

VILLAGE OF NEWBURGH HEIGHTS
MINUTES OF COUNCIL MEETING
HELD 10/5/21

Mayor Elkins called the Regular Session of Council to order at 7:31 PM.

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

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Police Chief John Majoy, Fire Chief Brian Higginbotham, Housing Commissioner Kristine Pagsuyoin, Service Director Joe Milano, Economic Development Director Anthony Togliatti, and Village Engineer Jim Sickels

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

Good & Welfare:

Mayor Elkins wished his mother, local resident Becky DeWeaver, a happy birthday.

Mayor Elkins recognized Service Director Joe Milano, who is attending his last regular council meeting prior to retirement at the end of this month.

Mayor Elkins noted the swearing in ceremony for NHPD would be briefly postponed, as some members just went out on a call.

Reading & Disposition of the Minutes:

September 21, 2021 Regular Session of Council

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

Public Comment:

Abigail Stout, managing attorney for the Legal Aid Society of Cleveland, commented in support of Ordinance 2021-31. She also noted she was available to address any concerns about the legislation from council and members of the public prior to a vote on passage.

Legislation:

Ms. Traore motioned to place Ordinance 2021-31 on third reading and suspension of rules for adoption. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.

ORDINANCE 2021-31**INTRODUCED BY: COUNCILWOMAN TRAORE**

AN ORDINANCE ENACTING CHAPTER 727 OF THE CODIFIED ORDINANCES ENTITLED "TENANT'S RIGHT TO PAY TO STAY" AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-31, rules suspended and that Ordinance 2021-31 is placed on 2nd, and final reading for immediate adoption. Mr. Moran seconded. Motion passed. Roll call on adoption: Traore, Dunman, Moran, and Kray voted yes. Giersz voted no. Motion passed.

Ordinance 2021-31 is adopted.

ORDINANCE 2021-35**INTRODUCED BY: MAYOR ELKINS**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SHORT-TERM LEASE WITH 1127 CONSTRUCTION, INC. FOR USE OF THE PROPERTY AT 4605 HARVARD AVENUE AS A STAGING AREA FOR A CONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-35, rules suspended and that Ordinance 2021-35 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.

Ordinance 2021-35 is adopted.

ORDINANCE 2021-36**INTRODUCED BY: MAYOR ELKINS**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH A & S ANIMAL CONTROL FOR ANIMAL CONTROL SERVICES, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2021-36, rules suspended and that Ordinance 2021-36 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Motion passed. Roll call on adoption: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.

Ordinance 2021-36 is adopted.

RESOLUTION 21-10 **INTRODUCED BY: COUNCILWOMAN TRAORE**

A RESOLUTION EXPRESSING SUPPORT FOR UNITED STATES H.R. 1280 - THE GEORGE FLOYD JUSTICE IN POLICING ACT OF 2021; CALLING FOR THE UNITED STATES SENATE PASSAGE; AND DECLARING AN EMERGENCY.

Resolution 21-10 is placed on 2nd reading.

RESOLUTION 21-11 **INTRODUCED BY: COUNCILWOMAN TRAORE, COUNCILMAN DUNMAN, AND COUNCILWOMAN GIERSZ**

A RESOLUTION EXPRESSING SUPPORT FOR UNITED STATES H.R. 842 - THE PROTECTING THE RIGHT TO ORGANIZE [PRO] ACT OF 2021; CALLING FOR THE UNITED STATES SENATE PASSAGE OF THE ACT, WHICH WOULD PROVIDE GENERATIONAL OPPORUNITY FOR THE LABOR MOVEMENT, SERVING AS THE CORNERSONE OF WORKERS FIRST; AND DECLARING AN EMERGENCY.

Resolution 21-11 is placed on 2nd reading.

RESOLUTION 21-16 **INTRODUCED BY: MAYOR ELKINS**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OHM ADVISORS TO PERFORM E. 41st STREET MCIP POST-CONSTRUCTION PROJECT PERFORMANCE VERIFICATION, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Resolution 21-16, rules suspended and that Resolution 21-16 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 21-16 is adopted.

PAYROLL RESOLUTION #4518 **INTRODUCED BY: COUNCIL**
EMPLOYEE PAYROLL P/E. 9/18/2021 **PD. 9/24/2021**

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 \$86,687.67 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4518, rules suspended and that Payroll Resolution #4518 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 #4518 is adopted.

Good & Welfare:

Formal swearing-in of full-time firefighter/paramedics for Newburgh Heights Fire Department: Lt. Greg Jordan, Mike Tusai, Dave Mordarski, Mike Keszei, Nathan Barnett, Scott Nemet, Scott Reid, Dimitrios Lutter, Stephen Zadd, Chris McCormack, Josh Piro, and Deshun Williams.

Reports:

Mayor:

Trick-or-treating will be in the village this year, on Halloween October 31st from 6pm to 8pm. Certain streets will be closed to traffic as past years; the police and fire departments will share more information soon.

Fiscal Officer:

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

Ms. Traore:

The Cleveland Public Library book locker ribbon cutting has been rescheduled for Thursday, October 28th at 10am.

October 1st was the 61st Independence Day for Nigeria. Recognizing the local families with ties to that country, in addition to her own.

Mr. Dunman:

Working on plantings for the grant. Identified six main places for volunteers to place plants.

Mr. Moran:

Nothing at this time.

Mrs. Kray:

Giant thank you to all who helped with the fall fest, and thanks to residents for attending.

Ms. Giersz:

Nothing at this time.

Chief Majoy:

Thank you for the recognition of his work, and Sgt. Halaska.

Chief Higginbotham:

Thank you for the recognition of his work, and Lt. Jordan.

Mr. Sickels:

Presented the October 2021 Engineer's report (see attached.)

Ms. Pagsuyoin:

Nothing at this time.

Mr. Milano:

Thank you for support during his tenure as service director.

Davey Tree project continues; arborist has identified 5 locations for new tree plantings, which will be scheduled as weather permits. This has been a great project so far; it is exactly what we needed to properly manage an important feature in Newburgh Heights.

Mr. Togliatti:

Working with a citizen on opening a bakery business in the former social center, on the corner of East 42nd and Beta. Current plans call for it to open on May 1.

There has been interest in two properties important to the Village: 5301 Harvard and the six-suite apartment building on 44th Street. Continuing work on getting buyers/tenants for those spaces.

Mayor Elkins acknowledged a request by Mr. McConville to comment:

Mr. McConville wanted to highlight his appreciation for Mr. Milano over the past several years. Joe has been a great partner in realizing this administration's vision for the future of the Village, and has worked hard in serving residents and assisting colleagues. He will be missed.

Purchases & Approvals:

- a. Ms. Traore motioned for the approval of the purchase of nine (9) bunker gear lockers from Penco, plus shipping, at a cost not to exceed \$7,000. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.
- b. Ms. Traore motioned for the approval of installation of concrete foundation for bunker gear lockers by Samco at a cost not to exceed \$2,000. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.
- c. Ms. Traore motioned for the approval of the appointment of Chris Browning to full-time service department laborer at a starting rate of \$22.00/hr. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.
- d. Ms. Traore motioned for the approval of an additional \$2,500 for purchase and installation of plow and other snow removal equipment intended for 2021 F350, in addition to \$20,000 approved on 9/21/21. Seconded by Mr. Moran. Roll call: Traore, Dunman, Moran, Kray, and Giersz voted yes. Motion passed.

Public Comment:

Nothing at this time.

Adjournment:

Ms. Traore motioned to adjourn the meeting at 8:27 pm. Seconded by Mrs. Kray. Motion passed 5 yes - 0 no.

Date Approved: 11/2/21

Mayor Trevor Elkins: 

Fiscal Officer Cathleen Nagorski: 