

VILLAGE OF NEWBURGH HEIGHTS
MINUTES OF COUNCIL MEETING
HELD 1/18/2022

Mayor Elkins called the meeting to order at 6:33 PM.

Roll Call: Traore, Dunman, Moran, Kray and Giersz present.

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

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

Executive session began at 6:33 PM.

Discussion of personnel issues (to consider appointment, employment, discipline, or compensation of a public employee or official) and pending/potential litigation.

Ms. Traore motioned to exit executive session. Mrs. Kray seconded. Motion passed 5 yes – 0 no.

Concluded executive session at 7:30 PM; Mayor Elkins called a short recess to prepare for the regular meeting.

Mayor Elkins called the Regular Session of Council to order at 7:40 PM.

Roll Call: Traore, Dunman, Moran, Kray and Giersz present.

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

Attending via Zoom: Fire Chief Brian Higginbotham, Police Chief John Majoy, Service Director Anthony Ciresi, Housing Commissioner Kristine Pagsuyoin, Village Engineer Jim Sickels, and Economic Development Director Anthony Togliatti.

(Due to the continuing Covid-19 health crisis in Ohio, Mayor Elkins broadcast this meeting via Facebook Live, encouraging members of the public to attend without compromising the health of the community. In addition, department heads were asked to attend via teleconference.)

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

Election of Council Pro Tempore

Mr. Dunman motioned to assign Gigi Traore as Council Pro Tempore. Ms. Giersz seconded.

No other nominations were made.

Roll Call to elect Ms. Traore as Council Pro Tempore: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Good & Welfare

The mayor acknowledged Dr. Martin Luther King Jr. Day.

Mr. Moran thanked the Police and Fire Departments for their assistance during his illness with Covid-19.

Reading & Disposition of the Minutes:

Mrs. Kray motioned to approve the minutes from December 7, 2021, as presented. Seconded by Ms. Traore. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Public Comment:

Jeanette Lloyd presented council with information regarding Air B&B's. She currently has one in the village and would like to work with Newburgh Heights on allowing for homeowners to use this as a business opportunity in the future.

Randy Wagner commented on this season's snow removal.

Brian Wright expressed his thanks for the reworking of Santa's Visit in December. He also mentioned concerns with speeding in the village.

Legislation:

ORDINANCE 2022-01

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE ESTABLISHING RATES OF PAY FOR COUNCIL MEMBERS EFFECTIVE ON AND AFTER JANUARY 1, 2024.

Ordinance 2022-01 is placed on 1st reading.

ORDINANCE 2022-02**INTRODUCED BY: Mayor Trevor Elkins****AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ATTORNEY VINCENT RUFFA TO PERFORM SERVICES AS PROSECUTOR FOR THE VILLAGE OF NEWBURGH HEIGHTS, OHIO AS AN AT-WILL EMPLOYEE, AND DECLARING AN EMERGENCY.**

Ms. Traore made a motion to adopt Ordinance 2022-02, rules suspended, and that Ordinance 2022-02 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz. Motion passed.

Ordinance 2022-02 is adopted.

ORDINANCE 2022-03**INTRODUCED BY: Mayor Trevor Elkins****AN ORDINANCE CONSOLIDATING THE PAY, REMUNERATION AND BENEFITS PROVISIONS FOR ALL BUILDING 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 2022-03, rules suspended, and that Ordinance 2022-03 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-03 is adopted.

ORDINANCE 2022-04**INTRODUCED BY: Mayor Trevor Elkins****AN ORDINANCE CONSOLIDATING THE PAY, REMUNERATION AND BENEFITS PROVISIONS FOR ALL FINANCE DEPARTMENT PERSONNEL, AND AMENDING OR REPEALING, AS APPLICABLE, ALL ORDINANCES, RESOLUTIONS, 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 2022-04, rules suspended, and that Ordinance 2022-04 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-04 is adopted.

ORDINANCE 2022-05**INTRODUCED BY: Dorene Kray and all of Council**

AN ORDINANCE AMENDING AND ESTABLISHING THE RATE OF PAY AND REMUNERATION FOR THE POSITION OF FULL-TIME MAYOR AND SAFETY DIRECTOR COMMENCING JANUARY 1, 2024.

Ordinance 2022-05 is placed on 1st reading.

ORDINANCE 2022-06**INTRODUCED BY: Mayor Trevor Elkins**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT FOR PERFORMANCE OF PUBLIC INVOLVEMENT AND PUBLIC EDUCATION (“PIPE”) SERVICES, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-06, rules suspended, and that Ordinance 2022-06 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-06 is adopted.

ORDINANCE 2022-07**INTRODUCED BY: Mayor Trevor Elkins**

AN ORDINANCE AMENDING THE FULL-TIME, AT-WILL POSITION OF VILLAGE HALL ADMINISTRATIVE ASSISTANT AND PHOTO ENFORCEMENT PROGRAM CLERK, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-07, rules suspended, and that Ordinance 2022-07 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-07 is adopted.

ORDINANCE 2022-08**INTRODUCED BY: Mayor Trevor Elkins**

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 2022-08, rules suspended, and that Ordinance 2022-08 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-08 is adopted.

ORDINANCE 2022-09

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA COUNTY BOARD OF HEALTH FOR PHASE II STORMWATER MANAGEMENT SERVICES, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-09, rules suspended, and that Ordinance 2022-09 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-09 is adopted.

ORDINANCE 2022-10

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE ESTABLISHING THE RATE OF PAY FOR THE VILLAGE RECREATION DIRECTOR AND REPEALING ANY PAY PROVISION IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-10, rules suspended, and that Ordinance 2022-10 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Ordinance 2022-10 is adopted.

ORDINANCE 2022-11

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE CONSOLIDATING THE PAY, REMUNERATION AND BENEFITS PROVISIONS FOR ALL SERVICE 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 2022-11, rules suspended, and that Ordinance 2022-11 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz

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

Ordinance 2022-11 is adopted

RESOLUTION 22-01

INTRODUCED BY: Mayor Trevor Elkins

A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO ATTEND THE REQUISITE PUBLIC RECORDS TRAINING ON BEHALF OF THE VILLAGE COUNCIL AND MAYOR FOR THE CURRENT TERM, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Resolution 22-01, rules suspended and that Resolution 22-01 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Resolution 22-01 is adopted.

PAYROLL RESOLUTION #4526

INTRODUCED BY: COUNCIL

NOVEMBER 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 \$990,648.90 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4526, rules suspended, and that Payroll Resolution #4526 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Payroll Resolution #4526 is adopted.

PAYROLL RESOLUTION #4527

INTRODUCED BY: COUNCIL

EMPLOYEE PAYROLL P/E 12/11/2021

PD 12/17/2021

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 \$87,452.23 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4527, rules suspended, and that Payroll Resolution #4527 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Payroll Resolution #4527 is adopted.

PAYROLL RESOLUTION #4528

INTRODUCED BY: COUNCIL

EMPLOYEE PAYROLL P/E. 12/25/2021

PD. 12/31/2021

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 \$101,586.33 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4528, rules suspended, and that Payroll Resolution #4528 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed. Roll call on adoption Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Payroll Resolution #4528 is adopted.

Reports:

Mayor:

Mayor Elkins reviewed the December 2021 Budget Snapshot (see attached.)

Mayor Elkins provided an update on the completion of the regular 2019-2020 bi-annual audit. For the third audit in a row, the Village has received a "clean" audit with no findings or citations. Nice work to council, department heads, and Mrs. Nagorski for their attention to managing taxpayer funds.

Mayor Elkins is working on the 2022 budget for presentation to the finance committee prior to filing with Cuyahoga County.

Fiscal Officer:

Fiscal Officer Nagorski presented the December 2021 Rumpke report (see attached) and the December 2021 RITA report (see attached).

Fiscal Officer Nagorski presented the December 2021 Fund Cash Report:

General Fund MTD Receipts	\$ 362,479.19
General Fund MTD Disbursements	\$ 549,884.09
General Fund Unexpended Balance	\$1,252,381.26
All Funds MTD Receipts	\$1,191,298.54
All Funds MTD Disbursements	\$1,206,822.30
All Funds Unexpended Balance	\$2,380,338.46

Ms. Traore:

Ms. Traore will be attending the annual NOCCA meeting. The Western Reserve Area Agency on Aging has programs some of our senior residents may qualify for. They will be providing us information. She will be sharing information about Ready Notify, an emergency notification system managed by Cuyahoga County. She hopes to present legislation to approve it soon.

Mr. Dunman:

Nothing at this time.

Mr. Moran:

Nothing at this time.

Mrs. Kray:

Thank you to the Service, Police and Fire Departments for all their work during the bad weather.

Ms. Giersz:

Thank you to Mr. Dunman for going above and beyond by digging residents out of the snow.

Chief Majoy:

December 2021 NHPD report: see attached

Ms. Pagsuyoin:

Presented the January 2022 Housing and Building Department Report
(See attached)

Mr. Sickels:

Presented the January 2022 Engineer's report (see attached.)

Purchases & Approvals:

- a. Ms. Traore motioned for the approval of the December 2021 Fund Cash Report. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- b. Ms. Traore motioned for the approval of the mayor's 2022 appointments to boards and commissions. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- c. Ms. Traore motioned for appointment of Gary Waller to full-time firefighter for NHPD. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- d. Ms. Traore motioned for the approval of the purchase of 2022 Ford Interceptor from Montrose Ford at state bid pricing at a cost not to exceed \$33,080. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- e. Ms. Traore motioned for the approval of the purchase of equipment and outfitting for 2022 Ford Interceptor from Hall Public Safety at a cost not to exceed \$15,926. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- f. Ms. Traore motioned for the approval of the appointment of Josh Harter to the position of Service Department Foreman starting at \$26.56/hour. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- g. Ms. Traore motioned for the approval of appointment Gerald Coburn to the position of Service Department Mechanic maintaining his current rate of pay. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.
- h. Ms. Traore motioned for the approval of the appointment of Michelle Bolin to the part-time Finance Clerk position starting at \$18/hour pending a background check. Seconded

by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

i. Ms. Traore motioned for the approval of the appointment of Amber Voiers to the part-time Photo Administrative Assistant position starting at \$18/hour pending a background check. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

j. Ms. Traore motioned for the approval of CIC operating expenses for 2022, not to exceed \$75,000. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray and Giersz voted yes. Motion passed.

Public Comment:

Jeanette Lloyd was interested in more information on the programs for seniors.

Brian Wright asked if Dominion Energy was coming back to fix the northbound lanes of Washington Park Blvd. Mr. Sickels replied that they will be returning once the weather breaks.

Randy Wagner lodged a complaint about the noise coming from Rumpke.

Pat Harp commented that she has books to donate to the free library outside of village hall.

Adjournment:

Mrs. Kray motioned to adjourn the meeting at 9:22 pm. Seconded by Ms. Traore. Motion passed 5 yes - 0 no.

Date Approved: 4/5/22

Mayor Trevor Elkins: 

Fiscal Officer Cathleen Nagorski: 