



NEWTON FALLS CITY COUNCIL  
**SPECIAL MEETING AGENDA**  
 Thursday, April 28, 2022; 6:00 PM  
 COUNCIL CHAMBERS  
 612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Michael Serotko
Ward 2	John Baryak
Ward 3	Tesa Spletzer
Ward 4	Christopher Granchie
At- Large	Julie Stimpert
Mayor	Kenneth Kline

CITY ADMINISTRATION	
City Manager	Pamela Priddy
Law Director	Brad Bryan
Finance Director	Sean Housley
City Clerk	Michael Acomb

- I. Call to Order**
- II. Pledge of Allegiance / Silent Prayer**
- III. Roll Call**
- IV. Public Comments (limited to those items on the agenda)**
- V. New Business**  
 RESOLUTION 14-2022      Sponsor: Mayor Kline  
 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A K-9  
 TRANSFER AGREEMENT WITH OFFICER STEVE LYDEN
- VI. Public Comments (limited to those items on the agenda)**
- VII. Adjournment**

VILLAGE OF NEWTON FALLS,  
OHIO RESOLUTION NO.: 14-2022  
SPONSOR: Mayor Kline

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A K-9  
TRANSFER AGREEMENT WITH OFFICER STEVE LYDEN**

WHEREAS, Officer Steve Lyden is resigning from his position as a Newton Falls Police Officer and the Village K-9 Officer, effective 11:59 p.m. on April 28, 2022, to accept a law enforcement position with a hospital that does not involve K-9 enforcement duties; and

WHEREAS, over the past few years, Newton Falls has expended time and money to train and care for Officer Lyden's K-9 partner Kato; and

WHEREAS, since Kato was placed into service for Newton Falls, Kato has worked solely with Officer Lyden, has not worked with any other Department Officers; and has bonded with Officer Lyden; and

WHEREAS, due to the expenses associated with the Village K-9 Program, the Village plans on discontinuing the K-9 Program upon Officer Lyden's departure from Village employment; and

WHEREAS, as a result of the above, Officer Lyden desires to purchase Kato from the Village, and the Village desires to sell Kato to Officer Lyden, so that Kato and Officer Lyden can remain together.

NOW, THEREFORE, the Council of the Village of Newton Falls, State of Ohio, hereby ordains:

SECTION 1. That Council hereby and herein authorizes the City Manager to enter into the attached K-9 Transfer Agreement or an agreement that is substantially similar thereto.

SECTION 2. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect immediately upon adoption in accordance with Article III, Section 22 of the Charter of Newton Falls.

RESOLUTION NO. 14-2022  
PAGE TWO

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

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

Attest:

\_\_\_\_\_  
Michael Acomb, Clerk of Council

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Law Director

## **K-9 TRANSFER AGREEMENT**

This Agreement is entered into this 28th day of April, 2022, by and between Newton Falls, Ohio (“Newton Falls” or “Village”), an Ohio municipal corporation, and Steve Lyden, the Village K-9 Officer, (“Officer Lyden”), collectively referred to as the “Parties”.

WHEREAS, Officer Lyden is resigning from his position as a Newton Falls Police Officer and the Village K-9 Officer, effective 11:59 p.m. on April 28, 2022, to accept a law enforcement position with a hospital that does not involve K-9 enforcement duties; and

WHEREAS, over the past few years, Newton Falls has expended time and money to train and care for Officer Lyden’s K-9 partner Kato; and

WHEREAS, since Kato was placed into service for Newton Falls, Kato has worked solely with Officer Lyden, has not worked with any other Department Officers, and has bonded with Officer Lyden; and

WHEREAS, due to the expenses associated with the Village K-9 Program, the Village plans on discontinuing the K-9 Program upon Officer Lyden’s departure from Village employment; and

WHEREAS, as a result of the above, Officer Lyden desires to purchase Kato from the Village, and the Village desires to sell Kato to Officer Lyden, so that Kato and Officer Lyden can remain together.

NOW, THEREFORE, Newton Falls and Officer Lyden hereby enter into the within K-9 Transfer Agreement setting forth the following terms and conditions.

1. Possession. Upon approval of this Agreement by Village Council and execution of this Agreement by the Parties, Officer Lyden shall keep physical possession of Kato and care for Kato after the conclusion of Officer Lyden’s employment with Newton Falls.

2. Purchase Price. In consideration of past training and care expenses incurred by the Village and Kato’s current market value, Officer Lyden shall pay Newton Falls the amount of \$5,000 within 60 days of the date of this Agreement. Part of the aforementioned purchase price may, by agreement of the Parties, be deducted from any net earned and unpaid severance payments owed by Newton Falls to Officer Lyden. Once the aforementioned purchase price is paid in full, the Parties shall cooperate to transfer Kato’s registration into Officer Lyden’s name.

3. Agreement Not to Sell, Breed, or Put K-9 Back into Service. In consideration for Newton Falls entering into this Agreement, Officer Lyden agrees that he will not sell Kato, breed Kato, or permit Kato to be put back into service for another community or entity. In the event Officer Lyden violates this section of this Agreement, Officer Lyden hereby agrees to pay Newton Falls liquidated damages in the amount of \$25,000.

**Officer Steve Lyden**

**Newton Falls**

\_\_\_\_\_  
Steve Lyden

\_\_\_\_\_  
Pamela Priddy, City Manager