**LAWSUIT: CITY OF WARREN SUED OVER TRAGEDY AT SUMMIT STREET DAM**

***Attorneys: Lisa Zitello*** ***Was an Experienced and Responsible Kayaker, Remains in Coma After City Failed to Post Clear Warnings About Dangerous “Drowning Machine.”***

**WARREN, OH - APRIL 28, 2022 -** Lisa Zitello remains in a coma after nearly drowning when her kayak went over the Summit Street dam in Warren, Ohio in May 2020. Mrs. Zitello’s family has filed a lawsuit against the City of Warren over the lack of adequate warning to boaters of the deadly low-head dam, which the city’s fire chief has publicly called a “drowning machine.” The city installed warning buoys in 2017, but they had washed away before the accident. New signage was put in place and obstructive foliage was trimmed back only after the incident.

[The lawsuit was filed today](https://www.peifferwolf.com/wp-content/uploads/2022/04/2022.04.28-Zitello-v.-Warren-Complaint-with-court-time-stamp.pdf) on behalf of Mrs. Zitello and her family by attorneys at the law firm Peiffer Wolf Carr Kane Conway & Wise (Peiffer Wolf) in the Court of Common Pleas in Trumbull County, Ohio against the City of Warren.

Joe Schiavoni, former Ohio Senate minority leader and attorney, Peiffer Wolf, said: **“This tragedy never should have occurred, and it would not have taken place if the City of Warren had replaced the warning buoys and installed adequate warnings for unsuspecting boaters. It’s unconscionable that the city could be aware of such a deadly hazard, which it’s openly called a ‘drowning machine,’ but fail to protect its residents and visitors.”**

On May 3, 2020, the current of the river pulled Mrs. Zitello over the dam, and her body became trapped in an underwater hydraulic current. The turbulence swirled her around at the base of the dam, and eventually her body was tossed out and floated facedown toward the Summit Street bridge. Local fishermen Jon and Jacob Fowler acted heroically to retrieve Mrs. Zitello from the river and get her ashore where emergency responders could attend to her.

Mrs. Zitello, a wife, mother, and small-business owner, entered the river at Burbank Park intending to travel to Packard Park. Mrs. Zitello was completely unaware of the Summit Street dam’s existence or the danger it posed. There were no warning signs, lights, barriers, or any other indication that the Mahoning River Water Trail ended at Packard Park or that Mrs. Zitello should exit the river there. Nor was the portage at Packard Park adequately marked from the river. Had she been warned, she never would have intentionally taken her kayak over a dam. From the perspective of a kayaker seated at water level, by the time the dam comes into view there is no way to avoid going over it. As bystanders reported in 911 calls, Mrs. Zitello did not realize the dam was there until it was too late.

Ashlie Case Sletvold, partner, Peiffer Wolf, said: **“This is not the first time an unsuspecting boater has drowned or nearly drowned going over the Summit Street dam. The City of Warren had an obligation to warn people of this deadly hazard. This is particularly true as Valley residents looked for outdoor activities in which they could safely engage during the COVID pandemic.”**

The Summit Street dam was constructed as part of the Warren Water Works, which the city previously operated as part of its municipal water supply. The city remains responsible for maintaining the dam and ensuring it would not constitute a hazard. The city failed to take reasonable precautionary measures to make the dam safe or warn of its dangers, causing risk of foreseeable harm to Mrs. Zitello and other boaters.

Brent Zitello, husband of Lisa Zitello, said: “**Two years ago, Lisa left the house, happy as can be, to go on a quick kayak trip on the Mahoning River. It was Lisa’s stress reliever and since we were two months into a nationwide pandemic, she needed it. Thanks to the City of Warren, Lisa has not been back home since. That day has forever changed the lives of not only her but myself, our sons, and so many others.”**

Charles “Mateo” Martin, son of Lisa Zitello, said: **“My mom helped me get through so much in my life. I never could have imagined that I would be helping her get through so much worse. She taught me how to draw, how to cook, how to be a man, and how to stay solid when things begin to fall apart. That, specifically, is a skill I’ve had to use immensely over the last two years.”**

Dominic Zitello, son of Lisa Zitello, said: **“My mother is the best mother you can ask for. Words cannot express how great of a mother she is. It has been the hardest time without her at home. I have her in my heart 24/7. I just remember the last few moments before she walked out the door that day. I said, ‘I love you mom, be safe.’ This is a life-changing moment I will never forget. The memory of my father getting a call that very same day still makes my stomach sink.”**

Low-head dams such as the Summit Street dam present an extreme risk to anyone who enters or navigates the river. Such dams appear harmless to boaters, but they are very dangerous because of the turbulence at the base of the dam that can trap victims underwater. Based on public records and media reports, it is believed that at least three individuals have drowned at the Summit Street dam before Mrs. Zitello was injured.

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**ABOUT PEIFFER WOLF CARR KANE CONWAY & WISE**

Peiffer Wolf Carr Kane Conway & Wise is a national law firm with offices in Youngstown, Cleveland, New York, New Orleans, San Francisco, Los Angeles, Austin, Chicago, and St. Louis. <https://peifferwolf.com/>

**EDITOR’S NOTE:** The 911 call recording, court filing, related news release and photos are available at <https://peifferwolf.com/>.