



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING AGENDA**  
 Wednesday, May 15, 2024; 6:00 PM  
 COUNCIL CHAMBERS  
 612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Patricia Benetis
Ward 2	Brian Axiotis
Ward 3	Brenda Persino
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
Mayor	David Hanson

CITY ADMINISTRATION	
Interim City Manager	Mike Novotny
Law Director	Jeff Limbian
Finance Director	Sean Housley
Clerk of Council	Michael Acomb

- I. Call to Order**
- II. Pledge of Allegiance / Silent Prayer**
- III. Roll Call**
- IV. Changes To Tonight’s Agenda**
- V. Special Presentations by Staff Members or Invited Consultants**
- VI. Public Comments (Agenda Items Only)**
- VII. Reports**
  - a. Mayor
  - b. Council Members
  - c. Finance Director
  - d. Law Director
  - e. City Manager
- VIII. Approval of Previous Minutes**  
 Regular Meeting Minutes May 1, 2024
- IX. Public Hearings**
  - ORDINANCE 2024-24                      *Sponsors: Councilpersons Rufener, Axiotis*  
 AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE  
 APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND  
 AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE  
 OF RESOURCES WITH THE COUNTY AUDITOR
  
  - ORDINANCE 2024-26                      *Sponsors: Councilpersons Rufener, Axiotis*  
 AN ORDINANCE APPROVING THE EXECUTION OF A PURCHASE ORDER TO  
 ACLARA TECHNOLOGIES LLC FOR THE ANNUAL MAINTENANCE FEE FOR  
 SOFTWARE THAT BENEFITS THE UTILITY DEPARTMENTS , AND DECLARING AN  
 EMERGENCY.

ORDINANCE 2024-27                      *Sponsors: Councilpersons Stimpert, Axiotis*  
AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF  
BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY  
BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE  
CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL  
MARIJUANA

**X. Unfinished Business**

ORDINANCE 2024-24                      *Sponsors: Councilpersons Rufener, Axiotis*  
AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE  
APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND  
AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE  
OF RESOURCES WITH THE COUNTY AUDITOR

ORDINANCE 2024-26                      *Sponsors: Councilpersons Rufener, Axiotis*  
AN ORDINANCE APPROVING THE EXECUTION OF A PURCHASE ORDER TO  
ACLARA TECHNOLOGIES LLC FOR THE ANNUAL MAINTENANCE FEE FOR  
SOFTWARE THAT BENEFITS THE UTILITY DEPARTMENTS

ORDINANCE 2024-27                      *Sponsors: Councilpersons Stimpert, Axiotis*  
AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF  
BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY  
BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE  
CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL  
MARIJUANA

**XI. New Business**

**XII. Public Comments**

**XIII. Closing Remarks**

- a. Mayor
- b. Council Members
- c. Finance Director
- d. Law Director
- e. City Manager

**XIV. Motion to Recess into Executive Session (If Necessary)**

**XV. Adjournment**



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING MINUTES**  
 Wednesday, May 1, 2024; 6:00 PM  
 COUNCIL CHAMBERS  
 612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Patricia Benetis
Ward 2	Brian Axiotis
Ward 3	Brenda Persino
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
Mayor	David Hanson

CITY ADMINISTRATION	
Interim City Manager	Mike Novotny
Law Director	Jeff Limbian
Finance Director	Sean Housley
Clerk of Council	Michael Acomb

- I. Call to Order**  
 Mayor Hanson called the meeting to order at 6:01 pm.
- II. Pledge of Allegiance / Silent Prayer**
- III. Roll Call**  
 Ms. Stimpert asked Mr. Acomb to call the roll.  
 Council Present: Councilperson Benetis, Councilperson Axiotis, Councilperson Persino, Councilperson Rufener, Councilperson Stimpert.  
 Council Absent: Mayor Hanson.  
 Staff Present: Interim City Manager Novotny, Clerk Acomb.  
 Staff Absent: Law Director Limbian.
- IV. Changes To Tonight’s Agenda**  
 None.
- V. Special Presentations by Staff Members or Invited Consultants**  
 None.
- VI. Public Comments (Agenda Items Only)**  
 Ana Eby – 50 W. 9<sup>th</sup> Street  
 She spoke about the truck and asked for which department and where is the money coming from and what will it be used for. She spoke in support of the police department. She spoke about the failures in trash pickup and the animal waste in the parks.  
  
 Jim Luonuansuu – 10 E. Liberty Street  
 He asked about the Ordinance 2024-24 and Ordinance 2024-25. He wanted to know if the system is working. He stated belief that the system is not working and men are still reading meters manually. Why are they coming to read meters if the smart meters are working. He stated belief that many water meters aren’t working at all.  
  
 Julie Lemon – 609 Ridge Road  
 She spoke about Ordinance 2024-27. She spoke in support of the medicinal use of marijuana. She asked for further explanation before a vote.

Rick Kerlin – 1009 Woodglen

He spoke in support of the street department. He stated agreements with Mr. Luonuansuu's comments and asked to know if the meters are working. He stated that the work on the old Municipal Building was never done. He spoke in support of the Motion on the agenda and stated belief that it should be an ordinance. He asked to know why Ordinance 2024-27 is an emergency ordinance.

Denny Cottrill – 16 Grant Street

He spoke in support of Ordinance 2024-27. He stated that out of town workers comment about the drugs in town.

**VII. Reports**

- a. Mayor – No report.
- b. Council Members
  - i. Ward 1 – No report.
  - ii. Ward 2 – No report.
  - iii. Ward 3 – The Police Services Ad-Hoc Committee is tomorrow at 6 pm.
  - iv. Ward 4 – No report.
  - v. At-Large – The Fire Board Meeting is May 21 at 6pm
- c. City Manager – Mr. Novotny spoke from a prepared report. (Enclosed). He provided information about the Tornado Siren Summit (Enclosed).

**VIII. Approval of Previous Minutes**

Mayor Hanson called for motion to approve the Emergency Meeting Minutes March 28, 2024 and the Regular Meeting Minutes April 17, 2024. Moved by Ms. Stimpert.

Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0. The minutes were approved.

Mr. Axiotis noted that a motion to approve the minutes from both meetings together was not made and suggested that Council vote again on each individually. The Mayor agreed.

Mayor Hanson called for motion to approve the Emergency Meeting Minutes March 28, 2024. Moved by Ms. Stimpert. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0. The minutes were approved.

Mayor Hanson called for motion to approve the Regular Meeting Minutes April 17, 2024. Moved by Ms. Benetis. Seconded by Mr. Rufener.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0. The minutes were approved.

**IX. Public Hearings**

ORDINANCE 2024-19     *Sponsors: Councilpersons Axiotis, Rufener, Benetis, Persino*  
AN ORDINANCE AUTHORIZING INTERIM CITY MANAGER TO ENTER INTO AN AGREEMENT TO PURCHASE A 2024 FORD F-550 FROM SARCHIONE FORD LINCOLN AND UPFITTING EQUIPMENT FOR THE TRUCK FROM QUALITY TRUCK BODY FOR USE BY THE MAINTENANCE DEPARTMENT

Mayor Hanson read the ordinance by title and invited the public to speak.  
No public comments.

ORDINANCE 2024-20                      *Sponsors: Councilpersons Rufener, Stimpert, Axiotis*  
AN ORDINANCE AMENDING SECTIONS 121.01(e) OF THE CODIFIED ORDINANCES  
RELATING TO THE TIME REQUIRED FOR PUBLIC NOTICE OF SPECIAL COUNCIL  
MEETINGS

Mayor Hanson read the ordinance by title and invited the public to speak.  
No public comments.

ORDINANCE 2024-21                      *Sponsors: Councilpersons Rufener, Stimpert, Axiotis*  
AN ORDINANCE AMENDING SECTIONS 121.03(m) OF THE CODIFIED  
ORDINANCES RELATING TO PUBLIC AND CLOSING COMMENTS AT EMERGENCY  
COUNCIL MEETINGS

Mayor Hanson read the ordinance by title and invited the public to speak.  
No public comments.

**X. Unfinished Business**

ORDINANCE 2024-19                      *Sponsors: Councilpersons Axiotis, Rufener, Benetis, Persino*  
AN ORDINANCE AUTHORIZING INTERIM CITY MANAGER TO ENTER INTO AN  
AGREEMENT TO PURCHASE A 2024 FORD F-550 FROM SARCHIONE FORD  
LINCOLN AND UPFITTING EQUIPMENT FOR THE TRUCK FROM QUALITY TRUCK  
BODY FOR USE BY THE MAINTENANCE DEPARTMENT

Mayor Hanson read the ordinance by title and called for a motion to adopt the  
ordinance. Moved by Ms. Stimpert. Seconded by Mr. Axiotis.

Mr. Axiotis stated that this truck is for the maintenance department. Mr. Novotny  
stated the previous truck was for wastewater. This truck will be used for all street-  
related tasks, and replaces a 1993 International placed on the disposal list.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms.  
Stimpert-yes. The ordinance was adopted 5-0. Final Reading.

ORDINANCE 2024-20                      *Sponsors: Councilpersons Rufener, Stimpert, Axiotis*  
AN ORDINANCE AMENDING SECTIONS 121.01(e) OF THE CODIFIED ORDINANCES  
RELATING TO THE TIME REQUIRED FOR PUBLIC NOTICE OF SPECIAL COUNCIL  
MEETINGS

Mayor Hanson read the ordinance by title and called for a motion to adopt the  
ordinance. Moved by Axiotis. Seconded by Mr. Benetis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms.  
Stimpert-yes. The ordinance was adopted 5-0. Final Reading.

ORDINANCE 2024-21                      *Sponsors: Councilpersons Rufener, Stimpert, Axiotis*  
AN ORDINANCE AMENDING SECTIONS 121.03(m) OF THE CODIFIED  
ORDINANCES RELATING TO PUBLIC AND CLOSING COMMENTS AT EMERGENCY  
COUNCIL MEETINGS

Mayor Hanson read the ordinance by title and called for a motion to adopt the  
ordinance. Moved by Stimpert. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 5-0. Final Reading.

**XI. New Business**

**ORDINANCE 2024-24**

*Sponsors: Councilpersons Rufener, Axiotis*

AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES WITH THE COUNTY AUDITOR

Mayor Hanson read the ordinance by title and called for a motion to adopt the ordinance. Moved by Mr. Rufener. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 5-0. First Reading.

**ORDINANCE 2024-25**

*Sponsors: Councilpersons Rufener, Axiotis*

AN EMERGENCY ORDINANCE APPROVING THE EXECUTION OF A PURCHASE ORDER TO ACLARA TECHNOLOGIES LLC FOR THE ANNUAL MAINTENANCE FEE FOR SOFTWARE THAT BENEFITS THE UTILITY DEPARTMENTS

Mayor Hanson read the ordinance by title and called for a motion to adopt the ordinance. Moved by Mr. Axiotis. Seconded by Mr. Rufener.

Mr. Rufener explained this is a seriously past due bill and needs to be paid before the next bill is due. The Village does not want to be in breach of contract. Mr.

Axiotis added that it was not paid because the previous administration was trying to negotiate a lower price. Ms. Stimpert asked if the meters are working. Mr.

Novotny stated that the program is working to calculate and generate bills.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 5-0. First Reading.

Mayor Hanson read the ordinance by title and called for a motion to adopt the ordinance. Moved by Axiotis. Seconded by Ms. Benetis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 5-0. Final Reading.

**ORDINANCE 2024-26**

*Sponsors: Councilpersons Rufener, Axiotis*

AN ORDINANCE APPROVING THE EXECUTION OF A PURCHASE ORDER TO ACLARA TECHNOLOGIES LLC FOR THE ANNUAL MAINTENANCE FEE FOR SOFTWARE THAT BENEFITS THE UTILITY DEPARTMENTS

Mayor Hanson read the ordinance by title and called for a motion to adopt the ordinance. Moved by Ms. Benetis. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 5-0. First Reading.

**ORDINANCE 2024-27**

*Sponsors: Councilpersons Stimpert, Axiotis*

AN EMERGENCY ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE

THE CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL MARIJUANA

Mayor Hanson read the ordinance by title and called for a motion to adopt the ordinance. Moved by Ms. Benetis. Seconded by Mr. Axiotis.

Mr. Axiotis stated he sponsored it to allow for discussion of concerns raised by the Planning and Zoning Commission. He spoke against the ordinance. Marijuana is legalized in Ohio. Ms. Stimpert also stated her sponsorship was because she supported discussion and supports this because there are too many unknowns. She believes that this allows the Village to control.

Mr. Rufener made a motion to amend the ordinance to remove the word “emergency” from the title and to remove the emergency clause, Section 3, from the ordinance. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was amended.

Mayor Hanson stated that botanicals are being sold and are unregulated. He spoke in support of the ordinance due to the introduction of these new, unregulated products. He urged Council to consider these ideas strongly.

Mayor Hanson called for a motion to pass the ordinance as amended. Moved by Ms. Benetis. Seconded by Ms. Persino.

No discussion

Roll Call Vote: Mr. Axiotis-no; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted as amended 4-1. First Reading.

**MOTION** *Sponsors: Councilpersons Rufener, Stimpert, Persino*

A Motion authorizing the City Manager to donate \$500.00 to the Eagle Creek Conservation Club to go towards stocking the community pond for the 2024 Annual Youth Fishing Derby to be held on June 2nd, 2024.

Mayor Hanson read the motion and asked for a motion to pass the motion. Moved by Ms. Benetis. Seconded by Mr. Rufener.

Mr. Axiotis stated concern about the spending of money without an ordinance. Mr. Rufener stated this is within the City Manager’s spending authority for similar types of spending. He spoke in support of the action.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0.

**XII. Public Comments**

Ana Eby – 50 W. 9<sup>th</sup> Street

Is there an update on Dunkin Donuts? Is Chief Fixler still be paid?

Jim Luonuansuu – 10 E. Liberty

He stated appreciation for Ms. Stimpert attempting to answer his question. Are the meters sending the information to this building the way it was stated in the contract? He stated that his Facebook posts and close family friend has suffered a serious traumatic brain injury being struck by a discus. He is looking forward to a long recovery. He thanked everyone for their support in getting him connected with Mrs. Rankin. The

Village immediately lit the water tower blue for Frankie. The family is deeply appreciative of the support. He asked for thoughts and prayers from everyone.

Julie Lemon – 609 Ridge Road

She appreciated the previous comments of Council. She stated the Community Activities Ad-Hoc Committee started off strong. She spoke in support of supporting Frankie and urged the Village to do that. She suggested that the Community Activities Ad-Hoc might work on it.

Rick Kerlin – 1009 Woodglen

He expressed concerns about a court case that was legally closed related to Heritage Accord. He explained that the Interim City Manager and Law Director do not have the authority to settle that court case. He read Section 15 Ordinances from the Village Charter and stated the Charter was not followed to settle this court case. He also stated that insurance by the Village on the Community Center must be done by ordinance and alleged that it was not.

**XIII. Closing Remarks**

- a. Mayor – No remarks.
- b. Council Members
  - i. Ward 1 – She stated the Police Services Ad-Hoc Committee meets tomorrow.
  - ii. Ward 2 – He stated that Ordinance 2024-27 will not change the use or sale of botanicals. He spoke against the ordinance.
  - iii. Ward 3 - She stated the Police Services Ad-Hoc Committee meets tomorrow at 6:00 pm. All are welcome.
  - iv. Ward 4 – This Friday is Late Night in the Falls. He urged all to come out and support the Village. The fishing derby is June 2.
  - v. At-Large – No remarks.
- c. Interim City Manager – He said the meters are sending the data. Some are not installed yet and those places need meter readers. Dunkin Donuts is coming and there will be applications for permits this month to start construction.

**XIV. Motion to Recess into Executive Session (If Necessary)**

**XV. Adjournment**

Mayor Hanson called for a motion to adjourn the meeting. Moved by Ms. Stimpert. Seconded by Ms. Benetis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0. The meeting was adjourned at 7:00 pm.

APPROVED:

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David Hanson, Mayor

ATTEST:

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Michael Acomb, Clerk of Council





## OFFICE OF THE CITY MANAGER

Michael A. Novotny

### City Manager Report

May 1, 2024

Modifications to city hall have been completed. Door entering the Finance Director's office has been changed to swing inward so as to not create a hazard in the hallway. A service window was installed in the Assistant Finance Director's office for income tax related information and forms. There will not be any kind of payments received at this window. It is strictly for information and receiving tax forms, so no to tie up the window in the utility office where payments are being made.

Senior service day was Friday April 26<sup>th</sup>. The senior class with help from the Maintenance Department worked in Veterans Park cleaning up and putting down new mulch. They also worked at cleaning up in the city park. Everything went well.

AMI Project – This project is nearing completion. The Electric & Water Distribution will be installing the remaining meters. Our departments can complete this much quicker and more efficiently than the contractor was doing. With that myself, the Finance Director, and councilman Rufner with input from Bill George and Ken Bodnar negotiated a \$225,000 deduction in the contract cost. Our departments will be able to install the remaining meters at minimal cost and much quicker.

Have been working with the veteran's organizations for the Memorial Day weekend activities and parade. Will be working with the Maintenance Department for stopping of traffic for the parade on Memorial Day.

Starting to receive permit requests for the 4<sup>th</sup> of July activities, the bike show and the car show. I will keep updating as the time gets closer.

Sincerely,

Michael A. Novotny  
Interim City Manager  
Village of Newton Falls



# TORNADO SIREN SUMMIT

MAY 2, 2024 @ 6PM

## WHO?

City, Village, and Township Public Officials

## WHAT?

Learn about the history of and current status of Emergency Warning / Tornado Sirens throughout Trumbull County.

Vendors will be in attendance to answer maintenance and repair questions.

## WHERE?

Kent State Trumbull Technology Building Rm. 117  
4314 Mahoning Ave NW  
Warren, Ohio 44483



Questions? Call Director Hickey (330)-675-6601





VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-24  
SPONSOR: Councilpersons Rufener, Axiotis

**AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE  
APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND  
AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE  
OF RESOURCES WITH THE COUNTY AUDITOR**

WHEREAS, as a result of certain occurrences, information, and expenditures, amendments to the Year 2024 Appropriations and transfers of items already appropriated for the Year 2024 are desired and required; and

WHEREAS, this Ordinance incorporates funding sources and/or expenditures that originated after the most recent Certificate of Resources was issued; and

WHEREAS, the appropriation amendments authorizes 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 the Exhibit attached hereto hereby amends the current appropriations for fiscal year 2024. Any funds not listed in this exhibit shall remain intact as previously listed and appropriated.

SECTION 2. That the Village Finance Director 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 Ordinance 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. 2024-24  
PAGE TWO

SECTION 4. That this Ordinance shall be effective as of the earliest date permitted by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
David Hanson, Mayor

Attest:

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

Approved as to Legal Form.

\_\_\_\_\_  
Jeff Limbian, Law Director

2024 Appropriations: CITY OF NEWTON FALLS			2024 Current Appropriations	2024 Proposed Appropriations	Difference
<b>204 PARK AND RECREATION/ Parks only</b>					
Personal Services	Legal Level		1,870.00	1,870.00	-
Other Operations	Legal Level		12,107.68	12,107.68	-
204	Total:		13,977.68	13,977.68	-
<b>204 PARK AND RECREATION / Community Center</b>					
Personal Services	Legal Level		-	-	-
Other Operations	Legal Level		-	1,000.00	1,000.00
204	Total:		-	1,000.00	1,000.00
<b>501 WATER OPERATING</b>					
Personal Services	Legal Level		529,010.65	529,010.65	-
Other Operations	Legal Level		905,137.88	918,179.88	13,042.00
501	Total (Water Operating):		1,434,148.53	1,447,190.53	13,042.00
<b>501 WATER DISTRIBUTION</b>					
Personal Services	Legal Level		504,967.37	504,967.37	-
Other Operations	Legal Level		448,905.49	461,947.49	13,042.00
501	Total (Water Distribution):		953,872.86	966,914.86	13,042.00
<b>502 SEWER OPERATING</b>					
Personal Services	Legal Level		600,945.03	600,945.03	-
Other Operations	Legal Level		3,476,528.52	3,502,612.52	26,084.00
502	Total:		4,077,473.55	4,103,557.55	26,084.00
<b>503 ELECTRIC OPERATING</b>					
Personal Services	Legal Level		724,601.22	724,601.22	-
Other Operations	Legal Level		5,475,230.24	5,501,314.24	26,084.00
503	Total:		6,199,831.46	6,225,915.46	26,084.00
<b>514 UTILITY OFFICE</b>					
Personal Services	Legal Level		158,857.89	158,857.89	-
Other Operations	Legal Level		102,017.03	180,269.03	78,252.00
514	Total:		260,874.92	339,126.92	78,252.00
<b>Grand Total:</b>			21,183,847.70	21,341,351.70	157,504.00

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-26  
SPONSOR: Councilpersons Rufener, Axiotis

**AN ORDINANCE APPROVING THE EXECUTION OF A PURCHASE ORDER TO ACLARA TECHNOLOGIES LLC FOR THE ANNUAL MAINTENANCE FEE FOR SOFTWARE THAT BENEFITS THE UTILITY DEPARTMENTS.**

WHEREAS, the Village Utility Billing, Water Distribution, and Electric Departments utilize software provided by Aclara Technologies LLC that manages the monitoring, billing, and collection functions of smart meters; and

WHEREAS, the software maintenance fees for the billing period June, 2024 – May, 2025 are due to Aclara Technologies LLC; and

WHEREAS; the execution of a purchase order has been requested by the Finance Department and is necessary for the Finance Director to pay the aforementioned invoice.

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

SECTION 1. The execution of purchase order 2024000336, attached hereto as Exhibit A, to Aclara Technologies LLC for payment of software maintenance fees for the billing period June, 2024 – May, 2025 in the amount of \$39,125.42 is hereby approved.

SECTION 2. The Finance Director is hereby authorized to pay Aclara Technologies LLC a total amount of \$39,125.42.

SECTION 3. That all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance shall be effective as of the earliest date permitted by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
David Hanson, Mayor

Attest:

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

Approved as to Legal Form.

\_\_\_\_\_  
Jeff Limbian, Law Director





VILLAGE OF NEWTON FALLS

612 W. BROAD STREET
NEWTON FALLS, OHIO 44444
PHONE (330) 872-0806
FAX (330) 872-1065

PURCHASE ORDER

2024000336

SHIP TO

UTILITY OFFICE
CITY OF NEWTON FALLS

419 N CENTER ST
NEWTON FALLS OH

VENDOR

ACLARA
ACLARA TECHNOLOGIES LLC
P.O. BOX 207514
DALLAS TX 75320-7514

PURCHASE ORDER DATE 04/17/24 CONTRACT NO.

TERMS:

MAIL INVOICE DUPLICATE:
By shipping the goods below or by acknowledging receipt of this order or by performing the work below you agree to the terms and conditions of sale which appear on the face. Any different or additional terms your acceptance of this offer are hereby objected to.

Table with 7 columns: Item ID, Description, Quantity, Unit Price, Total Price, Tax, and Total. Row 1: 001 24-25 SOFTWARE MAINT. FEE, 514-5510-52316, .00, 39125.42. Summary row: PLEASE NOTE: THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES... TOTAL AMOUNT NOT TO EXCEED 39125.42

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purposes in the treasury or in the process of collection to the credit of the processed fund, free from any previous encumbrances.

DIRECTOR OF FINANCE DATE



**REQUISITION FOR PURCHASE ORDER**

Date 4/17/2024 No. 336

Order Form Aclara

Deliver To \_\_\_\_\_

Verbal Order Placed  
SEND CONFIRMATION

Original Order

Ship Via \_\_\_\_\_ Date Wanted \_\_\_\_\_

QUANTITY	ARTICLE	PRICE	UNIT
	Software Annual Maintenance fee 24-25		39125.42
	(Electric Water & sewer Benefit from Software Maintenance Agreement)		

CHARGE TO 514-5510 52316 Order No. \_\_\_\_\_ A/C No. \_\_\_\_\_

P.O. NO \_\_\_\_\_ Date \_\_\_\_\_ SIGNED \_\_\_\_\_



VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-27 (amended)  
SPONSOR: Councilpersons Stimpert, Axiotis

**AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL MARIJUANA**

WHEREAS, Village Council recognizes the need for the Village of Newton Falls to address the fact that on November 7, 2023, the electorate of the State of Ohio adopted Issue 2 enacting Ohio Revised Code Chapter 3780 wherein the cultivation, processing, sale, purchase, possession, home grow and use of recreational marijuana by adults over the age of 21 is permitted.

WHEREAS, Village Council recognizes that pursuant to the Ohio Constitution and Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas used for businesses and trades.

WHEREAS, Village Council recognizes that Chapter 3780 authorizes the legislative authority of a municipality to, by ordinance, prohibit or limit the number of Adult Use Cannabis Operators, which include cultivators, processors and dispensaries, permitted within the municipal corporation.

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

SECTION 1. That a moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana is hereby established from the effective date of this ordinance to allow the City Administration, Council and Planning and Zoning Commissions an opportunity to consider possible amendments to the Newton Falls Zoning Code subject to the Ohio Revised Code.

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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
David Hanson, Mayor

Attest:

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

Approved as to Legal Form.

\_\_\_\_\_  
Jeff Limbian, Law Director