



NEWTON FALLS CITY COUNCIL  
**REGULAR MEETING AGENDA**  
 Wednesday, September 4, 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	Jamie Vernaccini
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. Law Director
  - d. City Manager
- VIII. **Approval of Previous Minutes**  
 Regular Meeting Minutes August 7, 2024  
 Special Meeting Minutes August 15, 2024
- IX. **Public Hearings**

ORDINANCE 2024-35      *Sponsors: Councilpersons Rufener, Stimpert*  
 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 12 POINT CONSULTING, LLC TO FURNISH CONTRACT PROFESSIONAL CERTIFIED OPERATOR(S) FOR THE TEMPORARY OPERATION OF THE VILLAGE WATER PLANT WHEN NECESSARY

ORDINANCE 2024-38      *Sponsors: Councilpersons Axiotis, Rufener*  
 AN ORDINANCE DECLARING CERTAIN VEHICLES & EQUIPMENT OBSOLETE AND UNUSABLE TO THE VILLAGE OF NEWTON FALLS AND TO PROPERLY DISPOSE OF SAID VEHICLES & EQUIPMENT
- X. **Unfinished Business**

ORDINANCE 2024-35      *Sponsors: Councilpersons Rufener, Stimpert*  
 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 12 POINT CONSULTING, LLC TO FURNISH CONTRACT PROFESSIONAL CERTIFIED OPERATOR(S) FOR THE TEMPORARY OPERATION OF THE VILLAGE WATER PLANT WHEN NECESSARY

ORDINANCE 2024-38

*Sponsors: Councilpersons Axiotis, Rufener*

AN ORDINANCE DECLARING CERTAIN VEHICLES & EQUIPMENT OBSOLETE AND UNUSABLE TO THE VILLAGE OF NEWTON FALLS AND TO PROPERLY DISPOSE OF SAID VEHICLES & EQUIPMENT

**XI. New Business**

RESOLUTION 05-2024

*Sponsors: Councilpersons Stimpert, Axiotis*

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 06-2024

*Sponsors: Councilpersons Rufener, Benetis*

A RESOLUTION AUTHORIZING THE TRUMBULL COUNTY AUDITOR AND/OR TREASURER, IN THE YEAR 2025, TO ADVANCE TO THE VILLAGE MONIES TO WHICH THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR THE TAX YEAR 2024

ORDINANCE 2024-40

*Sponsors: Councilpersons Rufener, Axiotis*

AN EMERGENCY ORDINANCE ADVANCING A SUM UP TO \$216,700 FROM THE ELECTRIC OPERATING FUND (503) TO THE ELECTRIC REPLACEMENT FUND (507) TO PROVIDE THE INITIAL RESOURCES NECESSARY FOR THE CHURCH STREET ELECTRIC SUBSTATION UPGRADE PROJECT

**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, August 7, 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**

Ms. Stimpert called the meeting to order at 6:02 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, Law Director Limbian.

Staff Absent: Finance Director.

**IV. Changes To Tonight's Agenda**

Ms. Stimpert called for a motion to excuse Mayor Hanson from the meeting due to personal reasons. 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 mayor was excused.

Mr. Axiotis made a motion to add two motions under New Business. The first Motion is a motion to direct the City Manager to negotiate an offer of employment to Jamie Vernaccini for the position of Finance Director and once the offer is drawn up it shall be presented to Council via ordinance for a vote of approval. The second Motion is a motion to direct the City Manager to negotiate an offer of employment to Pamela Hileman for the position of Finance Director and once the offer is drawn up it shall be presented to Council via ordinance for a vote of approval. Mr. Axiotis stated his intention to withdraw the second motion, if the first motion passes. Mr. Rufener seconded Mr. Axiotis' motion to add both Motions.

Mr. Axiotis stated that Mr. Housley's retirement is effective August 31, 2024.

There were many applicants and Council interviewed quite a few. He urged Council to decide tonight between the two finalists.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 5-0. Two motions were added to the agenda under New Business.

Ms. Stimpert made a motion to add Motion to return Chief Gene Fixler to the full-time position of Police Chief of Newton Falls effective immediately and including ensuring that all contract and/or court ordered compensation owed to Chief Fixler is brought up to date in full compliance with this legal contract and Chief Fixler is continue serving in this role until his retirement. Seconded by Ms. Persino.

Mr. Axiotis asked if bringing Chief Fixler back would cause undue conflicts with the Sheriff's office. Mr. Limbian stated that discussion occurred, and Mr. Novotny stated that there are details that remain to be determined. The Sheriff would do the patrolling and Chief Fixler would return to begin the process of possibly bringing back the department, including an inventory of all usable equipment. Mr. Limbian stated that regarding the settlement, negotiations continue, but the negotiating teams are very close to reaching a number for which the back pay and other legal issues would be resolved. So, there will be an obligation by the Village to Chief Fixler whether he is working or not. He suggests that he perform work as it will be advantageous to the Village and he can advise Council on how to bring the police department back. This would not waste time or money. Mr. Axiotis expressed concerns that no agreement exists, so he worries about not having that first. Mr. Limbian said if Fixler works then that compensation would be deducted from the settlement amount. Further, this action would undo the past action that made the police chief a part-time position.

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

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

None.

**V. Public Comments (Agenda Items Only)**

Denny Cottrill – 16 Grant Street

He spoke about Ordinance 2024-31 and demanded that the Council pass the ordinance. He disagrees that Planning and Zoning needs to review the request before Council decides. He stated that Mr. Axiotis supports him. He spoke against the Village not supporting him, particularly since he is a standup citizen. We expressed concern about not being treated properly given his history as a volunteer and supporter of the Village. Mr. Limbian was granted permission to respond. He explained that his job is to ensure that Council and Mr. Cottrill comply with the ethics laws. AUDIO.

**VI. Reports**

a. Mayor – No report due to absence.

b. Council Members

i. Ward 1 – No report. She thanked Mr. Rufener for the explanation about drugs and the moratorium regarding how the taxes are collected from the sales of marijuana.

ii. Ward 2 – Brian Axiotis - He fielded many complaints about the Jackson Street deal. He cited that historically vacant land is supposed to be offered to landowners on all sides of the subject property. He supports the law director's approach to the dilemma. There are complaints about flooding, graffiti on the CSX tunnel, and Kimble trash collection. The CM will look into the issues, including cameras at the tunnel. There is no upcoming Planning and Zoning Meeting.

iii. Ward 3 – Ms. Persino - The NF Tigers Football Club is looking for donations of Gatorade, snacks, and after game-day dinners. She can connect those who wish donate with the club. She stated that complaints about the parks have been heard. She visited the parks. She hopes Council will approve the mulch installation. She supports Parks and Recreation's

efforts and appreciates the patience of the community. She is looking into the zoning issues in East Gardens.

- iv. Ward 4 – Mr. Rufener - He announced that the Great Room will be open on August 17 for Ward 4 citizens to meet with him to discuss issues. He wants to meet more people and hear the concerns and compliments of the people. Community Garage Sale is August 16, 17, and 18.
- v. At Large – Ms. Stimpert - There are two open seats on the Community Services and one open seat on Planning and Zoning.
- c. Law Director – No report.
- d. City Manager – No report.

**VII. Approval of Previous Minutes**

Ms. Stimpert called for a motion to approve the Regular Meeting Minutes of July 10, 2024. 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. The minutes were approved.

Ms. Stimpert called for a motion to approve the Special Meeting Minutes July 25, 2024. 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 motion passed 5-0. The minutes were approved.

**VIII. Public Hearings**

**ORDINANCE 2024-33**

*Sponsors: Councilpersons Rufener, Persino*

AN ORDINANCE AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN AGREEMENT TO PURCHASE AND INSTALL MULCH IN THE VILLAGE PARKS  
No public comments.

**ORDINANCE 2024-34**

*Sponsors: Councilpersons Rufner, 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  
No public comments.

**IX. Unfinished Business**

**ORDINANCE 2024-31**

*Sponsors: Councilpersons Rufener, Stimpert*

AN ORDINANCE RECOGNIZING JACKSON STREET, LOCATED EAST OF WARREN ROAD, AS AN UNIMPROVED STREET AND VACATING THE EASTERN MOST SECTION OF JACKSON STREET AND TRANSFERRING OWNERSHIP OF THE VACATED SECTION TO DENTON COTTRILL AND CAROLYN FLINT

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Ms. Persino. Seconded by Ms. Stimpert.

Ms. Benetis read a prepared statement. Mr. Axiotis spoke in support of the “right way” to do things. Mr. Rufener expressed appreciation to Mr. Cottrill for his efforts to maintain the property. He agrees with Mr. Axiotis’ stance on the “right way to do things. He expressed the intent to protect the City and the individual. Ms. Stimpert acknowledged Mr. Limbian’s stance. She asked for guidance from the law director to properly handle the ordinance. He recommended voting it down or removing it from the agenda. She asked if the current description of the property would change. He stated that it would not change but would be offered

to all contiguous neighbors in equal parts. She acknowledged the recommendation to have Planning and Zoning weigh-in. Mr. Limbian revised his previous recommendation stating that the issue does not need to go back to Planning and Zoning, but a survey would be required of the property and the contiguous neighbors at the expense of the interested residents. Ms. Benetis expressed a wish to give Mr. Cottrill a time frame for settlement. Mr. Limbian stated that he cannot give a time frame but suspects 3 months at the most depending on how long a survey takes to complete. She suggested a deadline for neighbors to express interest. Ms. Persino thought it was already done but the other neighbors have not come to complete paperwork. The other neighbor has been informed but has not responded, but also there was no deadline given to that neighbor. Mr. Limbian stated that he will engage all neighbors and handle the situation from here forward. Certified mail will be used. Ms. Persino expressed concern that this situation dragged on and on. Mr. Novotny stated that belief that the city should be handling the survey and will invoice the residents for the cost of the transfer. Mr. Axiotis explained that the property is divided up and offered to contiguous neighbors in equal parts based on their interest. Mr. Novotny stated that a portion of the property that contains a sewer line will not be vacated.

Ms. Stimpert made a motion to remove the ordinance from the agenda. Seconded by Mr. Axiotis.

No discussion.

Roll Call Vote: Mr. Axiotis-yes; Ms. Benetis-yes; Ms. Persino-no; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-1. The ordinance was removed from the agenda.

ORDINANCE 2024-33

*Sponsors: Councilpersons Rufener, Persino*

AN ORDINANCE AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN AGREEMENT TO PURCHASE AND INSTALL MULCH IN THE VILLAGE PARKS  
Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Ms. Stimpert. Seconded by Ms. Rufener.

Mr. Rufener stated this effort is long overdue. This is the first step to improvement and funding is available. He spoke in support of the ordinance. Ms. Persino reiterated Mr. Rufener's points for all seven parks.

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

ORDINANCE 2024-34

*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

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Mr. Rufener. Seconded by Mr. Axiotis.

Mr. Rufener summarized the various adjustments to the budget.

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

**X. New Business**

ORDINANCE 2024-35

*Sponsors: Councilpersons Rufener, Stimpert*

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 12 POINT CONSULTING, LLC TO FURNISH CONTRACT

**PROFESSIONAL CERTIFIED OPERATOR(S) FOR THE TEMPORARY OPERATION OF THE VILLAGE WATER PLANT WHEN NECESSARY**

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Mr. Rufener. Seconded by Mr. Axiotis.

Mr. Axiotis expressed concerns, and he appreciates the dollar amount. Mr. Novotny stated that this is executed if the department head is off work for an extended period. Mr. Rufener stated that Mr. Zeleny is the only Class III operator, and a proper substitute is necessary if the event that Mr. Zeleny is unable to perform the duties. Ms. Stimpert appreciates proactivity. She asked if anyone is working towards the Class III Operator License. There are two employees working on it, but they have to accumulate five years of experience before they can be certified.

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

**ORDINANCE 2024-36                      *Sponsors: Councilpersons Persino, Stimpert***  
**AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO ANGELO BENEDETTI, LLC. FOR THE RESURFACING OF PROJECT STREETS UNDER THE NEWTON FALLS 2024 PAVING PROGRAM**

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Mr. Axiotis. Seconded by Ms. Stimpert.

Mr. Novotny stated that it is an emergency to meet the deadline as the Village is way behind and paving season is ending soon.

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

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Mr. Axiotis. 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 ordinance was adopted. Final Reading.

**ORDINANCE 2024-37                      *Sponsors: Councilpersons Axiotis, Persino***  
**AN EMERGENCY ORDINANCE AUTHORIZING THE INTERIM CITY MANAGER TO ACCEPT THE PROPOSAL OF GPD GROUP FOR ENGINEERING SERVICES FOR THE CHURCH STREET ELECTRIC SUBSTATION UPGRADE PROJECT**

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. 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. First Reading.

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. 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 ordinance was adopted. Final Reading.

**ORDINANCE 2024-38                      *Sponsors: Councilpersons Axiotis, Rufener***

**AN ORDINANCE DECLARING CERTAIN VEHICLES & EQUIPMENT OBSOLETE AND UNUSABLE TO THE VILLAGE OF NEWTON FALLS AND TO PROPERLY DISPOSE OF SAID VEHICLES & EQUIPMENT**

Mr. Acomb read the ordinance by title only. Ms. Stimpert called for a motion to adopt the ordinance. Moved by Ms. Benetis. Seconded by Ms. Persino.

Mr. Rufener asked Mr. Novotny, with the vehicles, is there anything in the next budget to replace these items? Mr. Novotny stated these items have already been replaced.

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

**MOTION**

A Motion to direct the City Manager to negotiate an offer of employment to Jamie Vernaccini for the position of Finance Director and once the offer is drawn up it shall be presented to Council via ordinance for a vote of approval.

Mr. Axiotis read the motion and moved to pass the motion. Seconded by Mr. Rufener.

Ms. Benetis was very impressed with Ms. Vernaccini and her auditing experience.

Mr. Rufener commended both candidates that were interviewed. He spoke in support of Ms. Vernaccini and her auditing experience. He stated belief that she would be an excellent addition to the Village.

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

**MOTION**

A Motion to direct the City Manager to negotiate an offer of employment to Pamela Hileman for the position of Finance Director and once the offer is drawn up it shall be presented to Council via ordinance for a vote of approval.

Mr. Axiotis withdrew this motion from consideration.

**MOTION**

A Motion to return Chief Gene Fixler to the full-time position of Police Chief of Newton Falls effective immediately and including ensuring that all contract and/or court ordered compensation owed to Chief Fixler is brought up to date in full compliance with this legal contract and Chief Fixler is continue serving in this role until his retirement.

Ms. Stimpert read the motion and moved to pass the motion. Seconded by Ms. Persino.

Mr. Axiotis stated that he suggested this action 7 months ago. Ms. Stimpert stated it has been a long time coming due to legal complications but expressed the belief that it is a necessary exciting step to return. Ms. Persino spoke in support of the motion.

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

**XI. Public Comments**

Dennis Cottrill – 16 Grant Street

He expressed confusion about the process to acquire the piece of property, asking who will pay for the survey? Mr. Novotny stated the Village will pay for the survey. Residents will pay for the transfer. Mr. Cottrill spoke against the City paying for the survey when he is willing to do it.

**XII. Closing Remarks**

- a. Mayor – No remarks due to absence.
- b. Council Members



- i. Ward 3 – Parks and Recreation will meet this week as published. She wants those with questions and concerns to attend. She repeated her previous announcement regarding the NF Little Tigers.
- ii. Ward 2 – A TIB Meeting will be held on August 15 at 6:00 pm
- iii. At-Large – She clarified that the Village will pay for a survey which is worth much less than any lawsuits. She welcomed Chief Fixler back as Chief.
- c. Law Director – No remarks.
- d. City Manager – Mr. Novotny read his prepared report (enclosed). Mr. Persino stated that a contest AUDIO. Mr. Rufener asked about the Scott Street project. Who do residents contact if the level of grounds restoration is insufficient to the home owner? Residents with complaints should contact Mr. Novotny.

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

No motion was made.

**XIV. Adjournment**

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

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 7:12 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

August 7, 2024

**NOPEC Grant** – We were awarded the grant it is for \$2506. The legislation passed at last meeting allowed us to complete the profile to receive this. We have until November 30, 2026 to use this. I will be researching projects that this can be used for.

**Maintenance Department Truck** – The new truck should be delivered in the next couple of weeks.

**Dunkin Donuts** – They have started clearing the property and should start construction soon. I do not have a time frame for completion.

**Scott Street Project** – The project is in its final stage. All of the pipe is installed. They have completed most all of the landscaping and restoration. They will be working on the street paving over the next couple of weeks. The next phase of this project is the actual house connections which will be handled by Trumbull County for those that meet the income criteria for assistance, and individual contractors hired by those that don't.

**Park Restrooms** – The restrooms are currently closed and locked. They will remain that way. This is due to issues of vandalism when they were left open. The restrooms have been open for the church softball league, and they were open for the farmers market a couple of weeks ago. To keep using these restrooms they will need to have renovations done to them in the near future.

**Stone Pavilion** – Was an issue with kids riding skate boards in the pavilion and on the table. This was taken care of and the kids were told to ride at the skate park. If this continues the table in the stone pavilion will be removed.

Sincerely,

*Michael A. Novotny*

Michael A. Novotny  
Interim City Manager  
Village of Newton Falls

# Patricia Benetis Ward 1 Council

prabich@aol.com

## Ordinance 2024-31

An ordinance recognizing Jackson Street, located East of Warren Road, as an unimproved street and vacating the eastern most section of Jackson Street and transferring ownership of the vacated section to Denton Cottrill and Carolyn Flint.

I have spoken with Mr. Denton Cottrill on various occasions concerning a very small portion of property that he has maintained for at least five years. Said property is approximately sixty (60) feet by forty (40) feet. We are not talking about a large piece of property. Mr. Cottrill, to the best of my knowledge, has been jumping through hoops for at least five (5) years. Three (3) years with Zoning Inspector Stimpert and now two (2) years with Zoning Inspector Spelich.

Here is the memo that Mr. John Spelich, Zoning Inspector, gave me this morning, Wednesday, August 7, 2024. It is in reference to the Parcel on the northern edge of Jackson Street.

*I, (Zoning inspector Spelich) performed several onsite inspections of the area and from what I recall, when maintained by Mr. Cottrill the property was very well maintained. But as of lately the property has overgrown to nearly 8 to 12 inches.*

When Mr. Cottrill approached Council approximately three weeks ago, one of the reasons for not giving him said parcel was due to him being on the Zoning board. It was stated that it could be a "Conflict of Interest". He resigned from the Zoning Board the next day. I cannot, for the life of me, understand all the hoopla over a parcel of unoccupied land measuring approximately sixty (60) feet by forty (40) feet. I feel we should be happy when a Newton Falls Citizen wants to help beautify our Village. Here is a citizen willing to take a very minute parcel off the Village's hands and tend to said parcel. I see this as a win-win situation. This way, the Village does not have to employ anyone to maintain said parcel.

In closing, I feel the Village should be happy that a private citizen is willing to spend his own time and money to help beautify our Village. Let's not discourage our own citizens from helping to do constructive things to help us out. Too often we mention that people complain about a specific item, but are not willing to help correct said item. Here is a citizen willing to do his part and he has to jump through hoops for at least five (5) years. Hopefully, we, the Newton Falls City Council, can grant Mr. Denton Cottrill his wish.



NEWTON FALLS CITY COUNCIL  
**SPECIAL MEETING MINUTES**  
 Thursday, August 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

This special meeting was requested by Ms. Stimpert.

- I. **Call to Order**  
 Ms. Stimpert called the meeting to order at 6:00pm.
- II. **Pledge of Allegiance / Silent Prayer**
- III. **Roll Call**  
 Ms. Stimpert asked Mr. Novotny 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, Finance Director Housley.  
 Staff Absent: Clerk Acomb, Law Director Limbian.
- IV. **Public Comments (limited to those items on the agenda)**  
 No public comments.
- V. **Old Business**  
 None.
- VI. **New Business**  
 None.
- VII. **Motion to Recess into Executive Session (if necessary).**  
 MOTION  
 A Motion to enter into executive session for the purpose of conducting interviews with candidates for the position of Finance Director/Director of Finance.  
 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 council entered executive session at 6:02 pm.  
  
 A motion to adjourn executive session and resume regular session. 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 motion passed 5-0. The council resumed regular session at 8:14 pm.

**VIII. Public Comments (limited to those items on the agenda)**

No public comments.

**IX. Adjournment**

Ms. Stimpert made a motion to adjourn the meeting. 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 meeting was adjourned at 8:15 pm.

APPROVED:

---

David Hanson, Mayor

ATTEST:

---

Michael Acomb, Clerk of Council

DRAFT

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-35  
SPONSOR: Councilpersons Rufener, Stimpert

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 12 POINT CONSULTING, LLC TO FURNISH CONTRACT PROFESSIONAL CERTIFIED OPERATOR(S) FOR THE TEMPORARY OPERATION OF THE VILLAGE WATER PLANT WHEN NECESSARY**

WHEREAS, due to current staffing needs of the Village Water Plant until additional training and certifications can be completed; the Village is best served to retain the services of an entity that has the necessary certifications to operate a water system, on an as needed basis, in the event the need for such temporary services arises; and

WHEREAS, the Water Plant Superintendent has interviewed individuals and entities that are qualified to provide the described backup services and has determined that 12 Point Consulting, LLC is the best fit for the Village in connection with the provision of those services.

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

SECTION 1. That Council hereby and herein authorizes the Interim City Manager to enter into the attached Temporary Contract Operations Agreement, or an agreement substantially similar thereto, with 12 Point Consulting, LLC of Struthers, Ohio, for the provision of contract professional certified operator(s) for the temporary operation of the Village Water facilities when backup services are necessary for an amount not to exceed \$104,000.

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

# CONTRACT BETWEEN

THE CITY OF NEWTON FALLS  
AND  
12 POINT CONSULTING, LLC  
FOR

## THE TEMPORARY CONTRACT OPERATIONS OF THE NEWTON FALLS WATER TREATMENT FACILITY

This Temporary Contract is entered into this \_\_\_\_ day of \_\_\_\_\_, 2024 (the "Execution Date"), by and between The City of Newton Falls (hereinafter, "**the System**") and 12 Point Consulting, LLC, (hereinafter, "**the Operator**").

### **RECITALS:**

**The System** hereby contracts for the services of **the Operator** to furnish contract professional certified operator(s) for the temporary contract operation of its water facilities in accordance with the Ohio Environmental Protection Agency (Ohio EPA) rules and regulations. **The Operator's** operation of **the System's** public water system shall be in compliance with all rules covered by Chapter 3745 of the Ohio Administrative Code (OAC).

### **THE PARTIES AGREE TO AS FOLLOWS:**

#### **SECTION I – SERVICES**

**The Operator** will provide a minimum of one professional certified operator with not less than an Ohio Class 3 Water Supply Professional Operator's certification to provide services to **the System**.

**The Operator** will serve as backup operator and will be physically present, as requested, at the facility to meet the minimum staffing requirements as required by OAC Rule 3745-7-03.

#### **SERVICES PROVIDED BY THE OPERATOR SHALL BE AS FOLLOWS:**

1. Visit the Newton Falls Water Treatment Facility and check operations as required by OAC Rule 3745-7-03.
2. Perform the technical operation of the facility.
3. Be responsible for process adjustments and the proper operation and maintenance of the facility. This shall include routine and preventative maintenance.

4. Maintain a log book record of all operational activities at the facility in accordance with OAC Rule 3745-7-09.
5. Direct, observe, and log routine and preventative maintenance, in accordance with OAC Rule 3745-7-09, and instruct **the System's** maintenance personnel on any of the day-to-day checks, as may be needed.
6. Ensure all necessary laboratory work and process testing is performed by or at the direction of a certified professional operator.
7. Ensure sampling and testing are performed on time and as required.
8. Perform administrative duties when submitting and reporting information required by Ohio EPA.
9. Ensure all relevant personnel, including but not limited to the owner and other certified professional operators associated with a facility, are notified of written correspondence from or to Ohio EPA. Ensure that correspondence from Ohio EPA, including compliance letters, monitoring schedules, and relevant permits, are shared **between the System, the Operator**, and any certified professional operators associated with the facility.
10. Be available on a 24-hour on-call basis to give on-site assistance and respond to emergencies within one (1) hour of being notified when serving as Backup Operator.
11. Ensure certified professional operators under employment comply with the responsibilities of a certified professional operator and provisions of OAC Chapters 3745, 6111, and 6109 and the rules promulgated thereunder.
12. Ensure an appropriately certified professional operator is provided when the listed professional operator of record for the facility is unavailable due to vacation, holiday, illness, etc., as requested by the **System**.

## **SECTION II - THE SYSTEM REQUIREMENTS**

### **THE SYSTEM SHALL DO THE FOLLOWING:**

1. Provide **the Operator** and its authorized agents access to all property and easements which contain or support the facilities.
2. Designate **the Operator** as a contact to also receive **ALL** Ohio EPA correspondence.



3. Ensure all relevant personnel, including but not limited to other certified professional operators associated with a facility, are notified of written correspondence from or to Ohio EPA. Ensure that correspondence from Ohio EPA, including compliance letters, monitoring schedules, and relevant permits, are shared between the System, the Operator, and any certified professional operators associated with the facility.
4. Be responsible for general operation, including performance of proper routine and preventative maintenance.
5. Provide the necessary funding for the operation and maintenance of the system to keep the system in compliance, as required by Ohio EPA or any other jurisdictional authority.
6. Provide funding to return **the System** to compliance pursuant to instructions, recommendations, and requirements of the Operator.
7. Pursue the correction of any deficiencies, repairs, or replacements of failed or damaged equipment or system components for adequate operation of **the System** as identified by **the Operator**, Ohio EPA, or any other jurisdictional authority.
8. Designate an individual (Manager, Board President, Owner, Maintenance Person, etc.) to approve the expenditure of funds, authorize repairs, and receive all communications and correspondence from the Operator.
9. **The System** maintenance personnel may perform duties under the direction of the Operator. Many of the routine duties involved in the operation and maintenance of the system including, but not limited to, tap-in inspections, line cleaning and repairs, equipment maintenance, and facility operation.
10. Perform daily visits to the facility on days when the certified professional operator is not fulfilling the minimum staffing requirements.
11. Ensure the appropriately certified professional operator of record completes, signs, and submits all necessary governmental agency reporting for the operation of the facilities, which will include monthly and annual requirements. A copy of all reports shall be submitted to the village, city, town, etc., by **the System**.

### SECTION III - FEES

The payment for services rendered in connection with this contract shall be in

accordance with the attached Addendum 1 – Schedule of Payment.

#### **SECTION IV - THE SYSTEM'S INDEMNIFICATION OF THE OPERATOR**

**The System** hereby agrees that the Operator, its employees and officers shall not be responsible or liable for any loss, charge, claim, cost, or cause of action of whatever nature which arises out of the operation of the System while this Temporary Contract is in force, except in those instances for which the Operator, its employees, and officers would otherwise be liable for any such loss, charge, claim, cost, or cause of action of whatever nature, pursuant to applicable law or regulation, irrespective of this Temporary Contract.

#### **SECTION V - TERM OF THE CONTRACT**

The term of this Temporary Contract shall be for a period of twelve (12) months from date hereof. The Temporary Contract shall be renewed automatically for additional one-year periods, unless either party shall give the other party sixty (60) days written notice prior to the expiration date of the contract (either original term or renewal) of intent to terminate at the end of the one-year period (either original term or renewal). Both parties shall maintain a copy of the contract for a period of three (3) years after the end date of the contract. Both Parties shall ensure that a copy of the contract is kept onsite at the facility.

#### **SECTION VI - NOTIFICATION OF OHIO EPA**

**The Operator** will provide the Ohio EPA with signed copies of this Temporary Contract upon request. **The System** will also provide the Ohio EPA with the name, address, phone number and certification of the professional operator(s) of record in charge of **the System**. **The System** hereby consents to providing this information to the Ohio EPA.

#### **SECTION VII - GOVERNING LAW**

This Temporary Contract has been executed and will be performed in the State of Ohio, and the laws of that state shall govern its interpretation.

#### **SECTION VII - BINDING ON SUCCESSORS AND ASSIGNS**

The terms and provisions of this Temporary Contract shall inure to the benefit of and shall be binding upon the successors and assigns of the parties hereto.

#### **SECTION VIII - NONASSIGNABILITY**

Neither party shall have the right to assign its respective duties and obligations hereunder to any other party without first obtaining the written consent of the other party to this Temporary Contract.

**SECTION IX - WORKER'S COMPENSATION AND LIABILITY INSURANCE**

**The Operator will provide the System with proof of Worker's Compensation coverage for any of its qualifying or eligible employees.** The Operator also agrees to maintain and provide proof of its liability insurance coverage to the System as such coverage is stated in the attached Certificate of Insurance, in the dollar amounts so stated in said certificate or in such other amounts as may be lawfully required in order for the Operator to fulfill its obligations of this Temporary Contract.

**IN WITNESS WHEREOF**, the parties have caused this Temporary Contract to be executed on the date and year first set forth above.

**[The Operator]**

**BY:**

\_\_\_\_\_  
**Name, Title**

\_\_\_\_\_  
**Date**

**[The System]**

**BY:**

\_\_\_\_\_  
**Name, Title**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**System**

**ADDENDUM I**

**SCHEDULE OF PAYMENT**

**DATE:** \_\_\_\_/\_\_\_\_/\_\_\_\_

By both parties executing this Temporary Contract, The City of Newton Falls, Ohio agrees to pay 12 Point Consulting, LLC, the following rates:

- \$100.00 per hour for every hour worked under normal, scheduled operating condition; and
- Port-to-port Mileage reimbursement equal to the Federal Mileage Rate (\$0.67/mile as of 07/15/2024)

for the temporary contract operations of the System(s), on an as needed basis, beginning on

\_\_\_\_\_, 20\_\_\_\_ and terminating on \_\_\_\_\_, 20\_\_\_\_\_.

Any and all major or minor maintenance and repair work and additional services above and beyond the technical supervision of the system, including but not limited to valve repair, pump trouble shooting, replacement and/or repair, and equipment and pipe repairs shall be the responsibility of the System.

Additional unscheduled, holiday, or emergency operations or services performed by 12 Point Consulting, LLC will be charged at the rate of \$150 per hour following the same payment terms.

**\*\*\* TERMS \*\*\***

- Net invoice amounts due within 30 days upon presentation of invoices. A 1% discount will apply to balances paid within 10 calendar days of the date of invoice. A 2% per month finance charge will be charged on all amounts over 30 days from date of invoice.
- Any invoice outstanding for 60 days or more shall be considered delinquent.
- Service will be terminated for delinquent accounts.
- Payments will be applied against the oldest invoice on record.
- Delinquent accounts must first be cleared before service is resumed.

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-38  
SPONSOR: Councilpersons Axiotis, Rufener

**AN ORDINANCE DECLARING CERTAIN VEHICLES & EQUIPMENT OBSOLETE AND UNUSABLE TO THE VILLAGE OF NEWTON FALLS AND TO PROPERLY DISPOSE OF SAID VEHICLES & EQUIPMENT**

WHEREAS, Interim City Manager has recognized that there are vehicles & equipment owned by the Village that are obsolete and no longer of any use for Village operations;

WHEREAS, Council recognizes the need to dispose of obsolete and unusable vehicles & equipment;

WHEREAS, Council further recognizes the need to create a Disposal List to dispose of obsolete unusable vehicles & equipment; and

WHEREAS, Council recognizes the Disposal List dated 08/07/2024, created by the Interim City Manager, as presented in Exhibit A, and wishes to dispose of said items on the Disposal List dated 08/07/2024.

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

SECTION 1. That the Village Council declares all items listed in Exhibit A as obsolete and unusable to the Village of Newton Falls.

SECTION 2. That the Village Council directs the Interim City Manager to initiate a public auction on GovDeals.com to dispose of all items listed in Exhibit A to the highest bidder.

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.

ORDINANCE NO.: 2024-38  
PAGE TWO

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

**Disposal List**  
**08/07/2024**

1986 Ford Front Loader Tractor

w/ Woods Dixie Cutter MD160 Brush Hog – Street Department

Tractor # 0765657, Model # KD414K, Unit # 6J09B

Mowtrim Arm Mower – Street Department

S/N – MM15802746

Cushman Mower – Water Department

Model # 898807, S/N - 93003827

1993 Chevrolet G10 Van – Wastewater Department

VIN # 2GCDG15H9P4136366

VILLAGE OF NEWTON FALLS, OHIO  
RESOLUTION NO.: 05-2024  
SPONSOR: Councilpersons Stimpert, Axiotis

**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, 2025; 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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

Attest:

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

Approved as to Legal Form.

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

CERTIFICATE  
I do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_ duly passed by the Council of the Village of the City of Newton Falls, Ohio on \_\_\_\_\_, 20\_\_\_\_.

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



**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

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, 2025; 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)	189,292 27		2.20* 0.15	
Road and Bridge Fund				
Cemetary Fund				
Lighting Fund				
Police Pension Fund	26,057		0.30	
Fire District Fund				
Road District Fund				
Park Levy Fund				
Miscellaneous Funds (Fire Equipment)				
Amb. & Emergengy 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>215,376</b>	<b>0</b>	<b>2.50</b>	<b>0.00</b>
Tangible Reimbursement from State		0		
Total		<u>215,376</u>		

**TOTAL MILLAGE**

2.65

AUGUST 2024

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

FUND	Maximum Rate Authorized to be levied	County Auditor's Est. of Yeild of Levy (Carry to Schedule A, Column II)
------	--	--

**General Fund:**

Current Expense Levy authorized by voters on  
not to exceed 5 years

**Special Levy Funds:**

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**

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.	<b>COUNCIL OF THE CITY OF <u>NEWTON FALLS</u> _____ County, Ohio <u>TRUMBULL</u></b>	<b>RESOLUTION</b>	<b>ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.</b>
			(City Council)
			Adopted _____, 20____
			_____ Clerk of Council
			Filed _____, 20____
			_____ County Auditor
			By _____ Deputy

VILLAGE OF NEWTON FALLS, OHIO  
RESOLUTION NO.: 06-2024  
SPONSOR: Councilpersons Rufener, Benetis

**A RESOLUTION AUTHORIZING THE TRUMBULL COUNTY AUDITOR AND/OR  
TREASURER, IN THE YEAR 2025, TO ADVANCE TO THE VILLAGE MONIES TO  
WHICH THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR  
THE TAX YEAR 2024**

WHEREAS, O.R.C. Section 321.34 provides that money in the County Treasury to the credit of the account of a local authority and lawfully applicable to the purpose of the current fiscal year, may be withdrawn by a municipality upon the proper request; and

WHEREAS, Council has found and determined that sound fiscal policy requires that such withdrawal be requested from the Trumbull County Auditor and/or Treasurer.

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

SECTION 1. That in 2025, the Trumbull County Auditor and/or Treasurer are hereby requested to draw warrants and pay the Village of Newton Falls all monies presently being held in the Trumbull County Treasury to the accounts of the Village lawfully applicable to the purpose of the 2025 fiscal year and derived from the proceeds of tax levies for the tax year 2024.

SECTION 2. That the Director of Finance is hereby authorized and directed to promptly forward a copy of this Resolution to the Trumbull County Auditor and Treasurer.

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.

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.

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

VILLAGE OF NEWTON FALLS, OHIO  
ORDINANCE NO.: 2024-40  
SPONSOR: Councilpersons Rufener, Axiotis

**AN EMERGENCY ORDINANCE ADVANCING A SUM UP TO \$216,700 FROM THE ELECTRIC OPERATING FUND (503) TO THE ELECTRIC REPLACEMENT FUND (507) TO PROVIDE THE INITIAL RESOURCES NECESSARY FOR THE CHURCH STREET ELECTRIC SUBSTATION UPGRADE PROJECT**

WHEREAS, the Electric Department has obtained a quote from the GPD Group which Council has approved of \$216,700 for the construction engineering and bidding of the Church Street 69kv Substation upgrades.; and

WHEREAS, currently the Electric Replacement Fund (507) does not have enough available resources until the debt financing is completed; and

WHEREAS, it is necessary to advance a sum up to \$216,700 from the Electric Operating Fund (503) to the Electric Replacement Fund (507) to enable this fund to have the available resources to begin the project.

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

SECTION 1: That there be advanced from the Electric Operating Fund (503), a sum up to \$216,700 cash to the Electric Replacement Fund (507).

SECTION 2: That the Electric Replacement Fund (507) shall repay the Electric Operating Fund (503) for the amount advance upon completion of the debt service financing and receipt of the loan proceeds but no later than December 2025.

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 actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of citizens of the Village of Newton Falls in ensuring that the Electric Replacement Fund (507) has the funds available to execute the project to upgrade the Church St. 69kv substation in accordance with the timeline established.

ORDINANCE NO.: 2024-40  
PAGE TWO

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

Attest:

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

Approved as to Legal Form.

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

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