

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

MINUTES OF COUNCIL MEETING

HELD 5/3/2022

Mayor Traore called the Regular Session of Council to order at 7:30 PM.

Roll Call: Dunman, Kray and Moran. Ms. Giersz was absent.

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

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

Good and Welfare

A motion was made by Ms. Kray, with a second from Mr. Moran to excuse Ms. Giersz from the meeting. Motion passed 3 yes -0 no.

Reading & Disposition of the Minutes:

Mr. Dunman motioned to approve the minutes from the regular meeting of Council on April 5, 2022 as well as the special meetings held on April 11, 2022 and April 19, 2022, as presented. Seconded by Mrs. Kray. Roll call: Dunman, Kray and Moran voted yes. Motion passed.

Public Comment

There was no public comment at this time.

Legislation

- a. **Ordinance 2022-17 (3rd reading)** **Introduced by: Councilman Dunman**

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

Mr. Dunman motioned to adopt Ordinance 2022-17, and that Ordinance 2022-17 is placed on final reading for adoption. Mr. Moran seconded. Motion passed. Roll call on adoption: Dunman, Kray and Moran voted yes.

Motion passed.

Ordinance 2022-17 is adopted.

*As there were not enough Council members present to pass ordinances on emergency, all of the following Legislation is being read as "First Reading".

- b. **Ordinance 2022-18, as amended (1st reading) Introduced by: Mayor Traore**

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

Law Director McConville presented the amended version of Ordinance 2022-18 where the charge of Possession of Fireworks was eliminated, and the new charge of Misuse of Fireworks was added. Mrs. Kray motioned to amend the ordinance and make this its first reading with a second from Mr. Dunman.

Ordinance 2022-18 as amended is placed on 1st reading.

- c. **Ordinance 2022-25, amended (2nd reading) Introduced by: Mayor Traore**

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

Ordinance 2022-25 as amended is placed on 2nd reading.

- d. **Ordinance 2022-32 (1st Reading) Introduced by: Mayor Traore**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH THE CITY OF NORTH ROYALTON FOR HOUSING OF PRISONERS, AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading

- e. **Ordinance 2022-33 (1st reading) Introduced by: Mayor Traore**

AN ORDINANCE ENACTING CODIFIED ORDINANCE CHAPTER 151 ENTITLED "ENGINEER" AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading

- f. **Ordinance 2022-34 (1st reading) Introduced by: Mayor Traore**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH NORTHEAST OHIO TRENCHING SERVICE COMPANY FOR CONSTRUCTION OF THE MULTI-STREET IMPROVEMENTS PROJECT PAHASE I (E. 43RD STREET & ALPHA AVENUE) IN AN AMOUNT NOT TO EXCEED \$977,488.50, AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading

d. Ordinance 2022-35 (1st reading) Introduced by: Mayor Traore

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT FOR ENGINEERING SERVICES RELATED TO THE MULTI-STREET IMPROVEMENTS PROJECT PHASE I (E. 43RD STREET & ALPHA AVENUE), AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading

e. Ordinance 2022-36 (1st reading) Introduced by: Mayor Traore

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH PARTNERS ENVIRONMENTAL, INC. FOR GROUNDWATER MONITORING SERVICES FOR BERT AVENUE LANDFILL POST CLOSURE MONITORING – YEAR 23, IN AN AMOUNT NOT TO EXCEED \$14,468.00, AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading

f. Ordinance 2022-37 (1st reading) Introduced by: Mayor Traore

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.

Ordinance is placed on 1st reading.

g. Ordinance 2022-38 (1st reading) Introduced by: Mayor Traore

AN ORDINANCE APPROVING THE FORM OF A FIREFIGHTER/PARAMEDIC CANDIDATE CONDITIONAL REIMBURSEMENT AGREEMENT, AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO SUCH AGREEMENTS, AND AUTHORIZING THE VILLAGE TO ACCEPT REIMBURSEMENTS THEREUNDER, AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading.

h. Ordinance 2022-39 (1st reading) Introduced by: Mayor Traore

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A S2 SSA RENEWAL AGREEMENT WITH PALADIN PROTECTIVE SERVICES, INC. FOR PROVISION OF SECURITY SERVICES, AND DECLARING AN EMERGENCY.

Ordinance is placed on 1st reading.

i. **Resolution 22-04 (1st reading)**

Introduced by: Mayor Traore

A RESOLUTION AMENDING CODIFIED ORDINANCE SECTION 1133.02 OF THE VILLAGE ZONING CODE ENTITLED "ALLOWABLE USES TABLE", BY ESTABLISHING THE USE CATEGORY FOR FIREWORKS DISTRIBUTION FACILITIES, AND DECLARING AN EMERGENCY

A motion was made by Mrs. Kray, with a second from Mr. Dunman, to refer Resolution 22-04 to the planning commission. Roll call to refer: Dunman, Kray and Moran voted yes. Motion passed.

Resolution 22-04 referred to the planning commission.

h. **PAYROLL RESOLUTION #4538**

INTRODUCED BY: Council

MARCH 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 \$620,337.82 AND DECLARING AN EMERGENCY.

Payroll Resolution #4538 is placed on 1st reading

PAYROLL RESOLUTION #4539

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 4/2/2022

PD. 4/8/2022

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 \$88,043.94 AND DECLARING AN EMERGENCY.

Payroll Resolution #4539 is placed on 1st reading.

PAYROLL RESOLUTION #4540

INTRODUCED BY: Council

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 \$96,211.61 AND DECLARING AN EMERGENCY.

Payroll Resolution #4540 is placed on 1st reading.

Reports:

Mayor:

Thanks to the Fire Department for their assistance with “PC’s for People. We were able to pass out 27 computers and hotspots to residents.

Cinnful Whisk did receive approval from the Planning Commission and is moving forward with their plans.

The mayor’s public swearing in was yesterday April 2nd; thanks to all who attended. As members of Council and employees of the Village we need to focus on being leaders in our community, putting residents first and leaving all personal issues aside while working together as a team.

Fiscal Officer:

Fund Cash Report – March 2022

Fiscal Officer Nagorski presented the March 2022 Fund Cash Report:

General Fund MTD Receipts	\$ 662,851.50
General Fund MTD Disbursements	\$ 464,096.34
General Fund Unexpended Balance	\$1,197,253.13
All Funds MTD Receipts	\$ 778,069.61
All Funds MTD Disbursements	\$ 620,337.82
All Funds Unexpended Balance	\$1,874,428.16

RITA Report – April 2022

Rumpke Report –April 2022

(please see attached reports)

Clerk of Courts:

Cash Flow Report March 2022

Ticket Summary 01/01/2021-03/31/2021

(please see attached reports)

Mr. Dunman:

The light at East 27th and Harvard needs serviced.

Mrs. Kray:

Saturday March 31, 2022 the Village hosted 45 volunteers for a luncheon to thank them for all their time, hard work and dedication. Without their help we could not accomplish all that we do.

Mr. Moran:

Nothing at this time

Chief Majoy:

NHPD Monthly Report – March 2022: please see attached

The NHPD staffing is low and struggling to meet demand. We are in need of new candidates to fill the shifts.

Julie Nieszczur is out for an extended period of time due to an injury. Amber Voiers, Photo Clerk, will be assisting the Police Department while Julie is out.

Chief Higginbotham:

Chief Higginbotham announced that fire hydrants will be flushed starting June 2, 2022. He also stated that hydrants were replaced five times in 2021 at no cost to the Village due to the maintenance contract with the Water Department.

He also noted that the Memorial Day Parade starts at 10am on 5/30/2022.

Chief suggested that the equipment we have for movie night (6/10/22) be tested ahead of time.

Ms. Pagsuyoin:

Housing and Building Dept. Report – April 2022: please see attached report

The Community Garage Sale is June 3, 4, and 5. Permits are \$5 and available at Village Hall.

Mr. Sickels:

Engineer's Report – April 2022: please see attached report

Mr. Sickels stated that the repaving of the northbound lanes of Washington Park Boulevard should begin by mid-May and that the plaza on Beta and East 42nd should be wrapped up by the end of May, weather permitting.

Mr. Ciresi:

Arbor Day went well. The mayor attended and assisted in planting a tree.

Shred day is June 11, 2022 in Village Hall parking lot

The Service Department is shorthanded and needs to hire someone soon.

Purchases & Approvals:

a. Mr. Dunman motioned to approve the March 2022 Fund Cash Report. Seconded by Mrs. Kray. Roll call: Dunman, Kray Moran voted yes. Motion passed.

b. Mr. Dunman motioned to approve the quote for demolition of 3655 Washington Park Boulevard by Obon Inc. at a cost not to exceed \$14,200.00. Seconded by Mrs. Kray. Roll call: Dunman, Kray Moran voted yes. Motion passed.

Public Comment:

Michelle Bolin updated the meeting on the electronic sign outside of Village Hall. She has been in contact with Brilliant Electric Sign Company several times regarding repair. They need to order a new controller. Once in we will be placed in the service queue, which is backlogged. She will keep in contact with them.

Adjournment:

Mr. Dunman made a motion to adjourn at 8:10pm with a second from Mrs. Kray. Roll call: Dunman, Kray Moran voted yes. Motion passed 3 yes – 0 no.

Date Approved: 6/7/2022

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 