



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING AGENDA**  
 Wednesday, July 20, 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**  
 Caucus Minutes, July 6, 2022  
 Regular Meeting Minutes, July 6, 2022

VIII. **Public Hearings**

ORDINANCE 2022-31 *Sponsor: Councilperson Granchie*  
 AN ORDINANCE AMENDING THE ZONING & SUBDIVISION FEE SCHEDULE TO  
 ADD A DOG PARK PERMIT FEE

ORDINANCE 2022-33 *Sponsor: Councilperson Spletzer*  
 AN ORDINANCE ESTABLISHING SECTION 121.05 OF THE ADMINISTRATIVE CODE  
 PERTAINING TO THE SALE, LEASE, OR DISPOSAL OF MUNICIPAL REAL  
 PROPERTY

**IX. Unfinished Business**

ORDINANCE 2022-31

*Sponsor: Councilperson Granchie*

AN ORDINANCE AMENDING THE ZONING & SUBDIVISION FEE SCHEDULE TO ADD A DOG PARK PERMIT FEE

ORDINANCE 2022-33

*Sponsor: Councilperson Spletzer*

AN ORDINANCE ESTABLISHING SECTION 121.05 OF THE ADMINISTRATIVE CODE PERTAINING TO THE SALE, LEASE, OR DISPOSAL OF MUNICIPAL REAL PROPERTY

**X. New Business**

RESOLUTION 35-2022

*Co-Sponsors: Mayor Kline*

*Councilperson Baryak  
Councilperson Granchie  
Councilperson Spletzer  
Councilperson Stimpert*

A RESOLUTION HONORING STREET DEPARTMENT SUPERINTENDENT HARRY SHAVER FOR 39 YEARS OF SERVICE TO NEWTON FALLS

MOTION

*Sponsor: Councilperson Baryak*

A Motion to sell a city vehicle to the Newton Falls Joint Fire District for the sum of \$1500.

RESOLUTION 32-2022

*Sponsor: Councilperson Spletzer*

A RESOLUTION AMENDING THE TAX BUDGET OF THE VILLAGE OF NEWTON FALLS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND SUBMITTING THE SAME TO THE COUNTY AUDITOR

RESOLUTION 33-2022

*Sponsor: Councilperson Spletzer*

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE TRUMBULL COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

RESOLUTION 34-2022

*Co-Sponsors: Mayor Kline*

*Councilperson Baryak  
Councilperson Granchie  
Councilperson Spletzer  
Councilperson Stimpert*

A RESOLUTION IN SUPPORT OF NAMING THE NEWTON FALLS STATE RT. 534/ BROAD STREET BRIDGE VETERANS MEMORIAL BRIDGE

ORDINANCE 2022-34

*Sponsor: Councilperson Spletzer*

AN EMERGENCY ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE VILLAGE OF NEWTON FALLS, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES TO THE COUNTY AUDITOR.

ORDINANCE 2022-35

*Sponsor: Councilperson Spletzer*

AN ORDINANCE ADDING THE LOW HEAD DAM AND WEST BRANCH CHANNEL DAM TO THE TERRITORIES OF THEIR ADJACENT VILLAGE PARKS

MOTION

*Sponsor: Mayor Kline*

A Motion to cancel the August 17, 2022 Regular Council Meeting for a summer recess.

**XI. Public Comments**

**XII. Closing Remarks**

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

☐ 6. Security Matters

☒ 3. Pending or Imminent Court Action

☐ 7. Hospital Trade Secrets

☐ 4. Collective Bargaining Matters

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

☐ 5. Matters Required to be Kept Confidential – Contract Negotiations

☐ 9. Veterans Service Commission Applications

**XIII. Adjournment**

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2022-31  
SPONSOR: Councilperson Granchie

**AN ORDINANCE AMENDING THE ZONING & SUBDIVISION FEE SCHEDULE TO  
ADD A DOG PARK PERMIT FEE**

WHEREAS, pursuant to the best knowledge of the Administration and Council, the Newton Falls Zoning & Subdivision Fee Schedule was last updated on March 18, 2013 pursuant to Ordinance No. 2013-06; and

WHEREAS, the Planning Commission has recommended and Council desires that the Fee Schedule be amended to add a fee for dog parks.

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

SECTION 1. That Council hereby and herein amends the Zoning & Subdivision Fee Schedule to add the following permit fee:

Type:	Explanation:	Proposed Fee:	Notes:
	*	*	*
Dog Park		\$100	non-refundable
	*	*	*

SECTION 2. That the rest and remainder of the Zoning & Subdivision Fee Schedule shall remain in effect as previously established.

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 3. That this Ordinance shall be effective as of the earliest date permitted by law.



ORDINANCE NO. 2022-31  
PAGE TWO

PASSED IN COUNCIL THIS 20th DAY OF JULY, 2022

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Kenneth A. Kline, Mayor

Attest:

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Michael Acomb, Clerk of Council

Approved as to Legal Form.

---

Bradric T. Bryan, Law Director

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2022-33  
SPONSOR: Councilperson Spletzer

**AN ORDINANCE ESTABLISHING SECTION 121.05 OF THE ADMINISTRATIVE  
CODE PERTAINING TO THE SALE, LEASE, OR DISPOSAL OF  
MUNICIPAL REAL PROPERTY**

WHEREAS, in furtherance of its Home Rule authority and Local Self-Government powers vested in Article XVIII, Section 3 of the Ohio Constitution and Article I, Section 2 of the Newton Falls Charter, Council desires to expand the methods by which it may sell, lease, or dispose of real property that is no longer needed for public use, or real property for which the Municipality's cost of maintaining the property outweighs the benefits of owning the property; beyond the procedure set forth in Section 721.03 of the Ohio Revised Code; and

WHEREAS, based upon the above, Council desires to establish and enact Section 121.05 of the Administrative Code.

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

SECTION 1. That Council hereby and herein establishes and enacts Section 121.05 of the Administrative Code pertaining to the sale, lease, or disposal of Municipal real property as set forth in attachment hereto and incorporated herein by reference.

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 20th DAY OF JULY, 2022

---

Kenneth A. Kline, Mayor

Attest:

---

Michael Acomb, Clerk of Council

Approved as to Legal Form.

---

Bradric T. Bryan, Law Director

### **121.05 AUTHORITY TO SELL, LEASE, OR DISPOSE OF REAL PROPERTY.**

(a) Pursuant to its Home Rule authority and Local Self-Government Powers vested in Article XVIII, Section 3 of the Ohio Constitution and Article I, Section 2 of the Newton Falls Charter, Council hereby authorizes the sale, lease, or disposition of real property that is no longer needed for public use, or real property for which the Municipality's cost of maintaining the property outweighs the benefits of owning the property, by any of the following methods, after Council, by ordinance, authorizes such sale, lease, or disposition of such real property:

(1) By requesting sealed bids for a period of at least 30 days after advertising the sale of such property at least one time;

(2) By public auction held at least 30 days after advertising the sale of such property at least one time;

(3) To the person or entity deemed by Council to be the highest and best bidder after listing the property with a realtor for a period of not less than 30 days;

(4) To the person or entity deemed by Council to have submitted the best proposal in response to a request for proposals after a period of not less than 30 days after advertising the request for proposals at least one time.

(b) Notwithstanding the provisions of subsections (a)(1) through (A)(4) of this ordinance, real property with a fair market value of less than \$2,500, may be sold or leased, at Council's discretion, to an adjoining property owner or other person or entity, for fair market value or the highest attainable price, without the necessity of a sealed bid, public auction, listing with a realtor, or request for proposals. Property that is deemed by Council by ordinance to be a burden on the Municipality and that cannot be sold pursuant to the provisions of this ordinance may be leased, or transferred for no compensation, upon authorization from Council.

VILLAGE OF NEWTON FALLS, OHIO

RESOLUTION NO.: 35-2022

SPONSOR: Mayor Kline, Councilpersons Baryak, Spletzer, Granchie, Stimpert

**A RESOLUTION HONORING STREET DEPARTMENT SUPERINTENDENT  
HARRY SHAVER  
FOR 39 YEARS OF SERVICE TO NEWTON FALLS**

WHEREAS, Mr. Harry Shaver will retire as the Superintendent of the Newton Falls Street Department on July 31, 2022 after thirty-nine years of service to Newton Falls; and

WHEREAS, the Village and its citizens wish to congratulate Mr. Shaver on his retirement and thank him for his service to the community.

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

SECTION 1. That the Mayor and Council of Newton Falls, on their behalf and on behalf of the Officials, Employees, and Citizens of the Village, hereby congratulate Mr. Shaver on his retirement and thank him for his 29 years of service to the community.

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 20<sup>th</sup> DAY OF JULY, 2022.

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

Attest:

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

Approved as to Legal Form.

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

**Exhibit A**  
**Motion**  
**Sale of Ford Taurus**  
**July 20, 2022**

## VIN Decoder

Powered by



Version: 3.23 last updated on 6/18/2022

[Release Notes](#)[Subscribe/Unsubscribe](#)

VIN

1FAHP2M84DG227155

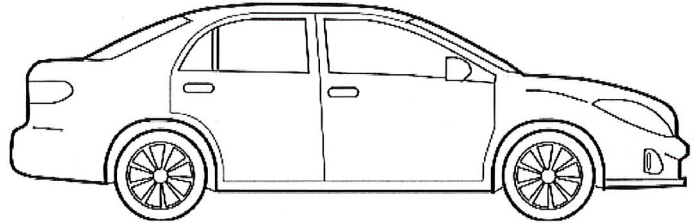
Model Year

Vehicle's Model Year



### 2013 FORD - PASSENGER CAR

✓ **Error Text:** 0 - VIN decoded clean. Check Digit (9th position) is correct

**Manufacturer:** FORD MOTOR COMPANY, USA**DBAs:****Vehicle Type:** PASSENGER CAR**Model Year:** 2013**Make:** FORD**Model:** Taurus**Body Class:** Sedan/Saloon

ENGINE IS FIRING ON 5 CYLINDERS  
Needs 4 New Tires  
Needs New BATTERY  
Needs OIL CHANGE

FIRE DEPT OFFER  
IS \$1500.00  
AS IS!

VILLAGE OF NEWTON FALLS, OHIO  
RESOLUTION NO.: 32-2022  
SPONSOR: Councilperson Spletzer

**A RESOLUTION AMENDING THE TAX BUDGET OF THE VILLAGE OF  
NEWTON FALLS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023  
AND SUBMITTING THE SAME TO THE COUNTY AUDITOR**

WHEREAS, the Director of Finance, prepared a tentative tax budget for the Village of Newton Falls for the fiscal year beginning January 1, 2023 showing: (1) detailed estimates of all balances that will be available at the beginning of the year 2023; (2) all revenues expected to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenues; and (3) estimates of all expenditures or charges in or for the purposes of such fiscal year to be paid or met from said revenues or balances and otherwise conforming with the requirements; and

WHEREAS, Council adopted that tax budget on July 6, 2022 via Resolution No. 30-2022.

WHEREAS, the Director of Finance has determined it is necessary to amend that tax budget that was adopted by Resolution No. 30-2022; and

WHEREAS, a copy of said amended tax budget is attached hereto and incorporated herein.

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

SECTION 1. That the attached amended tentative tax budget of the Village of Newton Falls, as prepared by Director of Finance for the fiscal year beginning January 1, 2023, copies of which are on file at the office of the Director of Finance and have been submitted to Council, is hereby adopted.

SECTION 2. That the Clerk of Council and/or Finance Director are authorized and directed to send a copy of the within Resolution to the County Auditor prior to the deadline specified by the Auditor for submitting this Resolution.

SECTION 3. 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 4. This Resolution shall take effect immediately upon adoption in accordance with Article III, Section 22 of the Charter of Newton Falls.

RESOLUTION NO. 32-2022  
PAGE TWO

PASSED IN COUNCIL THIS 20<sup>TH</sup> DAY OF JULY, 2022.

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

Attest:

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

Approved as to Legal Form.

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

**SCHEDULE 1**

Village of Newton Falls

CITY

Schedule 1

**STATEMENT OF FUND ACTIVITY**

(Complete only for General Fund, Bond Retirement Fund  
and any other funds requesting general property tax revenue)

FUND: GENERAL FUND AND GENERAL RESERVE FUND

	DESCRIPTION	Actual Jan 1-Dec. 31 2021	Budgeted FY Jan 1-Dec 31 2022 Estimate	Budgeted FY Jan 1-Dec. 31 2023 Estimate
100 & 101	Beginning Unencumbered Fund Balance	<b>552,600.70</b>	276,300.35	32,540.32
	Revenues:			
	Health Department			
	Property Taxes	113,755.00	115,500.00	115,500.00
	Local Government	81,765.00	81,400.00	81,400.00
	All Other Receipts	2,135,342.83	1,980,917.54	1,839,350.00
	Total Resources	3,158,342.21	2,177,817.54	1,871,890.32
	Total Expenditures & Encumbrances	2,882,041.86	2,421,577.57	2,166,550.00
	Ending Unencumbered Fund Balance	276,300.35	32,540.32	<b>(262,119.35)</b>

FUND: SPECIAL LEVY POLICE

	DESCRIPTION	Actual Jan. 1-Dec. 31 2021	Budgeted FY Jan 1-Dec. 31 2022 Estimate	Budgeted FY July 1-Dec. 31 2023 Estimate
220	Beginning Unencumbered Fund Balance	0.00	17.00	17.00
	Revenues:			
	Property Taxes	14,181.00	17,950.00	17,950.00
	All Other Receipts			
	Total Resources	14,181.00	17,967.00	17,967.00
	Total Expenditures & Encumbrances	14,164.00	17,950.00	17,950.00
	Ending Unencumbered Fund Balance	17.00	17.00	17.00



SCHEDULE 2

Village of newton Falls

CITY

Schedule 2

STATEMENT OF FUND ACTIVITY

( Funds with Revenue Other Than Local Taxes)

Add Additional Funds as Necessary  
Reproduce this Schedule as Necessary

	FUND NAME	Beginning Estimated Unencumbered Fund Balance	2023 Total Estimated Receipts	Total Resources Available For Expenditure	Total Estimated Expenditures and Encumbrances
201	STREET CMR	\$1,852	\$478,025	\$479,877	\$473,600
202	STATE HIGHWAY IMPRO	\$41,391	\$22,477	\$63,868	\$7,000
203	PERMISSIVE AUTO	\$14,747	\$100,000	\$114,747	\$114,650
204	PARK AND RECREATION	\$7,701	\$17,558	\$25,259	\$25,170
208	DRUG LAW ENFORCEMEN	\$8,559	\$1,907	\$10,466	\$1,000
214	SR CITIZEN VAN	\$1,108	\$0	\$1,108	\$0
215	INDIGENT DRIVERS	\$18,974	\$1,020	\$19,994	\$7,000
216	ECONOMIC DEVELOPMEN	\$256	\$0	\$256	\$0
217	HOME IMPROVEMENT LO	\$131,009	\$23,670	\$154,679	\$20,000
218	LAW LIBRARY	\$4,731	\$17,800	\$22,531	\$15,000
219	ENFORCEMENT AND EDU	\$24,877	\$7,535	\$32,412	\$8,900
220	n/a police levy, above	\$17			
221	INCOME TAX	\$20	\$950,110	\$950,130	\$940,110
222	COURT COMPUTERIZATI	\$388,495	\$59,600	\$448,095	\$117,079
223	COURT GENERAL SPECI	\$951,168	\$91,070	\$1,042,238	\$77,772
224	COURT SECURITY/DIVE	\$7,493	\$725	\$8,218	\$5,000
225	INDIGENT DRIVERS AL	\$182,972	\$16,025	\$198,997	\$10,000
226	PROBATION IMPROVEME	\$0	\$0	\$0	\$0
227	PROBATION INCENTIVE	\$0	\$0	\$0	\$0
228	JUSTICE REINVESTMEN	\$20	\$20	\$40	\$0
229	DRUG DIVERSION HALO	\$0	\$0	\$0	\$0
230	JUSTICE REINVESTMEN	\$283	\$10,791	\$11,074	\$10,796
231	COVID-19 FED CARES	\$0	\$0	\$0	\$0
232	COURT COVID-19 TECH	\$0	\$0	\$0	\$0
233	ARPA LOCAL FISCAL R	\$342	\$0	\$342	\$0
400	CAPITAL IMPROVEMENT	\$11,864	\$68,605	\$80,469	\$61,229
402	ROAD BUIDLING AND E	\$365	\$0	\$365	\$0
405	FUTURE BUILDING FUN	\$4,561	\$0	\$4,561	\$0
407	CITY HALL BROAD ST	\$0	\$0	\$0	\$0
408	PARK FENCE CAPITAL	\$0	\$0	\$0	\$0
409	MEDLEY SEWER CAPITA	\$2,714	\$0	\$2,714	\$0
410	AMI METERING PROJEC	\$773,591	\$0	\$773,591	\$150,000
501	WATER OPERATING	\$722,251	\$1,674,515	\$2,396,766	\$2,064,659
502	SEWER OPERATING	\$15,318	\$1,498,444	\$1,513,762	\$1,362,942
503	ELECTRIC OPERATING	\$442,564	\$6,023,758	\$6,466,322	\$6,410,996
504	STORMWATER OPERATIN	\$208,876	\$87,000	\$295,876	\$103,789
505	WATER OPWC ISSUE 1	\$19,802	\$0	\$19,802	\$0
506	SEWER OPWC ISSUE 1	\$7,009	\$0	\$7,009	\$0

507	ELECTRIC REPLACEMEN	\$49,411	\$0	\$49,411	\$0
508	GUARANTEE TRUST	\$222,038	\$35,190	\$257,228	\$33,500
510	REFUSE	\$27,769	\$330,400	\$358,169	\$334,600
514	UTILITY OFFICE	\$38,165	\$226,800	\$264,965	\$263,940
516	SEWER DEBT SERVICE	\$178,615	\$396,000	\$574,615	\$452,828
517	ELECTRIC DEBT SERVI	\$705,517	\$0	\$705,517	\$260,500
519	WATER DEBT SERVICE	\$47,803	\$266,630	\$314,433	\$272,130
520	SEWER RESERVE	\$445,858	\$0	\$445,858	\$0
521	DEBT RETIRE 2020 BO	\$0	\$385,199	\$385,199	\$385,199
602	EMPLOYEE BENEFITS	\$624,761	\$1,018,800	\$1,643,561	\$1,001,286
705	TRUMBULL COUNTY CAP	\$2,413	\$10,220	\$12,633	\$8,500
706	UNCLAIMED MONIES	\$19,860	\$0	\$19,860	\$0
707	FIRE CLAIMS	\$3,410	\$0	\$3,410	\$0
708	SUMMER CONCERT SERI	\$3,250	\$0	\$3,250	\$0
709	FLOWER FUND	\$2,484	\$5,480	\$7,964	\$5,000
710	BASKETBALL HOOP FUN	\$475	\$0	\$475	\$0
711	FIRE/TWNSP FUEL	\$50	\$35,811	\$35,861	\$33,800
	TOTAL	\$6,366,807	\$13,861,185	\$20,227,975	\$15,037,974

### Schedule 3

Exhibit A  
RES 32-2022  
Page 4 of 4

VILLAGE OF NEWTON FALLS, OHIO  
RESOLUTION NO.: 33-2022  
SPONSOR: Councilperson Spletzer

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS  
DETERMINED BY THE TRUMBULL COUNTY BUDGET COMMISSION AND  
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO  
THE COUNTY AUDITOR**

WHEREAS, the Village, in accordance with the provisions of law, has adopted a tax budget for the next succeeding fiscal year commencing January 1, 2023; and

WHEREAS, the Budget Commission of Trumbull County has certified to Council its action as to the amounts and rates of Village tax levies together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part is within, the 10 mill limitation.

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

SECTION 1. That the amounts and rates as indicated by the Budget Commission and County Auditor, which are attached hereto and incorporated herein by reference, are hereby accepted.

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 20<sup>TH</sup> DAY OF JULY, 2022.

---

Kenneth A. Kline, Mayor

Attest:

---

Michael Acomb, Clerk of Council

Approved as to Legal Form.

---

Bradric T. Bryan, Law Director

RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

Exhibit A  
RES 33-2022  
Page 1 of 4

The Council of the City of NEWTON FALLS, TRUMBULL  
County, Ohio, met in \_\_\_\_\_ session on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, at the office of \_\_\_\_\_ with the following members  
present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ moved the adoption of the following Resolution:

**WHEREAS**, This Council, in accordance with the provisions of Section 5705.281 R.C., previously  
provided the Alternative Tax Budget Information for the next succeeding fiscal year commencing  
January 1, 2023; and

**WHEREAS**, The Budget Commission of TRUMBULL County, Ohio, has  
certified its action thereon to this Council together with an estimate by the County Auditor of the rate  
of each tax necessary to be levied by this Council, and what part thereof is without, and what part  
within the ten mill limitation; therefore, be it

**RESOLVED**, By the Council of the City of NEWTON FALLS, TRUMBULL,  
County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and  
the same are hereby accepted; and be it further

**RESOLVED**, That there be and is hereby levied on the tax duplicate of said City the rate of each tax  
necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**  
**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION**  
**AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived From Levies Outside 10M. Limitation	County Estimate Rate to be	Auditor's of Tax Levied
			Inside 10 M. Limit	Outside 10M. Limit
	Column I	Column II	Column III	Column IV
General Fund (includes County Health)	138,206 55		2.20* 0.15	
Road and Bridge Fund				
Cemetery Fund				
Lighting Fund				
Police Pension Fund	19,062		0.30	
Fire District Fund				
Road District Fund				
Park Levy Fund				
Miscellaneous Funds (Fire Equipment)				
Amb. & Emergency Medical Services Fund				
General (Note) Bond Retirement Fund				
Twp. Motor Vehicle License Fund				
Special Levy Fund				
Capital Equipment Fund				
Permanent Improvement Fund				
<b>Total</b>	<b>157,323</b>	<b>0</b>	<b>2.50</b>	<b>0.00</b>

Tangible Reimbursement from State  
Total

0  
157,323

TOTAL MILLAGE

2.65

June 2022

SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

**Exhibit A**  
**RES 33-2022**  
**Page 3 of 4**

FUND	Maximum Rate Authorized to be levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
<b>General Fund:</b>		
Current Expense Levy authorized by voters on not to exceed 5 years		
<b>Special Levy Funds:</b>		
Levy authorized by voters on		

and be it further

**RESOLVED**, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of Said County.

\_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____	•
_____	•
_____	•
_____	•
_____	•
_____	•
_____	•

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

CERTIFICATE OF COPY  
ORIGINAL ON FILE

Exhibit A  
RES 33-2022  
Page 4 of 4

The State of Ohio, TRUMBULL County, ss.

I, \_\_\_\_\_, Clerk of the Council of the City of  
NEWTON FALLS, within and for said County, and in whose custody the Files  
and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby  
certify that the foregoing is taken and copied from the original of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

now on file, that the foregoing has been compared by me with said original document, and that the same is a  
true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk of Council

NEWTON FALLS City.

1. A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R.C. or at such later date as may be approved by the Board of Tax Appeals.

No.

COUNCIL OF THE CITY OF  
NEWTON FALLS  
TRUMBULL, County, Ohio

RESOLUTION  
ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET  
COMMISSION AND AUTHORIZING THE  
NECESSARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY AUDITOR.  
(City Council)

Adopted \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Clerk of Council

Filed \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Deputy



VILLAGE OF NEWTON FALLS, OHIO

RESOLUTION NO.: 34-2022

SPONSOR: Councilpersons Baryak, Granchie, Spletzer, and Stimpert and Mayor Kline

**A RESOLUTION IN SUPPORT OF NAMING THE NEWTON FALLS  
STATE RT. 534/BROAD STREET BRIDGE VETERANS MEMORIAL BRIDGE**

WHEREAS, four Veterans groups based in Newton Falls (American Legion Post 236, the Army Navy Club, AMVETS Post 112, and VFW Post 3332) admirably represent and are comprised of Veterans who have bravely served our country and continue to give back to the community in countless ways; and

WHEREAS, the Village of Newton Falls desires to further honor the Veterans of the Village of Newton Falls and Newton Falls Township for their dedicated and selfless service to their country and community; and

WHEREAS, the unnamed Newton Falls St. Rt. 534/Broad Street bridge (TRU 534 4.510 7807295) runs over the Mahoning River and leads to Newton Falls Veterans Park; and

WHEREAS, the Mayor, Council, City Manager, Officials, Employees, Citizens, Businesses, Commercial and Philanthropic Organizations, and Veterans Groups of the Village all desire for the Newton Falls St. Rt. 534/Broad Street bridge to be named Veterans Memorial Bridge.

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

SECTION 1. That the Mayor and Council of Newton Falls, on their behalf and on behalf of the City Manager, Officials, Employees, Citizens, Businesses, Commercial and Philanthropic Organizations, and Veterans Groups of the Village, hereby request that the Newton Falls St. Rt. 534/Broad Street bridge (TRU 534 4.510 7807295) be named Veterans Memorial Bridge.

SECTION 2. That the Village expresses its gratitude to the State of Ohio and State Senator Sandra O'Brien for their assistance and support in bringing this request to fruition.

SECTION 3. That the City Manager be directed to assist with the preparation and execution of any necessary documents related to this naming and dedication request and approve any funds necessary to provide appropriate signs.

SECTION 4. 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.

RESOLUTION NO. 34-2022  
PAGE TWO

SECTION 5. 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 20<sup>th</sup> DAY OF JULY, 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.: 2022-34  
SPONSOR: Councilperson Spletzer

**AN EMERGENCY ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT  
EXPENSES AND OTHER EXPENDITURES FOR THE VILLAGE OF NEWTON  
FALLS, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AND  
AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE  
OF RESOURCES TO THE COUNTY AUDITOR.**

WHEREAS, it is necessary to make appropriations for the current expenses and other expenditures for the Village of Newton Falls, Ohio, for the fiscal year ending December 31, 2022; and

WHEREAS, this Ordinance has funding sources that originated after the original Certificate of Resources was issued; and

WHEREAS, the re-appropriations will require an update of the Certificate of Resources to be filed with the Trumbull County Auditor.

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

SECTION 1. That "Exhibit A" attached hereto as if fully rewritten herein amends "Exhibit A" of Ordinance 2021-37 and shall be the appropriations for the funds designated for the fiscal year ending December 31, 2022 for the Village of Newton Falls. Any funds not listed in this exhibit shall remain intact as previously amended or as listed in Ordinance 2021-37.

SECTION 2. That the Village Director of Finance is hereby authorized to draw warrants on the Village Treasury for payment of the foregoing appropriations, upon receiving proper certification and vouchers thereof, and no salaries or wages shall be paid except to persons employed by authority of and in accordance with law or ordinance.

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.

ORDINANCE NO. 2022-34  
PAGE TWO

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 this Ordinance is required by law and is immediately necessary to permit expenditures related to the provision of Village operations and services, and that this Ordinance shall take immediate effect upon its passage, pursuant to Newton Falls Charter Article V, Section 21.

PASSED IN COUNCIL THIS 20<sup>th</sup> DAY OF July, 2022

---

Kenneth A. Kline, Mayor

Attest:

---

Michael Acomb, Clerk of Council

Approved as to Legal Form.

---

Bradric T. Bryan, Law Director

CITY OF NEWTON FALLS		2022 Current Appropriations	2022 Proposed Appropriations	Difference
203	PERMISSIVE AUTO			
Other Operations	Legal Level	114,950.00	114,650.00	(300.00)
203	Total:	114,950.00	114,650.00	(300.00)
204	PARK AND RECREATION			
Personal Services	Legal Level	1,870.00	1,870.00	-
Other Operations	Legal Level	23,400.00	18,900.00	(4,500.00)
204	Total:	25,270.00	20,770.00	(4,500.00)
409	MEDLEY SEWER CAPITAL			
Other Operations	Legal Level	2,713.85	-	(2,713.85)
409	Total:	2,713.85	-	(2,713.85)
502	SEWER OPERATING			
Personal Services	Legal Level	537,310.00	487,310.00	(50,000.00)
Other Operations	Legal Level	991,632.00	1,010,382.00	18,750.00
502	Total:	1,528,942.00	1,497,692.00	(31,250.00)
503	ELECTRIC OPERATING			
Personal Services	Legal Level	555,900.00	513,900.00	(42,000.00)
Other Operations	Legal Level	5,897,096.15	5,897,096.15	-
503	Total:	6,452,996.15	6,410,996.15	(42,000.00)
514	UTILITY OFFICE			
Personal Services	Legal Level	158,531.00	158,531.00	-
Other Operations	Legal Level	132,408.87	105,408.87	(27,000.00)
514	Total:	290,939.87	263,939.87	(27,000.00)
517	ELECTRIC DEBT			
Other Operations	Legal Level	965,500.00	260,500.00	(705,000.00)
517	Total:	965,500.00	260,500.00	(705,000.00)
Grand Total:		18,705,782.80	17,893,018.95	(812,763.85)

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2022-35  
SPONSOR: Councilperson Spletzer

**AN ORDINANCE ADDING THE LOW HEAD DAM AND WEST BRANCH CHANNEL DAM TO THE TERRITORIES OF THEIR ADJACENT VILLAGE PARKS**

WHEREAS, the Village owns and has responsibilities with respect to the Low Head Dam and West Branch Channel Dam; and

WHEREAS, Council feels it would be more advantageous for the care and maintenance of the dams and obtaining grant opportunities for fixing the dams, if the dams were added to and within the boundaries of the Village parks to which they are contiguous.

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

SECTION 1. That the Low Head Dam is hereby added to and within the boundaries of Commerce Park, and the West Brach Channel Dam is hereby added to and within the boundaries of Veterans Park.

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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

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

Attest:

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

Approved as to Legal Form.

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



NEWTON FALLS CITY COUNCIL  
**CAUCUS MINUTES**  
Wednesday, July 6, 2022; 4:30 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 4:36 pm.

**II. Pledge of Allegiance / Silent Prayer**

**III. Roll Call**

Council Present: Councilperson Baryak, Councilperson Spletzer, Councilperson Granchie, Councilperson Stimpert

Council Absent: VACANT SEAT

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

Staff Absent:

**IV. Unfinished/New Business**

**4:30 pm - Electric Department Discussion – Superintendent William George**

Mr. George stated that the total cost of the project is estimated at \$145,978.50, not including labor and wages. He also stated that this project would consume all city resources and prevent city employees from working on any other projects or emergency needs.

When asked by Mr. Baryak, Mr. George stated that his crew could install 3-4 poles per day and a total of 24 poles for the project.

Mr. Baryak stated his concern that it was being said publicly that the city doesn't have the resources to perform this work. Mr. George explained that the city does not have all the equipment necessary, and he listed the missing equipment that would need to be

purchased or rented. He estimated that the missing equipment would cost the city more than \$40,000.

Mr. Baryak stated his frustration Council seemed to be receiving new information this evening from Mr. George that was not shared with Council previously. Mr. George clarified that the previously approved \$43,000 was in fact for only the drawings and permits. Mr. George estimated that it might also cost more than \$30,000 to remove trees for the project.

Mr. George provided a summary of the various line-item expenses that would be incurred by the project totaling \$145,978.50. He also stated that some of the necessary equipment is not available presently for rental or purchase. He estimated the total cost of the project, including labor and wages, would cost more than \$200,000. Regarding the budget, Mr. George stated his belief that this project would result in higher rates for residents and businesses.

Mr. Baryak stated his belief that the city would recoup the expenses once more businesses were attracted to the city.

Mrs. Stimpert thanked Mr. George for the information and stated that tonight's information should have been provided in writing prior to any previous action by Council.

Mr. Granchie asked if the contract for the drawing has been executed. Mr. George replied that it had not been executed because he wanted to wait until this caucus was held. Mr. Granchie made a Motion for Council to reconsider the ordinance at the next meeting. No Second was heard.

Mr. Baryak spoke against the motion to reconsider the ordinance and reiterated his belief in the project. Mr. George stated that Dunkin Donut's electricity bill would only pay for the electricity they actually use and that it would not be able to be applied to the costs of the project.

Mr. Baryak stated his concerns about \$462,000 missing from the previous administration.

Mrs. Priddy clarified that an increase in expenses would be realized, but a different loan will be retired soon and would be able offset the new expenses without worsening the city's overall financial position.

Mr. Baryak stated his appreciation regarding Mr. George's past performance in his job. Mr. Baryak spoke about the recent tree removal project and relayed his appreciation for a recent quick action by Mr. George.

Mrs. Priddy recommended, for the future, that Mr. George provide Council and the City Manager a complete and full picture when he is asked to comment on something. Mr. George stated that he has never done a project like this one and information was coming to him at the same time that he was being asked questions and he answered those questions to the best of his ability at those times.

Mr. Baryak reminded Council that past projects have been done without a potential to make money and he believes that this project will make money for the City. He stated his



intent to have the Finance Director to research and comment on the ability of the City pay for the project. He also stated that he would not support rate increases because of this project.

Mrs. Priddy stated that future development inquiries and the Metroparks are showing interest.

Mrs. Priddy announced that the proceeds from the sale of the Annex building (approximately \$53,000) have been deposited into the electric fund as it was the electric fund that was used to purchase the property originally.

Mr. Housley suggested asking the developer if they would be willing to contribute to the project to offset the total costs of the project.

**5:00 pm – Discussion of the charter amendments recommended by the Charter Review Commission.**

Mr. Bryan explained that the purpose of the caucus is to allow him to present and explain all proposed amendments from the Charter Review Commission and to allow Council discuss and understand them before voting.

Resolution 23-2022 was presented and explained by Mr. Bryan using Exhibit A: 23-2022. No questions were asked by Council.

Resolution 24-2022 was presented and explained by Mr. Bryan using Exhibit A: 24-2022. Mr. Granchie asked for clarification regarding the instance in which an emergency ordinance fails initially. Mr. Bryan clarified the process and the options that would then be available to Council. He stated the intent of the proposed amendment is to discourage the use of emergency ordinances.

Resolution 25-2022 was presented and explained by Mr. Bryan using Exhibit A: 25-2022.. He clarified that department heads and the city manager would no longer be able to sponsor legislation. He stated the desire of the CRC is to always have a member of Council to know and understand each proposed piece of legislation prior to its appearance on the agenda. No questions were asked by Council.

Resolution 26-2022 was presented and explained by Mr. Bryan using Exhibit A: 26-2022. No questions were asked by Council.

Resolution 27-2022 was presented and explained by Mr. Bryan using Exhibit A: 27-2022. He stated the intent of this proposed amendment is to limit variance in interpretations by future law directors and councilpersons. Mrs. Stimpert asked what major differences are represented by this resolution. Mr. Bryan stated that the intent of the changes are to tighten up the procedures and understandings for council. Mrs. Spletzer stated her understanding that Council could only be considered a 5-person body. Mr. Bryan stated that the mayor is not typically a voting member; but is the presiding officer of meetings. Mayor Kline stated his understanding that the intent was to ensure consistency in action over time. Mr. Baryak complimented the work of the CRC. He spoke in support of this charter amendment.

Resolution 28-2022 was presented and explained by Mr. Bryan using Exhibit A: 28-2022. No questions were asked by Council.

Resolution 29-2022 was presented and explained by Mr. Bryan using Exhibit A: 29-2022. No questions were asked by Council.

Mr. Bryan presented for Council's consideration an additional amendment that is not on the July 6 agenda for the regular meeting. He explained that this amendment pertains to the Civil Service Commission, and it would eliminate the department until (1) the Village of Newton Falls becomes categorized as a city, again, by the State of Ohio and (2) Council decides to reinstate it. Mr. Bryan stated his experience and belief that a civil service commission hampers the ability of a city the size of Newton Falls to hire employees by creating an overly burdensome system. Mr. Granchie asked by whom this recommendation was made. Mr. Bryan stated that he was asked to draft it by the city manager who had received multiple inquiries about its existence. Mayor Kline stated his belief

Mrs. Stimpert asked the length of time that Civil Service Commission has existed. A member of the audience stated 1966. Mr. Bryan stated that the Newton Falls lost its status as a city in the early 2000's. Mrs. Stimpert asked what prompted the inquiries about the civil service commission. Mrs. Priddy stated that job applicants would withdraw from consideration for jobs because they didn't want to take the test and go through the process. She also stated that the tests are very expensive and a budget for it does not exist. Mrs. Stimpert asked if Mrs. Priddy believed that the testing would result in higher quality candidates. Mrs. Priddy replied that other methods of testing can be made available for each position needed, would be less expensive, less burdensome to the city, and would likely result the same level of applicant.

V. Adjourn

MOTION

Motion to adjourn the caucus at 5:43 pm.



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING AGENDA**  
Wednesday, July 6, 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 6:03 pm.

**II. Pledge of Allegiance / Silent Prayer**

**III. Roll Call**

Council Present: Councilperson Baryak, Councilperson Spletzer, Councilperson Granchie, Councilperson Stimpert

Council Absent: VACANT SEAT

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

Staff Absent:

**IV. Special Presentations by Staff Members or Invited Consultants**

**V. Public Comments**

Rick Kerlin – 1009 Woodglen

Mr. Kerlin spoke regarding the Veterans of Newton Falls. He announced that support from various veterans' organizations is likely to result in the covered bridge being renamed Veterans Memorial Bridge. He announced that State Senator O'Brien has indicated that she would support legislation to have the bridge renamed and Senator O'Brien has shared her belief that it will have no problem getting passed by the state legislature and offered her sponsorship. Mr. Kerlin announced that additional support from a State Representative Loychik, with his sponsorship, and the Newton Falls Area Commerce Association has also been received. He expressed his appreciation for the support that he received from Mayor Kline, Councilperson Baryak, and City Manager Priddy. He stated his expectation this process would begin in January, 2023. He also

announced Christmas in July 16 from 12-4pm. He encouraged all to participate in the dunk tank.

Julie Lemon – 609 Ridge Road

Mrs. Lemon spoke in support of the motion sponsored by Councilperson Spletzer to consider and vote on Resolutions 23-2022 through 29-2022 as a group. She relayed her experience as member of the Charter Review Commission (CRC) and spoke about the desire to have a strong system of checks and balances for the city government. She urged Council to pass all the resolutions that the CRC has sent to Council.

Brenda Persino – 226 Oak Knoll

Ms. Persino spoke in support of Resolution 31-2022 honoring Police Sergeant Stephen Storm. She spoke directly to Mr. Storm and expressed her appreciation for him and his service.

Adam Zimmermann – 515 Lemae Avenue

Mr. Zimmermann urged Council to discuss each of the resolutions from the Charter Review Commission individually, rather than as a blanket, citing legal concerns and potential conflicts that they might hold with others part of the Charter. He spoke against Resolutions 23-2022, 27-2022, 29-2022. He stated his concerns with 29-2022 related to a lack of clarity in who performs the duties necessary to certify petitions and properly file them with the County Board of Elections. He stated appreciation for Sgt. Storm and thanked him for his service.

Dave Hanson – 20 S. Canal

Mr. Hanson asked Council to support the Motion to approve Perkunis Media LLC to record audio and video.

Bruce Moore – 348 E. Broad

Mr. Moore spoke regarding the village finances. He urged all members of the local government to work together. He spoke against selling city assets for short-term gain. He urged Council to work together to find alternative streams for revenue before the Village is forced to do so by the State.

## **VI. Reports**

### **a. Mayor**

- i. Mayor Kline expressed his thanks to 4<sup>th</sup> of July Committee. He stated that he was honored to be involved in the Veterans Bridge efforts. He announced that he is working to setup up interviews with candidates for the vacant council position for Ward 1.

### **b. Council Members listen to audio**

- i. Mr. Baryak announced that another business, 5/4 Distillery, will begin soon within the city. He commented that growth economic development can be seen, and he expressed his support for attracting businesses before raising taxes. He spoke in support of the Scott Street project and a joint police force. He announced that the grant secured for the kiosk and boat ramp are “reimbursable grants” that require the city to pay upfront, and then be reimbursed. He stated his belief that the city does not have the nearly \$70,000 to pay upfront. He announced that a Sober Living Home,

a form of transitional housing for recovering addicts, is located in Ward 2. He spoke against these types of places in a residential areas. He spoke in support of the renaming of the covered bridge to the Veterans Memorial Bridge and expressed his pride in the project.

- ii. Ms. Spletzer – She attended a Parks and Rec Meeting on June 28. She announced that two additional sets of dugouts are proposed to be built at the ball fields. She announced that the city is being asked to contribute approximately \$4000 for the concrete slabs, alongside the \$18,000 that the baseball and softball league would contribute. She honored to participate in the 4<sup>th</sup> of July parade.
- iii. Mr. Granchie – He spoke in support of the 4<sup>th</sup> of July Committee and expressed his appreciation for their efforts. He attended a civil service meeting and the recent scores were certified.
- iv. Ms. Stimpert – She attended Meet the Chief on June 18. She also attend the June Fire Board Meeting indicating that call numbers are up for the year. She shared the specific numbers, totaling 1075 run thus far. She stated that the next meeting is July 19 at 6:00pm

c. Finance Director

- i. Mr. Housley stated the June is closed and all vendors are paid. A delinquent tax letter campaign was started this month.

d. Law Director

- i. He has been busy with day-to-day business and he announced new legislation would be available for the next meeting as requested by various members of Council, including a new sign ordinance that will make the old sign ordinance compliant with recent decisions of the Supreme Court.
- ii. Regarding Resolution 27-2022, he clarified the intent and the content of the resolution to clear up apparent misunderstandings from public comments.
- iii. Mr. Baryak asked if Mr. Bryan was drafting legislation to limit, and possibly prohibit, the use of residential areas for the purpose of supporting the rehabilitation of addicts. Mr. Bryan stated that he is researching options related to zoning restrictions and state licensing requirements. He cautioned that some communities have tried to limit or restrict these uses improperly and have been sued. Mr. Bryan express interest in taking the time to determine the proper way to address the concerns of Council and residents. Mr. Baryak assured the residents of Ward 2 that he is working hard to address their concerns legally.

e. City Manager

- i. A donation of camera equipment was received from a local business and the next meeting will be live streamed to YouTube and Facebook.
- ii. An agreement with the Township has been sealed and all money has been received from the township for the Scott Street Project (\$31,000 for the engineering, and \$15,000 for Ohio EPA permits). She thanked the Township and the finance department for helping to ensure the June 30 deadline was met.
- iii. A conference call with a local company was held regarding solar panels. Mrs. Priddy and Mr. George, electric department, will be considering the feasibility and benefits of starting a potential solar panel project.

- iv. A meeting with School District Superintendent and Treasurer regarding a School Resource Officer. She anticipates a 1 year agreement with \$50,000 reimbursement to the city from the school district.
- v. A meeting with July 4<sup>th</sup> committee was held with the Mayor to address complaints received. It is being considered to create a Community Events Council in an effort to unify the various community groups, to combat a lack of volunteers across the city, and to improve communication with business and the general public regarding community events.
- vi. An inquiry was received from a realty company regarding the potential purchase by the city of the Dollar General property. She stated that after an evaluation, she has determined that the city would accept the property as a donation; but would not be interested in a purchase agreement.
- vii. A department meeting was held in the Municipal Center to discuss the July 4 activities and their preparation.
- viii. A new zoning administrator was hired. He is highly qualified and experienced. He has offered to ride with Councilmembers to learn the wards.
- ix. She distributed to Council a bill from Johnson Controls to repair the fire alarm at the Fire Board. She asked Councilperson Stimpert to investigate if the Chief had cut the wires as has been suggested by member of the fire department and to determine the reasons the wires may have been cut. She shared that the bill for repair was nearly \$2,000. Mr. Housley suggested invoicing the Chief it was determined that he is responsible without just cause. Exhibit enclosed.
- x. A proposal was shared with Council for a service contract from the Trumbull County Sheriff's Office to take over the police department. The estimated expense is approximately \$504,000, which does not include all services. She stated that special events are not covered by this proposal and the proposal only represents one officer per shift. Exhibit enclosed.
- xi. Regarding the AMI Software and maintenance agreement, Council can expect a proposal to be brought to the next meeting, which will include a maintenance fee of nearly \$37,000 annually, which will not include the software agreement. She announced that the smart meter installation is delayed until 2023 due to the supply chain issue related to computer chips. Exhibit enclosed.
- xii. Outstanding loans have been discovered related to the First Street Resurfacing Project (\$180,000 for 10 years) and Washington Street Sewer Project (\$133,000 for 20 years) that were completed in 2020. The City has been informed that those loans are now due and payable for a total of \$313,000. It was announced that this debt was a surprise and it not reflected in the city budget. Mr. Housley commented that Agreements were signed in 2020. He noted that the First Street loan must be paid from the general fund and is not reflected in the budget. He noted that the Washington Street Sewer. Mrs. Priddy stated that she researched the history of these projects. She discovered that the funds were interest free loans, and not grants as had been previously believed by those who had knowledge of the projects. She found that the meeting minutes related to these projects are not clear. However, copies of the contracts were

acquired and the expenses are clearly loans. Mr. Housley surmised that the Washington Street loan could likely be paid from some other fund, than the general fund.

- xiii. Mr. Housley commented that the quote from Trumbull County for police services is not comparable to the city's current budgetary appropriation for the department and he stated the reasons for such.
- xiv. The city dam inspections have been received. The inspections note issues that were discovered and continue as unresolved dating back to 2016. A letter was sent to the Former City Manager Haney at the time with a description and pictures of the issues. Mrs. Priddy described those issues. She stated that some of the reported issues are significant and will require a plan as the city is responsible for the repairs. Mrs. Priddy stated her discovery that care for the dams has never been assigned to a city department. She recommended that an engineering firm be identified to provide an updated assessment and a proposed budget for performing the necessary repairs. A call has already been placed to the Army Corps of Engineers to ask for help; but have not received a return call. Exhibits enclosed.
- xv. The Annex Building was originally bought by the electric department in 1994, and the proceeds of the sale have been returned to the electric fund. She stated that the property was in a persistent state of disrepair, which prevented it from being sold at a price not much higher than the original purchase price. Mrs. Priddy described those problems with the property. It was bought by the 5/4 Distillery who would like to renovate and expand the building.
- xvi. The canoe launch is eligible for a \$75,000 grant; but that grant is a reimbursable grant that will require the city to pay all expenses upfront and then be reimbursed up to \$75,000. Council was urged to discuss and decide if they wish to move forward with this particular project. Ms. Spletzer and Mr. Baryak recommended asking the MetroParks for help and Mrs. Priddy agreed to do so. Mr. Housley described how a special fund would be created for the project which would be funded by an advance from the general fund. The general fund is currently negative and Mr. Housley shared his reservations about advancing money from an already negative general fund; but, conceded that discussions with the State Department might allow the city to advance the funds if the reimbursement can be received within a year.
- xvii. Appraisals have been requested for 19 N. Canal and the Municipal Center. Council was advised that the appraisals will take 3-4 weeks to receive and will cost \$2800 and \$2500, respectively.
- xviii. The city has an Income Tax program with RITA. The number of delinquent accounts from 2016-present were summarized. Mrs. Priddy stated that it seems that no action was taken by previous administrations prior 2018 to request RITA to send notices of delinquency and resolve these accounts. When action was taken in 2018, it only addressed the years 2012-2016. Mrs. Priddy stated that in 2020 alone, it is estimated that \$553,000 have not been collected. RITA has been requested to send delinquency notices in July and a subpoena program is available to the

city. It was stated that staffing is a historical problem for Newton Falls as the City is responsible for handling the collections after RITA sends the notices. The City needs a dedicated staff member to handle the collections and does not have one. Each community has a burden to track residents and collect. Mrs. Priddy recommended that Council consider full utilization of the available recoupment programs citing the hundreds of thousands of dollars in lost revenue. Mr. Housley stated that close to 1935 unique letters will be sent this year as compared to a fraction of that in 2018, which may include letters that may not be required, but that cannot be determined because the system depends upon consistent action by the city in order to keep track. Mr. Housley, as the city's tax administrator, stated he has instructed RITA to send delinquent notices and to initiate the subpoena program; which may result in Mr. Housley filing against unresponsive, delinquent residents in the court system. Exhibit enclosed.

Mr. Granchie asked for confirmation from Mrs. Priddy that (1) the new zoning administrator has started and (2) his salary has been set. Mrs. Priddy and Mr. Bryan confirmed that a current ordinance set the salary for the position and he is earning the same salary as the previous zoning administrator.

Mrs. Stimpert, citing Mr. Baryak's concerns for the transitional housing for recovering addicts, asked Mrs. Priddy to comment on the Mrs. Stimpert's previous emails regarding this same issue for which she received replies that "all was ok". She frustration at learning this has changed. Mrs. Priddy stated that the homeowner seems to have not been completely forthcoming with their use of the residence and an investigation is ongoing. Mrs. Stimpert requested that when issues are discussed, and then circumstances change, that the city manager provide an update so that everyone has the same understanding and can avoid surprises. Mrs. Priddy stated that she had only learned that the owner may have misled her this evening and that the new zoning administrator is continuing the investigation.

Mr. Baryak clarified the reasons that he rode along with the zoning administrator and indicated that the zoning administrator will be investigating specific situations within the city to determine any violations. He asked for clarification regarding the previously mentioned no interest loans that Council believed were grants. Mrs. Priddy stated that Council voted on the loans via Ordinance in July, 2020 and neither the ordinance nor the meeting minutes were clear regarding what type of funding source they were.

## **Changes To Tonight's Agenda**

### **MOTION**

A Motion to move RESOLUTION 31-2022 to appear as the first item under New Business.

Moved by: Mr. Baryak                      Seconded by: Mr. Granchie

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

The Motion passed 4-0.

## **VII. Approval of Previous Minutes**

Regular Meeting Minutes, June 15, 2022



**MOTION**

A Motion to approve the minutes of the regular meeting on June 15, 2022.

Moved by: Mr. Granchie                      Seconded by: Ms. Spletzer  
Ms. Stimpert-yes; Mr. Baryak-yes; Ms. Spletzer-yes; Mr. Granchie-yes  
The Motion passed 4-0.

Special Meeting Minutes, June 22, 2022

**MOTION**

A Motion to approve the minutes of the special meeting on June 22, 2022.

Moved by: Mr. Granchie                      Seconded by: Ms. Stimpert  
Ms. Spletzer-abstain; Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes  
The Motion passed 3-0.

- VIII. Public Hearings**
- IX. Unfinished Business**
- X. New Business**

**RESOLUTION 31-2022**

*Co-Sponsors: Councilperson Granchie  
Councilperson Stimpert  
Councilperson Baryak  
Councilperson Spletzer*

A RESOLUTION HONORING POLICE SERGEANT STEPHEN STORM FOR HIS  
28 YEARS OF SERVICE TO NEWTON FALLS

Each member of Council and Mayor Kline thanked Sgt. Storm for his service,  
offered congratulations, and/or offered best wishes.

Moved by: Mr. Granchie                      Seconded by: Ms. Spletzer  
Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes  
The resolution passed 4-0.

**MOTION**

*Sponsor: Councilperson Stimpert*

A Motion to discuss the offer made by Conrad Hanson of Perkunis Media LLC to provide  
audio and video recordings of Council meetings at no charge to the City of Newton Falls.

Moved by: Ms. Stimpert                      Seconded by: Mr. Granchie

Ms. Stimpert stated that an email was received by all members of Council on  
June 10 with Mr. Hanson's offer. She noted that that an email response was  
provided to Mr. Hanson from Ms. Spletzer. Ms. Stimpert called Mr. Hanson. She  
expressed disappointment that no action was taken by Council in response to Mr.  
Hanson's email and she supports Mr. Hanson.

Mr. Granchie spoken in support of Perkunis Media, so long as the advertisements are vetted, and the subsequent work agreement can be created to sufficiently protect all parties.

Mr. Baryak spoke against an agreement with Perkunis Media citing the recently donated equipment that has been received and his own concerns regarding advertisements and neutrality.

Ms. Spletzer spoke about her concerns related to advertisements and the for-profit status of Perkunis Media. She also cited concerns about the company being in business for a couple months.

Ms. Stimpert stated that she spoke to Mr. Hanson and wondered if anyone else has done so. She spoke in support of Mr. Hanson based on her conversation with him and her belief that allowing him access would be fair to everyone.

Mr. Baryak restated his concerns with neutrality and advertising. He expressed his belief that with the new donation, Mr. Hanson's services are not necessary.

Mrs. Priddy stated that a camera has been donated this past Monday and she had intended to surprise Council with it. Ms. Spletzer asked if a live feed from the donated camera could be sent to Spectrum. Ms. Smeiles stated that she would need to investigate the options; but YouTube would be a definite avenue.

Mr. Granchie asked if the new equipment can be simultaneously broadcast on multiple media outlets. Ms. Smeiles stated that all indications are that this is possible; but she has not conducted a test broadcast. She stated that the camera was designed for live streaming. Mr. Granchie asked if the City has the software, as well as the knowledge and skills, to properly conduct an effective broadcast across multiple forms of media. Ms. Smeiles stated her belief that the City does have those things and she would be conducting test broadcasts to ensure that it operates smoothly. Mrs. Priddy thanked Arck. Electronics for their free consultations. Mr. Granchie spoke in support of either approach.

Ms. Spletzer stated her desire that Spectrum be included in the modes of media and that she would support whichever option would be able to do that.

#### MOTION

*Sponsor: Councilperson Spletzer*

A Motion to consider and vote on Resolutions 23-2022, 24-2022, 25-2022, 26-2022, 27-2022, 28-2022, and 29-2022 as a group.

Ms. Spletzer thanked the CRC and expressed her appreciation for their efforts. She stated her belief that the Charter compels Council to send all recommendations from the CRC to the ballot and expressed her belief that an open discussion on each resolution is not necessary.

Mr. Baryak asked for the Law Director to confirm that this motion was appropriate and proper. Law Director Bryan confirmed it as such.

Moved by: Ms. Stimpert                      Seconded by: Mr. Granchie  
Mr. Baryak-yes; Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes  
The motion passed 4-0.

**MOTION**

A Motion to adopt Resolutions 23-2022, 24-2022, 25-2022, 26-2022, 27-2022, 28-2022, and 29-2022 as a group.

**RESOLUTION 23-2022**

*Sponsor: Councilperson Spletzer*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE II, SECTION 3 OF THE CHARTER REGARDING THE MAYOR'S AUTHORITY TO IMPLEMENT AND SUPERVISE THE ENFORCEMENT OF HEALTH DIRECTIVES

**RESOLUTION 24-2022**

*Sponsor: Councilperson Spletzer*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE III, SECTION 21 OF THE CHARTER REGARDING ADDITIONAL DIRECTIVES RELATING TO THE PASSAGE OF EMERGENCY ORDINANCES

**RESOLUTION 25-2022**

*Co-Sponsors: Councilperson Granchie  
Councilperson Stimpert*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO THE CHARTER NUMBERED ARTICLE III, SECTION 24 REQUIRING THE MAYOR OR A COUNCILMEMBER TO SPONSOR ORDINANCES AND RESOLUTIONS

**RESOLUTION 26-2022**

*Sponsor: Councilperson Stimpert*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO THE CHARTER NUMBERED ARTICLE III, SECTION 25 PERTAINING TO PUBLIC COMMENTS AND CLOSING COMMENTS AT COUNCIL MEETINGS

**RESOLUTION 27-2022**

*Sponsor: Councilperson Baryak*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO THE CHARTER NUMBERED ARTICLE III, SECTION 23 ESTABLISHING VOTE THRESHOLDS NECESSARY TO PASS MEASURES BEFORE COUNCIL AND RULES FOR THE TREATMENT OF ABSTENTIONS AND ABSENCES

**RESOLUTION 28-2022**

*Sponsor: Councilperson Granchie*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE IV, SECTION 1 OF THE CHARTER REMOVING THE RESIDENCY REQUIREMENT FOR THE CITY MANAGER

**RESOLUTION 29-2022**

*Sponsor: Mayor Kline*

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE VII, SECTION 4 OF THE CHARTER PERTAINING TO THE PROCEDURES FOR RECALL ELECTIONS

Moved by: Ms. Spletzer                      Seconded by: Mr. Granchie  
Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes  
The motion passed 4-0.

RESOLUTION 30-2022

*Sponsor: Councilperson Spletzer*

A RESOLUTION ADOPTING THE TAX BUDGET OF THE VILLAGE OF  
NEWTON FALLS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND  
SUBMITTING THE SAME TO THE COUNTY AUDITOR

Mr. Housley stated this tax budget will be due on July 20, but there is no penalty for being late other than a citation. He stated that this is first draft of next year's budget and suggested that everyone can predict how that budget will be presented at the end of the calendar year. He stated that this proposed budget does not include possible adjustments to employee benefits and suggested that Council (1) ask employees to contribute as little as 5% of the health care premium which would raise approximately \$25,000 to the general fund, (2) seriously consider a spousal waiver program, and (3) compensating employees for not taking city healthcare benefits which could yield the City up to \$2,000 per month.

Ms. Spletzer inquired about the ARPA funds. Mr. Housley stated that this portion of the budget needs to be struck as it appeared to be stated in error.

He also pointed out that the budget includes an appropriation for a School Resource Officer; but the school district is tentatively expected to pay for the SRO fully for next year. He also stated that extra revenue from the prosecutor at \$24,000 and consistent wages for the law director and city manager have made things relatively easier.

Mrs. Priddy asked for comments from Mr. Housley regarding the negative balance in the general fund and the possible consequences for filing a report with a negative balance. Mr. Housley stated that a negative balance of (\$63,148) is currently projected for the end of the year. Ms. Spletzer pointed out that at the end of 2023, the projection is a negative balance of (\$353,182.65) and asked if the City is already on Fiscal Watch. Mr. Housley stated that a Fiscal Watch has not happened yet; but, Council can expect the county to take a closer look at the city finances at the end of 2023, if a report is filed with a negative balance. Mr. Housley explained that when a budget is submitted in the deficit, he expects that a notice of non-compliance will be sent to the Finance Director.

Moved by: Ms. Spletzer                      Seconded by: Mr. Baryak  
Ms. Spletzer-yes; Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes  
The resolution passed 4-0.

ORDINANCE 2022-31

*Sponsor: Councilperson Granchie*

AN ORDINANCE AMENDING THE ZONING & SUBDIVISION FEE SCHEDULE TO ADD A DOG PARK PERMIT FEE

Mr. Granchie clarified that the purpose of this ordinance is to add the dog park fees to the master schedule of fees since the new dog park is being constructed.

Moved by: Mr. Granchie

Seconded by: Ms. Spletzer

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

The ordinance passed 4-0.

ORDINANCE 2022-32

*Sponsor: Councilperson Spletzer*

AN EMERGENCY ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE VILLAGE OF NEWTON FALLS, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES TO THE COUNTY AUDITOR.

Ms. Spletzer pointed out the police and the city administration categories stating that positive adjustments have been made in those categories. She asked Mrs. Priddy to explain the adjustments to the Municipal Courts category. Mrs. Priddy stated two (2) part-time security officers will be moved from the general fund and into his special court fund. Further, the cleaning person will be paid 50-50 between the general fund and the special court fund. Mr. Priddy thanked the judge for his assistance. Mr. Granchie pointed out the scenario described by Mrs. Priddy also seemed to happen in the Building Maintenance category where those services have been shared between the general fund and the Court's special fund. Mrs. Priddy confirmed that Mr. Granchie's observation was accurate.

Moved by: Ms. Spletzer

Seconded by: Mr. Baryak

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

The ordinance passed 4-0.

Moved by: Mr. Granchie

Seconded by: Ms. Spletzer

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

The ordinance passed 4-0.

ORDINANCE 2022-33

*Sponsor: Councilperson Spletzer*

AN ORDINANCE ESTABLISHING SECTION 121.05 OF THE ADMINISTRATIVE CODE PERTAINING TO THE SALE, LEASE, OR DISPOSAL OF MUNICIPAL REAL PROPERTY

Mr. Baryak asked LD to elaborate on this ordinance. Mr. Bryan presented and explained the ordinance to Council further stating that many other communities have the same type of ordinance.

Ms. Spletzer stated the reasons that she sponsored this ordinance and her belief that this ordinance would cut costs for the city.

Mr. Baryak asked if the statutory limit on the City Manager's authorization to spend public money applies to this ordinance and Mr. Bryan stated that it did not.

Mr. Granchie summarized that this ordinance attempts to simplify the process that was previously used by Council for the Annex Building. Mr. Bryan agreed.

Moved by: Ms. Spletzer                      Seconded by: Mr. Baryak  
Mr. Granchie-yes; Ms. Stimpert-yes; Mr. Baryak-yes; Ms. Spletzer-yes  
The ordinance passed 4-0.

## **XI. Public Comments**

Julie Lemon – 609 Ridge Road

Mrs. Lemon thanked Council for supporting the Charter Review Commission and sending the CRC recommendations to the electorate.

Ana Eby – 50 W. 9<sup>th</sup> Street

Mrs. Eby spoke in support of the city parks but wondered by only the main park seems to receive care citing a lack of care for a small park located near her home. She urged Council to ensure the new dog park receives adequate care once it is completed. She urged Council to put a stop to the use weed killers in all parks citing safety concerns for children. She asked Council to provide a list of contractors that have been approved for work and urged better communication from the city on that issue.

Philip Beer – 509 Ravenna Road

Mr. Beer addressed Mrs. Spletzer and asked for a report from the BCI investigation of the past administration.

Adam Zimmermann – 515 Lemae Avenue

Mr. Zimmermann stated that he attended the civil service commission meeting on July 5, 2022 and expressed his disappointment and frustration that no public notice seemed to be given to members of commission, including the Council representative. He urged Council to assign a clerk to the civil service commission. He spoke against the position of City Administrator if it is intended to be an assistant to the city manager and urged Council to define her role or hire a part-time city clerk to work alongside the council clerk. He spoke against Ordinance 2022-33. He also urged members of Council to ensure that they and all others use only approved contractors for work at their residences and supported the publishing of a list of approved contractors.

Rick Kerlin – 1009 Woodglen; 611 N. Canal Street

Mr. Kerlin spoke regarding the smart meters. He stated that it is now 2 years after the meters were purchased and he estimated that \$4 million have been spent and lost. He stated his belief that the contract was illegal and it has been broken by the vendor. He urged Council to investigate the previous city manager and the members of City Council during the time in which the contract was signed. He also urged Council and the Law Director to explore legal options against the vendor for breach of contract to either recoup spent dollars or dissolve the contract.

## **XII. Closing Remarks**

Mr. Baryak spoke regarding the appraisals on city properties. He stated his support for exhausting all options for correcting the city's financial status. He suggested that Council might save the cost of appraisals if a qualified commercial real estate agent can give an expert opinion on the value of the properties. He spoke in support of rehabilitation, in general; but also spoke against rehabilitation facilities being present in residential neighborhoods. He pledged his efforts to ensure that these types of facilities are prevented from operating in areas zoned as R-1 Residential. He thanked the audience for their attendance. He thanked the Charter Review Commission for their dedication and work.

Ms. Spletzer responded to Ms. Eby's public comments and stated that Ms. Eby's concerns would be shared with Parks and Recreation at their next meeting, including neglect of the 6<sup>th</sup> Street Park. She responded to Mr. Beer and stated that the BCI investigation is open, active and ongoing, particularly in light of the new issues that have come to light regarding the manner in which the 1<sup>st</sup> Street and Washington Street projects were financed. She announced a community cleanup will take place on July 9 at 10am at the Main Park.

Mr. Granchie spoke in support of Mrs. Eby's concerns regarding care for the dog park and stated that a private contractor will be used to remove dog waste on a regular basis.

#### MOTION

A Motion to adjourn into Executive Session (as noted below) at 8:20 pm.

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

- |   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Appointment | <input checked="" type="checkbox"/> Employment | <input checked="" type="checkbox"/> Dismissal    | <input checked="" type="checkbox"/> Discipline |
| <input checked="" type="checkbox"/> Promotion   | <input checked="" type="checkbox"/> Demotion   | <input checked="" type="checkbox"/> 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

Moved by: Ms. Spletzer

Seconded by: Mr. Baryak

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

The motion passed 4-0.

#### MOTION

A Motion to adjourn the executive session at 9:26 pm.

Moved by: Mr. Granchie

Seconded by: Ms. Spletzer

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

The motion passed 4-0.

### **XIII. Adjournment**

**MOTION**

A Motion to adjourn the regular session at 9:26 pm.

Moved by: Mr. Granchie

Seconded by: Ms. Spletzer

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

The motion passed 4-0.

DRAFT



Johnson  
Controls



D-U-N-S 09-4738007  
FED. ID 58-2608861

District # 546  
3120 UNIONVILLE RD  
CRANBERRY TOWNSHIP, PA 16066-0000  
724-741-3400  
Billing Questions, Contact =

Send To LOCAL

INVOICE NO.

88821729

INVOICE DATE

05-26-22

Johnson Controls Fire Protection LP

PO NUMBER



SERVICE REQUEST  
#

52329946

SERVICE REQ.  
CREATED

05-23-22

NATIONAL ACCOUNT NUMBER

PAYMENT TERMS

Due upon receipt

**Bill To:** 546-47330911

City of Newton Falls  
19 N CANAL ST  
NEWTON FALLS, OH 44444-0000

**Ship To:** 546-47330911

City of Newton Falls  
19 N CANAL ST  
NEWTON FALLS OH 44444-0000

**Service Requested By:** Brian Police Chief

**Requestors Phone Number:**

Description of work  
Service Call  
Tech arrived on site and powered system up and replaced  
batteries. Tested system to confirm operation. Customer  
understands that a more permanent wiring to site power is  
required.  
Service is complete  
Thank you for your business!

Labor	\$186.50
Material	\$754.80
Other	\$195.00
Invoice Amount	\$1,136.30
Taxes	\$64.11
Total Invoice Amount	\$1,200.41
Payment Received	\$0.00

Total Amount Due

\$1,200.41

Johnson  
Controls



REMITTANCE COPY

PLEASE TEAR OFF AND RETURN THIS PORTION WITH YOUR PAYMENT - WRITE INVOICE NO. ON YOUR CHECK

TOTAL AMOUNT DUE

\$1,200.41

BILL TO: City of Newton Falls  
546-47330911

SHIP TO: City of Newton Falls  
546-47330911

INVOICE NUMBER: 88821729

INVOICE DATE: 05-26-22

CUSTOMER P.O.:

REMIT TO: Johnson Controls Fire Protection LP  
Dept. CH 10320  
Palatine IL 60055-0320

4000120041388821729



NEWTON FALLS, OHIO 44444

Phone: (330)872-3792

# Invoice

Date	Invoice #
6/27/2022	2125

Bill To
City of Newton Falls 612 W. Broad St. Newton Falls, Ohio 44444 ATTN; BRIAN FOOR

P.O. No.	Terms	Due Date
	Due on receipt	6/27/2022

Quantity	Description	Rate	Amount
	COST TO RUN & INSTALL 120 V. CIRCUIT FOR EXISTING FIRE ALARM PANEL.	340.00	340.00
	MATERIALS	168.41	168.41
	JOB LOCATION : 419 N. CANAL ST. FIRE STATION		
	NOTE: FIRE ALARM WILL BE ON GENERATOR		

We appreciate prompt payment.  
We accept debit / credit card, check, or money order.

<b>Total</b>	\$508.41
<b>Balance Due</b>	\$508.41



# Trumbull County Sheriff's Office

## Sheriff Paul S. Monroe



### Service Contract Costs MINIMUM SCHEDULE

SHIFT	Coverage	SUN	MON	TUE	WED	THUR	FRI	SAT	HRS
Day	1 Deputy	Off	Off	X	X	X	X	X	40
Afternoon	1 Deputy	X	X	Off	Off	X	X	X	40
Night	1 Deputy	X	X	X	X	Off	Off	X	40
Fill In 1	1 Deputy	DAYTURN	DAYTURN	AFTERNOON	AFTERNOON	NIGHT	OFF	OFF	40
Fill In 2	1 Deputy	Off	Off	AFTERNOON	AFTERNOON	NIGHT	NIGHT	NIGHT	40
									200 Hrs

There are 168 hours a week that need covered, 56 hours a week per shift.

Staffing levels and days off allow for 1 deputy on duty for the majority of the time. There are 2

deputies scheduled for afternoons on Tuesday and Wednesday, as well as Thursday and Saturday night

- The above schedule would be the minimum basic service schedule.
- The **COST per year would be**

5 deputies X \$90,826.54 annual cost = \$454,132.70

5 vehicles X \$10,000.00 = \$50,000.00

**Annual Contract \$504,132.70**

\* \$10,000.00 vehicle cost reflects 25% of replacement cost per unit in addition to maintenance costs on a 5-year replacement program.

\* Future cost may be subject to change based upon collective bargaining agreement language.





# Aclara™

## INVOICE

Aclara Technologies, LLC  
77 West Port Plaza, Suite 500  
St.Louis, MO 63146  
www.Aclara.com  
314-895-6400

**INVOICE DATE:** 6/3/2022  
**INVOICE NO:** 22102295 RI  
**DUE DATE:** 7/3/2022

**Sold To:** The City of Newton Falls Light and Power  
52 East Church Street  
349305 Newton Falls , OH 44444

**Ship To:** The City of Newton Falls Light and Power  
52 East Church Street  
349306 Newton Falls , OH 44444

CUSTOMER	DESCRIPTION	ACCOUNT OWNER	PAYMENT TERMS
349305	HOSTING AND MAINTENANCE	Larry Rygiel	Net 30 Days-

ACLARA			SUPPORT					
CONTRACT #	LINE #	PO/REF #	DESCRIPTION	FREQUENCY	LEVEL	BILLING PERIOD	AMOUNT	TAX
8424	1.000	MAINT RENEWAL	AO ASP FEE JUN'22-MAY'23 AO-UHE-Host ASP	Annual	PREMIER	June 2022 - May 2023	33,785.00	N
8424	2.000	MAINT RENEWAL	MTU MOBILE PRGR JUN22-MAY23 MTU Mobile Programmer ASP	Annual	PREMIER	June 2022 - May 2023	837.30	N
8424	3.000	MAINT RENEWAL	AWN ASP FEE JUN'22-MAY23 NS AWN-1GB Annual RF	Annual	PREMIER	June 2022 - May 2023	2,640.00	N

**Amount Invoiced** 37,262.30

**Tax Rate** .000 %

**INVOICE TOTAL** USD 37,262.30

Please send invoices to Andrea Perkovich at [utilityoffice@ci.newtonfalls.oh.us](mailto:utilityoffice@ci.newtonfalls.oh.us)

**REMIT TO:** ACLARA TECHNOLOGIES LLC  
PO BOX 207514  
DALLAS , TX 75320-7514

**PAGE:** 1 of 1



# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

## Division of Water Resources

*Andrew D. Ware, Acting Chief*

2045 Morse Road/Building B-3

Columbus, Ohio 43229

614-265-6620

Email: [dswc@dnr.state.oh.us](mailto:dswc@dnr.state.oh.us)

September 30, 2016

City of Newton Falls  
Mr. Jack Haney, City Manager  
19 North Canal Street  
Newton Falls, OH 44444

RE: West Branch Channel Dam and Newton Falls Low Head Dam  
File Number: 1107-028 and 1107-021

Dear Mr. Haney:

Thank you for allowing Dan Murphy, Doug Evans and Jarrod Hittle of the Division of Water Resources to conduct safety inspections of West Branch Channel Dam and Newton Falls Low Head Dam on April 20, 2016. These inspections were conducted by representatives of the Chief of the Division of Water Resources under the provisions of Ohio Revised Code Section (ORC) 1521.062 to evaluate the conditions of the dams and their appurtenances. The Chief has the responsibility to ensure that human life, health, and property are protected from dam failures. Conducting periodic safety inspections and working with dam owners to maintain and improve the overall condition of Ohio dams are vital aspects of achieving this purpose. A copy of the laws and administrative rules for dam safety is available on the division's web site or by request.

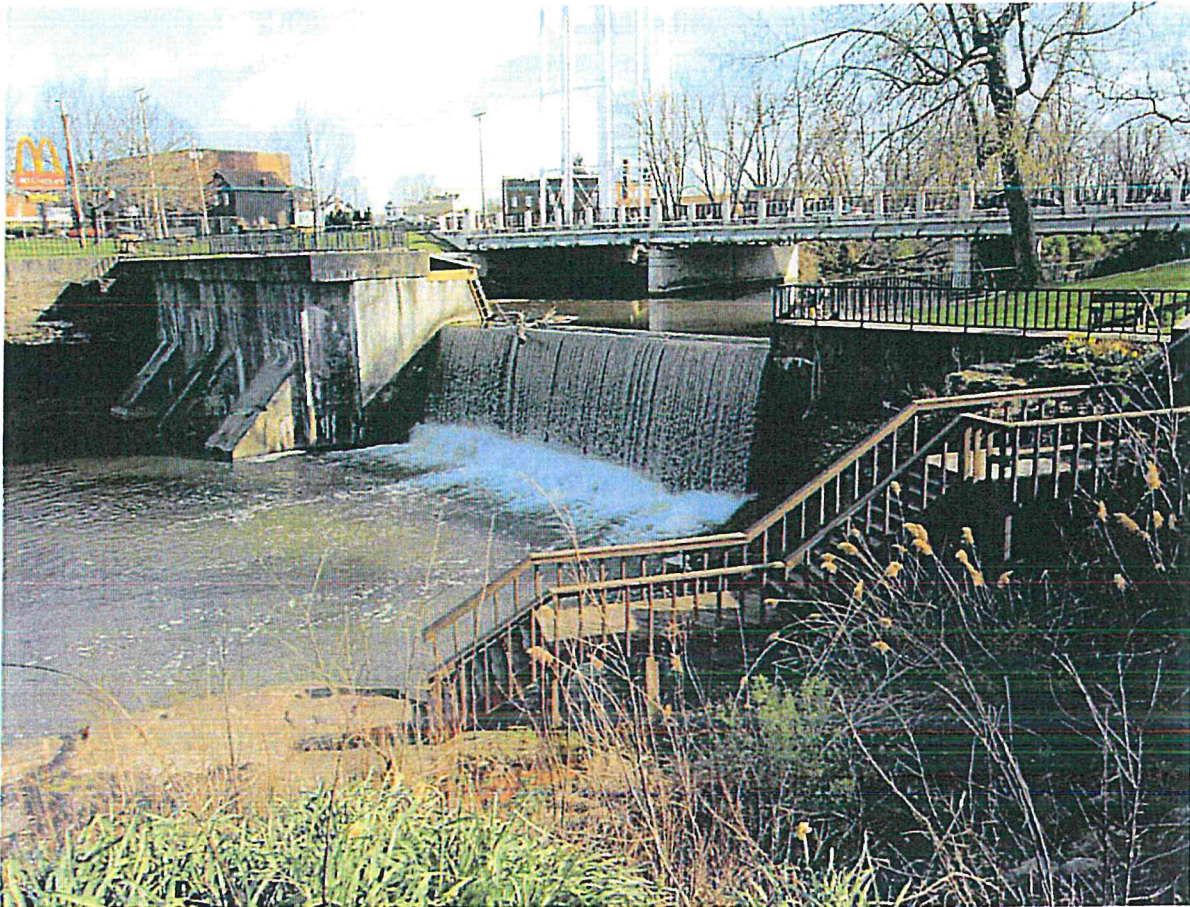
The enclosed inspection reports were generated based on available information and are hereby provided for your use and study. Listed in the reports are several repair, maintenance, and monitoring items that as dam owners you are required by law to perform. Completion of these required items will improve the safety and overall conditions of the dams. The Chief must approve any plans for modifications or repairs to these dams. Modifying or repairing a dam includes, but is not limited to, installing or replacing a spillway pipe or a portion of a spillway, raising the embankment crest elevation, raising the normal pool level, and placement of fill and/or piping in an open channel spillway. Following approval of the engineered plans, all necessary repairs must be implemented by the owner under the supervision of a registered professional engineer.

To gain information that will help improve the inspection program, a short survey has been developed and is enclosed. Please complete the survey and return it in the self-addressed envelope provided. Your feedback is important.

It is the Division's understanding that you are the owner(s) of these dams. Under Ohio's dam safety regulations, "owners" are "those who own, or propose to construct a dam or levee." OAC



# DAM SAFETY INSPECTION REPORT



## ***WEST BRANCH CHANNEL DAM***

*FILE NUMBER: 1107-028*

*INSPECTED: APRIL 20, 2016*

*TRUMBULL COUNTY*

*CLASS III*



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## **Dam Safety Legal Obligations and Responsibilities in Ohio**

In accordance with Ohio Revised Code (ORC) Section 1521.062, the owners of dams must monitor, maintain, and operate their dams safely. Negligence of owners in fulfilling these responsibilities can lead to the development of extremely hazardous conditions to downstream residents and properties. In the event of a dam failure, dam owners can be subject to liability claims and potential criminal charges.

The Chief of the Division of Water Resources has the responsibility to ensure that human life, health, and property are protected from the failure of dams. Conducting periodic safety inspections and working with dam owners to maintain and improve the overall condition of Ohio dams are vital aspects of achieving this purpose.

Representatives of the Chief conducted this inspection to evaluate the condition of the dam and its appurtenances under authority of Ohio Revised Code Section 1521.062. This inspection does not take the place of the owner's responsibility for performing dam inspections, nor does it provide any guarantee of the safety of the dam.

In accordance with Ohio Administrative Code (OAC) Rule 1501:21-21-03, the owners of dams must implement all remedial measures listed in the enclosed report.

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## TABLE OF CONTENTS

<b>Required Remedial Measures .....</b>	<b>4</b>
Engineer Repairs and Investigations .....	4
Owner Repairs and Monitoring.....	4
Owner Repairs .....	4
Monitoring Items .....	5
Owner Dam Safety Program.....	5
Operation, Maintenance, and Inspection Manual (OMI) .....	6
Emergency Action Plan (EAP) .....	6
Discussion Items.....	6
<b>Site Map .....</b>	<b>8</b>
<b>Photographs.....</b>	<b>9</b>
<b>Classification .....</b>	<b>12</b>
Height and Storage Criteria.....	12
Potential Downstream Hazard .....	12
<b>Flood Capacity .....</b>	<b>15</b>
<b>History .....</b>	<b>15</b>
<b>APPENDIX - Location Map, Inventory, Inspection Checklist, Other Agencies.....</b>	<b>16</b>

## REQUIRED REMEDIAL MEASURES

The requirements listed below are based on observations made during inspection, calculations performed, and requirements of the Ohio Administrative Code (OAC). A checklist noting all observations made during the inspection is included as an appendix of this report. References to right and left in this report are oriented as if you were standing on the dam crest, looking downstream.

### ENGINEER REPAIRS AND INVESTIGATIONS

The owner must retain the services of a registered professional engineer to address the following items. Plans, specifications, investigative reports, and other supporting documentation, as necessary, must be submitted to the Division of Water Resources for review and approval prior to construction. The owner must complete these items and implement all engineered plans for improvement within 5 years unless otherwise stated. A record of all repairs should be included in the operation, maintenance, and inspection manual. Please refer to the fact sheets included in the Dam Safety Fact Sheet Booklet for additional information.

1. The dam's discharge/storage capacity must be sufficient to safely pass the required design flood without destabilizing the dam. Perform a hydrologic and hydraulic study to determine the adequacy of the dam's discharge/storage capacity to safely pass the required design flood. Prepare plans and specifications as necessary to increase the discharge/storage capacity to pass the required design flood. In accordance with OAC Rule 1501:21-13-02, the minimum design flood for Class III dams is 25% of the Probable Maximum Flood or the critical flood. See the Flood Capacity section for additional information.
2. Leakage of the lake drain system must be within acceptable limits for the particular stoplog structure. In addition, the overall condition of the entire lake drain system is unknown and the lake drain must be accessible for operation and inspection. Investigate and prepare plans and specifications, as necessary, for repairing or replacing the lake drain system and improving access to the structure. Until repairs can be made, the volume of flow exiting the system must be monitored annually for sudden increases. See the "Lake Drains" fact sheet for additional information.

### OWNER REPAIRS AND MONITORING

The dam owner must address the items below as part of the required dam maintenance. The owner may perform the work or hire a contractor. Repair activities should be documented in the Operation, Maintenance, and Inspection Manual (OMI). Please refer to the fact sheets included in the Dam Safety Fact Sheet Booklet for additional information.

The monitoring items in this section must also be incorporated in the OMI. Information in the OMI must include inspection frequency, method of assessing the condition, and documentation of observations. See the Owner Dam Safety Program section of this report for additional information regarding an OMI.

#### Owner Repairs

1. Remove the logs from the inlet of the principal spillway. See Discussion Item #1 included in this section for additional information.

## Monitoring Items

2. Monitor the deterioration, efflorescence, cracks and leakage on the downstream face of the concrete dam quarterly for further deterioration. See the "Spillway Conduit System Problems" and "Inspection of Concrete Structures" and "Concrete Repair Techniques" fact sheet for guidance in monitoring the spillway system and for additional information. Please note that repairs may be needed if this problem worsens.
3. Monitor the seepage on the exposed bedrock of both the left and right abutment annually for any signs of increased flow, muddy flow, or instability on or adjacent to the embankment. See the "Seepage Through Earthen Dams" fact sheet for guidance in monitoring the seepage and for additional information.

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*Resolving all Engineering Repair and Investigation items as well as Owner Repair items listed in the sections above makes a dam eligible to receive a 15% discount off the annual fee for the dam. The Engineering items must be resolved as directed in this report. The Owner Repair items may be resolved by submitting a description of the repairs and photographs. There are no partial discounts available.*

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## OWNER DAM SAFETY PROGRAM

Assuring the safety of dams is a cooperative effort between owners, consultants and the Division of Water Resources - Dam Safety Program, with the most important role being that of the owner. The owners see the dam regularly and through their surveillance and monitoring, can detect changing and/or deteriorating conditions.

The scope of a particular owner's dam safety program should be commensurate with the size, type, and complexity of the owner's dam(s). There is no "one size fits all" dam safety program. At a minimum, the owner's dam safety program must include:

- A person (owner or owner's designated representative) responsible for dam safety (Dam Safety Officer) with the authority to maintain dam safety (clear designation of responsibility, oversight, and authority).
- Access to sufficient technical resources and expertise.
- A proactive and informed owner inspection and engineering evaluation program.
- Adequate on-site presence and/or remote monitoring capability.
- An approved Operation, Maintenance, and Inspection Manual that is kept up-to-date, requirements and recommendations followed, and proper records kept.
- An approved Emergency Action Plan that is kept up-to-date and is well coordinated with the local emergency management agencies.

## OPERATION, MAINTENANCE, AND INSPECTION MANUAL (OMI)

A dam, like any other infrastructure, will change and deteriorate over time. Appurtenances such as gates and valves must be routinely exercised to ensure their operability. Inspection and monitoring of the dam identifies changing conditions and problems as they develop, and maintenance prevents minor problems from developing into major ones. Dam owners must have these procedures documented in an OMI.

1. West Branch Channel Dam does not have an OMI on file. Prepare an OMI and submit for approval. Guidelines for the preparation of this document can be found online at: <http://water.ohiodnr.gov/safety/dam-safety#ADD>.

## EMERGENCY ACTION PLAN (EAP)

Despite efforts to provide sufficient structural integrity and to perform inspection and maintenance, dams can develop problems that can lead to failure. Early detection and appropriate response are crucial for maintaining the safety of the dam and downstream people and property. The ORC requires the owner to fully and promptly notify the Division of Water Resources of any condition which threatens the safety of the structure. A rapidly changing condition may be an indication of a potentially dangerous problem. The Division of Water Resources - Dam Safety Program can be contacted at 614/265-6731 during business hours or at 614/799-9538 after business hours. Dam owners must have emergency preparedness procedures documented in an EAP. All contact names and phone numbers in the EAP must be verified on an annual basis. Any revisions to the EAP must be submitted to the Division of Water Resources and the local county Emergency Management Agency (EMA).

1. An emergency action plan (EAP) has been received for West Branch Channel Dam and is currently under review. Please continue to coordinate with this office until the EAP is approved.

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*Having an approved OMI and EAP on file with Division of Water Resources makes a dam eligible to receive a 10% discount off the annual fee charged to the dam.*

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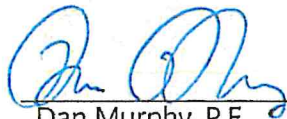
## DISCUSSION ITEMS

1. Spillway inlets should be kept clear of any obstructions such as leaves, twigs, logs, brush, and sediment. An obstructed inlet reduces the flow capacity of the spillway, and may also increase the normal pool elevation. Both factors can reduce the total discharge and available flood storage of the dam, thereby increasing the potential for destabilizing the dam.
2. A lake drain is a device to permit draining a reservoir, lake or pond. Division of Water Resources Administrative Rule 1501:21-13-06 requires that all Class I, Class II and Class III dams include a lake drain. Common types of drains include a valve located in the spillway riser; a conduit through the dam with a valve at either the upstream or downstream end of

the conduit; a siphon system; a gate, valve or stoplogs located in a drain control tower. The drain is used in case of emergencies, for maintenance, and for winter drawdown.

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Representatives of the Chief of the Division of Water Resources conducted this inspection to evaluate the condition of the dam and its appurtenances. The owner(s) of the dam must implement all remedial measures listed in the report.



Dan Murphy, P.E.  
Project Engineer  
Dam Safety Program  
Division of Water Resources

9/29/2016

Date

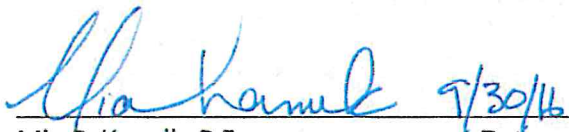


Doug Evans, P.E.  
Project Manager  
Dam Safety Program  
Division of Water Resources

9-29-2016

Date

This inspection was performed pursuant to the authority granted to the Chief of the Division of Water Resources in ORC Section 1521.062.



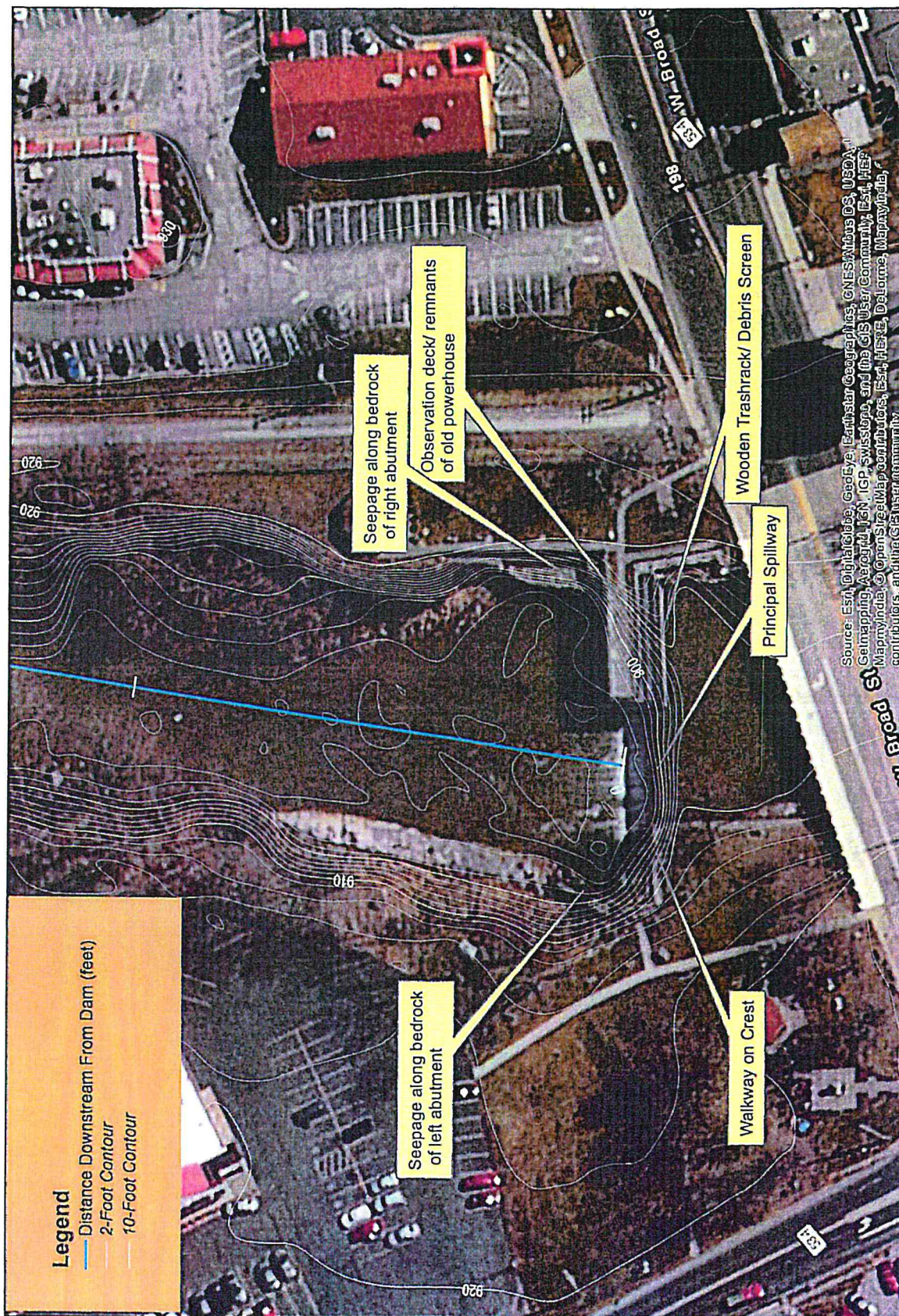
Mia P. Kannik, P.E.  
Program Manager  
On behalf of Andrew D. Ware, Acting Chief  
Division of Water Resources

9/30/16

Date



# SITE MAP

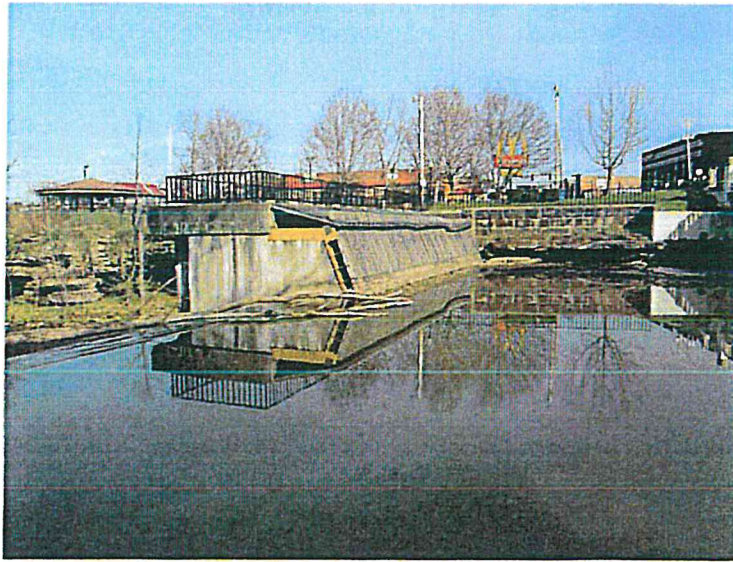


NOTE: Contours as shown were determined from LiDAR data gathered in 2006 through the Ohio State Wide Imagery Program (OSIP)

**SITE MAP**  
WEST BRANCH CHANNEL DAM  
FILE NO: 1107-028  
DRAWN BY: DAN MURPHY  
Date: 9/29/2016



## PHOTOGRAPHS



1. View of the upstream face of the dam as seen from the left abutment.

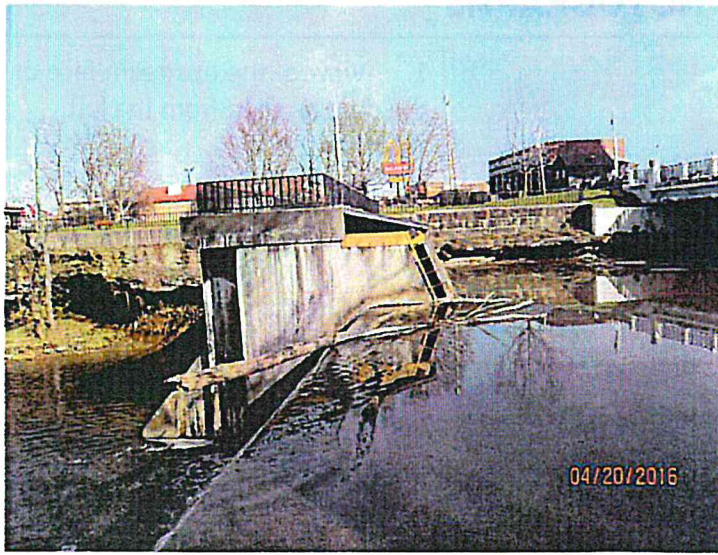


2. View of the wooden debris screen/trashrack in place on the right half of the dam.

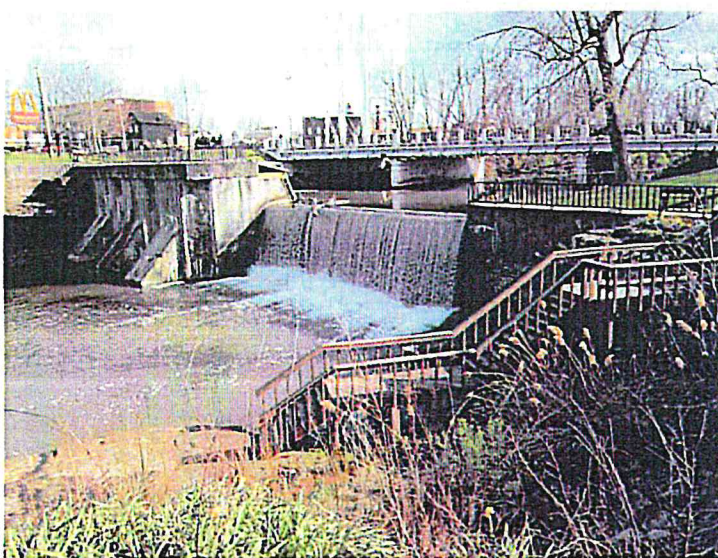


3. Another view of the debris screen/trashrack upstream of the stoplogs. The black arrows indicate the stoplogs. The black arrows indicate I-beams used to hold the stoplogs.





4. View of the crest of the principal spillway.



5. View of the dam and spillway from downstream.



6. View of the downstream face of the dam below the observation deck. The black circle indicates a small leak. The white arrow indicates one of three of the mostly submerged lake drain conduits.





7. View of the seepage noted along the exposed bedrock of the right abutment.



8. View of the seepage noted along the bedrock of the left abutment.



9. View of seepage noted at the contact of the dam and the left abutment, looking down at the ground surface.



## CLASSIFICATION

### West Branch Channel Dam

		Class
Height	19.5 ft	IV
Storage	156.0 ac-ft	III
Potential Downstream Hazard		III
<b>Final Class:</b>		<b>III</b>

The classification of a dam is based on three factors:

- the dam's height,
- storage capacity, and
- potential downstream hazard.

The height of the dam is the vertical distance from the top of dam (crest) elevation to the lowest point along the downstream toe. The storage capacity is the total volume of water that the dam can impound at the top of dam (crest) elevation. The potential downstream hazard consists of roads, buildings, homes, and other structures that would be

damaged in the event of a dam failure. Potential for loss of life is also evaluated. Various dam failure scenarios must be considered, and they include failures when the dam is at normal pool level and failures during significant flood events. Each of the three factors is evaluated, and the final classification of the dam is based on the highest individual factor. Class I is the highest and Class IV is the lowest. The classification of a dam can change based on future development or other changes along the downstream channel or from changes made to the dam.

HEIGHT AND STORAGE CRITERIA		
Class	Height (ft)	Storage (ac-ft)
I	> 60	> 5000
II	> 40	> 500
III	> 25	> 50
IV	≤ 25	≤ 50
Exempt	< 10 and	< 50
Exempt	< 6 or	< 15

### POTENTIAL DOWNSTREAM HAZARD

The following table shows the structures such as homes, businesses, roads, etc. that have been identified as part of the potential downstream hazard investigation. The letter in the table corresponds to the structure on the aerial photograph. The table is intended to establish or verify the appropriate classification in accordance with the OAC. It does not necessarily show all potential hazards or the full extent of inundation. Furthermore, in the event of dam failure, property owners in addition to those identified in the table should be made aware of the situation. This potential downstream hazard investigation is based on field observations and 2006-2008 LiDAR data obtained from the Ohio Statewide Imagery Program.

### West Branch Channel Dam Potential Downstream Hazard Classification

Hazard Class:	I	II					III	IV	—		Distance (ft)			
Potential Hazard	Probable loss of human life.	Loss of public water supply or wastewater treatment facility, release of health hazardous waste	Flooding of structure or high-value property	Damage to high-value or Class I, II, III dam or levee	Damage to major road (US or state route), disruption of only access to residential or critical facility area	Damage to railroad or public utility	Damage to rural building, not otherwise high-valued property, or Class IV dam or levee	Damage to local road (county and township)	Loss restricted mainly to the dam or agricultural, rural land	No hazard to structure noted	No hazard assessment; further investigation needed	Downstream - Dam to affected structure	Vertical - Streambed to base of affected structure	Horizontal - Stream to affected structure
West Branch Channel Dam									A			---	--	--
Railroad Bridge										B		1000	40	--
Pedestrian Bridge								C				1800	15.	--

### Downstream Map

See next page







## FLOOD CAPACITY

A dam must be able to safely pass severe flood events. A dam uses a combination of spillway discharge capacity and the reservoir's ability to store floodwater (storage capacity), known as discharge/storage capacity, to prevent floodwater from overtopping the embankment crest and destabilizing the dam. When a dam has inadequate discharge/storage capacity, floodwater will overtop and most likely erode the embankment. This can cause severe damage and dam failure.

As part of this inspection, the Division of Water Resources did not thoroughly investigate the ability of this dam to safely pass the required design flood. However, based on a cursory review of the Trumbull County Flood Insurance Study for the West Branch Mahoning River, the dam does not appear to have the ability to pass the design flood.

West Branch Channel Dam is a Class III dam; therefore, in accordance with OAC Rule 1501:21-13-02, the required design flood is 25% of the Probable Maximum Flood (PMF) or the critical flood. This dam and its spillway system must safely pass the design flood without destabilizing the dam. West Branch Channel Dam does not appear to be able to safely pass the design flood.

### Dam and Spillway Elevations

Top of Dam	910.5
Emergency Spillway	N/A
Normal Pool	908.0

## HISTORY

### West Branch Channel Dam

Around 1890	Dam constructed. Records indicate that the dam was used to produce hydroelectricity for the Ohio Edison Company. Dam known as Porter Plant Dam.
March, 1988	Hole formed in the principal spillway faceplate. Water flowed through the hollow bays of the Amburson style spillway.
March 3, 1988	Site Visit by the Division of Water Resources.
June 28, 1988	Repair plans by Lynn, Kittinger and Noble approved by the Division of Water Resources. Repairs consist of filling 2 of 5 of the Ambureson bays with concrete and placing a new reinforced concrete slab on the entire upstream face of the principal spillway.
1988-1990	Dam repaired by a team of volunteers.
June 16, 2014	Emergency Action Plan received by the Division of Water Resources.
April 20, 2016	Dam inventoried and dam safety inspection by the Division of Water Resources.

## **APPENDIX** - LOCATION MAP, INVENTORY, INSPECTION CHECKLIST, OTHER AGENCIES

## Dam Inventory Sheet

<b>Name:</b> WEST BRANCH CHANNEL DAM		<b>File No:</b> 1107-028	
<b>Reservoir:</b>		<b>National #:</b>	
		<b>Permit No.:</b>	
		<b>Class (Ht-Vol):</b> III (IV - III)	
<b>Owner Information</b>			
<b>Owner:</b>	City of Newton Falls	<b>Owner Type:</b> Public, Local	
<b>Address:</b>	19 North Canal Street	<b>Multi-Dams:</b> Yes: 2, Class I:0	
		<b>Parcel No.:</b>	
<b>City:</b>	Newton Falls	<b>State:</b> OH	<b>Zip:</b> 44444
<b>Contact:</b>	Jack Haney	<b>Phone No.:</b> 330-872-0806	
<b>Location Information</b>			
<b>County:</b>	Trumbull	<b>Latitude Deg.:</b> 41	<b>Min.:</b> 11 <b>Sec.:</b> 21
<b>Township:</b>	Newton	<b>Longitude Deg.:</b> 80	<b>Min.:</b> 58 <b>Sec.:</b> 45
<b>Stream:</b>	Mahoning River West Branch		
<b>USGS Quad.:</b>	Newton Falls		
		<b>USGS Basin No.:</b> 05030103	
<b>Design/Construction Information</b>			
<b>Designed By:</b>	Lynn, Kittinger, And Noble, And Others		
<b>Constructed By:</b>			
<b>Completed:</b>	<b>Plan Available:</b> YES <b>At:</b> DIV. OF WATER RESOURCES		
<b>Failure/Incident/Breach:</b> I - INCIDENT HOLE IN SPILLWAY.REPAIRED IN 1988			
<b>Structure Information</b>			
<b>Purpose:</b>	Water Supply, Industrial		
<b>Type of Impound.:</b>	Channel Dam		
<b>Type of Structure:</b>	Concrete, Gravity		
<b>Drainage Area (sq. miles):</b>	101	<b>or (acres):</b> 64640	
<b>Embankment Data</b>			
<b>Length (ft):</b>	175	<b>Upstream Slope:</b>	
<b>Height (ft):</b>	15.5	<b>Downstream Slope:</b>	
<b>Top Width (ft):</b>	12	<b>Volume of Fill (cub. yds.):</b>	
<b>Spillway Outlet Works Data</b>			
<b>Lake Drain:</b> UNKNOWN			
<b>Principal:</b> 55-FT WIDE CONCRETE WEIR			
<b>Emergency:</b> NONE			
<b>Maximum Spillway Discharge (cfs):</b>		<b>Design Flood:</b> 0.25	<b>Flood Capacity:</b> .01
<b>Dam Reservoir Data</b>			
<b>Top of Dam:</b>	<b>Elevation (ft-MSL)*</b> 910.5	<b>Area (acres)</b> 17	<b>Storage (acre-feet)</b> 156
<b>Emergency Spillway:</b>			
<b>Principal Spillway:</b>	908	15	116
<b>Streambed:</b>	895		
<b>Foundation:</b>			
<b>Inspection Information</b>			
<b>Inspection</b>	4/20/2016 DSM	<b>Phase I:</b>	
<b>History:</b>		<b>Other Visits:</b>	
		<b>Inspection Year:</b> D	
<b>Operation Information/Remarks</b>			

Emergency Action Plan: Not Approved

Format: No Plan

OMI: No  
Last Entry: 8/29/2016

# Dam Safety Inspection Checklist

Name of Dam: West Branch Channel Dam  
Date of Inspection: APRIL 20, 2016  
File Number: 1107-028  
Class: III  
Design Flood: 0.25  
Flood Capacity: 01  
Trumbull County  
Required Action  
None Mon. Maint. Eng. ☐ ☐ ☐ ☒

## Interview with Owner (at the site):

Owner/Representative present: (Yes) No Name(s): JACK HANEY, MARCUS HOLLEN BECK  
Owner's Name(s): City of Newton Falls  
Address: 19 North Canal Street, ,  
City: Newton Falls State: OH Zip (+4): 44444  
Contact Person: Jack Haney Telephone: 330-872-0806  
Email Address: -  
Purpose of dam: Water Supply, Industrial

## Owner Dam Safety Program

Emergency Action Plan Not Approved No Plan UNDER REVIEW None Mon. Maint. Eng.  
EAP (document): EAP SUBMITTED ON 6/10/2014. Up-to-date? (yes, no) ☒ ☐ ☐ ☐  
Downstream development: FIRST PERIODIC INSPECTION.

Operation, Maintenance, and Inspection No  
OMI (document): Up-to-date? (yes, (no)) ☐ ☐ ☒ ☐  
All drains operable? (yes, no) UNKNOWN.

Normal rate of drawdown: UNKNOWN Accessibility for operation: UPSTREAM SIDE OF  
Maintenance OBSERVATION DECK.

Frequency of mowing: CONCRETE CHANNEL DAM

Other maintenance: REPAIRED BY ENGINEER / VOLUNTEERS IN 1988 - 1990.

## Inspection

Frequency and thoroughness of day-to-day & routine inspections: CASUAL INSPECTIONS BY CITY  
EMPLOYEES WORKING IN ADJACENT PARK.

Problems found during inspections: NONE REPORTED.

## Field Information

Pool Elevation (during inspection): 5" ABOVE NORMAL POOL Time: 5:00 (a.m. (p.m.))  
Site Conditions (temp., weather, ground moisture): 70°F, SUNNY, DRY GROUND  
Inspection Party: DAN MURPHY, DOUG EVANS, JARROD HITTLE

Confirm the Following: ☒ Dam Height (ft): 15.5 ☒ NP Area (ac): 15

## Reference Information

Plans from 1988 indicate that this is an old hydropower dam. The principal spillway has 3 hollow bays (Ambureson style). According to plans, 2 of 5 bays have been filled in. 3 old penstock conduits of unknown diameter, material, or operability exist through the right side of the dam, below the observation deck. ODNR was notified of this dam's existence by Trumbull SWCD when they submitted an EAP for Newton Falls Low Head Dam in 2014.

Impound. Type: Channel Dam

Structure Type: Concrete, Gravity

Township: Newton

Stream: Mahoning River West Branch

Designed By: Lynn, Kittinger, And Noble, And Others

Constr. By:

Year Compl.: Plans Avail.? Yes At: Div. Of Water Resources

Fail./Inc.: I - Incident Hole In Spillway.repaired In 1988

	Elev.	Area (ac)	Stor. (ac-ft)	(in.)
TOD:	910.5	17	156	0.0
Em. S/w:				
Prin. S/w:	908	15	116	
Strmbd:	895			

Basin (ac): 64640



Required  
Action

## Upstream Slope

☐ Gradient:

Typical Problems: shoreline erosion, trees &amp; brush, surface erosion, ruts, rodent burrows, earth slides, cracks

- UPSTREAM SLOPE /FACE OF DAM WAS GENERALLY SUBMERGED AND NOT VISIBLE FOR INSPECTION.

- WOODEN STRUCTURE OBSCURED THE UPSTREAM FACE OF THE OBSERVATION DECK PIECE OF THE DAM.

None	Monitor	Repair	Engineer
✓			
✓			

## Crest

☒ Width (ft): 12☒ Length (ft): 175☒ Total Freeboard (ft): 2.50

Typical Problems: low areas, trees &amp; brush, surface erosion, ruts, cracks

- CONCRETE SIDEWALK ON THE LEFT END OF THE DAM.

- HANDRAIL INSTALLED ON BOTH THE LEFT AND RIGHT SIDES OF THE CREST.

- RIGHT END/OBSERVATION DECK IS 10' HIGHER THAN THE CREST OF THE PRINCIPAL SPILLWAY.

- FREE BOARD IS MEASURED TO THE CREST ON THE LEFT END OF DAM.

None	Mon.	Rep.	Eng.
✓			
✓			
✓			
✓			

## Downstream Slope

☐ Gradient:

Typical Problems: trees &amp; brush, surface erosion, ruts, rodent burrows, earth slides, cracks, seepage

- EFFLORESCENCE, CRACKS, LEAKAGE/HOLES, SPALLING, DETERIORATION WERE OBSERVED ON THE DOWNSTREAM FACE OF THE VISIBLE SECTION OF THE DAM, BELOW THE OBSERVATION DECK.

- SEEPAGE NOTED IN EXPOSED BEDROCK OF BOTH THE LEFT AND RIGHT ABUTMENTS. APPEARED TO BE SANDSTONE /COAL (BLACK SHALE?). COULD NOT INSPECT THESE AREAS CLOSELY DUE TO POOR ACCESS.

None	Mon.	Rep.	Eng.
	✓		
	✓		

## Principal Spillway

☒ 55-ft Wide Concrete Weir

Typical Problems: Inlet obstructed, unsatisfactory trashrack/anti-vortex plate, material deterioration, misalignment, open joints, outlet erosion, outlet overgrown, undermining

- COULD NOT INSPECT THE PRINCIPAL SPILLWAY WEIR DUE TO THE FLOWING WATER OVER THE SPILLWAY.

- BASED ON 1988 REPAIR PLANS 3 OF 5 OF THE AMBURSEN BAYS IN THE WEIR REMAIN HOLLOW. 2 WERE FILLED IN AFTER INCIDENT IN 1988.

- LOG STUCK ON THE CREST OF THE WEIR.

None	Mon.	Rep.	Eng.
✓			
✓			
		✓	

☒ Sufficient measurements to perform hydraulics (dimensions, riser depth, outlet elevation)

Required Action

✓ None

Emergency Spillway

Freeboard (to normal pool, feet)

Typical Problems: Flowpath obstructed, material deterioration, erosion, misalignment, overgrown, undermining

- No EMERGENCY SPILLWAY

None	Monitor	Repair	Engineer
✓			

✓ Sufficient measurements to perform hydraulics (dimensions, breadth, side slopes)

Lake Drain

✓ Unknown

Typical Problems: Poor operating access, inoperable, deteriorated/missing components, outlet erosion

- 1988 PLANS SHOW 3 CONDUITS THROUGH THE RIGHT HALF OF THE DAM.

DIMENSIONS ARE NOT KNOWN, BUT THE TOP HALF OF THE CONDUITS WAS VISIBLE ABOVE THE WATERLINE/TAILWATER.

- PLANS ALSO SHOW STOPLOGS ON UPSTREAM FACE OF RIGHT HALF OF THE DAM.

- RUSHING WATER COULD BE HEARD NEAR THE LOCATION OF THE STOPLOGS.

- OPERABILITY/CONDITION OF THE ENTIRE LAKE DRAIN SYSTEM IS UNKNOWN.

None	Mon.	Rep.	Eng.
✓			
✓			
			✓
			✓

Other

- WOODEN STRUCTURE ON THE RIGHT HALF OF THE DAM APPEARS TO BE A TRASHRACK/DEBRIS SCREEN FOR THE LAKE DRAIN SYSTEM. THESE OPENINGS WERE ROUGHLY 2 INCHES WIDE. STRUCTURE BLOCKS ACCESS TO STOPLOGS
- A SAG IN THE ALIGNMENT OF THE WOODEN STRUCTURE WAS OBSERVED TOWARDS THE RIGHT ABUTMENT.

None	Mon.	Rep.	Eng.
			✓
✓			

✓ All Field Data Gathered (inspector's initials): DSM

Site Sketch

✓ Investigate Downstream Hazard

## Agencies Associated with Dams and Lakes

The Division of Soil & Water Resources has the responsibility to ensure that human life, health, and property are protected from dam failures. The division provides fact sheets and dam safety information for dam owners on the division's web site: [www.dnr.state.oh.us/water](http://www.dnr.state.oh.us/water). Other governmental agencies are involved with the lakes and streams associated with dams, but have other responsibilities. Listed below are several relevant agencies that dam owners may be interested in contacting.

### County Emergency Management Agency



County Emergency Management Agencies (EMAs) serve the public in disaster preparedness, public safety, and emergency management at the county level. County EMAs are responsible for coordinating relief efforts related to manmade and natural disasters. In the case of a dam emergency, the County EMA is one of the dam owner's first contacts. Telephone: 330 675-2666  
State Web Site: <http://ema.ohio.gov/index.aspx>



### Soil & Water Conservation District

County soil and water conservation districts (SWCDs) serve communities by providing assistance to urban and agricultural land users. SWCDs specialize in soil erosion prevention and water management. Some of services offered by county SWCD offices include survey and design of grassed waterways, erosion control structures, surface and subsurface drainage, farm ponds, and livestock waste management facilities. SWCDs also sponsor a number of information and education programs. In addition to these services, SWCDs may utilize assistance from the USDA Natural Resources Conservation Service (NRCS) for some technical matters. [http://www.dnr.state.oh.us/H\\_Nav2/OFFICESWCDSDist/riclOffices/tabid/9093/Default.aspx](http://www.dnr.state.oh.us/H_Nav2/OFFICESWCDSDist/riclOffices/tabid/9093/Default.aspx)  
330-637-2056 - Telephone

### Natural Resources Conservation Service



Since 1935, the Natural Resources Conservation Service (originally called the Soil Conservation Service) has provided leadership in a partnership effort to help America's private landowners and managers conserve their soil, water, and other natural resources. NRCS employees provide technical assistance based on sound science and suited to a customer's specific needs. NRCS provides financial assistance for many conservation activities. Web Site: <http://www.nrcs.usda.gov/>

### Division of Wildlife



The Division of Wildlife within the Ohio Department of Natural Resources manages fish and wildlife of the state. The division offers assistance in stream improvement and pollution investigations and provides fishery information and publications on pond stocking. Information regarding pest and rodent control can be obtained by visiting the division website or by contacting the regional office. The Division of Wildlife should be contacted before starting any construction activity where loss of aquatic life is anticipated. 330-644-2293 - District Office 3  
<http://ohiodnr.com/Home/ContactUs/tabid/18270/Default.aspx> - Web Site

### Ohio Environmental Protection Agency



The Ohio Environmental Protection Agency (EPA) establishes environmental guidance and enforcement standards for the state. In particular, the Division of Surface Water provides assistance for matters pertaining to rivers, lakes, and streams in Ohio. The Division of Surface Water can provide information and assistance in developing best management practices for the control of point and non-point pollution sources and spills. Suspected pollution spills can be reported District Office Northeast: 330-963-1200 directly by using the Ohio EPA Spill Hotline at 1-800-282-9378. State Web Site: <http://www.epa.state.oh.us/>

### OSU Extension



The Ohio State University (OSU) Extension utilizes knowledge and research developed by the Ohio Agricultural Research and Development Center, Ohio State, and other land-grant universities to assist communities, businesses, and individuals. In addition to a wide variety of community leadership and agricultural services for all ages, county OSU Extension offices offer information and assistance in agricultural water resource conservation and management, farm pond management, and safety, Ohio hydrologic cycles and non-point source pollution management. Information regarding dry hydrant fire protection and legal liabilities associated with farm ponds in Ohio can be found on the extension website. 330-263-3831 - Extension Region: North East  
<http://extension.osu.edu/locate-an-office> - Web Site





# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

**Division of Water Resources**

*Andrew D. Ware, Acting Chief*

2045 Morse Road/Building B-3

Columbus, Ohio 43229

614-265-6620

Email: [dswe@dnr.state.oh.us](mailto:dswe@dnr.state.oh.us)

September 30, 2016

City of Newton Falls  
Mr. Jack Haney, City Manager  
19 North Canal Street  
Newton Falls, OH 44444

RE: West Branch Channel Dam and Newton Falls Low Head Dam  
File Number: 1107-028 and 1107-021

Dear Mr. Haney:

Thank you for allowing Dan Murphy, Doug Evans and Jarrod Hittle of the Division of Water Resources to conduct safety inspections of West Branch Channel Dam and Newton Falls Low Head Dam on April 20, 2016. These inspections were conducted by representatives of the Chief of the Division of Water Resources under the provisions of Ohio Revised Code Section (ORC) 1521.062 to evaluate the conditions of the dams and their appurtenances. The Chief has the responsibility to ensure that human life, health, and property are protected from dam failures. Conducting periodic safety inspections and working with dam owners to maintain and improve the overall condition of Ohio dams are vital aspects of achieving this purpose. A copy of the laws and administrative rules for dam safety is available on the division's web site or by request.

The enclosed inspection reports were generated based on available information and are hereby provided for your use and study. Listed in the reports are several repair, maintenance, and monitoring items that as dam owners you are required by law to perform. Completion of these required items will improve the safety and overall conditions of the dams. The Chief must approve any plans for modifications or repairs to these dams. Modifying or repairing a dam includes, but is not limited to, installing or replacing a spillway pipe or a portion of a spillway, raising the embankment crest elevation, raising the normal pool level, and placement of fill and/or piping in an open channel spillway. Following approval of the engineered plans, all necessary repairs must be implemented by the owner under the supervision of a registered professional engineer.

To gain information that will help improve the inspection program, a short survey has been developed and is enclosed. Please complete the survey and return it in the self-addressed envelope provided. Your feedback is important.

It is the Division's understanding that you are the owner(s) of these dams. Under Ohio's dam safety regulations, "owners" are "those who own, or propose to construct a dam or levee." OAC

West Branch Channel Dam & Newton Falls Low Head Dam  
September 30, 2016  
Page 2

Rule 1501:21-3-01(V). A "dam" is defined as "any artificial barrier together with any appurtenant works, which either does or may impound water or other liquefied material ..."  
OAC Rule 1501:21-3-01(F). "Appurtenant works" include but are not limited to outlet works and spillway channels.

If you are not an owner of these dams, or believe that there are additional owners of the dams not addressed in this communication, please contact Dan Murphy. Please note that ORC Section 1521.062 requires a dam owner to notify the Chief of the Division of Water Resources in writing of a change in ownership of a dam prior to the exchange of the property.

Your cooperation in improving the overall conditions of these dams is appreciated. Please contact Dan Murphy at 614/265-6756 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mia P. Kannik', is written over the word 'Sincerely,'.

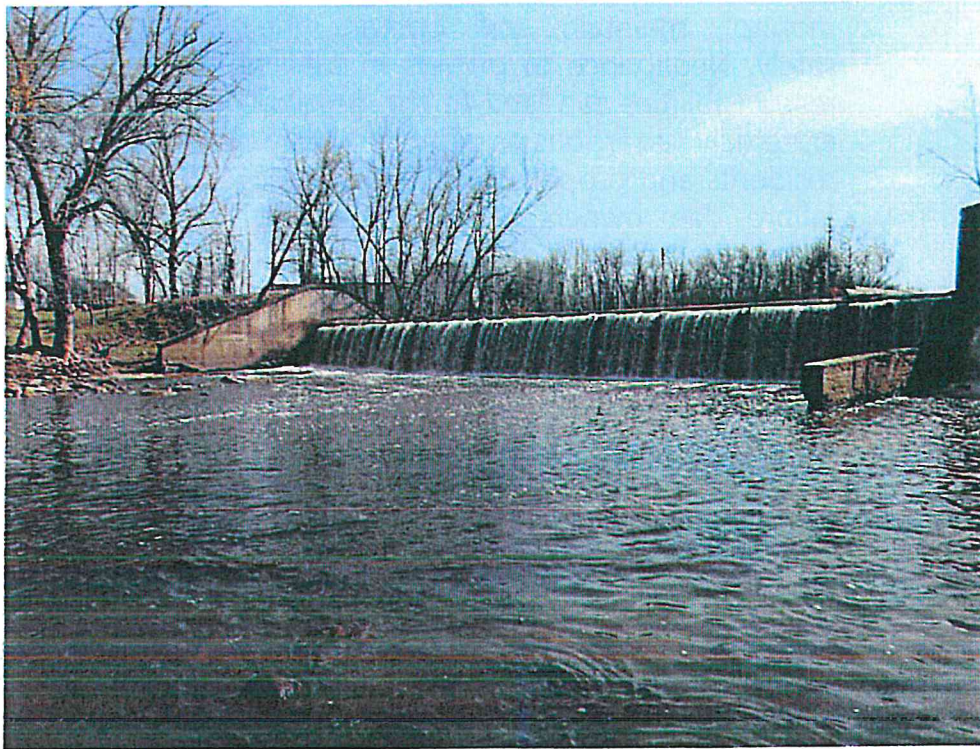
Mia P. Kannik, P.E.  
Program Manager  
Dam Safety Program  
Division of Water Resources

MPK:dsm

Enclosures



# DAM SAFETY INSPECTION REPORT



## ***NEWTON FALLS LOW HEAD DAM***

*FILE NUMBER: 1107-021*

*INSPECTED: APRIL 20, 2016*

*TRUMBULL COUNTY*

*CLASS II*



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## **Dam Safety Legal Obligations and Responsibilities in Ohio**

In accordance with Ohio Revised Code (ORC) Section 1521.062, the owners of dams must monitor, maintain, and operate their dams safely. Negligence of owners in fulfilling these responsibilities can lead to the development of extremely hazardous conditions to downstream residents and properties. In the event of a dam failure, dam owners can be subject to liability claims and potential criminal charges.

The Chief of the Division of Water Resources has the responsibility to ensure that human life, health, and property are protected from the failure of dams. Conducting periodic safety inspections and working with dam owners to maintain and improve the overall condition of Ohio dams are vital aspects of achieving this purpose.

Representatives of the Chief conducted this inspection to evaluate the condition of the dam and its appurtenances under authority of Ohio Revised Code Section 1521.062. This inspection does not take the place of the owner's responsibility for performing dam inspections, nor does it provide any guarantee of the safety of the dam.

In accordance with Ohio Administrative Code (OAC) Rule 1501:21-21-03, the owners of dams must implement all remedial measures listed in the enclosed report.

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## TABLE OF CONTENTS

<b>Required Remedial Measures .....</b>	<b>4</b>
Engineer Repairs and Investigations .....	4
Owner Repairs and Monitoring.....	4
Owner Repairs .....	4
Monitoring Items .....	5
Owner Dam Safety Program.....	5
Operation, Maintenance, and Inspection Manual (OMI) .....	6
Emergency Action Plan (EAP) .....	6
Discussion Items.....	6
<b>Site Map .....</b>	<b>8</b>
<b>Photographs.....</b>	<b>9</b>
<b>Classification .....</b>	<b>13</b>
Height and Storage Criteria.....	13
Potential Downstream Hazard .....	13
<b>Flood Capacity .....</b>	<b>16</b>
<b>History .....</b>	<b>16</b>
<b>APPENDIX - Location Map, Inventory, Inspection Checklist, Other Agencies.....</b>	<b>17</b>

## REQUIRED REMEDIAL MEASURES

The requirements listed below are based on observations made during inspection, calculations performed, and requirements of the Ohio Administrative Code (OAC). A checklist noting all observations made during the inspection is included as an appendix of this report. References to right and left in this report are oriented as if you were standing on the dam crest, looking downstream.

### ENGINEER REPAIRS AND INVESTIGATIONS

The owner must retain the services of a registered professional engineer to address the following items. Plans, specifications, investigative reports, and other supporting documentation, as necessary, must be submitted to the Division of Water Resources for review and approval prior to construction. These items have been noted previously and the appropriate time period for completion has already been exceeded. A record of all repairs should be included in the operation, maintenance, and inspection manual. Please refer to the fact sheets included in the Dam Safety Fact Sheet Booklet for additional information.

1. Every dam shall have a spillway system which will safely operate during the design flood without endangering the safety of the dam in accordance with OAC Rule 1501:21-13-03. The principal spillway system must be repaired. Prepare plans and specifications for repair. The condition of the principal spillway system must be monitored after large flow events until repairs can be made. See the "Spillway Conduit System Problems" and "Problems with Concrete Materials" fact sheets for additional information.
2. The lake drain sluice gate must operate properly. Investigate the condition of the sluice gate and outlet pipe and, as necessary, prepare plans and specifications for repair or replacement of the sluice gate and/or outlet pipe. Until repairs can be made, lake drain must be monitored after large flow events. See the "Lake Drains" fact sheet for additional information.

### OWNER REPAIRS AND MONITORING

The dam owner must address the items below as part of the required dam maintenance. The owner may perform the work or hire a contractor. Repair activities should be documented in the Operation, Maintenance, and Inspection Manual (OMI). Please refer to the fact sheets included in the Dam Safety Fact Sheet Booklet for additional information.

The monitoring items in this section must also be incorporated in the OMI. Information in the OMI must include inspection frequency, method of assessing the condition, and documentation of observations. See the Owner Dam Safety Program section of this report for additional information regarding an OMI.

#### Owner Repairs

1. Remove the trees and brush from the entire embankment on the right end of the dam. Seed all disturbed areas to establish a proper grass cover. See the "Trees and Brush" fact sheet for additional information.

2. Repair the erosion on the downstream slope of the embankment on the right end of the dam. See the "Ground Cover" fact sheet for additional information.
3. Repair the low area on the crest near the right abutment wall. Following repairs, the alignment of the crest must be monitored annually for recurrence of the low area. See Discussion Item #1 included in this section for additional information.
4. Remove the logs and debris from the inlet of the principal spillway as river conditions allow. See Discussion Item #2 included in this section for additional information.

### Monitoring Items

5. Monitor the vitrified clay pipe and the seepage on the right downstream toe area for any signs of increased flow, muddy flow, or instability on or adjacent to the embankment. See the "Seepage Through Earthen Dams" fact sheet for guidance in monitoring the seepage and for additional information. Please note that repairs may be needed if this problem worsens.

---

*Resolving all Engineering Repair and Investigation items as well as Owner Repair items listed in the sections above makes a dam eligible to receive a 15% discount off the annual fee for the dam. The Engineering items must be resolved as directed in this report. The Owner Repair items may be resolved by submitting a description of the repairs and photographs. There are no partial discounts available.*

---

## OWNER DAM SAFETY PROGRAM

Assuring the safety of dams is a cooperative effort between owners, consultants and the Division of Water Resources - Dam Safety Program, with the most important role being that of the owner. The owners see the dam regularly and through their surveillance and monitoring, can detect changing and/or deteriorating conditions.

The scope of a particular owner's dam safety program should be commensurate with the size, type, and complexity of the owner's dam(s). There is no "one size fits all" dam safety program. At a minimum, the owner's dam safety program must include:

- A person (owner or owner's designated representative) responsible for dam safety (Dam Safety Officer) with the authority to maintain dam safety (clear designation of responsibility, oversight, and authority).
- Access to sufficient technical resources and expertise.
- A proactive and informed owner inspection and engineering evaluation program.
- Adequate on-site presence and/or remote monitoring capability.
- An approved Operation, Maintenance, and Inspection Manual that is kept up-to-date, requirements and recommendations followed, and proper records kept.
- An approved Emergency Action Plan that is kept up-to-date and is well coordinated with the local emergency management agencies.

## OPERATION, MAINTENANCE, AND INSPECTION MANUAL (OMI)

A dam, like any other infrastructure, will change and deteriorate over time. Appurtenances such as gates and valves must be routinely exercised to ensure their operability. Inspection and monitoring of the dam identifies changing conditions and problems as they develop, and maintenance prevents minor problems from developing into major ones. Dam owners must have these procedures documented in an OMI.

1. Newton Falls Low Head Dam has an approved OMI; however, the OMI must be reviewed to ensure that the manual is up to date with current procedures and that all appurtenances, including the embankment on the right end of the dam, and monitoring items are properly documented and addressed. Revise the OMI as necessary and provide revisions to the Division of Water Resources.

## EMERGENCY ACTION PLAN (EAP)

Despite efforts to provide sufficient structural integrity and to perform inspection and maintenance, dams can develop problems that can lead to failure. Early detection and appropriate response are crucial for maintaining the safety of the dam and downstream people and property. The ORC requires the owner to fully and promptly notify the Division of Water Resources of any condition which threatens the safety of the structure. A rapidly changing condition may be an indication of a potentially dangerous problem. The Division of Water Resources - Dam Safety Program can be contacted at 614/265-6731 during business hours or at 614/799-9538 after business hours. Dam owners must have emergency preparedness procedures documented in an EAP. All contact names and phone numbers in the EAP must be verified on an annual basis. Any revisions to the EAP must be submitted to the Division of Water Resources and the local county Emergency Management Agency (EMA).

1. Newton Falls Low Head Dam has as an approved emergency action plan (EAP); however, the potential hazard section does not contain any information about the raw water pumping station upstream. Based on correspondence in the Division of Water Resources file, Arcadis completed a study around 2005 and determined that the Newton Falls Low Head Dam is necessary for proper and perpetual operation of the raw water pumping facility responsible for providing fresh water to the City of Newton Falls. As a result, the Emergency Action Plan must include notification of the appropriate personnel at the raw water pumping station. Update the contact information and potential hazard section and provide a copy of the revisions to the Division of Water Resources and the local county Emergency Management Agency (EMA).

---

*Having an approved OMI and EAP on file with Division of Water Resources makes a dam eligible to receive a 10% discount off the annual fee charged to the dam.*

---

## DISCUSSION ITEMS


1. Low areas on the crest create a reduction of freeboard and a greater likelihood that the dam will be overtopped during severe floods. Earthen embankments are not designed to be overtopped and are particularly susceptible to erosion. Should the dam overtop, floodwaters will concentrate in the low area, increasing the likelihood of erosion on the crest and downstream face. Overtopping can lead to failure of the embankment. Low areas

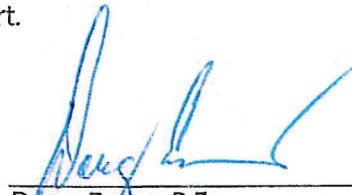
may be repaired by leveling the crest to a uniform elevation using suitable, properly compacted fill material. Any unsuitable material (sand, gravel, topsoil, etc.) should be removed from the embankment surface before placing fill. The repaired areas should also be properly covered with topsoil and seed to establish a healthy grass cover.

2. Spillway inlets should be kept clear of any obstructions such as leaves, twigs, logs, brush, and sediment. An obstructed inlet reduces the flow capacity of the spillway, and may also increase the normal pool elevation. Both factors can reduce the total discharge and available flood storage of the dam, thereby increasing the potential for overtopping during a severe flood event. Overtopping can cause severe erosion of earthen embankments, which can lead to failure of the dam.

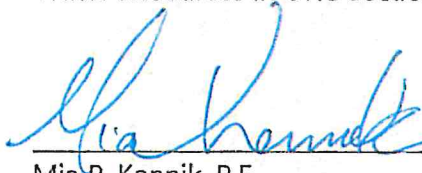
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Representatives of the Chief of the Division of Water Resources conducted this inspection to evaluate the condition of the dam and its appurtenances. The owner(s) of the dam must implement all remedial measures listed in the report.

 9/7/2016  
Date  
Dan Murphy, P.E.  
Project Engineer  
Dam Safety Program  
Division of Water Resources

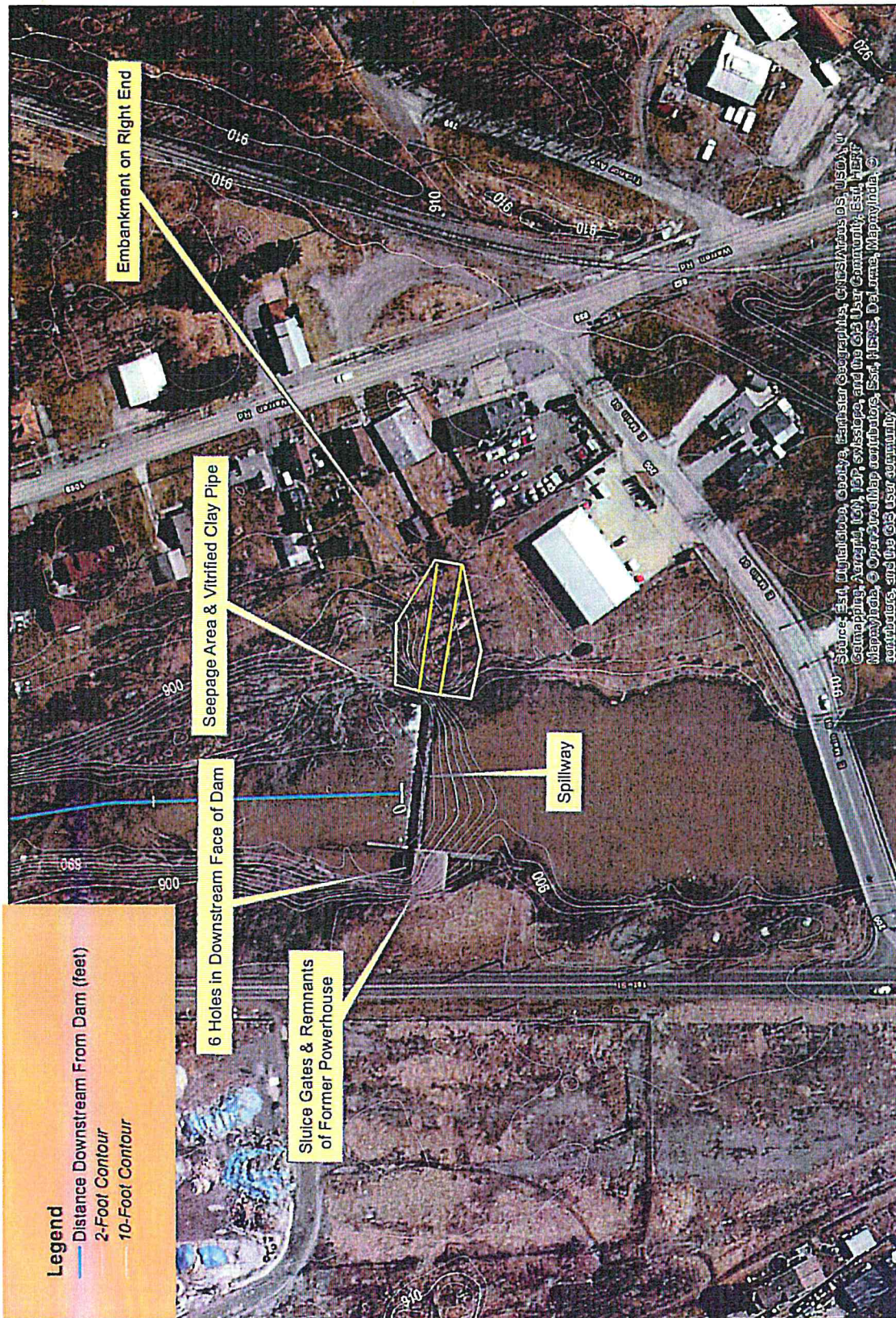
 9-7-16  
Date  
Doug Evans, P.E.  
Project Manager  
Dam Safety Program  
Division of Water Resources

This inspection was performed pursuant to the authority granted to the Chief of the Division of Water Resources in ORC Section 1521.062.

 9/30/16  
Date  
Mia P. Kannik, P.E.  
Program Manager  
On behalf of Andrew D. Ware, Acting Chief  
Division of Water Resources



# SITE MAP



NOTE: Contours as shown were determined from LIDAR data gathered in 2006 through the Ohio State Wide Imagery Program (OSIP)

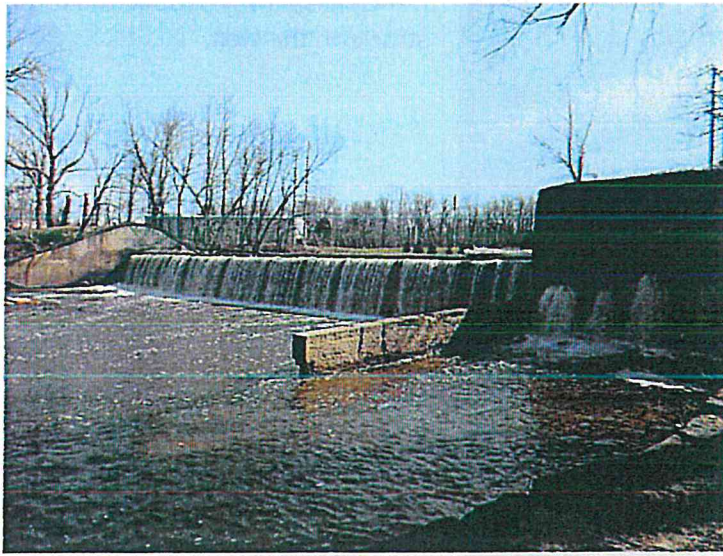


Date: 8/26/2016

**SITE MAP**  
 NEWTON FALLS LOW HEAD DAM  
 FILE NUMBER: 1107-021  
 DRAWN BY: DAN MURPHY



## PHOTOGRAPHS



1. Overview of the dam from the left abutment.

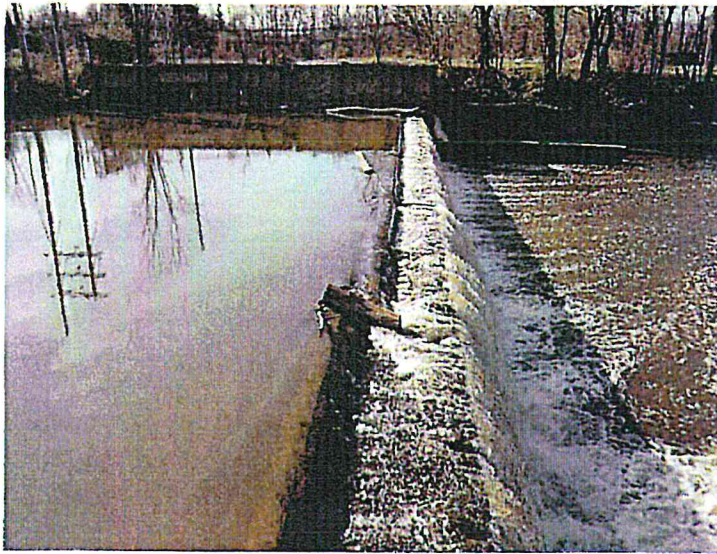


2. View of the holes in the dam near the left abutment. Notice the deterioration in the diversionary wall, indicated by the red arrow.

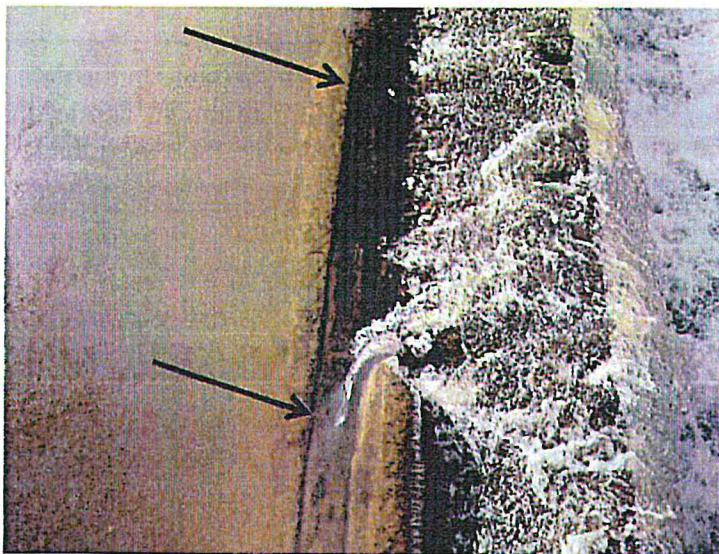


3. Another view of the dam near the left abutment.





4. View of the crest of the principal spillway. Notice the logs struck on the weir.



5. Close up view of the weir of the principal spillway. Evidence of wooden flashboards is noted by the black arrow.



6. View of the upstream slope of the embankment on the right end of the dam.





7. View of the downstream slope of the embankment on the right end. Notice the low area of the crest just right of the abutment wall, indicated by the black arrow.

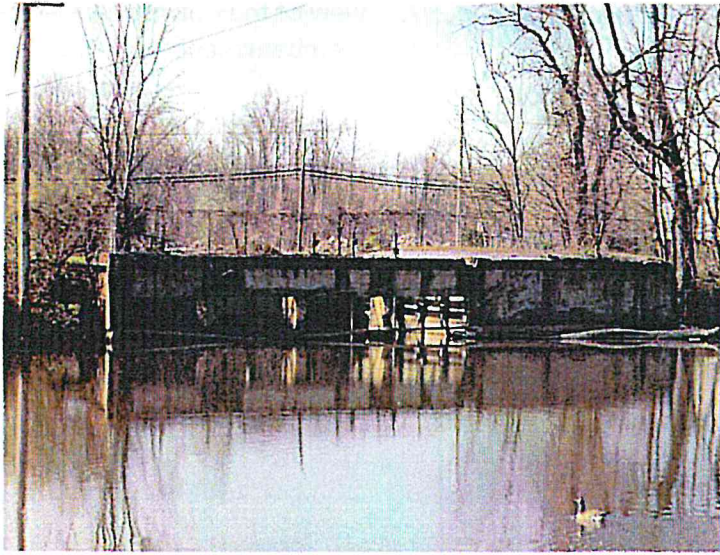


8. View of the right downstream toe area. Notice the erosion of the embankment behind the abutment wall and the vitrified clay tile pipe, circled in white.



9. View of the downstream from as seen from the crest. Iron stained deposits were noted in the area circled in black.

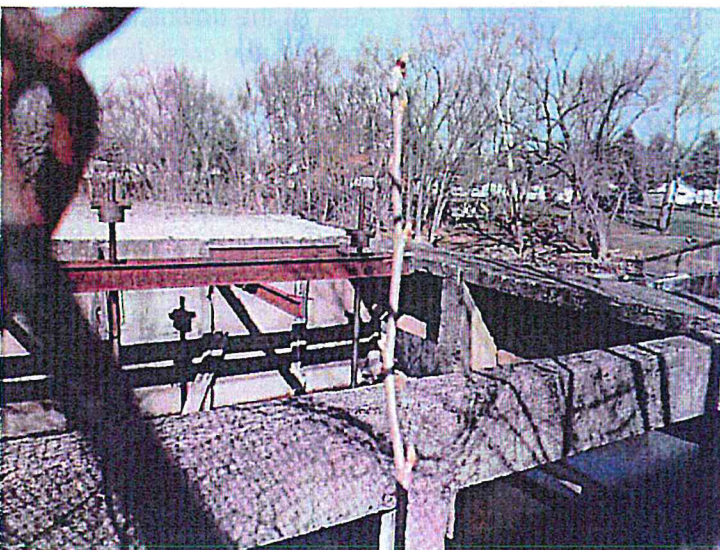




10. View of the remnants of the old powerhouse facility on the left upstream abutment.



11. View of the lake drain sluice gates. Notice the significant corrosion of the stems and the C-channel beams.



12. Another view of the sluice gates upstream of the old hydroelectric powerhouse.

## CLASSIFICATION

### Newton Falls Low Head Dam

		Class
Height	17.0 ft	IV
Storage	1244.0 ac-ft	II
Potential Downstream Hazard		II
<b>Final Class:</b>		<b>II</b>

The classification of a dam is based on three factors:

- the dam's height,
- storage capacity, and
- potential downstream hazard.

The height of the dam is the vertical distance from the top of dam (crest) elevation to the lowest point along the downstream toe. The storage capacity is the total volume of water that the dam can impound at the top of dam (crest) elevation. The potential downstream hazard consists of roads, buildings, homes, and other structures that would be damaged in the event of a dam failure. Potential for loss of life is also evaluated. Various dam failure scenarios must be considered, and they include failures when the dam is at normal pool level and failures during significant flood events. Each of the three factors is evaluated, and the final classification of the dam is based on the highest individual factor. Class I is the highest and Class IV is the lowest. The classification of a dam can change based on future development or other changes along the downstream channel or from changes made to the dam.

HEIGHT AND STORAGE CRITERIA		
Class	Height (ft)	Storage (ac-ft)
I	> 60	> 5000
II	> 40	> 500
III	> 25	> 50
IV	≤ 25	≤ 50
Exempt	< 10 and	< 50
Exempt	< 6 or	< 15

### POTENTIAL DOWNSTREAM HAZARD

The following table shows the structures such as homes, businesses, roads, etc. that have been identified as part of the potential downstream hazard investigation. The letter in the table corresponds to the structure on the aerial photograph. The table is intended to establish or verify the appropriate classification in accordance with the OAC. It does not necessarily show all potential hazards or the full extent of inundation. Furthermore, in the event of dam failure, property owners in addition to those identified in the table should be made aware of the situation. This potential downstream hazard investigation is based on field observations and 2006-2008 LiDAR data obtained from the Ohio Statewide Imagery Program.



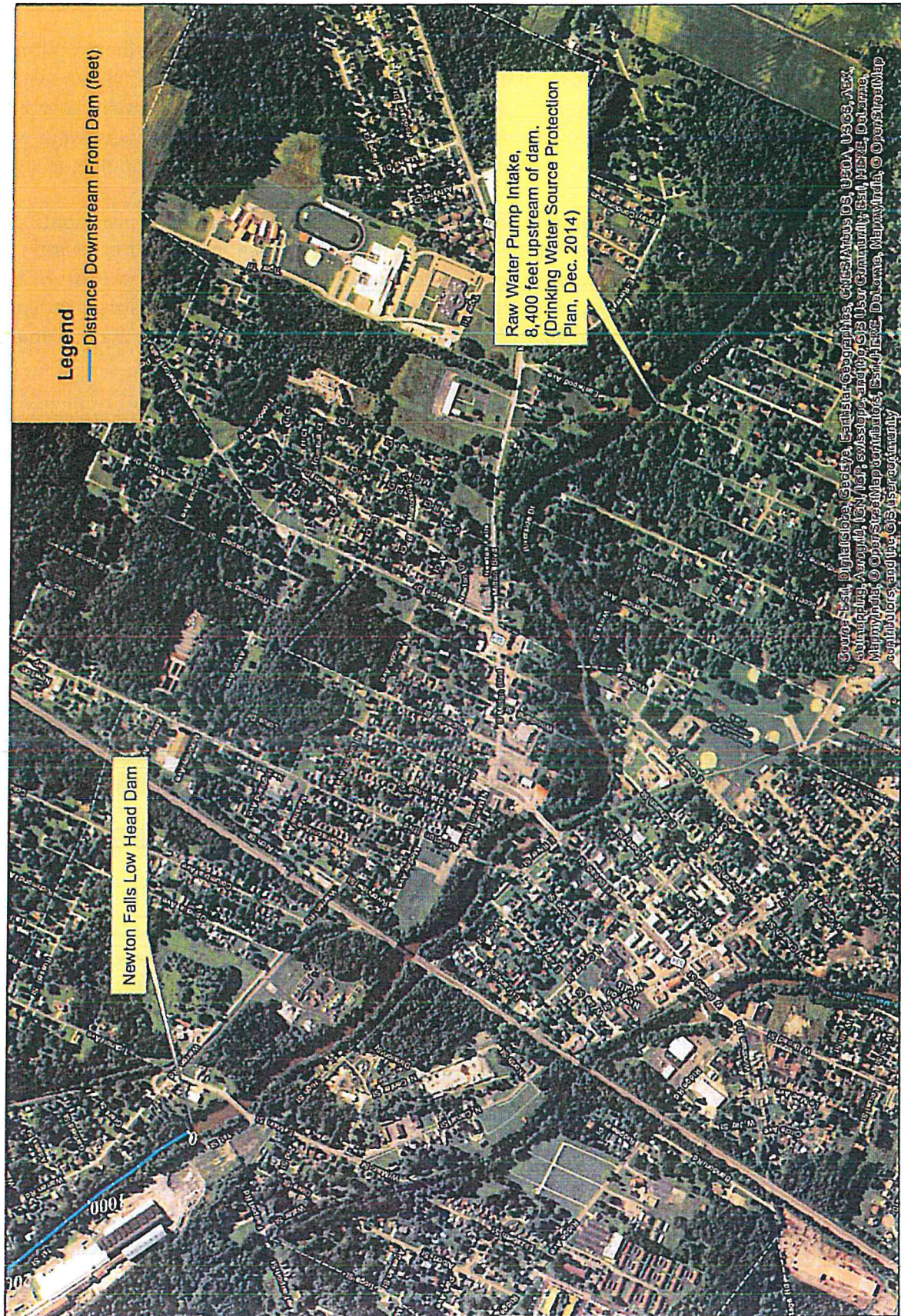
### Newton Falls Low Head Dam Potential Downstream Hazard Classification

Hazard Class:	I	II					III	IV	—	Distance (ft)				
Potential Hazard	Probable loss of human life.	Loss of public water supply or wastewater treatment facility, release of health hazardous waste	Flooding of structure or high-value property	Damage to high-value or Class I, II, III dam or levee	Damage to major road (US or state route), disruption of only access to residential or critical facility area	Damage to railroad or public utility	Damage to rural building, not otherwise high-valued property, or Class IV dam or levee	Damage to local road (county and township)	Loss restricted mainly to the dam or agricultural, rural land	No hazard to structure noted	No hazard assessment; further investigation needed	Downstream - Dam to affected structure	Vertical - Streambed to base of affected structure	Horizontal – Stream to affected structure
Newton Falls Low Head Dam/ Water Supply		A										—	—	—

### Downstream Map

See next page





# DOWNSTREAM HAZARD MAP

NEWTON FALLS LOW HEAD DAM

FILE NUMBER: 1107-021

DRAWN BY: DAN MURPHY

Date: 8/29/2016



## FLOOD CAPACITY

A dam must be able to safely pass severe flood events. A dam uses a combination of spillway discharge capacity and the reservoir's ability to store floodwater (storage capacity), known as discharge/storage capacity, to prevent floodwater from overtopping the embankment crest and destabilizing the dam. When a dam has inadequate discharge/storage capacity, floodwater will overtop and most likely erode the embankment. This can cause severe damage and dam failure.

As part of this inspection, the Division of Water Resources did not thoroughly investigate the ability of this dam to safely pass the required design flood. However, in 2000, the Division of Water Resources performed hydrologic and hydraulic calculations to estimate the size of the design flood and the total spillway discharge capacity of the dam. These calculations combined with the reservoir storage capacity were used in the flood routings to estimate the maximum water surface elevation in the reservoir for various flood events.

Newton Falls Low Head Dam is a Class II dam; therefore, in accordance with OAC Rule 1501:21-13-02, the required design flood is 50% of the Probable Maximum Flood (PMF) or the critical flood.. This dam and its spillway system must safely pass the design flood without overtopping the embankment crest. Flood routing calculations indicate that the dam can pass 50% of the PMF; Newton Falls Low Head Dam appears to be able to safely pass the design flood.

## HISTORY

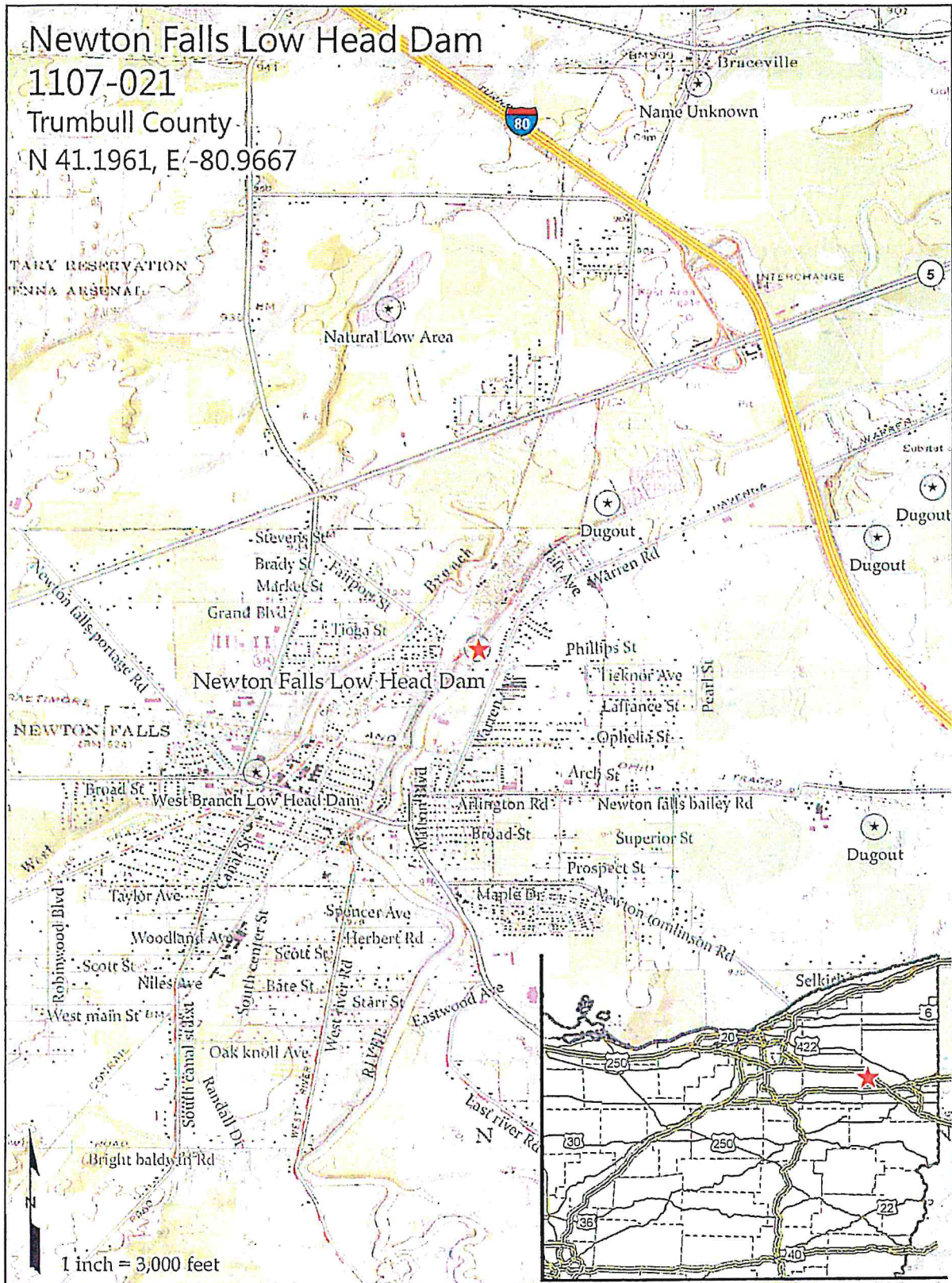
### Newton Falls Low Head Dam

1908	Dam constructed. Allegedly the first dam east of the Mississippi River to use hydroelectric technology. (Tribune-Chronicle, 2003)
1970's	Deteriorated conditions noted on the dam, the owner at the time, Ohio Edison Company considers breaching the dam. Dam known as Lowry Substation Dam.
1977	Ownership of the dam transferred from Ohio Edison Company to the City of Newton Falls.
October 3, 1979	Dam inventoried.
March 3, 1988	Dam safety inspection by the Division of Water Resources
August 9, 2000	Dam safety inspection by the Division of Water Resources.
December 11, 2002	Repair plans approved by the Division of Water Resources. Project was never completed due to lack of funding.
October, 2004	River drawdown to allow inspection of the submerged upstream face of the dam conducted by the City of Newton Falls with support from the Army Corps of Engineers.
Around 2005	Arcadis performs a study and determines the dam is necessary for proper and perpetual operation of the City of Newton Falls raw water pumping facility.
May 25, 2011	Dam safety inspection by the Division of Water Resources.
April 20, 2016	Dam safety inspection by the Division of Water Resources.

## **APPENDIX** - LOCATION MAP, INVENTORY, INSPECTION CHECKLIST, OTHER AGENCIES



## LOCATION MAP



## Dam Inventory Sheet

<b>Name:</b> NEWTON FALLS LOW HEAD DAM		<b>File No:</b> 1107-021	
		<b>National #:</b> OH00339	
<b>Reservoir:</b>		<b>Permit No.:</b> N/A	
		<b>Class (Ht-Vol):</b> II (IV - II)	
<b>Owner Information</b>			
<b>Owner:</b>	City of Newton Falls	<b>Owner Type:</b> Public, Local	
<b>Address:</b>	19 North Canal Street	<b>Multi-Dams:</b> Yes: 2, Class I:0	
		<b>Parcel No.:</b>	
<b>City:</b>	Newton Falls	<b>State:</b> OH	<b>Zip:</b>
<b>Contact:</b>	Jack Haney	<b>Phone No.:</b> 330/872-0806	
<b>Location Information</b>			
<b>County:</b>	Trumbull	<b>Latitude Deg.:</b> 41	<b>Min.:</b> 11 <b>Sec.:</b> 46
<b>Township:</b>	Newton	<b>Longitude Deg.:</b> 80	<b>Min.:</b> 58 <b>Sec.:</b> 0
<b>Stream:</b>	East Branch Mahoning River		
<b>USGS Quad.:</b>	Newton Falls		
		<b>USGS Basin No.:</b> 05030103	
<b>Design/Construction Information</b>			
<b>Designed By:</b>	Unknown		
<b>Constructed By:</b>	Unknown		
<b>Completed:</b>	1908	<b>Plan Available:</b> NO	<b>At:</b>
<b>Failure/Incident/Breach:</b>			
<b>Structure Information</b>			
<b>Purpose:</b>	Water Supply, Public		
<b>Type of Impound.:</b>	Channel Dam		
<b>Type of Structure:</b>	Concrete		
<b>Drainage Area (sq. miles):</b>	306	<b>or (acres):</b> 195840	
<b>Embankment Data</b>			
<b>Length (ft):</b>	100	<b>Upstream Slope:</b>	
<b>Height (ft):</b>	17	<b>Downstream Slope:</b>	
<b>Top Width (ft):</b>		<b>Volume of Fill (cub. yds.):</b> 300	
<b>Spillway Outlet Works Data</b>			
<b>Lake Drain:</b> 3 SLUICE GATES IN LEFT ABUTMENT			
<b>Principal:</b> CONCRETE OVERFLOW DAM			
<b>Emergency:</b> NONE			
<b>Maximum Spillway Discharge (cfs):</b> 49102		<b>Design Flood:</b> 0.50	<b>Flood Capacity:</b> 0.50
<b>Dam Reservoir Data</b>			
	<b>Elevation (ft-MSL)*</b>	<b>Area (acres)</b>	<b>Storage (acre-feet)</b>
<b>Top of Dam:</b>	898	146.3	1244
<b>Emergency Spillway:</b>			
<b>Principal Spillway:</b>	895	120.5	843.7
<b>Streambed:</b>	881		
<b>Foundation:</b>	*Elevations are not necessarily related to a USGS benchmark		
<b>Inspection Information</b>			
<b>Inspection</b>	4/20/2016 DSM	<b>Phase I:</b>	
<b>History:</b>	5/25/2011 KRL	<b>Other Visits:</b> 10/03/79 INV	
	8/9/2000 MEM		
	3/3/1988		
		<b>Inspection Year:</b>	D
<b>Operation Information/Remarks</b>			
OLD OHIO EDISON HYDROELECTRIC PLANT			

Emergency Action Plan: Approved

Format: ICODS

OMI: No  
Last Entry: 8/29/2016



# Dam Safety Inspection Checklist

Name of Dam: Newton Falls Low Head Dam

Trumbull County

Date of Inspection: APRIL 20, 2016

Required Action

File Number: 1107-021

None Mon. Maint. Eng.

Class: II

Design Flood: 0.50

Flood Capacity: 0.50

☒ ☐ ☐ ☐

Haz.: II, Height: IV, Volume: II

## Interview with Owner (at the site):

Owner/Representative present (Yes) Name(s): JACK HANEY, MARCUS HOLLENBECK (TRUMBULL COUNTY SWCO)

Owner's Name(s): City of Newton Falls

Address: 19 North Canal Street,

City: Newton Falls

State: OH

Zip (+4):

Contact Person: Jack Haney

Telephone: 330/872-0806

Email Address: -

Purpose of dam: Water Supply, Public

## Owner Dam Safety Program

Emergency Action Plan

Approved

ICODS

None Mon. Maint. Eng.

EAP (document):

NO MENTION OF RAW WATER

Up-to-date?

(yes) (no)

☐ ☐ ☒ ☐

Downstream development:

PUMPING FACILITY IN EAP.

NOTHING

NEW DOWNSTREAM

Operation, Maintenance, and Inspection No

None Mon. Maint. Eng.

OMI (document):

Up-to-date?

(yes) (no)

☐ ☐ ☒ ☐

All drains operable?

(yes) (no)

DRAINS ARE NON FUNCTIONAL.

Normal rate of drawdown: NO DRAWDOWN

Accessibility for operation: LEFT RIVER BANK

## Maintenance

Frequency of mowing:

NOT MOWED, TREES, BRUSH AND WEEDS ON EMBANKMENT.

Other maintenance:

CITY OF NEWTON FALL INSTALLED WARNING BOUYS UPSTREAM

OF THE DAM.

## Inspection

Frequency and thoroughness of day-to-day & routine inspections:

INFORMAL INSPECTIONS BY CITY

MAINTENANCE CREWS WHILE WORKING NEARBY.

Problems found during inspections:

NONE REPORTED

## Field Information

Pool Elevation (during inspection): 3" ABOVE NORMAL POOL

Time: 4:30 (a.m. (p.m.))

Site Conditions (temp., weather, ground moisture): 70°F, SUNNY, DRY GROUND

Inspection Party: DAN MURPHY, DOUG EVANS AND JARROD HITTLE

Confirm the Following:

☒ Dam Height (ft): 17

☒ NP Area (ac): 120.5

## Reference Information

Lowhead channel dam with 100' of earthen embankment on the right end. Old sluiceway structure/remnants of old hydro-electric facility are located on the left end. 6 separate holes (large) in the spillway near the left end were noted. In 2016, the combined flow rate through the holes was on the order of magnitude of hundreds of gallons per minute.

June, 2014 - 1107-028 needs to be inventoried during the next inspection for 1107-021 in 2016. MPK

Impound. Type: Channel Dam

Structure Type: Concrete

Township: Newton

Stream: East Branch Mahoning River

Designed By: Unknown

Constr. By: Unknown

Year Compl.: 1908 Plans Avail.? No At:

Fail./Incid.: I-Incident Hole In Spillway 3/88

Old Ohio Edison Hydroelectric Plant

	Elev.	Area (ac)	Stor. (ac-ft)	(in.)
TOD:	898	146.3	1244	0.0
Em. S/w:				
Prin. S/w:	895	120.5	843.7	
Strmbd:	881			

Basin (ac): 195840



Required  
Action

## Upstream Slope

☐ Gradient:

Typical Problems: shoreline erosion, trees &amp; brush, surface erosion, ruts, rodent burrows, earth slides, cracks

- UPSTREAM FACE OF THE CONCRETE SECTION COULD NOT BE INSPECTED DUE TO THE WATER LEVEL.

- SMALL EMBANKMENT ON RIGHT END: SLOPE IS ROUGHLY 4H:1V. TREES AND BRUSH ARE PRESENT ON THE SLOPE.

None	Monitor	Repair	Engineer
✓			
		✓	

## Crest

☐ Width (ft):☐ Length (ft): 100☐ Total Freeboard (ft): 3.00

Typical Problems: low areas, trees &amp; brush, surface erosion, ruts, cracks

- LOGS/DEBRIS CAUGHT ON THE CREST OF THE CONCRETE SECTION

- SMALL EMBANKMENT ON RIGHT END: CREST WIDTH IS ABOUT 8 FEET.

SIGNIFICANT LOW AREA IS ALONG THE RIGHT EDGE OF THE SPILLWAY. CREST OF THE EMBANKMENT MEASURES ABOUT 9 VERTICAL FEET ABOVE CREST OF SPILLWAY.

None	Mon.	Rep.	Eng.
		✓	
		✓	

## Downstream Slope

☐ Gradient:

Typical Problems: trees &amp; brush, surface erosion, ruts, rodent burrows, earth slides, cracks, seepage

- SEVERE EROSION NOTED ON THE DOWNSTREAM SLOPE OF THE EMBANKMENT SECTION OF THE DAM. LIKELY DUE TO TAILWATER SWIRLING BEHIND RT WINGWALL.

- TREES AND BRUSH GROWING ON THE DOWNSTREAM SLOPE.

- VITRIFIED CLAY PIPE OBSERVED BEHIND RIGHT WING WALL. IRON STAINED DEPOSITS OBSERVED DOWNSTREAM OF RIGHT WINGWALL.

- DOWNSTREAM SLOPE OF EMBANKMENT WAS ESTIMATED TO BE 3H:1V

None	Mon.	Rep.	Eng.
		✓	
		✓	
	✓		
✓			

## Principal Spillway

☒ Concrete Overflow Dam

Typical Problems: Inlet obstructed, unsatisfactory trashrack/anti-vortex plate, material deterioration, misalignment, open joints, outlet erosion, outlet overgrown, undermining

- 6 HOLES OBSERVED NEAR THE LEFT ABUTMENT. COMBINED LEAKAGE THROUGH THE 6 HOLES WAS ESTIMATED TO BE OVER 1,000 GPM. EXPOSED REBAR NOTED INSIDE OF THE 6 HOLES.

- REMNANTS OF TIMBER ... - VISIBLE ON THE CREST OF OVERFLOW

- COULD NOT VISUALLY INSPECT THE ENTIRE SPILLWAY DUE TO FLOWS OVER THE WEIR.

- WIDE SPREAD CONCRETE DETERIORATION AND SPALLING NOTED ON EXPOSED CONCRETE SURFACES, DIVERSIONARY WALL, ABUTMENT WALLS AND OLD HYDRO-ELECTRIC POWERHOUSE.

None	Mon.	Rep.	Eng.
			✓
✓			
✓			
			✓

☒ Sufficient measurements to perform hydraulics (dimensions, riser depth, outlet elevation)

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Required Action

Emergency Spillway ☒ None ☐ Freeboard (to normal pool, feet)

Typical Problems: Flowpath obstructed, material deterioration, erosion, misalignment, overgrown, undermining

- No EMERGENCY SPILLWAY EXISTS

None	Monitor	Repair	Engineer
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Sufficient measurements to perform hydraulics (dimensions, breadth, side slopes)

Lake Drain

☒ 3 Sluice Gates In Left Abutment

Typical Problems: Poor operating access, inoperable, deteriorated/missing components, outlet erosion

- 3 SLUICE GATES EXIST UNDER THE REMNANTS OF THE OLD HYDRO ELECTRIC POWER HOUSE NEAR LEFT ABUTMENT. HIGH WATER PREVENTED THOROUGH INSPECTION.  
 - GATES ARE STUCK OPEN AND HAVE NOT BEEN ROUTINELY OPERATED FOR MANY YEARS.  
 - SIGNIFICANT CORROSION NOTED ON C-CHANNEL BEAMS AND VALVE STEMS JUST UPSTREAM OF THE OLD POWERHOUSE.

None	Mon.	Rep.	Eng.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Other

None	Mon.	Rep.	Eng.
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ All Field Data Gathered (inspector's initials): DSM

Site Sketch

☒ Investigate Downstream Hazard

## Agencies Associated with Dams and Lakes

The Division of Soil & Water Resources has the responsibility to ensure that human life, health, and property are protected from dam failures. The division provides fact sheets and dam safety information for dam owners on the division's web site: [www.dnr.state.oh/water](http://www.dnr.state.oh/water). Other governmental agencies are involved with the lakes and streams associated with dams, but have other responsibilities. Listed below are several relevant agencies that dam owners may be interested in contacting.

### County Emergency Management Agency



County Emergency Management Agencies (EMAs) serve the public in disaster preparedness, public safety, and emergency management at the county level. County EMAs are responsible for coordinating relief efforts related to manmade and natural disasters. In the case of a dam emergency, the County EMA is one of the dam owner's first contacts. Telephone: 330 675-2666  
State Web Site: <http://ema.ohio.gov/index.aspx>



### Soil & Water Conservation District

County soil and water conservation districts (SWCDs) serve communities by providing assistance to urban and agricultural land users. SWCDs specialize in soil erosion prevention and water management. Some of services offered by county SWCD offices include survey and design of grassed waterways, erosion control structures, surface and subsurface drainage, farm ponds, and livestock waste management facilities. SWCDs also sponsor a number of information and education programs. In addition to these services, SWCDs may utilize assistance from the USDA Natural Resources Conservation Service (NRCS) for some technical matters. [http://www.dnr.state.oh.us/H\\_Nav2/OFFICESWCDSDist/Default.aspx](http://www.dnr.state.oh.us/H_Nav2/OFFICESWCDSDist/Default.aspx)  
330-637-2056 - Telephone

### Natural Resources Conservation Service



Since 1935, the Natural Resources Conservation Service (originally called the Soil Conservation Service) has provided leadership in a partnership effort to help America's private landowners and managers conserve their soil, water, and other natural resources. NRCS employees provide technical assistance based on sound science and suited to a customer's specific needs. NRCS provides financial assistance for many conservation activities. Web Site: <http://www.nrcs.usda.gov/>

### Division of Wildlife



The Division of Wildlife within the Ohio Department of Natural Resources manages fish and wildlife of the state. The division offers assistance in stream improvement and pollution investigations and provides fishery information and publications on pond stocking. Information regarding pest and rodent control can be obtained by visiting the division website or by contacting the regional office. The Division of Wildlife should be contacted before starting any construction activity where loss of aquatic life is anticipated. 330-644-2293 - District Office 3  
<http://ohiodnr.com/Home/ContactUs/tabid/18/Default.aspx> - Web Site

### Ohio Environmental Protection Agency



The Ohio Environmental Protection Agency (EPA) establishes environmental guidance and enforcement standards for the state. In particular, the Division of Surface Water provides assistance for matters pertaining to rivers, lakes, and streams in Ohio. The Division of Surface Water can provide information and assistance in developing best management practices for the control of point and non-point pollution sources and spills. Suspected pollution spills can be reported District Office Northeast: 330-963-1200 directly by using the Ohio EPA Spill Hotline at 1-800-282-9378. State Web Site: <http://www.epa.state.oh.us/>

### OSU Extension



The Ohio State University (OSU) Extension utilizes knowledge and research developed by the Ohio Agricultural Research and Development Center, Ohio State, and other land-grant universities to assist communities, businesses, and individuals. In addition to a wide variety of community leadership and agricultural services for all ages, county OSU Extension offices offer information and assistance in agricultural water resource conservation and management, farm pond management, and safety, Ohio hydrologic cycles and non-point source pollution management. Information regarding dry hydrant fire protection and legal liabilities associated with farm ponds in Ohio can be found on the extension website. 330-263-3831 - Extension Region: North East  
<http://extension.osu.edu/locate-an-office> - Web Site



## City Manager

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**From:** Finance Director  
**Sent:** Wednesday, July 6, 2022 1:53 PM  
**To:** City Manager  
**Cc:** Pam Wolford  
**Subject:** FW: 198 letters mailed Newton Falls

FYI

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**From:** Maria, Diane <[dmaria@ritaohio.com](mailto:dmaria@ritaohio.com)>  
**Sent:** Wednesday, July 6, 2022 8:12 AM  
**To:** Finance Director <[FinanceDirector@newtonfallsoh.gov](mailto:FinanceDirector@newtonfallsoh.gov)>  
**Subject:** RE: 198 letters mailed Newton Falls

This is not exact but close. The program would have bypassed sending letters to accounts that had returns in suspend (not processed yet). Keep in mind some taxpayers owe a return for more than one year.

Tax Year	# of Unique Accts	# of Delinquent Accounts
2016		274
2017		688
2018		948
2019		1256
2020		1597
		4763

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**From:** Finance Director <[FinanceDirector@newtonfallsoh.gov](mailto:FinanceDirector@newtonfallsoh.gov)>  
**Sent:** Wednesday, July 6, 2022 8:02 AM  
**To:** Maria, Diane <[dmaria@ritaohio.com](mailto:dmaria@ritaohio.com)>  
**Subject:** Re: 198 letters mailed Newton Falls

**\*\*\* This e-mail is from an external source. Please use caution and think before you click links or open attachments. \*\*\***

Are you able to stratify the delinquent accounts by year?

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

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**From:** Maria, Diane <[dmaria@ritaohio.com](mailto:dmaria@ritaohio.com)>  
**Sent:** Wednesday, July 6, 2022 6:23:27 AM  
**To:** Finance Director <[FinanceDirector@newtonfallsoh.gov](mailto:FinanceDirector@newtonfallsoh.gov)>  
**Subject:** RE: 198 letters mailed Newton Falls