

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

MINUTES OF COUNCIL MEETING

HELD 7/19/2022

Mayor Traore called the meeting to order at 6:35 PM.

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

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Chief Majoy, Chief Higginbotham, Service Director Ciresi, Housing Inspector Schickler, Village Engineer Mr. Sickels and Michelle Bolin.

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

Executive session began at 6:36 PM.

Discussion of personnel issues (to consider appointment, employment, discipline, or compensation of a public employee or official).

Mrs. Graora motioned to exit executive session. Mr. Moran seconded. Motion passed 5 yes – 0 no.

Concluded executive session at 7:31 PM.

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

Good and Welfare:

Mayor Traore performed the formal swearing in and pinning of the badge for new police officers Jerry Hackney, Matthew Hitch and Spencer Tahsler.

The Fire Department was sent a letter of thanks from the Chief of the Garfield Heights Fire Department for their assistance with a house explosion in their city.

A thank you letter was sent from the Cuyahoga County Department of Public Works- Harvard Road garage commending the Fire and Police Departments on their professionalism and quick actions when answering an emergency call on 6/30/2022.

A letter of commendation for Police Lieutenant Marniella was sent in by the Brecksville Chief of Police Stanton Korinek. Chief Stanton commended him on his persistence,

commitment to duty, courage and an overall job well done in assisting with their pursuit and apprehension of armed robbery suspects on 6/16/2022.

Patrolman Kolcan also received a letter of commendation regarding this incident. Chief Korinek expressed his gratitude for a job well done and commended Ptl. Kolcan on the persistence, commitment to duty and courage he displayed during this incident.

Reading & Disposition of the Minutes:

Mrs. Graora motioned to approve the minutes as presented from:

Regular meeting of Council on June 7, 2022

Public Hearing on June 7, 2022

Regular session of council, as amended, on December 7, 2021

Special session on December 28, 2021

Committee of the Whole meeting from June 22, 2022.

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

Public Comment:

Mr. Joseph Oravec wanted to thank the fire department for all of their help after he suffered an injury in February. He also voiced concerns over the state of the Housing and Building department and the handling of inspections and permits, moving forward, since the resignation of the Commissioner and the Administrative Assistant. Discussion occurred.

Mr. Jack Johnson inquired as to how the Dog Park project was chosen as the recipient of the ARPA grant money. The mayor reminded everyone that the application for the grant has not been approved yet. Discussion ensued.

Mrs. Teddy Brhel voiced concerns with the storefronts at East 42nd and Beta now that Mike's Pizza is closed. Discussion was had. She also inquired as to when the reimbursements for the Heritage Home Grants were going out.

Mr. Mike Merry approached with concerns over communication between the village and residents, especially with there being no Building Commissioner at this time. He also stated that the area of Beta Ave. that ends at the new plaza seems to be being used as a parking lot and that he is frustrated with the building project and is wondering when the yard fill used when East 41st was going to be replaced and the promised landscaping completed. Mr. Sickels assured him that this would be taken care of in the fall.

Mr. Brian Wright commented that it seems to him the permitting process is really slow and that perhaps a faster, more efficient process could be utilized by the Housing and Building Department. He also asked if the ARPA grant application went through if the awarded funds could be repurposed. The mayor let everyone know that it could not. And

Mr. Wright thanked Chief Majoy for following up with him concerning speeding on the inner-side streets.

Mr. Steve Brhel wanted it noted that he is no longer in favor of making East 43rd Steet a one-way thoroughfare. He would like the street to remain open with no change to its layout. Also, are there any updates on the project? Discussion occurred.

Legislation

Ordinance 2022-33

Introduced by Mayor Gigi Traore

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

Mr. Dunman motioned to adopt Ordinance 2022-33, and that Ordinance 2022-33 is placed on final reading for adoption. Mrs. Kray seconded. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-33 is adopted

Ordinance 2022-45

Introduced by Mayor Gigi 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.

Ordinance 2022-45 is placed on 2nd reading.

Ordinance 2022-46

Introduced by Mayor Gigi 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.

Ordinance 2022-46 is placed on 2nd reading.

Ordinance 2022-48

Introduced by Mayor Gigi Traore

AN ORDINANCE AUTHORIZING THE VILLAGE TO ACCEPT AN OHIO DEPARTMENT OF PUBLIC SAFETY EMS 2022-2023 TRAINING AND EQUIPMENT GRANT IN THE AMOUNT OF \$661.23, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to suspend rules and place Ordinance 2022-48 on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-48 is adopted.

Ordinance 2022-49

Introduced by All of Council

AN ORDINANCE AMENDING RULE OF COUNCIL NO. 200, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to suspend rules and place Ordinance 2022-49 on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-49 is adopted.

Ordinance 2022-50-

Introduced by Councilwoman Giersz

AN ORDINANCE AMENDING RULE OF COUNCIL 210 ENTITLED "ORDER OF BUSINESS," AND DECLARING AN EMERGENCY.

Ordinance 2022-50 is placed on 1st reading.

Ordinance 2022-51

Introduced by Councilman Dunman

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 121.01 ENTITLED "MEETINGS," AND DECLARING AN EMERGENCY.

*Mrs. Kray explained to the public that any open meeting will also be broadcast online.

Mr. Dunman motioned to suspend rules and place Ordinance 2022-51 on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-51 is adopted.

Ordinance 2022-52

Introduced by Mayor Gigi Traore

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING, AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF NEWBURGH HEIGHTS, OHIO AND DECLARING AN EMERGENCY.

Mr. Dunman made a motion to move Ordinance 2022-52 to the end of legislation. Mrs. Graora seconded. Roll call on motion: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.

Ordinance 2022-53

Introduced by Mayor Gigi Traore

AN ORDINANCE AUTHORIZING THE SALE OF A POLICE DEPARTMENT CRUISER TO THE VILLAGE OF KELLEYS ISLAND, OHIO, FOR THE SUM OF \$6,000.00, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to suspend rules and place Ordinance 2022-53 on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-53 is adopted.

Ordinance 2022-54

Introduced by Councilwoman Graora

AN ORDINANCE ENACTING CODIFIED ORDINANCE SECTION 131.05 ENTITLED "GRANT APPLICATIONS AND REPORTING," TO CREATE A SYSTEM FOR APPROVAL OF GRANT APPLICATIONS AND RELATED REPORTING REQUIREMENTS, AND DECLARING AN EMERGENCY.

*Arguments were presented for and against this ordinance with all sides expressing their thoughts and concerns.

Some parties feel that the problem lies in the fact that the requested money is not going to be used for what the previous administration was going to use it for. The application prepared by former Mayor Elkins earmarked the money for the Home Maintenance Grant Program and lowering the amount of the residents' share of the cost when utilizing that grant. Mr. Dunman sent out the application. He did not have Mayor Traore's permission and that application was withdrawn.

Council feels there should be more input from them when applying for grants. Their main issue stemming from the ARPA submission that, if awarded, designates most of the grant for the dog park. Councilwoman Giersz noted that they did not find out what the ARPA money would be used for until two days before the application was due which did not allow for any changes to be made. They all feel the money could be used in a more rewarding way for the residents. The mayor stated that a survey was done, and it found

that residents were for improving the space. It was not noted at this meeting when the survey had taken place.

Mr. McConville wanted council to know a 90-day window was not tenable and suggested raising the amount that departments can apply for, without prior approval, from \$10,000 to \$75,000. He also noted that council would need to meet more often to accommodate this approval system. Mr. Sickels informed council that many of his infrastructure grant submissions only have a 30-day window for submission; the county's time limit can be even shorter. Ordinances can be created after the grant application is submitted. Chief Higginbotham presented arguments and provided documentation against this ordinance as it pertains to his department and how it would restrict the number of grants he would be able to apply for. Pre-approval from council would not come in time. Chief Majoy mirrored these concerns and noted that it would cause a huge imposition to the administration.

Ordinance 2022-54 is placed on 1st reading.

Ordinance 2022-55

Introduced by Councilwoman Kray

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

*Ordinance was moved to the end of the list. Discussion took place between the mayor, council and the law director.

Ordinance 2022-55 is placed on 1st reading.

Resolution 21-17

Introduced by: Mayor Trevor Elkins

A RESOLUTION AMENDING CODIFIED ORDINANCE SECTION 1133.02 OF THE VILLAGE ZONING CODE ENTITLED "ALLOWABLE USES TABLE," AND DECLARING AN EMERGENCY.

Resolution 21-17 is placed on 2nd reading.

Resolution 22-04

Introduced by: Mayor Gigi 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.

Resolution 22-04 is placed on 2nd reading.

Resolution 22-08

Introduced by: Mayor Gigi Traore

A RESOLUTION AUTHORIZING THE MAYOR TO PLACE A CERTAIN 2004 FORD E-450 AMBULANCE KNOWN AS "SQUAD 5441" UP FOR SALE ON THE GOVDEALS AUCTION WEBSITE, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Resolution 22-08, rules suspended, and that Resolution 22-08 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Resolution 22-08 is adopted.

Ordinance 2022-52

Introduced by Mayor Gigi Traore

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING, AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF NEWBURGH HEIGHTS, OHIO AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to suspend rules and place Ordinance 2022-52 on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Ordinance 2022-52 is adopted.

**PAYROLL RESOLUTION #4545
EMPLOYEE PAYROLL P/E. 6/11/2022**

**INTRODUCED BY: COUNCIL
P/D. 6/17/2022**

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 \$101,371.07 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4545, rules suspended, and that Payroll Resolution #4545 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora, Giersz

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

Motion passed.

Payroll Resolution #4545 is adopted.

PAYROLL RESOLUTION #4546

INTRODUCED BY: COUNCIL

EMPLOYEE PAYROLL P/E. 6/25/2022

PD. 7/1/2022

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 \$94,466.15 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4546, rules suspended, and that Payroll Resolution #4546 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Payroll Resolution #4546 is adopted.

PAYROLL RESOLUTION #4547

INTRODUCED BY: COUNCIL

EMPLOYEE PAYROLL P/E. 7/9/2022

PD. 7/15/2022

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 \$92,715.00 AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to adopt Payroll Resolution #4547, rules suspended, and that Payroll Resolution #4547 is placed on 1st, 2nd, and final reading for immediate adoption. Mr. Moran seconded. Roll call on suspension of rules: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Graora, Giersz and Kray voted yes.

Motion passed.

Payroll Resolution #4547 is adopted.

Reports:

Mayor:

The village received a proclamation from RITA.

The Heritage Home Program midyear report shows there were three residents that have participated so far this year.

Thank you to Councilwoman Giersz for commemorating the installation of the library lockers by framing the documentation of the event so that it may be displayed in the lobby.

State legislation voting takes place August 2, 2022.

The deadline for submitting information for the Newburgh Heights Living magazine is August 1st.

Fiscal Officer:

RITA Report – March 2022

Rumpke Report

June 2022

July 2022

(please see reports)

Clerk of Courts:

Cash Flow Report May 2022 (please see report)

Mr. Moran:

The PA system in council chambers needs to be fixed.

Mr. Dunman:

Residents have been voicing their complaints about grass upkeep.

He had questions regarding the maintenance of the village website. Discussion ensued.

Mrs. Graora:

Mrs. Graora inquired as to when the surveys about improving the dog park went out and requested a copy be provided to council. Discussion occurred.

Is it possible to look into updating the holiday lights on Washington Park Blvd.?

Ms. Giersz:

Reminder that the Senior Dinner and Movie was moved to Saturday July 31st in the Community Room.

Mrs. Kray:

A graphic designer/website manager is needed as we lost Matt Kuhns. Discussion occurred.

Mrs. Kray commended Chief Majoy and the police department for being proactive with the Crisis Intervention Team training they have done so far. Per Chief Majoy our department is at 50% whereas the national average is 20%.

The Fall Fest is scheduled for a October 1, 2022 at Kathy Edwards Park.

Chief Majoy:

NHPD Monthly Report - May 2022
NHPD Monthly Report - June 2022
(please see reports)

There is a live police training, from 11am-3pm, that council can attend on 7/30/22.

The Chief will be posting a notice for an OVI checkpoint being held 8/26/2022.

Julie Nieszczur is returning to work on Monday 7/25/2022.

Chief Higginbotham:

NHFD Monthly Report - June 2022 (please see report)

Chief has included an update on the new squad in his report. He would also like the residents to know that the generic ambulance, currently in use, is on loan at no charge to the village.

Mr. Sickels:

Engineer's Report – June 2022 (please see report)

Mr. Sickels stated that we are still waiting for First Energy to finish installation at the plaza and that planting on East 41st has to be done after 9/15/2022.

Mr. Ciresi:

When working on the lots owned by the village, the Service Department does an initial walk through and tidying up of each property, weed whipping, grass cutting and final clean up.

Thanks to all who helped with the Movie Night.

Purchases & Approvals:

- a. Mr. Dunman motioned to approve the nomination of Makayla Barfield to the position of full-time police officer for the NHPD. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.
- b. Mr. Dunman motioned to approve the recommendation for NHFD Member Mike Tusai, hired 6/28/2021, to continue employment as a full-time Firefighter/Paramedic after successfully completing his probationary period. Mrs. Kray seconded. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.
- c. Mr. Dunman motioned to approve the recommendation for NHFD Member Mike Keszei, hired 6/28/2021, to continue employment as a full-time Firefighter/Paramedic after successfully completing his probationary period. Mr. Moran seconded. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.
- d. Mr. Dunman motioned to approve the recommendation for NHFD Scott Nemet Tusai, hired 6/27/2021, to continue employment as a full-time Firefighter/Paramedic after successfully completing his probationary period. Mrs. Kray seconded. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.
- e. Mr. Dunman motioned to approve the Preventative Maintenance on Engine 5411, pump inspection, and pump testing for 2022 to be completed by Atlantic Emergency Solutions at a cost not to exceed \$8,100. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.
- f. Mr. Dunman motioned to approve the repair of Car 5454 by American Fleet Services at a cost not to exceed \$5,310. Seconded by Mr. Moran. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed.

Public Comment:

Resident Brian Wright formally welcomed Mayor Traore to her new position. He states he is hoping we move away from the drama and that the mayor and council can get on the same page. He felt Ordinance 2022-54 was only about the ARPA grant and lack of

communication, not department grants. His opinion on the “pay to stay” ordinance is to give it a little more time, it hasn’t even been in effect for a year.

Mr. Reid Gadziala inquired as to the village hiring a full-time or contracted grant writer. Mr. Moran stated it has been looked into and is quite expensive to do so. Also, the grant writer would not be versed in what exactly is needed by the different departments.


Resident Mike Merry stepped forward and stated that it is now time for village officials to set aside their personal and political issues as these are getting in the way of village business. He understands there was a transition period between administrations however the grace period is coming to an end. As a resident that attends meetings, votes and talks to neighbors he feels it is time for the village to move forward and quit looking back.

Adjournment:

With no further business to discuss, Mrs. Graora made a motion to adjourn, Mrs. Kray seconded. Roll call: Moran, Dunman, Graora, Giersz and Kray voted yes. Motion passed 5-0.

Meeting adjourned at 10:06 pm.

Date Approved: 9/20/22

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 