



NEWTON FALLS CITY COUNCIL
REGULAR MEETING AGENDA
 Wednesday, June 1, 2022; 6:00 PM
 COUNCIL CHAMBERS
 612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	VACANT
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
Interim Finance Director	Sean Housley
City Clerk	Michael Acomb

- I. **Call to Order**
- II. **Pledge of Allegiance / Silent Prayer**
- III. **Roll Call**
- IV. **Special Presentations by Staff Members or Invited Consultants**
- V. **Public Comments**
- VI. **Reports**
 - a. Mayor
 - b. Council Members
 - c. Finance Director
 - d. Law Director
 - e. City Manager

Changes To Tonight's Agenda

- VII. **Approval of Previous Minutes**
 Town Hall Meeting Minutes, May 18, 2022
 Regular Meeting Minutes, May 18, 2022

VIII. **Public Hearings**

ORDINANCE 2022-23

Sponsor: Councilman Baryak

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM GPD GROUP FOR THE RIDGE ROAD DISTRIBUTION POLELINE DESIGN PROJECT

ORDINANCE 2022-24

Sponsor: Councilman Serotko

AN ORDINANCE CONFIRMING THE PLANNING COMMISSION'S DECISION TO REZONE THE 737 RIDGE ROAD PROPERTY FROM "R-M" RESIDENTIAL MULTI-FAMILY TO "C" COMMERCIAL

ORDINANCE 2022-25

Sponsor: Mayor Kline

AN ORDINANCE AMENDING ORDINANCE 2022-18 ESTABLISHING SEWER RATES FOR NEWTON FALLS UTILITY CUSTOMERS

ORDINANCE 2022-26

*Co-Sponsors: Councilwoman Spletzer
Councilman Serotko*

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO HIRE UP TO TWO ADDITIONAL PART-TIME ZONING ADMINISTRATORS

IX. Unfinished Business

ORDINANCE 2022-23

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X. New Business

ORDINANCE 2022-27

*Co-Sponsor: Councilwoman Spletzer
Councilman Granchie*

AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE VILLAGE KNOWN AS 417 NORTH CENTER STREET TO DONNIE REID ENTERPRISES LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE PROPERTY

ORDINANCE 2022-28

Sponsor: Councilwoman Spletzer

AN ORDINANCE AMENDING SECTION 191.01(B)(1) AND THE PREAMBLE OF SECTION 191.03 OF THE NEWTON FALLS TAX CODE RELATING TO THE NEWTON FALLS MUNICIPAL INCOME TAX RATE AND REQUESTING THAT SAID AMENDMENTS BE CERTIFIED TO THE COUNTY BOARD OF ELECTIONS FOR PLACEMENT ON THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT

RESOLUTION 20-2022

Sponsor: Councilman Baryak

A RESOLUTION REQUESTING A CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE FROM THE TRUMBULL COUNTY AUDITOR CERTIFYING TO THE VILLAGE OF NEWTON FALLS THE AMOUNT A FOUR MILL, FIVE YEAR, POLICE TAX LEVY WOULD GENERATE FOR THE VILLAGE

MOTION

Sponsor: Councilman Baryak

A Motion to Authorize Robert Carlson, at No Cost to the Village, to Conduct an Investigation into Recent Actions of the Newton Falls Civil Service Commission.

XI. Public Comments

XII. Closing Remarks

MOTION

Motion to Adjourn into Executive Session (as noted below)

☒ 1. Personnel Matters: To Consider one or more, as applicable, of the marked items:

☒ Appointment

☒ Employment

☐ Dismissal

☐ Discipline

☐ Promotion

☐ Demotion

☐ Compensation

☒ 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

☐ 7. Hospital Trade Secrets

☐ 8. Confidential Business Information of an
Applicant for Economic Development
Assistance

☐ 9. Veterans Service Commission
Applications

XIII. Adjournment



NEWTON FALLS CITY COUNCIL
TOWN HALL MEETING MINUTES
 Wednesday, May 18, 2022; 5:00 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	Bradley Bryan
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City Clerk	Michael Acomb

- I. Call to Order
- II. Pledge of Allegiance / Silent Prayer
- III. Roll Call

Council Present: Councilman Serotko, Councilman Baryak, Councilwoman Spletzer, Councilman Granchie, Councilwoman Stimpert

Council Absent: none

Staff Present: Mayor Kline, Finance Director Housley, Law Director Bryan, City Clerk Acomb, City Manager Priddy

Staff Absent: City Administrator Smeiles

IV. Unfinished/New Business

Anna Eby – 50 West 9th Street

Ms. Eby urged for better communication from Council and expressed disappointment in the turnout.

Ashton Hickman - 710 West Broad

Ms. Hickman described her reasons for moving to the city. She urged Council to take an inventory the community assets and to (1) expand businesses, (2) create a community partnership with education and outreach, (3) reconsider ordinances that are barriers to small businesses, particularly home-based businesses, and (4) work toward improving recreation opportunities for all.

Julie Lemon – 609 Ridge Road

Ms. Lemon asked if there was a bed tax? She expressed disappointment in the lack of recreation opportunities in the city and stated that economic development is important in solving the issues.

Bud Fetterolf - 321 Ridge Road

Mr. Fetterolf stated his concerns with transportation and connectivity in the community, particularly as it might serve the senior citizens. He urged Council to protect the senior citizens and expressed his appreciation for Council's work and optimism for the future.

Rick Kerlin - 611 N. Canal Street

Mr. Kerlin comments that there are only a few options available to the city: (1) pass a tax levy, (2) repeal the tax credit, (3) raise the tax rate, (4) cut services, and/or (5) accept government intervention. He suggested that Council do the most effective thing that hurts the fewest number of people and expressed his satisfaction with the growing economic developments in the city. He urged the people to support Council and stated his belief that the future economic development within the city will eventually cover the expenses.

Resident - 227 North Center

This resident suggested increasing the fines that are levied by zoning inspectors and increasing landlord permit fees. He stated that the landlord permit fees would not only raise money but increase the quality of the housing stock, increase accountability for the landlords, and increase the desirability of the town to newcomers.

Adam Zimmerman – 515 Lemae Avenue

Mr. Zimmerman stated the importance of transparency and putting an end to frivolous spending as solutions to the city's financial problem. He stated his belief that the removal of live broadcasts was a step backwards and prevents transparency. He cited the removal and replacement of an otherwise good fence as unnecessary. He expressed a desire to limit Council meetings to twice per month.

Anna Eby – 50 West 9th Street

Ms. Eby suggested charging seniors for use of the municipal building and wondered if outside groups being charged for their use of the building. She suggested charging residents for their frontage outright or in installments when their road is paved citing other communities who have used this strategy. She asked to consider if the municipal building is necessary to keep and maintain.

Mr. Housley – Finance Director

Mr. Housley presented a brief synopsis to the audience regarding that actions that city administration is taking to save money to address the fund deficits (see enclosed exhibits). Mr. Bryan clarified that the administration is comprised of the city manager, as well as department heads and directors. Mr. Housley read from

the exhibits which represents a list of actions that city administration has done or is doing to save money and improve the financial position of the community. Mr. Housley made an emotional plea to Council wondering how much more can be done by the city administration to correct the fund deficits. Mr. Housley pointed out that the current income tax is 1%, and most other communities in the region assess taxes at 2%. He asked Council to consider an increase in the tax rate and a reduction in tax credit to residents. He stated his belief that the only viable solution to the solving the problem is to make a change in the income tax structure while continuing to provide essential services that will retain families who choose to reside in Newton Falls and attract new businesses.

Matt Mau - RITA representative

Mr. Mau clarified that (1) increasing the tax rate would give the city money faster due to employer withholdings you and (2) changes in the credit rate (forgiveness) wouldn't be realized until tax returns are filed at the beginning of each calendar year.

Mr. Baryak stated that this problem has been coming for a long time. He recalled that an effort in 2016 to make a small change in the income tax rate failed at the ballot. He also recalled that prior administrations spent frivolously, and he provided examples while stating that he voted against many of those examples. He stated that this Council is trying to be transparent and stated that the current lawsuits were unavoidable and expressed optimism that Council might be able to recoup their attorney fees. He expressed Council's openness to public input. He stated with love for the community and stated his desire to find an equitable solution that will not negatively impact senior citizens. He expressed support for the city manager citing her actions which have enabled hundreds of thousands of dollars to be saved since she started working.

Ms. Spletzer asked Mr. Mau to clarify the types of income that are not subject to income tax. Mr. Mau stated the Social Security income is not taxable and cited other examples reiterating that senior citizens are tax exempt. Ms. Spletzer clarified that disability income is not taxable and Mr. Mau agreed.

Mr. Baryak asked Mr. Mau to explain how RITA tracks taxable residents when so many move in and out of the community. Mr. Mau explained that federal tax information allows them to keep up and that their registration offices and the finance departments of each community work together.

Mrs. Stimpert asked Mr. Housley to clarify his statement in the exhibits that county reimbursements at \$2000 per month equals a total of \$24000 per year. Mr. Housley agreed.

Mayor Kline asked Mr. Mau for his advice knowing the city needs the money right now. Mayor Kline suggested selling the Municipal Center to pay off debt.

Mr. Baryak asked Mr. Housley about the forgiveness of local tax (tax credit) and

whether the problem could be solved in time to avoid state intervention. Mr. Housley stated that a repeal of the tax credit (forgiveness) or an adjustment in the income tax rate must be approved by voters. Housley suggested that only increases in property taxes, adjustments to the tax credit (forgiveness), and an adjustment in the income tax for those that live and work in Newton Falls were the only viable solutions. He suggested that the increase of the income tax to 2% could be phased-in over several years. He stated that steps are being taken right now and there are no mortgage payments on the municipal building and warned that trading “no payments” for “payments” would be responsible. He reminded Council that city government offices and services are already running lean and that three public hearings are required no matter what it decided. He urged Council to place an issue on the ballot in November.

Mr. Mau stated a 1% tax with 0% credit would not provide enough money to overcome the fund deficits; therefore, acting to only repeal the tax credit (forgiveness) will not meet the needs of the city. Mr. Housley agreed and stated that it would also not be equitable. He reiterated his recommendation that Council adjust the income tax to 2% which would limit the impact on senior citizens and would be an equitable solution for everyone else.

Mr. Granchie stated he had provided a list of suggested cuts to the city administration and that his suggestions went unanswered. Mr. Housley stated that all of Mr. Granchie’s ideas were discussed, and it was determined that some of those ideas would not raise enough money or take effect quickly enough to solve the problem. He stated that they were all great ideas, and should be done, but represented long term solutions whereas these fund deficits require solutions that can make an immediate impact.

Mr. Baryak reminded the community that it seems likely that everyone will have to do something that they do not otherwise want to do to solve the problem.

Mr. Serotko stated that he is against raising taxes; but acknowledged that something must happen. He requested income tax legislation be presented to Council at 1.5 %. Mr. Housley reminded Council that any proposed legislation can be changed by Council when that proposed legislation is on the floor.

Rick Kerlin - 611 N. Canal Street

Mr. Kerlin wondered if it was possible to have enough equity in the municipal building to take a mortgage loan on the building knowing that an income tax increase could be passed in the future. Mr. Housley stated that they could raise money with a mortgage; but would have to pay it back. He agreed to investigate the appraisal value of the municipal building. Mr. Kerlin stated his support for the idea and that it might provide an incentive to pass an income tax increase at the ballot. He stated his belief that there are no other places where cuts can be made.

Mr. Housley asked Council for a co-sponsor for the proposed income tax legislation.

Ms. Spletzer agreed to co-sponsor Mr. Serotko's request for legislation. She stated a lack of support for a tax levy as it would negatively impact senior citizens who are property owners. She stated that she is willing to support an income tax because it is a more equitable solution and will only minimally affect the senior citizens.

V. Adjourn

A motion to adjourn the town hall meeting at 6:12 pm

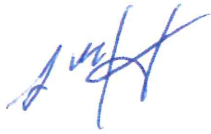
Moved by: Mr. Baryak

Seconded by: Mr. Serotko

Mr. Serotko-yes; Mr. Baryak-yes; Ms. Spletzer-yes; Mr. Granchie-yes;

Mrs. Stimpert-yes

The motion passed 5-0.



5/18/22 Town Hall Mtg
Exhibit A

Administration:

Law Director, Finance Director, all Department Heads... lead by the City Manager.

What are "we" the administration doing now:

Council is a part of all legal matters.

Council approves any agreement that exceeds 25,000.

The Charter is be re-evaluated providing for the opportunity for Council to recommend needed improvements to residents.

Both Full-time and part-time positions are not being filled. (1 of 2 in police, and 1 of two in streets).

Full-time positions hours are being reduced to part-time eliminating the availability of benefits. (City Manager, Finance Director, Law Director, City Clerk, Compliance Officer, and possibly more to come).

All Employees are being asked to contribute more towards health-care costs (\$1,500 annually).

There was no COLA paid to employees during 2022 and the SSA passed a 5.9.

We have cut the live broadcasts (\$27,000).

We have obtained County reimbursements of prosecutorial costs of \$2,000 per month (48K per year) that will be deposited in the General Fund.

We are trying to negotiate with the schools to reimburse us for the School Resource officer, originally paid for by a grant which is no longer

What more can we (the administration) do for Council.

Choices:

- Do we not fill either full-time police officer or street positions?
- Do you want employees to take an across the board pay cut?

Have we done enough? What more can we do? Is it time to ask the community to be supportive of increasing the IT rate?.

We should not be in this current financial state:

- Negative Cash Balances in the GF and Street Fund during a period of inflation with no reserves, unable to offer our employees a pay increase and requiring employees to contribute more.
- Let's not be paralyzed by past decisions that have led us to this current state, instead, let's evolve and present a plan to turn things around.

A

→ +100,000 = 800,000.

100 General Fund Analysis Description:	B		C		D		E		F		G		H	
	Actual	2017	Actual	2018	Actual	2019	Actual	2020	Actual	2021	Budget	2022	Actual	3/31/2022
Revenues:														
1 Real Estate Taxes	116,370.99	111,379.36	112,313.71	115,453.47	113,755.05	115,500.00	50,000.00							
2 Income Tax Collections	522,805.94	507,107.01	627,100.45	602,118.40	700,465.47	700,465.47	156,269.85							
3 Intergovernmental (L.G., Rollback)	64,907.70	76,755.67	86,713.07	88,421.93	112,027.05	112,198.00	20,476.71							
4 Charges for Services (Police & Misc.)	8,487.59	8,439.36	81,454.22	30,683.35	8,989.88	9,705.00	207.50							
5 Fines (mostly Courts & State Turnpike)	730,523.20	742,528.75	766,786.71	617,682.29	669,836.74	670,674.02	139,965.56							
6 Misc. Reimb (mostly court benefits, BWC reimb.)	58,863.09	47,092.62	53,166.12	144,290.60	32,377.60	31,700.00	1,892.72							
7 Interest	124,310.80	118,231.64	192,324.42	156,215.39	190,405.52	60,000.00	27,749.78							
8 KWH TAX - G F	145,355.80	161,948.76	151,091.37	145,248.51	150,576.52	150,576.52	35,744.82							
9 Grants and/or Aid	41,692.29	64,037.43	60,441.41	48,988.87	254,917.48	0.00	0.00							
10 Transfers-in (Electric Fund), Other:	0.00	0.00	0.00	462,000.00	0.00	0.00	0.00							
11 Advances-in (from permissive):	0.00	0.00	0.00	0.00	80,000.00	116,000.00	0.00							
12 Other:	8,097.15	308.40	17.07	8,026.78	0.00	0.00	0.00							
13	1,821,414.55	1,837,829.00	2,131,408.55	2,419,129.59	2,313,351.31	1,966,819.01	432,306.94							
Expenditures:														
14	473,853.02	578,498.69	623,312.77	673,911.23	508,846.71	506,850.00	194,584.19							
15	85,419.67	89,041.34	84,217.35	89,396.16	123,852.82	134,341.00	36,007.76							
16 Police, Personnel (fringes, benefits, workers comp):														
17 Police, Other (utilities, insurance, supplies, etc):														
18 Police Support, Personnel:	8,203.20	10,870.89	12,326.25	13,039.30	12,814.49	14,560.00	3,463.71							
19 Police Support, Other (prof services only):	30,064.56	33,350.40	31,952.44	29,754.56	28,570.48	30,000.00	3,463.71							
20 Fire, Contractual Services:	61,980.86	70,837.00	70,837.00	70,837.00	70,837.00	75,837.00	36,481.06							
21 Zoning, Personnel:	14,559.48	20,174.51	21,366.50	83,892.67	89,222.99	91,000.00	21,510.25							
22 Zoning, Other:	9,616.62	12,693.48	42,834.95	37,618.07	40,525.50	43,600.00	2,614.83							
23 Muni Court, Personnel:	577,704.58	712,603.12	650,658.29	592,433.40	637,417.29	674,748.00	188,285.89							
24 Muni Court, Other:	20,126.59	15,751.64	22,327.01	18,472.82	31,030.64	31,434.00	6,108.61							
25 Building Maintenance, Personnel:	4,423.86	7,193.91	12,189.82	24,848.07	43,381.47	43,000.00	12,332.27							
26 Building Maintenance, Other (includes: Build, Land, E	48,333.27	59,564.99	88,493.21	324,773.32	476,036.23	107,424.08	94,985.08							
27 Transfers, Advances (includes transfers to streets fun	103,078.41	49,590.69	227,976.35	195,453.24	65,000.00	203,067.00	0.00							
28	Cash Flow Impact: 1,437,364.12	1,660,170.66	1,888,491.94	2,154,429.84	2,127,535.62	1,955,861.08	599,837.36							
29														
30 City Administration:	212,717.14	309,179.89	229,840.27	226,531.01	371,079.15	248,410.00	39,031.32							
31 Personnel Cost:	(154,921.89)	(210,773.85)	(161,743.15)	(160,139.28)	(209,189.93)	(157,339.77)	(24,248.22)							
32 Allocated to Enterprise Funds:														
33	Cash Flow Impact: 57,795.25	98,406.04	68,097.12	66,391.73	161,889.22	91,070.23	14,783.10							
34 Other:														

A - ARPA

100 General Fund Analysis										Actual		Actual		Actual		Actual		Actual		Budget		Actual	
Description:										2017		2018		2019		2020		2021		2022		3/31/2022	
35 Includes: Travel, Contractual Services, Supplies:										24,766.26	27,772.53	76,759.80	99,430.15	117,086.16	55,857.00	49,400.72	Notes: Increasing trend, legal costs?						
36 Allocated to Enterprise Funds:										(18,037.27)	(13,871.21)	(54,017.63)	(78,288.92)	(58,904.73)	(27,694.51)	(30,524.36)							
37 Cash Flow Impact:										6,728.99	13,901.32	22,742.17	21,141.23	58,181.43	28,162.49	18,876.36							
38																							
39 Council:																							
40 Personnel Cost:										27,226.37	28,931.92	25,872.68	26,448.28	25,110.56	24,931.00	7,173.96							
41 Allocated to Enterprise Funds:										(19,828.96)	(19,789.56)	(18,207.20)	(19,456.63)	(12,697.67)	(15,420.39)	(4,461.05)							
42 Cash Flow Impact:										7,397.41	9,142.36	7,665.48	6,991.65	12,412.89	9,510.61	2,712.91							
43 Other:																							
44 Includes: Travel, Contractual Services, Supplies:										49,525.08	26,687.58	189,216.95	135,023.37	251,232.22	56,989.00	12,561.55	Increasing trend, legal costs?						
45 Allocated to Enterprise Funds:										(36,069.11)	(18,193.44)	(133,156.38)	(96,390.67)	(139,637.74)	(32,619.20)	(7,834.80)							
46 Cash Flow Impact:										13,455.97	8,494.14	56,060.57	38,632.70	111,594.48	24,369.80	4,726.75							
47																							
48 Finance:																							
49 Personnel Cost:										170,722.70	212,297.12	189,131.50	178,570.30	213,677.20	187,330.80	59,911.88							
50 Allocated to Enterprise Funds:										(128,468.83)	(152,743.88)	(137,181.71)	(127,033.71)	(116,776.41)	(113,232.36)	(40,888.19)							
51 Cash Flow Impact:										42,253.87	59,553.24	51,949.79	51,536.59	96,900.79	74,098.44	19,023.69							
52 Other:																							
53 Includes: Travel, Contractual Services, Supplies:										90,810.20	64,513.93	107,723.52	133,387.96	101,359.33	77,225.00	26,176.17							
54 Allocated to Enterprise Funds:										(68,236.35)	(46,207.15)	(78,131.55)	(92,557.15)	(47,456.17)	(54,804.82)	(16,709.90)							
55 Cash Flow Impact:										22,573.85	18,306.78	29,591.97	40,830.81	53,903.16	22,420.18	9,466.27							
56																							
57 Law Dept:																							
58 Personnel Cost:										68,108.12	80,320.17	75,008.81	77,467.25	107,373.38	135,750.00	3,114.45	Increasing trend. Wage and benefits.						
59 Allocated to Enterprise Funds:										(47,621.20)	(50,576.30)	(49,303.62)	(55,742.38)	(50,862.34)	(82,291.27)	(1,830.69)							
60 Cash Flow Impact:										20,486.92	29,743.87	25,705.19	21,724.87	56,511.04	53,458.73	1,283.76							
61 Other:																							
62 Includes: Travel, Contractual Services, Supplies:										9,890.44	12,760.30	8,300.01	15,686.67	13,688.04	106,885.00	95,548.82							
63 Allocated to Enterprise Funds:										(6,915.40)	(8,018.41)	(5,455.65)	(11,287.51)	(7,124.81)	(74,294.27)	(56,132.04)							
64 Cash Flow Impact:										2,975.04	4,741.89	2,844.36	4,399.16	6,563.23	32,590.73	39,416.78							
65																							
66 Total GF Exp:										1,611,031.42	1,902,460.30	2,153,148.59	2,406,078.58	2,685,491.86	2,291,542.29	710,126.98							
67 Surplus / (Deficit)										210,383.13	(64,631.30)	(21,740.04)	13,051.01	(372,140.55)	(324,723.28)	(277,820.04)							
68																							
69																							
70																							
71																							
72																							
73																							
74																							
75																							
76																							
77																							
Total Projected Budgetary Deficit:																							
General Fund Cash Balance 3/31/22:																							
Projected General Fund 2022 Deficit:																							
Needs Added to the Budget:																							
Legal Services Jan-Mar																							
Police Auto Leases																							
Loss on Investments:																							
Subtotals:																							
2017 budget more in-line with revenues.																							
1/2 or 60K paid by Utilities																							
Paid From Capital Improvement																							
If Council Approves Interest																							
Allocation Legislation																							

Needs Added to the Budget:

Legal Services Jan-Mar (60,000.00)
Police Auto Leases 0.00
Loss on Investments: (61,000.00)

Subtotals: (121,000.00)

Total Projected Budgetary Deficit: (445,723.28)
General Fund Cash Balance 3/31/22: (5,815.79)
Projected General Fund 2022 Deficit: (451,539.07)

351,537.

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2020-23Passed 8.17, 20 20**ORDINANCE 2020-23****AN ORDINANCE AMENDING ORDINANCE 2016-14 AMENDING COLLECTED INCOME TAX ALLOCATIONS***(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)*

WHEREAS, The City of Newton Falls has previously established an Ordinance to allocate the income tax funds collected during the fiscal year; and

WHEREAS, The present allocation in the amount 1% to Future Building Fund is no longer required; and

WHEREAS, City Council deems it necessary and in the best interest of the City to amend the existing 1% Building Fund to the Street Construction, Maintenance and Repair Fund.

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

Section I: The Income Tax Collections shall be allocated beginning June 1, 2020 and thereafter as follows:

80 % General Fund

~~10.5 % Street Construction, Maintenance and Repair Fund~~

11.5 % Street Construction, Maintenance and Repair Fund

5 % Capital Improvement Fund

1.5 % Parks and Recreation Fund

~~1 % Building Fund~~

2 % General Fund Reserve Fund

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

Section III: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare of the citizens of the City of Newton Falls the reason for the emergency is to meet all financial obligations.

PASSED IN COUNCIL THIS 17th DAY OF AUGUST 2020.

Mayor K. Kline
Mayor, Kenneth Kline

ATTEST: Kathleen M. King
Clerk of Council

Trumbull County Legal News publication on 7-10-2020 and 8-24-2020

Kathleen M. King
Kathleen M. King, City Clerk

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3333 FORM NO. 30049

Ordinance No. 2020-23 Passed 8.17, 2020ORDINANCE 2020-23**AN ORDINANCE AMENDING ORDINANCE 2016-14 AMENDING
COLLECTED INCOME TAX ALLOCATIONS***(Sponsored by Mayor Kline, Ward 1 Councilman Zachary Svette, Ward 3 Councilman Lyle Waddell, Ward 4 Councilman Sandra Breymaier, at-large Councilman Tarry Alberini)*

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- 80 % General Fund
- ~~10.5 % Street Construction, Maintenance and Repair Fund~~
- 11.5 % Street Construction, Maintenance and Repair Fund
- 5 % Capital Improvement Fund
- 1.5 % Parks and Recreation Fund
- ~~1 % Building Fund~~
- 2 % General Fund Reserve Fund

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

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Trumbull County Legal News publication on 7-10-2020 and 8-24-2020

Kathleen M. King
Kathleen M. King, City Clerk



NEWTON FALLS CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, June 1, 2022; 6:00 PM
COUNCIL CHAMBERS
612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	VACANT
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
Interim Finance Director	Sean Housley
City Clerk	Michael Acomb

I. Call to Order

Mayor Kline called the meeting to order at 6:02 pm.

II. Pledge of Allegiance / Silent Prayer

III. Roll Call

Council Present: Councilman Baryak, Councilwoman Spletzer, Councilman Granchie, Councilwoman Stimpert

Council Absent: VACANT SEAT

Staff Present: Mayor Kline, Finance Director Housley, Law Director Bryan, City Clerk Acomb, City Manager Priddy

Staff Absent: City Administrator Smeiles

IV. Special Presentations by Staff Members or Invited Consultants

V. Public Comments

Rick Kerlin - 1009 Woodglen

Mr. Kerlin spoke in support of a police levy. He spoke against the idea of an auxiliary police force in lieu of a paid police force. He encouraged everyone to support a levy because the money from a levy would go only to the police department. He stated that a fire levy (EMS) will expire this year and that it might be replaced by a police levy. He stated that the income tax, which was passed in 1966, at 1% and remains today. He cautioned that a state takeover would significantly and negatively impact the city by seizing full and complete power over finances and administrative roles which could last

3-5 years.

Katie Carl – 128 West Quarry

Ms. Carl spoke in support of live video meetings and stated her belief that not doing so violated past resolution. She urged using this tool to increase transparency. She questioned if any legislation from the agenda should be pulled due to the resignation of the Councilman Serotko who sponsored much of that legislation. She also wondered why the vacant seat itself is not on the agenda. She questioned the process She spoke against Ordinance 2022-27. She stated her belief that Council is responsible for the care of city finances and that the burden of addressing any deficits is not to be passed onto the citizens. She spoke in opposition to raising the rates on anything that is paid by citizens.

Brenda Persino – 226 Oak Knoll

Ms. Persino spoke against Ordinance 2022-26. She stated her appreciation for the Town Hall Meeting. She encouraged Council to pursue a volunteer program in partnership with the school district which might help with grass cutting, snow removal, etc....

Ana Eby - 50 W. 9th Street

Ms. Eby spoke against a proposed police levy, particularly as another levy is set to expires. She expressed dissatisfaction that tax bills continue to increase.

Adam Zimmermann – 515 Lemae Avenue

Mr. Zimmermann spoke against Ordinance 2022-23 pointing out that this proposed expenditure (\$43,000) is for the second phase engineering and design of the project and represents an additional expense to the previously approved amount for project supplies (\$20,000). He asked Council to (1) release a budget number for the entire project, (2) an explanation of the expected return on investment for the project, and (3) a presentation of the overall impact of the project on the citizens, including an estimated recoupment period.

Julie Lemon – 609 Ridge Road

Mrs. Lemon spoke in support of Resolution 20-2022. She also spoke in support of the proposed income tax increase so long as Council exhausts all other options. She urged Council hold past councilpersons and city managers accountable for the current state of the general fund.

Philip Beer – 509 Ravenna Road

Mr. Beer spoke against an income tax increase citing money that is being spent and being proposed to be spent on various projects. He urged Council to not support a tax increase citing a lack of public support.

Dave Hanson – 4365 Warren Road

Mr. Hanson spoke against an income tax increase. He spoke in support of economic development so that small businesses and visitors can assist with the deficits through payroll taxes.

VI. Reports

a. Mayor Kline

- i. He commented on Memorial Day stating his appreciation for those that gave the ultimate sacrifice.

- ii. He received many calls/emails and spoke with many residents regarding tonight's agenda. He appreciated all the suggestions that were received.
- b. Council Members
 - i. Mr. Baryak – He attended the SCOPE patio dedication and announced that picnic tables will be added to the patio. He spoke in support of the seniors who use the building and also in support of all the services that are provided by SCOPE. He spoke in appreciation of the Memorial Day Service and the condition of the parks due to volunteer efforts. He urged the citizens to be supportive of Council. He spoke about the need to improve the presentation of the covered bridge offering to volunteer his personal equipment to assist.
 - ii. Ms. Spletzer – She worked with volunteers to plant flowers at Veterans Park. She attended park and rec meeting announcing that a new program will require reservations for the park pavilions. Starting in 2023, a registration and deposit will be required. Christmas in July will be held on July 16. She expressed the need work with the law director to get walking path from Center Street to Commerce Park deemed as an official park area with a provision for naming rights. She also participated in the Memorial Day Parade.
 - iii. Mr. Granchie – He attended the Utilities meeting. He answered various emails, phone calls, and text messages.
 - iv. Ms. Stimpert – She clarified that an EMS levy of 2 mills will expire soon, not a fire levy. She announced the Fire Board meeting on June 28 at 6:00 pm. She announced that Meet the Chief at Station 1 will be held on June 18 from 12:00-3:00pm with free refreshments. She received a few phone calls and stated that she has additional comments that will be made as Council progresses through the meeting.
- c. Finance Director
 - i. Mr. Housley stated that May is closed. He compared May to April and noted that the general fund broke even in May. He stated that the street fund ended May a little better than the general fund but noted that this difference is likely due to the street department operating with one less employee. Regarding the statement of cash position, Mr. Housley stated his month end reports answer questions about affordability on all proposed expenses. He spoke against Ordinance 2022-26 due to a lack of funds. He recommended rebalancing the operating budget by passing Resolution 20-2022 and Ordinance 2022-28. He stated that he responded to every item in Mr. Granchie's email to him and that he will seriously consider any suggestion to address the budget deficits.
- d. Law Director
 - i. Mr. Bryan stated that he spent significant time advising all areas of the city. He stated that recommended amendments to the charter are ready for legislation. He stated Mr. Serotko is only listed as a sponsor for legislation that was introduced while he was a member of Council and it is allowable for him to remain listed as a sponsor for those pieces of legislation.
- e. City Manager

- i. Ms. Priddy attended the SCOPE dedication of courtyard patio and stated that it was a wonderful event. She contacted the Sheriff's department to inquire about the possibility of that department replacing the Newton Falls Police Department. She considered alternatives to zoning department and oversaw the significant work to clean the parks for the various upcoming events. She collaborated with the law and finance directors on various issues. She stated that the fire alarm at 19 N Canal is temporarily fixed but requires an electrician to perform a permanent remedy. She stated that Trumbull County is paying for software to replace CodeRed resulting in no expense to the City. She led staff meeting regarding their concerns in light of a potential state takeover. She stated that the city employees supported placing an income tax increase on the ballot. She stated that all departments are running at bare minimum staffing levels even to the point of being noncompliant with state and federal regulations.
- f. Mr. Baryak – He asked the City Manager to comment whether the police officers are not up to date in their training and if that might cause the City to receive a citation or cause the elimination of the police department. Mrs. Priddy stated that Mr. Baryak's statement was correct.
- g. Mr. Granchie – He asked the city manager to elaborate on the downtown enhancement program. Mrs. Priddy stated that Mr. Lynch, former city manager, developed this program as a shell company that held the lease of the community center. The company was intended to be one that helps people acquire grants to support their businesses. She stated that to her knowledge it was never staffed; but only exists on paper currently. Mr. Granchie asked Mrs. Priddy to comment on the new fence that is located on the Municipal Center property, asking specifically, who paid for it and how was it paid. Mrs. Priddy explained that Parks and Recreation needed a fence. So, she decided, with the blessing of "a couple of Council members", to reduce her salary to free-up money to pay for the new fence at the Municipal Center and she arranged for the old fence to be reinstalled at the park. Mr. Granchie stated that he did not participate in the contract negotiations, did not know that this had happened, and did not see anything related to this situation reflected in the City Manager's contract. He stated his belief that these circumstances reflected poorly and has caused a poor community perception of the situation. Mr. Granchie stated his understanding that, subsequently, it was the City that actually paid for the fence. Mrs. Priddy agreed and added that the fence was bought with money that was used for the fence instead of paying her a higher salary.
- h. Mrs. Stimpert – She stated her surprise at learning that the fence was bought in the manner described by Mr. Granchie and Mrs. Priddy. She stated that she was unaware that this had happened in the course of negotiating Mrs. Priddy's contract. She asked the Law Director if that negotiation and procedure was legal. Mr. Bryan stated that it was a legal action because Mrs. Priddy is permitted by law to accept less money for her salary in order to free-up money which can be used as the City wishes. The City chose to use that money to buy the fence.

Changes To Tonight's Agenda

MOTION

A Motion to add an item to tonight's agenda in which Council would order the City Clerk to advertise and take applications by email from qualified electors of Ward 1 to fill the Council seat vacated by Mr. Michael Serotko with a deadline to apply of June 30, 2022.

Mrs. Stimpert asked if Council must first accept Mr. Serotko's resignation.

Law Director Bryan stated that it was not necessary to formally accept the resignation of Mr. Serotko since the City Manager has received his letter which states the date of effect.

Moved by: Mr. Granchie

Seconded by: Ms. Stimpert

Ms. Spletzer moved to amend the motion to revise the deadline to apply to June 15.

Mr. Baryak stated that the Charter gives Council 60 days to fill the vacancy.

Mayor Kline stated that his intent was to advertise for approximately 30 days and then take the next 30 days to interview and select a candidate.

Mr. Baryak spoke in support of a June 30 deadline.

Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes
The motion passed 4-0.

VII. Approval of Previous Minutes

Town Hall Meeting Minutes, May 18, 2022

Regular Meeting Minutes, May 18, 2022

No Council comments.

Moved by: Mr. Granchie

Seconded by: Ms. Spletzer

Mr. Baryak-yes; Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes
The minutes were approved 4-0

VIII. Public Hearings

ORDINANCE 2022-23

Sponsor: Councilman Baryak

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM GPD GROUP FOR THE RIDGE ROAD DISTRIBUTION POLELINE DESIGN PROJECT

Katie Carl - 128 West Quarry

She spoke against the ordinance citing a lack of funds and noting that Ohio Edison is already in place. She urged Council let Ohio Edison provide the electricity.

ORDINANCE 2022-24

Sponsor: Councilman Serotko

AN ORDINANCE CONFIRMING THE PLANNING COMMISSION'S DECISION TO REZONE THE 737 RIDGE ROAD PROPERTY FROM "R-M" RESIDENTIAL MULTI-FAMILY TO "C" COMMERCIAL

No public comments.

ORDINANCE 2022-25

Sponsor: Mayor Kline

AN ORDINANCE AMENDING ORDINANCE 2022-18 ESTABLISHING SEWER RATES FOR NEWTON FALLS UTILITY CUSTOMERS

No public comments.

ORDINANCE 2022-26

*Co-Sponsors: Councilwoman Spletzer
Councilman Serotko*

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO HIRE UP TO TWO ADDITIONAL PART-TIME ZONING ADMINISTRATORS

Katie Carl - 128 West Quarry

Ms. Carl spoke against the ordinance citing a lack of funds and an unauthorized demotion of the full-time zoning administrator.

Adam Zimmermann – 515 Lemae Avenue

Mr. Zimmermann spoke against the ordinance citing a lack of money in the general fund.

Julie Lemon – 609 Ridge Road

Mrs. Lemon spoke against the ordinance noting that the Zoning Administrator, historically, has been a part-time position. She stated her understanding that the hiring of these proposed administrators might not be made immediately; but she urged Council to take care for the city.

Rick Kerlin – 1009 Woodglen

Mr. Kerlin spoke in support of the ordinance. He noted that the ordinance says, "up to two" and that the Charter does not require the Zoning Administrator to be full time and stated his belief that part-time positions will cost less than a full time position.

Philip Beer – 509 Ravenna Road

Mr. Beer spoke against the ordinance.

IX. Unfinished Business

ORDINANCE 2022-23

Sponsor: Councilman Baryak

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM GPD GROUP FOR THE RIDGE ROAD DISTRIBUTION POLELINE DESIGN PROJECT

Mr. Baryak spoke in support of the ordinance citing that the total budget for design is not to exceed \$43000. He stated his support in selling the electric to the benefit of the City. He expressed his understanding that the plans are for the city's electric department to perform the installation. He reiterated that the

purpose of the project is to provide service to Dunkin Donuts and the overall future economic development of the city.

Mrs. Stimpert spoke of the need to see the numbers related to this project. She wanted to know how much of the cost was paid by the City and how much came from grants.

Ms. Spletzer noted that a monthly Time & Materials billing structure is in the contract as opposed to a lump sum payment for the entire amount.

Mr. Granchie spoke in support of economic development; but stated his belief that it will take an estimated 10 years to recoup the expenses once the project is completed. He stated that the costs are adding up and the return on investment does not seem apparent to him. He stated his understanding that the City's electric department will need to rent the necessary equipment to perform the installation at considerable cost.

Mr. Baryak stated his belief that the electric department could install the poles. The city manager confirmed that Mr. George, from the electric company, stated that the project could be completed by his department. He spoke in support of the ordinance because of the potential for new economic developments who would be buying electric from the city and creating an eventual, new stream of revenue for the city.

Mr. Granchie clarified his previous comments and stated his belief that the city workers could do the work; but do not have the equipment which would require expensive equipment rentals. He reiterated his belief that Newton Falls has the people and the knowledge, but not the assets to complete the project. Citing today's deficits in the budget, he spoke against a profit that won't come for ten years, in his estimation.

Mrs. Stimpert spoke against the ordinance citing the immediate financial crisis of the City.

Moved by: Ms. Spletzer

Seconded by: Mr. Baryak

Mr. Granchie-no; Ms. Stimpert-no; Mr. Baryak-yes; Ms. Spletzer-yes

Mayor Kline-yes

The ordinance passed 3-2.

Final Passage.

ORDINANCE 2022-24

Sponsor: Councilman Serotko

AN ORDINANCE CONFIRMING THE PLANNING COMMISSION'S DECISION TO REZONE THE 737 RIDGE ROAD PROPERTY FROM "R-M" RESIDENTIAL MULTI-FAMILY TO "C" COMMERCIAL

MOTION

A Motion to amend ORDINANCE 2022-24 to change the sponsor from Councilman Serotko to Councilman Granchie.

Seconded by: Ms. Stimpert

Sponsor: Councilman Granchie

No Council comments.

Seconded by: Mr. Granchie

Sponsor: Mayor Kline

No Council comments.

Seconded by: Mr. Granchie

*Co-Sponsors: Councilwoman Spletzer
Councilman Serotko*

Mr. Granchie spoke against the ordinance citing that the savings from making the current Zoning Administrator a part-time employee is cancelled by hiring more people. He stated his belief that Newton Falls does not need to carry the same size zoning staff as Boardman and should be staffed relative to the size of its own community.

Ms. Spletzer yielded to Mr. Granchie.

Mr. Baryak stated his belief that the number of violations that have been

Seconded by: Ms. Spletzer

A Motion to order the City Clerk to advertise and take applications by email from qualified electors of Ward 1 to fill the Council seat vacated by Mr. Michael Serotko with a deadline to apply of June 30, 2022.

Seconded by: Ms. Spletzer

Jamie Kline – 312 Ridge Road

Philip Beer – 509 Ravenna Road

Dave Hanson - 4365 Warren Road

Katie Carl - 128 West Quarry

Adam Zimmermann – 515 Lemae Avenue

Regular Meeting Minutes, June 1, 2022 | Page 13 of 13

Julie Lemon – 609 Ridge Road

Ms. Lemon spoke in support of transparency. She urged certain members of Council stop judging people and to do things “the right way”.

Ana Eby - 50 W. 9th Street

Ms. Eby expressed concern about a lack of communication from the local government to the citizens related to public events. She urged Council to communicate better.

Rick Kerlin – 1009 Woodglen

Mr. Kerlin announced, this weekend, that businesses will be open until 11:00pm, there is a baseball tournament, and the fishing tournament. He encouraged all to come and be part of it.

Brenda Persino – 226 Oak Knoll

Ms. Persino spoke in support of a police levy. She asked for clarification regarding statements that were made regarding the alleged lack of police officer training. She cited the reality of COVID-19 and the subsequent restrictions that it brought. She directed specific comments to Councilperson Baryak.

Unidentified member of the audience

He spoke in support of the people of Newton Falls and challenged to Mayor to take action to improve the current state of the city.

XII. Closing Remarks

Mr. Baryak stated examples of which certain people in the past were able to serve on Council and also earn paid wages. He alleged that those examples were violations of the Charter. He encouraged public speakers to offer suggestions for solutions to problems.

Mrs. Spletzer spoke in support of the income tax stating (1) her belief that the people should be able to decide, (2) an increase would not affect those who earn disability income, and (3) an increase would not affect those who earn social security income. She cited the legal allocations of the income tax into the city budget. She spoke about the EMS levy that is set to expire and her belief that this expiration might be an important opportunity. She addressed Mrs. Eby stating that the Memorial Day event is not a city event and Council does not carry the responsibility for its communication.

Mr. Granchie stated that the youth fishing derby will take place on Sunday, June 5. He encouraged all to participate.

Ms. Stimpert offered no comments.

Mayor Kline stated that he was exploring options to video record meeting by partnering with the schools and/or using other third-party options citing the need for an affordable solution. He acknowledged the tough financial position of the City and stated his wisdom that people stop making excuses or pointing fingers. He acknowledged that the infrastructure of the city is in poor shape; but stated his pride for the Parks and Recreation Department for how the parks look right now. He stated that poor decision making in the past has resulted in the current financial state of the city.

City Manager Priddy offered no comments.

MOTION

A Motion to Adjourn into Executive Session (as noted below)

☒ 1. Personnel Matters: To Consider one or more, as applicable, of the marked items:

☒ Appointment

☒ Employment

☐ Dismissal

☐ Discipline

☐ Promotion

☐ Demotion

☐ Compensation

☒ 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

☐ 7. Hospital Trade Secrets

☐ 8. Confidential Business Information of an
Applicant for Economic Development
Assistance

☐ 9. Veterans Service Commission
Applications

No Motion.

XIII. Adjournment

MOTION

A Motion to adjourn the regular meeting at 8:34 pm.

Moved by: Mr. Granchie

Seconded by: Mr. Baryak

Ms. Stimpert-yes; Mr. Granchie-yes; Ms. Spletzer-yes; Mr. Baryak-yes

The motion passed 4-0.

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2022-23
SPONSOR: Councilman Baryak

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
FROM GPD GROUP FOR THE RIDGE ROAD DISTRIBUTION POLELINE DESIGN
PROJECT**

WHEREAS, in order to enhance economic development opportunities, the Village desires to extend electricity distribution north on Ridge Road to the intersection of State Rt. 5 and State Rt. 534; and

WHEREAS, GDP Group regularly performs engineering work for the Village utility departments and is familiar with the Village's infrastructure and needs; and

WHEREAS, the Village sought and received a proposal from GDP Group for the design of the aforementioned electricity distribution extension project and desires to move forward with the project.

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 accept the attached proposal, or a proposal that is substantially similar thereto, from GPD Group for the Ridge Road Distribution Poleline Project, in an amount not to exceed \$43,010.

SECTION 2. That all formal actions of this Council concerning and relating to the adoption of this Ordinance 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. That this Ordinance shall be effective as of the earliest date permitted by law.

PASSED IN COUNCIL THIS 1st DAY OF June, 2022

Kenneth A. Kline, Mayor

Attest:

Michael Acomb, Clerk of Council

Approved as to Legal Form.

Bradric T. Bryan, Law Director



April 29, 2022
2022340.00

Bill George
Electric Superintendent
City of Newton Falls
52 E Church St
Newton Falls, OH 44444

City of Newton Falls, Ohio – Ridge Rd Distribution Poleline Design

Dear Bill,

GPD Group (GPD) is pleased to offer this fee proposal for the City of Newton Falls Ridge Rd Distribution project.

Project Summary

The City is planning to extend their existing 12.47kV electric distribution poleline north on Ridge Rd to State Route 5. This will require the new poles to be set within the State of Ohio road right-of-way (R/W). The State of Ohio will therefore need to review and approve the plans verifying placement of the poles along said R/W.

We have developed the below scope of work to develop the required plans for State submittal.

Scope

To accomplish this project GPD will perform the engineering design to construct a 0.6 mile 3-phase 12.47kV overhead distribution line extension from the existing deadend structure located along Ridge Rd (near 41°11'51.78"N, 80°58'37.50"W) to the intersection of SR5 and SR534. The design will extend a couple spans east on State Route 5 from Ridge Rd and include the crossing drawings required by the State to install a distribution tap to the north side of the State route to serve a new proposed customer.

Survey Services

- Complete a topographic survey of the proposed route.
 - Topographic limits to be from R/W to R/W along SR 534 (Ridge Rd) from SR 5, south approximately 2,600 feet and from R/W to R/W along SR 5 from SR 534, east approximately 500 feet.
 - Compile all survey data into one CAD base map to aid in the proposed design.
- Complete a ground-based LIDAR scan of the existing overhead facilities along the western side of SR 534 through the survey limits described above.

Detail Engineering

- Perform engineering design according to the IEEE C2-2017 National Electrical Safety Code design criteria.
- Prepare Issue for Review (IFR) and Issue for Construction (IFC) drawings (electronic pdf).
Deliverables will include:

- Cover Sheet
- Staking Sheets
- Stringing and Sagging Tables
- GPD Construction Units
- State Route 5 Crossing Exhibit

Assumptions and Clarifications

- Survey effort does not include easement, plat or legal description preparation, title review, or staking of any kind. Additionally, no individual property lines will be resolved and/or surveyed.
- Construction specifications and construction support services are not required.
- Permitting will be completed by the City. GPD has allotted time to assist the City with completing the permit application for submittal and to address any questions or concerns that come from the State review.
- There are several locations along the route where there are crossing conductors which appear to be Ohio Edison owned. One appears to be an existing 23kV line that FE will require proof of code clearances thus requiring a crossing exhibit to be generated. We have included the generating of this exhibit in our proposal. The other crossings all appear to be secondary conductor that would be handled in the field by adjusting the City's neutral conductor elevation on the poles. We recommend these secondary crossing be handled in the field on an as per location basis with the local FE distribution group.

Fee

GPD proposes to provide engineering services on for a not-to-exceed fee of \$43,010.00 including all expenses. GPD will bill monthly on time and material basis.

Please call if you have any questions or need additional information. Thank you for this opportunity to quote engineering services to the City of Newton Falls.

Sincerely,
GPD Group



Jeffrey W. Pearce, PE
Project Manager

Accepted By: _____

(Printed Name)

(Title)

(Signature)

(Date)

G:\Proposals\2022\10 Power\Newton Falls\4.29.2022 Newton Falls Ridge Rd Distribution Proposal.docx

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2022-24
SPONSOR: Councilman Serotko

**AN ORDINANCE CONFIRMING THE PLANNING COMMISSION'S DECISION TO
REZONE THE 737 RIDGE ROAD PROPERTY FROM "R-M" RESIDENTIAL MULTI-
FAMILY TO "C" COMMERCIAL**

WHEREAS, at its meeting held on May 3, 2022, the Village Planning Commission approved the 737 Ridge Road property owner's application to rezone the property from "R-M" Residential Multi-Family to "C" Commercial.

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

SECTION 1. That Council hereby and herein confirms the Planning Commission's decision to grant the 737 Ridge Road property owner's application to rezone the 737 Ridge Road property (PPN 53-006501) from "R-M" Residential Multi-Family to "C" Commercial, finding that the within zoning map amendment is warranted due to changes of an economic, physical, or social nature within the area involved which were not anticipated by the comprehensive plan and which have substantially altered the basic characteristics of the area.

SECTION 2. That all formal actions of this Council concerning and relating to the adoption of this Ordinance 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. That this Ordinance shall be effective as of the earliest date permitted by law.

PASSED IN COUNCIL THIS 1st DAY OF June, 2022

Kenneth A. Kline, Mayor

Attest:

Michael Acomb, Clerk of Council

Approved as to Legal Form.

Bradric T. Bryan, Law Director

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2022-25
SPONSOR: MAYOR KLINE

**AN ORDINANCE AMENDING ORDINANCE 2022-18 ESTABLISHING SEWER
RATES FOR NEWTON FALLS UTILITY CUSTOMERS**

WHEREAS, Ordinance 2022-18 established sewer rates as of the effective date of the Ordinance for 2022 and for 2023, 2024, and 2025; and

WHEREAS, the Village desires to re-evaluate and set effective sewer rates for Unmetered Customers.

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

SECTION 1: That Council hereby ratifies and confirms the sewer rates set forth below, together with the effective dates such rates shall go into effect, as follows:

Rates Per 1,000 Gallons of Metered Water for Metered Customers

2022 Effective July 1 2022

City \$15.47
Township \$17.97

2023 Effective January 1 2023

City \$16.40
Township \$19.05

2024 Effective January 1 2024

City \$17.38
Township \$20.19

2025 Effective January 1 2025

City \$18.25
Township \$21.20

Rates for Unmetered Customers

The effective Township Metered Rate/1000gal will be used based on the following household size categories.

1-2 Person Household will be billed @ 3000gal/month (Metered Rate x 3)

3+ Person Household will be billed @ 6000gal/month (Metered Rate x 6)

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

ORDINANCE NO. 2022-25
PAGE TWO

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 1st DAY OF June, 2022.

Mayor, Kenneth A. Kline

ATTEST: _____
Clerk of Council,

APPROVED AS TO FORM:

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
_____.

Clerk of Council

1st Reading: _____

Public Hearing: _____

2nd Reading: _____

Effective: _____

VILLAGE OF NEWTON FALLS, OHIO

ORDINANCE NO.: 2022-26

CO-SPONSORS: Councilwoman Spletzer and Councilman Serotko

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO HIRE UP TO TWO
ADDITIONAL PART-TIME ZONING ADMINISTRATORS**

WHEREAS, due to the volume of work in the Department and the desire for seven day per week coverage from the Zoning Department, the City Manager is requesting authority from Council to hire up to two additional part-time Zoning Administrators.

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 hire up to two additional part-time Zoning Administrators who would be paid at the current hourly pay rate provided for the position.

SECTION 2. That all formal actions of this Council concerning and relating to the adoption of this Ordinance 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. That this Ordinance shall be effective as of the earliest date permitted by law.

PASSED IN COUNCIL THIS 1st DAY OF June, 2022

Kenneth A. Kline, Mayor

Attest:

Michael Acomb, Clerk of Council

Approved as to Legal Form.

Bradric T. Bryan, Law Director

VILLAGE OF NEWTON FALLS, OHIO

ORDINANCE NO.: 2022-27

CO- SPONSORS: Councilwoman Spletzer and Councilman Granchie

AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE VILLAGE KNOWN AS 417 NORTH CENTER STREET TO DONNIE REID ENTERPRISES LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE PROPERTY

WHEREAS, the City Manager and Council have determined that it is not in the best interests of the Village to expend the funds necessary to maintain the 417 North Center St. property, and such property is no longer needed for municipal purposes; and

WHEREAS, selling the property will serve the public purpose of economic development in accordance with Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the property was listed for sale by a realtor on or about April 20, 2022, a for sale sign was placed on the property on or about April 21, 2022, and the property was listed for sale on the MLS system on or about April 22, 2022; and

WHEREAS, inquiries and or offers from prospective buyers for the property were received; and

WHEREAS, the offer received from Donnie Reid Enterprises in the amount of \$57,500 constituted the highest offer for the property, and the City Manager and Council desire to accept that offer; and

WHEREAS, pursuant to the Home Rule and Local Self-Government Powers vested to the Village by Article XVIII, Section 3 of the Ohio Constitution and Article I, Section 2 of the Village Charter, Council hereby authorizes, by the authority of the within Ordinance, the Village to deviate from the procedures for the sale of real estate provided in Section 721.03 of the Ohio Revised Code in favor of the within process of listing and advertising the property for sale with and by a real estate agent as set forth above and accepting what has been determined to be the highest and best offer received by the Village for the subject property.

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

SECTION 1. That Council hereby and herein authorizes the sale of real property owned by the Village known as 417 North Center Street (Parcel No. 53-265092) to Donnie Reid Enterprises LLC for the amount of \$57,500. Council also hereby authorizes the City Manager to execute a purchase agreement setting forth customary terms for the sale of real estate and all other customary documents necessary to effectuate the sale of the property as quickly as is practicable.

ORDINANCE NO. 2022-27
PAGE TWO

SECTION 2. That pursuant to the Home Rule and Local Self-Government Powers vested to the Village by Article XVIII, Section 3 of the Ohio Constitution and Article I, Section 2 of the Village Charter, Council hereby authorizes, by the authority of the within Ordinance, the Village to deviate from the procedures for the sale of real estate provided in Section 721.03 of the Ohio Revised Code in favor of the within process of listing and advertising the property for sale with and by a real estate agent as set forth above and accepting what has been determined to be the highest and best offer received by the Village for the subject property.

SECTION 3. That all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Newton Falls for the reason that Council wishes to effectuate and finalize this sale as soon as possible in order to relieve the Village of the burden of maintaining the property, receive the sale price for the property, and realize the economic development benefits from the sale of the property, and that this Ordinance shall take immediate effect upon its passage, pursuant to Newton Falls Charter Article V, Section 21.

PASSED IN COUNCIL THIS 1st DAY OF June, 2022

Kenneth A. Kline, Mayor

Attest:

Michael Acomb, Clerk of Council

Approved as to Legal Form.

Bradric T. Bryan, Law Director

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2022-28
SPONSOR: Councilwoman Spletzer

AN ORDINANCE AMENDING SECTION 191.01(B)(1) AND THE PREAMBLE OF SECTION 191.03 OF THE NEWTON FALLS TAX CODE RELATING TO THE NEWTON FALLS MUNICIPAL INCOME TAX RATE AND REQUESTING THAT SAID AMENDMENTS BE CERTIFIED TO THE COUNTY BOARD OF ELECTIONS FOR PLACEMENT ON THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT

WHEREAS, Council has determined that additional revenues are necessary to maintain regular and customary municipal services and operations; and

WEREAS, Newton Falls' present one percent municipal tax rate is the lowest municipal tax rate in the greater surrounding area; and

WHEREAS, Council desires to amend Section 191.01(B)(1) and the preamble of Section 191.03 of the Newton Falls Tax Code to raise the Newton Falls municipal income tax rate from one percent to one and one-half percent; and

WHEREAS, pursuant to Article VIII, Section 2 of the Charter of Newton Falls, an increase of in the Newton Falls municipal income tax rate to a rate in excess of one percent requires approval by a vote of the people before it can go into effect.

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

SECTION 1. That Council hereby and herein amends Section 191.01(B)(1) and the preamble of Section 191.03 of the Newton Falls Tax Code, relating to the Newton Falls municipal income tax rate, as indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the above sections of the Newton Falls Tax Code and the Newton Falls Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That the tax rate amendments set forth in this Ordinance shall become effective January 1, 2023, upon approval of the amendments by the electorate at the November 8, 2022 General Election.

SECTION 4. That the Clerk of Council is hereby directed to timely submit a certified copy of this Ordinance to the Trumbull County Board of Elections so that this Newton Falls municipal tax rate amendment issue can be placed on the November 8, 2022 General Election ballot for the voters' approval pursuant to law.

SECTION 5. That Council requests the ballot language for this tax code amendment issue prepared by the County Board of Elections to read as follows:

PROPOSED TAX LEVY

VILLAGE OF NEWTON FALLS

A Majority Affirmative Vote is Necessary for Passage

Shall the Ordinance providing for an increase in the Newton Falls municipal income tax rate from one percent (1%) to one and one-half percent (1.5%), as of January 1, 2023, be adopted?

FOR THE TAX LEVY: _____

AGAINST THE TAX LEVY: _____

SECTION 6. That all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 7. That this Ordinance shall be effective as of the earliest date permitted by law.

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

191.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX.

* * *

(B)(1) The annual tax is levied at a rate of one and one-half percent (~~1.0%~~ 1.5%). The tax is levied at a uniform rate on all persons residing in or earning or receiving income in Newton Falls. The tax is levied on income, qualifying wages, commissions and other compensation, and on net profits as hereinafter provided.

* * *

191.03 IMPOSITION OF TAX.

The income tax levied by Newton Falls at a rate of one and one-half percent (~~1.0~~ 1.5%) is levied on the Municipal Taxable Income of every person residing in and/or earning and/or receiving income in Newton Falls.

* * *

Mike Acomb

Subject: RE: Newton Falls projection of additional dollars

From: Mau, Matthew <mmau@ritaohio.com>
Sent: Thursday, May 26, 2022 10:07:06 AM
To: Finance Director <FinanceDirector@newtonfallsoh.gov>
Subject: Newton Falls projection of additional dollars

Sean,

I hope your week is going well. As we previously discussed please see the two scenarios below for estimated additional income tax collection dollars and let me know if you have any questions. Please keep in mind that these estimates are based on a full year worth of collections and could take up to three years to realize the full impact of the estimated additional revenue.

Rate	Credit	Cap	Est. Adt Dollars
1.50%	100%	1.50%	\$416,000 - \$422,000
1.50%	100%	1.00%	\$550,000 - \$556,000

Let me know if you have any questions.

Matthew Mau
Government Liaison
Regional Income Tax Agency
Phone: (440) 922-3545
Fax: (866) 252-0938

VILLAGE OF NEWTON FALLS, OHIO
RESOLUTION NO.: 20-2022
SPONSOR: Councilman Baryak

**A RESOLUTION REQUESTING A CERTIFICATE OF ESTIMATED PROPERTY
TAX REVENUE FROM THE TRUMBULL COUNTY AUDITOR CERTIFYING TO
THE VILLAGE OF NEWTON FALLS THE AMOUNT A FOUR MILL, FIVE
YEAR, POLICE TAX LEVY WOULD GENERATE FOR THE VILLAGE**

WHEREAS, Village Council has determined it is necessary to levy taxes outside of the ten-mill limitation for purposes authorized by the Ohio Revised Code; and

WHEREAS, Council desires for the Village electorate to approve, at the November 8, 2022 General Election, an additional tax levy, in the amount of four mills for each one dollar valuation, for a period of five years, commencing in year 2023 and first due in calendar year 2024, pursuant to O.R.C. Section 5705.19(J), for the benefit of the Village and the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department; for the payment of salaries for permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under Section 145.48 or 742.33 of the Revised Code; or for the payment of other related costs for the Police Department; and

WHEREAS, the Village of Newton Falls is entirely located within Trumbull County, the entire electorate of the Village of Newton Falls would be eligible to vote on the proposed tax levy, and the proposed tax would be levied upon all of the territory of the Village of Newton Falls; and

WHEREAS, pursuant to O.R.C. Section 5705.03(B)(1), before certifying the proposed levy to the County Board of Elections for placement on the ballot, Council is required to request the County Auditor for a Certificate of Estimated Property Tax Revenue certifying to the Village the total dollar amount of revenue a four mill, five year, additional tax levy, for Police Department purposes, would generate for the Village.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Newton Falls, Ohio:

SECTION 1. Council, pursuant to O.R.C. Section 5705.03(B)(1), hereby requests the County Auditor for a Certificate of Estimated Property Tax Revenue certifying to the Village the total dollar amount of revenue the above described tax levy would generate for the Village.

RESOLUTION NO. 20-2022
PAGE TWO

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.

PASSED IN COUNCIL THIS 1st DAY OF June, 2022.

Kenneth A. Kline, Mayor

Attest:

Michael Acomb, Clerk of Council

Approved as to Legal Form.

Bradric T. Bryan, Law Director