

**ZOOM MEETING**  
**NEWTON FALLS CITY COUNCIL**  
**REGULAR MEETING AGENDA**  
**MONDAY, MARCH 15, 2021**

Join Zoom Meeting  
<https://us02web.zoom.us/j/83267351160?pwd=RitiUytwZjZONU5FQlhXRFhkZEFvZz09>

Meeting ID: 832 6735 1160  
Passcode: 44444  
One tap mobile  
+13017158592,,83267351160# US (Washington DC)  
+13126266799,,83267351160# US (Chicago)

**6:00 P.M.**  
612 West Broad Street

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**CITY COUNCIL MEMBERS**

Adam Zimmermann, Ward 1  
John Baryak, Ward 2  
Tesa Spletzer, Ward 3  
Sandra Breymaier, Ward 4  
Tarry Alberini, At-Large

**MAYOR**

Kenneth A. Kline

**CITY MANAGER**

David M. Lynch

**LAW DIRECTOR**

A. Joseph Fritz

**CITY CLERK**

Kathleen M. King

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**1. Call to Order**

**2. Pledge of Allegiance/Prayer**

**3. Roll Call**

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

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

**6. Reports**

Mayor

Council Members

Finance Director

Law Director

City Manager

Changes to tonight's agenda

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

March 1, 2021 - Regular Meeting

## **8. Public Hearings:**

1. Ord. 2021-01: Approval and granting consent to the Director of the Ohio Department of Transportation Authority to, apply, maintain, and repair standard longitudinal pavement markings and erect regulatory and warning signs on state highways inside the Village corporation limits, and giving consent to the Village for the Ohio Department of Transportation to remove snow and ice and use snow and ice control material on state highways inside the Village corporation limits, and giving consent to the Village for the Ohio Department of Transportation to perform maintenance and/or repair on state highways inside the Village corporation.

2. Ord. 2021-02: An Ordinance authorizing the Village to reduce electric rates for all residential and small business customers through a contract or contracts, for the transfer of Municipal-owned transmission equipment to Amp Transmission, LLC, a subsidiary of American Municipal Power, Inc. (AMP) in return for a payment.

## **9. Unfinished Business:**

1. Ord. 2021-01: Approval and granting consent to the Director of the Ohio Department of Transportation Authority to, apply, maintain, and repair standard longitudinal pavement markings and erect regulatory and warning signs on state highways inside the Village corporation limits, and giving consent to the Village for the Ohio Department of Transportation to remove snow and ice and use snow and ice control material on state highways inside the Village corporation limits, and giving consent to the Village for the Ohio Department of Transportation to perform maintenance and/or repair on state highways inside the Village corporation.

2. Ord. 2021-02: An Ordinance authorizing the Village to reduce electric rates for all residential and small business customers through a contract or contracts, for the transfer of Municipal-owned transmission equipment to Amp Transmission, LLC, a subsidiary of American Municipal Power, Inc. (AMP) in return for a payment.

3. Motion to give the citizens and businesses a one-time rate discount on utilities.  
(TABLED until April 5, 2021)

## **10. New Business:**

1. Res. 13-2021: A Resolution Authorizing the City Manager to enter an agreement with Z-Tech Builders & Excavators, Inc. for the Washington Avenue Storm Sewer Improvements Ohio Public Works (OPWC) Project.

2. Res. 14-2021: A Resolution Authorizing the Finance Director to Establish a Capital Improvement Fund for the OPWC Stormwater Project.

3. Res. 15-2021: A Resolution to Discipline Councilwoman Sandra Breymaier for the use of foul, abusive, profane or obscene language.

4. Motion to acknowledge the Finance Director Report for the month of February and Attachments as presented.

5. A motion to direct the City Manager to create and distribute (mail) an informational newsletter about the AMP-T proposal.

6. A motion to schedule an in-person Town Hall meeting on the AMP-T proposal.

**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 – Contract Negotiations
- 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 via zoom on Monday, March 1, 2021 at 6:00 p.m. in Council Chambers. Mayor Kline called the meeting to order following the Pledge of Allegiance and prayer.

**ALSO PRESENT:** (via Zoom)

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

**ROLL CALL:**

Spletzer, Baryak, Zimmermann, Breymaier, Alberini

**ABSENT:**

**SPECIAL PRESENTATIONS BY STAFF MEMBERS OR INVITED CONSULTANTS:**

**PUBLIC COMMENTS:**

Brian Kropp, 247 Elizabeth Street, commented on Ordinance 2021-02 he had some concerns about the legislation and tried to call City Council members. He asked who authored the legislation. Council support staff are not legislators, they cannot legally write legislation they are there to prepare the agenda. He did not believe Spletzer, Baryak or Mayor Kline authored the legislation.

Tim Stintson, 253 Arlington Road also commented on Ordinance 2021-02 and had some issues and questions with the legislation. Mr. Lynch wrote an article about AMP and the bad contracts we were contracted to with them. He noted that the legislation referenced ORC 721 not being applicable. Mr. Stintson said our guys do a great job and he was worried about the down time after this sale.

**REPORTS:**

Zimmermann:

- Attended the Fire-board meeting on the 23<sup>rd</sup> where several members were promoted and two resignations were accepted.
- Tomorrow will be the Planning & Zoning Commission meeting
- Wednesday will be the quarterly Treasury Investment Board meeting.

Baryak:

- Attended the Commerce Association meeting last week.
- Personally was at the site on Medley Avenue where there is still water coming in from the sewers. Was told more work needs to be done, hopefully at no cost to the City.

Spletzer:

- Back during the snow storm residents called about issues with the sidewalks that she dealt with. Reminded everyone that we have a lot of walking people, sidewalks need to be kept clear.
- Received the email from Tim Stintson on the Park & Rec board. The Commerce Association reached out to him in reference to doing a few upgrades at Commerce Park to look more aesthetically appealing. Mr. Stintson gave his approval to the Commerce Association to go ahead with their plans.

Breymaier:

- Reminded everyone that the Planning & Zoning Commission will hold its monthly meeting tomorrow via zoom at 6:00 p.m.

Alberini:

- Lattes and Legislatures event is still planned for April 12<sup>th</sup>. He wanted everyone to know they are invited including the surrounding township trustees, businesses and residents.

FINANCE DIRECTOR: Nothing to report in addition to the written report submitted.

Spletzer thanked Ms. Musson for the clarification on the annual report and reconciliation. She could see where in ordinance 2020-11 she took \$265,000 and on June 9<sup>th</sup> then another \$197,000 on June 19<sup>th</sup>. That equaled the \$462,000 that council approved removed from the Investment board. She asked under what ordinance did she remove \$500,000 on June 26<sup>th</sup>. If there was no ordinance how she was authorized to make the transaction. Ms. Musson stated to move money Treasury Investment Board makes a motion at the meeting. There was a motion, and she was directed by the Treasury Investment Board to do so.

Attorney Fritz explained that the Treasury Investment Board any transfer of money is not required to be by ordinance. Ordinances are for the spending of expenditures. Moving from a checking to savings by Treasury Investment are done not necessarily going through council. Reports and minutes are made from the meetings. The Treasury Investment money is a separate account. It is money we are holding that we want to get extra interest on and have money aside for whatever reason council and the City determines they want to save money for. It is not required to be by ordinance.

Baryak stated he did not remember it being reported. Spletzer stated she did not think Council was aware of the \$500,000 move on June 26<sup>th</sup> then somehow it magically reappeared back into the Treasury Investment on October 8<sup>th</sup>. She asked for the minutes from those meetings or that created those transactions. To her knowledge they have never received minutes from the Treasury Investment Board. They got an annual report. Spletzer asked for all the minutes from 2020.

LAW DIRECTOR: No Report

Baryak stated the committee thing was taken off the table because it died. He asked why Mr. Fritz in his opinion which he opined on why he did not do it sooner than March or April of 2019. He let it go on for Mr. Svette and Mr. Zimmermann. All of the sudden you had an epiphany or psychic phenomenon to change his opinion.

Attorney Fritz stated the Mayor did some research when we were going through the committees and brought it to his attention that there was an error. Because of that he went back and rewrote his opinion. Baryak stated the committees we brought up on the agenda legally and were passed. The Mayor came in and dissolved the committees and said they were done illegally. You let him do that why. Attorney Fritz clarified that Mayor Kline brought it to his attention that we had done it before differently. Attorney Fritz said he then went back and reviewed it and found out that he had made a mistake with the previous administration as written in his opinion. Baryak stated Ms. Sopkovich did not change her opinion did she. Attorney Fritz said he cannot answer that but if you read Ms. Sopkovich opinion it has to do with establishing committees and that is where his error came up, the word establishing. Baryak asked what is establishing committees, putting on different people, we do that every year in January we establish new committees. Attorney Fritz said he disagreed. Baryak asked if it could be that the content of Council changed and that is why his opinion changed. Attorney Fritz stated absolutely not.

Spletzer received an email from the Law Director on February 10<sup>th</sup> and told her she had until February 12<sup>th</sup> to sign an acknowledgement form for an ethics policy. In the email he said that if you do not sign this Friday, February 12<sup>th</sup> I will have to exercise my duties as prosecutor. She asked the Law Director if the City Manager instructed him to write that letter to her. Attorney Fritz said no. She asked if he felt he had the right to threaten her by exercising his duties as the Prosecutor because he thought she did not sign a form. Attorney Fritz said he did not know the form was preciously signed. For whatever reason it did not transfer down. On the verification of those forms it did not transfer down so when he wrote the email on February 10<sup>th</sup>, he was under the opinion that she had not signed that paperwork. Ms. Spletzer said she did not sign the one Kathy sent but signed the one she received from Anna. Attorney Fritz said when he sent that it was very factual. If he does not specify he is informing Council, then by informing Council he is condescending and threatening. You can't have it both ways. He has an obligation if the paperwork is not signed, that email was advance notice, that he has to proceed with it, not a threat. Spletzer felt it was a treat and he owed her an apology.

Baryak stated the Law Director came out with an opinion that he did not have to give Council a written opinion unless it is the majority of Council. Baryak asked when the Law Director opines on something why are they not to have a written opinion on that. Don't they have the right to know why he is opining. Attorney Fritz stated part of his job is to find issues and report them back to Council and to give them opinions. As stated, before he would write an opinion if directed by a majority or if one of the staff members brings something forward and needs some opinion those are directed by the City Manager.

Baryak stated it is in the Law Director's contract that he help and assist all Council members. Attorney Fritz agreed. Baryak asked why they are not allowed to get what he opined on. Attorney Fritz said if you look at his opinion there is a line that indicates why he is writing the opinion. Most of the opinions have a re: section that indicate what they are about and usually

who asked for the opinion. Baryak stated sometimes he opines he is not asked he just weighs in when it is convenient. Attorney Fritz disagreed. Issues arrive to him in different stages, when those come up, they ask what the legal process is. Often times it is an oral opinion, sometimes it needs to be written. Its not when its convenient its when the issue comes up and he addresses the problem.

Alberini said since he has been on Council there seems to be confusion on the Law Director's position when it comes to taking directions from a singular member of Council or the whole body. Alberini said he would prefer that when the Law Director is given direction it is by the whole body of Council instead of the singular members because he would be constantly chasing the wind. Legally when the Law Director is asked to opine should he do that for one member of Council for the majority of Council. Attorney Fritz stated specifically it would be for the majority of Council. He stated he does not have six bosses he has two, Council as the majority and the City Manager.

Spletzer said when the Law Director looks to give legal opinions to individuals, she thought he needed to stick to his portion of the Charter. Article V, Departments, Section I, Department of Law reads "The Director of Law shall be the chief legal advisor of all offices, departments and agencies and of all officers and employees in matters relating to their official powers and duties." She pointed out that the only ones that have any power are members of Council. Further down it says, "It shall be his duty to perform all services incident to the Department of Law as may be required by statute, or by ordinance or resolution of the council." Specifically statute 733.54 states "When an officer of a city entertains doubts concerning the law in any matter before him in his official capacity and desires the opinion of the City Director of Law, he shall clearly state to the Director of Law, in writing, the question upon which the opinion is desired, and thereupon the Director of Law shall, within a reasonable time, reply orally or in writing to such inquiry." Spletzer stated nowhere in anything that she just read does it say it takes a majority of council. Spletzer said this might be something they need to get a second opinion on.

Attorney Fritz noted they have had this conversation twice now. The Charter supersedes the ORC. When you talk about public official, Council is Council as a whole, in other sense by a majority. They are not six individuals. He does not give individual opinions. No Law Director does. He gives opinions to Council, staff members, department heads and the City Manager. He gets directions for staff and department heads via the City Manager. Attorney Fritz stated he does opinions as ordered by the majority of Council and City Manager. Attorney Fritz gave the example that Mr. Baryak may come to him for an opinion on how to build a bigger tower and Ms. Breymaier may want an opinion on how to stop a bigger tower, he can't have conflicts. But if Council as a whole as a majority directs him then he can write an opinion. There are inherent conflicts if he is allegedly representing each individual.

Alberini stated the verbiage Ms. Spletzer read he did not hear anything about a Councilman/Council person singular giving instruction to the Law Director. What he did here were the three words "by the Council" which he assumed meant by the Council as a whole. Attorney Fritz stated that has always been the interpretation.

**CITY MANAGER:**

- No report on top of the written report submitted to Council

Baryak asked when the Civil Service test would be set up. The Chief commented we had to wait for the Law Director. It has been over a year. Mr. Lynch stated it would be scheduled as soon as the legal opinion discussed with him a couple of days ago when Attorney Fritz was going to see if there could be a declaratory judgement to make a determination.

Mayor

- Congratulated the girls basket ball team for their season. They lost in the district finals. He asked they be invited to a meeting when we were back in person meetings.
- The boys team plays tomorrow and wished them good luck.
- Received a phone call and had the opportunity to go with a group in the community to sing happy birthday to an individual celebrating his 90<sup>th</sup> birthday.

Alberini also commended Joe Kline, Trumbull County Player of the Year and our Newton Falls Coach was also Coach of the Year.

#### CHANGES TO TONIGHT'S AGENDA:

**Alberini made a motion seconded by Zimmermann to amend the agenda to include Resolution 12-2021.**

**ROLL CALL: Baryak aye, Zimmermann aye, Breymaier aye, Alberini aye, Spletzer aye.  
MOTION PASSED 5-0**

#### APPROVAL OF PREVIOUS MINUTES:

**Spletzer made a motion seconded by Alberini to adopt the minutes from the February 18, 2021 Regular Meeting as submitted by the Clerk.**

**ROLL CALL: Zimmermann aye, Breymaier aye, Alberini aye, Spletzer aye, Baryak aye.  
MOTION PASSED 5-0**

PUBLIC HEARINGS: None at this time

UNFINISHED BUSINESS: None at this time

#### NEW BUSINESS:

Mayor Kline stated at this time he would like the record and minutes to show he is using the power of Mayor to dissolve all the committees. Because they were illegally established, our committees are invalid based on Council rule 121.03 section of paragraph 1 states that they are to be done by a total vote of membership of council and this would include a number of six including the Mayor. So it would require a minimum vote of four and that was not done.



Committees are null and void at this time. This is supported by the 2019 legal opinion of Mr. Fritz and Ms. Sopkovich. Even though Mr. Fritz has changed his legal opinion that he wrote in support of the Mayor. Mayor Kline said he asked if Ms. Sopkovich still stands by her 2019 legal opinion in which she did not give a new legal opinion. So we must base her legal opinion on her 2019 opinion. So this makes our committees null and void. Mayor Kline suggested we put on the next agenda the need to work together to reform new committees.

Alberini with all due respect said he did not think the Mayor has that power and asked to hear from Attorney Fritz. Mayor Kline said it was the same power given to the Mayor in 2019. At this time he would not ask the Law Director to weigh in.

**Alberini made a motion to overrule the chair.** Mayor Kline stated he did not have the floor so he could not do that.

Mayor Kline said the bottom line is if there was a problem with what he is talking about here, if need be he would call the Bar Association and have our Law Director stand in front of his peers and answer on his inconsistencies on his legal opinions. If it is not on the next agenda that is what we will do.

**Alberini made another motion to overrule the chair.** Mayor Kline stated no he did not have the floor to do so. Alberini stated he did not need the floor to do so. Baryak commented that Mayor Waddell at the time, when they tried to use Article 14 said he would not accept that motion, you don't have to accept it either. Mayor Kline said it was very clear and as noted it came from Council Rules. We passed this illegally and he could not allow them to continue so they are null and void.

Mr. Lynch stated with respect there are two motions that he does not have the authority not to recognize someone on, one is a point of order, the second one is a motion to overrule the chair. You do not have discretion on those, and you could refer to our Parliamentarian, but the Rules of Roberts Order are clear.

Mayor Kline stated the bottom line was he looked all this up. He looked at our Charter and Council Rules and we are going to do things appropriately and right. What he did is according to Council Rules so that's the bottom line. Just like Mr. Waddell he went by the rules the way it was, and legal opinions supported it and so does he.

Mr. Lynch agreed he could do that, but the problem was that there are two motions that he has no right not to recognize one is the Point of Order the second is the motion to Overrule the Chair. You don't have the legal authority not to recognize that.

**ORDINANCE 2021-01: APPROVAL AND GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO, APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS, AND**

**GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO REMOVE SNOW AND ICE AND USE SNOW AND ICE CONTROL MATERIAL ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS, AND**

**GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM MAINTENANCE AND/OR REPAIR ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION.**

**Alberini made a motion seconded by Breymaier to adopt this Ordinance.**

Baryak said he thought we received salt from the State at no cost. Mr. Lynch said it depends on the circumstances. It is a give and take between Mr. Shaver and the local Director of ODOT. Some years we get free salt, and they do some of the maintenance, some years they do more maintenance, and we don't get free salt.

Mr. Lynch explained that this needed done now because every year or two the Department of Transportation asks for us to reaffirm the permission we give them to come into our municipality. Even though it is a state route they seek permission to come into our municipality.

Spletzer said she has read this several times and it does not make sense she noted in Section 4 the City Manager was addressed as the Village Manager. She stated by passing this what did we have before and what makes it different. Mr. Lynch said it is the same. Spletzer said in Section 5 why are we using verbiage about directing the City Clerk immediately upon execution and in Section 6 it says this ordinance shall take effect and be in force at the earliest time allowed. She stated this is everything without using the words emergency on the front of the legislation. This is still going to have to go through the public hearing and second reading and take the normal course of any other piece of legislation. Mr. Lynch said that was a correct statement.

**ROLL CALL: Breymaier aye, Alberini aye, Spletzer aye, Baryak aye, Zimmermann aye.  
MOTION PASSED 5-0**

**ORDINANCE NO. 2021-02: THE NEWTON FALLS ELECTRIC RATE REDUCTION ACT  
AN ORDINANCE AUTHORIZING THE VILLAGE TO REDUCE ELECTRIC RATES FOR ALL RESIDENTIAL AND SMALL BUSINESS CUSTOMERS THROUGH A CONTRACT OR CONTRACTS, FOR THE TRANSFER OF MUNICIPAL-OWNED TRANSMISSION EQUIPMENT TO AMP TRANSMISSION, LLC, A SUBSIDIARY OF AMERICAN MUNICIPAL POWER, INC. (AMP), IN RETURN FOR PAYMENT.**

**Alberini made a motion seconded by Zimmermann to adopt this Ordinance.**

Baryak said since he was not made aware of any of this until Friday night when the packet was delivered he had questions he felt was pertinent to the Village of Newton Falls and the people. He asked for additional minutes if the Chair would allow him if needed.

Baryak asked why we were selling our utilities. Mr. Lynch stated we were not.

Baryak asked if we were selling off the transmission lines. Mr. Lynch said we were selling transmission equipment that is the limited part of it. It is a very small portion of all our assets. The Village of Newton Falls has many millions of dollars' worth of electric assets. Less than ½ of 1% are part of this ordinance.

Baryak asked about leasing the land and how long was that for. Mr. Lynch said as long as we are allowing AMP T to use the transmission equipment.

Baryak asked what the reason was and were we in debt. Mr. Lynch said no.

Baryak asked how much we owe AMP. Mr. Lynch said we don't owe them anything. We have a bill we get for electricity every month, but it is not a debt.

Baryak asked if this was figured in on the rate study to accommodate the payment. Mr. Lynch said the payment was going from them to us, so the question was confusing.

Baryak said in section 1 it states "That the City Manager is authorized to reduce the residential and small business electric rates to an amount that is below rates charged by local regional electric suppliers. Baryak asked how much. Mr. Lynch said the objective is to below First Energy. Baryak asked how much we are right now above First Energy. Mr. Lynch said it varies between .14 to .16 above. Baryak asked how much it would be lowered and what that would mean to the residential customer on the bill. Mr. Lynch said it would be a significant reduction. You may see the rates go from .15 to .12 maybe .11 in the neighborhood of 20%.

Alberini said we talked about this as early as a couple years ago. Mr. Lynch agreed. Alberini said the fallacy and rumor going around town that we are selling all utilities is completely false. Mr. Lynch stated it was rather silly. Alberini noted we were selling a piece of equipment, the transmission line for right now \$3 million dollars. Amp is a great organization but before Mr. Lynch tenure we got caught in some contract that were unfruitful for us including the hydro contracts. To the citizens this could potentially be a great opportunity to get a windfall that you have paid into over the years and bring back into the community. He did talk to his residential expert on this and it was explained if we can recoup several million back from AMP energy it is a win win or the residents.

Alberini asked if the potential money we get back would go towards the reduction of rates. Mr. Lynch said yes.

Zimmermann asked to be clear only the 69 KV lines is what we are talking about not the electric system throughout the whole City. Mr. Lynch clarified further that those lines are draped over about 100 electric poles. We have north of 1,500 electric poles in the City. So it is a very small fractional piece of the vast mileage of the lines we have in our community.

Zimmermann asked if there was a power outage in town, we would still be the ones responding. Mr. Lynch said yes. He stated the maintenance of all our lines non transmission is done by Bill

George and his crew. The maintenance of the transmission lines after completion of this will be Bill George and his crew. That was one of the key elements negotiated with AMP T.

Spletzer said there is an absolute violation of the Charter found in Section 1 last sentence that says, "The City Manager is authorized to reduce the residential and small business electric rates to an amount that is below rates charged by local regional electric suppliers." that is a violation of the City Charter. Only Council can establish the rates. That is in Section 3 of the Charter, Section 9 Powers (p) determine and establish all rates and charges. She did not want to see the one power that City Council still has as a whole and a majority she is not giving away any of her powers to one person called a City Manager. That is a deal breaker for her.

When it comes to equipment, she has five pages of equipment and ironically, they have Amp ID number on them which tells her it has been worked on for quite some time. Even in the Charter it says they are to be kept up to date and they find out Friday evening. Less than 72 hours to look at and digest it. She asked how long he has been working on it. Mr. Lynch said as identified by Mr. Alberini literature was distributed to the community somewhere back in November of 2019. There were other reports to Council prior to that. He has also had the opportunity to communicate with members of this body as well but was prohibited by the executive session laws to go into any further detail.

Alberini noted that probably the two Council members left over were probably himself and Mr. Baryak when this was brought up several years ago and he remembers us talking about this multiple times.

Baryak asked how much they will charge us to use the transmission lines and the materials we sell. Mr. Lynch said he anticipated that ultimately they will transfer to us probably north of Four Million Dollars and in addition to that transfer to us maybe a couple Hundred Thousand Dollars on an annual basis for maintenance activities. We have to pay to use our own transmission lines around \$150.00 per year for the entire city.

Baryak asked if there would be a new fee on the bill. Mr. Lynch said no.

Baryak asked if all the money was going to the Electric Department. Mr. Lynch explained that the budgetary process in terms of where we spend money we take in gets decided by Council. Once you have the funds then you can pass a budgetary matter it is up to you.

Baryak asked if we were going to pay off the debt. Mr. Lynch said that would be his plan it is a great idea.

Baryak asked if it was going to be put in the General Fund. Mr. Lynch said where the money goes and where it gets spent is determined by City Council. Where the money initially gets deposited it goes into the City account and the Law Director will evaluate, by statute, where the money ultimately ends up. His general attitude is he hopes we are in a position to put into the electric department to pay off the debt, reduce rates, things of that nature.

Baryak asked why it has always been so important that we own and operate our own utilities and now its not. He showed the fall 2019 Newtonian where Amp Ohio was demonized and now, we are doing business with them. Mr. Lynch said as mentioned less than 1/2 of 1% of our assets are part of this deal. In addition he indicated that the entire rest that is the entirety of our electric system will still be operated by Bill George and staff and the Transmission lines will be maintained by Bill George and his staff. It absolutely is important that we operate our own utility and that is why we going to be doing that. Secondly, Mr. Lynch said he would not use the word demonize but was harshly critical of the fact that we had gotten into these very long-term contracts and he wanted to corner the folks at Amp so we could get a little justice done. He has been reporting back to Council on a regular basis in different communications that he has been fighting to do that so we could see a reduction in our rates.

Baryak asked who determined it was a fair price. Mr. Lynch said Sawvel and Associates and M.S. Consultants assisted in this long process. Council has voted and put their faith in these experts on many occasions.

Baryak said he never got any information from Sawtell and how we could go about this without Bill George being here. Mr. Lynch stated Sawvel has provided many reports to this Council. Spletzer noted not since she has been here.

Baryak asked who pays for service or upkeep if needed on all the stuff we were transferring. Mr. Lynch stated not only will the cost of the maintenance be paid by Amp, but they will pay us a premium on top of that for the privilege of allowing our experts, Bill George and staff, to do so.

Baryak asked how much revenue the City Electric Department made last year. Mr. Lynch deferred to the Finance Director.

Baryak stated until he got answers on paper, he would like to propose he hear from Mr. Bill George. Baryak said he talked to Mr. George and he said he was not asked to be here. He would like his input. Baryak said he cannot approve something he knows nothing about. Baryak said this contract give the sole authority to do anything and Council has no right to back out of or question anything he does. Baryak asked if that was correct. Mr. Lynch said no.

Baryak read from Section 2 "The City Manager is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the aforementioned agreements." In Section I it states, "The City Manager is authorized to reduce the residential and small business electric rates to an amount that is below rates charged by local regional electric suppliers." Baryak said he asked how much and did not get a set figure. He did not see a study, any paperwork, just what company was involved. He had nothing to know if this was a bad deal or not.

Baryak made a motion to table this then have a workshop and public meeting, so they and the public know more about this. He would put that motion on when the time comes.

Spletzer agreed with some of the concerns Mr. Baryak had. She found this an ambiguous piece of legislation. The last Wherefore that mentioned the municipality's reliability and other goals. She asked what other goals. This is the most ambiguous piece of legislation she has seen. It

leaves the door open with other goals, letting the City Manager set the rates and throwing Chapter 721 out the door.

Spletzer said she is just finding out tonight that this is something the City Manager has been working on for eighteen months. She finally got put into her Council seat on December 21 and never heard a peep about this. Two and a half months has gone by and according to his contract and the Charter he is to be keeping Council updated in detail.

Zimmermann said people have been asking him if there is a guarantee. He asked if there was a decrease guarantee and what the people would see in their electric bill. Mr. Lynch said absolutely yes.

Zimmermann also clarified that this is the first reading, and we are not voting to pass anything. There is time to talk about it, discuss it, have a work-shop and town hall meeting if deemed necessary to influence well thought out decisions. Mr. Lynch said that is correct. Mr. Lynch also stated before this meeting started, he sent a meeting notice for a town hall to be held on this subject to be held on March 8 at 6:00 p.m. All members of Council were sent this, and he and the Mayor spoke on this briefly before tonight's meeting started.

**Alberini called for the vote seconded by Breymaier.**

Mayor Kline said with something this important he wanted to give room to extend to each Council person. He stated we were not going for the vote yet because something like this we did not need to pound down people's throats. These were all questions a lot of people would like answered.

Baryak said he can't fathom why any council person would pass something without having the full information in front of them. He suggested tabling, having a work session, all get on the same page and see the reduction before we piece off our utilities. He has been here 71 years and we have always prided ourselves on keeping our own utilities. He has had nothing concrete and anyone who votes for this tonight will stand by their vote.

Baryak asked for a motion to table until we have a workshop.

Mr. Lynch noted that there is superseding motion prior to Mr. Baryak's motion.

Mayor Kline stated he did not get a vote however it might be a good deal it might not be he did not know. Down the road we may leave our children a mess. Yesterday he went to his granddaughter's birthday one thing he hoped as he would not leave her a mess in the future. That is why he extended Mr. Baryak's time and anyone else because he has had these same questions asked to him. He suggested we don't do like our federal government and pass the bill then find out what is in it. That we actually maybe vote no and look into it. If it is a great thing then reintroduce it. The other suggestion is table it until there is at least two town hall meetings and a caucus on this.

Mayor Kline asked the Law Director if the vote was for passage or the motion to table. Baryak made the motion without a second. Attorney Fritz said the only motion on the floor is yes or no on 2021-02.

Vote on Motion to Adopt

**ROLL CALL: Alberini aye, Spletzer nay, Baryak nay, Zimmermann aye, Breymaier aye.  
MOTION PASSED 3 ayes – 2 nays**

**RESOLUTION 10-2021: A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO APPLY FOR AND ACCEPT THE OHIO DEPARTMENT OF NATURAL RESOURCES STATE OF OHIO NATUREWORKS GRANT FOR HANDICAPPED ACCESSIBLE PLAYGROUND EQUIPMENT.**

**Alberini made a motion seconded by Breymaier to adopt this Resolution.**

Spletzer said it was misleading because the word grant is used in the title but in the actual verbiage in Section 1 uses the words, file an application for financial assistance, Section 2 uses the words funding assistance, and Section 3 uses the words obligate funds required to satisfactorily complete the project. This is a confusing piece of legislation. It is called a grant in the title but the body it obviously says we are getting some of our money involved.

Ms. Musson explained that this is a resolution to apply for a grant. It is a state grant from ODNR. The language is a requirement of the Ohio Department of Natural Resources (ODNR) it is a typical template and resolution we pass every year. The application is due by June 1<sup>st</sup> this is to add to our existing playground equipment. To enhance it and make it ADA accessible with handicapped equipment. The amount of the grant will be approximately 75% with a 25% local match. Approximate cost of the equipment is \$75,000. This has gone to the Park and Recreation committee and motioned to apply for the grant.

Musson also noted that it was in the appropriation budget book in the Park and Recreation fund.

Alberini congratulated Ms. Musson on successfully applying for the grant and it is a win for Newton Falls.

Zimmermann asked if the City had to put up money first then get reimbursed or is it all dependent on receiving the grant as far as moving forward. Ms. Musson said it is contingent on receiving the grant.

**ROLL CALL: Spletzer aye, Baryak aye, Zimmermann aye, Breymaier aye, Alberini aye.  
MOTION PASSED 5 – 0**

**RESOLUTION 11-2021: A RESOLUTION OF APPRECIATION TO RECOGNITION TO KAREN RUTAN FOR HER UNSELFISH ACTIONS AND COMMITMENT TO THE RESIDENTS OF THE CITY OF NEWTON FALLS AND THE SURROUNDING COMMUNITY .**

**Spletzer made a motion seconded by Zimmermann to adopt this Resolution.**

Spletzer said she wrote this legislation after sitting through the last City Council meeting and seeing that Mrs. Benetis had assistance to log onto zoom so she could have her husband honored. Karen does a lot in our community and stays involved in our active agers.

**ROLL CALL: Baryak aye, Zimmermann aye, Breymaier nay, Alberini aye, Spletzer aye.  
MOTION PASSED 4 ayes – 1 nay**

Mayor Kline thanked Mrs. Rutan for her many good things she does. Individuals like this really define our community and encourages people to step up.

**Zimmermann made a motion seconded by Breymaier to acknowledge the Finance Director Report for the month of January and attachments as presented.**

Mayor Kline asked why the different terminology why it says acknowledge and not accept. The Clerk stated council has does not have to accept the report, but they have to acknowledge receiving the report.

Spletzer asked about the investment balances. The numbers she was given earlier was given to them by email updated as of February 5, 2021. The information given as of the close of the books at the end of January specifically in just the investment accounts, the USB primary and UBS CAM show a difference of \$294,809.50. She asked where \$294,809.50 goes in five days.

Musson stated in the report for period one it provides a report balance as it was on December 31<sup>st</sup>. On the graph it shows the bank balances, month to day report, year to date 2021 month one and lists all the bank accounts. So this is the report as of January 31, 2021. So the beginning balance would have been as of December 31<sup>st</sup>. The ending balance is at the end of the month. She would get back to them in detail, there could have been some changes most dealing with the market conditions. Our main account is mostly treasury bills and have an inverted yield curve. Musson said she would do an analysis and get information to Council via email.

**ROLL CALL: Zimmermann aye, Breymaier nay, Alberini aye, Spletzer nay, Baryak nay.  
MOTION PASSED 3 ayes – 2 nays**

**Baryak made a motion seconded by Spletzer to hold a town hall meeting on April 15, 2021 at 6:00 p.m. to discuss Scott Street Sewer Project all to be invited.**

Mayor Kline asked if this was an in-person meeting. Mr. Lynch stated we anticipate opening the building to the public in the beginning of April and we will accommodate people in the building for the purposes of all our buildings in April. We will also comply with some of the details for the Health Department. So if the meeting goes forward on the 15<sup>th</sup> we would do so in this building.



Mayor Kline also asked about other things held in the building including exercise for seniors would they be able to hold some of their events. Mr. Lynch said when we locked down the building those ended. When we open April those and the groups using the building would have the opportunity again.

Baryak asked Mr. Lynch if he wanted to go ahead with the Scott Street project in July or August. How long is this grant good for. Mr. Lynch said the OPWC indicated the grant is forth coming in 2022.

Baryak asked if he contacted the Township Trustees or Commissioners. Mr. Lynch said yes.

Baryak said he was for helping everybody out. The Township has a lot of questions. They are willing to go along as long as they don't pay for it. Baryak asked Mr. Lynch if he was willing to put this on the taxpayers of Newton Falls. Mr. Lynch said no. Baryak asked how he proposed doing that. Mr. Lynch stated there are several funding sources to do this project. The OPWC has authorized a record amount of funding for this, in addition he anticipated additional revenue sources from the Ohio Environmental Protection Agency and supported by the rates.

Baryak asked why we would stick our nose in the township when we can't keep our own people here. We have places like Artesian, Medley Kendall Avenue, Pennsylvania Ave that does not have our utilities.

Mr. Lynch said the City has a Wastewater Treatment Plant and the Scott Street effluent from these homes as determined by the Judge of Common Pleas Court who signed a Contempt of Court order if they did not connect to the Newton Falls Plant. If they did not connect then the County would be in violation of the Judges order. So it is extremely related to us because we are part of the Judges order. Secondly, the reason the Judge issued the order is because the EPA listed it as an environmental hazard severely hazardous to the health of Newton Falls residents and people in the region because of the disgusting fecal matter dumped into the river adjacent to the homes of people in Newton Falls. According to the EPA it is an urgency that we protect our residents. He deferred to the Law Director on the legal question.

Attorney Fritz stated he was not sure why we were having this conversation on the why and how when the motion is scheduling a simple meeting. None of this is relevant to the motion. Attorney Fritz agreed there is a Common Pleas case, the City is part of that, based on that everything he said on the case is true.

**Alberini called for the vote seconded by Breymaier.**

Mr. Lynch stated this project has been pushed back to 2022 by the OPWC. They guarantee the funds in 2022. In order to get addition funding we need to work with the EPA, and we will not know the answers to those questions until the end of 2021. He asked that they vote no on this because he will not have the answers to the sources of the rest of the funding until the end of

2021. He would convene a town hall once we know that information. The objective is for Newton Falls not to spend any money.

Spletzer commented that this should be a meeting considered organizational. She did not see why the City was getting involved. It was a County and Township problem. We should have a meeting to establish guidelines and parameters.

Alberini said this is our drinking water. The motion is about setting up a town hall meeting to cover these issues. We are overthinking a simple motion.

Zimmermann said we heard earlier about cleaning up Commerce Park. Commerce Park is downstream to where this fecal matter is coming into the river. A clean river is everyone's responsibility. He hoped we would have a town hall meeting when there is something to present not when we cannot answer any questions.

**ROLL CALL: Breymaier nay, Alberini aye, Spletzer aye, Baryak aye, Zimmermann nay.  
MOTION PASSED 3 ayes – 2 nays**

**RESOLUTION 12-2021: RESOLUTION OF APPRECIATION AND RECOGNITION TO WILLIAM GEORGE FOR HIS YEARS OF SERVICE TO THE NF JOINT FIRE DISTRICT.**

**Spletzer made a motion seconded by Alberini to adopt this Resolution.**

Baryak felt we were rushing into this he would like to do this personally.

Alberini congratulated him.

Spletzer commented he is a tremendous asset to the town.

Zimmermann thanked hm for his many years of service.

Kline thanked him for his service and asked when the building was open if we could have him here.

**ROLL CALL: Alberini aye, Spletzer aye, Baryak aye, Zimmermann aye, Breymaier aye.  
MOTION PASSED 5 – 0**

**PUBLIC COMMENTS:**

Brian Kropp, 247 Elizabeth Street said before the meeting he reached out to three members of Council about Ordinance 2021-02. He recorded the phone conversations he had with Mr. Zimmerman, Mr. Alberini and Ms. Breymaier. He also asked if any of you authored this legislation. Mr. Lynch stated you cannot play a phone recording in Ohio. Kropp stated it is a one-party state in Ohio and played the recorded phone calls.

Tim Stintson, 253 Arlington Road on the pending sale of electric he said there was a motion on the floor before they voted on it to table. Thank them for the March 8<sup>th</sup> town hall. In the same newsletter Mr. Lynch did say there was a Phase II in the works. Mr. Lynch also said that paying off debt is a good idea. This is something new and over the last year we have gone into debt, so it is inconsistent. This Ordinance is no where near an actual contract, there are no rates. He was glad to hear of an ongoing payment but that is not in here. Lastly, it was said this ½ of 1% of our assets. He asked how much of our actual power ran through those lines he bet 100%.

Laura Neiheisel, North Center asked the City Manager if during the town hall could ask what Amp's end game is what do they get out of this. They will not purchase for Four Million without getting something in return. If 100% of our power goes through them what happens if they change their rates.

Julie Lemon, 2750 East River Road called the City Manager's office on February 18<sup>th</sup> to complain about snow and ice by her house. She spoke to Ms. King who dismissed her immediately and said the State salts St. Rt. 534. Ms. Lemon said she was calling about East River Road. It was like that and four hours later it was still in the same condition. On last Thursday received multiple messages from Mr. Lynch who was trying to contact her. Ms. Lemon said she checked her phone records and he never called once. He never returned the email from her when she contacted him. She questioned what number he called, and it was five days ago, and he never got back to her. She suggested to the City someone needs to check into this. Secondly if that is how he sends emails the City is in trouble.

#### **CLOSING REMARKS; MAYOR, CITY MANAGER AND COUNCIL:**

Zimmermann there was a lot of positive discussion tonight and Council has their work cut out for them on the Amp project. Hopefully everyone does their homework. We had the first reading tonight no legislation passed on this tonight. Hopefully we will be able to make educated decisions.

Congratulated both the boys' and girls' basketball teams on their seasons. Also congratulated Bill George again for his service with the Fire Department. And special congratulations to Karen Rutan it is people like her that make this City what it is.

On a negative note he hoped people learned their lesson tonight. The way he has been treated in these phone calls, being played on the air. This is a person striving to be on Council. He hoped everyone learned a lesson at his expense this is something that can be expected going forward if this person is elected to a position.

Baryak called Point of Order.

Baryak said he tried to get some answers and got the runaround. He has never gotten anything on the rates, what it will benefit, cost to us. We are entering tonight into a contract we know nothing about.

Baryak stated to Mr. Zimmermann this water has never been deemed unsafe. We have one of the lowest lead rates. If you want safe water let's get the Commissioners and Township take responsibility. If not get the Health Board. He questioned if we got the money for the electric would it go to finance the Scott Street Project. It has not been determined if we got a fair price who helped negotiate. He would not sell the good people of this community out for someone who thinks he has delusions of grandeur to stroke his own ego. He stated, "if you want to give him that power Mr. Zimmerman, fine but you will be held responsible just like Mr. Waddell was held accountable for selling the community out".

To Mr. Fritz if you want to give an opinion that's alright but he waited two years. To him it sounded like favoritism when after two year he changed his opinion.

Spletzer piggybacked some of Mr. Baryak's concerns and they needed to get answers. It doesn't matter if she calls the City Manager or Law Director it's all run a round, and she felt she was being denied access to information she needed to do her job. She got threatening emails from the Law Director. She showed up at City Hall and The City Manager threatened to call Chief of Police. She reminded the City Manager and Law Director that they needed a refresher course on the organizational chart. Neither one of them have the right to deny her any information that she feels is pertinent to do her job.

Breymaier said enough has been said defaming people.

Mayor Kline said he allowed Mr. Baryak to have extended time he knew he had a lot of questions. They were questioning the community wanted answered. He would have given anyone extra time. He hoped we use the meeting responsibly and take a serious look at the Amp contract. Realize the responsibilities we have.

Alberini said he was humbled and grateful to the citizens to allow him to be on Council. We have had some challenging times. This was a good meeting except for the ending phone calls. We don't always agree and have to move on.

The Amp project was discussed several years ago and additional details tonight. He did not think anyone was ramming anything down someone's throat. There was legislation sponsored back in 2020 to reduce rates that was brought up by Mr. Baryak. Alberini said he was taken back tonight on reaction to this legislation. He hoped we could get a windfall. He clarified we are not selling our utilities. The City Manager has been straightforward over the years, but the new Council may need to be brought up to date.

Lastly, he felt bad for Mr. Kropp. Mr. Alberini said he did not take his phone call and his wife does not want Mr. Kropp to call the house because of some of the things he has posted on Facebook about her husband she knows is not true. He does not want him calling his cell phone because of some of his juvenile behavior that has taken place. He believed Brian was a good guy along with a lot of people that call in. But there is no reason to record individuals without them knowing in order to try to set them up. Alberini said we are better than that as a community, he would never do that to anyone.

Mayor suggested the town hall meeting on Monday be held outside if possible.

**MOTION TO RECESS INTO EXECUTIVE SESSION:**

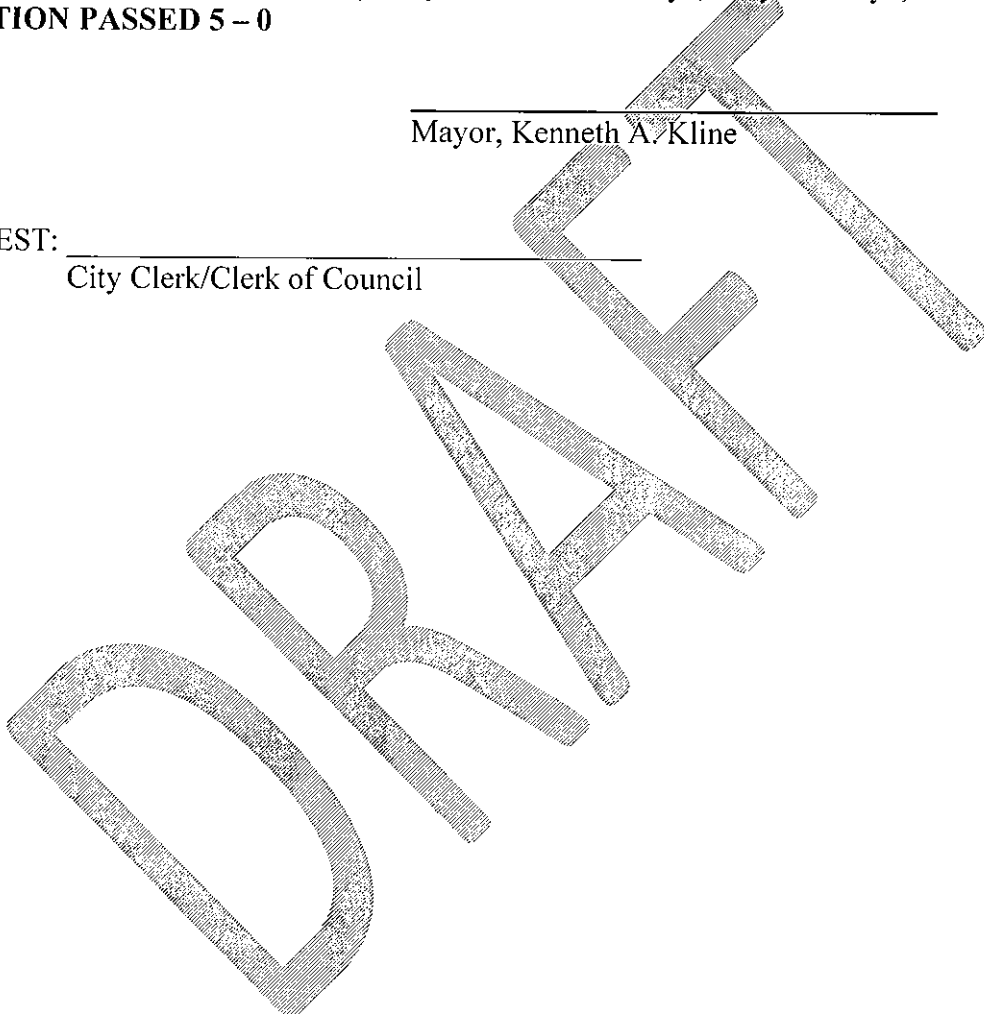
**ADJOURN:**

After no further comments or questions Zimmermann made a motion seconded by Spletzer to adjourn at 8:38 p.m.

ROLL CALL: Spletzer aye, Baryak aye, Zimmermann aye, Breymaier aye, Alberini aye.  
MOTION PASSED 5 – 0

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

ATTEST: \_\_\_\_\_  
City Clerk/Clerk of Council



**ORDINANCE 2021-01**

**APPROVAL AND GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO, APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS, AND**

**GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO REMOVE SNOW AND ICE AND USE SNOW AND ICE CONTROL MATERIAL ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS, AND**

**GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM MAINTENANCE AND/OR REPAIR ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION.**

WHEREAS, the Director of Transportation, under Section 5521.01 of Revised Code of Ohio is authorized upon request and approval of the legislative authority of the Village to maintain, repair and apply standard longitudinal pavement marking lines and to erect regulatory and warning signs, as defined in the manual adopted under section 4511.09 of the Revised Code on any section of a State Highway within the corporate limits of a village; and

WHEREAS, the Director of Transportation, under Section 5501.41; Revised Code of Ohio, may, upon consent of the legislative authority of the Village, remove snow and ice and use snow and ice control material on State Highways within the corporate limits of a Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and

WHEREAS, the Director of Transportation, under Section 5511.01 of the Revised Code of Ohio, may, upon the consent of the legislative authority of the Village, perform maintain and/or repair on the State Highway within corporate limits of the Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and

WHEREAS, State Highway Nos. SR 5 & SR 534 lie within the Village of Newton Falls, Trumbull County; and

WHEREAS, the work proposed to be authorized under this ordinance shall be restricted to the application, maintenance and repair of standard longitudinal pavement markings and the erecting of regulatory and warning signs, and may include if an Agreement is entered into, the removal of snow and ice and the use of snow and ice control material on State Highways within

the corporate limits of Village but shall not include the removal of snow and ice and the use of snow and ice control material on driveways, parking areas, and intersecting roads and streets, and, may include if an Agreement is entered into, the maintenance and/or repair of the State Highways within the corporate limits of the Village; and

WHEREAS, this ordinance shall not relieve or discharge the Village from responsibility for emergency repair of signs installed by the Department of Transportation; and

WHEREAS, this ordinance shall not relieve or discharge the Village from any claim or claims of any nature arising from, or growing out of, the work by the Department of Transportation of the State of Ohio on said highways in the Village, and the Village shall save the State of Ohio harmless from any and all such claims; and

WHEREAS, this ordinance is not intended to and shall not supersede any section of the Ohio Revised Code pertaining to the responsibilities of the Village and the Department of Transportation regarding any other maintenance and repair.

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

SECTION I: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio for said Department to apply standard longitudinal pavement markings, and to erect regulatory and warning signs on said State Highways in accordance with the standard practices of the Ohio Department of Transportation.

SECTION II: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio if an agreement is entered into for said Department to remove snow and ice and use snow and ice control material on any State Highway listed in the agreement in accordance with the standard practices of the Ohio Department of Transportation.

SECTION III: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio, if an agreement is entered into, for said Department to perform certain maintenance and/or repair on any State Highway listed in the agreement in accordance with the standard practices of the Ohio Department of Transportation.

SECTION IV: That the Village City Manager is authorized to enter into any agreement with ODOT for the removal of snow and ice and the use of snow and ice control material on said State Highways within the corporate limits of the Village and any agreement with ODOT for certain maintenance and/or repair of the State Highway within the corporate limits of the Village.

SECTION V: That the Clerk is hereby directed to furnish the Director of Transportation and the Board of County Commissioners of Trumbull, Ohio, with a certified copy of this Ordinance immediately upon execution.

SECTION VI: That this Ordinance shall take effect and be in force at the earliest time allowed by law.

SECTION VII: Any ordinance or parts of ordinances in conflict with the context of this ordinance is hereby repealed.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

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

ATTEST: \_\_\_\_\_  
Kathleen M. King, City Clerk



## THE NEWTON FALLS ELECTRIC RATE REDUCTION ACT

AN ORDINANCE AUTHORIZING THE VILLAGE TO REDUCE ELECTRIC RATES FOR ALL RESIDENTIAL AND SMALL BUSINESS CUSTOMERS THROUGH A CONTRACT OR CONTRACTS, FOR THE TRANSFER OF MUNICIPAL-OWNED TRANSMISSION EQUIPMENT TO AMP TRANSMISSION, LLC, A SUBSIDIARY OF AMERICAN MUNICIPAL POWER, INC. (AMP), IN RETURN FOR PAYMENT.

*(Sponsored by Mayor Kline, Ward 1 Councilman Adam Zimmermann, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini and City Manager David Lynch)*

**WHEREAS**, the City of Newton Falls, Ohio ("Municipality") owns, among other equipment, four stations and 4.46 miles of 69 kilovolt ("kV") transmission line that connects the four substations and associated equipment. Within the substations, the following comprises the 69 kV facilities and associated equipment:

1. Milton Metering Point: One 69kV circuit breaker, two 600/5 multiple ratio current transformers, one set of three-line potential transformers, one relay transclosure, three 48MCOV lightning arrestors, one dead end steel H frame and associated conduit and control cable.
2. Church Street Station: One 69kV circuit breaker, four 600/5 multiple ratio current transformers, three sets of three-line potential transformers, one relay transclosure, three 48MCOV lightning arrestors, one steel box bay, and associated conduit and control cable.
3. Warren Road Station: One 69kV circuit breaker, eight 600/5 multiple ratio current transformers, two 350:1:1 bus potential transformers, five relay panels, three 48MCOV lightning arrestors, two dead end steel H frames, eight steel bus supports, and associated conduit and control cable.
4. Warren Road Metering: One 69kV circuit breaker, four 600/5 multiple ratio current transformers, one set of three-line potential transformers, one relay transclosure, three 48MCOV lightning arrestors, one dead end steel H frame, and associated conduit and control cable
5. Additionally, the transmission line connecting these stations is comprised of approximately ninety-nine wood transmission poles, 4.4.6 miles (3-phase) of 336 ACSR primary conductor, and 4.46 miles shield wire.

For clarity, the transmission facilities and associated equipment, as more particularly described on Exhibit A (collectively the "Equipment") do not include any other facilities and equipment associated with voltages less than 69 kV within the substation footprints.

**WHEREAS**, recent Federal Energy Regulatory Commission ("FERC"), North American Electric Reliability Corporation ("NERC") and PJM Interconnection, L.L.C. ("PJM") regulations may deem Municipality's Equipment as Bulk Electric System ("BES") assets that require Municipality (if expanded to 138 KV) to comply with the North American Electric Reliability Corporation("NERC"), Federal Energy Regulatory Commission ("FERC"), and

PJM Interconnection, L.L.C. ("PJM") regulations that require Municipality to become a NERC and PJM transmission owner, thereby substantially increasing the number of regulations imposed upon Municipality; and

**WHEREAS**, American Municipal Power, Inc. ("AMP"), is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members ("Members"), such Members, including this Municipality, being political subdivisions that operate municipal electric utility systems in Delaware, Indiana, Kentucky, Ohio, Maryland, Michigan, Pennsylvania, Virginia and West Virginia; and

**WHEREAS**, AMP Transmission, LLC ("AMPT") is an Ohio nonprofit limited liability company, and a subsidiary of AMP, organized to own and operate facilities, or to provide otherwise, for the transmission of electric energy, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP's members, including the City of Newton Falls, Ohio; and,

**WHEREAS**, AMPT is willing to acquire the Municipality's transmission Equipment in order to relieve the Municipality of the transmission owner obligations and responsibilities associated with the ownership and operation of the aforementioned Equipment and achieve Municipality's reliability and other goals.

**COUNCIL FOR THE CITY OF NEWTONFALLS, STATE OF OHIO, HEREBY ORDAINS:**

**Section 1.** That the City Manager is hereby authorized to enter into a contract or contracts with AMPT for the transfer of transmission equipment and related appurtenances in return for payment not less than \$3 million, as well as the lease of land owned by the Municipality, substantially in the form on file with the Clerk, including Appendices thereto, with such changes as the City Manager may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, his execution to be conclusive evidence of such approval. City manager is authorized to reduce the residential and small business electric rates to an amount that is below rates charged by local regional electric suppliers.

**Section 2.** That the City Manager is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the aforementioned agreements.

**Section 3.** The Municipality's electric distribution system will remain interconnected to the transmission equipment. Accordingly, while owned and/or leased by AMPT, the transmission equipment and land is found and determined to continue to be needed for a municipal purpose and the ownership of the transmission equipment, occupation and lease of the land by AMPT, shall be in accordance with said municipal purpose. Because the transmission equipment and land will continue to be needed and used for a municipal purpose, this Council determines Chapter 721 of the Ohio Revised Code to not be applicable.

**Section 4.** That, any other Ordinances and Resolutions or portions of Ordinances and Resolutions inconsistent herewith are hereby repealed, but any Ordinances and Resolutions or portions of Ordinances and Resolutions not inconsistent herewith and

which have not previously been repealed are hereby ratified and confirmed.

**Section 5.** That, it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all 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.

**Section 6 .** That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

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

ATTEST: \_\_\_\_\_  
City Clerk, Kathleen M. King

## Exhibit A

### Equipment

AMP ID #	69 kV Transmission Line Equipment
1	3-phase Switch Dead-End Pole
2	Double Deadend (verticle)
3	3-phase 69kV Switch Dead-End Pole
4	3 Ins Tangent
5	Double Deadend (Horizontal/HWY Crossing)
6	Double Deadend (Horizontal/HWY Crossing)
7	3-Ins Tangent
8	3-Ins Tangent
9	3-Ins Tangent
10	3-Ins Tangent
11	3-Ins Tangent
12	3-Ins Tangent
13	3-Ins Tangent
14	3-Ins Tangent
15	3-Ins Tangent
16	3-Ins Tangent
17	3-Ins Tangent
18	3-Ins Tangent
19	3-Ins Tangent
20	3-Ins Tangent
21	3-Ins Tangent
22	3-Ins Tangent
23	3-Ins Angle
24	3-Ins Tangent
25	3-Ins Tangent
26	3-Ins Tangent
27	3-Ins Angle Tangent
28	3-Ins Tangent
29	3-Ins Tangent
30	3-Ins Tangent
31	3-Ins Tangent
32	3-Ins Tangent
33	3-Ins Tangent
34	3-Ins Tangent
35	3-Ins Tangent
36	Warren Rd Entrance Double Dead-End 90 Degree Angle
37	3-Way 3-Phase Switch Pole
38	Warren Rd Exit Double Dead-End 90 Degree Angle
39	3-Phase Switch Pole 90 degree angle

40	3-Way Double Dead-End
41	3-Ins Tangent
42	3-Ins Tangent
43	Double Dead-End 90 Degree Angle
44	3-Ins Tangent
45	Double Deadend (verticle)
46	Double Deadend (Horizontal/RR Crossing)
47	Double Deadend (Horizontal/RR Crossing)
48	Double Deadend (verticle)
49	3-Ins Tangent
50	3-Ins Tangent
51	3-Ins Tangent
52	3-Ins Tangent
53	3-Ins Angle Tangent
54	3-Ins Angle Tangent
55	Church Sub Entrance 3-Way 3-Phase Switch Pole
56	Double Deadend Angle
57	Double Deadend Angle
58	3-Ins Tangent
59	3-Ins Angle
60	3-Ins Angle
61	3-Ins Tangent
62	Double Deadend 90 Degree Angle
63	3-Ins Tangent
64	3-Ins Tangent
65	3-Ins Tangent
66	3-Ins Tangent
67	3-Ins Angle
68	3-Ins Angle
69	3-Ins Tangent
70	3-Ins Tangent
71	3-Ins Angle
72	3-Ins Tangent
73	3-Ins Angle
74	3-Ins Angle
75	3-Ins Tangent
76	3-Ins Tangent
77	3-Ins Tangent
78	3-Ins Tangent
79	3-Ins Tangent
80	3-Ins Tangent
81	3-Ins Tangent
82	3-Ins Tangent

83	3-Ins Tangent
84	Double Deadend 90 Degree Angle
85	Double Deadend 90 Degree Angle
86	3-Ins Tangent
87	3-Ins Tangent
88	3-Ins Tangent
89	3-Ins Angle
90	Milton Metering Entrance 3-phase Switch Dead-End Pole
91	3-Ins Angle
92	3-Ins Angle
93	Milton Metering Exit 3-phase Switch Dead-End Pole
94	Double Deadend 90 Degree Angle
95	Double Deadend 90 Degree Angle
96	3-Ins Tangent
97	3-Ins Angle
98	3-Ins Tangent
99	Double Deadend

<b>Milton Metering Equipment</b>	
<b>Station Equipment Description</b>	<b>QTY</b>
69kV SF6 Breaker: 1200AMP	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
Line PTs (Set of 3)	1
Relay Transclosure	1
48MCOV Lightning Arresters	3
<b>Station Structures Description</b>	<b>QTY</b>
Dead-End Steel H-Frame	1
Conduit	30
Control Cable	100

<b>Church Street Station</b>	
<b>Station Equipment Description</b>	<b>QTY</b>
69kV SF6 Breaker: 1200AMP	1
Church Street: GODS 600AMP	1
Church Street: GODS 600AMP	1
Church Street: GODS 600AMP	1
Church Street: GODS 600AMP	1
Church Street: GODS 600AMP	1
Church Street: GODS 600AMP	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1

600/5 Multipl Ratio CT (embedded in breaker cost)	1
Line PTs (Set of 3)	1
Relay Transclosure	1
48MCOV Lightning Arresters	3
<b>Station Structures Description</b>	
Steel Box Bay	1
Conduit	150
Control Cable	300

<b>Warren Road Substation</b>	
<b>Station Equipment Description</b>	<b>QTY</b>
Center Break GOAB 600AMP	1
Center Break GOAB 600AMP	1
Center Break GOAB 600AMP	1
Center Break GOAB 600AMP	1
TF GODS 600AMP	1
TF GODS 600AMP	1
SF6 Circuit Switcher	1
SF6 Circuit Switcher	1
SF6 BKR 1200AMP	1
SF6 BKR 1200AMP	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
350:1:1 Bus PT	1
350:1:1 Bus PT	1
Relay Panel #1	1
Relay Panel #2	1
Relay Panel #3	1
Relay Panel #4	1
Relay Panel #5	1
48MCOV Lightning Arresters	3
<b>Station Structures Description</b>	
Dead-End Steel H-Frame	1
Dead-End Steel H-Frame	1
Steel Bus Supports	8
Trenway	200
Control Cable	5500

<b>Warren Road Metering</b>	
<b>Station Equipment Description</b>	<b>QTY</b>
69kV SF6 Breaker: 1200AMP	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
600/5 Multipl Ratio CT (embedded in breaker cost)	1
Line PTs (Set of 3)	1
Relay Transclosure	1
48MCOV Lightning Arresters	3
<b>Station Structures</b>	
Dead-End Steel H-Frame	1
Conduit	30
Control Cable	100



**RESOLUTION 13-2021**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT WITH Z-TECH BUILDERS & EXCAVATORS, INC. FOR THE WASHINGTON AVENUE STORM SEWER IMPROVEMENTS OHIO PUBLIC WORKS (OPWC) PROJECT.**

WHEREAS, The City of Newton Falls has obtained bids for the Washington Avenue Storm Sewer Improvements project; and

WHEREAS, Proper legal advertising has been affected and a bid opening was conducted on Wednesday, February 24, 2021; and

WHEREAS, The bids have been reviewed and it is recommended that the bid submitted from Z-Tech Builders & Excavators, Inc. is deemed the lowest/best bid received; and

WHEREAS, City Council has appropriated funds for the storm sewer improvements project in the 2021 budget.

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

SECTION I: The City Manager is hereby authorized to enter into an agreement with Z-Tech Builders & Excavators, Inc. of Cortland, Ohio for the Washington Avenue Storm Sewer Improvement, Ohio Public Works Project within the City of Newton Falls.

Terms and conditions of the agreement shall be conformity with the sealed bid submitted to the City of Newton Falls.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF MARCH 2021

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

ATTEST: \_\_\_\_\_  
City Clerk, Kathleen M. King

TABULATION OF BIDS  
WASHINGTON STREET DRAINAGE IMPROVEMENTS - PHASE 1  
NEWTONFALLS VILLAGE / OPWC 0726x

REF ITEM	EST. QUANT.	UNIT	DESCRIPTION	ENGINEER'S ESTIMATE			Z-TECH BUILDERS			X-PRESS UNDERGROUND			WOODFORD EXCAVATING			EASTON EXCAVATING		
				LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL			
1	201	LUMP		\$1,000.00	\$1,000.00	\$2,800.00	\$2,800.00	\$500.00	\$500.00	\$1,900.00	\$1,900.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	
2	202	77	Clearing and Grubbing	\$6.00	\$462.00	\$10.00	\$770.00	\$1.00	\$77.00	\$77.00	\$77.00	\$789.25	\$789.25	\$5.00	\$385.00	\$5.00	\$385.00	\$5.00
3	202	1	Curb Removed	\$100.00	\$100.00	\$250.00	\$250.00	\$300.00	\$300.00	\$300.00	\$300.00	\$117.00	\$117.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
4	202	13	8" Pavement Removed	\$12.00	\$156.00	\$20.00	\$260.00	\$30.00	\$390.00	\$30.00	\$390.00	\$28.50	\$370.50	\$110.00	\$1,430.00	\$110.00	\$1,430.00	\$110.00
5	202	12.5	Guardrail Removed for Reuse	\$4.00	\$50.00	\$50.00	\$625.00	\$60.00	\$750.00	\$60.00	\$750.00	\$85.00	\$1,062.50	\$25.00	\$312.50	\$25.00	\$312.50	\$25.00
6	202	992	Pipe Removed, 24" and Under	\$10.00	\$9,920.00	\$7.50	\$7,440.00	\$1.00	\$992.00	\$1.00	\$992.00	\$4.25	\$4,216.00	\$5.00	\$4,960.00	\$5.00	\$4,960.00	\$5.00
7	202	7	EACH Mailbox Removed and Reset	\$75.00	\$525.00	\$40.00	\$280.00	\$50.00	\$350.00	\$50.00	\$350.00	\$165.00	\$1,155.00	\$100.00	\$700.00	\$100.00	\$700.00	\$100.00
8	203	65	CU YD Excavation	\$12.00	\$780.00	\$10.00	\$650.00	\$15.00	\$975.00	\$15.00	\$975.00	\$11.50	\$747.50	\$15.00	\$975.00	\$15.00	\$975.00	\$15.00
9	204	228	SQ YD Subgrade Compaction	\$3.00	\$684.00	\$4.00	\$912.00	\$3.00	\$684.00	\$3.00	\$684.00	\$1.00	\$228.00	\$2.00	\$456.00	\$2.00	\$456.00	\$2.00
10	601	1	CU YD Rock Channel Protection, Type C Without Filter	\$75.00	\$75.00	\$150.00	\$150.00	\$600.00	\$600.00	\$600.00	\$40.00	\$390.00	\$25.00	\$500.00	\$25.00	\$500.00	\$25.00	\$500.00
11	633	56	CU YD Rock Channel Protection, Type C Without Filter	\$40.00	\$2,240.00	\$35.00	\$1,960.00	\$40.00	\$2,240.00	\$40.00	\$2,240.00	\$39.00	\$2,184.00	\$25.00	\$1,400.00	\$25.00	\$1,400.00	\$25.00
12	659	1,000	SQ YD Topsoil Furnished and Placed	\$2.00	\$2,000.00	\$2.00	\$2,000.00	\$1.50	\$1,500.00	\$1.50	\$1,500.00	\$3.50	\$3,500.00	\$5.00	\$5,000.00	\$5.00	\$5,000.00	\$5.00
13	659	0.13	SQ YD Seeding and Mulching	\$550.00	\$71.50	\$850.00	\$110.50	\$150.00	\$150.00	\$150.00	\$130.00	\$143.00	\$250.00	\$32.50	\$250.00	\$250.00	\$32.50	\$250.00
14	659	0.21	TON Commercial Fertilizer	\$150.00	\$31.50	\$550.00	\$115.50	\$20.00	\$20.00	\$20.00	\$50.00	\$45.99	\$250.00	\$52.50	\$250.00	\$250.00	\$52.50	\$250.00
15	659	5	MGAL Water	\$10.00	\$50.00	\$4.00	\$20.00	\$5.00	\$25.00	\$5.00	\$25.00	\$56.00	\$280.00	\$50.00	\$250.00	\$50.00	\$250.00	\$50.00
16	832	500	EACH Erosion Control	\$1.00	\$500.00	\$1.00	\$500.00	\$1.00	\$500.00	\$1.00	\$500.00	\$1.00	\$500.00	\$3.50	\$1,750.00	\$3.50	\$1,750.00	\$3.50
17	602	0.46	CU YD Concrete Masonry (Headwall)	\$1,500.00	\$690.00	\$1,300.00	\$598.00	\$3,000.00	\$3,000.00	\$3,000.00	\$1.00	\$500.00	\$750.00	\$345.00	\$750.00	\$750.00	\$345.00	\$750.00
18	611	200	FT 4" Conduit, Type E, For Drainage Connection, A.P.P.	\$10.00	\$2,000.00	\$3.50	\$700.00	\$6.00	\$1,200.00	\$6.00	\$1,200.00	\$12.00	\$2,400.00	\$25.00	\$5,000.00	\$25.00	\$5,000.00	\$25.00
19	611	8	FT 8" Conduit, Type B, 707.33, As Per Plan	\$40.00	\$320.00	\$15.00	\$120.00	\$28.00	\$224.00	\$28.00	\$224.00	\$32.00	\$312.00	\$95.00	\$3,800.00	\$95.00	\$3,800.00	\$95.00
20	611	40	FT 12" Conduit, Type B, 707.33, As Per Plan	\$50.00	\$2,000.00	\$18.00	\$720.00	\$46.00	\$1,840.00	\$46.00	\$1,840.00	\$48.00	\$1,920.00	\$28.00	\$7,112.00	\$28.00	\$7,112.00	\$28.00
21	611	254	FT 15" Conduit, Type B, 707.33, As Per Plan	\$60.00	\$15,240.00	\$20.00	\$5,080.00	\$68.00	\$10,668.00	\$68.00	\$10,668.00	\$73.00	\$9,906.00	\$28.00	\$7,112.00	\$28.00	\$7,112.00	\$28.00
22	611	39	FT 18" Conduit, Type B, 707.33, As Per Plan	\$70.00	\$2,730.00	\$22.00	\$858.00	\$68.00	\$858.00	\$68.00	\$858.00	\$73.00	\$2,847.00	\$28.00	\$1,092.00	\$28.00	\$1,092.00	\$28.00
23	611	839	FT 24" Conduit, Type B, 707.33	\$95.00	\$79,705.00	\$36.00	\$30,204.00	\$52.00	\$43,628.00	\$52.00	\$43,628.00	\$52.00	\$43,628.00	\$24.00	\$20,136.00	\$24.00	\$20,136.00	\$24.00
24	611	5	EACH Catch Basin, No. 2-3, As Per Plan	\$1,800.00	\$9,000.00	\$1,350.00	\$6,750.00	\$2,100.00	\$10,500.00	\$2,100.00	\$10,500.00	\$1,615.00	\$8,075.00	\$1,600.00	\$8,000.00	\$1,600.00	\$8,000.00	\$1,600.00
25	611	2	EACH Catch Basin, No. 6, As Per Plan	\$2,000.00	\$4,000.00	\$2,050.00	\$4,100.00	\$3,200.00	\$6,400.00	\$3,200.00	\$6,400.00	\$1,916.00	\$3,832.00	\$2,000.00	\$4,000.00	\$2,000.00	\$4,000.00	\$2,000.00
26	611	1	EACH Manhole, No. 3, As Per Plan	\$2,500.00	\$2,500.00	\$2,125.00	\$2,125.00	\$3,200.00	\$3,200.00	\$3,200.00	\$2,233.00	\$2,233.00	\$2,200.00	\$2,200.00	\$2,200.00	\$2,200.00	\$2,200.00	\$2,200.00
27	611	2	EACH Inlet, No. 2A-6, As Per Plan	\$3,200.00	\$6,400.00	\$3,250.00	\$6,500.00	\$4,800.00	\$9,600.00	\$4,800.00	\$9,600.00	\$3,935.00	\$7,870.00	\$4,100.00	\$8,200.00	\$4,100.00	\$8,200.00	\$4,100.00
28	255	505	FT Full Depth Pavement Sawing	\$3.00	\$1,515.00	\$2.00	\$1,010.00	\$3.00	\$1,515.00	\$3.00	\$1,515.00	\$2.80	\$1,414.00	\$5.00	\$2,525.00	\$5.00	\$2,525.00	\$5.00
29	301	5	CU YD Asphalt Concrete Base, PG64-22 (Driveways)	\$275.00	\$1,375.00	\$305.00	\$1,525.00	\$400.00	\$2,000.00	\$400.00	\$2,000.00	\$440.00	\$2,200.00	\$250.00	\$1,250.00	\$250.00	\$1,250.00	\$250.00
30	304	13	CU YD Aggregate Base	\$55.00	\$715.00	\$50.00	\$650.00	\$56.00	\$728.00	\$56.00	\$728.00	\$74.00	\$962.00	\$85.00	\$1,105.00	\$85.00	\$1,105.00	\$85.00
31	305	113	SQ YD 8" Concrete Base, As Per Plan	\$70.00	\$7,910.00	\$85.00	\$9,605.00	\$66.00	\$6,328.00	\$66.00	\$6,328.00	\$74.00	\$962.00	\$85.00	\$1,105.00	\$85.00	\$1,105.00	\$85.00
32	407	10	GAL Non-Tracking Tack Coat	\$5.00	\$50.00	\$20.00	\$200.00	\$10.00	\$100.00	\$10.00	\$100.00	\$10.00	\$100.00	\$10.00	\$100.00	\$10.00	\$100.00	\$10.00
33	441	10	CU YD Asphalt Concrete Surface Course, Type 1, (44B), PG64-22 (Driveways)	\$200.00	\$2,000.00	\$300.00	\$3,000.00	\$400.00	\$4,000.00	\$400.00	\$4,000.00	\$400.00	\$4,000.00	\$250.00	\$2,500.00	\$250.00	\$2,500.00	\$250.00
34	452	13	SQ YD 6" Non-Reinforced Concrete Pavement, Type FS, A.P.P.	\$75.00	\$975.00	\$65.00	\$845.00	\$100.00	\$1,300.00	\$100.00	\$1,300.00	\$122.00	\$1,586.00	\$160.00	\$2,080.00	\$160.00	\$2,080.00	\$160.00
35	609	65	FT Combination Curb and Gutter, Type 3	\$25.00	\$1,625.00	\$32.00	\$2,080.00	\$23.00	\$1,495.00	\$23.00	\$1,495.00	\$58.00	\$3,770.00	\$28.00	\$1,820.00	\$28.00	\$1,820.00	\$28.00
36	103	LUMP	Premium for Contract Performance Bond, Payment Bond, and Maintenance Bond	\$1,500.00	\$1,500.00	\$7,500.00	\$7,500.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
37	614	LUMP	Maintaining Traffic	\$1,965.00	\$1,965.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00	\$500.00	\$500.00	\$550.00	\$550.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
38	623	LUMP	Construction Layout Stakes	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,430.00	\$1,430.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
39	624	LUMP	Mobilization	\$2,140.00	\$2,140.00	\$7,000.00	\$7,000.00	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00	\$3,500.26	\$3,500.26	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
TOTAL ALL ITEMS				\$167,000.00	\$167,000.00	\$114,013.00	\$114,013.00	\$125,726.00	\$125,726.00	\$125,726.00	\$125,726.00	\$137,862.00	\$137,862.00	\$133,208.50	\$133,208.50	\$133,208.50	\$133,208.50	\$133,208.50

TABULATION OF BIDS  
WASHINGTON STREET DRAINAGE IMPROVEMENTS - PHASE 1  
NEWTONFALLS VILLAGE / OPWC CT 26X

REF ITEM	EST. QUANT.	UNIT	DESCRIPTION	ENGINEER'S ESTIMATE MILLER-YOUNT PAVING			FOUST CONSTR.			KLINGSMITH ENTERPRISES			J. SEVERINO CONSTR.		
				LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL		
1	201	LUMP		\$1,000.00	\$1,200.00	\$1,200.00	\$2,500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,996.00	\$1,996.00	\$1,996.00	
2	202	77	Clearing and Grubbing	\$6.00	\$462.00	\$5.00	\$385.00	\$5.00	\$5.00	\$5.00	\$385.00	\$12.00	\$12.00	\$12.00	
3	202	1	Curb Removed	\$100.00	\$100.00	\$500.00	\$500.00	\$50.00	\$50.00	\$250.00	\$250.00	\$751.00	\$751.00	\$751.00	
4	202	13	Headwall Removed	\$12.00	\$156.00	\$75.00	\$975.00	\$7.00	\$7.00	\$20.00	\$260.00	\$12.00	\$156.00	\$156.00	
5	202	12.5	Pavement Removed	\$4.00	\$50.00	\$8.00	\$625.00	\$5.00	\$5.00	\$40.00	\$500.00	\$111.00	\$1,387.50	\$1,387.50	
6	202	992	Guardrail Removed for Reuse	\$10.00	\$9,920.00	\$8.00	\$7,936.00	\$5.00	\$4,960.00	\$2.00	\$1,984.00	\$2.00	\$1,984.00	\$1,984.00	
7	202	7	Pipe Removed, 24" and Under	\$75.00	\$525.00	\$250.00	\$1,750.00	\$100.00	\$700.00	\$150.00	\$1,050.00	\$532.00	\$3,724.00	\$3,724.00	
8	203	65	Mailbox Removed and Reset	\$12.00	\$780.00	\$40.00	\$2,600.00	\$20.00	\$1,300.00	\$8.50	\$552.50	\$6.00	\$390.00	\$390.00	
9	204	228	CU YD Subgrade Compaction	\$3.00	\$684.00	\$10.00	\$2,280.00	\$1.00	\$228.00	\$2.00	\$456.00	\$3.00	\$684.00	\$684.00	
10	601	1	CU YD Rock Channel Protection, Type C Without Filter	\$75.00	\$75.00	\$550.00	\$550.00	\$100.00	\$100.00	\$100.00	\$100.00	\$98.00	\$98.00	\$98.00	
11	653	56	CU YD Rock Channel Protection, Type C Without Filter	\$40.00	\$2,240.00	\$60.00	\$3,360.00	\$35.00	\$1,960.00	\$100.00	\$5,600.00	\$43.00	\$2,408.00	\$2,408.00	
12	659	1,000	SQ YD Topsoil Furnished and Placed	\$2.00	\$2,000.00	\$4.00	\$4,000.00	\$2.00	\$2,000.00	\$3.00	\$3,000.00	\$2.00	\$2,000.00	\$2,000.00	
13	659	0.13	SQ YD Seeding and Mulching	\$550.00	\$71.50	\$4,000.00	\$300.00	\$300.00	\$300.00	\$300.00	\$13.00	\$0.77	\$0.10	\$0.10	
14	659	0.21	ACRE Lime	\$150.00	\$31.50	\$2,000.00	\$420.00	\$200.00	\$42.00	\$5.00	\$2.00	\$0.42	\$0.42	\$0.42	
15	659	5	MGAL Water	\$10.00	\$50.00	\$100.00	\$500.00	\$1.00	\$5.00	\$5.00	\$25.00	\$3.00	\$15.00	\$15.00	
16	832	500	EACH Erosion Control	\$1,500.00	\$680.00	\$3.00	\$1,500.00	\$1.00	\$500.00	\$1.00	\$500.00	\$3.00	\$1,500.00	\$1,500.00	
17	602	0.46	CU YD Concrete Masonry (Headwall)	\$10.00	\$680.00	\$1,400.00	\$644.00	\$1.00	\$934.00	\$429.64	\$450.80	\$882.85	\$406.11	\$406.11	
18	611	200	4" Conduit, Type E, For Drainage Connection, A.P.P.	\$40.00	\$320.00	\$10.00	\$2,000.00	\$4.00	\$800.00	\$5.00	\$800.00	\$29.00	\$5,800.00	\$5,800.00	
19	611	8	8" Conduit, Type B, 707.33, As Per Plan	\$50.00	\$400.00	\$60.00	\$4,800.00	\$10.00	\$800.00	\$20.00	\$1,600.00	\$23.00	\$1,840.00	\$1,840.00	
20	611	40	12" Conduit, Type B, 707.33, As Per Plan	\$60.00	\$2,400.00	\$60.00	\$2,400.00	\$50.00	\$2,000.00	\$46.97	\$1,878.80	\$202.00	\$8,080.00	\$8,080.00	
21	611	254	15" Conduit, Type B, 707.33, As Per Plan	\$70.00	\$17,700.00	\$42.00	\$10,668.00	\$56.00	\$14,224.00	\$57.83	\$14,688.82	\$78.00	\$19,612.00	\$19,612.00	
22	611	39	18" Conduit, Type B, 707.33, As Per Plan	\$95.00	\$3,705.00	\$49.00	\$1,911.00	\$60.00	\$2,340.00	\$59.83	\$2,333.37	\$77.00	\$3,003.00	\$3,003.00	
23	611	839	24" Conduit, Type B, 707.33	\$1,800.00	\$9,000.00	\$1,200.00	\$4,800.00	\$70.00	\$58,730.00	\$71.28	\$59,803.92	\$57.00	\$22,332.00	\$22,332.00	
24	611	5	EACH Catch Basin, No. 2-3, As Per Plan	\$2,000.00	\$4,000.00	\$2,500.00	\$6,250.00	\$1,030.00	\$5,150.00	\$1,750.00	\$8,750.00	\$1,583.00	\$7,915.00	\$7,915.00	
25	611	2	EACH Catch Basin, No. 6, As Per Plan	\$2,500.00	\$5,000.00	\$2,500.00	\$5,000.00	\$1,400.00	\$2,800.00	\$2,250.00	\$4,500.00	\$2,232.00	\$4,464.00	\$4,464.00	
26	611	1	EACH Manhole, No. 3, As Per Plan	\$3,200.00	\$6,400.00	\$2,500.00	\$5,000.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$1,699.00	\$1,699.00	\$1,699.00	
27	611	2	EACH Inlet, No. 2A-6, As Per Plan	\$3.00	\$1,515.00	\$4.00	\$2,020.00	\$3.00	\$1,515.00	\$3.00	\$1,515.00	\$2.00	\$1,010.00	\$1,010.00	
28	255	505	Full Depth Pavement Sawing	\$275.00	\$1,375.00	\$500.00	\$2,500.00	\$300.00	\$1,500.00	\$400.00	\$2,000.00	\$532.00	\$2,660.00	\$2,660.00	
29	301	5	CU YD Asphalt Concrete Base, PG64-22 (Driveways)	\$56.00	\$280.00	\$100.00	\$500.00	\$55.00	\$275.00	\$60.00	\$300.00	\$84.00	\$420.00	\$420.00	
30	304	13	CU YD Aggregate Base	\$70.00	\$910.00	\$65.00	\$845.00	\$60.00	\$780.00	\$20.00	\$260.00	\$91.00	\$1,181.00	\$1,181.00	
31	305	113	SQ YD 8" Concrete Base, As Per Plan	\$5.00	\$565.00	\$10.00	\$1,065.00	\$5.00	\$565.00	\$3.00	\$315.00	\$11.00	\$1,210.00	\$1,210.00	
32	407	10	GAL. Non-Tracking Tack Coat	\$200.00	\$200.00	\$400.00	\$400.00	\$325.00	\$3,250.00	\$175.00	\$1,750.00	\$421.00	\$4,210.00	\$4,210.00	
33	441	10	CU YD Asphalt Concrete Surface Course, Type 1, (448), PG64-22 (Driveways)	\$75.00	\$750.00	\$125.00	\$1,250.00	\$75.00	\$750.00	\$75.00	\$750.00	\$89.00	\$890.00	\$890.00	
34	452	13	SQ YD 6" Non-Reinforced Concrete Pavement, Type FS, A.P.P.	\$25.00	\$325.00	\$75.00	\$975.00	\$38.50	\$500.50	\$50.00	\$650.00	\$39.00	\$507.00	\$507.00	
35	609	65	FT Combination Curb and Gutter, Type 3	\$1,500.00	\$1,500.00	\$1,540.00	\$1,540.00	\$1,540.00	\$1,540.00	\$3,000.00	\$3,000.00	\$3,569.00	\$3,569.00		
36	103	LUMP	Premium for Contract Performance Bond, Payment Bond, and Maintenance Bond	\$1,965.00	\$1,965.00	\$2,000.00	\$2,000.00	\$5,000.00	\$5,000.00	\$500.00	\$500.00	\$2,772.00	\$2,772.00		
37	614	LUMP	Maintaining Traffic	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$1,331.00	\$1,331.00		
38	623	LUMP	Construction Layout Stakes	\$2,140.00	\$2,140.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00	\$3,488.79	\$3,488.79	\$3,780.00	\$3,780.00		
39	624	LUMP	Mobilization												
TOTAL ALL ITEMS				\$167,000.00	\$141,669.00	\$141,669.00	\$144,663.64	\$149,496.00	\$149,496.00	\$161,153.13	\$161,153.13	\$161,153.13	\$161,153.13	\$161,153.13	

TABULATION OF BIDS  
WASHINGTON STREET DRAINAGE IMPROVEMENTS - PHASE 1  
NEWTONFALLS VILLAGE / OPWC CTZCX

REF ITEM	EST. QUANT.	UNIT	DESCRIPTION	ENGINEER'S ESTIMATE J.S. BOVA EXCAVATING KIRILA CONTRACTORS				UTILITY CONTRACTING				S.E.T. INC.	
				LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL	LABOR & MATERIAL	TOTAL		
1	201	LUMP		\$1,000.00	\$1,000.00	\$2,750.00	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00	\$3,850.00	\$3,850.00	\$3,850.00
2	202	FT	Clearing and Grubbing	\$6.00	\$6.00	\$2,750.00	\$4,000.00	\$4.00	\$7.00	\$3,500.00	\$3,850.00	\$5.00	\$385.00
3	202	EACH	Curb Removed	\$100.00	\$100.00	\$2.00	\$2.00	\$200.00	\$570.00	\$570.00	\$200.00	\$200.00	\$200.00
4	202	SQ YD	Headwall Removed	\$12.00	\$12.00	\$2.00	\$2.00	\$10.00	\$260.00	\$260.00	\$14.00	\$182.00	
5	202	13	Guardrail Removed	\$4.00	\$4.00	\$30.00	\$30.00	\$25.00	\$312.50	\$162.50	\$50.00	\$625.00	
6	202	12.5	Pavement Removed for Reuse	\$10.00	\$10.00	\$1,984.00	\$8.50	\$8.50	\$992.00	\$992.00	\$3.00	\$2,976.00	
7	202	FT	Pipe Removed, 24" and Under	\$75.00	\$75.00	\$20.00	\$20.00	\$30.00	\$700.00	\$700.00	\$152.50	\$1,067.50	
8	202	EACH	Mailbox Removed and Reset	\$12.00	\$12.00	\$85.00	\$30.00	\$30.00	\$4,550.00	\$4,550.00	\$25.00	\$1,625.00	
9	204	228	CU YD Excavate	\$3.00	\$3.00	\$50.00	\$0.50	\$0.50	\$456.00	\$456.00	\$1.00	\$228.00	
10	601	1	SQ YD Subgrade Compaction	\$75.00	\$75.00	\$700.00	\$100.00	\$100.00	\$600.00	\$600.00	\$113.75	\$1,113.75	
11	653	56	CU YD Rock Channel Protection, Type C Without Filter	\$40.00	\$40.00	\$25.00	\$65.00	\$39.00	\$2,184.00	\$2,184.00	\$67.25	\$3,766.00	
12	659	1,000	SQ YD Topsoil Furnished and Placed	\$2.00	\$2.00	\$2,000.00	\$1.50	\$1,500.00	\$5.00	\$5,000.00	\$2.37	\$2,370.00	
13	659	0.13	TON Commercial Fertilizer	\$550.00	\$550.00	\$1,025.00	\$500.00	\$65.00	\$87.75	\$87.75	\$1,525.38	\$1,525.38	
14	659	0.21	ACRE Lime	\$150.00	\$150.00	\$976.00	\$100.00	\$240.96	\$21.00	\$21.00	\$307.52	\$64.58	
15	659	5	MGAL Water	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$8.00	\$8.00	\$51.25	\$256.25	
16	832	500	EACH Erosion Control	\$1,500.00	\$1,500.00	\$3.00	\$1,500.00	\$1.00	\$500.00	\$500.00	\$1.00	\$500.00	
17	602	0.46	CU YD Concrete Masonry (Headwall)	\$10.00	\$10.00	\$1,622.00	\$2,335.00	\$1,074.10	\$368.00	\$1,840.22	\$14.80	\$846.50	
18	611	200	FT 4" Conduit, Type E, For Drainage Connection, A.P.P.	\$40.00	\$40.00	\$22.00	\$13.00	\$13.00	\$2,600.00	\$2,600.00	\$98.92	\$791.36	
19	611	8	FT 8" Conduit, Type B, 707.33, As Per Plan	\$50.00	\$50.00	\$320.00	\$31.00	\$248.00	\$720.00	\$2,966.00	\$73.18	\$2,927.20	
20	611	40	FT 12" Conduit, Type B, 707.33, As Per Plan	\$60.00	\$60.00	\$2,000.00	\$115.00	\$4,600.00	\$70.00	\$2,800.00	\$51.43	\$13,063.22	
21	611	254	FT 15" Conduit, Type B, 707.33, As Per Plan	\$70.00	\$70.00	\$15,240.00	\$43.00	\$10,922.00	\$61.00	\$15,494.00	\$73.24	\$2,856.36	
22	611	39	FT 18" Conduit, Type B, 707.33, As Per Plan	\$70.00	\$70.00	\$2,730.00	\$72.00	\$2,808.00	\$99.00	\$3,861.00	\$105.00	\$4,095.00	
23	611	839	FT 24" Conduit, Type B, 707.33	\$95.00	\$95.00	\$79,705.00	\$63.00	\$52,857.00	\$73.50	\$61,666.50	\$84.43	\$70,836.77	
24	611	5	EACH Catch Basin, No. 2-3, As Per Plan	\$1,800.00	\$1,800.00	\$9,000.00	\$1,650.00	\$8,250.00	\$1,900.00	\$9,500.00	\$1,524.61	\$7,623.05	
25	611	2	EACH Catch Basin, No. 6, As Per Plan	\$2,000.00	\$2,000.00	\$4,000.00	\$2,080.00	\$4,160.00	\$2,600.00	\$5,200.00	\$1,994.90	\$3,989.80	
26	611	1	EACH Manhole, No. 3, As Per Plan	\$2,500.00	\$2,500.00	\$2,500.00	\$3,250.00	\$2,900.00	\$3,300.00	\$3,300.00	\$1,946.60	\$1,946.60	
27	611	2	EACH Inlet, No. 2A-6, As Per Plan	\$3,200.00	\$3,200.00	\$6,400.00	\$3,630.00	\$7,260.00	\$4,200.00	\$9,600.00	\$3,770.95	\$7,541.90	
28	255	505	FT Full Depth Pavement Sawing	\$3.00	\$3.00	\$1,515.00	\$1.50	\$757.50	\$2.50	\$1,262.50	\$2.00	\$1,070.00	
29	301	5	CU YD Asphalt Concrete Base, PG64-22 (Driveways)	\$275.00	\$275.00	\$530.00	\$2,650.00	\$1,750.00	\$2,600.00	\$528.00	\$2,640.00		
30	304	13	CU YD Aggregate Base	\$55.00	\$55.00	\$715.00	\$47.00	\$611.00	\$75.00	\$975.00	\$59.10	\$768.30	
31	305	113	SQ YD 8" Concrete Base, As Per Plan	\$70.00	\$70.00	\$7,910.00	\$47.00	\$5,311.00	\$49.00	\$5,537.00	\$45.44	\$5,134.72	
32	407	10	GAL Non-Tracking Tack Coat	\$5.00	\$5.00	\$11.00	\$10.00	\$10.00	\$200.00	\$200.00	\$11.00	\$110.00	
33	441	10	CU YD Asphalt Concrete Surface Course, Type 1, (448), PG64-22 (Driveways)	\$200.00	\$200.00	\$420.00	\$350.00	\$350.00	\$5,400.00	\$5,400.00	\$418.00	\$4,180.00	
34	452	13	SQ YD 6" Non-Reinforced Concrete Pavement, Type FS, A.P.P.	\$75.00	\$75.00	\$94.00	\$832.00	\$94.00	\$1,222.00	\$1,521.00	\$102.00	\$1,326.00	
35	609	65	FT Combination Curb and Gutter, Type 3	\$25.00	\$25.00	\$36.00	\$2,340.00	\$47.00	\$3,055.00	\$65.00	\$62.25	\$4,306.25	
36	103	LUMP	Premium for Contract Performance Bond, Payment Bond, and Maintenance Bond	\$1,500.00	\$1,500.00	\$5,920.00	\$2,201.40	\$2,201.40	\$2,500.00	\$2,500.00	\$2,520.00	\$2,520.00	
37	614	LUMP	Maintaining Traffic	\$1,965.00	\$1,965.00	\$1,495.00	\$1,495.00	\$2,000.00	\$2,000.00	\$2,000.00	\$5,079.58	\$5,079.58	
38	623	LUMP	Construction Layout Stakes	\$2,000.00	\$2,000.00	\$1,430.00	\$4,500.00	\$4,500.00	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00	
39	624	LUMP	Mobilization	\$2,140.00	\$2,140.00	\$14,718.00	\$14,718.00	\$6,115.00	\$6,000.00	\$6,000.00	\$14,485.00	\$14,485.00	
<b>TOTAL ALL ITEMS</b>				\$167,000.00	\$167,000.00	\$1,670,193.83	\$167,966.00	\$167,966.00	\$180,148.65	\$180,148.65	**	\$180,349.99	

\* - Bid had multiplication error on Ref. No. 23

\*\* - Bid had multiplication errors on Ref. No's 13 and 23

TABULATION OF BIDS  
WASHINGTON STREET DRAINAGE IMPROVEMENTS - PHASE 1  
NEWTONFALLS VILLAGE / OPWC *CRZGX*

REF ITEM	QUANT.	UNIT	DESCRIPTION	ENGINEER'S ESTIMATE			RUDZIK EXCAVATING			ECLIPSE CO.		
				LABOR & MATERIAL	TOTAL	MATERIAL	LABOR & MATERIAL	TOTAL	MATERIAL	LABOR & MATERIAL	TOTAL	MATERIAL
1	201	LUMP		\$1,000.00	\$1,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$6,645.50	\$6,645.50	\$6,645.50	
2	202	77	Clearing and Grubbing	\$6.00	\$462.00	\$1.50	\$115.50	\$3.50	\$269.50	\$269.50	\$269.50	
3	202	1	Curb Removed	\$100.00	\$100.00	\$500.00	\$500.00	\$106.00	\$106.00	\$106.00	\$106.00	
4	202	13	Headwall Removed	\$12.00	\$156.00	\$30.00	\$390.00	\$29.00	\$377.00	\$377.00	\$377.00	
5	202	12.5	Pavement Removed	\$4.00	\$50.00	\$50.00	\$625.00	\$148.50	\$1,866.25	\$1,866.25	\$1,866.25	
6	202	992	Guardrail Removed for Reuse	\$10.00	\$9,920.00	\$2.50	\$2,480.00	\$9.00	\$8,928.00	\$8,928.00	\$8,928.00	
7	202	7	Pipe Removed, 24" and Under	\$75.00	\$525.00	\$100.00	\$700.00	\$146.00	\$1,022.00	\$1,022.00	\$1,022.00	
8	203	65	Mailbox Removed and Reset	\$12.00	\$780.00	\$50.00	\$3,250.00	\$15.50	\$1,007.50	\$1,007.50	\$1,007.50	
9	204	228	Excavation	\$3.00	\$684.00	\$2.00	\$456.00	\$3.50	\$798.00	\$798.00	\$798.00	
10	601	1	SQ YD Subgrade Compaction	\$75.00	\$75.00	\$205.00	\$205.00	\$161.00	\$161.00	\$161.00	\$161.00	
11	653	56	CU YD Rock Channel Protection, Type C Without Filter	\$40.00	\$2,240.00	\$30.90	\$1,730.40	\$58.50	\$3,276.00	\$3,276.00	\$3,276.00	
12	659	1,000	SQ YD Topsoil Furnished and Placed	\$2.00	\$2,000.00	\$2.50	\$2,500.00	\$4.25	\$4,250.00	\$4,250.00	\$4,250.00	
13	659	0.13	SQ YD Seeding and Mulching	\$550.00	\$71.50	\$200.00	\$26.00	\$25.00	\$32.50	\$32.50	\$32.50	
14	659	0.21	TON Commercial Fertilizer	\$150.00	\$31.50	\$200.00	\$42.00	\$25.00	\$5.25	\$5.25	\$5.25	
15	659	5	ACRE Lime	\$10.00	\$50.00	\$1.00	\$5.00	\$1.00	\$5.00	\$5.00	\$5.00	
16	832	500	MGAL Water	\$1.00	\$500.00	\$1.00	\$500.00	\$1.00	\$500.00	\$500.00	\$500.00	
17	602	0.46	EACH Erosion Control	\$1,500.00	\$690.00	\$1,840.22	\$846.50	\$1,385.50	\$637.33	\$1,300.00	\$1,300.00	
18	611	200	CU YD Concrete Masonry (Headwall)	\$10.00	\$2,000.00	\$11.24	\$2,248.00	\$6.50	\$1,300.00	\$1,300.00	\$1,300.00	
19	611	8	FT 4" Conduit, Type E, For Drainage Connection, A.P.P.	\$40.00	\$320.00	\$98.30	\$786.40	\$62.00	\$496.00	\$496.00	\$496.00	
20	611	40	FT 8" Conduit, Type B, 707.33, As Per Plan	\$50.00	\$2,000.00	\$82.93	\$3,317.20	\$78.50	\$3,140.00	\$3,140.00	\$3,140.00	
21	611	254	FT 12" Conduit, Type B, 707.33, As Per Plan	\$60.00	\$15,240.00	\$60.59	\$15,389.86	\$60.00	\$15,240.00	\$15,240.00	\$15,240.00	
22	611	39	FT 15" Conduit, Type B, 707.33, As Per Plan	\$70.00	\$2,730.00	\$91.29	\$3,560.31	\$75.50	\$2,944.50	\$2,944.50	\$2,944.50	
23	611	839	FT 18" Conduit, Type B, 707.33, As Per Plan	\$95.00	\$79,705.00	\$88.16	\$73,966.24	\$77.00	\$64,603.00	\$64,603.00	\$64,603.00	
24	611	5	EACH Catch Basin, No. 2-3, As Per Plan	\$1,800.00	\$9,000.00	\$1,619.41	\$8,097.05	\$2,657.50	\$13,287.50	\$13,287.50	\$13,287.50	
25	611	2	EACH Catch Basin, No. 6, As Per Plan	\$2,000.00	\$4,000.00	\$2,633.06	\$5,266.12	\$3,066.00	\$6,132.00	\$6,132.00	\$6,132.00	
26	611	1	EACH Manhole, No. 3, As Per Plan	\$2,500.00	\$2,500.00	\$4,644.70	\$4,644.70	\$3,724.00	\$3,724.00	\$3,724.00	\$3,724.00	
27	611	2	EACH Inlet, No. 2A-6, As Per Plan	\$3,200.00	\$6,400.00	\$4,254.33	\$8,508.66	\$4,659.00	\$9,318.00	\$9,318.00	\$9,318.00	
28	255	505	FT Full Depth Pavement Sawing	\$3.00	\$1,515.00	\$1.50	\$757.50	\$1.50	\$757.50	\$757.50	\$757.50	
29	301	5	CU YD Asphalt Concrete Base, PG64-22 (Driveways)	\$275.00	\$1,375.00	\$528.00	\$2,640.00	\$480.00	\$2,400.00	\$2,400.00	\$2,400.00	
30	304	13	CU YD Aggregate Base	\$55.00	\$715.00	\$92.00	\$1,196.00	\$84.00	\$1,092.00	\$1,092.00	\$1,092.00	
31	305	113	SQ YD 8" Concrete Base, As Per Plan	\$70.00	\$7,910.00	\$180.00	\$20,340.00	\$120.00	\$13,560.00	\$13,560.00	\$13,560.00	
32	407	10	GAL Non-Tracking Tack Coat	\$5.00	\$50.00	\$11.00	\$110.00	\$10.50	\$105.00	\$105.00	\$105.00	
33	441	10	CU YD Asphalt Concrete Surface Course, Type 1, (448), PG64-22 (Driveways)	\$200.00	\$2,000.00	\$420.00	\$4,200.00	\$380.00	\$3,800.00	\$3,800.00	\$3,800.00	
34	452	13	SQ YD 6" Non-Reinforced Concrete Pavement, Type FS, A.P.P.	\$75.00	\$975.00	\$170.00	\$2,210.00	\$82.50	\$1,072.50	\$1,072.50	\$1,072.50	
35	609	65	FT Combination Curb and Gutter, Type 3	\$25.00	\$1,625.00	\$65.00	\$4,225.00	\$51.50	\$3,347.50	\$3,347.50	\$3,347.50	
36	103	LUMP	Premium for Contract Performance Bond, Payment Bond, and Maintenance Bond	\$1,500.00	\$1,500.00	\$3,570.00	\$3,570.00	\$6,500.00	\$6,500.00	\$6,500.00	\$6,500.00	
37	614	LUMP	Maintaining Traffic	\$1,965.00	\$1,965.00	\$4,650.00	\$4,650.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	
38	623	LUMP	Construction Layout Stakes	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$6,500.00	\$6,500.00	\$6,500.00	\$6,500.00	
39	624	LUMP	Mobilization	\$2,140.00	\$2,140.00	\$13,775.00	\$13,775.00	\$18,252.00	\$18,252.00	\$18,252.00	\$18,252.00	
<b>TOTAL ALL ITEMS</b>				<b>\$167,000.00</b>	<b>\$1,670,000.00</b>	<b>\$3,570.00</b>	<b>\$204,329.44</b>	<b>\$214,448.33</b>	<b>\$214,448.33</b>	<b>\$214,448.33</b>	<b>\$214,448.33</b>	

\*\*\*\* - Addition error in total bid



Office of Auditor of State  
88 East Broad Street  
Post Office Box 1140  
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514  
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: ,  
Organization: **z-tech**  
Date: **2/26/2021 9:02:09 AM**

This search produced the following list of **0** possible matches:

Name/Organization	Address
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The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.

**RESOLUTION 14-2021**

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A CAPITAL IMPROVEMENT FUND FOR THE OPWC STORMWATER PROJECTS.

WHEREAS, Newton Falls often applies for OPWC funds to provide improvements to infrastructure projects related to stormwater; and

WHEREAS, Monies received from grants must be properly recorded to ensure compliance with the OPWC agreements and State Auditors; and

WHEREAS, Council for the City of Newton Falls wishes to authorize the Finance Director to establish said fund.

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

SECTION 1: The Council of the City of Newton Falls hereby authorizes the Finance Director to establish the Capital Improvement Fund for the OPWC project called Fund 509 Stormwater OPWC Project Fund.

PASSED IN COUNCIL THIS 15<sup>th</sup> DAY OF MARCH 2021.

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

ATTEST: \_\_\_\_\_  
City Clerk/Clerk of Council  
Kathleen M. King

**RESOLUTION 15-2021**

**A RESOLUTION TO DISCIPLINE COUNCILMAN SANDRA BREYMAIER FOR THE  
USE OF FOUL, ABUSIVE, PROFANE, OR OBSCENE LANGUAGE**

*(Sponsored by Mayor Kline)*

WHEREAS, Councilman Sandra Breymaier recently used foul, abusive, profane, or obscene language, while present at a Zoom communication.

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

SECTION 1: That because of this use of language, Councilwoman Breymaier is hereby disciplined by this Council, and is therefore issued an oral sanction for said behavior.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF MARCH 2021.

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

ATTEST: \_\_\_\_\_  
City Clerk, Kathleen M. King



## Memorandum



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

From: Anna Marie Musson, Director of Finance

Date: March 12, 2021

Subject: Month End Financial Reports for February 2021

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*Anna M. Musson*

### Financial Project Updates for Period 2

The monthly reports include the following financial information:

- Revenue Report
- Utility Revenue Report
- Credit Card Report
- Income Tax Summary
- Income Tax Distribution Report
- Overtime Report

#### Updates:

- Treasury Board Investment Update- Investments Changed Bank from UBS to Charles Schwab to reduce advisory fee by approximately \$9,000 annually on February 11, 2021
- Preparing the GAAP 2020 Financial Statements











Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	204	STARTING ACCOUNT:	ENDING ACCOUNT:	EXPECTED REVENUE	M-T-D REVENUE	Y-T-D REVENUE	TARGET PERCENT:	UNCOLLECTED BALANCE	PERCENT COLLECTED
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS				.00	.00	.00	16.66	.00	.00
TOTAL 0000	TOTAL PROGRAM				75000.00	8410.00	15831.43		59168.57	.21
TOTAL 0	TOTAL SOURCE				75000.00	8410.00	15831.43		59168.57	.21
TOTAL 203	PERMISSIVE AUTO				75000.00	8410.00	15831.43		59168.57	.21
0000	TOTAL PROGRAM				40000.00	.00	.00		40000.00	.00
204-0000-41430	OTHER GRANTS OR AID -				.00	.00	.00		.00	.00
204-0000-41433	SENIOR SERVICES LEVY M				40000.00	.00	.00		40000.00	.00
TOTAL 14	GRANTS OR AID				40000.00	.00	.00		40000.00	.00
204-0000-41590	CHARGES FOR SERVICES -				.00	.00	.00		.00	.00
TOTAL 15	CHARGES FOR SERVICES				.00	.00	.00		.00	.00
204-0000-41790	MISCELLANEOUS - PARK A				2000.00	.00	145.10		1854.90	.07
204-0000-41791	RESTITUTION VANDALISM				.00	.00	.00		.00	.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS				2000.00	.00	145.10		1854.90	.07
204-0000-41910	TRANSFERS-IN INCOME TA				11758.00	1143.64	1823.96		9934.04	.16
204-0000-41911	TRANSFER IN GENERAL FU				61512.00	.00	61512.00		61512.00	.00
TOTAL 19	OTHER NON OPERATING				73270.00	1143.64	1823.96		71446.04	.02
TOTAL 0000	TOTAL PROGRAM				115270.00	1143.64	1969.06		113300.94	.02
TOTAL 0	TOTAL SOURCE				115270.00	1143.64	1969.06		113300.94	.02
TOTAL 204	PARK AND RECREATION				115270.00	1143.64	1969.06		113300.94	.02
0000	TOTAL PROGRAM				.00	.00	.00		.00	.00
208-0000-41410	FEDERAL/STATE GRANTS-D				.00	.00	.00		.00	.00
TOTAL 14	GRANTS OR AID				.00	.00	.00		.00	.00
208-0000-41610	FINES/FORFEITURES - CO				750.00	.00	550.00		200.00	.73
208-0000-41620	DRUG SEIZURE MONEYS				.00	.00	.00		.00	.00
TOTAL 16	FINES				750.00	.00	550.00		200.00	.73
208-0000-41790	MISCELLANEOUS REIMBURS				.00	.00	.00		.00	.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS				.00	.00	.00		.00	.00
208-0000-41910	MISCELLANEOUS REVENUE				.00	.00	.00		.00	.00
TOTAL 19	OTHER NON OPERATING				.00	.00	.00		.00	.00
TOTAL 0000	TOTAL PROGRAM				750.00	.00	550.00		200.00	.73





Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	217	STARTING ACCOUNT:	ENDING ACCOUNT:	HOME IMPROVEMENT LOAN PAYMENTS	Y-T-D REVENUE	UNCOLLECTED BALANCE	TARGET PERCENT:	PERCENT COLLECTED
TOTAL 97	**NOT IN TTF** L=05 R				34185.00	.00	34185.00	16.66	.00
TOTAL 0000	TOTAL PROGRAM				34185.00	.00	34185.00		.00
TOTAL 0	TOTAL SOURCE				34185.00	.00	34185.00		.00
TOTAL 216	ECONOMIC DEVELOPMENT				34185.00	.00	34185.00		.00
0000	TOTAL PROGRAM				.00	.00	.00		.00
217-0000-41430	GRANT A-C-05-155-1				.00	.00	.00		.00
TOTAL 14	GRANTS OR AID				.00	.00	.00		.00
217-0000-41790	MISCELLANEOUS - HOME I				.00	.00	.00		.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS				.00	.00	.00		.00
217-0000-41822	INTEREST - SNB HILP AC				.00	.00	.00		.00
217-0000-41827	INTEREST-MCDONALD HILP				.00	.00	.00		.00
TOTAL 18	INTEREST				.00	.00	.00		.00
TOTAL 0000	TOTAL PROGRAM				.00	.00	.00		.00
TOTAL 0	TOTAL SOURCE				.00	.00	.00		.00
4991	ADD TITLE								
217-4991-41830	CDBG REVOLVING LOAN-IN				70.00	.00	70.00		.00
217-4991-41831	CDBG REVOLVING LOAN-PR				3300.00	.00	3300.00		.00
TOTAL 18	INTEREST				3370.00	.00	3370.00		.00
217-4991-41950	CDBG REVOLVING LOAN-IA				.00	.00	.00		.00
217-4991-41951	CDBG REVOLVING LOAN-NS				.00	.00	.00		.00
TOTAL 19	OTHER NON OPERATING				.00	.00	.00		.00
TOTAL 4991	ADD TITLE				3370.00	.00	3370.00		.00
TOTAL 4	ADD TITLE				3370.00	.00	3370.00		.00
TOTAL 217	HOME IMPROVEMENT LOAN PAYMENTS				3370.00	.00	3370.00		.00
0000	TOTAL PROGRAM								
218-0000-41610	FINES/FORFEITURES - CO				16000.00	1090.10	13257.40		.17
TOTAL 16	FINES				16000.00	1090.10	13257.40		.17
TOTAL 0000	TOTAL PROGRAM				16000.00	1090.10	13257.40		.17
TOTAL 0	TOTAL SOURCE				16000.00	1090.10	13257.40		.17

Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	STARTING ACCOUNT:	ENDING ACCOUNT:	EXPECTED REVENUE	M-T-D REVENUE	Y-T-D REVENUE	TARGET PERCENT:	UNCOLLECTED BALANCE	PERCENT COLLECTED
TOTAL 218	LAW LIBRARY	219	ENFORCEMENT AND EDUCATION	16000.00	1090.10	2742.60	16.66	13257.40	.17
0000	TOTAL PROGRAM								
219-0000-41290	IGR IMMOB FEES - ENFOR			.00	.00	.00		.00	.00
219-0000-41295	K9 UNIT REVENUE			1000.00	.00	1000.00		1000.00	.00
TOTAL 12	INTERGOVERNMENTAL			1000.00	.00	1000.00		1000.00	.00
219-0000-41140	FEDERAL GRANTS OR AID-			.00	.00	.00		.00	.00
TOTAL 14	GRANTS OR AID			.00	.00	.00		.00	.00
219-0000-41610	FINES/FORFEITURES-COUR			1000.00	.00	150.00		850.00	.15
TOTAL 16	FINES			1000.00	.00	150.00		850.00	.15
219-0000-41790	MISCELLANEOUS-ENFORCEN			9000.00	.00	.00		9000.00	.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS			9000.00	.00	.00		9000.00	.00
219-0000-41956	SALE OF EQUIPMENT			.00	.00	.00		.00	.00
TOTAL 19	OTHER NON OPERATING			.00	.00	.00		.00	.00
TOTAL 0000	TOTAL PROGRAM			11000.00	.00	150.00		10850.00	.01
TOTAL 0	TOTAL SOURCE			11000.00	.00	150.00		10850.00	.01
TOTAL 219	ENFORCEMENT AND EDUCATION			11000.00	.00	150.00		10850.00	.01
0000	TOTAL PROGRAM								
220-0000-41150	LOCAL TAXES-SP LVY POL			.00	.00	.00		.00	.00
TOTAL 11	LOCAL TAXES			.00	.00	.00		.00	.00
220-0000-41290	LOCAL TAXES- ESTATE &			17950.00	.00	.00		17950.00	.00
TOTAL 12	INTERGOVERNMENTAL			17950.00	.00	.00		17950.00	.00
TOTAL 0000	TOTAL PROGRAM			17950.00	.00	.00		17950.00	.00
TOTAL 0	TOTAL SOURCE			17950.00	.00	.00		17950.00	.00
TOTAL 220	SPECIAL LEVY POLICE PENSION			17950.00	.00	.00		17950.00	.00
0000	TOTAL PROGRAM								
221-0000-41150	LOCAL TAXES - INCOME T			791110.00	78550.80	124658.90		666451.10	.16
221-0000-41151	STATE INCOME TAX DISTR			.00	.00	.00		.00	.00
TOTAL 11	LOCAL TAXES			791110.00	78550.80	124658.90		666451.10	.16
221-0000-41550	LOCAL TAXES			.00	.00	.00		.00	.00
221-0000-41551	STATE INCOME TAX DISTR			.00	.00	.00		.00	.00



Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	STARTING ACCOUNT:	224	COURT SECURITY/DIVERSION PROJE	M-T-D REVENUE	Y-T-D REVENUE	UNCOLLECTED BALANCE	TARGET PERCENT:	PERCENT COLLECTED
TOTAL 223	COURT GENERAL SPECIAL PROJECT			75000.00	5952.00	12478.50	62521.50	16.66	.17
0000	TOTAL PROGRAM			2000.00	250.00	250.00	1750.00		.13
224-0000-41610	FINES/FOREFITURES-COUR			2000.00	250.00	250.00	1750.00		.13
TOTAL 16	FINES			.00	.00	.00	.00		.00
224-0000-41950	OTHER NON-OPERATING RE			.00	.00	.00	.00		.00
TOTAL 19	OTHER NON OPERATING			2000.00	250.00	250.00	1750.00		.13
TOTAL 0000	TOTAL PROGRAM			2000.00	250.00	250.00	1750.00		.13
TOTAL 0	TOTAL SOURCE			2000.00	250.00	250.00	1750.00		.13
TOTAL 224	COURT SECURITY/DIVERSION PROJE			2000.00	250.00	250.00	1750.00		.13
0000	TOTAL PROGRAM			2000.00	270.54	526.89	1473.11		.26
225-0000-41420	STATE GRANTS OR AID			2000.00	270.54	526.89	1473.11		.26
TOTAL 14	GRANTS OR AID			6000.00	517.50	1219.50	4780.50		.20
225-0000-41610	FINES/FOREFITURES-IDAM			6000.00	517.50	1219.50	4780.50		.20
TOTAL 16	FINES			5000.00	.00	.00	5000.00		.00
225-0000-41950	OTHER NON-OPERATING RE			5000.00	.00	.00	5000.00		.00
TOTAL 19	OTHER NON OPERATING			.00	.00	.00	.00		.00
225-0000-49990	TRANSFER IN			.00	.00	.00	.00		.00
TOTAL 99	ADD TITLE			13000.00	788.04	1746.39	11253.61		.13
TOTAL 0000	TOTAL PROGRAM			13000.00	788.04	1746.39	11253.61		.13
TOTAL 0	TOTAL SOURCE			13000.00	788.04	1746.39	11253.61		.13
TOTAL 225	INDIGENT DRIVERS ALCOHOL MONIT			13000.00	788.04	1746.39	11253.61		.13
0000	TOTAL PROGRAM			.00	.00	.00	.00		.00
226-0000-41410	FEDERAL GRANTS			.00	.00	.00	.00		.00
226-0000-41425	STATE GRANTS-COURTS			.00	.00	.00	.00		.00
TOTAL 14	GRANTS OR AID			.00	.00	.00	.00		.00
226-0000-41790	MISCELLANEOUS REIMBURS			.00	.00	.00	.00		.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS			.00	.00	.00	.00		.00
TOTAL 0000	TOTAL PROGRAM			.00	.00	.00	.00		.00
TOTAL 0	TOTAL SOURCE			.00	.00	.00	.00		.00

Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	227	PROBATION INCENTIVE GRANT	EXPECTED REVENUE	M-T-D REVENUE	Y-T-D REVENUE	UNCOLLECTED BALANCE	TARGET PERCENT:	PERCENT COLLECTED
TOTAL 226	PROBATION IMPROVEMENT AND INCE		.00	.00	.00	.00	.00	16.66	.00
0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
227-0000-41425	GRANT		.00	.00	.00	.00	.00		.00
TOTAL 14	GRANTS OR AID		.00	.00	.00	.00	.00		.00
227-0000-41790	MISCELLANEOUS REVENUE		.00	.00	.00	.00	.00		.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS		.00	.00	.00	.00	.00		.00
TOTAL 0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
TOTAL 0	TOTAL SOURCE		.00	.00	.00	.00	.00		.00
TOTAL 227	PROBATION INCENTIVE GRANT		.00	.00	.00	.00	.00		.00
0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
228-0000-41420	STATE GRANTS		.00	.00	.00	.00	.00		.00
228-0000-41425	STATE GRANTS AID		.00	.00	.00	.00	.00		.00
TOTAL 14	GRANTS OR AID		.00	.00	.00	.00	.00		.00
228-0000-41790	MISCELLANEOUS REIMBORS		.00	.00	.00	.00	.00		.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS		.00	.00	.00	.00	.00		.00
TOTAL 0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
TOTAL 0	TOTAL SOURCE		.00	.00	.00	.00	.00		.00
TOTAL 228	JUSTICE REINVESTMENT INCENTIVE		.00	.00	.00	.00	.00		.00
0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
229-0000-41425	STATE GRANTS AID		.00	.00	.00	.00	.00		.00
TOTAL 14	GRANTS OR AID		.00	.00	.00	.00	.00		.00
229-0000-41790	MISCELLANEOUS REVENUE		.00	.00	.00	.00	.00		.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS		.00	.00	.00	.00	.00		.00
TOTAL 0000	TOTAL PROGRAM		.00	.00	.00	.00	.00		.00
TOTAL 0	TOTAL SOURCE		.00	.00	.00	.00	.00		.00
TOTAL 229	DRUG DIVERSION HALO PROJECT		.00	.00	.00	.00	.00		.00
0000	TOTAL PROGRAM		15291.00	.00	5097.00	10194.00	10194.00		.33
230-0000-41425	STATE GRANT JRIG FY202		15291.00	.00	5097.00	10194.00	10194.00		.33
TOTAL 14	GRANTS OR AID		15291.00	.00	5097.00	10194.00	10194.00		.33





Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	410	AMOUNT EXPECTED	M-T-D REVENUE	Y-T-D REVENUE	TARGET PERCENT	PERCENT COLLECTED
TOTAL 19	OTHER NON OPERATING		159932.00	.00	2850.12	157081.88	.02
TOTAL 0000	TOTAL PROGRAM		159932.00	.00	2850.12	157081.88	.02
TOTAL 0	TOTAL SOURCE		159932.00	.00	2850.12	157081.88	.02
TOTAL 409	MEDLEY SEWER CAPITAL PROJECT		159932.00	.00	2850.12	157081.88	.02
0000	TOTAL PROGRAM		.00	20.01	42.44	42.44-	2.44
410-0000-41825	AMI ESCROW INTEREST		.00	20.01	42.44	42.44-	2.44
TOTAL 18	INTEREST		.00	20.01	42.44	42.44-	2.44
410-0000-41950	AMI WATER LEASE PROCES		.00	.00	.00	.00	.00
410-0000-41960	AMI ELECTRIC LEASE PRO		.00	.00	.00	.00	.00
TOTAL 19	OTHER NON OPERATING		.00	.00	.00	.00	.00
TOTAL 0000	TOTAL PROGRAM		.00	20.01	42.44	42.44-	2.44
TOTAL 0	TOTAL SOURCE		.00	20.01	42.44	42.44-	2.44
TOTAL 410	AMI METERING PROJECT FUND		.00	20.01	42.44	42.44-	2.44
0000	TOTAL PROGRAM		1600000.00	128829.36	234862.46	1365137.54	.15
501-0000-41590	CHARGES FOR SERVICES-W		1600000.00	128829.36	234862.46	1365137.54	.15
TOTAL 15	CHARGES FOR SERVICES		1600000.00	128829.36	234862.46	1365137.54	.15
501-0000-41790	MISCELLANEOUS REVENUE-		9500.00	1360.00	1474.82	8025.18	.16
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS		9500.00	1360.00	1474.82	8025.18	.16
501-0000-41930	ADVANCE REPAYMENT		.00	.00	.00	.00	.00
501-0000-41950	OTHER NONOPERATING REC		.00	.00	.00	.00	.00
TOTAL 19	OTHER NON OPERATING		.00	.00	.00	.00	.00
TOTAL 0000	TOTAL PROGRAM		1609500.00	130189.36	236337.28	1373162.72	.15
TOTAL 0	TOTAL SOURCE		1609500.00	130189.36	236337.28	1373162.72	.15
TOTAL 501	WATER REVENUE		1609500.00	130189.36	236337.28	1373162.72	.15
0000	TOTAL PROGRAM		1489800.00	94588.61	173260.57	1316539.43	.12
502-0000-41590	CHARGES FOR SERVICES-S		1489800.00	94588.61	173260.57	1316539.43	.12
TOTAL 15	CHARGES FOR SERVICES		1489800.00	94588.61	173260.57	1316539.43	.12
502-0000-41790	MISCELLANEOUS REVENUE-		87000.00	14.28	76.29	86923.71	.00
TOTAL 17	MISCELLANEOUS REIMBURSEMENTS		87000.00	14.28	76.29	86923.71	.00
502-0000-41910	ISSUE II RECEIPTS		.00	.00	.00	.00	.00







Revenue Report

AS OF: 03/12/2021

YEAR: 2021

ACCOUNT NO.	ACCOUNT DESCRIPTION	508	STARTING ACCOUNT:	ENDING ACCOUNT:	EXPECTED REVENUE	M-T-D REVENUE	Y-T-D REVENUE	TARGET PERCENT:	UNCOLLECTED BALANCE	PERCENT COLLECTED
TOTAL 0	TOTAL SOURCE				.00	.00	.00	16.66	.00	.00
TOTAL 507	ELECTRIC REPLACEMENT AND IMPRO				.00	.00	.00		.00	.00
0000	TOTAL PROGRAM									
508-0000-41950	OTHER NONOPERATING REC				33500.00	2750.00	5000.19		28499.81	.15
TOTAL 19	OTHER NON OPERATING				33500.00	2750.00	5000.19		28499.81	.15
TOTAL 0000	TOTAL PROGRAM				33500.00	2750.00	5000.19		28499.81	.15
TOTAL 0	TOTAL SOURCE				33500.00	2750.00	5000.19		28499.81	.15
TOTAL 508	GUARANTEE TRUST				33500.00	2750.00	5000.19		28499.81	.15
0000	TOTAL PROGRAM									
510-0000-41990	CHARGES FOR SERVICES -				326600.00	26056.14	48346.06		278253.94	.15
TOTAL 15	CHARGES FOR SERVICES				326600.00	26056.14	48346.06		278253.94	.15
TOTAL 0000	TOTAL PROGRAM				326600.00	26056.14	48346.06		278253.94	.15
TOTAL 0	TOTAL SOURCE				326600.00	26056.14	48346.06		278253.94	.15
TOTAL 510	REFUSE				326600.00	26056.14	48346.06		278253.94	.15
0000	TOTAL PROGRAM									
514-0000-41910	TRANSFERS IN - UTILITY				.00	.00	.00		.00	.00
514-0000-41950	OTHER NONOPERATING REC				245800.00	23357.73	38744.94		207055.06	.16
514-0000-41951	CASH DRAWER OVERAGES				.00	.00	.00		.00	.00
TOTAL 19	OTHER NON OPERATING				245800.00	23357.73	38744.94		207055.06	.16
TOTAL 0000	TOTAL PROGRAM				245800.00	23357.73	38744.94		207055.06	.16
TOTAL 0	TOTAL SOURCE				245800.00	23357.73	38744.94		207055.06	.16
TOTAL 514	UTILITY OFFICE				245800.00	23357.73	38744.94		207055.06	.16
0000	TOTAL PROGRAM									
515-0000-41950	OTHER NONOPERATING REC				.00	.00	.00		.00	.00
TOTAL 19	OTHER NON OPERATING				.00	.00	.00		.00	.00
TOTAL 0000	TOTAL PROGRAM				.00	.00	.00		.00	.00
TOTAL 0	TOTAL SOURCE				.00	.00	.00		.00	.00
TOTAL 515	UTILITY ADMINISTRATION				.00	.00	.00		.00	.00
0000	TOTAL PROGRAM									
516-0000-41910	TRANSFER IN -SEWER DEB				462153.00	33000.00	66000.00		396153.00	.14







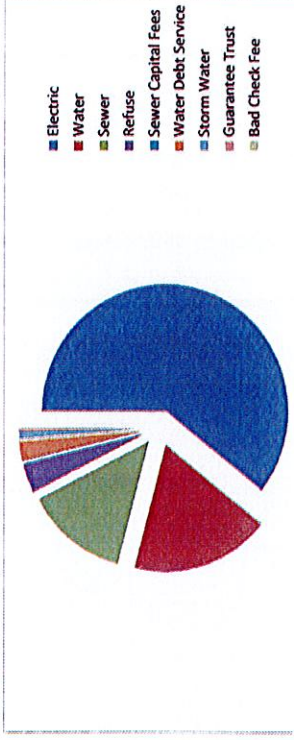


2021 Financial Reports City of Newton Falls, Ohio for Period 2

MTD Bank Report for Year 2021 Month 1- City of Newton Falls

Bank	Description	Beg Monthly Balance	Deposits/ Interest Income	Change in Market Value	Withdrawals/Fees	Transfers In	Transfers Out	Ending Balance
Huntington 2863	Main Account	\$622,785.95	\$1,151,066.28	\$0.00	\$695,880.43	\$0.00	\$269,606.84	\$808,364.96
Huntington 2986	Payroll	\$0.00	\$0.00	\$0.00	\$241,870.59	\$241,870.59	\$0.00	\$0.00
Huntington 2876	Housing	\$121,960.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$121,960.48
Huntington 3222	Money Market Account	\$131,322.28	\$8.06	\$0.00	\$0.00	\$0.00	\$0.00	\$131,330.34
Huntington 9451	Healthcare Account	\$0.00	\$0.00	\$0.00	\$0.00	\$27,736.25	\$27,736.25	\$0.00
Huntington 5436	AMI Escrow	\$2,220,429.62	\$20.01	\$0.00	\$0.00	\$0.00	\$0.00	\$2,220,449.63
TIB	Main Account							
Note: Waiting on Final Reconciliation Numbers for this month for Main & CAM Accounts								
TIB	Cincinnati Asset Management							
7 Banks		\$3,096,498.33	\$1,151,094.35	\$0.00	\$937,751.02	\$269,606.84	\$297,343.09	\$3,282,105.41

Utility	February	YTD
Electric	\$427,529.21	\$749,312.55
Water	\$128,829.36	\$234,862.46
Sewer	\$94,588.61	\$173,260.57
Refuse	\$26,056.14	\$48,346.06
Sewer Capital Fees	\$567.73	\$1,080.62
Water Debt Service	\$17,095.32	\$29,846.98
Storm Water	\$6,531.95	\$11,359.47
Guarantee Trust	\$2,750.00	\$5,000.19
Bad Check Fee	\$114.43	\$154.43
	\$704,062.75	\$1,253,223.33







CITY OF NEWTON FALLS

OVERTIME

PPE 02/06/2021

DEPT:

	<u>HOURS</u>	<u>WAGES</u>	<u>COMP TIME HOURS EARNED</u>
POLICE (OFFICERS)	7.00	\$173.53	7.75
POLICE (OFFICER IN CHARGE)	142.50	\$42.75	0.00
CITY ADMIN	0.00	\$0.00	0.00
FINANCE	0.50	\$16.46	0.00
STREET	35.00	\$1,099.07	0.00
WATER PLANT	0.00	\$0.00	0.00
WATER DISTRIBUTION	12.25	\$383.23	0.00
SEWER	25.00	\$744.26	0.00
ELECTRIC	15.00	\$491.81	3.00
UTILITY OFFICE	47.50	\$1,344.17	13.00
ZONING	0.00	\$0.00	17.00
COUNCIL	0.00	\$0.00	0.00
	<hr/>		
TOTALS	284.75	\$4,295.28	40.75

CITY OF NEWTON FALLS

OVERTIME

PPE 02/20/2021

DEPT:

	<u>HOURS</u>	<u>WAGES</u>	<u>COMP TIME HOURS EARNED</u>
POLICE (OFFICERS)	68.00	\$2,130.59	9.00
POLICE (OFFICER IN CHARGE)	76.50	\$22.95	0.00
CITY ADMIN	0.00	\$0.00	0.00
FINANCE	1.00	\$32.91	0.00
STREET	41.00	\$1,322.82	0.00
WATER PLANT	16.00	\$439.20	0.00
WATER DISTRIBUTION	11.00	\$323.69	0.00
SEWER	29.00	\$842.35	0.00
ELECTRIC	12.00	\$341.28	0.00
UTILITY OFFICE	8.00	\$198.40	9.50
ZONING	20.00	\$713.58	4.00
COUNCIL	2.00	\$49.58	0.00
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TOTALS	284.50	\$6,417.35	22.50

CITY OF NEWTON FALLS

OVERTIME

PPE 03/06/2021

DEPT:

	<u>HOURS</u>	<u>WAGES</u>	<u>COMP TIME HOURS EARNED</u>
POLICE (OFFICERS)	15.00	\$507.64	4.00
POLICE (OFFICER IN CHARGE)	135.00	\$40.50	0.00
CITY ADMIN	0.00	\$0.00	0.00
FINANCE	4.00	\$131.64	0.00
STREET	12.00	\$380.25	0.00
WATER PLANT	0.00	\$0.00	0.00
WATER DISTRIBUTION	5.50	\$177.10	0.00
SEWER	25.00	\$747.80	0.00
ELECTRIC	0.00	\$0.00	0.00
UTILITY OFFICE	17.00	\$449.96	6.00
ZONING	7.50	\$267.59	0.00
COUNCIL	3.50	\$86.76	0.00
<hr/>			
TOTALS	224.50	\$2,789.24	10.00

City of Newton Falls  
Credit Card Statement  
February 2021

City Administration	\$ 2,625.61
Electric	\$ 429.24
Finance	\$ 1,038.74
Municipal Court	\$ 87.63
Police	\$ 297.33
Street	\$ 200.00
Water Plant	\$ 0.00
Water Distribution	\$ 0.00
Waste Water	\$ 0.00
Zoning	\$ 998.45
<hr/>	
Total	\$ 5,677.00

# MONTHLY DISTRIBUTION SUMMARY REPORT

## PERIOD 2



From: Feb-21      Through: Feb-21      Municipality: NEWTON FALLS

Distributions for NEWTON FALLS													
Collections for	Month Distributed	Advance Gross	Recon Gross	Total Gross	Advance Retainer	Recon Retainer	Total Retainer	Advance Adjustments	Recon Adjustments	Total Adjustments	Advance Net	Recon Net	Total Net
	Feb-21	44,620.43	0.00	44,620.43	1,338.61	0.00	1,338.61	0.00	0.00	0.00	43,281.82	0.00	43,281.82
	TOTAL	44,620.43	0.00	44,620.43	1,338.61	0.00	1,338.61	0.00	0.00	0.00	43,281.82	0.00	43,281.82







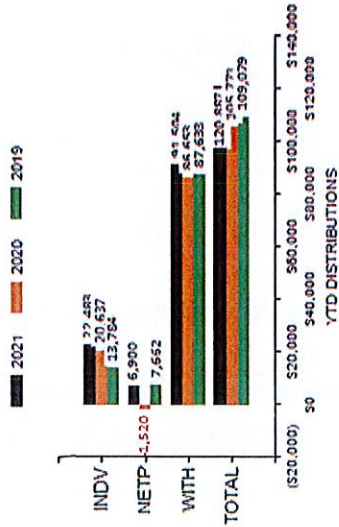
# TAX AUTHORITY DASHBOARD

PERIOD 2  
THIS REPORT MAY CONTAIN CONFIDENTIAL INFORMATION

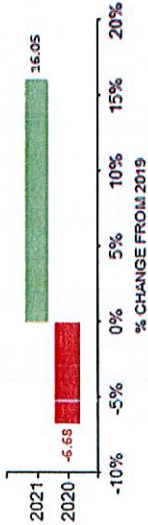
## NEWTON FALLS (NORTHEAST)

\* REPORTED ON A CASH BASIS

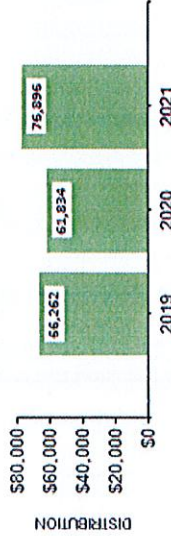
YEARLY GROSS DOLLAR DISTRIBUTION COMPARISON BY ACCOUNT TYPE - THROUGH JANUARY



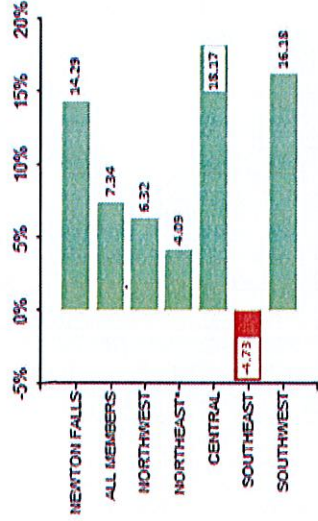
MONTHLY GROSS DISTRIBUTION PERCENTAGE CHANGE COMPARISON TO JANUARY 2019



MONTHLY GROSS DOLLAR DISTRIBUTION COMPARISON JANUARY



YEARLY GROSS DISTRIBUTION VARIANCE PERCENTAGE FROM 2020 - THROUGH JANUARY



3 DAYS UNTIL NEXT DISTRIBUTION

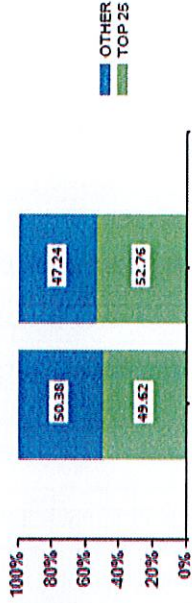
2021 PERIOD 2	TOTAL	ADVANCE	RECONCILIATION
GROSS DISTRIBUTION	44,620.43	44,620.43	0.00
RETAINER	1,338.61	1,338.61	0.00
ADJUSTMENT	0.00	0.00	0.00
NET	43,281.82	43,281.82	0.00
NET 2020 PD 2	62,672.63	48,766.40	13,906.23

INDIVIDUAL RETURNS FILED BY INCOME RANGE



	TOP 10 WITHHOLDING DOLLARS	YTD 2021	YTD 2020	DIFFERENCE
A	9,977.95	15,910.54	-5,932.59	
B	9,774.36	2,586.04	7,188.32	
C	7,146.65	6,491.00	655.65	
D	3,936.42	4,054.36	-117.94	
E	3,454.65	1,145.05	2,309.60	
F	2,641.66	4,921.34	-2,279.68	
G	2,172.79	2,231.63	-58.84	
H	2,058.87	0.00	2,058.87	
I	1,774.46	2,668.86	-894.40	
J	1,415.69	925.12	490.57	
TOTAL	44,343.50	40,933.94	3,409.56	

TOP 25 DOLLAR DISTRIBUTORS PERCENTAGE OF OVERALL YTD COLLECTIONS



	TOP 5 YTD DOLLAR DISTRIBUTION CHANGES +/-	ACCOUNT TYPE	AMOUNT
A	-5,932.59	WITHHOLDER	
B	-2,279.68	WITHHOLDER	
C	-2,252.53	INDIVIDUAL	
D	-1,157.00	NET PROFIT	
E	-965.96	WITHHOLDER	
F	7,188.32	WITHHOLDER	
G	5,942.46	NET PROFIT	
H	3,341.42	WITHHOLDER	
I	2,309.60	WITHHOLDER	
J	2,058.87	WITHHOLDER	