

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

MINUTES OF THE SPECIAL COUNCIL MEETING

HELD 12/20/2022

Mayor Traore called the Special Session of Council to order at 6:04 PM.

Roll Call: Kray, Giersz, Graora, Dunman, Moran

Also in attendance: Fiscal Officer Cathleen Nagorski, Chief Brian Higginbotham, Law Director Luke McConville and Finance Clerk Michelle Bolin.

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

Executive session began at 6:05 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. Dunman motioned to exit executive session. Mrs. Graora seconded. Motion passed 5 yes – 0 no.

Concluded executive session at 6:26 PM.

A short recess was held and special session resumed at 6:30 PM.

Legislation:

Ordinance 2022-75

Introduced by Mayor Gigi Traore

AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWBURGH HEIGHTS THROUGH MARCH 31, 2023, AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Ordinance 2022-75 and that Ordinance 2022-75 is placed on 1st, 2nd, and final reading for adoption. Councilperson Graora seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Ordinance 2022-75 is adopted.

Ordinance 2022-76

Introduced by Mayor Gigi Traore

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWBURGH HEIGHTS THROUGH DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Ordinance 2022-76 and that Ordinance 2022-76 is placed on 1st, 2nd, and final reading for adoption. Councilperson Graora seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: voted yes. Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Ordinance 2022-76 is adopted.

Ordinance 2022-77

Introduced by Mayor Gigi Traore

AN ORDINANCE ESTABLISHING THE PAY, REMUNERATION AND BENEFITS OF FIREFIGHTERS FOR CALENDAR YEAR 2023, AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Ordinance 2022-77 and that Ordinance 2022-77 is placed on 1st, 2nd, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: voted yes. Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Ordinance 2022-77 is adopted.

Ordinance 2022-78

Introduced by Mayor Gigi Traore

AN ORDINANCE ENACTING CODIFIED ORDINANCE SECTION 139.14 ENTITLED "AMBULANCE BILLING RATES," AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Ordinance 2022-78 and that Ordinance 2022-78 is placed on 1st, 2nd, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: voted yes. Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Ordinance 2022-78 is adopted.

Ordinance 2022-79

Introduced by Councilpersons Graora and Giersz

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 315.06 ENTITLED "CIVIL PENALTIES" BY RAISING THE AMOUNT OF CIVIL PENALTIES, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to amend Ordinance 2022-79 by changing the "introduced by" of the ordinance to include Mrs. Graora, Ms. Giersz, Mr. Dunman, and Mrs. Kray. Mrs. Kray seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to amend Ordinance 2022-79 by removing the fourth (4th) "Whereas" clause, which reads, "Whereas, additional revenues are needed to justify the operational costs of running the Village's traffic camera program; and" Mrs. Graora seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to amend Ordinance 2022-79 by adjusting the penalty amounts to increasing each penalty amount to 30 percent more than the original fee, including the penalty amounts for school zone violations. Discussion occurred. Mr. Dunman withdrew his motion.

Mr. Dunman motioned to amend Ordinance 2022-79 by adjusting the listed penalty amounts as follows: Miles Per Hour Over Speed Limit 1-19 - \$180.00, Miles Per Hour Over Speed Limit 20-29 - \$250.00, Miles Per Hour Over Speed Limit 30 or more - \$375.00. Within a school zone or within the boundaries of a state or local park or recreation area: Miles Per Hour Over Speed Limit 1-19 - \$195.00, Miles Per Hour Over Speed Limit 20-29 - \$260.00, Miles Per Hour Over Speed Limit 30 or more - \$390.00. Mrs. Graora seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to adopt Ordinance 2022-79 as amended, rules suspended and that Ordinance 2022-79 as amended is placed on 1st and final reading for immediate adoption. Mrs. Graora seconded. Roll call on suspension of rules: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed. Roll call on adoption: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Ordinance 2022-79 as amended is adopted.

Ordinance 2022-80

Introduced by Councilperson Graora

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 317.06 ENTITLED "CIVIL PENALTIES" BY RAISING THE AMOUNT OF CIVIL PENALTIES, AND DECLARING AN EMERGENCY.

Mr. Dunman motioned to amend Ordinance 2022-80 by changing the “introduced by” of the ordinance to include Mrs. Graora, Ms. Giersz, Mr. Dunman, and Mrs. Kray. Mrs. Kray seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to amend Ordinance 2022-80 by removing the fourth (4th) ‘Whereas’ clause, which reads, “Whereas, additional revenues are needed to justify the operational costs of running the Village’s traffic camera program; and” Mrs. Graora seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to amend Ordinance 2022-80 by adjusting the listed penalty amounts as follows: Miles Per Hour Over Speed Limit 1-19 - \$180.00, Miles Per Hour Over Speed Limit 20-29 - \$250.00, Miles Per Hour Over Speed Limit 30 or more - \$375.00. Within a school zone or within the boundaries of a state or local park or recreation area: Miles Per Hour Over Speed Limit 1-19 - \$195.00, Miles Per Hour Over Speed Limit 20-29 - \$260.00, Miles Per Hour Over Speed Limit 30 or more - \$390.00. Mrs. Graora seconded. Roll call: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Mr. Dunman motioned to adopt Ordinance 2022-80 as amended, rules suspended and that Ordinance 2022-80 as amended is placed on 1st and final reading for immediate adoption. Mrs. Graora seconded. Roll call on suspension of rules: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed. Roll call on adoption: Kray, Giersz, Graora, and Dunman voted yes. Moran abstained. Motion passed.

Ordinance 2022-80 as amended is adopted.

Resolution 22-18

Introduced by All of Council

A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO TRANSFER NINETY ONE THOUSAND AND EIGHT HUNDRED DOLLARS (\$91,800.00) FROM THE GENERAL FUND (100) TO THE GENERAL OBLIGATION FUND (301), AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Resolution 22-18, and that Resolution 22-18 is placed on 1st, 2nd, and final reading for adoption. Councilperson Moran seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Resolution 22-18 is adopted.

Resolution 22-19

Mayor
Introduced by Gigi Traore

A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO TRANSFER EIGHT HUNDRED EIGHT THOUSAND DOLLARS AND ZERO CENTS (\$808,000.00) FROM THE GENERAL FUND (100) TO THE

FIRE DEPARTMENT FUND (292), AND DECLARING AN EMERGENCY.

Council Pro Tempore Dunman motioned to adopt Resolution 22-19, and that Resolution 22-19 is placed on 1st, 2nd, and final reading for adoption. Councilperson Graora seconded. Roll call on suspension: Kray, Giersz, Graora, Dunman and Moran voted yes. Roll call on adoption: Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Resolution 22-19 is adopted.

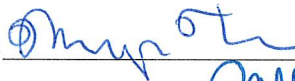
Purchases and Approvals:

Council Pro Tempore motioned to approve the Fire Department SOP (Standard Operating Procedures) revised date 12/14/2022. Councilperson Moran seconded the motion. Roll Call: Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed.

Adjournment:

Mr. Dunman made a motion to adjourn at 7:47 pm with a second from Mrs. Kray. Roll call: Kray, Giersz, Graora, Dunman and Moran voted yes. Motion passed 5 yes – 0 no.

Date Approved: 1/17/23

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 