorney and he was on board bringing him back.

ROLL CALL: Waddell aye, Breymaier aye, Baryak nay, Svette aye, Alberini aye.
MOTION PASSED 4 – 1

ORDINANCE 2020-16: AN ORDINANCE SELLING A PORTION OF PARCEL 53-003024 TO CHRISTOPHER KING.

Waddell made a motion seconded by Alberini to adopt this Ordinance.

Waddell said this was before Council with a larger parcel proposed. Mr. Waddell said he was against that first proposal. After meeting with Mr. King and looking at the property the size of the parcel was reduced and is now before Council tonight. Mr. King and the previous homeowner have mowed and maintained the proposed property.

ROLL CALL: Breymaier aye, Baryak aye, Svette aye, Alberini aye, Waddell aye.
MOTION PASSED 5 – 0

ORDINANCE 2020-10: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A CONTRACT FOR AN AMI IMPLEMENTATION PROJECT WITH GARDINER SERVICE COMPANY LLC. (Tabled until June 1, 2020)

Svette made a motion seconded by Alberini to remove this Ordinance from the table.

ROLL CALL: Baryak nay, Svette aye, Alberini aye, Waddell aye, Breymaier aye.
MOTION PASSED 4 – 1

Mr. Lynch stated the City is losing money by not replacing the current meters, which are not operating properly. This legislation was introduced to Council, we held a special meeting with Gardiner representatives, and now this is the third time we have discussed the legislation. Mr. Lynch urged Council to pass this legislation.

Breymaier asked if the Electric Superintendent was for this. Mr. Lynch said Mr. George was for this.

Svette asked Mr. Lynch to address the comments in reference to furnaces and LED lights. Mr. Lynch said this contract is for us to have savings to whatever extent they can identify replacement of LED lighting in buildings that need it they will do so. That is a small portion of the contract. They will also do an evaluation of the furnaces.

Waddell noted that the investor owned utilities have been doing this for a long time and will be completely converted by 2021. He also stated that the lost revenue also works the other way. In some cases meters will read high. Some household may see an increase while others see a decrease.

Baryak asked why the LEDs were not bid out separately than the meters. He asked about a performance bond, subcontractors, insurance that he did not see in the contract. Mr. Lynch stated the performance bond was in the contract and that this was a state cooperative bid.

ROLL CALL: Svette aye, Alberini aye, Waddell aye, Breymaier aye, Baryak nay.
MOTION PASSED 4 – 1

NEW BUSINESS:

RESOLUTION 17-2020: A RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Waddell made a motion seconded by Svette to adopt this Resolution.

Musson stated that this is the 2021 tax budget submitted to the tax commission by July of every year.

ROLL CALL: Alberini aye, Waddell aye, Breymaier aye, Baryak aye, Svette aye.
MOTION PASSED 5 – 0

Svette made a motion seconded by Alberini to set the summer meeting dates for July 6 and August 17, 2020.

ROLL CALL: Waddell aye, Breymaier aye, Baryak aye, Svette aye, Alberini aye.
MOTION PASSED 5 – 0

PUBLIC COMMENTS: None at this time

CLOSING REMARKS: MAYOR, CITY MANAGER AND COUNCIL:

Baryak said this is trying times and he hoped we did not stretch ourselves out too much tonight. We are told we are broke, but we keep spending money.

Waddell said he has never heard anybody say we were broke. AMI meters are good for infrastructure. He also discussed money from state grants for projects that is no longer available.

Breymaier said she relies on information at hand given to her and respected the Electric Superintendent opinion and if he says we need then then we need them.

Mr. Lynch thanked the school superintendent and facility operator for their allowing us to use the field for the meeting and assistance in making it possible. He also thanked Council and Tom Gregory.

Mayor Kline also thanked the school.

MOTION TO RECESS INTO EXECUTIVE SESSION:

ADJOURN:

After no further comments or questions Baryak made a motion seconded by Svette to adjourn at 8:25 p.m.

**ROLL CALL: Breymaier aye, Baryak aye, Svette aye, Alberini aye, Waddell aye.
MOTION 5 – 0**

Mayor, Kenneth A. Kline

ATTEST: _____
City Clerk/Clerk of Council

RESOLUTION 18-2020

**A RESOLUTION OF CONDOLENCE COMMEMORATING THE PASSING OF
MICHAEL MILTON ROWE**

(Sponsored by the City Manager of the City of Newton Falls)

Whereas Michael Milton Rowe passed away on the date of June 6, 2020; and

Whereas Michael Milton Rowe was the beloved son of Georgia & Ambrose who has faithfully for many years served our country as a Marine in Viet Nam; and

Whereas, Michael Milton Rowe received the Silver Star, Purple Heart and 47 other citations during his military career; and

Whereas, Michael Milton Rowe participated in the USMC toys for tots for 52 years and;

Whereas, Michael Milton Rowe also gave his time to honor other military veterans by participating in hundreds of military funerals for his bothers and sisters at arms; and

Therefore, be it resolved, that because Michael Milton Rowe will be dearly missed, this City of Newton Falls through its City Council does extend its condolences to the entire Rowe family.

PASSED THIS 15th DAY OF JUNE 2020

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

RESOLUTION NO. 19-2020

A RESOLUTION AWARDING THE LEASING CONTRACT FOR THE AMI SYSTEM TO HUNTINGTON PUBLIC CAPITAL CORPORATION AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS AND INSTRUMENTS THAT ARE NECESSARY OR DESIRABLE TO EFFECTUATE SAID FINANCING

(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)

WHEREAS, pursuant to Ordinance No. 2020-10 passed on March 16, 2020 (the “Approving Ordinance”), the Council (the “Council”) of the City of Newton Falls, Ohio (the “City”) authorized the acquisition and installation an Advanced Metering Infrastructure (AMI) system for the City’s potable water and electric metering system, including the installation or replacement of associated water and electric meters and/or endpoints for all customers (the “AMI System”); and

WHEREAS, to facilitate the financing of the acquisition and installation of the AMI System, the Approving Ordinance further approved the City Manager’s execution and delivery of a financing lease (the “Lease”) between the City and an approved lender; and

WHEREAS, to secure favorable terms for the financing of the acquisition and installation of the AMI System, the City requested bids from qualified lenders, and City staff determined that the bid of Huntington Public Capital Corporation (“Huntington”) contained the most favorable terms for the City and recommended the award of the financing to Huntington.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newton Falls, State of Ohio, that:

Section 1. Approval of Award; Execution of Financing Instruments. The financing of the AMI System is hereby awarded to Huntington based on the terms submitted by Huntington in response to the City’s request for bids. The City Manager, or any other City officials, as appropriate, in the name of and on behalf of the City, are each authorized to sign any certifications, financing statements, escrow agreements, documents, instruments and to take such other actions as are desirable, advisable, necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 2. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Lease in such manner and to such extent as may be necessary so that (a) the obligations of the City under the Lease will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the “Code”), or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest component of lease payments due under the Lease (“Interest”) will not be treated as a preference item under Section 57 of the Code.

The City further covenants (a) that it will take or cause to be taken such actions which may be required of it for the Interest to be and remain excluded from gross income for federal income tax purposes, (b) that it will not take or authorize to be taken any actions which would adversely affect that exclusion, and (c) that it, or persons acting for it, will, among other acts of compliance, (i) apply the Lease proceeds to the governmental purpose of the Lease, (ii) restrict the yield on investment property acquired with the Lease proceeds, (iii) make timely and adequate rebate payments to the federal government if required to do so, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of Lease proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that Interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for execution of the Lease, including the City Manager, is hereby authorized to (a) make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Lease as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Lease or Interest or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of Interest from gross income and the intended tax status of the Lease, (c) designate the City's obligations to pay lease payments due under the Lease as "qualified tax-exempt obligations" if such designation is applicable and desirable, and (d) give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Lease, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Lease, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the Interest and the tax status of the Lease.

Section 3. Prior Acts Ratified and Confirmed. Any actions previously taken by City officials or agents of the City in furtherance of the matters set forth in this Resolution are approved, ratified and confirmed.

Section 4. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council or committees, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of

any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

ADOPTED: _____, 2020 _____
Council President

Submitted to the Mayor for
approval on this ____ day of _____, 2020

Approved by the Mayor this
_____ day of _____, 2020

ATTEST:

Clerk of Council

Mayor

ORDINANCE 2020-17

**AN ORDINANCE AMENDING NEWTON FALLS CODIFIED ORDINANCE SECTION 521.06
DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN, IN ORDER TO EXPEDITE
SIDEWALK MAINTENANCE BY ALL PROPERTY OWNERS SUCH AS RAILROAD OR
OTHER COMMERCIAL OWNERS.**

(Sponsored by the Newton Falls City Manager)

WHEREAS, Newton Falls Codified Ordinance Section 521.06 authorizes the City to cause sidewalks to be repaired, and associated expenses when approved by Council; and

WHEREAS, Newton Falls City Council, in order to expedite the process to get sidewalks in compliance with City Ordinances, agree that the City Manager should be authorized to approve sidewalk repairs and expenses incurred.

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

SECTION I: Newton Falls Codified Ordinance Section 521.06, Duty to Keep Sidewalks in Repair and clean shall be amended as follows:

521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

(a) No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs or gutters in repair and free from snow, ice or any nuisance. (ORC 723.011)

(b) No owner of any lot or land abutting upon any street shall refuse, fail or neglect to repair or keep in repair and free from nuisance and obstruction, the sidewalk in front of such lot or land after due notice thereof.

(c) If the owner or person having charge of such land fails to comply with the notice in subsection (a) hereof, Council *or the City Manager* shall cause the sidewalk to be repaired, all expenses and labor costs incurred shall, when approved by Council *or the City Manager*, be paid out of City funds not otherwise appropriated. Council shall make a written return to the County Auditor of its action, with a statement of the charges for its services, the amount paid for labor, the fees of the officers serving the notices and a proper description of the premises. The amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon the lands from and after the date of the entry and collected as other taxes and returns to the City with the General Fund.

(d) Whoever violates this section or fails to comply with any notice thereof is guilty of a minor misdemeanor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2020.

Mayor Kenneth A. Kline

ATTEST: _____
City Clerk, Kathleen M. King

ORDINANCE 2020-18

**AN ORDINANCE AMENDING NEWTON FALLS CODIFIED ORDINANCE CHAPTER
557 WEEDS AND GRASS TO INCLUDE RAILROAD AND COMMERCIAL
PROPERTIES.**

(Sponsored by Newton Falls City Manager)

WHEREAS, Newton Falls Codified Ordinance Chapter 557, Section 557.01 Trimming of Trees, Shrubbery Required addresses owners of every lot or parcel of land within the City overhanging a public street or sidewalk to conform to all regulations; and

WHEREAS, Newton Falls City Council wishes to clarify properties affected by this section.

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

SECTION I: Newton Falls Codified Ordinance 557, Section 557.01 Trimming of Trees, Shrubbery Required shall be amended as follows:

(a) The owner, *including commercial and railroad* owners, of every lot or parcel of land within the City upon which a tree, plant or shrubbery stands with any part thereof upon or overhanging a public street or sidewalk, *or creating a sloppy or unkept appearance*, shall conform to the regulations herein provided; otherwise, the City shall cause the trees to be trimmed or cut down and removed in accordance with regulations and access the cost thereof against the owner of the lot or parcel of land pursuant to Section 557.03

SECTION II: The remainder of Newton Falls Codified Ordinance 557, Section 557.01 shall remain intact.

SECTION III: Any ordinance or parts of ordinance in conflict with the context of this ordinance are hereby repealed.

PASSED IN COUNCIL THIS _____ DAY OF JUNE 2020.

Mayor, Kenneth A. Kline

ATTEST: _____
City Clerk, Kathleen M. King



City of Newton Falls

419 N. Center Street
Newton Falls, Ohio 44444
330-872-1010
www.ci.newtonfalls.oh.us

June 12, 2020

Mr. David M. Lynch
City Manager
19 N. Canal Street
Newton Falls, Ohio 44444

RE: 2020 Various Purpose Debt Financing Project

Dear Mr. Lynch:

As the Fiscal Officer, for the City of Newton Falls, I have prepared the fiscal certificates certifying the debt financing package for the City Council meeting for June 15, 2020. We have worked and researched as a team to create the best debt management plan for the City of Newton Falls. This team of expertise includes Andy Brossart, a registered municipal debt advisor from Bradley Payne and our legal debt bond counsel of Blake Beachler from Calfee, Halter & Griswold, LLP. This debt management team presented our plan and sought financial bids at the end of May. As a result of this debt management plan, the City has received an outstanding bid with an excellent interest rate term of 2.370% for our projects. The City has not approached its legal debt limits and has relatively low debt in comparison to our peers.

These fiscal officer certificates that I have signed and to be presented to City Council demonstrate the City's outstanding financial strength resulting in a low interest rate. I am presenting the debt amortization schedules that the City has the financial capabilities of debt repayment.

Lastly on June 5th, S&P Global Ratings has assigned a rating of "SP-1+" on our AMP System Improvement Bond Series 2020. This is the highest financial rating eligible to obtain. We have demonstrated that the City is in excellent financial shape to re-pay its debt through our debt management plan.

Respectfully submitted,

Anna M. Musson
Finance Director

Attachments: Amortization Schedules for Medley Ave, Municipal Hall, Fencing and Meters

Cc: A. Joseph Fritz, Law Director
Members of City Council

Detailed Bond Debt Service
City of Newton Falls (Trumbull County, Ohio)
Various Purpose Bonds, Series 2020
Tax Exempt Bank Qualified
Private Placement Non-Rated
As of June 10, 2020
* Final Pricing Schedules *

Dated Date 6/25/2020
Delivery
Date 6/25/2020

Term Bond (Medley Avenue Sewer Project) (TERM_SEW)

Period Ending	Principal	Coupon	Interest	Annual		Bond Balance	Total Bond Value
				Debt Service	Debt Service		
6/25/2020						94,000	94,000
11/1/2020			779.73	779.73		94,000	94,000
5/1/2021	8,700	2.370%	1,113.90	9,813.90	10,593.63	85,300	85,300
11/1/2021			1,010.81	1,010.81		85,300	85,300
5/1/2022	8,700	2.370%	1,010.81	9,710.81	10,721.62	76,600	76,600
11/1/2022			907.71	907.71		76,600	76,600
5/1/2023	8,800	2.370%	907.71	9,707.71	10,615.42	67,800	67,800
11/1/2023			803.43	803.43		67,800	67,800
5/1/2024	9,000	2.370%	803.43	9,803.43	10,606.86	58,800	58,800
11/1/2024			696.78	696.78		58,800	58,800
5/1/2025	9,000	2.370%	696.78	9,696.78	10,393.56	49,800	49,800
11/1/2025			590.13	590.13		49,800	49,800
5/1/2026	9,600	2.370%	590.13	10,190.13	10,780.26	40,200	40,200
11/1/2026			476.37	476.37		40,200	40,200
5/1/2027	9,800	2.370%	476.37	10,276.37	10,752.74	30,400	30,400
11/1/2027			360.24	360.24		30,400	30,400
5/1/2028	9,900	2.370%	360.24	10,260.24	10,620.48	20,500	20,500
11/1/2028			242.93	242.93		20,500	20,500
5/1/2029	10,000	2.370%	242.93	10,242.93	10,485.86	10,500	10,500
11/1/2029			124.43	124.43		10,500	10,500
5/1/2030	10,500	2.370%	124.43	10,624.43	10,748.86		
	94,000		12,319.29	106,319.29	106,319.29		

Detailed Bond Debt Service
City of Newton Falls (Trumbull County, Ohio)
Various Purpose Bonds, Series 2020
Tax Exempt Bank Qualified
Private Placement Non-Rated
As of June 10, 2020
* Final Pricing Schedules *

Dated Date 6/25/2020
Delivery
Date 6/25/2020

Term Bond (Municipal Building Project) (TERM_MBP)

Period Ending	Principal	Coupon	Interest	Annual		Bond Balance	Total Bond Value
				Debt Service	Debt Service		
6/25/2020						398,000	398,000
11/1/2020			3,301.41	3,301.41		398,000	398,000
5/1/2021	37,300	2.370%	4,716.30	42,016.30	45,317.71	360,700	360,700
11/1/2021			4,274.30	4,274.30		360,700	360,700
5/1/2022	36,400	2.370%	4,274.30	40,674.30	44,948.60	324,300	324,300
11/1/2022			3,842.96	3,842.96		324,300	324,300
5/1/2023	37,300	2.370%	3,842.96	41,142.96	44,985.92	287,000	287,000
11/1/2023			3,400.95	3,400.95		287,000	287,000
5/1/2024	38,000	2.370%	3,400.95	41,400.95	44,801.90	249,000	249,000
11/1/2024			2,950.65	2,950.65		249,000	249,000
5/1/2025	39,000	2.370%	2,950.65	41,950.65	44,901.30	210,000	210,000
11/1/2025			2,488.50	2,488.50		210,000	210,000
5/1/2026	40,300	2.370%	2,488.50	42,788.50	45,277.00	169,700	169,700
11/1/2026			2,010.95	2,010.95		169,700	169,700
5/1/2027	41,000	2.370%	2,010.95	43,010.95	45,021.90	128,700	128,700
11/1/2027			1,525.10	1,525.10		128,700	128,700
5/1/2028	41,800	2.370%	1,525.10	43,325.10	44,850.20	86,900	86,900
11/1/2028			1,029.77	1,029.77		86,900	86,900
5/1/2029	42,700	2.370%	1,029.77	43,729.77	44,759.54	44,200	44,200
11/1/2029			523.77	523.77		44,200	44,200
5/1/2030	44,200	2.370%	523.77	44,723.77	45,247.54		
	398,000		52,111.61	450,111.61	450,111.61		

Detailed Bond Debt Service
City of Newton Falls (Trumbull County, Ohio)
Various Purpose Bonds, Series 2020
Tax Exempt Bank Qualified
Private Placement Non-Rated
As of June 10, 2020
* Final Pricing Schedules *

Dated Date 6/25/2020
Delivery
Date 6/25/2020

Term Bond (Site Improvements Project) (TERM_SIP)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual	Bond Balance	Total Bond Value
					Debt Service		
6/25/2020						21,000	21,000
11/1/2020			174.20	174.20		21,000	21,000
5/1/2021	2,000	2.370%	248.85	2,248.85	2,423.05	19,000	19,000
11/1/2021			225.15	225.15		19,000	19,000
5/1/2022	1,900	2.370%	225.15	2,125.15	2,350.30	17,100	17,100
11/1/2022			202.64	202.64		17,100	17,100
5/1/2023	1,900	2.370%	202.64	2,102.64	2,305.28	15,200	15,200
11/1/2023			180.12	180.12		15,200	15,200
5/1/2024	2,000	2.370%	180.12	2,180.12	2,360.24	13,200	13,200
11/1/2024			156.42	156.42		13,200	13,200
5/1/2025	2,000	2.370%	156.42	2,156.42	2,312.84	11,200	11,200
11/1/2025			132.72	132.72		11,200	11,200
5/1/2026	2,100	2.370%	132.72	2,232.72	2,365.44	9,100	9,100
11/1/2026			107.84	107.84		9,100	9,100
5/1/2027	2,200	2.370%	107.84	2,307.84	2,415.68	6,900	6,900
11/1/2027			81.77	81.77		6,900	6,900
5/1/2028	2,300	2.370%	81.77	2,381.77	2,463.54	4,600	4,600
11/1/2028			54.51	54.51		4,600	4,600
5/1/2029	2,300	2.370%	54.51	2,354.51	2,409.02	2,300	2,300
11/1/2029			27.26	27.26		2,300	2,300
5/1/2030	2,300	2.370%	27.26	2,327.26	2,354.52		
	21,000		2,759.91	23,759.91	23,759.91		

Bond Debt Service
City of Newton Falls (Trumbull County, Ohio)
Lease Purchase Certificates, Series 2020
Meter Replacement Projects
Tax Exempt Bank Qualified
Private Placement Non-Rated
As of June 4, 2020
* Final Pricing Schedules *

Dated Date 6/25/2020
Delivery
Date 6/25/2020

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	Bond Balance	Total Bond Value
6/25/2020						3,123,000	3,123,000
11/1/2020	150,000	2.370%	25,905.29	175,905.29		2,973,000	2,973,000
5/1/2021	140,000	2.370%	35,230.05	175,230.05	351,135.34	2,833,000	2,833,000
11/1/2021	142,000	2.370%	33,571.05	175,571.05		2,691,000	2,691,000
5/1/2022	144,000	2.370%	31,888.35	175,888.35	351,459.40	2,547,000	2,547,000
11/1/2022	145,000	2.370%	30,181.95	175,181.95		2,402,000	2,402,000
5/1/2023	147,000	2.370%	28,463.70	175,463.70	350,645.65	2,255,000	2,255,000
11/1/2023	149,000	2.370%	26,721.75	175,721.75		2,106,000	2,106,000
5/1/2024	151,000	2.370%	24,956.10	175,956.10	351,677.85	1,955,000	1,955,000
11/1/2024	152,000	2.370%	23,166.75	175,166.75		1,803,000	1,803,000
5/1/2025	154,000	2.370%	21,365.55	175,365.55	350,532.30	1,649,000	1,649,000
11/1/2025	156,000	2.370%	19,540.65	175,540.65		1,493,000	1,493,000
5/1/2026	158,000	2.370%	17,692.05	175,692.05	351,232.70	1,335,000	1,335,000
11/1/2026	160,000	2.370%	15,819.75	175,819.75		1,175,000	1,175,000
5/1/2027	162,000	2.370%	13,923.75	175,923.75	351,743.50	1,013,000	1,013,000
11/1/2027	164,000	2.370%	12,004.05	176,004.05		849,000	849,000
5/1/2028	166,000	2.370%	10,060.65	176,060.65	352,064.70	683,000	683,000
11/1/2028	168,000	2.370%	8,093.55	176,093.55		515,000	515,000
5/1/2029	169,000	2.370%	6,102.75	175,102.75	351,196.30	346,000	346,000
11/1/2029	172,000	2.370%	4,100.10	176,100.10		174,000	174,000
5/1/2030	174,000	2.370%	2,061.90	176,061.90	352,162.00		
	3,123,000		390,849.74	3,513,849.74	3,513,849.74		

ORDINANCE NO. 2020-19

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF VARIOUS PURPOSE GENERAL OBLIGATION BONDS OF THE CITY OF NEWTON FALLS, OHIO, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$395,000 TO PAY THE COSTS OF THE ACQUISITION AND IMPROVEMENT OF CERTAIN REAL PROPERTY AND IMPROVEMENTS FOR USE AS A MUNICIPAL BUILDING AND DECLARING, AND EMERGENCY DUE TO THE EXPECTED INCREASE IN INTEREST RATES AND THE POSSIBILITY OF HAVING NO BID (CURRENT BID EXPIRING JUNE 25, 2020) AT ALL ON THESE BONDS DUE TO THE RAPIDLY CHANGING ECONOMY.

(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)

WHEREAS, the Director of Finance of the City of Newton Falls, Ohio (the “City”) has certified to this Council of the City (the “Council”) that the estimated life or period of usefulness of the Municipal Building Project (defined herein) for the purpose described below is at least five years and has further certified as to the maximum maturity of the Bonds is 40 years from the date of issuance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS that:

SECTION 1. It is declared necessary to issue bonds (the “Bonds”) of the City in an aggregate principal amount not to exceed \$395,000 to pay (a) the costs of the acquisition and improvement of certain real property and improvements for use as a municipal building, and (b) financing costs of the Bonds (collectively, the “Municipal Building Project”).

SECTION 2. The Bonds shall be issued in one lot and only as fully registered Bonds. The Bonds may be issued in the denomination of \$100,000 and any multiples of \$1,000 in excess of \$100,000 (“Authorized Denominations”), but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as determined by the Director of Finance in the Certificate of Award.

The Bonds shall bear interest at the rate or rates of interest (computed on a 360-day per year basis) as are determined by the Director of Finance to be in the best interest of the City as provided in the Certificate of Award which shall be signed by the Director of Finance and provide for the award of the Bonds in accordance with Section 5 (the “Certificate of Award”). Interest on the Bonds shall be payable semiannually on the dates (the “Interest Payment Dates”) determined by the Director of Finance in the Certificate of Award, until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date. The maximum average interest rate on the Bonds shall not exceed 4% per annum.

SECTION 3. The Bonds shall mature annually on such dates and in such principal amounts as is fixed by the Director of Finance in the Certificate of Award. The Bonds shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements as defined and

described below. The Director of Finance, in fixing such year and such amounts, shall be consistent in the aggregate with the separate periodic maturities and principal payments determined in accordance with maximum maturities certified to this Council by the Director of Finance for each purpose specified in Section 1 and the requirements of Section 133.20, Ohio Revised Code. The Director of Finance shall determine in the Certificate of Award the dates (the "Mandatory Redemption Dates") on which the principal amount stated above shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements rather than at stated maturity (the "Mandatory Sinking Fund Redemption Requirements"). The aggregate principal of and interest on the Bonds payable in each calendar year in which principal is payable, whether at maturity or by mandatory sinking fund redemption, shall be not more than three times such principal of and interest on the Bonds payable in any other calendar year in which principal is payable.

The Bonds shall be subject to redemption before to stated maturity as follows:

(a) Mandatory Sinking Fund Redemption. The Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

The aggregate of the moneys to be deposited with the Registrar (defined in Section 6) for payment of principal of and interest on the Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Registrar for cancellation the Bonds in any aggregate principal amount and to receive a credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City for any Term Bonds. That option shall be exercised by the City on or before the 30th day preceding the applicable Mandatory Redemption Date, by furnishing the Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current Mandatory Sinking Fund Redemption Requirement. If the certificate is not timely furnished to the Registrar, the Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) also shall be received by the City for any Bonds which prior thereto have been redeemed (other than through the operation of the Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Registrar, to the extent not applied theretofore as a credit against any mandatory redemption obligation.

Each Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Registrar at 100% of the principal amount thereof against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation). Any excess of that amount over the then current Mandatory Sinking Fund Redemption Requirement shall be credited against subsequent Mandatory Sinking Fund

Redemption Requirements (and corresponding mandatory redemption obligations) in the order directed by the Director of Finance.

(b) Optional Redemption. The Bonds shall be subject to redemption prior to maturity by and at the option of the City, in whole or in part at any time on the dates and for the prices specified in the Certificate of Award, provided, however, that the Director of Finance may determine in the Certificate of Award that it is in the best interest of the City that the Bonds not be subject to redemption prior to maturity. If the Bonds are subject to optional redemption, the maximum redemption price shall be no greater than 103% of the principal amount redeemed, plus accrued interest to the redemption date.

If optional redemption at a price exceeding 100% of the principal amount to be redeemed is to take place as of any applicable Mandatory Redemption Date, the Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Bonds to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements of paragraph (a). The Bonds shall be redeemed pursuant to this paragraph only upon written notice from the Director of Finance to the Registrar, given upon the direction of the Council of the City by passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed and shall be given at least 30 days before to the redemption date or such shorter period as shall be acceptable to the Registrar. In the event that notice of redemption shall have been given by the Registrar to the registered owners as provided below, there shall be deposited with the Registrar on or before the redemption date, funds which, in addition to any other moneys available therefor and held by the Registrar, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Bonds for which notice of redemption has been given.

(c) Partial Redemption. If fewer than all of the outstanding Bonds are called for redemption at one time, they may be called in any order of their maturities, and if fewer than all Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions thereof in Authorized Denominations, shall be made by lot by the Registrar in any manner which the Registrar may determine. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination shall be treated as though it were a separate bond of an Authorized Denomination. If it is determined that one or more, but not all of the Authorized Denominations of principal amount represented by a bond are to be called for redemption, then upon notice of redemption of Authorized Denominations unit or units, the registered owner of that bond shall surrender the bond to the Registrar (i) for payment of the redemption price of the Authorized Denomination unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner thereof, of a new bond or bonds of any authorized denominations or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the bond surrendered.

(d) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and

(iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days before to the date fixed for redemption, to the registered owner of each bond subject to redemption in whole or in part at the registered owner's address shown on the Register maintained by the Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any bond, however, shall not affect the validity of the proceedings for the redemption of any bonds.

(e) Payment of Redeemed Bonds. Notice having been mailed in the manner provided in the preceding paragraph of this ordinance, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, are held by the Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds.

SECTION 4. The Bonds shall be designated "Municipal Building General Obligation Bonds, Series 2020" as otherwise determined by the Director of Finance in the Certificate of Award. In accordance with Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Bonds with other bonds into a single consolidated issue of bonds for purposes of their sale as a single issue. The Bonds shall contain a summary statement of purposes encompassing the purposes for which the Bonds are issued; shall state that they are issued pursuant to this ordinance; shall be executed by the City Manager and by the Director of Finance, one or both of whose signatures may be a facsimile signature. In the absence of the City Manager, the Bonds may be signed by the Acting City Manager and, in the absence of the Director of Finance, the Bonds may be signed by the Acting Director of Finance.

The Bonds shall be issued only in fully registered form; and shall be registered as to both principal and interest at the office of the Registrar. The Bonds shall be issued in the denominations and numbers as requested by the Original Purchaser (defined herein) and approved by the Director of Finance and shall be numbered as determined by the Director of Finance. The principal of the Bonds shall be payable upon presentation and surrender to the Registrar. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name that Bond is registered (the "Holder") on the registration books of the City maintained by the Registrar and at the address appearing thereon at the close of business of the 15th day of the calendar month next preceding the Interest Payment Date (the "Regular Record Date"). Any interest not timely paid (the "Defaulted Interest") shall cease to be

payable to the person who is the Holder as of the Regular Record Date and shall be payable to the person who is the Holder at the close of business on a special record date for the payment of such defaulted interest. Such Special Record Date (the "Special Record Date") shall be fixed by the Council whenever moneys become available for payment of the Defaulted Interest, and the Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, not less than 10 days prior thereto to each Holder at his address as it appears on the registration books of the City maintained by the Registrar. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Registrar.

No Bond shall be valid or become obligatory for any purpose unless and until an authentication certificate appearing on the Bond shall have been duly endorsed by the Registrar.

Any Bond, upon surrender thereof at the office of the Registrar, together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar, at the option of the Holder thereof, may be exchanged for Bonds of any authorized denomination or denominations in an aggregate principal amount not exceeding the principal amount of the Bond so exchanged, and bearing interest at the same rate and maturing on the same date.

Any Bond may be transferred only upon the books kept for the registration and transfer of Bonds upon surrender thereof at the office of the Registrar together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar. Upon the transfer of any such Bond and on request of the Registrar, the City shall execute in the name of the transferee, and the Registrar shall authenticate and deliver, a new Bond, of any authorized denomination, in aggregate principal amount equal to the principal amount of such Bond and bearing interest at the same rate and maturing on the same date.

In all cases in which Bonds shall be exchanged or transferred, the City shall execute, and the Registrar shall authenticate and deliver Bonds in accordance with the provisions of this ordinance. The City and Registrar may make a charge for every such exchange or transfer of Bonds sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to such exchange or transfer, and the Registrar may require that such charge or charges shall be paid before any such new Bond shall be delivered.

If requested by the Original Purchaser and at the Original Purchaser's expense, the Bonds, pursuant to the terms set forth below, may also be issued to a Depository (defined herein) for use in a book-entry system (defined herein). The City Manager is authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the registration, authentication, immobilization, and transfer of Bonds, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Bonds shall be issued in the form of one fully registered Bond registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in

book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (defined herein), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver bond certificates in bearer or registered form, as the Director of Finance determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

If the Bonds are sold in a private placement and not in book-entry form, the City, if requested by a Holder of the Bonds and at the Holder's expense, will complete the necessary procedures to qualify the Bonds as book-entry bonds.

As used in this Section and this ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical bonds in registered form are issued only to a Depository or its nominee as registered owner, with the bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Bonds are to be sold at private sale to Huntington Public Capital Corporation (the "Original Purchaser") with the final purchase price, aggregate principal amount, interest rate or rates, redemption provisions, if any, and principal installments due at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements as set forth in the Certificate of Award, in accordance with law, and the provisions of this ordinance at a purchase price of not less than 97% of the aggregate principal amount plus accrued interest to their date of

delivery, all as determined by the Director of Finance to be in the best interest of the City. The City Manager may enter into a bond purchase agreement with the Original Purchaser.

The City Manager and the Director of Finance, the Director of Law, and the Clerk of Council, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance. The services of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio, as Bond Counsel for the Bonds are hereby retained. The Director of Finance shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The proceeds from the sale of the Bonds, except the accrued interest thereon, shall be paid into the proper fund and used for the purpose for which the Bonds are being issued under the provisions of this ordinance and may be used to pay those certain costs set forth in Section 133.15(B), Ohio Revised Code; any such costs also may be paid out of any other lawfully available moneys of the City and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. The accrued interest and any other proceeds so designated shall be paid into the Bond Retirement Fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. The Director of Finance is hereby appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Bonds (the "Registrar"). If required by the Original Purchaser, the Director of Finance may choose a bank or trust company to act as Registrar in that case, the City Manager shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Registrar (the "Agreement"). The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

SECTION 7. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 8. The tax described in Section 7 shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the

same manner and at the same time that taxes for general purposes for each of the years are certified, extended and collected. The tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levy hereby required shall be placed in a separate and distinct fund, which, together with the interest collected on the same (other than such interest as may be required to be rebated to the federal government), shall be irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due; provided however, in each year the amount of such tax shall be reduced by the amount of lawfully available municipal income taxes appropriated and to be applied to the payment of the debt charges on the Bonds in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefore under the Constitution and laws of the State of Ohio; and the City hereby covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amounts, and to continue to levy and collect such municipal income taxes in such amounts, as are necessary to meet such annual debt charges.

SECTION 9. It is determined that all acts, conditions and things necessary to be done precedent to and in and for the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have been performed in regular and due form as required by law; that the full faith and credit of the City shall be and are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in issuing the Bonds.

SECTION 10. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

The City further covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The City Manager, the Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

SECTION 11. The Bonds are designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code and to the extent any portion of the Bonds are not so deemed designated, the Director of Finance may so designate such portion in the Certificate of Award. The City hereby covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Bonds are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Bonds, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Bonds (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Bonds to cease to be “qualified tax-exempt obligations.”

SECTION 12. The Director of Finance, as fiscal officer of the City, is hereby directed to forward or cause to be forwarded a certified copy of this ordinance to the Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 13. The City Manager, Director of Finance, Law Director or Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Bonds as provided in this ordinance.

SECTION 14. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the City's Charter, codified ordinances and any applicable provisions of Section 121.22, Ohio Revised Code.

SECTION 15. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the City and for the further reason that this ordinance is necessary to take effect immediately in order to (a) enable the City to improve the Municipal Building Project to deliver essential services to the residents of the City, (b) take advantage of prevailing favorable market conditions, and (c) issue the Bonds before the expiration of the Original Purchaser's offer to purchase the Bonds, which offer expires June 25, 2020 at which time the interest rate is expected to increase or even subject the City to having no offers at all due to the rapidly changing economy; wherefore provided it receives the affirmative vote of at least two-thirds of the membership of Council, this Ordinance shall take effect and be in force immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Attest:

PASSED: _____, 2020

Council President

Submitted to the Mayor for
approval on this ____ day of _____, 2020

Approved by the Mayor this

____ day of _____, 2020

ATTEST:

Clerk of Council

Mayor

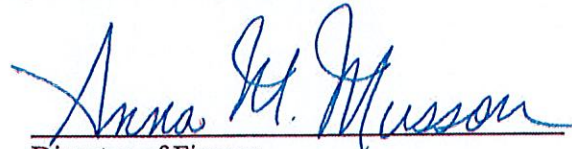
FISCAL OFFICER'S CERTIFICATE

City of Newton Falls, Ohio
June 12, 2020

TO THE COUNCIL OF THE CITY OF NEWTON FALLS, OHIO

The undersigned, as fiscal officer of the City of Newton Falls, Ohio (the "City"), as defined by Section 133.01 of the Ohio Revised Code, certifies as follows in connection with your proposed issue of bonds (the "Bonds") in an amount not to exceed \$395,000 to pay (a) the cost of the acquisition and installation of certain real property and improvements for use as a municipal building and (b) financing costs of the Bonds (collectively, the "Municipal Building Project").

1. The estimated life or period of usefulness of the Municipal Building Project is at least five years.
2. The maximum maturity of the Bonds, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is 40 years.



Director of Finance
City of Newton Falls, Ohio

ORDINANCE NO. 2020-20

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$20,000 OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF ACQUIRING AND INSTALLING CERTAIN SITE IMPROVEMENTS COMPRISED OF FENCES FOR MUNICIPAL BASEBALL FIELDS, AND DECLARING AN EMERGENCY DUE TO THE EXPECTED INCREASE IN INTEREST RATES AND THE POSSIBILITY OF HAVING NO BID (CURRENT BID EXPIRING JUNE 25, 2020) AT ALL ON THESE BONDS DUE TO THE RAPIDLY CHANGING ECONOMY.

(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)

WHEREAS, the Director of Finance of the City of Newton Falls, Ohio (the "City") has certified to this Council of the City (the "Council") that the estimated life or period of usefulness of the Site Improvements Project (defined herein) for the purpose described below is at least five years and has further certified as to the maximum maturity of the Bonds is 10 years from the date of issuance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS that:

SECTION 1. It is declared necessary to issue bonds (the "Bonds") of the City in an aggregate principal amount not to exceed \$20,000 to pay (a) the costs of the acquisition and installation of certain site improvements comprised of fences for municipal baseball fields, and (b) financing costs of the Bonds (collectively, the "Site Improvements Project").

SECTION 2. The Bonds shall be issued in one lot and only as fully registered Bonds. The Bonds may be issued in the denomination of \$100 or any whole multiple thereof or as otherwise provided in the Certificate of Award ("Authorized Denominations"), but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as determined by the Director of Finance in the Certificate of Award.

The Bonds shall bear interest at the rate or rates of interest (computed on a 360-day per year basis) as are determined by the Director of Finance to be in the best interest of the City as provided in the Certificate of Award which shall be signed by the Director of Finance and provide for the award of the Bonds in accordance with Section 5 (the "Certificate of Award"). Interest on the Bonds shall be payable semiannually on the dates (the "Interest Payment Dates") determined by the Director of Finance in the Certificate of Award, until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date. The maximum average interest rate on the Bonds shall not exceed 4% per annum.

SECTION 3. The Bonds shall mature annually on such dates and in such principal amounts as is fixed by the Director of Finance in the Certificate of Award. The Bonds shall be

payable pursuant to Mandatory Sinking Fund Redemption Requirements as defined and described below. The Director of Finance, in fixing such year and such amounts, shall be consistent in the aggregate with the separate periodic maturities and principal payments determined in accordance with maximum maturities certified to this Council by the Director of Finance for each purpose specified in Section 1 and the requirements of Section 133.20, Ohio Revised Code. The Director of Finance shall determine in the Certificate of Award the dates (the "Mandatory Redemption Dates") on which the principal amount stated above shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements rather than at stated maturity (the "Mandatory Sinking Fund Redemption Requirements"). The aggregate principal of and interest on the Bonds payable in each calendar year in which principal is payable, whether at maturity or by mandatory sinking fund redemption, shall be not more than three times such principal of and interest on the Bonds payable in any other calendar year in which principal is payable.

The Bonds shall be subject to redemption before to stated maturity as follows:

(a) Mandatory Sinking Fund Redemption. The Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

The aggregate of the moneys to be deposited with the Registrar (defined in Section 6) for payment of principal of and interest on the Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Registrar for cancellation the Bonds in any aggregate principal amount and to receive a credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City for any Term Bonds. That option shall be exercised by the City on or before the 30th day preceding the applicable Mandatory Redemption Date, by furnishing the Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current Mandatory Sinking Fund Redemption Requirement. If the certificate is not timely furnished to the Registrar, the Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) also shall be received by the City for any Bonds which prior thereto have been redeemed (other than through the operation of the Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Registrar, to the extent not applied theretofore as a credit against any mandatory redemption obligation.

Each Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Registrar at 100% of the principal amount thereof against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation). Any excess of that amount over the then current Mandatory Sinking Fund

Redemption Requirement shall be credited against subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations) in the order directed by the Director of Finance.

(b) Optional Redemption. The Bonds shall be subject to redemption prior to maturity by and at the option of the City, in whole or in part at any time on the dates and for the prices specified in the Certificate of Award, provided, however, that the Director of Finance may determine in the Certificate of Award that it is in the best interest of the City that the Bonds not be subject to redemption prior to maturity. If the Bonds are subject to optional redemption, the maximum redemption price shall be no greater than 103% of the principal amount redeemed, plus accrued interest to the redemption date.

If optional redemption at a price exceeding 100% of the principal amount to be redeemed is to take place as of any applicable Mandatory Redemption Date, the Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Bonds to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements of paragraph (a). The Bonds shall be redeemed pursuant to this paragraph only upon written notice from the Director of Finance to the Registrar, given upon the direction of the Council of the City by passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed and shall be given at least 30 days before to the redemption date or such shorter period as shall be acceptable to the Registrar. In the event that notice of redemption shall have been given by the Registrar to the registered owners as provided below, there shall be deposited with the Registrar on or before the redemption date, funds which, in addition to any other moneys available therefor and held by the Registrar, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Bonds for which notice of redemption has been given.

(c) Partial Redemption. If fewer than all of the outstanding Bonds are called for redemption at one time, they may be called in any order of their maturities, and if fewer than all Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions thereof in Authorized Denominations, shall be made by lot by the Registrar in any manner which the Registrar may determine. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination shall be treated as though it were a separate bond of an Authorized Denomination. If it is determined that one or more, but not all of the Authorized Denominations of principal amount represented by a bond are to be called for redemption, then upon notice of redemption of Authorized Denominations unit or units, the registered owner of that bond shall surrender the bond to the Registrar (i) for payment of the redemption price of the Authorized Denomination unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner thereof, of a new bond or bonds of any authorized denominations or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the bond surrendered.

(d) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the bonds or portions thereof

to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days before to the date fixed for redemption, to the registered owner of each bond subject to redemption in whole or in part at the registered owner's address shown on the Register maintained by the Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any bond, however, shall not affect the validity of the proceedings for the redemption of any bonds.

(e) Payment of Redeemed Bonds. Notice having been mailed in the manner provided in the preceding paragraph of this ordinance, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, are held by the Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds.

SECTION 4. The Bonds shall be designated "General Obligation Recreational Facilities Bonds, Series 2020" as otherwise determined by the Director of Finance in the Certificate of Award. In accordance with Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Bonds with other bonds into a single consolidated issue of bonds for purposes of their sale as a single issue. The Bonds shall contain a summary statement of purposes encompassing the purposes for which the Bonds are issued; shall state that they are issued pursuant to this ordinance; shall be executed by the City Manager and by the Director of Finance, one or both of whose signatures may be a facsimile signature. In the absence of the City Manager, the Bonds may be signed by the Acting City Manager and, in the absence of the Director of Finance, the Bonds may be signed by the Acting Director of Finance.

The Bonds shall be issued only in fully registered form; and shall be registered as to both principal and interest at the office of the Registrar. The Bonds shall be issued in the denominations and numbers as requested by the Original Purchaser (defined herein) and approved by the Director of Finance and shall be numbered as determined by the Director of Finance. The principal of the Bonds shall be payable upon presentation and surrender to the Registrar. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name that Bond is registered (the "Holder") on the registration books of the City maintained by the Registrar and at the address appearing thereon at the close of business of the 15th day of the calendar month next preceding the Interest Payment Date (the

“Regular Record Date”). Any interest not timely paid (the “Defaulted Interest”) shall cease to be payable to the person who is the Holder as of the Regular Record Date and shall be payable to the person who is the Holder at the close of business on a special record date for the payment of such defaulted interest. Such Special Record Date (the “Special Record Date”) shall be fixed by the Council whenever moneys become available for payment of the Defaulted Interest, and the Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, not less than 10 days prior thereto to each Holder at his address as it appears on the registration books of the City maintained by the Registrar. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Registrar.

No Bond shall be valid or become obligatory for any purpose unless and until an authentication certificate appearing on the Bond shall have been duly endorsed by the Registrar.

Any Bond, upon surrender thereof at the office of the Registrar, together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar, at the option of the Holder thereof, may be exchanged for Bonds of any authorized denomination or denominations in an aggregate principal amount not exceeding the principal amount of the Bond so exchanged, and bearing interest at the same rate and maturing on the same date.

Any Bond may be transferred only upon the books kept for the registration and transfer of Bonds upon surrender thereof at the office of the Registrar together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar. Upon the transfer of any such Bond and on request of the Registrar, the City shall execute in the name of the transferee, and the Registrar shall authenticate and deliver, a new Bond, of any authorized denomination, in aggregate principal amount equal to the principal amount of such Bond and bearing interest at the same rate and maturing on the same date.

In all cases in which Bonds shall be exchanged or transferred, the City shall execute, and the Registrar shall authenticate and deliver Bonds in accordance with the provisions of this ordinance. The City and Registrar may make a charge for every such exchange or transfer of Bonds sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to such exchange or transfer, and the Registrar may require that such charge or charges shall be paid before any such new Bond shall be delivered.

If requested by the Original Purchaser and at the Original Purchaser’s expense, the Bonds, pursuant to the terms set forth below, may also be issued to a Depository (defined herein) for use in a book-entry system (defined herein). The City Manager is authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the registration, authentication, immobilization, and transfer of Bonds, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Bonds shall be issued in the form of one fully registered Bond registered in the name of the Depository or its nominee, as

registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (defined herein), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver bond certificates in bearer or registered form, as the Director of Finance determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

If the Bonds are sold in a private placement and not in book-entry form, the City, if requested by a Holder of the Bonds and at the Holder's expense, will complete the necessary procedures to qualify the Bonds as book-entry bonds.

As used in this Section and this ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical bonds in registered form are issued only to a Depository or its nominee as registered owner, with the bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Bonds are to be sold at private sale to Huntington Public Capital Corporation (the "Original Purchaser") with the final purchase price, aggregate principal amount, interest rate or rates, redemption provisions, if any, and principal installments due at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements as set forth in the Certificate of Award, in accordance with law, and the provisions of this ordinance at a purchase price of not less than 97% of the aggregate principal amount plus accrued interest to their date of

delivery, all as determined by the Director of Finance to be in the best interest of the City. The City Manager may enter into a bond purchase agreement with the Original Purchaser.

The City Manager, the Director of Finance, the Director of Law, and the Clerk of Council, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance. The services of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio, as Bond Counsel for the Bonds are hereby retained. The Director of Finance shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The proceeds from the sale of the Bonds, except the accrued interest thereon, shall be paid into the proper fund and used for the purpose for which the Bonds are being issued under the provisions of this ordinance and may be used to pay those certain costs set forth in Section 133.15(B), Ohio Revised Code; any such costs also may be paid out of any other lawfully available moneys of the City and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. The accrued interest and any other proceeds so designated shall be paid into the Bond Retirement Fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. The Director of Finance is hereby appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Bonds (the "Registrar"). If required by the Original Purchaser, the Director of Finance may choose a bank or trust company to act as Registrar in that case, the City Manager shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Registrar (the "Agreement"). The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

SECTION 7. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 8. The tax described in Section 7 shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the

same manner and at the same time that taxes for general purposes for each of the years are certified, extended and collected. The tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levy hereby required shall be placed in a separate and distinct fund, which, together with the interest collected on the same (other than such interest as may be required to be rebated to the federal government), shall be irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due; provided however, in each year the amount of such tax shall be reduced by the amount of lawfully available municipal income taxes appropriated and to be applied to the payment of the debt charges on the Bonds in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefore under the Constitution and laws of the State of Ohio; and the City hereby covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amounts, and to continue to levy and collect such municipal income taxes in such amounts, as are necessary to meet such annual debt charges.

SECTION 9. It is determined that all acts, conditions and things necessary to be done precedent to and in and for the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have been performed in regular and due form as required by law; that the full faith and credit of the City shall be and are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in issuing the Bonds.

SECTION 10. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

The City further covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The City Manager, the Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

SECTION 11. The Bonds are designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code and to the extent any portion of the Bonds are not so deemed designated, the Director of Finance may so designate such portion in the Certificate of Award. The City hereby covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Bonds are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Bonds, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Bonds (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Bonds to cease to be “qualified tax-exempt obligations.”

SECTION 12. The Director of Finance, as fiscal officer of the City, is hereby directed to forward or cause to be forwarded a certified copy of this ordinance to the Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 13. The City Manager, Director of Finance, Law Director or Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Bonds as provided in this ordinance.

SECTION 14. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the City's Charter, codified ordinances and any applicable provisions of Section 121.22, Ohio Revised Code.

FISCAL OFFICER'S CERTIFICATE


City of Newton Falls, Ohio

June 12, 2020

TO THE COUNCIL OF THE CITY OF NEWTON FALLS, OHIO

The undersigned, as fiscal officer of the City of Newton Falls, Ohio (the "City"), as defined by Section 133.01 of the Ohio Revised Code, certifies as follows in connection with your proposed issue of bonds in an amount not to exceed \$20,000 (the "Bonds") to pay (a) the cost of the acquisition of certain site improvements comprised of fences for municipal baseball fields and (b) financing costs of the Bonds (collectively, the "Site Improvements Project").

1. The estimated life or period of usefulness of the Site Improvements Project is at least five years.
2. The maximum maturity of the Bonds, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is 10 years.



Director of Finance
City of Newton Falls, Ohio

ORDINANCE NO. 2020-21

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF VARIOUS PURPOSE GENERAL OBLIGATION BONDS OF THE CITY OF NEWTON FALLS, OHIO, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$98,000 TO PAY THE COSTS OF THE ACQUISITION AND INSTALLATION OF CERTAIN SEWER IMPROVEMENTS COMPRISING THE MEDLEY AVENUE SEWER PROJECT, AND DECLARING AN EMERGENCY DUE TO THE EXPECTED INCREASE IN INTEREST RATES AND THE POSSIBILITY OF HAVING NO BID (CURRENT BID EXPIRING JUNE 25, 2020) AT ALL ON THESE BONDS DUE TO THE RAPIDLY CHANGING ECONOMY.

(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)

WHEREAS, the Director of Finance of the City of Newton Falls, Ohio (the "City"), has certified to this Council of the City (the "Council") that the estimated life or period of usefulness of the Medley Avenue Sewer Project (defined herein) for the purpose described below is at least five years and has further certified as to the maximum maturity of the Bonds is 40 years from the date of issuance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS that:

SECTION 1. It is declared necessary to issue bonds (the "Bonds") of the City in an aggregate principal amount not to exceed \$98,000 to pay (a) the costs of the acquisition and installation of certain sewer improvements comprising the Medley Avenue sewer project and (b) financing costs of the Bonds (collectively, the "Medley Avenue Sewer Project").

SECTION 2. The Bonds shall be issued in one lot and only as fully registered Bonds. The Bonds may be issued in the denomination of \$100 or any whole multiple thereof or as otherwise provided in the Certificate of Award ("Authorized Denominations"), but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as determined by the Director of Finance in the Certificate of Award.

The Bonds shall bear interest at the rate or rates of interest (computed on a 360-day per year basis) as are determined by the Director of Finance to be in the best interest of the City as provided in the Certificate of Award which shall be signed by the Director of Finance and provide for the award of the Bonds in accordance with Section 5 (the "Certificate of Award"). Interest on the Bonds shall be payable semiannually on the dates (the "Interest Payment Dates") determined by the Director of Finance in the Certificate of Award, until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date. The maximum average interest rate on the Bonds shall not exceed 4% per annum.

SECTION 3. The Bonds shall mature annually on such dates and in such principal amounts as is fixed by the Director of Finance in the Certificate of Award. The Bonds shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements as defined and described below. The Director of Finance, in fixing such year and such amounts, shall be consistent in the aggregate with the separate periodic maturities and principal payments determined in accordance with maximum maturities certified to this Council by the Director of Finance for each purpose specified in Section 1 and the requirements of Section 133.20, Ohio Revised Code. The Director of Finance shall determine in the Certificate of Award the dates (the "Mandatory Redemption Dates") on which the principal amount stated above shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements rather than at stated maturity (the "Mandatory Sinking Fund Redemption Requirements"). The aggregate principal of and interest on the Bonds payable in each calendar year in which principal is payable, whether at maturity or by mandatory sinking fund redemption, shall be not more than three times such principal of and interest on the Bonds payable in any other calendar year in which principal is payable.

The Bonds shall be subject to redemption before to stated maturity as follows:

(a) Mandatory Sinking Fund Redemption. The Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

The aggregate of the moneys to be deposited with the Registrar (defined in Section 6) for payment of principal of and interest on the Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Registrar for cancellation the Bonds in any aggregate principal amount and to receive a credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City for any Term Bonds. That option shall be exercised by the City on or before the 30th day preceding the applicable Mandatory Redemption Date, by furnishing the Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current Mandatory Sinking Fund Redemption Requirement. If the certificate is not timely furnished to the Registrar, the Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) also shall be received by the City for any Bonds which prior thereto have been redeemed (other than through the operation of the Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Registrar, to the extent not applied theretofore as a credit against any mandatory redemption obligation.

Each Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Registrar at 100% of the principal amount thereof against the then current

Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation). Any excess of that amount over the then current Mandatory Sinking Fund Redemption Requirement shall be credited against subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations) in the order directed by the Director of Finance.

(b) Optional Redemption. The Bonds shall be subject to redemption prior to maturity by and at the option of the City, in whole or in part at any time on the dates and for the prices specified in the Certificate of Award, provided, however, that the Director of Finance may determine in the Certificate of Award that it is in the best interest of the City that the Bonds not be subject to redemption prior to maturity. If the Bonds are subject to optional redemption, the maximum redemption price shall be no greater than 103% of the principal amount redeemed, plus accrued interest to the redemption date.

If optional redemption at a price exceeding 100% of the principal amount to be redeemed is to take place as of any applicable Mandatory Redemption Date, the Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Bonds to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements of paragraph (a). The Bonds shall be redeemed pursuant to this paragraph only upon written notice from the Director of Finance to the Registrar, given upon the direction of the Council of the City by passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed and shall be given at least 30 days before to the redemption date or such shorter period as shall be acceptable to the Registrar. In the event that notice of redemption shall have been given by the Registrar to the registered owners as provided below, there shall be deposited with the Registrar on or before the redemption date, funds which, in addition to any other moneys available therefor and held by the Registrar, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Bonds for which notice of redemption has been given.

(c) Partial Redemption. If fewer than all of the outstanding Bonds are called for redemption at one time, they may be called in any order of their maturities, and if fewer than all Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions thereof in Authorized Denominations, shall be made by lot by the Registrar in any manner which the Registrar may determine. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination shall be treated as though it were a separate bond of an Authorized Denomination. If it is determined that one or more, but not all of the Authorized Denominations of principal amount represented by a bond are to be called for redemption, then upon notice of redemption of Authorized Denominations unit or units, the registered owner of that bond shall surrender the bond to the Registrar (i) for payment of the redemption price of the Authorized Denomination unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner thereof, of a new bond or bonds of any authorized denominations or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the bond surrendered.

(d) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days before to the date fixed for redemption, to the registered owner of each bond subject to redemption in whole or in part at the registered owner's address shown on the Register maintained by the Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any bond, however, shall not affect the validity of the proceedings for the redemption of any bonds.

(e) Payment of Redeemed Bonds. Notice having been mailed in the manner provided in the preceding paragraph of this ordinance, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, are held by the Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds.

SECTION 4. The Bonds shall be designated "Sewer Improvement General Obligation Bonds, Series 2020" as otherwise determined by the Director of Finance in the Certificate of Award. In accordance with Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Bonds with other bonds into a single consolidated issue of bonds for purposes of their sale as a single issue. The Bonds shall contain a summary statement of purposes encompassing the purposes for which the Bonds are issued; shall state that they are issued pursuant to this ordinance; shall be executed by the City Manager and by the Director of Finance, one or both of whose signatures may be a facsimile signature. In the absence of the City Manager, the Bonds may be signed by the Acting City Manager and, in the absence of the Director of Finance, the Bonds may be signed by the Acting Director of Finance.

The Bonds shall be issued only in fully registered form; and shall be registered as to both principal and interest at the office of the Registrar. The Bonds shall be issued in the denominations and numbers as requested by the Original Purchaser (defined herein) and approved by the Director of Finance and shall be numbered as determined by the Director of Finance. The principal of the Bonds shall be payable upon presentation and surrender to the Registrar. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name that Bond is registered (the "Holder") on the registration

books of the City maintained by the Registrar and at the address appearing thereon at the close of business of the 15th day of the calendar month next preceding the Interest Payment Date (the "Regular Record Date"). Any interest not timely paid (the "Defaulted Interest") shall cease to be payable to the person who is the Holder as of the Regular Record Date and shall be payable to the person who is the Holder at the close of business on a special record date for the payment of such defaulted interest. Such Special Record Date (the "Special Record Date") shall be fixed by the Council whenever moneys become available for payment of the Defaulted Interest, and the Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, not less than 10 days prior thereto to each Holder at his address as it appears on the registration books of the City maintained by the Registrar. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Registrar.

No Bond shall be valid or become obligatory for any purpose unless and until an authentication certificate appearing on the Bond shall have been duly endorsed by the Registrar.

Any Bond, upon surrender thereof at the office of the Registrar, together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar, at the option of the Holder thereof, may be exchanged for Bonds of any authorized denomination or denominations in an aggregate principal amount not exceeding the principal amount of the Bond so exchanged, and bearing interest at the same rate and maturing on the same date.

Any Bond may be transferred only upon the books kept for the registration and transfer of Bonds upon surrender thereof at the office of the Registrar together with an assignment duly executed by the Holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar. Upon the transfer of any such Bond and on request of the Registrar, the City shall execute in the name of the transferee, and the Registrar shall authenticate and deliver, a new Bond, of any authorized denomination, in aggregate principal amount equal to the principal amount of such Bond and bearing interest at the same rate and maturing on the same date.

In all cases in which Bonds shall be exchanged or transferred, the City shall execute, and the Registrar shall authenticate and deliver Bonds in accordance with the provisions of this ordinance. The City and Registrar may make a charge for every such exchange or transfer of Bonds sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to such exchange or transfer, and the Registrar may require that such charge or charges shall be paid before any such new Bond shall be delivered.

If requested by the Original Purchaser and at the Original Purchaser's expense, the Bonds, pursuant to the terms set forth below, may also be issued to a Depository (defined herein) for use in a book-entry system (defined herein). The City Manager is authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the registration, authentication, immobilization, and transfer of Bonds, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Bonds shall be issued in the form of one fully registered Bond registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (defined herein), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver bond certificates in bearer or registered form, as the Director of Finance determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

If the Bonds are sold in a private placement and not in book-entry form, the City, if requested by a Holder of the Bonds and at the Holder's expense, will complete the necessary procedures to qualify the Bonds as book-entry bonds.

As used in this Section and this ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical bonds in registered form are issued only to a Depository or its nominee as registered owner, with the bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Bonds are to be sold at private sale to Huntington Public Capital Corporation (the “Original Purchaser”) with the final purchase price, aggregate principal amount, interest rate or rates, redemption provisions, if any, and principal installments due at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements as set forth in the

Certificate of Award, in accordance with law, and the provisions of this ordinance at a purchase price of not less than 97% of the aggregate principal amount plus accrued interest to their date of delivery, all as determined by the Director of Finance to be in the best interest of the City. The City Manager may enter into a bond purchase agreement with the Original Purchaser.

The City Manager, the Director of Finance, the Director of Law, and the Clerk of Council, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance. The services of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio, as Bond Counsel for the Bonds are hereby retained. The Director of Finance shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The proceeds from the sale of the Bonds, except the accrued interest thereon, shall be paid into the proper fund and used for the purpose for which the Bonds are being issued under the provisions of this ordinance and may be used to pay those certain costs set forth in Section 133.15(B), Ohio Revised Code; any such costs also may be paid out of any other lawfully available moneys of the City and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. The accrued interest and any other proceeds so designated shall be paid into the Bond Retirement Fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. The Director of Finance is hereby appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Bonds (the "Registrar"). If required by the Original Purchaser, the Director of Finance may choose a bank or trust company to act as Registrar in that case, the City Manager shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Registrar (the "Agreement"). The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

SECTION 7. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 8. The tax described in Section 7 shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of the years are certified, extended and collected. The tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levy hereby required shall be placed in a separate and distinct fund, which, together with the interest collected on the same (other than such interest as may be required to be rebated to the federal government), shall be irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due; provided however, in each year the amount of such tax shall be reduced by the amount of lawfully available municipal income taxes appropriated and to be applied to the payment of the debt charges on the Bonds in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefore under the Constitution and laws of the State of Ohio; and the City hereby covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amounts, and to continue to levy and collect such municipal income taxes in such amounts, as are necessary to meet such annual debt charges.

SECTION 9. It is determined that all acts, conditions and things necessary to be done precedent to and in and for the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have been performed in regular and due form as required by law; that the full faith and credit of the City shall be and are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in issuing the Bonds.

SECTION 10. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

The City further covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The City Manager, the Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

SECTION 11. The Bonds are designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code and to the extent any portion of the Bonds are not so deemed designated, the Director of Finance may so designate such portion in the Certificate of Award. The City hereby covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Bonds are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Bonds, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Bonds (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Bonds to cease to be “qualified tax-exempt obligations.”

SECTION 12. The Director of Finance, as fiscal officer of the City, is hereby directed to forward or cause to be forwarded a certified copy of this ordinance to the Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 13. The City Manager, Director of Finance, Law Director or Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Bonds as provided in this ordinance.

SECTION 14. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the City's Charter, codified ordinances and any applicable provisions of Section 121.22, Ohio Revised Code.

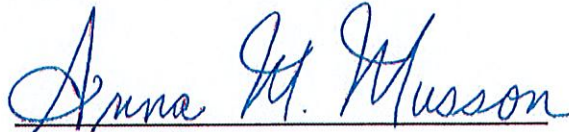
FISCAL OFFICER'S CERTIFICATE

City of Newton Falls, Ohio
June 12, 2020

TO THE COUNCIL OF THE CITY OF NEWTON FALLS, OHIO

The undersigned, as fiscal officer of the City of Newton Falls, Ohio (the "City"), as defined by Section 133.01 of the Ohio Revised Code, certifies as follows in connection with your proposed issue of bonds (the "Bonds") in an amount not to exceed \$98,000 to pay (a) the cost of the acquisition and installation of certain sewer improvements comprising the Medley Avenue sewer improvement project and (b) financing costs of the Bonds (the "Medley Avenue Sewer Project").

1. The estimated life or period of usefulness of the Medley Avenue Sewer Project is at least five years.
2. The maximum maturity of the Bonds, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is 40 years.



Director of Finance
City of Newton Falls, Ohio

Memorandum



To: Members of Council
David M. Lynch City Manager
J. Fritz, Law Director

From: Anna Marie Musson, Director of Finance

Date: June 11, 2020

Subject: Month End Financial Reports for May 2020

A. Musson

Financial Project Updates for Period 5

The monthly reports include the following financial information:

- May Bank Balances
- Utility Revenue Report
- Credit Card Report
- Income Tax Summary
- Income Tax Distribution Report
- Income Tax Dashboard Analysis
- Utility Billing Collection Summary
- Investment Performance Analysis

Updates:

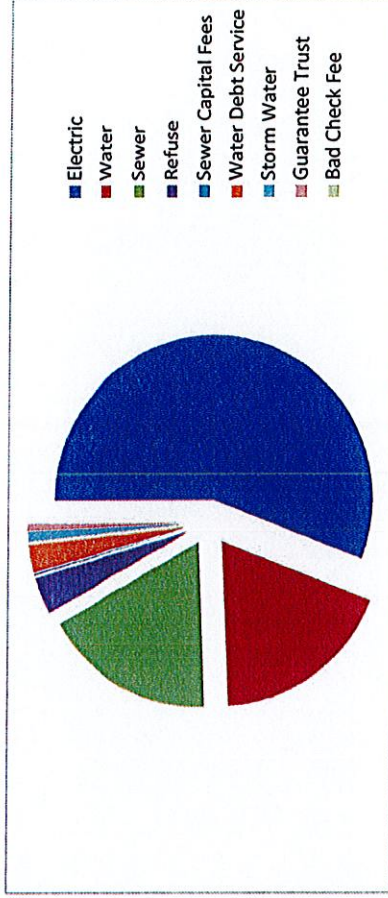
- Annex Building Opened June 8, 2020 to the Public with restrictions for social distancing rules
- 2019 Audit- Charles E. Harris Associates will begin audit July 27th
- Playground Equipment- Naturework Grant project completion estimated June 19th
- Preparing the GAAP statements for 2019 estimated completion date June 30th
- Creating the Annual Financial Report for 2019

2020 Financial Reports City of Newton Falls, Ohio for Period 5

MTD Bank Report for Year 2020 Month 5- City of Newton Falls

Bank	Description	Beg Monthly Balance	Deposits/ Interest Income	Change in Market Value	Withdrawals	Transfers In	Transfers Out	Ending Balance
Huntington 2863	Main Account	\$430,056.15	\$873,772.20	\$0.00	\$654,390.82	\$0.00	\$229,280.25	\$420,157.28
Huntington 2986	Payroll	\$0.00	\$0.00	\$0.00	\$211,132.15	\$211,132.15	\$0.00	\$0.00
Huntington 2876	Housing	\$96,888.37	\$278.68	\$0.00	\$0.00	\$0.00	\$0.00	\$97,167.05
Huntington 3222	Money Market Account	\$130,827.81	\$22.22	\$0.00	\$0.00	\$0.00	\$0.00	\$130,850.03
Huntington 9451	Healthcare Account	\$0.00	\$0.00	\$0.00	\$0.00	\$21,417.58	\$21,417.58	\$0.00
USB Financial Services	Main Account	\$5,289,943.60	\$10,283.99	-\$12,888.52	\$0.00	\$0.00	\$0.00	\$5,287,339.07
USB Financial Services	Cincinnati Asset Management	\$2,805,876.39	\$8,856.90	\$40,229.96	\$0.00	\$0.00	\$0.00	\$2,854,963.25
6 Banks		\$8,753,592.32	\$893,213.99	\$27,341.44	\$865,522.97	\$232,549.73	\$250,697.83	\$8,790,476.68

Utility	Monthly Revenue Report for Utility	May	YTD
Electric		\$383,890.65	\$2,125,850.72
Water		\$126,957.51	\$639,290.95
Sewer		\$119,970.05	\$547,880.84
Refuse		\$25,281.56	\$135,329.04
Sewer Capital Fees		\$931.93	\$4,362.79
Water Debt Service		\$18,705.38	\$89,876.37
Storm Water		\$6,765.40	\$34,493.36
Guarantee Trust		\$4,775.00	\$14,595.00
Bad Check Fee		\$40.00	\$618.19
		\$687,317.48	\$3,592,297.26



UTILITY REVENUE REPORT FOR CITY COUNCIL

2020

MAY 2020

	ELECTRIC	WATER	SEWER	OH VAL REFUSE	SEWER CAP FEES	WATER DEBT SVC	STORM WATER	GIIT	BAD CHECK FEE	DAILY TOTAL	JOURNAL #
FRI 1 NCOURT \$	1,234.33	685.88	471.90	181.82	-	107.17	41.03	-	-	2,722.13	RJ202005200
FRI 1 NATIONAL GUARD \$	-	742.72	515.13	-	-	5.37	-	-	-	1,263.22	RJ202005201
FRI 1 \$	3,204.88	1,995.32	1,495.74	585.13	14.51	288.95	114.97	-	-	7,699.50	RJ202005202
MON 4 NCOURT \$	1,466.38	556.87	406.28	184.80	-	82.94	31.62	-	-	2,728.89	RJ202005203
MON 4 \$	18,796.12	5,329.57	4,346.93	1,378.78	14.51	791.49	363.05	225.00	-	31,245.45	RJ202005204
TUE 5 NCOURT \$	1,446.78	646.30	478.37	272.46	-	112.89	51.18	-	-	3,007.98	RJ202005205
TUES 5 \$	31,910.41	10,054.87	13,069.76	2,313.17	188.08	2,740.80	815.68	225.00	-	61,317.77	RJ202005206
WED 6 ACH \$	18,589.05	9,148.14	7,709.58	2,330.45	58.04	1,621.74	603.60	-	-	40,060.60	RJ202005207
WED 6 NCOURT \$	4,314.54	1,652.01	1,477.83	675.24	14.51	308.56	141.50	-	-	8,584.19	RJ202005208
WED 6 \$	77,876.66	14,430.23	13,312.15	3,181.92	58.04	2,177.47	866.69	450.00	-	112,353.16	RJ202005209
WED 6 \$	5,406.53	2,363.98	2,083.10	808.05	-	359.14	211.94	-	-	11,232.74	RJ202005210
THURS 7 NCOURT \$	4,657.05	4,877.44	1,462.59	326.84	14.51	1,060.57	68.58	-	-	12,467.58	RJ202005211
FRI 8 \$	8,320.33	5,454.51	3,790.01	962.58	105.57	710.41	175.94	475.00	-	19,994.35	RJ202005212
MON 11 NCOURT \$	56,586.53	5,202.96	3,406.05	1,047.31	14.51	728.76	258.95	-	40.00	67,285.07	RJ202005213
MON 11 \$	1,402.75	383.98	419.54	105.82	-	56.60	24.91	-	-	2,393.60	RJ202005214
MON 11 \$	6,474.87	4,001.13	4,471.08	1,158.64	-	575.26	237.44	1,150.00	-	18,068.42	RJ202005215
TUES 12 NCOURT \$	852.96	344.53	452.12	221.57	-	59.47	36.23	-	-	1,966.88	RJ202005216
TUES 12 NCOURT \$	2,184.16	1,384.63	1,349.56	436.31	14.51	181.81	80.32	-	-	5,631.30	RJ202005217
WED 13 NCOURT \$	7,310.91	16,575.20	2,228.53	760.02	14.51	381.46	165.21	450.00	-	27,885.84	RJ202005218
WED 13 \$	822.26	585.14	323.95	111.02	-	60.03	35.25	-	-	1,937.65	RJ202005219
THURS 14 NCOURT \$	14,669.04	4,033.09	7,600.70	480.65	15.63	538.48	123.81	-	-	27,461.30	RJ202005220
FRI 15 \$	2,510.28	1,145.06	997.68	438.78	14.51	192.36	89.74	350.00	-	5,738.41	RJ202005221
FRI 15 NCOURT \$	2,280.44	1,022.56	1,176.94	429.86	-	152.93	74.45	-	-	5,137.18	RJ202005222
MON 18 NCOURT \$	405.82	123.29	126.36	73.40	-	21.48	12.00	-	-	762.35	RJ202005223
MON 18 \$	438.62	327.12	188.94	112.42	-	49.01	18.37	-	-	1,114.48	RJ202005224
MON 18 \$	919.39	352.85	387.73	110.10	-	53.70	24.00	-	-	1,847.77	RJ202005225
TUES 19 NCOURT \$	426.66	378.86	150.86	101.86	-	52.19	19.63	-	-	1,130.06	RJ202005226
WED 20 NCOURT \$	1,156.83	819.22	806.86	348.64	-	128.89	62.99	-	-	3,323.43	RJ202005227
WED 20 \$	5,824.63	2,923.22	2,878.62	871.74	-	469.50	157.10	250.00	-	13,486.16	RJ202005228
THURS 21 NCOURT \$	443.14	204.84	131.77	92.38	111.35	32.40	18.10	-	-	922.63	RJ202005229
THURS 21 \$	2,103.28	1,009.81	530.26	182.49	5.82	115.54	29.84	475.00	-	4,452.60	RJ202005230
FRI 22 NCOURT \$	361.61	151.22	196.95	93.66	-	27.42	15.30	-	-	846.16	RJ202005231
FRI 22 \$	1,235.13	557.39	466.30	170.65	-	76.10	24.00	250.00	-	2,779.57	RJ202005232
TUES 26 \$	1,807.67	815.82	715.52	352.17	12.24	140.38	53.98	-	-	3,897.78	RJ202005233
WED 27 NCOURT \$	1,516.11	966.31	1,028.75	211.22	-	116.48	38.36	-	-	3,877.23	RJ202005234
WED 27 NCOURT \$	297.10	202.36	208.14	39.00	-	22.15	6.37	-	-	775.12	RJ202005235
WED 27 \$	1,007.82	493.64	339.07	91.78	-	74.86	18.89	-	-	2,026.06	RJ202005236
THURS 28 \$	14,020.95	5,795.83	4,383.22	1,390.84	29.02	1,102.45	285.47	-	-	27,007.78	RJ202005237
TUES 26 NCOURT \$	651.20	299.76	381.62	139.87	-	46.62	22.87	-	-	1,541.94	RJ202005238
THURS 28 NCOURT \$	478.54	191.85	285.32	83.36	-	24.39	13.63	-	-	1,077.09	RJ202005239
FRI 29 \$	54,076.14	10,585.60	23,275.56	900.22	203.14	503.75	867.96	250.00	-	90,662.37	RJ202005240
FRI 29 \$	23,674.31	7,627.79	9,953.07	1,350.47	29.02	2,275.56	432.99	225.00	-	45,568.21	RJ202005241
FRI 29 - NCOURT \$	1,082.65	626.89	602.79	249.76	-	100.00	43.83	-	-	2,705.92	RJ202005242
FRI 29 BAD CHECK \$	(109.00)	-	-	-	-	-	-	-	-	(109.00)	RJ202005243
FRI 29 BAD CHECK \$	(245.21)	(112.28)	(93.18)	(75.69)	-	(22.15)	(12.37)	-	-	(560.88)	RJ202005244

MISC:

TOTAL MAY 2020	\$ 383,890.65	\$ 126,957.51	\$ 119,970.05	\$ 25,281.56	\$ 931.93	\$ 18,705.38	\$ 6,765.40	\$ 4,775.00	\$ 40.00	\$ 687,317.48
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TOTAL YTD	\$ 2,125,850.72	\$ 639,290.95	\$ 547,880.84	\$ 135,329.04	\$ 4,362.79	\$ 89,876.37	\$ 34,493.36	\$ 14,595.00	\$ 618.19	\$ 3,592,297.26
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2020 Financial Reports City of Newton Falls, Ohio for Period 5

Expenditures for May General Fund

Department	BUDGET	YTD
Police	\$728,783.00	\$346,802.09
Police Support	\$69,419.00	\$5,281.00
Fire	\$70,850.00	\$0.00
Zoning	\$110,115.00	\$53,177.36
City Admin*	\$103,244.00	\$159,648.17
Council*	\$55,380.00	\$53,783.41
Court	\$717,198.00	\$255,097.86
Finance*	\$114,760.00	\$93,799.01
Law*	\$30,855.00	\$29,170.61
Custodian	\$57,590.00	\$26,294.99

* These Departments expenditures are reduced on a quarterly basis per the cost allocation plan

Other Funds

Department	BUDGET	YTD
Street	\$407,015.00	\$165,499.04
Water Treatment	\$1,301,740.29	\$437,434.40
Water Distribution	\$610,255.71	\$236,408.10
Sewer	\$1,651,500.00	\$649,114.75
Electric	\$6,561,854.64	\$2,628,235.85
Water Utility Billing	\$229,806.00	\$112,834.41

UTILITY OFFICE BILLING REPORT FOR CITY COUNCIL

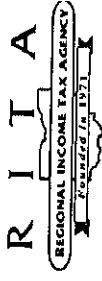
	# BILLED	\$ BILLED	LATE FEES BILLED	TOTAL \$ BILLED	\$ COLLECTED	NEW ACCT DEPOSITS COLLECTED	TOTAL \$ COLLECTED		
Jan-20	3170	\$ 759,952.03	\$ 17,244.44	\$ 777,196.47	\$ 793,843.67	\$ 1,400.00	\$ 795,243.67		
Feb-20	3179	\$ 733,058.34	\$ 16,865.09	\$ 749,923.43	\$ 613,777.93	\$ 3,725.00	\$ 617,502.93		
Mar-20	3181	\$ 672,940.97	\$ -	\$ 672,940.97	\$ 788,059.00	\$ 2,090.00	\$ 790,149.00		*NO PENALTY DUE TO COVID-19
Apr-20	3177	\$ 681,552.99	\$ -	\$ 681,552.99	\$ 641,930.80	\$ 2,755.00	\$ 644,685.80		*NO PENALTY DUE TO COVID-19
May-20	3183	\$ 693,052.54	\$ -	\$ 693,052.54	\$ 683,212.36	\$ 4,775.00	\$ 687,987.36		*NO PENALTY DUE TO COVID-19
		\$ 3,540,556.87	\$ 34,109.53	\$ 3,574,666.40	\$ 3,520,823.76	\$ 14,745.00	\$ 3,535,568.76		

City of Newton Falls
Credit Card Statement
May 2020

City Administration	\$	14.00
Electric	\$	339.71
Finance	\$	127.03
Municipal Court	\$	452.44
Police	\$	280.85
Street	\$	0.00
Water Plant	\$	0.00
Water Distribution	\$	0.00
Waste Water	\$	0.00
Zoning	\$	77.01

Total \$ 1,291.04

MONTHLY DISTRIBUTION REPORT
CITY OF NEWTON FALLS PERIOD 5 2020



PERIOD 05 DISTRIBUTION FOR NEWTON FALLS

Date	Variance	Distribution	Tax	Withholder			Individual			Net Profit		
				PI	Ref/Adj	Tax	PI	Ref/Adj	Tax	PI	Ref/Adj	Tax
05/01/2020		695.19	209.43	0.00	0.00	485.76	0.00	0.00	0.00	0.00	0.00	0.01
05/04/2020		2,195.31	1,562.98	0.00	0.00	626.18	6.15	0.00	0.00	0.00	0.00	0.01
05/05/2020		1,011.26	369.94	0.00	0.00	613.30	28.02	0.00	0.00	0.00	0.00	0.01
05/06/2020		56.55	185.80	0.00	0.00	140.00	0.00	-268.74	0.00	0.00	0.00	-0.5
05/07/2020		435.28	435.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
05/08/2020		356.64	117.85	0.00	0.00	188.79	50.00	0.00	0.00	0.00	0.00	0.01
05/11/2020		295.60	41.37	0.00	0.00	254.23	0.00	0.00	0.00	0.00	0.00	0.01
05/12/2020		128.00	0.00	0.00	0.00	128.00	0.00	0.00	0.00	0.00	0.00	0.01
05/13/2020		404.72	151.98	0.00	0.00	24.56	51.07	0.00	0.00	177.11	0.00	0.01
05/14/2020		799.54	623.62	0.00	0.00	699.92	0.00	0.00	0.00	0.00	0.00	0.01
05/15/2020		3,159.17	2,692.17	0.00	0.00	467.00	0.00	0.00	0.00	0.00	0.00	0.01
05/16/2020		702.85	702.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
05/18/2020		2,772.81	2,157.47	0.00	0.00	324.34	0.00	0.00	0.00	291.00	0.00	0.01
05/19/2020		10,219.28	9,070.50	0.00	0.00	1,127.78	0.00	0.00	0.00	21.00	0.00	0.01
05/20/2020		3,623.38	3,567.88	0.00	0.00	486.00	0.00	-405.50	0.00	-25.00	0.00	0.01
05/21/2020		2,205.63	1,823.19	0.00	0.00	327.73	54.71	0.00	0.00	0.00	0.00	0.01
05/22/2020		3,831.42	2,873.84	0.00	0.00	907.58	50.00	0.00	0.00	0.00	0.00	0.01
05/23/2020		193.50	0.00	0.00	0.00	193.50	0.00	0.00	0.00	0.00	0.00	0.01
05/26/2020		1,979.79	816.67	0.00	0.00	1,155.76	0.00	0.00	0.00	7.36	0.00	0.01
05/27/2020		2,009.78	504.90	0.00	-43.85	484.12	19.61	-177.00	0.00	1,222.00	0.00	0.01
05/28/2020		1,749.63	105.73	0.00	0.00	1,593.90	50.00	0.00	0.00	0.00	0.00	0.01
05/29/2020		1,969.08	328.92	0.00	0.00	1,640.05	0.00	0.00	0.00	0.00	0.00	0.01
06/01/2020		533.77	373.49	0.00	0.00	60.28	0.00	0.00	0.00	0.21	0.00	0.01
06/02/2020		2,997.63	2,850.40	0.00	0.00	150.00	0.00	0.00	0.00	100.00	0.00	0.01
06/03/2020		1,818.70	924.25	0.00	0.00	419.45	0.00	0.00	0.00	-2.77	0.00	0.01
06/04/2020		515.73	515.73	0.00	0.00	0.00	0.00	0.00	0.00	475.00	0.00	0.01
06/05/2020		366.65	366.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
06/08/2020		15.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
06/10/2020		79.48	87.44	0.00	0.00	-7.96	0.00	0.00	0.00	15.19	0.00	0.01
PRD_05_2020		47,121.56	33,460.23	0.00	-43.85	12,490.27	309.56	-851.24	0.00	2,281.10	0.00	-524.5
PRD_05_2019		64,775.00	38,110.98	245.77	-68.88	20,144.71	1,013.67	-647.73	0.00	5,976.48	0.00	0.01
PRD_05_2018		89,862.79	49,133.12	0.00	-166.45	32,816.12	425.09	-535.76	0.00	8,190.67	0.00	0.01

MONTHLY DISTRIBUTION REPORT

CITY OF NEWTON FALLS PERIOD 5 2020



PRD 05 2020-2019	-27.25%	-17,653.44	-4,650.75	-245.77	25.03	-7,654.44	-704.11	-203.51	-3,695.38	0.00	-524.5
PRD 05 2019-2018	-27.92%	-25,087.79	-11,022.14	245.77	97.57	-12,671.41	588.58	-111.97	-2,214.19	0.00	0.0
PRD 05 2020-2018	-47.56%	-42,741.23	-15,672.89	0.00	122.60	-20,325.85	-115.53	-315.48	-5,909.57	0.00	-524.5
PRD 05 TAXYR 20		51,160.26	33,432.65	0.00	0.00	5,161.48	0.00	0.00	12,566.13	0.00	0.0
PRD 05 TAXYR 19		-6,671.77	27.58	0.00	0.00	4,933.79	6.15	-851.24	-10,263.54	0.00	-524.5
PRD 05 TAXYR 18		2,070.59	0.00	0.00	-43.85	2,116.53	19.61	0.00	-21.70	0.00	0.0
PRD 05 TAXYR 17		218.60	0.00	0.00	0.00	190.58	28.02	0.00	0.00	0.00	0.0
PRD 05 TAXYR 16		150.00	0.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	0.0
PRD 05 TAXYR 15		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0
PRD 05 TAXYR 14		193.88	0.00	0.00	0.00	87.89	105.78	0.00	0.21	0.00	0.0
YTD 2020		347,049.18	203,730.69	985.67	-423.73	92,648.44	8,058.46	-2,991.79	47,364.29	-57.69	-2,265.1
YTD 2019		398,555.60	225,977.71	519.51	-76.53	122,695.68	5,826.82	-3,279.68	49,816.89	97.98	-3,022.7
YTD 2018		358,307.51	201,445.67	0.00	-909.77	127,289.98	1,723.20	-1,179.72	29,840.59	97.56	0.0
YTD 05 2020-2019	-12.92%	-51,506.42	-22,247.02	466.16	-347.20	-30,047.24	2,231.64	287.89	-2,452.60	-155.67	757.6
YTD 05 2019-2018	11.23%	40,248.09	24,532.04	519.51	833.24	-4,594.30	4,103.62	-2,099.96	19,976.30	0.42	-3,022.7
YTD 05 2020-2018	-3.14%	-11,258.33	2,285.02	985.67	486.04	-34,641.54	6,335.26	-1,812.07	17,523.70	-155.25	-2,265.1
YTD 2020 ABOVE		347,049.18									
YTD 2020 RETAINER		10,411.49									
YTD 2020 AVERAGE %		3.00%									
YTD 2020 NON-RETAIN		373.57									
PRD 05 ABOVE		47,121.56	38,825.33	8,296.23							
PRD 05 RETAINER %		3.00%									
PRD 05 RETAINER		1,413.65	1,164.76	248.89							
PRD 05 NET		45,707.91	37,660.57	8,047.34							

RECONCILIATION NET TO BE CREDITED TO YOUR ACCOUNT ON 06/12/2020

THE AMOUNTS REPRESENT COLLECTIONS FROM JANUARY 2020 THROUGH MAY 2020 DISTRIBUTED TO YOU FEBRUARY 2020 THROUGH JUNE 2020

TAX AUTHORITY DASHBOARD

PERIOD 5

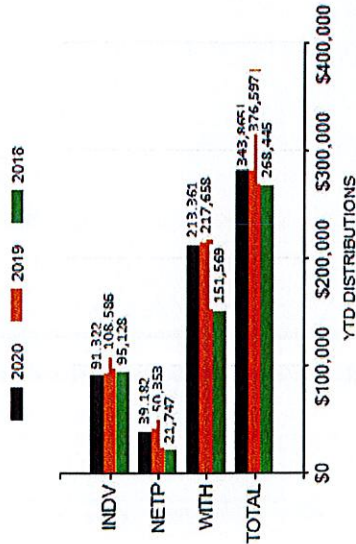
THIS REPORT MAY CONTAIN CONFIDENTIAL INFORMATION

NEWTON FALLS (NORTHEAST)

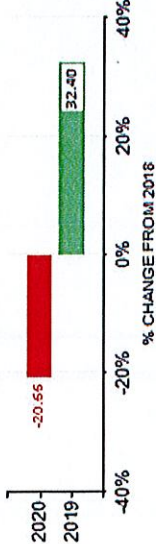
*REPORTED ON A CASH BASIS



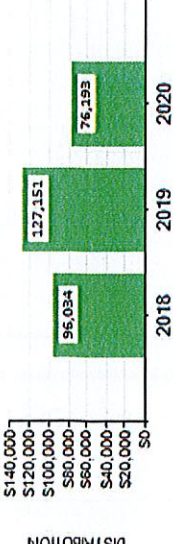
YEARLY GROSS DOLLAR DISTRIBUTION COMPARISON BY ACCOUNT TYPE - THROUGH APRIL



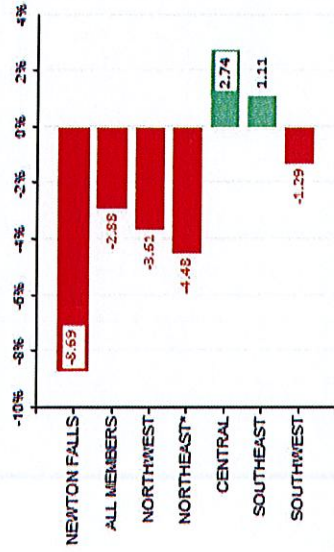
MONTHLY GROSS DISTRIBUTION PERCENTAGE CHANGE COMPARISON TO APRIL 2018



MONTHLY GROSS DOLLAR DISTRIBUTION COMPARISON APRIL



YEARLY GROSS DISTRIBUTION VARIANCE PERCENTAGE FROM 2019 - THROUGH APRIL

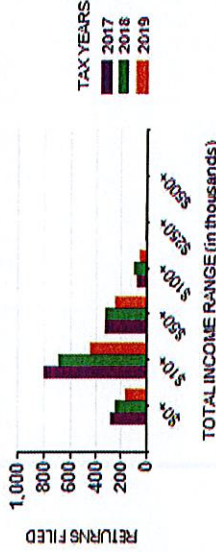


3 DAYS UNTIL NEXT DISTRIBUTION

2020 PERIOD 5 NET DISTRIBUTION AS OF 05/28/2020

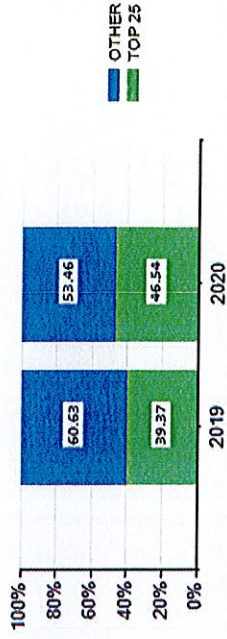
	TOTAL	ADVANCE	RECONCILIATION
GROSS DISTRIBUTION	38,825.33	38,825.33	0.00
RETAINER	1,164.76	1,164.76	0.00
ADJUSTMENT	0.00	0.00	0.00
NET	37,660.57	37,660.57	0.00
NET 2019 PD 5	62,831.75	53,842.26	8,989.49

INDIVIDUAL RETURNS FILED BY INCOME RANGE



	TOP 10 WITHHOLDING DOLLARS	YTD 2020	YTD 2019	DIFFERENCE
A		29,386.81	20,406.50	8,980.31
B		17,814.22	17,631.05	183.17
C		12,175.57	19,636.63	-7,461.06
D		11,117.41	11,014.34	103.07
E		9,816.50	8,668.23	1,148.27
F		6,228.83	7,717.55	-1,488.72
G		6,213.49	5,699.14	514.35
H		5,018.48	5,592.44	-573.96
I		3,973.99	3,658.03	315.96
J		3,541.24	4,493.98	-952.74
TOTAL		105,286.54	104,517.89	768.65

TOP 25 DOLLAR DISTRIBUTORS PERCENTAGE OF OVERALL YTD COLLECTIONS



	TOP 5 YTD DOLLAR DISTRIBUTION CHANGES +/-	ACCOUNT TYPE	AMOUNT
A		NET PROFIT	-7,942.00
B		WITHHOLDER	-7,461.06
C		WITHHOLDER	-6,408.83
D		NET PROFIT	-4,858.96
XXXXXXX		INDIVIDUAL	-4,615.00
E		WITHHOLDER	8,980.31
F		NET PROFIT	4,972.69
G		NET PROFIT	3,672.00
XXXXXXXXXX		INDIVIDUAL	3,125.53
H		NET PROFIT	2,505.00

2019-2020 Revenue Comparison Report Income Tax, Municipal Court and Investments

	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Income Tax Revenue	\$ 41,532.05	\$ 63,274.47	\$ 57,759.93	\$ 77,796.21	\$ 123,336.58	\$ 62,831.75	\$ 65,256.17	\$ 51,844.41	\$ 48,835.27	\$ 61,546.05	\$ 60,141.99	\$ 34,158.32
Muni Court Revenue	\$ 67,711.38	\$ 70,269.03	\$ 56,629.42	\$ 85,564.24	\$ 71,950.31	\$ 72,743.48	\$ 74,251.67	\$ 91,327.81	\$ 79,024.60	\$ 97,292.69	\$ 89,925.55	\$ 63,754.95
Investment Interest:	\$ 7,976.02	\$ 11,014.52	\$ 14,417.35	\$ 10,921.49	\$ 18,636.45	\$ 10,534.52	\$ 21,867.02	\$ 14,101.40	\$ 18,316.69	\$ 10,548.76	\$ 29,039.60	\$ 25,229.09
Main	\$ 6,382.74	\$ 5,965.42	\$ 6,897.93	\$ 7,016.94	\$ 9,921.05	\$ 7,744.99	\$ 19,503.12	\$ 8,447.47	\$ 8,314.11	\$ 8,213.92	\$ 15,175.03	\$ 21,552.75
CAM	\$ 99.70	\$ 3,857.20	\$ 6,527.51	\$ 2,882.84	\$ 8,108.58	\$ 2,389.32	\$ 1,561.40	\$ 5,448.54	\$ 9,682.42	\$ 1,875.47	\$ 13,231.78	\$ 2,869.11
Mmax	\$ 1,493.58	\$ 1,191.90	\$ 991.91	\$ 1,021.71	\$ 606.82	\$ 400.21	\$ 402.50	\$ 205.39	\$ 320.16	\$ 459.37	\$ 632.79	\$ 807.23
Total Revenue	\$ 117,219.45	\$ 144,558.02	\$ 128,806.70	\$ 174,281.94	\$ 213,923.34	\$ 146,109.75	\$ 161,374.86	\$ 157,273.62	\$ 146,176.56	\$ 169,387.50	\$ 179,107.14	\$ 123,142.36

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	20-Jun
Income Tax Revenue	\$ 42,507.61	\$ 59,978.49	\$ 62,672.63	\$ 94,283.67	\$ 73,654.32	
Muni Court Revenue	\$ 70,112.74	\$ 74,210.10	\$ 61,109.73	\$ 56,546.20	\$ 28,672.26	\$ 33,296.11
Investment Interest:	\$ 11,968.52	\$ 13,915.45	\$ 16,064.42	\$ 7,969.33	\$ 19,163.11	
Main	\$ 5,294.41	\$ 7,402.49	\$ 7,911.51	\$ 7,520.55	\$ 10,283.99	
CAM	\$ 5,992.49	\$ 6,153.14	\$ 8,089.15	\$ 427.28	\$ 8,856.90	
Mmax	\$ 681.62	\$ 359.82	\$ 63.76	\$ 21.50	\$ 22.22	

Total Revenue **\$ 124,588.87** **\$ 148,104.04** **\$ 139,846.78** **\$ 158,799.20** **\$ 121,489.69**

CITY OF NEWTON FALLS

OVERTIME

PPE 05/16/2020

DEPT:

	<u>HOURS</u>	<u>WAGES</u>	<u>COMP TIME HOURS EARNED</u>
POLICE (OFFICERS)	1.00	\$39.96	4.00
POLICE (OFFICER IN CHARGE)	43.00	\$12.90	0.00
CITY ADMIN	1.50	\$53.62	0.00
FINANCE	0.00	\$0.00	0.00
STREET	0.00	\$0.00	0.00
WATER PLANT	0.00	\$0.00	0.00
WATER DISTRIBUTION	13.00	\$387.78	0.00
SEWER	0.00	\$0.00	16.00
ELECTRIC	14.00	\$485.37	0.00
UTILITY OFFICE	0.00	\$0.00	0.00
ZONING	0.00	\$0.00	0.00
TOTALS	72.50	\$979.63	20.00

CITY OF NEWTON FALLS

OVERTIME

PPE 05/30/2020

DEPT:

	<u>HOURS</u>	<u>WAGES</u>	<u>COMP TIME HOURS EARNED</u>
POLICE (OFFICERS)	60.25	\$1,917.61	1.00
POLICE (OFFICER IN CHARGE)	44.50	\$13.35	0.00
CITY ADMIN	2.50	\$89.36	0.00
FINANCE	0.00	\$0.00	0.00
STREET	0.00	\$0.00	6.00
WATER PLANT	16.00	\$411.12	0.00
WATER DISTRIBUTION	10.50	\$340.66	1.00
SEWER	0.00	\$0.00	29.00
ELECTRIC	17.00	\$579.60	9.00
UTILITY OFFICE	0.00	\$0.00	0.00
ZONING	0.00	\$0.00	0.00
	<hr/>		
TOTALS	150.75	\$3,351.70	46.00



NEWTON FALLS POLICE DEPT.

CITY OF NEWTON FALLS – TRUMBULL COUNTY
19 North Canal Street Newton Falls, Ohio 44444
Telephone: 330-872-5757



GENE H. FIXLER, Chief of Police
chief.fixler@newtonfallsoh.gov

TO: CITY MANAGER DAVID M. LYNCH and COUNCIL MEMBERS

FROM: Chief Gene H. Fixler

TOPIC: MAY, 2020 - Monthly Police Department Activity Report

DATE: June 9, 2020

The Trumbull County 9-1-1 Center had logged 425 Call Assignments in May (381 in April), a clear indication of continual manpower needs. The NFPD System generated 55 incident reports in May (45 in April), again an indicator as to manpower needs, as each report from the initial call to the end of entering the report takes an approximate minimum of one hour to complete due to State requirements in reporting for statistical purposes, as well as accuracy for prosecution and documentation. There were 16 individuals arrested for various crimes and warrants in May (11 in April), again time consuming, as conveyance to County Jail is upwards a minimum of one hour each for the transport and initial booking at the facility. Moving Traffic Citations issued were 20 in May (8 in April), and 53 Traffic Stops in May (14 in April). 11 Traffic Crashes were reported in May (5 in April). 1 Hit Skip Crash reported in May (2 in April), and 4 Towed Vehicles in May (2 in April). Burglary and Breaking/Entering totaled 1 (2 in April), 6 reported Overdose (5 in April) and 5 Suicide Calls in May (4 in April), 33 Suspicious Person/Vehicle/Shots Heard/Unwanted Persons (31 in April). 6 Domestic in May (9 in April). 12 Fight or Person with Gun/Knife/Disturbance calls (12 in April) and 3 Prisoners Transported (3 in April usually Arrestee to Jail or to/from Municipal Court), which can tie up an Officer for several hours, especially on a Court day. It should be noted that the Sheriff, as will has longer provided this valuable service, thus NFPD will be tasked will all NFPD and Probation Department transports.

Court Appearances are mandatory for both Full and Part Time Officers, in connection with arrests, other crimes and citations issued, thus are required by many officers (mostly while off duty and away from their regular daytime employment) in connection with arrests and traffic citations as noted above. Officers are granted paid hourly straight time (paid as overtime to full-time officers) for their Court appearances.

Overtime for full time officers continues to be paid as needed, as generally shift shortages are handed by part-time officers at a lower pay rate. The department continues to remain within budget as a whole. Still actively and continually seeking additional part-time officers to supplement the shifts. It continues to be noted that virtually every Police Department in this State, and even Nationwide is struggling to recruit qualified candidates. The department also utilizes Unpaid, Sworn Reserve Officers to supplement the paid officers, and at times unpaid Civilian Unarmed Auxiliary Officers for traffic control and other events.

Depending on future funding of the Police Department, at least two more full-time officers will be sought to help stabilize the department scheduling and minimum manpower, to better serve the citizens, if funding should become available.

OF SIGNIFICANCE DURING MAY, 2020:

- As we entered the second month of the Pandemic, both Overdoses and Domestic violence had increased.
- The Police Department assisted with observing the “mask order” and appropriately reporting as necessary.
- Mobile MARCS Radios with in-car repeaters are in service in most cars and numerous issues are being identified, so rectification can hopefully be handled. Not all cars due to cost received MARCS radios, and will utilize portables as necessary.
- Traffic Complaints, of speeders are continually addressed. Tickets and Warnings are still being given, and seemingly cars have slowed as a result of Police presence to include Route 5. Side streets are being addressed also.
- On-duty officers carry one of the two brand new defibrillators in the duty bag for use upon arrival on any medical emergency scene, if necessary. Officers will respond to assist the Rescue personnel, but unless it is a heart issue or overdose, will not enter a residence where flu or Corona Virus may be present.
- The Detectives are working sex offenses, considered as major cases, along with other cases that require follow up and investigations. We also work with the Children’s Services agencies and do follow up as needed.
- The Drug Collection Box in the Police Department hallway continues to be well utilized, serving dual purpose of keeping unused medications out of the hands of those who would utilize it for illegal/improper purpose, and further out of the sewer water by those who had in the past flushed it for disposal. Pills collected are secured and turned over to D.E.A. for proper disposal. The DEA (Drug Enforcement Administration) picks up the pills within 48 hours for destruction after organized collection events. Vaping Devices are now being accepted in the collection box. None however had been turned in. Due to the pandemic, DEA organized collections have stopped, however our collection box is still open.
- New Part-Time Officers Jake Zaluski and Stan Butler, both former Reserve Officers have become a valuable part of the work schedule, as needed.
 - Numerous free training opportunities continue to be utilized by several officers, to continually enhance their knowledge of the job. These are taken online and at OPOTA in Richfield, generally.
 - The K-9 has been selected and will begin train in mid-June. The K-9 Insert, to be placed in an SUV has been ordered, with all necessary safety equipment to include temperature monitoring and alarms.
- Tickets and Courtesy Warnings continue to be issued to vehicles parked on Front Lawns and also the Hydrant Sides of the street. Warnings, as a courtesy are still being given in many cases to our residents. As your Police Chief stated on the open Council Floor upon the passing of the ordinance, we will strive to accommodate special requests to temporarily relax enforcement on any street for special occasions (holiday guests, house parties, etc) as long as it does not create a significant hazard.

- Drug Investigations continue to be a priority, and we continue to utilize undercover officers in the TAG (County Drug Unit) being deployed as necessary. There are continuous active confidential investigations in this community, that will not be discussed.
- Your Police Chief, is a salaried employee, paid only for working 160 hours monthly. Many extra hours of hours over an above the 40 hours weekly are continually worked by your Chief, which is both unpaid and uncompensated.
- Vehicle Repair Costs are becoming more significant due to age and miles on some of the vehicles. Request made for the new budget for new cars with full warranties.
- Police Officers are still transitioning to utilizing our new .gov email addresses.

Number of Calls Report by Department-Complaint (All Units)

Department : NEW	Complaint Code	Description	Number
	ABC	ABANDONED 911 CALL	3
	ABV	ABANDONED VEHICLE	2
	AC	ANIMAL COMPLAINT	4
	AD	ALARM DROP	16
	AS	ASSAULT	2
	ATL	ATTEMPT TO LOCATE	1
	ATV	ATV/DIRTYBIKE	1
	BG	BURGLARY	1
	BOLO	BE ON THE LOOKOUT	1
	C10	ASSIST OFFICER	1
	C2P	CRASH PROPERTY DAMAC	5
	C4P	CRASH WITH REPORTED I	6
	CD	CRIMINAL DAMAGING	2
	CKW	CHECK WELFARE	9
	CPS	COURT PAPER SERVICE	2
	CT	CRIMINAL TRESPASS	1
	CUS	CUSTODY PROBLEM	2
	DA	DRUG ACTIVITY	2
	DAV	DISABLED VEHICLE	4
	DIS	DISTURBANCE	10
	DOM	DOMESTIC	6
	EADP	ALARM DROP MEDICAL	13
	EAPP	ABDOMINAL PAIN	3
	EBACKP	BACK PAINS	1
	EBLEEDP	BLEEDING	1
	EBPP	BLOOD PRESSURE	1
	ECAP	CARDIAC ARREST	1
	ECPP	CHEST PAINS	6
	EDIABP	DIABETIC	1
	EFALLP	FALL	7
	EGIP	GENERAL ILLNESS	2
	EHPP	HEART PROBLEM	1
	EMSP	EMERGENCY MEDICAL AS	1
	ENVP	NAUSEA/VOMITING	3
	EODP	OVERDOSE	6
	ESEIZEP	SEIZURE	2
	ESOBP	SHORTNESS OF BREATH	8
	ESTROKEP	STROKE	1
	ESUIP	SUICIDE	5
	EUIP	UNCONSCIOUS/FAINTED	1
	EUPP	EMS UNKNOWN PROBLEM	11
	FDFP	DUMPSTER FIRE	1
	FFADP	FIRE ALARM DROP	4
	FGT	FIGHT	1
	FSFP	STRUCTURE FIRE	1
	FVFP	VEHICLE FIRE	1
	FW	FIREWORKS COMPLAINT	2
	FWTDP	WIRES/TREES DOWN	2
	HS	HIT SKIP	1
	INF	INFORMATION	18
	INV	INVESTIGATION	7
	ITX	INTOXICATED PERSON	2
	JD	JUVENILE DELINQUENT OF	2
	LO	LOCKOUT	2
	NC	NOISE COMPLAINT	8
	NP	NEIGHBOR PROBLEM	5

Number of Calls Report by Department-Complaint (All Units)

Department : NEW	Complaint Code	Description	Number
	PRW	PROWLER	1
	PWG	PERSON WITH GUN	1
	ROS	REPORT ON STATION	8
	RP	RECOVERED PROPERTY	5
	S19	RETURN PHONE CALL	49
	SHP	SHOPLIFTING	1
	SOL	SOLICITATION	2
	SP	SUBJECT PURSUIT	1
	SPA	SUSPICIOUS ACTIVITY	9
	SPP	SUSPICIOUS PERSON	16
	SPV	SUSPICIOUS VEHICLE	8
	SS	SUBJECT STOP	5
	STB	STANDBY	3
	SX	SEX OFFENSE	1
	TFV	THEFT FROM VEHICLE	1
	THE	THEFT	3
	THR	THREATS	5
	TRA	TRANSPORT PERSON OR	3
	TRC	TRAFFIC REGULATION CO	8
	TS	TRAFFIC STOP	53
	UNK	UNKNOWN PROBLEM	9
	UP	UNAUTHORIZED USE OF P	1
	UTI	UTILITY PROBLEMS OR CC	4
	UV	UNAUTHORIZED USE OF V	1
	UW	UNWANTED PERSON OR F	8
	VA	VANDALISM	1
	VR	VEHICLE RELEASE	1
	WAR	WARRANT SERVICE	4
		GRAND TOTAL:	425