NEWTON FALLS CITY COUNCIL
REGULAR MEETING
Wednesday, August 5, 2026; 6:00 PM
COUNCIL CHAMBERS
612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Brian Kropp
Ward 2	Brian Axiotis
Ward 3	Robert Burke
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
Mayor	David Hanson

CITY ADMINISTRATION	
City Manager	Jeremy Shaffer
Law Director	Gary VanBrocklin
Finance Director	Pamela Hileman
Clerk of Council	Kathleen M King
Police Chief	John Barco

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

Mayor
Council Members
Law Director
City Manager

VIII. Approval of Previous Minutes

June 24, 2026, Special Meeting Minutes
July 1, 2026, Regular Meeting Minutes
July 15, 2026, Regular Meeting Minutes

IX. Public Hearings

X. Unfinished Business

XI. New Business

1. **ORDINANCE 2026-38** Sponsors: Stimpert, Kropp

   AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR STREET REPAIRS AND WATER MAIN REPAIRS.

2. **ORDINANCE 2026-39** Sponsors: Kropp, Axiotis

   AN ORDINANCE REPEALING ORDINANCE NO. 2024-27, WHICH ESTABLISHED A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR BUILDINGS, STRUCTURES, USES, OR CHANGES OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF RECREATIONAL MARIJUANA WITHIN THE VILLAGE OF NEWTON FALLS.

3. **ORDINANCE 2026-40** Sponsors: Axiotis, Stimpert

   AN ORDINANCE TO AMEND ORDINANCE NO. 2026-26 BY ADDING A POSITION.

4. **RESOLUTION 23-2026** Sponsors: Stimpert, Kropp

   A RESOLUTION AUTHORIZING THE CITY MANAGER TO GO OUT TO BID FOR A BOILER AND PANEL FOR THE WASTEWATER TREATMENT PLANT.

5. **RESOLUTION 23-2026** Sponsors: Rufener, Stimpert

   A RESOLUTION TO RATIFY THE ACTIONS OF THE CITY MANAGER IN SIGNING A CONTRACT WITH THE STATE AUDITOR.

XII. Public Comments

XIII. Closing Remarks

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

XV. Adjournment

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2026-38
SPONSORS: Stimpert, Kropp

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR STREET REPAIRS AND WATER MAIN REPAIRS.

WHEREAS, The Village of Newton Falls must make street repairs and water main repairs to various streets in the village.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEWTON FALLS, OHIO THAT:

SECTION 1. The following street repairs must be done:
South Canal Street
519 North Canal Street
602 North Canal Street
252 Arlington
324 North Center Street
6305 Warren Road.
and these water break repairs must be done:
336 Ridge Road.
44 Liberty.
804 North Center.
323 Warren Road.
501 Ophelia.

SECTION 2. The City Manager is authorized to enter into a contract with a paving contractor in an amount not to exceed $40,000 for these repairs.

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

PASSED IN COUNCIL ON AUGUST _______, 2026.

____
DAVID HANSON, MAYOR

ATTEST:

____
KATHLEEN M. KING, CLERK OF COUNCIL

APPROVED AS TO FORM:

____
GARY L. VAN BROCKLIN
LAW DIRECTOR

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO. 2026-39
SPONSORS: Councilpersons Kropp, Axiotis

AN ORDINANCE REPEALING ORDINANCE NO. 2024-27, WHICH ESTABLISHED A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR BUILDINGS, STRUCTURES, USES, OR CHANGES OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF RECREATIONAL MARIJUANA WITHIN THE VILLAGE OF NEWTON FALLS

WHEREAS, the Council of the Village of Newton Falls adopted Ordinance No. 2024-27, titled "An Emergency Ordinance Establishing a Moratorium on the Issuance of Building Permits and/or Certificates of Occupancy for Any Building, Structure, Use, or Change of Use That Would Enable the Cultivation, Processing or Retail Sale of Recreational Marijuana"; and

WHEREAS, Ordinance No. 2024-27 established a moratorium on the issuance of building permits and certificates of occupancy for any building, structure, use, or change of use that would enable the cultivation, processing, or retail sale of recreational marijuana within the Village; and

WHEREAS, the stated purpose of the moratorium was to provide the Village Administration, Council, and Planning and Zoning Commission an opportunity to consider possible amendments to the Newton Falls Zoning Code in response to changes in Ohio law governing adult-use marijuana; and

WHEREAS, Ordinance No. 2024-27 did not establish a definite expiration date for the moratorium; and

WHEREAS, Council has reconsidered the continued necessity and advisability of the moratorium and has determined that maintaining the moratorium is no longer necessary or appropriate as a matter of municipal policy; and

WHEREAS, Council desires to repeal Ordinance No. 2024-27 while preserving the application of all otherwise applicable state licensing requirements, zoning regulations, building and fire codes, generally applicable business regulations, and other lawful requirements;

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

SECTION 1. Repeal of Ordinance No. 2024-27.

Ordinance No. 2024-27, titled "An Emergency Ordinance Establishing a Moratorium on the Issuance of Building Permits and/or Certificates of Occupancy for Any Building, Structure, Use, or Change of Use That Would Enable the Cultivation, Processing or Retail Sale of Recreational Marijuana," is hereby repealed in its entirety.

SECTION 2. Termination of Moratorium.

Upon the effective date of this Ordinance, the moratorium established by Ordinance No. 2024-27 shall terminate in its entirety.

No building permit, certificate of occupancy, zoning application, use application, change-of-use application, or other municipal application or request shall be refused, stayed, withheld, or denied solely on the basis of Ordinance No. 2024-27 or the moratorium established therein.

SECTION 3. Continued Application of State and Local Law.

The repeal of Ordinance No. 2024-27 does not exempt any person, property, business, building, structure, use, or change of use from compliance with applicable provisions of the Ohio Revised Code, the Ohio Administrative Code, the Newton Falls Charter, the Codified Ordinances of Newton Falls, the Newton Falls Zoning Code, applicable building and fire codes, or any other lawful state or local requirement.

Any application or request involving the cultivation, processing, or retail sale of marijuana shall be received, reviewed, processed, and decided in accordance with the laws and regulations in effect at the time of the application or request.

SECTION 4. No Approval or Entitlement Created.

Nothing in this Ordinance shall be construed as:

A. Approving or authorizing the cultivation, processing, or retail sale of marijuana at any particular location;

B. Determining that any marijuana-related use is a permitted, conditional, accessory, or prohibited use within any particular zoning district;

C. Granting or guaranteeing any state license, zoning certificate, conditional-use approval, variance, site-plan approval, building permit, certificate of occupancy, or other governmental authorization;

D. Creating any vested right, property interest, entitlement, expectation of approval, or claim against the Village; or

E. Waiving, amending, or modifying any otherwise applicable licensing, zoning, building, fire, safety, signage, parking, development, operational, or other regulatory requirement.

SECTION 5. Pending Applications and Requests.

Any application or request that was submitted, deferred, stayed, withheld, or otherwise affected by Ordinance No. 2024-27 shall, upon the effective date of this Ordinance, be evaluated under the laws and regulations then in effect.

Nothing in this section requires the approval of any application or request or prevents the Village from requiring the submission of a new, complete, or updated application where reasonably necessary to ensure compliance with applicable law.

SECTION 6. Conflicting Legislation.

All ordinances, resolutions, motions, policies, administrative directives, or portions thereof that are inconsistent with this Ordinance are hereby repealed or superseded only to the extent of the inconsistency.

SECTION 7. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect the validity or enforceability of the remaining portions of this Ordinance. Council declares that it would have adopted each remaining portion independently of any portion subsequently determined to be invalid or unenforceable.

SECTION 8. Open Meetings.

Council finds and determines that all formal actions concerning and relating to the adoption of this Ordinance were taken in an open meeting of Council and that all deliberations of Council and any of its committees that resulted in such formal action were conducted in meetings open to the public in accordance with applicable law, including Section 121.22 of the Ohio Revised Code.

SECTION 9. Effective Date.

This Ordinance shall take effect and be in force at the earliest time permitted by the Charter of the City of Newton Falls and applicable law.

PASSED IN COUNCIL THIS ______ DAY OF AUGUST, 2026.

____
David Hanson, Mayor

Attest:

____
Kathleen M. King, Clerk of Council

Approved as to Legal Form

____
Gary L. Brocklin, Law Director

VILLAGE OF NEWTON FALLS, OHIO
ORDINANCE NO.: 2026-40
SPONSORS: Axiotis, Stimpert

AN ORDINANCE TO AMEND ORDINANCE NO. 2026-26 BY ADDING A POSITION

WHEREAS, The Village of Newton Falls adopted a master wage ordinance for the calendar year 2026.

WHEREAS, Council desires to add a position in schedule A attached to the ordinance.

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

SECTION 1. The full-time position of administrative assistant/paralegal is added to the Law Department at the wage rate of $18.10 an hour

SECTION 2. That all formal actions of this Council concerning and relating to this Ordinance were taken in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal actions were taken in meetings open to the public and/or in compliance with all legal requirements including Section 121.22 of the Ohio Revised and the Charter of the Village of Newton Falls, Ohio.

PASSED IN COUNCIL THIS ______ DAY OF AUGUST, 2026.

____
David Hanson, Mayor

Attest:

____
Kathleen M. King, Clerk of Council

Approved as to Legal Form

____
Gary L. Brocklin, Law Director

VILLAGE OF NEWTON FALLS, OHIO
RESOLUTION NO.: 23-2026
SPONSORS: Stimpert, Kropp

A RESOLUTION AUTHORIZING THE CITY MANAGER TO GO OUT TO BID FOR A BOILER AND PANEL FOR THE WASTEWATER TREATMENT PLANT.

WHEREAS, The boiler and panel for the sewage treatment plant require replacement and the cost of the project will cost more than Fifty Thousand Dollars.

COUNCIL FOR THE VILLAGE OF NEWTON FALLS, STATE OF OHIO, HEREBY RESOLVES:

Section 1. The City Manager is authorized to put this project out for bid.

Section 2. That all formal actions of this Council concerning and relating to this Resolution were taken in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal actions were taken in meetings open to the public and/or in compliance with all legal requirements including Section 121.22 of the Ohio Revised and the Charter of the Village of Newton Falls, Ohio.

PASSED IN COUNCIL THIS 5TH, DAY OF AUGUST, 2026.

This Resolution is effective immediately.

Signed by:

David Hanson
Mayor

Attest:

Kathleen King
Clerk of Council

Approved as to legal form:

Gary L. Van Brocklin 0032064
Law Director

VILLAGE OF NEWTON FALLS, OHIO
RESOLUTION NO.: 24-2026
SPONSORS: Rufener, Stimpert

AN RESOLUTION TO RATIFY THE ACTIONS OF THE CITY MANAGER IN SIGNING A CONTRACT WITH THE STATE AUDITOR.

WHEREAS, The City Manager of Newton Falls gave notice to council of his actions pursuant to section 133.03 of the codified ordinances of Newton Falls a copy of the email notice is attached as Exhibit A, to this Resolution and adopted by reference as if fully rewritten.

WHEREAS, a copy of the executed contract is attached to this ordinance as Exhibit B and adopted by reference to

THE COUNCIL OF THE VILLAGE OF NEWTON FALLS, STATE OF OHIO HEREBY RESOLVES:

SECTION 1. The Council of the Village of Newton Falls, Ohio ratifies the actions of the City Manager in executing the contract, as time is of the essence and the Auditor of State requires an executed contract, in order to commence the audit.

SECTION 2. That all formal actions of this Council concerning and relating to this Resolution were taken in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal actions were taken in meetings open to the public and/or in compliance with all legal requirements including Section 121.22 of the Ohio Revised and the Charter of the Village of Newton Falls, Ohio.

PASSED IN COUNCIL THIS 5TH, DAY OF AUGUST, 2026.

This Resolution is effective immediately.

Signed by:

David Hanson
Mayor

Attest:

Kathleen King
Clerk of Council

Approved as to legal form:

Gary L. Van Brocklin 0032064
Law Director

A

Outlook

Notice to Council Codified 133.03 Contract Authority 30JUL2026

From City Manager <CityManager@newtonfallsoh.gov>
Date Thu 7/30/2026 1:38 PM
To Julie Stimpert <AtLarge@newtonfallsoh.gov>; Ward1 <Ward1@newtonfallsoh.gov>; Council Ward <Ward2@newtonfallsoh.gov>; Ward3 <Ward3@newtonfallsoh.gov>; Council Ward <Ward4@newtonfallsoh.gov>; City Mayor <Mayor@newtonfallsoh.gov>
Cc Law Director <law@newtonfallsoh.gov>; City Clerk <CityClerk@newtonfallsoh.gov>

2 attachments (2 MB)
DOC072926-07292026154225.pdf; 133.03 Newton Falls Codified.pdf;

Everyone,

The purpose of this email is to provide notice per codified section 133.03 Contract Authority. I have attached the contract for the State Auditor which is mandated and required to be executed for the regular City Audit. The State Auditor's office will be completing the audit. Executing this was an emergency and time sensitive. The amount found on page 7 was $35,819.

Per the codified 133.03, section attached, along with this notice, I'm directing the Clerk to add the issue to the next regular meeting agenda for discussion, and the Law Director to draft ratifying legislation. I would request sponsors for the legislation.

Jeremy R. Shaffer
City Manager
612 West Broad Street
Newton Falls, OH 44444
Phone (330) 872-8806 ext. 2110

Confidentiality Note: This message is intended for use only by the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender by reply and destroy all copies of the original message

OHIO AUDITOR OF STATE
KEITH FABER

65 East State Street
Columbus, Ohio 43215
ContactUs@ohioauditor.gov
800-282-0370

A

July 14, 2026

Pamela Hileman, Finance Director

Village of Newton Falls
Trumbull County
612 W Broad St
Newton Falls, Ohio 44444

This engagement letter between the Village of Newton Falls (the Village) and the Auditor of State describes the objective and scope of the services we will provide, the Village's required involvement and assistance in support of our services, the related fee arrangements, and other terms and conditions designed to ensure that our professional services satisfy the Village's audit requirements.

SUMMARY OF SERVICES

We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

We will audit the Village's financial statements as of and for the years ended December 31, 2025, 2024, and 2023 to express our opinion concerning whether the financial statements and related disclosures present fairly, in all material respects, the Village's cash receipts, disbursements and balances in accordance with the Village's reporting framework.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements for each opinion unit and related disclosures are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and the financial audit standards in the Comptroller General of the United States' Government Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

We expect to deliver our report on or about September 30, 2026

Engagement Team

The engagement will be led by:

* Joey Jones, Chief Auditor, who will be responsible for assuring the overall quality, value, and timeliness of our services to you;

* Erik Holesko, Senior Audit Manager, who will be responsible for managing the delivery of our services to you; and

* Courtney Pastore, Audit Manager, who will be responsible for on-site administration of our services to you.

OUR AUDITOR RESPONSIBILITIES

We will conduct our audit in accordance with GAAS and the Comptroller General of the United States' standards for financial audits in *Government Auditing Standards*. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

1. Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. We have identified the following significant risk of material misstatement as part of our audit planning:

    - *Management Override of Controls:* Management is in a unique position to perpetrate fraud because of management's ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. GAAS indicates the risk of management override of controls is present in all entities to varying degrees.

2. Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

3. Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

4. Test the Village's compliance with certain provisions of laws, regulations, contracts, and grants if noncompliance might reasonably directly and materially affect the financial statements. However, our objective is not to opine on overall compliance with these provisions.

5. Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about your ability to continue as a going concern for a reasonable period of time.

Because of inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatement, whether due to fraud or error, may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS. It is not cost-efficient to design procedures to detect immaterial error or immaterial fraud. Also, because of the characteristics of fraud noted above, a properly designed and executed audit may not detect a material fraud.

Additional Auditor Communication

As part of this engagement the Auditor of State will communicate certain additional matters (if applicable) to the appropriate members of management and to those charged with governance. These matters include:

1. Misstatements for correction, whether corrected or uncorrected;

   a. We will present those charged with governance our Summary of Identified Misstatements (if any) at the conclusion of our audit.

2. Instances where we believe fraud may exist to you. These would include instances where we:
   a. Have persuasive evidence that fraud occurred.
   b. Determined fraud risks exist and were unable to obtain convincing evidence to determine that fraud was unlikely.

3. Noncompliance that comes to our attention. However, our audit provides no assurance that noncompliance generally will be detected and only reasonable assurance that we will detect noncompliance directly and materially affecting the determination of financial statement amounts;

4. Significant risks identified during the audit;

5. Any disagreements with management, whether or not satisfactorily resolved, about matters that individually or in the aggregate could be significant to the financial statements or our opinion;

6. Our views about matters that were the subject of management's consultation with other accountants about auditing and accounting matters;

7. Significant, unusual transactions (if any);

8. Major issues that were discussed with management related to retaining our services, including, among other matters, any discussions regarding the application of accounting principles and auditing standards;

9. Significant difficulties we encountered during the audit, including significant delays by management, the unavailability of Village personnel, or an unwillingness by management to provide information necessary to perform our procedures; and

10. Matters that are difficult or contentious for which we consulted outside the engagement team and that are, in our professional judgment, significant and relevant to those charged with governance regarding their responsibility to oversee the financial reporting process.

We will also communicate pertinent information, as necessary in our professional judgment, to those that have ongoing oversight responsibilities for the audited entity, including contracting parties or legislative committees, if any.

Our evaluation of internal control may provide evidence of waste or abuse. Because the determination of waste and abuse is subjective, we are not required to perform specific procedures to detect waste or abuse. If we detect waste or abuse, we will determine whether and how to communicate such matters.

If for any reason we are unable to complete the audit or are unable to form an opinion, we may disclaim an opinion on your financial statements. In this unlikely event, we will communicate the reason for disclaiming an opinion to you, and to those charged with governance, in writing.

YOUR MANAGEMENT RESPONSIBILITIES AND IDENTIFICATION OF THE APPLICABLE REPORTING FRAMEWORK

We will audit assuming management and those charged with governance acknowledge and understand they are responsible for:

1. Preparing the financial statements and other financial information, including related disclosures, and selecting and applying accounting principles in accordance with the Village's reporting framework. This includes compliance with Ohio Admin. Code 117-2-01 which requires designing, implementing, and maintaining internal controls relevant to preparing and fairly presenting financial

statements free from material misstatement whether due to fraud or error.

2. Providing us with:
    a. draft financial statements, including all information relevant to their preparation and fair presentation, whether obtained from within or outside of the general and subsidiary ledgers (including all information relevant to the preparation and fair presentation of disclosures) and any accompanying other information in time to allow the auditor to complete the audit in accordance with the proposed timeline;
    b. access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, including an expectation that management will provide access to information relevant to disclosures;
    c. written representations as part of the engagement, from management and/or attorneys, understanding separate legal fees from attorneys may result;
    d. additional information that we may request from management for the audit;
    e. unrestricted access to persons within the Village from whom we determine it necessary to obtain audit evidence;
    f. the initial selection of and changes in significant accounting policies and their application; and
    g. the process management uses to formulate particularly sensitive accounting estimates and the basis for their conclusions regarding the reasonableness of those estimates.

3. Informing us of events occurring or facts discovered subsequent to the date of the financial statements, of which management may become aware, that may affect the financial statements.

4. Reporting fraud and noncompliance of which you are aware to us.

5. Reviewing drafts of the audited financial statements, disclosures, any supplemental information, auditor's reports, and any findings; and informing us of any edits you believe may be necessary.

6. Designing and implementing programs and controls to prevent and detect fraud.

You should not rely on our audit as your primary means of detecting fraud.

Compliance with Laws and Regulations
Management and those charged with governance are responsible for:

1. Being knowledgeable of, implementing systems designed to achieve compliance with, and complying with, laws, regulations, contracts, and grants applicable to the Village.

2. Identifying for us other financial audits, attestation engagements, performance audits, internal audits, reports from regulators or other studies related to the Village (if any), and the corrective actions taken to address these audits' significant findings and recommendations.

3. Tracking the status of prior audit findings.

4. Taking timely and appropriate steps to remedy fraud, noncompliance, violations of provisions of laws, regulations, contracts, or grant agreements, or abuse we may report.

5. Providing your views and planned corrective action on audit findings we may report.

Internal Control
Management and those charged with governance are responsible for designing, implementing, and maintaining internal control relevant to compliance and the preparing and fairly presenting financial statements that are free from material misstatement, whether due to fraud or error. Appropriate supervisory

reviews are necessary to reasonably assure that adopted policies and prescribed procedures are followed.

Service Organizations:
Service organizations are other governmental entities, organizations or companies that provide services to you, as the user Village, relevant to your internal controls over financial reporting. Service organizations process transactions reflected in your Village's financial statements and therefore fall within the scope of our audit. While service organizations are responsible for establishing and maintaining their internal control, you are responsible for being aware of the service organizations your Village uses, and for establishing controls to monitor the service organization's performance. Because the complexity of service organization transaction processing can vary considerably, your monitoring activities can vary accordingly.

When transaction processing is complex and the volume of transactions is relatively high, obtaining and reviewing a service organization auditor's *Independent Service Auditor's Report on Management's Description of a Service Organization's System and the Suitability of the Design and Operating Effectiveness of Controls* Report (Type 2 Service Organization Control Report (SOC 1)) may be the most effective method of meeting your responsibility to monitor a service organization, and may also be the only efficient means by which we can obtain sufficient evidence regarding their internal controls. AT-C Section 320, *Reporting on an Examination of Controls at a Service Organization Relevant to User Entities' Internal Control Over Financial* discusses the aforementioned report. (In some circumstances, we can accept a suitably designed agreed-upon procedures report (AUP) in lieu of a SOC 1 report.)

You are responsible for informing our staff of the service organizations your Village uses, and for monitoring these service organizations' performance.

Service organizations of which we are aware are:

- Regional Income Tax Agency, which collects income taxes for the Village.

Please confirm to us that, to the best of your knowledge, the above listing is complete.

We believe the complexity of processing and volume of transactions warrant a SOC 1 (or AUP) report for the above listed organization.

Without an acceptable SOC 1 or AUP report for the above-listed organizations, generally accepted auditing standards may require us to qualify our opinion on your Village's financial statements due to an insufficiency of audit evidence regarding service organization transactions included in your Village's financial statements. You are responsible for communicating the need for a SOC 1 or AUP report to these service organizations.

REPRESENTATIONS FROM MANAGEMENT

Upon concluding our engagement, management and, when appropriate, those charged with governance will provide to us written representations about the audit that, among other things, will confirm, to the best of their knowledge and belief:

- management's responsibility for preparing the financial statements and relevant disclosures in conformity with the Village's accounting basis;
- the availability of original financial records and related data, the completeness and availability of all minutes of the legislative or other bodies and committee meetings;
- management's responsibility for the Village's compliance with laws and regulations;
- the identification and disclosure to the auditor of all laws, regulations, and provisions of contracts and grant agreements directly and materially affecting the determination of financial statement amounts; and
- the absence of fraud involving management or employees with significant roles in internal control.

Additionally, we will request representations, as applicable, regarding:

- the inclusion of all components, and the disclosure of all joint ventures and other related

organizations;
- the proper classification of funds and fund balances;
- the proper approval of reserves of fund equity;
- compliance with laws, regulations, and provisions of contracts and grant agreements, including budget laws or ordinances; compliance with any tax or debt limits, and any debt covenants;
- the identification of compliance with grant requirements; and
- events occurring subsequent to the fiscal year end requiring adjustment to or disclosure in the financial statements.

Management is responsible for adjusting the financial statements to correct misstatements we may detect during our audit and for affirming to us in the representation letter that the effects of any uncorrected misstatements we aggregate during our engagement and pertaining to the latest period the statements present are immaterial, both individually and in the aggregate, to the opinion units (*Financial statements* include the related disclosures and required and other supplemental information).

TERMS AND CONDITIONS SUPPORTING FEE

As a result of our planning process, the Village and the Auditor of State have agreed to an approach designed to meet the Village's objectives for an agreed-upon fee, subject to the following conditions.

Our Auditor Responsibilities
In providing our services, we will consult with the Village regarding matters of accounting, financial reporting, or other significant business issues. Accordingly, our fee includes estimated time necessary for this consultation. Circumstances may require the Auditor of State to confirm balances with your financial institution resulting in additional nominal charges which will not require an amendment to this agreement. However, should a matter require research, consultation or audit work beyond this estimate, the Auditor of State and the Village will agree to an appropriate revision in services and fee. These revisions will also be set forth in the form of the attached *Amendment to Engagement Letter.*

Your Management Responsibilities
The Village will provide in a timely manner all financial records and related information to us, an initial list of which has been furnished to you, including timely communication of all significant accounting and financial reporting matters, as well as working space and clerical assistance as mutually agreed upon and as is normal and reasonable in the circumstances. When and if for any reason the Village is unable to provide these schedules, information and assistance, the Auditor of State and the Village will mutually revise the fee to reflect additional services, if any, we require to achieve these objectives. These revisions will be set forth in the form of the attached *Amendment to Engagement Letter.*

Confidential Information
You should make every attempt to minimize or eliminate the transmission of personal information to the Auditor of State (AOS). All documents you provide to the AOS in connection with our services including financial records and reports, payroll records, employee rosters, health and medical records, tax records, etc. should be redacted of any personal information. Personal information includes social security numbers, date of birth, drivers' license numbers or financial institution account numbers associated with an individual. The public office should redact all personal information from electronic records before they are transmitted to the AOS. This information should be fully blacked out in all paper documents prior to sending to the AOS. If personal information cannot be redacted from any records or documents; the public office must identify these records to the AOS.

If redacting this personal information compromises the audit or the ability to prepare financial statements, the public office and the AOS will consider these exceptions on a case-by-case basis. Additionally, if redacting this information creates a hardship on the public office in terms of resources, recordkeeping or other issues, the public office and the AOS may collaborate on alternative methods of providing the public office's data to the AOS without compromising the personal information of individuals served by the public office. The AOS is willing to work with the public office and it is our intent to greatly reduce the amount of personal information submitted to the AOS for audit or financial statement preparation purposes. It is important that the public office review internal policies to find ways to eliminate as much personal information from financial records as possible by substituting non-personal information (i.e., change social security numbers to employee identification numbers).

Fee
Except for any changes in fees and expenses which may result from the circumstances described above, we expect our fees and expenses for our audit services will not exceed ~~$35,819.~~ 10% per year = 35,819

Pursuant to Ohio Rev. Code § 117.13, you may charge all of this audit's cost to the general fund or you may allocate the cost among the general fund and other eligible funds. While eligible funds may include federal grant funds, additional restrictions under the Uniform Guidance 2 CFR 200.425 should be considered. For more information, refer to the annual *Hourly Audit Rates and Allocation of Audit Costs* technical bulletin available at www.ohioauditor.gov.

eServices Portal and Billing
The Auditor of State's billing statements are available through the office's eServices portal located at https://eservices.ohioauditor.gov. Clients are required to designate one, or more, authorized users who must complete the registration process to establish an eServices account. A confirmed account will have the ability to access and/or update information regarding their customer account, including entity contact information, billing and payments, and an electronic check option for online payments. Authorized users are encouraged to keep eServices contact information updated.

Auditor of State billing statements are prepared monthly and are sent to clients who have an outstanding balance through a paperless electronic billing system. Audit and Local Government Services are charged monthly, while clients using the Uniform Accounting Network are charged quarterly. The Village will receive an email notification at the beginning of the month that a statement is available for review. Clients are to access their billing statement upon receipt through eServices, and payment is due by the date identified on the statement.

Delinquent Accounts
A failure to pay the Auditor of State in full within forty-five days of the payment due date, identified on the monthly statement, shall constitute a delinquent account. Continued failure to make payment will result in the delinquent account being certified to the Ohio Attorney General's Office, Collection Enforcement, for collection under Ohio Revised Code 131.02(A). Alternatively, Ohio Revised Code 117.13(D) authorizes the Director of the Office of Budget and Management or the county auditor, in order to satisfy certified balances owed to the office of the Auditor of State, to withhold from a public office with delinquent accounts any amounts that are available up to the amount owed by the public office from those funds lawfully payable and due to the public office.

Audit clients experiencing difficulty meeting these requirements should contact the Auditor of State's Finance Department to make arrangements to pay delinquent balances prior to certification. Outstanding delinquent accounts may impact audit eligibility for reduced services, including agreed upon procedures and basic audits.

REPORTING

We will issue a written report upon completing our audit of your financial statements. We will address our report to those charged with governance. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add an emphasis-of-matter paragraph or other-matter paragraph to our auditor's report, or if necessary, or withdraw from the engagement.

Upon completing our audit, we will also issue a written report in accordance with *Government Auditing Standards* on internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters.

ACCESS TO OUR REPORTS AND WORKING PAPERS

AU-C 905—*Alert That Restricts the Use of the Auditor's Written Communication,* requires our reports to disclose the following:

Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by Government Auditing Standards:

> This report only describes the scope of our internal control and compliance testing and our testing results and does not opine on the effectiveness of the Village's internal control or on compliance. This report is an integral part of an audit performed under *Government Auditing Standards* in considering the Village's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

AU-C 905 requires us to include this restrictive language in our reports due to concerns that other readers may not fully understand the purpose of the report, the nature of the procedures applied in its preparation, the basis or assumptions used in its preparation, the extent to which the procedures performed are generally known or understood, and the potential for the report to be misunderstood, when taken out of the context for which it was intended.

However, under Revised Code § 117.26, an audit report becomes a public record under Ohio Rev. Code § 149.43 when we file copies of the report with the public officers enumerated in the Revised Code. When we file the reports, our working papers become available to the public upon request, subject to information protected for criminal investigations, by attorney-client privilege or by local, state, or federal law. AU-C 905 does not affect public access to our reports or working papers.

Under generally accepted auditing standards, we must retain working papers for five years after the release date of our opinion. However, AOS policy requires we retain working papers for seven years or longer, as needed.

PEER REVIEW REPORT

As required by *Government Auditing Standards*, we have made our most recent external quality control review report (Peer Review) publicly available, at https://ohioauditor.gov/publications/docs/Peer_Opinion.pdf. Audit organizations can receive a rating of *pass, pass with deficiency(ies), or fail*. The Auditor of State received a peer review rating of pass.

ACKNOWLEDGEMENT AND AGREEMENT

Please sign and return this letter to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities. If you have any questions, please call Erik Holesko at 330-793-5597.

Sincerely,

KEITH FABER
Auditor of State

Joey S Jones

Joey Jones
Chief Auditor, East Region

Attachment

cc: Village Council and Mayor

ACKNOWLEDGED AND AGREED TO BY

29 JUL 2026
DATE

City Manager
TITLE

SAMPLE
AMENDMENT #___ TO ENGAGEMENT LETTER

Amendment Date

Chief Financial Officer OR Chief Executive Officer ***(See AOSAM 30300.7)***

Entity Name
County Name
Street Address
City, Ohio Zip Code

Dear Letter Addressee:

The engagement letter dated Engagement Letter Date between the Auditor of State and the Entity Type is hereby amended to reflect the following:

Description of / Causes for Amendment	Estimated Fee Effect
1	
2	
3	
4	
Total this amendment	$0.00
Previous fee estimate	
Revised fee estimate	$0.00

Please sign the copy of this letter in the space provided and return it to us. If you should have any questions, please call Name of SAM at Office Phone Number.

Sincerely,

KEITH FABER
Auditor of State

Name of CA/ACA
Assistant Chief Auditor, Region Name Region

cc: Engagement Letter cc's

ACKNOWLEDGED AND AGREED TO BY　　　　　　　　DATE

TITLE

NEWTON FALLS CITY COUNCIL
SPECIAL MEETING MINUTES
Wednesday, June 24, 2026; 6:00 PM
COUNCIL CHAMBERS
612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Brian Kropp
Ward 2	Brian Axiotis
Ward 3	Robert Burke
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
Mayor	David Hanson

CITY ADMINISTRATION	
Interim City Manager	Kathleen King
Asst Law Director	Gary VanBrocklin
Finance Director	Pamela Hileman
Clerk of Council	Michael Acomb
Police Chief	John Barco

I. Call to Order

Mayor Hanson called the meeting to order at 6:00 pm.

II. Pledge of Allegiance / Silent Prayer

III. Roll Call

Mayor Hanson asked Mr. Acomb to call the roll.
Council Present: Councilperson Axiotis, Councilperson Kropp, Councilperson Stimpert, Councilperson Rufener, Mayor Hanson.
Council Absent: Councilperson Burke
Staff Present: Asst. Law Director Gary Van Brocklin, Interim City Manager King

Rufener made a motion to excuse Mr. Burke citing his received message from Burke that Burke would be late due to unexpected work obligations. Second by Stimpert.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.
The motion passed 4-0.

IV. Public Comments (Agenda Items Only)

No Comments

V. Motion to Recess into Executive Session

No Executive Session

VI. Unfinished Business

No Unfinished Business

VII. New Business

ORDINANCE 2026-29: Sponsors: Council as a Whole

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO CONTRACT WITH JEREMY SHAFFER FOR A THREE-YEAR TERM OF EMPLOYMENT AS CITY MANAGER OF THE VILLAGE.

Stimpert made a motion seconded by Rufener to adopt this Ordinance.

Stimpert said she was excited for this opportunity to get a City Manager in place, and she felt he was an excellent choice for the Village.

Kropp said he is excited about the future of the Village. He said Council worked hard and did their due diligence to find someone who could represent the Village. He felt Mr. Shaffer had the energy, ambition and motivation to move the Village in the right direction.

Rufener noted that the Village has done an extensive search and conducted many interviews. Mr. Shaffer, by far has the experience and leadership that the Village needs and he is looking forward to working with him.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.

The motion passed 4-0.

ORDINANCE 2026-29: AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO CONTRACT WITH JEREMY SHAFFER FOR A THREE-YEAR TERM OF EMPLOYMENT AS CITY MANAGER OF THE VILLAGE, was read by title for its second reading.

Axiotis made a motion seconded by Kropp to adopt this Ordinance.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.

The motion passed 4-0.

VIII. Public Comments

Julie Lemon - 609 Ridge Road

Said she was excited to see how we can work collaboratively to save the Community Center. The Center is in deplorable condition, but recently she organized volunteers to work on the outside and in no time it was beautiful.

Pete Augusta, Newton Township Trustee, 3267 McMullen Allen Road

Mr. Augusta discussed the Scott Street project and the requirement of Township residents to annex into the city.

Kropp made a motion seconded by Stimpert to suspend Council Rules.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.

The motion passed 4-0.

Mr. Augusta stated that the Township was assured that no residents would have to annex into the city when the sewer line was completed. Mr. Lynch approached the Trustees and County to get this project moving and assured everyone that they would not have to annex. Now the County Commissioners are ready to award the contract for the tie ins, and the annexation issue is coming up. The County needs to spend the grant money by the end of the year, or it will be lost and this project will not be completed. Mr. Augusta admitted he did not have anything in writing waiving the annexations but stated everything was done at a public meeting.

Attorney VanBrocklin stated that the requirement to annex has been on the books since 2015 and as Assistant Law Director he has to enforce the laws.

Mr. Augusta noted that this is a time sensitive issue and the Township and County need to know what the final decision will be on annexation.

Kropp made a motion seconded by Axiotis to return to Council Rules.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.
The motion passed 4-0.

IX. <u>Adjournment</u>

Kropp made a motion to adjourn the regular meeting. Second by Stimpert.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0. The meeting was adjourned at 6:24 pm.

APPROVED:

____
David Hanson, Mayor

ATTEST:

____
Kathleen M. King, Clerk of Council

NEWTON FALLS CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, July 1, 2026; 6:00 PM
COUNCIL CHAMBERS
612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Brian Kropp
Ward 2	Brian Axiotis
Ward 3	Robert Burke
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
Mayor	David Hanson

CITY ADMINISTRATION	
Interim City Manager	Kathleen King
Law Director	Jeff Limbian
Asst. Law Director	Gary Van Brocklin
Finance Director	Pamela Hileman
Clerk of Council	Michael Acomb
Police Chief	John Barco

I. Call to Order
Mayor Hanson called the meeting to order at 6:00 pm.

II. Pledge of Allegiance / Silent Prayer

III. Roll Call
Mayor Hanson asked Mr. Acomb to call the roll.
Council Present: Councilperson Axiotis, Councilperson Kropp, Councilperson Stimpert, Councilperson Rufener, Mayor Hanson.
Council Absent: Councilperson Burke
Staff Present: Clerk Acomb, Asst. Law Director Gary Van Brocklin, Interim City Manager King

IV. Changes To Tonight's Agenda
Rufener made a motion to excuse Mr. Burke citing his received message from Burke that Burke would be late due to unexpected work obligations. Second by Stimpert.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-abstain; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 3-0-1.

Stimpert made a motion to move the executive session to Section V and to amend the motion to include 121.22 (G)(1) and to state that action will be taken by council. Seconded by Kropp.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0.

V. Motion to Recess into Executive Session (If Necessary)
MOTION
Motion to enter executive session pursuant to Ohio Revised Code Sections 121.22(G)(1) and 121.(G)(2) to discuss the employment and compensation of employees and to confer with the Law Director regarding pending or imminent litigation and confidential legal matters subject to attorney-client privilege and whereas upon completion of Executive Session, Council will return to open session. Action will be taken by Council.
Moved by: Stimpert. Second by: Kropp.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0 and executive session began at 6:03 pm.

Stimpert made a motion to exit executive session and resume regular session. Second by Kropp.

No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes.
The motion passed 4-0 and executive session ended at 6:47 pm.

VI. Special Presentations by Staff Members or Invited Consultants

VII. Public Comments (Agenda Items Only)

Julie Lemon – 609 Ridge Road
Commented on the contracts for the City Clerk and Law Director and that we have never paid that much for these positions. She asked Council to justify the contracts and where they were getting the money from.

VIII. Reports

a. Mayor – He stated the audio for the meetings is improving but not up to standard yet.
b. Council Members
    i. Ward 1- No Comments
    ii. Ward 2- He attended the cars show and it was wonderful. The Farmer's Market was on Tuesday and he loves the downtown location. He also attended the carnival and it looked fun. He encouraged all to attend the next Farmer's Market to be held every Tuesday. Mr. Kropp applauded the city manager's report.
    iii. Ward 3 – No Comments
    iv. Ward 4 – Attended recent community events and thanked everyone involved.
    v. At-Large – No Comments
c. City Manager – Received a notice from the Trumbull County Treasurers office that they extended the deadline for property tax payments. The electric department has been doing some peak shaving because of the heat.
d. Law Director – Magistrate for Judge O'Brien recommended dismissal of the Lemon vs Newton Falls case.

IX. Approval of Previous Minutes

Kropp made a motion to amend the minutes, reports and Closing Ward 1 and Ward 2 were swapped comments. Seconded by Rufener.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The minutes were amended 4-0.
Axiotis made a motion to approve the Regular Meeting Minutes June 17, 2026. Second by Rufener.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The minutes were approved 4-0.

X. Public Hearings

<u>ORDINANCE 2026-28</u> Sponsors: Councilpersons Stimpert, Kropp
AN ORDINANCE AMENDING SECTION 985.03 AND REPEALING SECTION 985.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF NEWTON FALLS, OHIO
None.

XI. Unfinished Business

<u>ORDINANCE 2026-28</u> Sponsors: Councilpersons Stimpert, Kropp
AN ORDINANCE AMENDING SECTION 985.03 AND REPEALING SECTION 985.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF NEWTON FALLS, OHIO
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Kropp. Second by Stimpert.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. Final Reading.

XII. New Business

RESOLUTION 16-2026 Sponsors: Councilpersons Axiotis, Stimpert
A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A VEHICLE.
Mayor Hanson read the resolution by title only and called for a motion to adopt the resolution. Moved by Axiotis. Second by Kropp.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The resolution was adopted 4-0.

RESOLUTION 17-2026 Sponsors: Councilpersons Stimpert, Rufener
RESOLUTION OF THE VILLAGE OF NEWTON FALLS ADOPTING THE TRUMBULL COUNTY MULTIJURISDICTIONAL HAZARD MITIGATION PLAN.
Mayor Hanson read the resolution by title only and called for a motion to adopt the resolution. Moved by Rufener. Second by Stimpert.
Axiotis noted that this is a large document and he has not had time to read the entire attachement. Rufener commented that this is basically a risk management program. It would be similar to a comprehensive plan where everything is put together in case of an event. There is a section on Newton Falls, the rest of the document is other areas of the county.
Mr. Kropp made a motion to postpone the resolution until the next regular meeting to be held on July 15, 2026. Second by Axiotis.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The resolution was postponed to July 15, 2026, meeting agenda 4-0.

RESOLUTION 18-2026 Sponsors: Councilpersons Kropp, Stimpert
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A CONTRACT WITH MASTER SECURITY, INC. FOR SECURITY AT THE MUNICIPAL BUILDING LOCATED 612 WEST BROAD STREET
Mayor Hanson read the resolution by title only and called for a motion to adopt the resolution. Moved by Stimpert. Second by Kropp.
Interim City Manager stated that we get a lot of angry people in the building, especially during utility shut-off time.
Attorney VanBrocklin stated recently we had several people causing trouble and he was getting ready to file charges against a couple of them. We also had to have an officer here for a utility appeal meeting that got out of hand.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The resolution was adopted 4-0.

RESOLUTION 19-2026 Sponsors: Councilpersons Kropp, Stimpert
A RESOLUTION OF APPRECIATION TO MICHAEL ACOMB FOR HIS YEARS OF SERVICE TO THE VILLAGE OF NEWTON FALLS.
Mayor Hanson read the resolution by title only and called for a motion to adopt the resolution. Moved by Kropp. Second by Stimpert.
All members of Council thanked Mr. Acomb for his service and his professionalism and wished him well in his new job.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The resolution was adopted 4-0.

RESOLUTION 20-2026 Sponsors: Councilpersons Stimpert, Rufener
A RESOLUTION ADOPTING THE TAX BUDGET OF THE VILLAGE OF NEWTON FALLS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027, AND SUBMITTING THE SAME TO THE COUNTY AUDITOR.
Mayor Hanson read the resolution by title only and called for a motion to adopt the resolution. Moved by Rufener. Second by Axiotis.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The resolution was adopted 4-0.

ORDINANCE 2026-30 Sponsors: Councilpersons Rufener, Stimpert
AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026, AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES WITH THE COUNTY AUDITOR
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Axiotis. Second by Kropp.
Interim City Manager noted that this is a large reappropriation, but a lot of it is the money we received from the AMP T contract.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. First Reading.

ORDINANCE 2026-31 Sponsors: Councilpersons Kropp, Stimpert
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO A CONTRACT WITH ATTORNEY GARY L. VANBROCKLIN
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Kropp. Second by Axiotis.

A motion was made to amend the start date to July 6, 2026. Moved by Stimpert seconded by Axiotis. Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion to amend passed 4-0.

Axiotis made a motion to pass the ordinance with the amended version of the exhibit. Second by Kropp. Axiotis noted there was a question about what we are paying. He noted that Attorney VanBrocklin is very engaged and is solving a lot of problems that have been around for a long time. Axiotis said he is a firm believer of paying somebody what they are worth. He learned that it is not always best to get somebody for the cheapest amount possible.
Kropp commented that it is important to have a Law Director that is available and addressing the issues. He had no problem with the pay and felt Attorney VanBrocklin would be good for the Village.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. First Reading.

ORDINANCE 2026-31 Sponsors: Councilpersons Kropp, Stimpert
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO A CONTRACT WITH ATTORNEY GARY L. VANBROCKLIN

Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Axiotis. Second by Kropp.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. Final Reading.

Ms. Stimpert made a motion to direct the city manager to notify Jeff Limbian that his services are no longer needed in any capacity effective July 6, 2026; but his pay will continue until the end of his notice period. Seconded by Axiotis

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0.

<u>ORDINANCE 2026-32</u> Sponsors: Councilpersons Kropp, Stimpert
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO A CONTRACT WITH KATHLEEN M. KING AS PART-TIME CLERK OF COUNCIL/CITY CLERK
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Axiotis. Second by Kropp.
Axiotis stated there were comments made about what we were paying Ms. King. He stated that we have been paying this amount as City Manager on a contracted basis. This is basically having her fill in at the same wage. The new City Manager is starting, and she will be assisting him and basically handing the torch off. We are trying to make a smooth transition, and she will still be doing City Manager duties in a sense. We are actively pursuing getting a City Clerk, a full-time Clerk which has been advertised. Obviously, we will not be paying that wage for the Clerks position. He stated Ms. King has done a fantastic job. We are trying to do things right and make a clean transition.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. First Reading.

<u>ORDINANCE 2026-32</u> Sponsors: Councilpersons Kropp, Stimpert
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF NEWTON FALLS TO ENTER INTO A CONTRACT WITH KATHLEEN M. KING AS PART-TIME CLERK OF COUNCIL/CITY CLERK
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Kropp. Second by Stimpert.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. Final Reading.

<u>ORDINANCE 2026-33</u> Sponsors: Councilpersons Kropp, Stimpert
AN ORDINANCE AUTHORIZING THE VILLAGE OF NEWTON FALLS TO ENTER INTO AGREEMENTS WITH NEXT GEN ELECTRIC LLC FOR NEW SECURITY, FIRE ALARMS AND CAMERAS FOR THE MUNICIPAL BUILDING, CITY HALL AND CITY PARK.
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Kropp. Second by Rufener.

Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. First Reading.

ORDINANCE 2026-34 Sponsors: Councilpersons Kropp, Rufener
AN ORDINANCE ADOPTING PUBLIC NUISANCE REGULATIONS FOR THE VILLAGE OF NEWTON FALLS, OHIO
Mayor Hanson read the ordinance by title only and called for a motion to adopt the ordinance. Moved by Kropp. Second by Rufener.
Kropp felt this would help the Zoning Department deal with some issues that have been hard to handle. This clarifies some of our existing legislation and clarifies definitions.
Axiotis felt this was much needed in terms of giving some enforceability.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The ordinance was adopted 4-0. First Reading.

MOTION TO DISCUSS
A MOTION TO DISCUSS THE REPLACEMENT OR REPAIR OF THE TORNADO SIREN LOCATED ON MAIN STREET
Mayor Hanson read the Motion by title only and called for a motion to discuss. Moved by Kropp. Second by Stimpert. Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0.
Interim City Manager explained the current situation with the sirens and the three options to fix and/or replace the siren. Council had some questions about the sirens, how they were set off, and how far the current three working sirens could be heard. A brief discussion was held on the need for the fourth siren with people getting notices on their phone. Also discussed was the possibility that in the near future we will have issues with the existing three and the concern for the elderly that do not have the notice on their phone. Additional information will be provided before moving forward.

XIII. **Public Comments**

Julie Lemon – 609 Ridge Road
Acknowledged that the Judge did rule in favor of the Village. She stated she would be filing an appeal in the morning because they ignored that we are a Charter Village. She felt council priorities were screwed up because they were debating on replacing the tornado siren but were paying someone $114,000. She stated she went to the Township meeting today and people were actually listening to the concerns expressed. She stated she was here when the agreements were made on the Scott Street Project. Residents should not be questioning if the city is going to follow what they promised. Ms. Lemon stated that the Law Director's way of running the government was what Youngstown was when Jim Trafficant was there in the 90's.

Gary Newbrough – TC Sanitary Engineer
Handed out information to the members on the Scott Street Project. He stated the understanding was the Village was going to do the main line and the county would be coming later and connect the houses that qualified. Today the Commissioners were supposed to award the contract after which the county would connect 34 houses. The Commissioners tabled action today. Mr. Newbrough stated they were under a time constraint to get the money spent, the connections completed and yards restored and before the end of the year. There will be a total of 88 houses, but this puts the breaks on the whole process. After receiving the letter from Attorney VanBrocklin that stated the residents had to annex into the Village, the county is worried about meeting the December deadline for the money. Right now, everything is in limbo. Currently there are seven houses connected to the sewer that have not been required to annex into the city. He also handed out a rate ordinance that showed inside and outside rates for the utilities. He asked for communication from the Village to let them know if the Village was requiring the annexations.

Peter Augusta – Newton Township Trustee

Stated it was discussed in a public forum along with rates and they were told that the residents would not have to annex. There were no minutes from the public meeting, and he asked where the integrity was for what they were told. A lot of the people could not afford to pay for the connections. These talks started in December of 2020, and nothing was said about annexation until now. He stated this was a tough pill to swallow for himself, the Township Trustees and the Township residents. He asked Council to reconsider.

Julie Green – TC County Planning Commission Director
Said she has been working on the Scott Street Sanitary Sewer Project since the early 2000s. She provided some background information and agreed that what Mr. Augusta said was true. She was in meetings with the City Manager, at that time, who pursued the County to finish the project.
Ms. Green also commented on the Hazardous Mitigation Plan that was tabled. She stated if Newton Falls had a disaster, that plan is a requirement to have in place, to receive federal money. It also helps residents who are located in a flood plain and required to carry flood insurance. It collectively brings down the cost of the insurance plans.

Blaise Fishko –
Announced the new reopening on July 15th of an Italian Steakhouse Restaurant, formerly Vinny's Restaurant. He stated they are investing a lot in the infrastructure and remodeling the banquet room. Hope to see everyone soon. He is hoping they can turn it into a reason for people to come to Newton Falls.

Closing Remarks

a. Mayor – Felt today was a very informative meeting and thanked everyone from the County and Township. He hoped we could work toward a resolution acceptable to everyone.
b. Council Members
    i. Ward 1 – No remarks.
    ii. Ward 2 – No remarks.
    iii. Ward 4 – With the elevated temperatures and a holiday weekend asked everyone to pay attention to the elderly.
    iv. At-Large – No remarks.

XIV. Adjournment

Kropp made a motion to adjourn the regular meeting. Second by Stimpert.
No discussion.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Mr. Rufener-yes; Ms. Stimpert-yes. The motion passed 4-0. The meeting was adjourned at 8:17 pm.

APPROVED:

David Hanson, Mayor

ATTEST:

Michael Acomb, Clerk of Council

NEWTON FALLS CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, July 15, 2026; 6:00 PM
COUNCIL CHAMBERS
612 WEST BROAD STREET

CITY COUNCIL MEMBERS	
Ward 1	Brian Kropp
Ward 2	Brian Axiotis
Ward 3	Robert Burke
Ward 4	Kevin Rufener
At- Large	Julie Stimpert
	David Hanson

CITY ADMINISTRATION	
City Manager	Jeremy Shaffer
Law Director	Gary VanBrocklin
Finance Director	Pamela Hileman
Clerk of Council	Kathleen M King
Police Chief	John Barco

I. Call to Order

Clerk of Council called the meeting to order at 6:02 pm.

II. Pledge of Allegiance / Silent Prayer

III. Roll Call

Council Present: Councilperson Axiotis, Councilperson Kropp, Councilperson Burke, Councilperson Rufener
Council Absent: Councilperson Stimpert, Mayor Hanson
Staff Present: Clerk King, Law Director Gary Van Brocklin,

IV. Changes To Tonight's Agenda

Rufener made a motion seconded by Kropp to appoint Rufner Chair Pro Tem for tonight's meeting.
No discussion.
Roll Call Vote: Mr. Kropp-yes; Burke-yes; Mr. Rufener-yes; Mr. Axiotis-yes.
The motion was passed 4-0.

Rufner made a motion seconded by Burke to excuse Stimpert from tonight's meeting.
No discussion.
Roll Call Vote: Burke-yes; Mr. Rufener-yes; Mr. Axiotis-yes; Mr. Kropp- yes.
The motion was passed 4-0.

Rufner made a motion seconded by Kropp to suspend the rules.
Roll Call Vote: Mr. Rufener-yes; Mr. Axiotis-yes; Mr. Kropp- yes; Mr. Burke - yes.
The motion was passed 4-0.

Axiotis was concerned that with Stimpert missing Council could not meet the threshold for emergency legislation passage, because Mr. Burke was appointed not elected. Attorney Van Brocklin stated everyone here was a member of Council and could vote.

Rufner made a motion seconded by Axiotis to reinstate the rules.
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp- yes; Mr. Burke – yes; Mr. Rufener - yes.
The motion was passed 4-0.

Kropp made a motion seconded by Axiotis to add Ordinance 2026-37 to tonight's agenda; An Ordinance Amending Ordinance 2015-13 and Declaring an Emergency. Roll Call Vote: Mr. Kropp- yes; Mr. Burke – yes; Mr. Rufener – yes; Mr. Axiotis - yes. The motion was passed 4-0.

V. Motion to Recess into Executive Session (If Necessary)

Rufner made a motion seconded by Axiotis at 6:09 p.m. to adjourn into executive session pursuant to Revised Code Section 121.22 (G)(3), to adjourn into executive session to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, with possible action to be taken.

Roll Call Vote: Mr. Burke – yes; Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp- yes. The motion was passed 4-0.

Rufner made a motion seconded by Axiotis at 6:44 p.m. to adjourn from executive session and reconvene the meeting.

Roll Call Vote: Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp- yes; Mr. Burke – yes. The motion was passed 4-0.

VI. Special Presentations by Staff Members or Invited Consultants

VII. Public Comments (Agenda Items Only)

Julie Lemon, 609 Ridge Road, stated she was not sold on the proposed moratorium legislation on tonight's agenda. She also stated the minutes were not published and should not be voted on.

VIII. Reports

Council Members

i. Ward 1 – Mr. Axiotis attended the Planning and Zoning meeting last week where they discussed the proposed moratorium and smoke shops
ii. Ward 2 – No report.
iii. Ward 3 – No report.
iv. Ward 4 – No report.

b. Law Director – He reported that he would be attending a seminar next week.

IX. Approval of Previous Minutes

None.

X. Public Hearings

ORDINANCE 2026-30
AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026, AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES WITH THE COUNTY AUDITOR.
No Comments

ORDINANCE 2026-33
AN ORDIANNCE AUTHORIZING THE VILLAGE OF NEWTON FALLS TO ENTER INTO AGREEMENTS WITH NEXT GEN ELECTRIC LLC FOR NEW SECURITY, FIRE ALARMS AND CAMERAS FOR THE MUNICIPAL BUILTING, CITY HALL AND CITY PARK.
No Comments

ORDINANCE 2026-34
AN ORDINANCE ADOPTING PUBLIC NUISANCE REGULATIONS FOR THE VILLAGE OF NEWTON FALLS, OHIO
No comment

XI. Unfinished Business

RESOLUTION 17-2026 Sponsors: Councilpersons Stimpert, Rufener
A RESOLUTION OF THE VILLAGE OF NEWTON FALLS ADOPTING THE TRUMBULL COUNTY MULTIJURISDICTIONAL HAZARD MITIGATION PLAN.
Kropp made a motion seconded by Axiotis to adopt this resolution.
No discussion
Roll Call Vote: Mr. Axiotis-yes; Mr. Kropp-yes; Burke-yes; Mr. Rufener-yes.
The resolution was adopted 4-0.

ORDINANCE 2026-30 Sponsors: Councilpersons Rufener, Stimpert
AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026 AND AUTHORIZINIG THE FINANCE DIRECTOR TO AMEND AND FILE A CERTIFICATE OF RESOURCES WITH THE COUNTY AUDITOR.
Kropp made a motion seconded by Axiotis to adopt this Ordinance.
No Discussion
Roll Call Vote: Mr. Kropp-yes; Burke-yes; Mr. Rufener-yes; Mr. Axiotis.
The ordinance was adopted 4-0.

ORDINANCE 2026-33 Sponsors: Councilpersons Kropp, Stimpert
AN ORDINANCE ORDIANNCE AUTHORIZING THE VILLAGE OF NEWTON FALLS TO ENTER INTO AGREEMENTS WITH NEXT GEN ELECTRIC LLC FOR NEW SECURITY, FIRE ALARMS AND CAMERAS FOR THE MUNICIPAL BUILTING, CITY HALL AND CITY PARK.
Kropp made a motion seconded by Burke to adopt this Ordinance.
Kropp stated that this is long overdue. Axiotis also noted that the access to saved footage would only be accessible to the City. He also agreed this was long overdue.
Roll Call Vote: Burke-yes; Mr. Rufener-yes; Mr. Axiotis - yes; Mr. Kropp - yes.
The ordinance was adopted 4-0.

ORDINANCE 2026-34 Sponsors: Councilpersons Kropp, Rufener
AN ORDINANCE ADOPTING PUBLIC NUISANCE REGULATIONS FOR THE VILLAGE OF NEWTON FALLS, OHIO.
Axiotis made a motion seconded by Rufener to adopt this ordinance.
Kropp noted that this is more of a housecleaning ordinance to make our current regulation more effective and easier to enforce and follow. Rufener also stated it was a clarification of what we can do and explains the process.
Roll Call Vote: Mr. Rufener-yes; Mr. Axiotis - yes; Mr. Kropp – yes; Mr. Burke - yes.
The ordinance was adopted 4-0.

XII. New Business

RESOLUTION 22-2026 Sponsors: Councilpersons Kropp, Axiotis
A RESOLUTION RECOGNIZING AND EXPRESSING APPRECIATION TO THE CADLE COMPANY FOR ITS CONTRIBUTION TO THE CITY OF NEWTON FALLS THROUGH

THE JULY 2, 2026, DRONE SHOW AT THE CITY PARK AS PART OF THE CITY OF NEWTON FALLS 4TH OF JULY CELEBRATIONS AND THE CELEBRATION OF THE 250TH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF THE UNITED STATES OF AMERICA.
Axiotis made a motion seconded by Kropp to adopt this Resolution.
All members of council expressed their appreciation of the event.
Roll Call Vote: Mr. Axiotis - yes; Mr. Kropp – yes; Mr. Burke – yes; Mr. Rufener - yes.
The resolution was adopted 4-0.

<u>ORDINANCE 2026-35</u> Sponsors: Councilpersons Kropp, Axiotis
AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY TWELVE (12) MONTH MORATORIUM ON CERTAIN NEW BEHAVIORAL HEALTH, RECOVERY HOUSING, TREATMENT, AND RESIDENTIAL CARE LAND USE PENDING A COMPREHENSIVE REVISION OF THE CITY OF NEWTON FALLS ZONING CODE; DIRECTING THE PLANNING AND ZONING COMMISSION TO REVIEW AND RECOMMEND COMPREHENSIVE ZONING REGULATIONS; AND PROVIDING FOR RELATED MATTERS.
Axiotis made a motion seconded by Kropp to adopt this Ordinance.
Burke asked if this would be violating anything in the Federal Housing Act. Attorney VanBrocklin said it would not. Axiotis stated this is just a pause button for the Village to review our current regulations and make sure we are doing everything we can. He also noted that the new City Manager has some experience with this issue. Kropp stated it was our obligation to the community, businesses and people of the Village.
Roll Call Vote: Mr. Kropp – yes; Mr. Burke – yes; Mr. Rufener – yes; Mr. Axiotis - yes.
The Ordinance was adopted 4-0.

<u>ORDINANCE 2026-35</u> Sponsors: Councilpersons Kropp, Axiotis
AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY TWELVE (12) MONTH MORATORIUM ON CERTAIN NEW BEHAVIORAL HEALTH, RECOVERY HOUSING, TREATMENT, AND RESIDENTIAL CARE LAND USE PENDING A COMPREHENSIVE REVISION OF THE CITY OF NEWTON FALLS ZONING CODE; DIRECTING THE PLANNING AND ZONING COMMISSION TO REVIEW AND RECOMMEND COMPREHENSIVE ZONING REGULATIONS; AND PROVIDING FOR RELATED MATTERS.
This Ordinance was read by title for its second reading.
Kropp made a motion seconded by Rufener to adopt this Ordinance.
No Comments
Roll Call Vote: Mr. Burke – yes; Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp - yes.
The Ordinance was adopted 4-0.

ORDINANCE 2026-36 Sponsors: Councilpersons Kropp, Rufener
AN EMERGENCY ORDINANCE AUTHORIZING ALL THE ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2026 ENERGIZED COMMUNITY GRANT.
Burke made a motion seconded by Rufener to adopt this Ordinance.
Clerk King noted that the deadline was June 30, 2026, for this grant however she contacted NOPEC and they agreed to extend the deadline until July 17, 2026.
Roll Call Vote: Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp – yes; Mr. Burke - yes.
The Ordinance was adopted 4-0.

ORDINANCE 2026-36 Sponsors: Councilpersons Kropp, Rufener
AN EMERGENCY ORDINANCE AUTHORIZING ALL THE ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2026 ENERGIZED COMMUNITY GRANT.
This Ordinance was read by title for its second reading.
Rufener made a motion seconded by Kropp to adopt this Ordinance.
No comments
Roll Call Vote: Mr. Axiotis – yes; Mr. Kropp – yes; Mr. Burke – yes; Mr. Rufener - yes.
The Ordinance was adopted 4-0.

ORDINANCE 2026-37 Sponsors: Stimpert, Kropp
AN ORDINANCE AMENDING ORDINANCE NO. 2015-13 AND DELCLARING AN EMERGENCY.
Rufener made a motion seconded by Kropp to adopt this ordinance.
Attorney VanBrocklin noted that the original ordinance required anyone who connects to the Village to annex into the Village. This Ordinance exempts that requirement only for this phase of the Scott Street Sewer Project.
Axiotis stated that again the Village is cleaning up a mess from a previous City Manager. One thing he did not see in the Ordinance was the fact that we are running a sewer line to Township residents that the city is responsible for. If something happens to that sewer line it will affect the rates of everyone in the city and by exempting them from annexing in, we are subsidizing the township. There is no guarantee or mention that the Township would take any responsibility or pay any costs if something happens to the line. The Township was asked to take ownership of the sewer line and they declined, so they have no responsibility. He stated he understood the mess but questioned how that was fair to the city.
Attorney VanBrocklin noted that the sewer line was built with a grant and if this is not done, we would have to return the money. He also stated we own the sewer line no matter what. This was an EPA mandate to get the project done. He stated separate ordinances would be proposed for tie-in fees and rates.
Axiotis stated no one has shown him in writing where the previous City Manager said he would waive the requirement to annex into the city. Attorney VanBrocklin said it is not in writing, but that is what brought the project back.
Kropp noted that if this action is not taken, we could ultimately pay back over Three million dollars.
Rufener said he spoke with Mr. Shaffer and one of the discussions was what if we just stopped and did nothing. The problem is the sewer line has already been built, we already own it. How we protect the cost from coming back to the residents, it can easily be addressed with the tap-in fees. That money is set aside so that money and the money from their rates can be used for any maintenance of the project. They are not getting inside utility rates.
Kropp noted that this is not something council started, this was an EPA mandate. This is a time sensitive issue. The loan and grant have already been spent. He felt this was not a perfect answer, but it was a step forward.
Axiotis noted that in front of him was to waive the requirement to annex into the city and this authorizes them to tap into the line. There is no guarantee that they will even pay us. He understands that there are a lot of folks that are not paying us currently. So, the city is already subsidizing Phase I. There is no legislation addressing these concerns.
Attorney VanBrocklin stated he did this, so it was a single issue in the ordinance. He said at the next meeting we should have legislation concerning tap-in fees and rates for

Phase II Scott Street. If people are not paying someone should have sued them a long time ago, but he was not here.

Roll Call Vote: Mr. Kropp – yes; Mr. Burke– yes; Mr. Rufener – yes; Mr. Axiotis - yes. The Ordinance was adopted 4-0.
Axiotis stated he feel like he should not vote yes on this but $2.9 million is a lot of money. He felt he was being forced to vote yes, which is never a position anyone should be in. This is ridiculous, and he really did not like this.

ORDINANCE 2026-37 Sponsors: Stimpert, Kropp
AN ORDINANCE AMENDING ORDINANCE NO. 2015-13 AND DELCLARING AN EMERGENCY.
This Ordinance was read by title for its second reading.
Rufener made a motion seconded by Kropp to adopt this Ordinance.
Kropp agreed that it was not an easy decision, this is complicated and layered, but felt it was necessary. Sometimes things are not perfect but sometimes getting it done is better than nothing.
Attorney VanBrocklin stated there would be two separate Ordinances, one to set the tap-in fees and one to set the rates.
Rufener agreed with Councilman Axiotis, but this started eleven years ago and we are stuck with it and the agreements. We either move forward or we are stuck with paying back Three Million dollars. Again, not perfect, but a step in the right direction.

Roll Call Vote: Mr. Burke – yes; Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp - yes. The Ordinance was adopted 4-0.

XIII. Public Comments

Julie Lemon, 609 Ridge Road thanked the Law Director for meeting with her today and for the cordial conversation. She also stated that she agreed with Mr. Kropp's statement that the Scott Street Ordinance was not perfect, but we should honor the past agreement

Samantha Kropp, 247 Elizabeth Street thanked Council for the action they took on the Scott Street Project. She said she had the same concerns as Councilman Axiotis. She felt Council was handed a bad hand. She also felt that Township Trustee Augusta owed Council an apology for the way he came here and addressed Council, it was inappropriate. However, she felt this Council handled it like adults and came up with a resolution.

Anna Eby, 50 West 9th Street, asked now that we sold the electric can we choose who we want for electric. She also had concerns about whether or not Circle K was really going to move over to the old Rite Aid property. She also asked if the new nuisance legislation addressed dead trees. She said it all started at home. Ms. Eby asked if the new cameras were in all the parks or were we just doing the main park.

XIV. Closing Remarks

a. Council Members
    i. Ward 2 – Mr. Kropp stated that we still have our transmission lines, we did not sell the electric department. If you live in the Village, you have Village electric service. On the Scott Street Project this was not an easy

decision but necessary to move the Village forward. He hoped it was an amicable solution to the problem.

ii. Ward 1 – Mr. Axiotis stated it was terrible legislation and what we have done. We made an offer to the Township and they declined. What does that say about the Township. They are not willing to help their own citizens, but the city has to. If the Township didn't lift a finger to help their own residents, then why are we. The Township residents should start asking hard questions to their Trustees, because they did not step up but the city did.

iii. Ward 3 – No remarks

iv. Ward 4 – No remarks

XV. Adjournment

Kropp made a motion seconded by Burke to adjourn the regular meeting

No discussion.

Roll Call Vote: Mr. Rufener – yes; Mr. Axiotis – yes; Mr. Kropp – yes; Mr. Burke - yes. The motion passed 5-0. The meeting was adjourned at 7:41 pm.

APPROVED:

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David Hanson, Mayor

ATTEST:

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Kathleen M. King, Clerk of Council