

VILLAGE OF NEWBURGH HEIGHTS
MINUTES OF COUNCIL MEETING
HELD 6/1/21

Mayor Elkins called the meeting to order at 7:00 PM.

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

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Police Chief John Majoy

Mr. Moran motioned to enter into executive session. Mr. Dunman seconded. Motion passed 4 yes – 0 no.

Executive session began at 7:01 PM. Traore (via teleconference) arrived.

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. Ms. Giersz seconded. Motion passed 5 yes – 0 no.

Concluded executive session at 7:07 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 7:31 PM.

Roll Call: Giersz (via teleconference), Traore (via teleconference), Dunman, Moran, and Kray (via teleconference) 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 6/1/21 Regular Council meeting

Good & Welfare:

Mayor Elkins acknowledged Memorial Day and all the service members and their families who sacrificed for our country.

Ms. Traore highlighted the 100-year anniversary of the Tulsa Massacre.

Reading & Disposition of the Minutes:

May 4, 2021 Regular Session of Council
 May 18, 2021 Special Session of Council
 May 18, 2021 Committee of the Whole Meeting

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

Legislation:**ORDINANCE 2021-14, as amended INTRODUCED BY: COUNCILMAN DUNMAN**

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

Ms. Traore motioned to adopt Ordinance 2021-14, as amended. Mr. Moran seconded.
 Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-14, as amended, is adopted.

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.

Ms. Traore motioned to adopt Ordinance 2021-15. Mrs. Kray seconded. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-15 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 2nd reading.

ORDINANCE 2021-19**INTRODUCED BY: MAYOR ELKINS**

AN ORDINANCE CONSOLIDATING THE PAY, REMUNERATION AND BENEFITS PROVISIONS FOR ALL FIRE DEPARTMENT PERSONNEL, AND AMENDING OR REPEALING, AS APPLICABLE, ALL ORDINANCES OR PROVISIONS THEREIN THAT ARE INCONSISTENT WITH THE PAY, REMUNERATION AND BENEFITS SCHEDULES ADOPTED HEREBY, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-19, rules suspended and that Ordinance 2021-19 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-19 is adopted.

ORDINANCE 2021-20**INTRODUCED BY: ALL OF COUNCIL**

AN ORDINANCE CONSOLIDATING THE PAY, REMUNERATION AND BENEFITS PROVISIONS FOR ALL POLICE DEPARTMENT PERSONNEL, AND AMENDING OR REPEALING, AS APPLICABLE, ALL ORDINANCES OR PROVISIONS THEREIN THAT ARE INCONSISTENT WITH THE PAY, REMUNERATION AND BENEFITS SCHEDULES ADOPTED HEREBY, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-20, rules suspended and that Ordinance 2021-20 is placed on 1st, 2nd, and final reading for immediate adoption. Ms. Giersz seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-20 is adopted.

ORDINANCE 2021-21**INTRODUCED BY: MAYOR ELKINS**

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF NEWBURGH HEIGHTS, OHIO AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-21, rules suspended and that Ordinance 2021-21 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-21 is adopted.

ORDINANCE 2021-22**INTRODUCED BY: ALL OF COUNCIL****AN ORDINANCE AMENDING THE VILLAGE'S COVID-19 VACCINATION POLICY, AND DECLARING AN EMERGENCY.**

Mr. Moran motioned to amend the ordinance to read that the stipend applies only to employees as of 5/18/2021. Mr. Dunman seconded. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ms. Traore motioned to adopt Ordinance 2021-22, as amended, rules suspended and that Ordinance 2021-22, as amended, is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-22, as amended, is adopted.

ORDINANCE 2021-23**INTRODUCED BY: MAYOR ELKINS****AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A HEALTHY URBAN TREE CANOPY GRANT PROGRAM YEAR 2021 PROJECT AGREEMENT WITH THE CUYAHOGA COUNTY PLANNING COMMISSION, AND DECLARING AN EMERGENCY.**

Ms. Traore motioned to adopt Ordinance 2021-23, rules suspended and that Ordinance 2021-23 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Ordinance 2021-23 is adopted.

PAYROLL RESOLUTION #4503**INTRODUCED BY: COUNCIL****EMPLOYEE PAYROLL P/E. 5/1/2021****PD. 5/79/2021**

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 \$69,493.13 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4503, rules suspended and that Payroll Resolution #4503 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Payroll Resolution #4503 is adopted.

PAYROLL RESOLUTION #4504

INTRODUCED BY: COUNCIL

EMPLOYEE PAYROLL P/E. 5/15/2021

PD. 5/21/2021

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 \$80,374.46 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4504, rules suspended and that Payroll Resolution #4504 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Payroll Resolution #4504 is adopted.

Reports:

Mayor:

Mayor Elkins reminded staff and the public that there is still an ongoing pandemic, even though many restrictions are being lifted. Please be safe.

Fiscal Officer:

Fiscal Officer Nagorski read the April 2021 Fund Cash Report:

General Fund MTD Receipts	\$ 376,396.50
General Fund MTD Disbursements	\$ 647,262.58
General Fund Unexpended Balance	\$1,327,893.67
All Funds MTD Receipts	\$ 703,580.15
All Funds MTD Disbursements	\$ 765,256.72
All Funds Unexpended Balance	\$2,258,616.98

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

Fiscal Officer Nagorski provided the May 2021 Rumpke report (see attached.)

Ms. Giersz:

Thank you to Ms. Traore for working to update the legislation related to the Village's policy on the Covid-19 vaccine for employees.

Ms. Traore:

Thank you, Mayor Elkins and Mr. McConville, for working together on updating the Covid-19 vaccine policy for employees.

She is working with the state of Ohio regarding a drive-thru Covid-19 vaccine event in the Village Hall parking lot. It is planned for 6/22 from 2-6 pm.

Mr. Dunman:

He has been researching the Cuyahoga County Soil and Water grants for plant kits to add vegetation to the Village, and the tree canopy project.

Mr. Moran:

Nothing at this time.

Mrs. Kray:

Continuing work on planning the Fall Fest, and investigating a change of venue to Kathy Edwards Park. Council members, please look for communications on that soon.

Chief Majoy:

Presented the April 2021 NHPD report (see attached.)

The Internet Crimes Against Children task force had another successful operation in the Village last month. In the past 4 years, their efforts in the Newburgh Heights have led to the arrest of 109 individuals.

Chief Higginbotham:

Presented the April 2021 NHFD report (see attached.)

The Covid-19 vaccine clinic offered through the Cuyahoga County Board of Health is this Friday, June 4th at Village Hall. Note that staff members will be visiting the Village to offer fliers and other info to residents.

FEMA has successfully completed the audit of the AFG grant the Village received to purchase new SCBAs for the fire department.

Mr. Milano:

Kathy Edwards Park is open, and the youth baseball season is in full swing. Newer service department laborers are in training on summer jobs and equipment. We took delivery of the last road salt of the season. SAMCO is in town working on concrete repairs.

Ms. Pagsuyoin:

Presented the June 2021 Housing and Building Department report (see attached.)

Mr. Sickels:

He did not prepare a full report to share this month, but the Village has been awarded small government funding for the planned projects on East 43rd and long Alpha. He prepared an application for MCIP funding to separate the sewers in the 20s and the surrounding neighborhood. He attending a pre-construction meeting for the East 41st sewer separation and Alpha/Beta improvements; that project should be moving along quickly.

Purchases & Approvals:

- a. Ms. Traore motioned to approve the April 2021 Fund Cash Report. Seconded by Ms. Giersz. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.
- b. Ms. Traore motioned to approve the quote from Specialized Construction for pavement repairs to Harvard Avenue at a cost not to exceed \$17,500. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.
- c. Approval request withdrawn.
- d. Ms. Traore motioned to approve the appointment of Anthony Colon to NHPD as part-time police officer. Seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.
- e. Ms. Traore motioned to approve the quote from Dura Mark for street striping of Harvard Avenue at a cost not to exceed \$47,555. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

f. Ms. Traore motioned to approve the proposal from OHM Advisors for preliminary engineering on Harvard Avenue at a cost not to exceed \$179,100. Motion seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

g. Ms. Traore motioned to approve outfitting for two Ford Interceptor SUV police cruisers by Hall Public Safety at a cost not to exceed \$35,000. Seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

h. Ms. Traore motioned to approve the transfer of up to \$85,000 to the Newburgh Heights CIC for the purchase and demolition of 4421 Harvard Avenue. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

i. Ms. Traore motioned to approve the transfer of up to \$85,000 to the Newburgh Heights CIC for the purchase and demolition of 4425 Harvard Avenue. Seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

j. Ms. Traore motioned to transfer of up to \$35,000 to the Newburgh Heights CIC for the purchase of 3881 East 42nd Street. Seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

k. Ms. Traore motioned transfer of up to \$115,000 to the Newburgh Heights CIC for the purchase and demolition of 5301 Harvard Avenue. Seconded by Ms. Giersz. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed

l. Ms. Traore motioned to approve the proposal from Yoder Barns for the construction of a pole barn in Kathy Edwards Park at a cost not to exceed \$44,941. Seconded by Mr. Moran. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Mr. Moran motioned to amend the agenda to add an approval for concrete work by Samartano Concrete at a cost not to exceed \$9,200. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

m. Mr. Moran motioned to approve a quote from Samartano Concrete to remove and repair a damaged curb at the corner of East 40th and Washington Court at a cost not to exceed \$3,700, and repair a curb at the corner of Bridgeview and East 43rd at a cost not to exceed \$5,500. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Mr. Moran motioned to amend the agenda to add an approval for concrete removal by Samartano Concrete at a cost not to exceed \$5,875. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

n. Mr. Moran motioned to approve a quote from Samartano Concrete to remove the concrete and fence next to the fire department / service garage, because the land is not

stable enough to hold a patio. Seconded by Mr. Dunman. Roll call: Giersz, Traore, Dunman, Moran, and Kray voted yes. Motion passed.

Adjournment:

Mrs. Kray motioned to adjourn the meeting at 9:04 pm. Seconded by Ms. Traore. Motion passed 5 yes - 0 no.

Date Approved: 7/20/21

Mayor Trevor Elkins: 

Fiscal Officer Cathleen Nagorski: 