

NEWTON FALLS CITY COUNCIL

REGULAR MEETING AGENDA

MONDAY, DECEMBER 6, 2021

6:00 P.M.

612 West Broad Street

CITY COUNCIL MEMBERS

Michael Serotko, Ward 1

John Baryak, Ward 2

Tesa Spletzer, Ward 3

Christopher Granchie, Ward 4

Julie Stimpert, At-Large

MAYOR

Kenneth A. Kline

CITY MANAGER

Interim Pamela Priddy

LAW DIRECTOR

Interim Alfred Schrader

CITY CLERK

Kathleen M. King

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)

Adam Zimmermann (10 minutes)
6. Reports
Mayor
Council Members
Finance Director
City Manager

Changes to tonight's agenda
7. Approval of Previous Minutes

8. Public Hearings:

1. Ord. 2021-27: An ordinance rezoning specific lots on North Center Street and Lock Street in the City of Newton Falls.
2. Ord. 2021-28: An Ordinance to require the approval of Council for Contract Expenditures over \$25,000.
3. Ord. 2021-29: An Ordinance repealing ordinances 2020-34, 2020-35, 2020-36, and 2020-37.

9. Unfinished Business:

1. Ord. 2021-22: An Ordinance requiring the registration of contractors operating within the City of Newton Falls. (TABLED Until 12-6-2021)(stands on first reading)
2. Ord. 2021-27: An ordinance rezoning specific lots on North Center Street and Lock Street in the City of Newton Falls.
3. Ord. 2021-28: An Ordinance to require the approval of Council for Contract Expenditures over \$25,000.
4. Ord. 2021-29: An Ordinance repealing ordinances 2020-34, 2020-35, 2020-36, and 2020-37.
5. Ord. 2021-23: An Ordinance establishing sidewalk districts and assessment procedures within the City of Newton Falls. (TABLED Until 1st mgt 2022) (stands on first reading)
6. Ord. 2021-19: An Ordinance Establishing an annual Cost of Living Adjustment for all Hourly City Employees. (TABLED Until 1st mgt 2022)

10. New Business:

1. Ord. 2021-30: An Ordinance approving the recodification, editing, and inclusion of certain ordinances as parts of the various component codes of the codified ordinances on Newton Falls, Ohio.
2. Ord. 2021-31: An Ordinance appointing Sean Housley as part-time Finance Director and authorizing pay and terms of employment.

3. Res. 37-2021: A Resolution authorizing the City Manager to enter into contracts for the purchase of chemicals for the City of Newton Falls for the year 2022.
4. Res. 38-2021: A Resolution of recognition and appreciation to the Newton Falls Area Commerce Association (NFACA).
5. Res. 39-2021: A Resolution authorizing the City Manager to enter into and execute a contract with Pan American for employee health care benefit needs.
6. Motion to schedule Regular City Council meetings for the first and third Wednesday of each month beginning Wednesday, December 22, 2021, while Sean Housley serves as Finance Director. (Mayor Kline)
7. Motion to authorize the Finance Director to pay Shelly & Sands for paving done in 2021. (Baryak)
8. Motion to start the process to remove Brian Axiotis as a member of the Planning & Zoning Commission. (Baryak)

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

Council may or may not take action following the executive session.

14. Adjourn:

SPONSOR: Mayor Kline

ORDINANCE 2021- 22

**AN ORDINANCE REQUIRING THE REGISTRATION OF CONTRACTORS
OPERATING WITHIN THE CITY OF NEWTON FALLS.**

WHEREAS, Numerous persons and groups of persons provide services, labor, services and material and/or labor and materials as contractors within the City of Newton Falls; and

WHEREAS, City Council desires to regulate such contractors for the protection of the residents of the City, and both public and private property within the City.

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

Section 1: Newton Falls City Council hereby adopts the following requirements for contractors working within the City of Newton Falls as attached as "Exhibit A."

Section 2. That any ordinances or resolutions of the City of the Village of Newton Falls in conflict herewith are hereby repealed, and that any and all ordinances and resolutions consistent herewith ratified and confirmed.

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

PASSED IN COUNCIL _____ DAY OF _____.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director

ATTEST:

Newton Falls, Ohio _____
I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Kathy King, Clerk of Council

EXHIBIT A
Ordinance 2021-22

CONTRACTOR REGISTRATION

DEFINITIONS.

For the purposes of this chapter, certain words are defined as follows:

- (a) "Contractor" means any person, firm, or corporation contracting to supply and perform work or labor for another person, firm or corporation for a stipulated sum of money.
- (b) "Sub-contractor" means any person, firm, or corporation assuming by secondary contract some or all of the obligations of an original contractor.
- (c) "City" means the City of Newton Falls, Ohio.
- (d) "Building Inspector" means the Zoning Compliance Officer of the City.

LICENSE REQUIRED.

No person, firm or corporation, either as contractor or sub-contractor, shall construct, alter, remove, demolish, or commence the construction, alteration, removal or demolition of any building or structure or shall install any equipment for the operation of a building or structure without first filing with the Building Inspector, an application in writing and obtaining a formal license in conformity with this chapter. Exceptions to this license requirement are as follows:

1. A homeowner and/or a landlord performing their own labor on property owned and/or occupied by said owner.

2. A handyman type sole proprietor, having zero employees other than his or herself.

EXCEPTIONS

Exceptions from registration shall be as follows:

(a) Home Owners. No provision of this chapter shall be construed to require that a fee simple owner of a parcel(s) of real estate be registered, who personally will perform work or assist in the performance of work upon the real estate. Real estate owners shall be required to obtain all necessary permits. Such work shall be performed in accordance with the Building Code and according to plans and specifications filed with the application for a permit.

(b) Government Agencies, Public Utilities, Private Organizations. Provisions of registration shall not apply to Federal, State, County or Municipal governmental agencies, public utilities furnishing services to the City under Municipal-utility franchise agreements or to industrial, commercial or institutional organizations. A maintenance department, doing work within the provisions of the Building Code, is provided for except that should work covered by the Building Code be contracted to outside concerns, then such contractors shall be registered with the City as provided herein.

(c) Minors. No provision of this chapter shall be construed to require a minor to be registered.

REGISTRATION PERIOD.

(a) Term. All registration certificates shall expire one year from the date on which the certificate was issued.

(b) Initial Application. Initial application for registration may be made at any time during regular business hours by applying with the City Building Official and providing such information as required by Section titled APPLICATION AND ISSUANCE; FEE; CERTIFICATION.

APPLICATION AND ISSUANCE; FEE; CERTIFICATION.

No person, firm or corporation, either as a contractor or sub-contractor shall perform any of the services set forth in Section 2 above without first obtaining a license from the Building Inspector to perform such work within the City.

No license shall be issued by the Building Inspector until the contractor or sub-contractor has first submitted the following requirements:

- (a) Payment of a fee in the amount of one hundred dollars (\$100.00) the first year, which year shall commence on the day the license is issued, then renewed upon payment of fee in the amount of fifty dollars (\$50.00) for subsequent years
- (b) Certification from the City Income Tax Department that such person, firm or corporation, either as contractor or sub-contractor, is registered with such department, including its partners, employees, agents or servants of such contractor or subcontractor performing work or labor within the City;
- (c) Proof of liability insurance by certificate of insurance in an amount not less than one hundred thousand and no/100 dollars (\$100,000) per occurrence. In the event the insurance policy expires prior to the expiration date of the license, the contractor or sub-contractor, must guarantee and acknowledge in writing that he will maintain said liability insurance coverage for the full term of the license (i.e. one year). Any lapse in liability insurance coverage will result in an automatic revocation of license.
- (d) Provide a surety bond in the amount of twenty thousand dollars (\$20,000).
- (e) Upon the request of the issuance of a license, it is required that proof of Worker's Compensation for the applicant's employees be provided before the issuance of the license

SUSPENSION OR REVOCATION OF REGISTRATION.

(a) Registration may be suspended by the Building Inspector or his designee(s) for any of the following reasons:

- (1) Violation of any provision of this chapter or any part of the Building Code;
- (2) Misrepresentation of material fact in order to become registered, or in the removal of registration;
- (3) Failure to secure permits, inspections and approvals required by the Building Code;
- (4) Use of registration to obtain a permit for another;
- (5) Failure or refusal to correct a violation of the Building Code within a prescribed period of time or to correct incompetent work as ordered by the City Building Inspector or their designee(s);
- (6) For any other reason that is determined to be adverse to the health, safety and welfare of the residents of the City;
- (7) Repeated and continued violations of the Building Code; or
- (8) Failure to maintain coverage under the Ohio Worker's Compensation Laws.
- (9) Failure to comply with the City of Newton Falls Income Tax Laws.
- (10) Failure to maintain the Liability Insurance as herein required.

(b) Notice of suspension shall be by written notice to the contractor and shall state the grounds upon which the findings are based. The notice shall specify a reasonable period of time within which to remedy the findings. If the contractor fails to remedy the findings, the Building Inspector or their designee(s) shall proceed with a stop work order and revocation of the Registration subject to the appeal procedure set forth by the Board of Zoning Appeals in §1159.04 of the City of Newton Falls, Ohio Zoning Regulations, as upon an Administrative Appeal.

PENALTY.

(a) Failure to Register. Failure to register with the City Building Official as set forth in this chapter shall result in termination of all work on the project or projects

under violation and/or an assessment amounting to double the cost of the registration fee for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues until such registration is completed.

(b) Failure to Maintain Minimum Requirements. Failure to maintain the minimum registration requirements of this chapter shall result in termination of all work on the project or projects under violation and/or a fine Two Hundred Fifty Dollars (\$250.00) for each offense. A separate offense shall be deemed committed on each jobsite on which a violation occurs or continues until proof of such requirements are presented.

SPONSOR: GRANCHIE

ORDINANCE 2021-27

**AN ORDINANCE REZONING SPECIFIC LOTS ON NORTH CENTER STREET AND
LOCK STREET IN THE CITY OF NEWTON FALLS.**

WHEREAS, Ordinance 95-31 established zoning regulations for the City of Newton Falls as part of these regulations the City was divided into zoning districts and a zoning map was drawn up; and

WHEREAS, Ordinance 2019-23 passed on September 3, 2019, updating and adopting a new zoning map; and

WHEREAS, The Newton Falls Planning & Zoning Commission received a rezone request and reviewed the current zoning map for the City of Newton Falls; and

WHEREAS Parcels 53-122010, 53-122011, 53-122012 and 53-122014 located on Lock and North Center Streets were zoned commercial but due to non-use of the land for two years they reverted back to residential zoning; and

WHEREAS, The Planning and Zoning Commission recommends the lots currently zoned R Residential owned by RW Sidley Inc. and previously used as a concrete company be rezoned to C Commercial; and

WHEREAS, The Planning and Zoning Commission after review and discussion recommends rezoning the lots to allow use of the land as a commercial business; and

WHEREAS, Newton Falls City Council agrees with the recommendations made by the Planning & Zoning Commission.

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

SECTION I: Newton Falls City Council on the recommendation of the Planning & Zoning Commission hereby rezone Parcels 53-122010, 53-122011, 53-122012 and 53-122014 located on Lock and North Center Streets currently Residential - R-1 to Commercial - C marked as "Exhibit A" attached hereto as if fully rewritten herein to reflect the current use and characteristics of the area and previously adopted comprehensive plan and future land use map.

SECTION II: The remainder of Ordinance 93-51 and Ordinance 2019-23 remain intact.

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

PASSED IN COUNCIL THIS ____ DAY OF DECEMBER, 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director

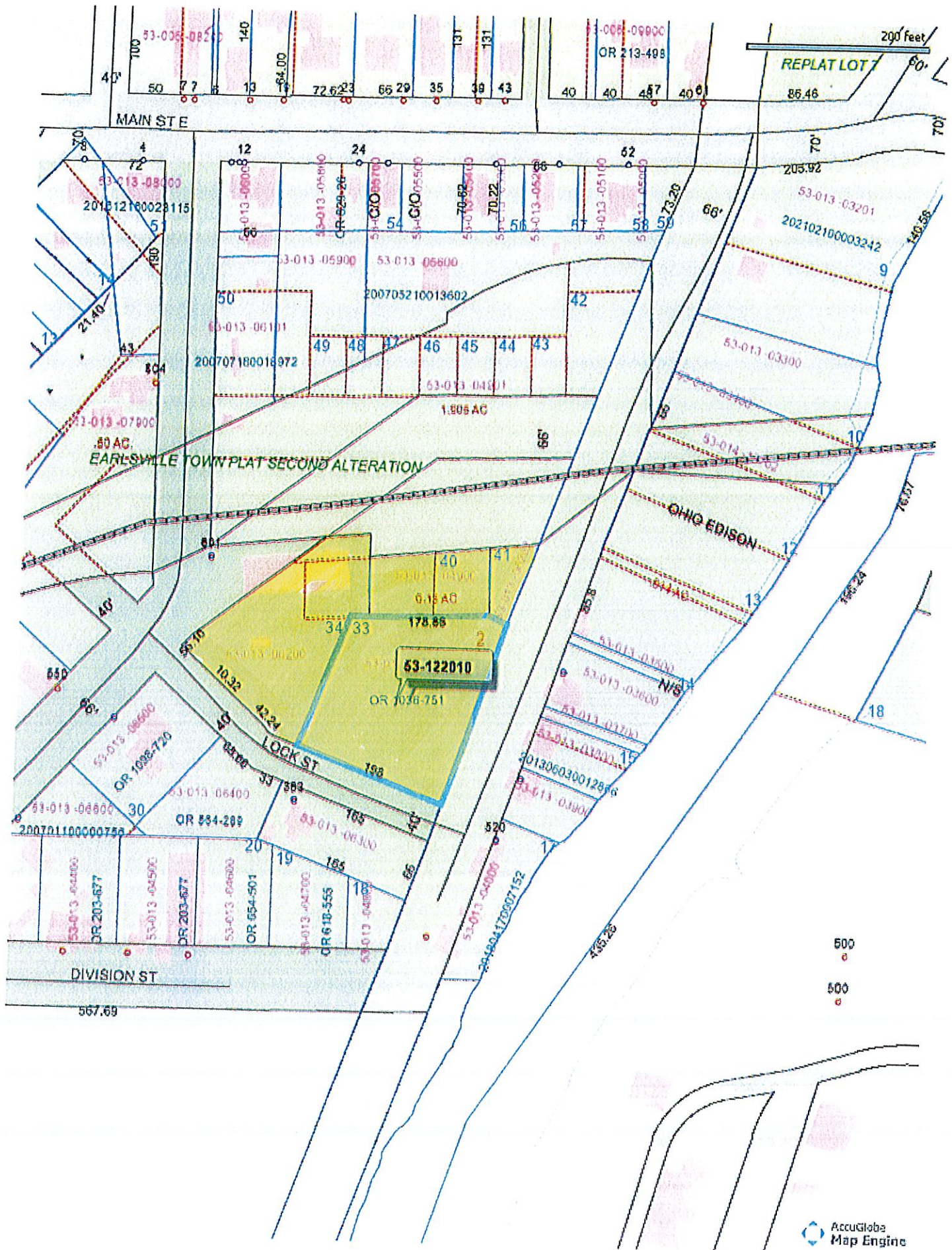
Newton Falls, Ohio

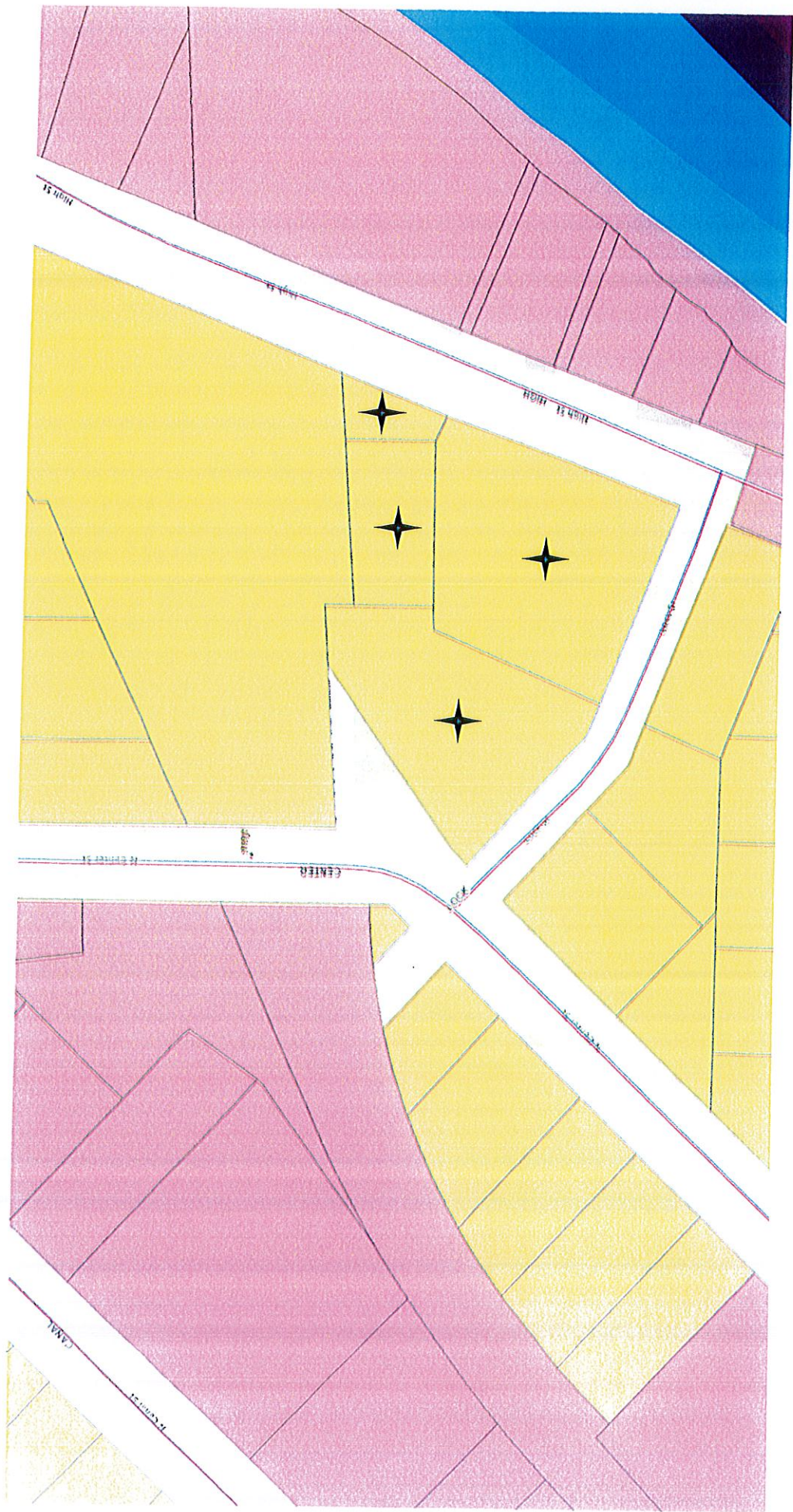
I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of

_____.

Kathleen King, Clerk of Council

Exhibit A 2021-27





Residential - R-1

Commercial C

★ R.W. Sidley

SPONSOR: MAYOR KLINE

THE CITY OF THE VILLAGE OF NEWTON FALLS

AN ORDINANCE TO REQUIRE THE APPROVAL OF COUNCIL FOR CONTRACT EXPENDITURES OVER \$25,000.

WHEREAS, to protect the public treasury it is necessary that Council approve contract expenditures over \$25,000, and

WHEREAS, such limit is important in today's economy.

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

Section 1. The Codified Ordinances of the City of the Village of Newton Falls, Ohio, be, and the same is hereby changed and amended to read as follows:

CONTRACT AUTHORITY

The City Manager may enter into a contract to purchase goods or services without the necessity of public bids, on behalf of the City, if the amount of the contract is less than that prescribed in Ohio Revised Code Section 731.14, and as it is amended from time to time, provided that prior approval of Council is obtained for expenditures in excess of \$25,000.

Section 2. That any ordinances or resolutions of the City of the Village of Newton Falls in conflict herewith are hereby repealed, and that any and all ordinances and resolutions consistent herewith ratified and confirmed.

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

PASSED ON THIS _____ DAY OF DECEMBER 2021

Kenneth Kline, Mayor

ORDINANCE NO.: 2021-28

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director

ATTEST: _____

Newton Falls, Ohio _____

I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Kathleen M. King, Clerk of Council

Ordinance No. 2021-29

THE CITY OF THE VILLAGE OF NEWTON FALLS

SPONSORED BY: GRANCHIE

**AN ORDINANCE REPEALING
ORDINANCES 2020-34, 2020-35, 2020-36, and 2020-37.**

WHEREAS, the Interim Law Director has opined that Ordinances 2020-34, 2020-35, 2020-36, and 2020-37 are void ab initio for failure to adequately list a reason to be passed as an emergency; and

WHEREAS, it is the Interim Law Director's opinion the Ordinances never received the two (2) readings as required by the Charter of the City of the Village of Newton Falls; and

WHEREAS, the Interim Law Director's opinion is that state law clearly indicates that if an ordinance purports to be passed as an emergency it must state an actual reason for the emergency, and not just the magical words "*for the immediate preservation of the public, peace, health, safety, or welfare*"; and

WHEREAS, the Interim Law Director has further opined that the resulting contracts as authorized by the void Ordinances 2020-34, 2020-35, 2020-36, and 2020-37 are also void, both due to the defect in their having never been properly authorized by ordinance of the City of the Village of Newton Falls; and

WHEREAS, the Interim Law Director has further reviewed those contracts and found they are also invalid on their face as none contained a certification of availability of funds as required by the laws of the State of Ohio.

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

SECTION I: Ordinance Numbers 2020-34, 2020-35, 2020-36, and 2020-37 are hereby repealed.

SECTION II: Those Ordinances were void at the time they were passed due to a lack of proper emergency clause, and those Ordinances were void at the time they were passed because they never received the two (2) readings necessary to become effective otherwise than as an emergency ordinance.

SECTION III: The Council for the City of the Village of Newton Falls, State of Ohio, hereby ordains any contracts resulting from Ordinances 2020-34, 2020-35, 2020-36, and 2020-37 are also void from the beginning both because there was no effective ordinance authorizing them, and because each and every one of those contracts failed to contain a Fiscal Officer's Certification of Availability of Funds.

SECTION IV: Those Ordinances are hereby REPEALED and other Ordinances or parts of Ordinances in conflict with the context of this Ordinance are also hereby REPEALED.

PASSED IN COUNCIL ON THIS 15TH DAY OF NOVEMBER, 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
City Clerk/Clerk of Council

APPROVED AS TO FORM:

Alfred E. Schrader (date)
Interim Law Director

SPONSOR: Baryak

ORDINANCE 2021- 23

**AN ORDINANCE ESTABLISHING SIDEWALK DISTRICTS AND ASSESSMENT
PROCEDURE WITHIN THE CITY OF NEWTON FALLS.**

WHEREAS, City Council desires sidewalks within the entire City for public use; and

WHEREAS, City Council acknowledges that safe sidewalks provide for the health, safety and welfare of the entire community; and

WHEREAS, City Council wants to provide an opportunity to decrease the expense of sidewalk costs to property owners by creating sidewalk districts and seeking lower costs through one or more construction provider; and

WHEREAS, City Council wants to create an assessment method to assure property owner payment of cost of sidewalk creation or repairs.

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

SECTION 1: Newton Falls City Council hereby adopts the following requirements to create Sidewalk District(s) and Assessments methods within the City of Newton Falls as attached as "Exhibit A."

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2021.

Mayor Kenneth Kline

ATTEST: _____
Clerk of Council/City Clerk

SPONSOR: GRANCHIE

ORDINANCE: 2021-19

**AN ORDINANCE ESTABLISHING AN ANNUAL COST OF LIVING ADJUSTMENT
FOR ALL HOURLY CITY EMPLOYEES.**

WHEREAS, Newton Falls City Council acknowledges that there is an annual recommended cost of living adjustment; and

WHEREAS, The cost for all goods and services, including vital ones such as food, shelter, and medical care, continues to rise. Earnings used to pay for the necessities of life need to also rise, otherwise many people could not afford the cost of living; and

WHEREAS, City Council wishes to make sure all hourly employees receive the recommended cost of living adjustment to their wages.

COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS:
SECTION I: Newton Falls City Council hereby authorizes an annual cost of living adjustment to all hourly employees' wages as determined by the Consumer Price Index in October of each year.

SECTION II: The cost-of-living adjustment shall be applied to all hourly employee's wages on the first full pay starting January following the October determination.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
City Clerk/Clerk of Council, Kathleen M. King

ORDINANCE NO. 2021-30

**AN ORDINANCE APPROVING THE
RECODIFICATION, EDITING AND INCLUSION OF
CERTAIN ORDINANCES AS PARTS OF THE VARIOUS
COMPONENT CODES OF THE CODIFIED ORDINANCES OF
NEWTON FALLS, OHIO**

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Newton Falls, Ohio;

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

SECTION 1: That the editing, arrangement and numbering of those ordinances and resolutions enacted by Council from November 3, 2020 to November 5, 2021, are hereby approved and adopted as printed in the November 2021 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of such replacement pages are attached to this ordinance and incorporated as a part hereof.

SECTION 2: That the following sections of the Traffic, General Offenses, and Building Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

<u>Traffic Code</u>	
301.183	Low-Speed Micromobility Device. (Added)
301.22	Pedestrian. (Amended)
301.51	Vehicle. (Amended)
331.211	Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amended)
331.37	Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
333.03	Maximum Speed Limits. (Amended)
335.02	Permitting Operation Without Valid License; One License Permitted. (Amended)
335.021	Ohio Driver's License Required for In State Residents. (Amended)
335.04	Certain Acts Prohibited. (Amended)
335.09	Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
371.13	Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)
371.14	Low-Speed Micromobility Devices. (Added)
373.10	Motorized Bicycle Operation. (Amended)
373.21	Electric Bicycles. (Amended)

General Offenses Code

501.99	Penalties for Misdemeanors. (Amended)
505.071	Cruelty to Companion Animals. (Amended)
509.07	Making False Alarms. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
521.08	Littering and Deposit of Garbage, Rubbish, Junk, Etc. (Amended)
525.13	Interfering with Civil Rights. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
533.09	Soliciting. (Amended)
533.091	Loitering to Engage in Solicitation. (Amended)
533.10	Prostitution. (Amended)
537.02	Vehicular Homicide and Manslaughter. (Amended)
541.04	Criminal Mischief. (Amended)
541.05	Criminal Trespass. (Amended)
541.051	Aggravated Trespass. (Amended)
545.03	Property Exceptions as Felony Offense. (Amended)
545.09	Passing Bad Checks. (Amended)
549.02	Carrying Concealed Weapons. (Amended)
549.06	Unlawful Transactions in Weapons. (Amended)
553.04	Railroad Vandalism. (Amended)

PASSED IN COUNCIL THIS ____ DAY OF DECEMBER 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director

ATTEST:

Newton Falls, Ohio _____
I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Kathy King, Clerk of Council

SPONSOR: MAYOR KLINE/BARYAK

THE CITY OF THE VILLAGE OF NEWTON FALLS

AN ORDINANCE APPOINTING SEAN HOUSLEY AS PART-TIME FINANCE DIRECTOR AND AUTHORIZING PAY AND TERMS OF EMPLOYMENT.

WHEREAS, The Newton Falls City Charter authorizes the position of Finance Director; and

WHEREAS, Sean Housley has served as Interim Finance Director since September 7, 2021; and

WHEREAS, Newton Falls City Council acknowledge the need to keep continuity in the Finance Department in order to meet the financial obligations of the City.

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

Section 1. Newton Falls City Council hereby appoints Sean Housley as part-time Finance Director for the City of Newton Falls retroactive to November 1, 2021 with the following terms:

- Pay shall be \$1,500 per week;
- Work will be from home the majority of the time;
- Office hours will be two times per week;
- Will be available available for phone calls;
- Will attend Wednesday City Council meetings.

Section 2. That any ordinances or resolutions of the City of the Village of Newton Falls in conflict herewith are hereby repealed, and that any and all ordinances and resolutions consistent herewith ratified and confirmed.

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

PASSED:

President of Council

APPROVED AS TO FORM:

APPROVED: _____

Date

Alfred E. Schrader - Interim Law Director

Kenneth Kline, Mayor

ATTEST:

Newton Falls, Ohio _____

I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Kathleen M. King, Clerk of Council

RESOLUTION 37-2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PURCHASE OF CHEMICALS FOR THE CITY OF NEWTON FALLS FOR THE YEAR 2021.

WHEREAS, It is necessary to contract for chemicals to be used in the Water Plant; and

WHEREAS, Proper legal advertising has been affected and a bid opening was conducted on Wednesday, December 1, 2021, at 11:00 a.m.; and

WHEREAS, The bids received have been reviewed by the Water Plant Supervisor and it has been determined that the entities listed below are the lowest/best bids received; and

WHEREAS, City Council will appropriate funds for the purchase of these chemicals in the 2022 budget ordinance.

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

SECTION I: The City Manager is hereby authorized to enter into contracts with the following companies who are herewith declared to be the lowest/best bids received for the purchase of chemicals for the City of Newton Falls, Water Plant for the year 2022.

Sal Chemicals, Weirton WV

Hydro Fluosilic Acid	\$ 32.10 cwt
KMNO-4	\$ 2.19/lb

Bonded Chemicals,

Carbon Watercarb 800	\$ 104.00/cwt coal powdered
	\$ 95.50/cwt – wood

Aquamark, Newbury OH

AQ 722 ACH	\$.48 lb. wet delivered
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JCI Jones, Sarasota FL

Chlorine	\$ 109.33/cwt
Caustic Soda	\$ 23.55/cwt

Terms and conditions of the agreements shall be in conformity with the sealed bids submitted to the City of Newton Falls.

PASSED IN COUNCIL THIS _____ DAY OF DECEMBER 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
City Clerk/Clerk of Council

APPROVED AS TO FORM:

Alfred E. Schrader – Interim Law Director

CITY OF NEWTON FALLS
CHEMICALS FOR 2022

COMPANY	CHECK/ BID BOND	CAUSTIC SODA	CHLORINE	HYDRO FLUOSILIC ACID 25%	CARBON	KMNO-4	AQ 722 ACH	JACOBI
UNIVAR	X	\$38.10 cwt .381/lb		\$57.00/cwt .57/lb		\$2.61/lb		
SHANNON	X					\$2.48/lb		
SAL	X	\$30.50/cwt		\$32.10/cwt	\$116.50/cwt coal	\$2.19/lb		
BARBERS	X	\$56.31/cwt	\$216.00/cwt			\$3.97/lb		
JCI	X	\$23.55/ cwt	\$109.33/cwt					
BONDED	X	\$34.60/cwt	\$154.00/cwt		\$104.00/cwt coal \$95.50/cwt wood	\$2.20/lb		
USALCO Coyne	NO BID NO BID							
AQUAMARK	X						\$0.48/lb wet delivered	

Bid Opening: Wednesday, December 1, 2021
11:00 a.m.

Present for Opening:

Jeff Hawkins - Water Plant Superintendent

Kathleen King - City Clerk

CITY OF NEWTON FALLS
CHEMICALS FOR 2021

COMPANY	CHECK/ BID BOND	CAUSTIC SODA	CHLORINE	HYDRO FLUOSILIC ACID 25%	CARBON	KMNO-4	AQ 722 ACH
UNIVAR	X	\$23.50/cwt		\$41.50/cwt	\$116.50/cwt coal	\$197.50/cwt	
SHANNON	X			\$35.17/cwt		\$1.89/55.112lb	
SAL	X	\$14.85/cwt		\$28.20/cwt	\$105.00/cwt coal	\$1.81/55.112lb	
BARBERS	X	\$24.85/cwt	\$65.00/cwt			\$289.00/cwt	
JCI	X	\$16.22/cwt	\$48.00/cwt				
BONDED	X	\$15.60/cwt	\$54.00/cwt		\$92.80/ctw coal \$72.50/cwt wood	\$1.72/lb	
USALCO	No Bid						
AQUAMARK							\$0.371/lb

Bid Opening: Wednesday, December 2, 2020
11:00 a.m.

Present for Opening:

Jeff Hawkins - Water Plant Superintendent

Kathleen King - City Clerk

2021

SPONSOR: Mayor Kline

RESOLUTION 38-2021

A RESOLUTION OF RECOGNITION AND APPRECIATION TO THE NEWTON FALLS AREA COMMERCE ASSOCIATION (NFACA).

WHEREAS, The Newton Falls Commerce Association (NFACA) has taken an active role in promoting and highlighting the City of Newton Falls to the surrounding areas; and

WHEREAS, The Newton Falls Commerce Association has organized many events throughout the year including but not limited to: Spring Peddler, Dicker Days, Autumn in the Falls, and the Annual Christmas Tree lighting; and

WHEREAS, The Newton Falls City Council is extremely proud and pleased to recognize the Newton Falls Area Commerce Association for their outstanding service and social events that promote the City of Newton Falls and bring the citizens together; and

WHEREAS, Through their endeavors the Newton Falls Commerce Association has touched the lives of the citizens of Newton Falls and have provided joy and enthusiasm to the community with their events.

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

SECTION I: The Newton Falls City Council is sincerely pleased to recognize and extend appreciation to the Newton Falls Area Commerce Association for their outstanding commitment to the City of Newton Falls and extend best wishes to them for much continued success, in all their future endeavors.

PASSED THIS 6TH DAY OF DECEMBER 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director

SPONSOR: BARYAK

RESOLUTION 39-2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE VARIOUS CONTRACTS WITH PAN AMERICAN FOR EMPLOYEE HEALTH CARE BENEFIT NEEDS.

WHEREAS, The City of Newton Fall received quotes for employee health insurance coverage for 2022; and

WHEREAS, The City of Newton Falls would like to contract with Pan American of Ohio for employee benefit needs and developing short term and long-range benefit strategies; and

WHEREAS, City Council has appropriated funds in the 2022 budget and wishes to authorize the City Manager to enter into a contract.

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

Section 1: The Newton Falls City Manager is hereby authorized to enter into and execute various contracts with Pan American, for employee health care benefits.

Section 2. That any ordinances or resolutions of the City of the Village of Newton Falls in conflict herewith are hereby repealed, and that any and all ordinances and resolutions consistent herewith ratified and confirmed.

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

PASSED IN COUNCIL THIS ____ DAY OF DECEMBER 2021.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council, Kathleen M. King

APPROVED AS TO FORM:

Alfred E. Schrader - Interim Law Director