

**VILLAGE OF NEWBURGH HEIGHTS**  
**MINUTES OF COUNCIL MEETING**  
**HELD 5/4/21**

**Mayor Elkins called the meeting to order at 7:05 PM.**

Roll Call: Moran, Kray (via teleconference), Giersz (via teleconference), Traore (via teleconference), and Dunman present.

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski

Mr. Moran motioned to enter into executive session. Ms. Traore seconded. Motion passed 5 yes – 0 no.

**Executive session began at 7:06 PM.**

Discussion of personnel issues (to consider appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official), pending/potential litigation, and property acquisitions if necessary.

Mr. Moran motioned to exit executive session. Mr. Dunman seconded. Motion passed 5 yes – 0 no.

Concluded executive session at 7:17 PM; Mayor Elkins called a short recess to set up the Village's Facebook Live broadcast of the regular meeting.

**Mayor Elkins called the Regular Session of Council to order at 7:54 PM, due to technical difficulties with Facebook Live.**

Roll Call: Moran, Kray (via teleconference), Giersz (via teleconference), Traore (via teleconference), and Dunman present.

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Police Chief John Majoy (via teleconference), Fire Chief Brian Higginbotham, Service Director Joe Milano (via teleconference), and Village Engineer Jim Sickels (via teleconference)

**(Due to the Covid-19 health crisis in Ohio, this meeting was broadcast via Facebook Live, encouraging members of the public to attend without compromising the health of the community. In addition, council members and department heads were able to attend via teleconference per adjustments to the Open Meetings Act due to the pandemic.)**

**All stood for Pledge of Allegiance. Mayor Elkins requested all cell phones and pagers be placed on silent mode.**

Minutes of 5/4/21 Regular Council meeting

**Good & Welfare:**

Mayor Elkins acknowledged a \$1,500 donation from American Legion Post 627 for the Village's youth sports programs.

Mrs. Kray's sound link was lost. In the interest of respecting the public's time since the meeting already began late due to technology issues, she indicated the meeting should continue in her absence and she would rejoin as soon as possible.

**Reading & Disposition of the Minutes:**

March 30, 2021 Special Session of Council  
April 6, 2021 Regular Session of Council

Mr. Dunman motioned to approve the minutes as presented. Seconded by Ms. Traore.  
Roll call: Moran, Giersz, Traore, and Dunman voted yes. Motion passed.

Mrs. Kray's electronic meeting access was restored.

**Legislation:****ORDINANCE 2021-14****INTRODUCED BY: COUNCILMAN DUNMAN**

**AN ORDINANCE ADOPTING SECTION 812 OF THE VILLAGE PERSONNEL POLICY MANUAL ENTITLED "ACCESS TO COUNCIL MAILROOM," AND DECLARING AN EMERGENCY.**

Ordinance 2021-14 is placed on 2<sup>nd</sup> reading.

**ORDINANCE 2021-15****INTRODUCED BY: MAYOR ELKINS**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1337.02(c) ENTITLED "GARBAGE AND RUBBISH PICKUP" FOR PURPOSES OF AMENDING PENALTY PROVISIONS, AND DECLARING AN EMERGENCY.**

Ordinance 2021-15 is placed on 2<sup>nd</sup> reading.

**ORDINANCE 2021-16****INTRODUCED BY: MAYOR ELKINS**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LOVE INSURANCE AGENCY TO PROCURE COMPREHENSIVE INSURANCE COVERAGE THROUGH POLICIES BROKERED BY LOVE INSURANCE AGENCY AND UNDERWRITTEN BY TOKIO MARINE HCC PUBLIC RISK OHIO, AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Ordinance 2021-16, rules suspended and that Ordinance 2021-16 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Kray, Giersz, Traore, and Dunman

voted yes. Motion passed. Roll call on adoption: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

Ordinance 2021-16 is adopted.

**ORDINANCE 2021-17**

**INTRODUCED BY: MAYOR ELKINS**

**AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANTS, AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Ordinance 2021-17, rules suspended and that Ordinance 2021-17 is placed on 1st, 2nd, and final reading for immediate adoption. Ms. Giersz seconded. Roll call on suspension of rules: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed. Roll call on adoption: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

Ordinance 2021-17 is adopted.

**ORDINANCE 2021-18**

**INTRODUCED BY: MAYOR ELKINS**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AFFILIATION AGREEMENT WITH LAKE COUNTY COMMUNITY COLLEGE DISTRICT TO PROVIDE EMS TRAINING.**

Ordinance 2021-18 is placed on 1<sup>st</sup> reading.

**PAYROLL RESOLUTION #4500**

**INTRODUCED BY: COUNCIL**

**MARCH 2021 DISBURSEMENTS**

**A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$657,094.13 AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Payroll Resolution #4500, rules suspended and that Payroll Resolution #4500 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed. Roll call on adoption: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

Payroll Resolution #4500 is adopted.

**PAYROLL RESOLUTION #4501****INTRODUCED BY: COUNCIL****EMPLOYEE PAYROLL P/E. 4/3/2021****PD. 4/9/2021**

**A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$67,386.06 AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Payroll Resolution #4501, rules suspended and that Payroll Resolution #4501 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed. Roll call on adoption: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

Payroll Resolution #4501 is adopted.

**PAYROLL RESOLUTION #4502****INTRODUCED BY: COUNCIL****EMPLOYEE PAYROLL P/E. 4/17/2021****PD. 4/23/2021**

**A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$79,007.32 AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Payroll Resolution #4502, rules suspended and that Payroll Resolution #4502 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed. Roll call on adoption: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

Payroll Resolution #4502 is adopted.

**Reports:****Mayor:**

Spring and summer sports were authorized, to follow the Ohio governor and the CDC's suggestions. We expect masks will be needed. Kathy Edwards Park will be available for reservations as of May 22.

Based on current recommendations, the Village expects to reopen for indoor activities as of July 1: the community room will be available for events again. For the July council meeting, all council members and administrative staff are expected to attend in person, and the public will also be welcome to attend at Village Hall. Please be mindful of posted advisories: we may be required to wear masks and/or socially distance.

Mayor Elkins reviewed building and housing inspections performed on behalf of the Village. Mr. McConville commented on the legal aspects of inspections. He detailed that the Village operates under the same rules as many surrounding Northeast Ohio municipalities, and many rules that are state-wide; Newburgh Heights is not out of the ordinary.

**Fiscal Officer:**

Fiscal Officer Nagorski read the March 2021 Fund Cash Report:

General Fund MTD Receipts	\$ 543,698.85
General Fund MTD Disbursements	\$ 533,092.83
General Fund Unexpended Balance	\$1,598,759.75
All Funds MTD Receipts	\$ 680,407.17
All Funds MTD Disbursements	\$ 657,094.13
All Funds Unexpended Balance	\$2,320,293.55

Fiscal Officer Nagorski read the April 2021 RITA report (see attached.)

Fiscal Officer Nagorski presented the April 2021 Rumpke report (see attached.)

**Mr. Moran:**

Nothing at this time.

**Mrs. Kray:**

Please remember that May 4<sup>th</sup> is the 51<sup>st</sup> anniversary of the Kent State massacre.

**Ms. Giersz:**

Nothing at this time.

**Ms. Traore:**

Thank you, Mayor Elkins and Mr. McConville, for reviewing the Village's inspections. Certain residents had expressed concerns that should be alleviated by that information.

She is working with the Cuyahoga County Health Department regarding a Covid-19 vaccine site at Village Hall. Details are forthcoming, but please contact her with questions or to register. In addition, she will be coordinating with the governor's office regarding a drive-thru Covid-19 vaccine event in the Village Hall parking lot.

Ms. Traore motioned to add an additional approval to the Purchases and Approvals section: approval of the administrative order regarding the Covid-19 vaccine policy issued by the Village's safety director on 4/27/21. Ms. Giersz seconded. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes.

Motion passed.

**Mr. Dunman:**

Please reach out if you would like to volunteer to help at the Village's Fall Festival.

**Chief Majoy:**

Nothing at this time.

**Chief Higginbotham:**

Presented the March 2021 NHFD report (see attached.)

**Mr. Sickels:**

Reviewed May 2021 Engineer's report of current and upcoming projects in the Village (see attached.)

**Mr. Milano:**

Nothing at this time.

**Purchases & Approvals:**

a. Ms. Traore motioned to approve the March 2021 Fund Cash Report. Seconded by Ms. Giersz. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

- b. Ms. Traore motioned to approve the appointment of Alexis Becker to full-time patrol officer for NHPD. Seconded by Ms. Giersz. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- c. Ms. Traore motioned to approve the squad 5442 remount project by Burgess Ambulance at a cost not to exceed \$122,000. Chief Higginbotham reviewed the details in documents presented to council and discussion occurred. Seconded by Mrs. Kray. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- d. Ms. Traore motioned to approve the acquisition and installation of automated license plate readers by Flock Safety at a cost not to exceed \$22,000. Chief Majoy reviewed the documents presented to council and discussion occurred. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, and Dunman voted yes. Traore abstained. Motion passed.
- e. Ms. Traore motioned to approve an agreement with Software Solutions to continue accounting system licensing and support through 12/31/2021 at a cost not to exceed \$15,500. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- f. Ms. Traore motioned to approve the tree canopy management proposal from Davey Resource Group at a cost not to exceed \$55,000. Mr. Milano reviewed the proposal, and provided details about the related grant for urban tree canopy maintenance. Motion seconded by Mrs. Kray. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- g. Ms. Traore motioned to approve the sale of certain SCBA facepieces on GovDeals auction site. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- h. Ms. Traore motioned to approve the appointment of Scott Nemet to part-time firefighter/paramedic for NHFD. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- i. Ms. Traore motioned to accept the donation from American Legion Post 627 in the amount of \$1,500 for the Village's youth sports programs. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.
- j. Prior to making a motion, Ms. Traore invited discussion regarding approval of the administrative order regarding the Covid-19 vaccine policy issued by the Village's safety director on 4/27/21. Mr. McConville provided some legal background on this type of administrative order. He advised council of their options to adopt the policy related to Covid-19 vaccines, revise it, or enact an ordinance to create a new policy. He is available to advise further when necessary. Discussion occurred between the mayor, council members, and department heads.

Ms. Traore motioned to refer this approval to a committee of the whole meeting, to be scheduled shortly. Seconded by Mr. Moran. Roll call: Moran, Kray, Giersz, Traore, and Dunman voted yes. Motion passed.

**Adjournment:**

Ms. Traore motioned to adjourn the meeting at 9:54 pm. Seconded by Ms. Giersz. Motion passed 5 yes - 0 no.

Date Approved: 6/1/21

Mayor Trevor Elkins: 

Fiscal Officer Cathleen Nagorski: 