

**VILLAGE OF NEWBURGH HEIGHTS
3801 Harvard Avenue
Newburgh Hts., Ohio 44105**

MINUTES OF COUNCIL MEETING

HELD 4/5/2022

Mayor Elkins called the meeting to order at 6:04 PM.

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

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

Mrs. Kray motioned to enter into executive session. Ms. Giersz seconded. Motion passed 5 yes – 0 no.

Executive session began at 6:04 PM

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

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

Concluded executive session at 7:16 PM; Mayor Elkins called a short recess to allow for the Democracy Day presentation and to prepare for the regular meeting.

Regular Session of Council 7:56 PM

Mayor Elkins called the Regular Session of Council to order at 7:56PM with an apology for the late start.

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

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

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

Good and Welfare

Mayor Elkins rearranged the order in which Good and Welfare would be conducted allowing for the Miss Poppy presentation to go first

Liliana Zanny was introduced as the American Legion Post 627 Miss Poppy for 2022 by Kathy Hill. Mrs. Hill and Lily then passed out poppies throughout the council chamber.

Fire Chief Higginbotham, and the off-duty fire department personnel, presented Jacob Sieg and Jeffrey Wagner to those attending the meeting. Mayor Elkin then proceeded to swear them in as new firefighters for the village. Chief Higginbotham also took the time to thank Mayor Elkins and village Council for transitioning the Fire Department to full-time.

Addie Jensen of the Housing and Building Department was commended in an email sent in by a resident.

Harvard Avenue Presentation

Arthur Schmidt and Pete DiSalvo conducted a presentation about the revamping of Harvard Avenue, Town Center Development. They highlighted several options on improving the usage of lots along the corridor which included townhomes, commercial buildings, multi-use buildings and green space. An expansion of the current Shell station and the repurposing of an existing commercial garage was also mentioned. The research they've done shows that new construction would attract new businesses which in turn would attract new residents/home buyers. The typical price on a townhome would range from \$250,000 to \$300,000 with remodeled, older homes going for around \$150,000. New construction would also help mitigate the semi-truck traffic that currently frequents Harvard Avenue.

Reading & Disposition of the Minutes:

Ms. Traore motioned to approve the minutes from the special session of Council on January 11, 2022 as well as the regular meetings held on January 18 and March 1, 2022, as presented. Seconded by Mrs. Kray. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Public Comment

There was no public comment at this time.

Legislation

ORDINANCE 2022-17

INTRODUCED BY: William Dunman

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 537.05 ENTITLED "AGGRAVATED MENACING" BY PROVIDING PROTECTIONS THEREIN FOR UTILITY WORKERS, AND DECLARING AN EMERGENCY.

Ordinance 2022-17 is placed on 2nd reading.

ORDINANCE 2022-18

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1519 ENTITLED "FIREWORKS," AND DECLARING AN EMERGENCY.

Mr. McConville wanted to clarify that this ordinance will keep Newburgh Heights under the previous State Law that makes setting off fireworks illegal.

Ordinance 2022-18 is placed on 2nd reading.

Ordinance 2022-25

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE ENACTING CODIFIED ORDINANCE SECTION 135.01 ENTITLED "SOLICITOR DUTIES," AND DECLARING AN EMERGENCY.

Ordinance 2022-25 is placed on 1st reading.

ORDINANCE 2022-26

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING AND RATIFYING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH OHM ADVISORS FOR A STREET SIGN REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$33,700.00, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-26, rules suspended, and that Ordinance 2022-26 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-26 is adopted.

ORDINANCE 2022-27

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 2022-27, rules suspended, and that Ordinance 2022-27 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-27 is adopted.

ORDINANCE 2022-28

INTRODUCED BY: Mayor Trevor 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 2022-28, rules suspended, and that Ordinance 2022-28 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-28 is adopted.

ORDINANCE 2022-29

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH OHM ADVISORS FOR A STORM SEWER SEPARATION STUDY IN AN AMOUNT NOT TO EXCEED \$18,065.00, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-29, rules suspended, and that Ordinance 2022-29 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted

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

Motion passed.

Ordinance 2022-29 is adopted.

RESOLUTION 22-02

INTRODUCED BY: Mayor Trevor Elkins

A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Resolution 22-02, rules suspended, and that Resolution 22-02 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Resolution 22-02 is adopted.

RESOLUTION 22-03

INTRODUCED BY: Council Pro Tempore Gigi Traore

A RESOLUTION SUPPORTING THE REQUEST OF CUYAHOGA ARTS & CULTURE MADE TO THE CUYAHOGA COUNTY EXECUTIVE AND COUNTY COUNCIL FOR THE ALLOCATION OF \$5,000,000 (FIVE MILLION) IN AMERICAN RESCUE PLAN ACT [ARPA] FUNDING TO SUPPORT ARTS AND CULTURE BUSINESSES, NONPROFITS AND INDIVIDUAL ARTISTS RECOVERING FROM THE IMPACT OF THE COVID-19 HEALTH PANDEMIC.

A motion was made by Gigi Traore with a second from William Dunman to add “and declaring an emergency” to the language of the resolution. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Ms. Traore motioned to adopt Resolution 22-03, rules suspended, and that Resolution 22-03 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Resolution 22-03 is adopted.

PAYROLL RESOLUTION #4535

INTRODUCED BY: Council

FEBRUARY 2022 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 \$827,487.27 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4535, rules suspended, and that Payroll Resolution #4535 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4535 is adopted.

PAYROLL RESOLUTION #4536

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 3/5/2022

PD. 3/11/2022

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 \$88,485.56 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4536, rules suspended, and that Payroll Resolution #4536 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4536 is adopted.

PAYROLL RESOLUTION #4537

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 3/19/2022

PD. 3/25/2022

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 \$88,485.56 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4537, rules suspended, and that Payroll Resolution #4537 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4537 is adopted.

Reports:

Mayor:

The Appropriation Snapshot for February 2022 is complete.

The month of March has been closed out.

The mayor wanted to stress that residents on Harvard are not and will not be removed from their homes. Residents can choose to stay in their homes, or they can choose to sell to developers. The village is not purchasing those properties via eminent domain.

Fiscal Officer:

Fund Cash Report – February 2022

Fiscal Officer Nagorski presented the February 2022 Fund Cash Report:

General Fund MTD Receipts	\$ 444,045.75
General Fund MTD Disbursements	\$ 480,426.51
General Fund Unexpended Balance	\$ 998,497.97
All Funds MTD Receipts	\$ 711,526.24
All Funds MTD Disbursements	\$ 827,487.27
All Funds Unexpended Balance	\$1,716,696.37

RITA Report – March 2022

Rumpke Report – March 2022

(please see attached reports)

Mr. Moran:

Just a reminder of the Easter Egg Hunt this weekend

Mrs. Kray:

Easter Egg Hunt flyers finally made it to Washington Park Community School as they were out for Spring Break last week. There have been 87 RSVPs to the hunt.

The Local Business & Commerce Development Committee had a meeting on March 15th that focused on Short-term rentals/Air B&Bs.

Ms. Giersz:

Nothing at this time

Ms. Traore:

Information on high school and college graduates is still needed so that they may be recognized for their accomplishments. We will be celebrating the graduates from 2020, 2021, and 2022.

Mr. Dunman:

Attended Ohio Municipal League training

Chief Majoy:

NHPD Monthly Report – February 2022: please see attached

The email server will be switched over next Thursday (4/14/22) and email service will be down until Monday April 18, 2022. The laptops for Council are in and will be set up and passed out after the update.

Congratulations to Sgt. Halaska on her PELC graduation.

Chief Higginbotham:

NHFD Monthly Report – February 2022: please see attached

Chief Higginbotham has been the fire chief for 10 years this year. He expressed his appreciation to the mayor for his support and encouragement on developing an All-Star Fire Department and thanked him and council for the opportunity to be Chief.

Ms. Pagsuyoin:

Annual Report 2021: please see attached

Mr. Sickels:

March 2022 Engineer's report: please see attached

The work on the short end of Beta Avenue should be complete by the end of May.

Mr. Ciresi:

Shred Day is June 11, 2022 and he is working on setting one up for October.

The Service Department is preparing for spring. The street sweeper will be coming around soon, and 15 new trees will be planted. Thirty trees are slated to be planted in the fall.

Mr. Togliatti:

At least a dozen groups have been through the six-unit property on East 44th street. There has been no real interest in the property due to its current state of neglect and in the worst-case scenario the property will be demolished and repurposed.

If anyone has any questions concerning the redevelopment of Harvard Avenue, they can feel free to contact Mr. Togliatti.

Purchases & Approvals:

- a. Ms. Traore motioned for the approval of the February 2022 Fund Cash Report. Seconded by Mrs. Kray. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.
- b. Ms. Traore motioned for the approval of the proposal from SAMCO for the replacement of the concrete entrance at Village Hall at a cost not to exceed \$9,500.00 from the 415 Municipal Center Fund. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed.
- c. Ms. Traore motioned for the approval to purchase a 2021 Ford EcoSport to be used by the Building Department at a cost not to exceed \$21,940.00. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed
- d. Ms. Traore motioned for the appointment of Brian Schaffran to the board of Newburgh Heights Community Improvement Corporation. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed
- e. Ms. Traore motioned for the appointment of John Fortuna to the board of Newburgh Heights Community Improvement Corporation. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed

- f. Ms. Traore motioned for the approval of appointment of Patrick Daley as part-time housing inspector. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed
- g. Ms. Traore motioned for the approval of appointment of Tobbie Steele as part-time housing inspector. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed
- h. Ms. Traore motioned to approve the appointment of Brett Kelly as full-time firefighter for NHFD, contingent upon background and polygraph, with health care benefits being active upon his start date. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed
- i. Mrs. Kray motioned to amend the agenda to include an approval for SAMCO to make repairs at East 42nd and Alpha at a cost not to exceed \$49,800.00. Roll call: Moran, Giersz, Traore, Dunman and Kray voted yes. Motion passed

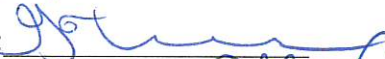
Public Comment:

Nothing at this time.

Adjournment:

Ms. Traore motioned to adjourn the meeting at 9:23 pm. Seconded by Mrs. Kray. Motion passed 5 yes - 0 no.

Date Approved: 5/3/22

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 