



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING AGENDA**  
 Wednesday, June 5, 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 15, 2024
- IX. Public Hearings**
- X. Unfinished Business**
- XI. New Business**
  - MOTION** *Sponsors: Councilpersons Stimpert, Rufener*  
 A Motion to discuss the date of the next regular meeting currently scheduled for June 19 to determine if this meeting date should be kept or changed.
  
  - RESOLUTION 02-2024** *Sponsors: Councilpersons Stimpert, Persino*  
 A RESOLUTION RESCINDING RESOLUTION 38-2023 AND DISSOLVING THE COMMUNITY SERVICES AND ACTIVITIES COMMITTEE PREVIOUSLY ESTABLISHED TO SOLICIT, EVALUATE, AND RECOMMEND OPTIONS RELATED TO COMMUNITY AND SENIOR SERVICES AND ACTIVITIES PROVIDED BY THE VILLAGE

RESOLUTION 03-2024

*Sponsors: Councilpersons Rufener, Stimpert, Persino*

A RESOLUTION OPPOSING DOMINION ENERGY OHIO'S PROPOSED THIRTY PERCENT RATE INCREASE AND REQUESTING THAT THE PUBLIC UTILITIES COMMISSION OF OHIO DENY DOMINION ENERGY OHIO'S REQUEST FOR THE SAME.

ORDINANCE 2024-28

*Sponsors: Councilpersons Rufener, Persino, Stimpert*

AN EMERGENCY 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 2024-29

*Sponsors: Councilpersons Rufener, Axiotis, Stimpert*

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO PRESUME THE ROLE OF HEALTH BENEFITS PLAN ADMINISTRATOR, DIRECTING THE CITY MANAGER TO REVIEW AND APPROVE ON A CASE-BY-CASE BASIS ANY AND ALL WJL UNADMINISTERED AND UNPAID MEDICAL AND/OR ANCILLARY BENEFIT INVOICES FOR SERVICES RENDERED PRIOR TO MAY 1, 2024.

**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 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**  
 Mayor Hanson called the meeting to order at 6:03 pm.
- II. Pledge of Allegiance / Silent Prayer**
- III. Roll Call**  
 Mayor Hanson asked Mr. Acomb to call the roll.  
 Council Present: Councilperson Benetis, Councilperson Axiotis, Councilperson Persino, Councilperson Rufener, Councilperson Stimpert. Mayor Hanson.  
 Council Absent: None  
 Staff Present: Interim City Manager Novotny, Clerk Acomb, Law Director Limbian.  
 Staff Absent: Finance Director
- IV. Changes To Tonight's Agenda**  
 None.
- V. Special Presentations by Staff Members or Invited Consultants**  
 None.
- VI. Public Comments (Agenda Items Only)**  
 Jamie Kline – 312 Ridge Road  
 She spoke against 2024-27. She urged the Council to place this issue on the ballot instead of creating an ordinance. She spoke against legislation on this matter.  
  
 Condie Bright – 326 Washington  
 He spoke about 2024-27. He asked for control regarding locations within the Village and placing certain restrictions related to parking, etc.... He stated belief that tax revenue should be earned for the Village from these establishments. He asked Council to research if they can require them to hire only Newton Falls residents. He spoke in support of limiting the number and restricting locations near schools.  
  
 Denny Cottrill  
 He spoke in support of 2024-27 citing increased safety for the community. He stated the Sheriff recommends not having them. He urged Council to reinstate the police

department. He spoke in support of limiting the establishments because they sell illegal goods regardless of efforts to regulate sales. He stated there is no benefit to the Village to have these in town. Crime will increase and there is no police department.

Samantha Kropp – 247 Elizabeth Street

She spoke in support of dispensaries. She urged Council to comply with the state statutes that provide legalization. She supports the tax revenue that could be gained from dispensaries.

Carolyn Flynt – 16 Grant Street

She spoke in support of 2024-27. She citing several examples of feeling less safe in town. She believes that dispensaries will likely increase that feeling. She is against them.

Jessica Donato

She spoke in support of the dispensaries citing medical need. She stated that she knows that many need it medically, but getting a medical card has negative life consequences, including job prospects and obtaining a gun license. She citing Michigan and New York as examples of how it can be regulated. She stated the financial requirement to open a dispensary is prohibitive so there should be no reason to worry about having too many. She spoke in support of the business owners

Julie Lemon – 609 Ridge Road

She spoke about 2024-24 and appreciated the clarification from Mr. Axiotis. She is in support of restrictions on dispensaries near schools. She stated that the Village might as well benefit from tax money.

Brian Kropp – 247 Elizabeth Street

He spoke about 2024-24. He spoke against the Finance Director not being at meetings. He urged all staff to be present at meetings. He stated that 2024-27 was never vetted through a committee. He spoke against 2024-27. He urged Council to worry about other things. He urged Council to accept new businesses to town, especially the dispensaries. He urged Council to worry about the police department. He stated disbelief that crime is increasing due to drug houses and dispensaries. He believes the moratorium is an overstep.

Charles – 222 N. Canal Street

He spoke against 2024-27 citing it as an overstep by Council.

## **VII. Reports**

a. Mayor – No report.

b. Council Members

i. Ward 1 – Ms. Benetis – The Police Ad-Hoc Committee met last Thursday. A plan was discussed by the committee and will be discussed by Council to return the police department. She supports their return.

ii. Ward 2 – Mr. Axiotis - A Planning and Zoning Meeting was held last week. There was discussion on parcels that could be developed. The distillery had questions about zoning and their options for development. The marijuana legislation was also discussed.

- iii. Ward 3 – Ms. Persino – No report.
- iv. Ward 4 – Mr. Rufener – He stated that Dominion East Ohio Gas was recently bought. He stated belief that prices will increase, including an \$8.78 per month service charge. He urged the public to speak out against the changes. [www.puco.ohio.gov](http://www.puco.ohio.gov).
- v. At-Large – Ms. Stimpert – The Fire Board meeting is next week. The Community Service Ad-Hoc Committee will meet with Mike Novotny to discuss Senior meals, etc...
- c. Law Director – No report.
- d. City Manager – Mr. Novotny read from a prepared report (Enclosed).
  - i. Joe Nicolino – American Legion – He spoke against the red, white, and blue benches. None of the Veterans groups are in support of the benches. He stated that Ms. Priddy stated she could do whatever she wished. He stated the belief that a neutral color is more appropriate for a solemn place. He stated that no meeting took place with four commanders despite a promise from Mr. Novotny. He stated that the four groups are very upset and how the past city manager mishandled the situation. Mayor Hanson asked for time to work through this situation due to the inheritance of the benches. He stated belief the entire situation was fraught with special interests and politics. Mr. Rufener thanked him for his service. Mr. Novotny stated that all benches were placed randomly. Mr. Nicolino stated that the chosen color of the benches is disrespectful to the veterans that were lost. Mr. Novotny stated that the color cannot be changed.

**VIII. Approval of Previous Minutes**

Mayor Hanson called for motion to approve the Regular Meeting Minutes May 1, 2024. Moved by Mr. 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 motion passed 5-0. The minutes were approved.

**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

Brian Kropp – 247 Elizabeth Street

He stated belief that no financial expert is present at tonight’s meeting to answer questions and expressed concern that the highest paid official in the Village is absent with the blessing of the Council. He urged Council to focus on finding qualified, permanent individuals who can be present at meetings. He stated approval of the City Manager giving reports and urged each of the departments to do the same at each meeting citing a need for clarity and transparency. He stated approval for Council’s approach to working with each other and the display of a calm demeanor. He urged Council to hire a finance director that cares about the community and will attend meetings.

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

Brian Kropp – 247 Elizabeth

He asked Council to answer questions. What is the timeframe for updating software and will this be a yearly expense. What was the actual initial contract? What was the agreement that was in place previously? He asked Council to comment on what this is specifically, why this is important. Why was this ordinance initially placed as an emergency. Why is manual meter readings happening, and these kind of things I believe were things that were supposed to not have to happen anymore because they had these new meters in place. Mr. Axiotis stated that it is the software maintenance agreement for the billing and everything for the new smart meters to communicate the data that turns it into billing, etc... Mr. Novotny added there are still a number of meters that need to be installed. The new meters are working like they're supposed to. The software produces what it needs to do for the billing purposes, to take the readings and do everything that it needs to do. And we are working towards getting the remainder of the meters installed, which is why some meters are being read manually. You'll see our electric guys out usually about every day. This is a reoccurring cost. I believe it's a yearly cost of maintenance of the software. Unfortunately, it's just \$39,000 per year. Mr. Rufener made a point of order stating this discussion should actually be happening later in the meeting when Council considers the legislation.

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

Brian Kropp – 247 Elizabeth Street

He asked Council to disclose if any occupancy requests have been received or interest in opening dispensaries. He stated that everyone can grow it so a dispensary is not a big deal.

Samantha Kropp

She reiterated her support for dispensaries. She supports dispensaries that will have to meet very high standards and stated her belief that is the safest way to distribute the product. She spoke in support of the business owners who will have a significant stake in the enterprise and can provide jobs.

Denny Cottrill

He spoke against the use and sale of marijuana because it is being marketed to children and looks like cereal.

Jamie Kline – 312 Ridge Road

She stated that irresponsible parenting is the cause of children getting drugs. She supports marijuana being distributed from regulated dispensaries. Drug house residents

are not the cause of marijuana. She stated that Council is overstepping its authority. Let the voters decide.

Condie Bright – 312 East Washington

He stated that selling marijuana is against federal law, which is why they cannot deposit money into banks. Gun owners cannot use marijuana without violating federal law.

Carolyn Flint – 16 Grant Street

She spoke in support of medicinal use of marijuana and against recreational use. She reminded all that this legislation is intended to be a moratorium on permits. It doesn't necessarily mean it can't be revisited.

Jessica Donato

She reiterated that business owners with a lot of money are running dispensaries and they support the local communities in many ways.

**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

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

Mr. Rufener summarized the changes in the appropriations, including the allocation of \$1000 for utilities at the Community Center and allocations for two bills due for the smart meters maintenance and service agreement. He stated that the utility departments will be asked to contribute to these agreements. He explained how the appropriations work. He encouraged all with questions to call him.

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 Mr. Axiotis. Seconded by Mr. Rufener.

Mr. Axiotis stated that two payments were required to be made. He explained that one was a past due for last year and was authorized as an emergency measure last meeting. This ordinance is for the payment due for the upcoming 12-month period.

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 2024-27**

*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

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

Mr. Axiotis stated belief that personal choice governs drug use and dispensaries are well-controlled and a safe way to distribute. The Village controls the operations and locations of these businesses. A legal outlet is an advantage to those who need to use it medically or make the personal choice to use recreational. He spoke against the ordinance. Ms. Benetis spoke in support of the ordinance. She stated there are other local places that it can be bought. She spoke in support of active parenting to assist with children being permitted to make personal choices. She told several stories from the 1970s/1980s that supported her stance. She stated intent to vote yes on a moratorium. Ms. Stimpert spoke in support of the moratorium personally, however, her constituents do not support it. She asked Mr. Limbian if a moratorium would allow for the Village to investigate appropriate zoning regulations, is it better to have the moratorium in place to do that. Mr. Limbian stated that in terms of process, a moratorium give Council time to address this issue properly particularly zoning regulations. He stated that a moratorium is a responsible approach. Ms. Stimpert stated that Newton Falls passed Issue 2 according to the Board of Elections. Ms. Persino stated her intent to listen to people in the Village and the Village appears split. She asked why Village can't table it. Mr. Limbian explained that without a moratorium, a business owner could try to open one where you don't want it. Ms. Persino stated that Council can revisit and cancel any moratorium later and they can limit. Mr. Rufener spoke in support of a moratorium, which is a "pause button". It's not a no, or a yes, or anything other than a pause. He spoke in support of strategic planning for how this should be done. The State of Ohio has not finalized their regulations. He stated that a moratorium makes sense to ensure the Village is protected until the regulations and structures for dispensaries become more clear. He stated that no moratorium would be irresponsible for the community on the whole. Mr. Axiotis stated that a moratorium only applies to recreational and not medical dispensaries.

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

**XI. New Business**

None.

**XII. Public Comments**

Richard Eby

He read from a prepared statement where he and his wife witnessed owners of a local establishment not having air conditioning despite promises to have it repaired by the building owner. He stated belief that the owner would rather evict that resolve the issue.

Ashley Placer – 23 West Broad Street



She stated that the mayor is ignoring her and her husband. She stated Mayor, who is the building owner where their business is established issued an eviction notice during business hours. She claimed that rent has been on-time each month and \$70,000 investment by her family has been destroyed, as well as their contract with the US Army to provide meals for soldiers. She chastised the mayor for his personal actions against her family and business.

**Brian Kropp – 247 Elizabeth Street**

He re-stated belief that the finance director should be at the meetings. He appreciated Mr. Rufener's ability to speak about finances, but reiterated the strong belief that the finance director should be present to answer deep questions about the Village finances. He also stated belief that the commissions and committees should be fully utilized by the Council to research various issues and make recommendations to the Council. He spoke about the Planning and Zoning Commission looking deeply at the marijuana businesses with members of the Village staff participating in the committees. He stated that this method of having discussions and developing ideas for the Village could be very effective. He expressed disappointment that a member or members of Council are voting on issues based on their personal beliefs rather than how their constituents tell them to vote.

**Samantha Kropp – 247 Elizabeth**

She spoke about the Treasury Investment Board Meeting. She pointed out that she was bothered that they could not use Council Chambers. They met at a plastic table next to the knitting club. She stated that she loves how Council operates. She stated disappointment in how the TIB is being operated too casually. She stated belief it wasn't properly noticed publicly. NOTE: The meeting was properly noticed in December, 2023 in the Tribune Chronicle.

**David McKinstry**

He spoke on behalf of the NFACA. He thanked Planning and Zoning in helping with the Kiwanis to bring a community bulletin board to the Village.

**Ana Eby**

She asked about Dominion East Ohio Gas and encouraged the public to use Apples to Apples and go through the community aggregate. She stated that she warned people about this situation months ago. Mr. Rufener clarified that this situation only applies to customers of Dominion.

**Jamie Kline – 312 Ridge Road**

She clarified that her statements on poor parenting regarding drugs, in her opinion, is those who leave drugs and other harmful substances within reach of children. She reiterated that the issue with marijuana should be left up to the voters. She spoke against the ordinance to start a moratorium. She stated that Newton Falls has always had drugs and the people of Newton Falls voted to legalize marijuana. She spoke against her councilperson voting on this issue based on their personal opinions. She stated disappointment in her councilperson's ability to serve effectively. Mr. Limbian called for a point of order with the mayor to stop the personal attack on Councilperson Benetis by Mrs. Kline. Mrs. Kline argued that she has the right to say whatever she wants.

**NOTE:** The Newton Falls Charter Chapter 121, Section 123.03 Rules of Conduct and Procedure, states the following: “Accusations of suggestions of impropriety or illegal conduct and/or comments or attacks of a personal nature are prohibited. The presiding officer may issue a warning the first time that a speaker fails to abide by this rule but shall declare the balance of a speaker’s speaking time to be forfeited if a subsequent offense should occur. Debates or exchanges between a speaker and a public official(s) shall be avoided.”

Julie Lemon – 609 Ridge Road

She spoke about the color of the benches and her agreement that they are a terrible color choice when other more appropriate choices were available. She felt bad for the veterans who were disrespected by the choice made by a single person without consulting the veterans’ organizations. She offered congratulations to the graduating seniors from the high school.

Carolyn Flint – 16 Grant Street

She thanked Council for doing their background and research regarding the moratorium. She thanked Mr. Novotny for his transparency and allowing discussions. She looks forward to Council’s next actions regarding the moratorium.

Denny Cottrill – 16 Grant Street

He stated that illegal drugs are not stopped when legal drugs are introduced to a community. He continued to speak against marijuana and the sale of it. He spoke against the community allowing smoke shops other similar businesses that deal in legalized marijuana. He stated that 40 other communities in the region have already taken steps to prevent these businesses from being in their communities. He doesn’t understand why Council would allow any kind of drug into the community.

Jessica Donato

She asked if Council has studied the State of Ohio regulations that was actually passed. She asked Council to take the time to research the state regulations before they vote on something. She urged Council to consider that anyone that wants to start a business, they should understand there are only limited number of licenses available in Ohio and if Newton Falls waits too long, then they will miss out on the opportunity to add legitimate businesses to the community. How much money is Colorado, Michigan, etc... bringing in due to legalization? She estimated a\$1B and urged Council to participate in Ohio’s effort to bring that money to the state and its communities.

### **XIII. Closing Remarks**

- a. Mayor – Mayor Hanson spoke about the passionate arguments tonight. The world is changing. Citizens will make the call via their representatives or find new representatives.
- b. Council Members
  - i. Ward 1 - No remarks.
  - ii. Ward 2 – Mr. Axiotis spoke with Mr. Nicolino about the benches and Mr. Novotny, too. He spoke in support of the four veterans’ organizations. He stated that the benches were placed where it was requested to have no benches. Can it be fixed? He asked about the cost of the transformer for

Dunkin Donuts. He asked to know the true and complete cost of running electric to Dunkin. What other costs are there to be expected? He stated belief that people are forgetting that a regulated method of purchasing marijuana is safe for the community. He sponsored Ordinance 2024-27 on the recommendation of the Planning and Zoning Commission.

- iii. At-Large - Ms. Stimpert asked about getting an Return-On-Investment opinion on the expenses to support Dunkin Donuts. Mr. Novotny will research and report back.
- iv. Ward 3 - No remarks.
- v. Ward 4 – The Community Center Cleanup Event is Saturday 9:00am-1:00pm. Please come help. June 2 is the Annual Fishing Derby.
- c. Law Director – He requested an executive session tonight for the purpose of considering litigation and other legal matters.
- d. City Manager – No remarks.

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

Mayor Hanson called for a motion to enter executive session for the purpose of considering litigation and other legal matters. Moved by Mr. Axiotis. Seconded by Ms. Stimpert.

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. Council entered executive session at 8:01 pm.

Mayor Hanson called for a motion to exit executive session and resume regular session. Moved by Ms. Stimpert. 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. Council resumed regular session at 8:50 pm.

**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 8:51 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  
RESOLUTION NO: 02-2024  
SPONSOR: Councilpersons Stimpert, Persino

**A RESOLUTION RESCINDING RESOLUTION 38-2023 AND DISSOLVING THE  
COMMUNITY SERVICES AND ACTIVITIES COMMITTEE PREVIOUSLY  
ESTABLISHED TO SOLICIT, EVALUATE, AND RECOMMEND OPTIONS RELATED  
TO COMMUNITY AND SENIOR SERVICES AND ACTIVITIES PROVIDED BY THE  
VILLAGE**

WHEREAS, by Resolution 38-2023 adopted on December 6, 2023 Council established the Community Services and Activities Committee; and

WHEREAS, the Community Services and Activities Committee was tasked with soliciting ideas, evaluating options, and providing recommendations for how to best provide, fund, and sustain desired community and senior services and activities through volunteers and without the use of taxpayer funds; and

WHEREAS, Village administration has since established effective communications with Village residents, Council, local entities and state organizations to address the previous need for the Community Services and Activities Committee; and

WHEREAS, Council now desires to rescind Resolution 38-2023 and dissolve the Community Services and Activities Committee; and

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

Section 1. That Resolution 38-2023 adopted on December 6, 2023 is hereby rescinded and shall be of no further force or effect.

Section 2. That the Community Services and Activities Committee will cease to exist and will no longer obtain public input, evaluation, recommendations, and support regarding existing and new community and senior programs, services, and activities.

Section 3. That 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: 02-2024

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Section 4. That 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

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

Attest:

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

Approved as to Legal Form:

\_\_\_\_\_  
Jeffry Limbian, Law Director

VILLAGE OF NEWTON FALLS, OHIO  
RESOLUTION NO.: 03-2024  
SPONSOR: Councilperson(s) Rufener, Stimpert, Persino

**A RESOLUTION OPPOSING DOMINION ENERGY OHIO'S PROPOSED THIRTY PERCENT RATE INCREASE AND REQUESTING THAT THE PUBLIC UTILITIES COMMISSION OF OHIO DENY DOMINION ENERGY OHIO'S REQUEST FOR THE SAME.**

WHEREAS, The Village of Newton Falls, and its residents currently receive natural gas distribution service from Dominion Energy, Ohio; and

WHEREAS, Dominion Energy Ohio has filed with the Public Utilities Commission of Ohio (PUCO) in case No. 23-0894-GA-AIR, a request for a thirty percent (30%) increase for the natural gas distribution services it provides to consumers; and

WHEREAS, Dominion Energy Ohio has proposed a distribution rate increase for consumers which would increase consumers' monthly fixed Basic Service Charge from \$43.27 to \$56.31; and

WHEREAS, Dominion Energy Ohio has also proposed to increase other fixed monthly distribution charges to consumers by more than \$8.75 per month in 2025, and further increasing by as much as \$29.69 per month by 2032; and

WHEREAS, large rate increases in natural gas distribution services may negatively impact the Villages efforts to attract new businesses and jobs, depress the housing market, and place an undue financial burden on residents.

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

SECTION 1. That the Council and the Administration do hereby oppose Dominion Energy Ohio's proposal to increase the monthly fixed Basic Service Charge for natural gas distribution service to consumers by thirty percent (30%) and request that the Public Utilities Commission of Ohio deny such rate increase to consumers.

SECTION 2. That this Council and the Administration do hereby oppose Dominion Energy Ohio's proposal to increase other fixed monthly distribution service charges to consumers to \$8.75 per month in 2025, and request that the Public Utilities Commission of Ohio deny such a rate increase to consumers.



SECTION 3. That the Village Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Public Utilities Commission of Ohio, Attention Docketing Division (Case No. 23-0894-GA-AIR) to 180 East Broad Street, Columbus, Ohio 43215-3793.

SECTION 4. That 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 5. That 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 \_\_\_\_\_ 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, OHIO

ORDINANCE NO.: 2024-28

SPONSOR: Councilpersons Rufener, Persino, Stimpert

**AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ASSUME THE ROLE OF HEALTH BENEFITS PLAN ADMINISTRATOR, DIRECTING THE CITY MANAGER TO REVIEW AND APPROVE ON A CASE-BY-CASE BASIS ANY AND ALL WJL UNADMINISTERED AND UNPAID MEDICAL AND/OR ANCILLARY BENEFIT INVOICES FOR SERVICES RENDERED PRIOR TO MAY 1, 2024.**

WHEREAS, WJL was requested to act as the Third-Party Administrator agent for payments of certain benefits due under the Plan's terms and to furnish certain other administrative services with respect to the plan; and

WHEREAS, these bills, issued in the employee's name were contractually required to be administered by WJL but remain unadministered and unpaid since 2022; and

WHEREAS, it is urgently necessary to pay these bills to prevent said bills from being turned into collection.

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

SECTION 1. That Council hereby authorizes the City Manager to assume the role of health benefits plan administrator and directing the City Manager to review and approve on a case-by-case basis any and all WJL unadministered and unpaid medical and/or ancillary benefit invoices for services rendered prior to May 1, 2024.

SECTION 2. The Finance Director is directed to make such expenditures upon presentation of a proper voucher and approval by the City Manager.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare of the citizens of the Village of Newton Falls to ensure these bills are paid, and none of the Village employees are in collection or have harm to their credit rating as a result of these unpaid bills.

SECTION 4. That 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.

ORDINANCE 2024-28  
PAGE TWO

SECTION 5. 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, OHIO  
ORDINANCE NO.: 2024-29  
SPONSOR: Councilpersons Rufener, Axiotis

**AN EMERGENCY 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 this Ordinance is hereby declared to be an emergency measure necessary for the for the public peace, health, welfare, and safety of the residents of the Village because expenditures that have originated after the most recent Certificate of Resources was issued are immediate and a failure to pay those expenditures immediately will result in unnecessary additional expenditures related to accrued interest.

SECTION 4. 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.

ORDINANCE NO. 2024-29  
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, EXHIBIT A

2024 Appropriations:		2024	2024	
CITY OF NEWTON FALLS		Current	Proposed	Difference
		Appropriations	Appropriations	
100	General Fund			
<b>POLICE</b>				
Personal Services	Legal Level	81,348.37	81,348.37	-
Other Operations	Legal Level	473,715.74	473,715.74	-
	Total:	555,064.11	555,064.11	-
<b>Police Support</b>				
Personal Services	Legal Level	-	-	-
Other Operations	Legal Level	-	-	-
	Total:	-	-	-
<b>FIRE</b>				
Other Operations	Legal Level	77,490.00	77,490.00	-
	Total:	77,490.00	77,490.00	-
<b>ZONING</b>				
Personal Services	Legal Level	64,983.00	64,983.00	-
Other Operations	Legal Level	45,510.97	45,510.97	-
	Total:	110,493.97	110,493.97	-
<b>GENERAL ADMINISTRATION</b>				
Personal Services	Legal Level	-	-	-
Other Operations	Legal Level	-	-	-
	Total:	-	-	-
<b>CITY ADMINISTRATION</b>				
Personal Services	Legal Level	47,431.74	47,431.74	-
Other Operations	Legal Level	74,525.87	74,525.87	-
	Total:	121,957.61	121,957.61	-
<b>Council</b>				
Personal Services	Legal Level	9,470.42	9,470.42	-
Other Operations	Legal Level	8,894.46	8,894.46	-
	Total:	18,364.88	18,364.88	-
<b>MUNICIPAL COURT</b>				
Personal Services	Legal Level	708,137.63	708,137.63	-
Other Operations	Legal Level	38,082.96	38,082.96	-
	Total:	746,220.59	746,220.59	-
<b>FINANCE</b>				
Personal Services	Legal Level	81,787.33	81,787.33	-
Other Operations	Legal Level	33,201.53	33,201.53	-
	Total:	114,988.86	114,988.86	-
<b>BOARDS &amp; COMMISSIONS</b>				
Personal Services	Legal Level	701.76	701.76	-
Other Operations	Legal Level	300.00	300.00	-
	Total:	1,001.76	1,001.76	-
<b>LAW</b>				
Personal Services	Legal Level	77,293.42	77,293.42	-
Other Operations	Legal Level	28,369.88	28,369.88	-
	Total:	105,663.30	105,663.30	-
<b>BUILDING &amp; LANDS, MAINTENANCE</b>				
Personal Services	Legal Level	34,455.67	34,455.67	-
Other Operations	Legal Level	481,026.50	481,026.50	-
	Total:	515,482.17	515,482.17	-
<b>Other:</b>				
Other Operations	Legal Level	104,006.30	104,006.30	-
	Total:	104,006.30	359,006.30	255,000.00
100	Total:	2,470,733.55	2,725,733.55	255,000.00

2024 Appropriations:		2024	2024	
CITY OF NEWTON FALLS		Current	Proposed	Difference
		Appropriations	Appropriations	
<b>217 ECONOMIC/HILP</b>				
Other Operations	Legal Level	26,000.00	116,000.00	90,000.00
217	Total:	26,000.00	116,000.00	90,000.00
<b>217 HOME IMPROVEMENT LOAN</b>				
Other Operations	Legal Level	-	-	-
217	Total:	-	-	-
<b>502 SEWER OPERATING</b>				
Personal Services	Legal Level	600,945.03	600,945.03	-
Other Operations	Legal Level	3,502,612.52	4,302,612.52	800,000.00
502	Total:	4,103,557.55	4,903,557.55	800,000.00
<b>Grand Total:</b>		<b>21,341,351.70</b>	<b>22,486,351.70</b>	<b>1,145,000.00</b>