

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

MINUTES OF COUNCIL MEETING

HELD 6/7/2022

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

Roll Call: Moran, Dunman, Graora and Giersz present. Mrs. Kray absent.

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

Mr. Moran motioned to enter executive session. Mr. Dunman seconded. Motion passed 4 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), pending/potential litigation, and property acquisitions if necessary.

Mr. Moran motioned to exit executive session at 7:35pm. Mrs. Graora seconded. Motion passed 4 yes – 0 no.

A five-minute recess was taken.

Regular Session of Council at 7:40 PM

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

Roll Call: Moran, Dunman, Graora and Giersz present, Kray absent.

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Chief Majoy, Chief Higginbotham, Commissioner Pagsuyoin, Service Director Anthony Ciresi and Engineer James Sickel.

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

Good and Welfare

- a. A motion was made by Mr. Dunman, with a second from Mrs. Graora to excuse Mrs. Kray from the meeting due to illness. Motion passed 4 yes -0 no.

- b. Mayor Traore performed the ceremonial swearing in of Councilwoman Michelle Graora.
- c. Mayor Traore swore in Firefighter/Paramedic Brett Kelly.
- d. Mayor Traore presented 2022 Graduation Proclamations to three residents. They will receive a resolution from a state representative at a later date.
- e. A note of appreciation, from a resident, for Commissioner Paguyoin and the Housing and Building Department was read.
- f. Chief Majoy was recognized for the awards he won, USMS and Ohio's CLEE. He will be officially recognized in Washington D.C.
- g. The NHFD and NHPD were recognized for participating in a Basketball game with the students at Washington Park Community School.
- h. The Police and Fire Departments also received recognition for their work at Safety Day/ICAC Assembly at Washington Park Community School.
- i. Mr. Dunman made a motion to amend the agenda to include the sale of a 2016 Chevy Sonic on GovDeals.com. Mr. Moran seconded. Roll call: Moran, Dunman, Graora and Giersz. Motion passed.

Reading & Disposition of the Minutes:

Mr. Dunman motioned to approve the minutes from the regular meeting of Council on May 3, 2022 as well as the special meeting held on May 12, 2022, as presented. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.

Public Comment

Resident Jeanette Lloyd addressed council regarding the closing of East 43rd street at Washington Park Blvd. She let council know that this was not something she agreed with, and discussion occurred.

Resident Trevor Elkins also addressed council in this regard. He is for the closure of the street and maintains the project should move forward. Discussion occurred. Mayor Traore interrupted Mr. Elkins to thank him for his comments as he had gone over his allotted time.

Resident Mike Merry applauded the Building Department on the work that has been done. He also mentioned that the stop sign at Beta Avenue and E. 41st St. was not being observed.

AN ORDINANCE AMENDING PERSONNEL POLICY MAUAL SECTION 505 ENTITLED "EMPLOYMENT TERMINATION" TO INCLUDE A SUBSECTION REGARDING THE RETURN OF VILLAGE EQUIPMENT AND PROPERTY AND SEPARATION FROM VILLAGE ONLINE ACCOUNTS AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Ordinance 2022-40, rules suspended, and that Ordinance 2022-40 be placed on 1st, 2nd, and final reading for immediate adoption. Ms. Giersz seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-40 is adopted.

e. ORDINANCE 2022-41

Introduced by: Mayor Traore

AN ORDINANCE SUPPLEMENTING ORDINANCE 2021-37 TO PROVIDE ALL POLICE OFFICERS WHO TRANSFERRED LATERALLY FROM ANOTHER LAW ENFORCEMENT AGENCY WITH SERVICE CREDIT FOR TIME WITH SUCH OTHER LAW ENFORCEMENT AGENCY FOR PURPOSES OF DETERMINING PAY CLASS, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Ordinance 2022-40, rules suspended, and that Ordinance 2022-40 be placed on 1st, 2nd, and final reading for immediate adoption. Ms. Giersz seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-41 is adopted.

f. ORDINANCE 2022-42

Introduced by: Councilwoman Giersz

AN ORDINANCE INSTRUCTING THE MAYOR TO WITHDRAW ALL PREVIOUS AMERICAN RESCUE PLAN ACT (A.R.P.A) GRANT APPLICATIONS SUBMITTED TO THE CUYAHOGA COUNTY COUNCIL ON BEHALF OF THE VILLAGE OF NEWBURGH HEIGHTS, TO EXECUTE THE ATTACHED GRANT APPLICATION AS WRITTEN AND SUBMIT AS THE SOLE GRANT APPLICATION FOR CONSIDERATION TO THE CUYAHOGA COUNTY COUNCIL ON BEHALF OF THE VILLAGE OF NEWBURGH HEIGHTS ON OR BEFORE 4PM, JUNE 9, 2022, AND DECLARING AN EMERGENCY.

On the Law Director's recommendation, due to constitutionality, Mr. Dunman moved to remove Ordinance 2022-42 from the agenda. Ms. Giersz seconded. Roll call on removal: Moran, Dunman, Graora and Giersz voted yes. Motion passed.

g. ORDINANCE 2022-43

Introduced by: Mayor Traore

AN ORDINANCE ENACTING CODIFIED ORDINANCE CHAPTER 931 ENTITLED "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES," AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Ordinance 2022-43, rules suspended, and that Ordinance 2022-43 be placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Graora seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-43 is adopted.

h. ORDINANCE 2022-44

Introduced by: Mayor Traore

AN ORDINANCE ENACTING CODIFIED ORDINANCE SECTION 149.03 ENTITLED "RETURN OF VILLAGE PROPERTY," AND DECLARING AN EMERGENCY.

Mr. Dunman motioned adopt Ordinance 2022-44, rules suspended, and that Ordinance 2022-44 be placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-44 is adopted.

i. ORDINANCE 2022-45

Introduced by: Mayor Traore

AN ORDINANCE AMENDING ORDINANCE 2022-08 RELATING TO THE PAY, REMUNERATION AND BENEFITS OF POLICE PERSONNEL BY ELIMINATING THE EDUCATIONAL REQUIREMENTS MANDATE SET FORTH THEREIN, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to place Ordinance 2022-45 on first reading with a second from Ms. Graora. Roll Call: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-45 is placed on 1st reading.

j. ORDINANCE 2022-46

Introduced by: Mayor Traore

AN ORDINANCE AMENDING ORDINANCE 2021-19 RELATING TO THE PAY, REMUNERATION AND BENEFITS OF FIREFIGHTERS BY ELIMINATING THE EDUCATIONAL REQUIREMENTS MANDATE SET FORTH THEREIN, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to place Ordinance 2022-45 on first reading with a second from Ms. Graora. Roll Call: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-46 is placed on 1st reading.

k. ORDINANCE 2022-47

Introduced by: Mayor Traore

AN ORDINANCE, AMENDEDED SECTION 501.99, ENTITLED "PENALTIES FOR MISDEMEANORS," AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Ordinance 2022-47, rules suspended, and that Ordinance 2022-47 be placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Graora seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Ordinance 2022-47 is adopted.

l. RESOLUTION 22-06

Introduced by: Mayor Traore

A RESOLUTION APPROVING THE PROPOSED ALTERNATIVE TAX BUDGET IN THE FORM ATTACHED HERETO FOR THE VILLAGE OF NEWBURGH HEIGHTS, OHIO, FOR FISCAL YEAR 2023; AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Resolution 22-06, rules suspended, and that Resolution 22-06 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Resolution 22-06 is adopted.

m. RESOLUTION 22-07

Introduced by: Mayor Traore

A RESOLUTION NOTIFYING THE CUYAHOGA COUNTY FISCAL OFFICER THAT THE VILLAGE OF NEWBURGH HEIGHTS, OHIO, DESITES TO

PARTICIPATE IN THE SCHEDULED TAX ADVANCES FOR CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Resolution 22-07, rules suspended, and that Resolution 22-07 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Graora seconded. Roll call on suspension: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Resolution 22-07 is adopted.

- h. PAYROLL RESOLUTION #4541 INTRODUCED BY: Council**
EMPLOYEE PAYROLL P/E. 4/30/2022 P/D. 5/6/2022

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 \$88,858.58 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4541, rules suspended, and that Payroll Resolution #4541 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Payroll Resolution #4541 is adopted.

- PAYROLL RESOLUTION #4542 INTRODUCED BY: Council**
EMPLOYEE PAYROLL P/E. 5/14/2022 PD. 5/20/2022

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 \$95,842.94 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4542, rules suspended, and that Payroll Resolution #4542 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Payroll Resolution #4542 is adopted.

PAYROLL RESOLUTION #4543

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 5/28/2022

PD. 6/3/2022

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 \$84,722.24 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4543, rules suspended, and that Payroll Resolution #4543 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Payroll Resolution #4543 is adopted.

PAYROLL RESOLUTION #4544

INTRODUCED BY: COUNCIL

APRIL 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 \$536,298.51 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4544, rules suspended, and that Payroll Resolution #4544 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora and Giersz voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora and Giersz voted yes.

Motion passed.

Payroll Resolution #4544 is adopted.

Reports:

Mayor:

The Juneteenth flag has been raised outside of Village Hall. We are the only second city, behind Cincinnati, to fly the flag. Thanks to Mrs. Giersz for suggesting it be flown all month.

The Movie on the Green is this Friday June 10th at First Tee.

There is \$107,000 in State funding available for us in the General Fund.

Fiscal Officer:

Fund Cash Report – April 2022

Fiscal Officer Nagorski presented the April 2022 Fund Cash Report:

General Fund MTD Receipts	\$ 483109.81
General Fund MTD Disbursements	\$ 418,102.74
General Fund Unexpended Balance	\$1,262,260.20
All Funds MTD Receipts	\$ 590,895.00
All Funds MTD Disbursements	\$ 536,298.51
All Funds Unexpended Balance	\$1,929,024.65

RITA Report – April 2022

Rumpke Report –April 2022

(please see attached reports)

Clerk of Courts:

Cash Flow Report April 2022

(please see attached reports)

Mr. Moran:

Some residents said they didn't make a lot of money during the yard sale but they were happy with it.

Mr. Dunman:

There is a pothole needing attention at East 49th and Harvard.

The southbound traffic light at Harvard and East 42nd is out.

Mrs. Graora:

Is interested in finding a way to share information on the fireworks law.

Requests that agendas, legislation, etc. be made available to Council sooner than they were for this meeting so that all the information can be reviewed ahead of time.

Please forward a copy ARPA grant to Council.

Ms. Giersz:

Ms. Giersz wanted to thank everyone for their kindness, love and support.

Chief Majoy:

OVI Taskforce Report : please see attached reports

Julie Nieszczur is in rehab due to an injury and is hoping to be able to return in August.

Chief Higginbotham:

NHFD Monthly Report – March 2022

NHFD Monthly Report – April 2022

NHFD Monthly Report – May 2022

(please see attached reports)

Hydrants will be flushed on Friday June 10, 2022.

The department is down a firefighter and is hoping to have a candidate at the next meeting.

Ms. Pagsuyoin:

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

Mr. Sickels:

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

Mr. Ciresi:

Movie night is Friday June 10th.

Shred day is June 11, 2022 in Village Hall parking lot from 9am to Noon.

Purchases & Approvals:

- a. Mr. Dunman motioned to approve the April 2022 Fund Cash Report. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.
- b. Mr. Dunman motioned to approve the appointment of Matthew Hitch for full-time patrol officer for NHPD. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.
- c. Mr. Dunman motioned to approve the appointment of Jerry Hackney for full-time patrol officer for NHPD. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.
- d. Mr. Dunman motioned to approve the appointment of Spenser Tahsler for part-time patrol officer for NHPD. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.
- e. Mr. Dunman motioned to approve the appointment of Gena Rose for full-time Service Department Laborer at a starting rate of \$22/hr. Mr. Moran seconded. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.
- f. Mr. Dunman motioned to approve the sale of the 2016 Chevy Sonic through GovDeals. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed.

Public Comment:

Trevor Elkins addressed Council concerning complaints from residents on those streets that are already one-way. Does anyone complain about noise from the garbage trucks backing up? Discussion ensued. He also gave some clarification of the use of the ARPA Grant.

Steve Brhel thanked Mr. Sickel for the time he took to explain the upcoming project for East 43rd Street.

Adjournment:

Mrs. Graora made a motion to adjourn at 10:19pm with a second from Ms. Giersz. Roll call: Moran, Dunman, Graora and Giersz voted yes. Motion passed 4 yes – 0 no.

Date Approved: 7/19/22

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 