

**Village of Newburgh Heights  
3801 Harvard Avenue  
Newburgh Hts., Ohio 44105**

**MINUTES OF COUNCIL MEETING  
HELD 1/17/2023**

**Mayor Traore called the meeting to order at 7:38 PM.**

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

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Fire Chief Brian Higginbotham, Police Chief Majoy, Inspector Hilary Schickler for the Housing and Building Department and Village Engineer Jim Sickels.

**All stood for Pledge of Allegiance. Mayor Traore introduced American Legion Auxiliary Post 627 Junior member Olivia Bahr and her brother Hayden Bahr, a member of the Sons of the American Legion. They both led the meeting in the Pledge of Allegiance. Mayor Traore requested all cell phones and pagers be placed on silent mode.**

**State of the Village Address**

Mayor Traore began the meeting with the State of the Village Address. In her address she outlined the accomplishments and relationships made since April of 2022. She also touched on the setbacks and roadblocks that have been overcome in that time and those that are currently being addressed. Mayor Traore introduced the meeting to her Four Pillars of Newburgh Heights: Branding, Development, Streamlining Operations and Community Engagement. The mayor feels "It's Our Time", time for everyone to know who we are as we are more than just a "Traffic Camera Community".

There is development going on all around us and it is time we become part of that. We do not want to be left behind. New commercial development, a "greener" Harvard Avenue, continued relationship building with businesses and neighbors in our surrounding communities and backup from Council will all go a long way in defining who we are as a village.

**Election of Council Pro Tempore**

Councilperson Moran made a motion to nominate Councilperson Graora for the position of Council Pro Tempore. Councilperson Giersz seconded the motion. With no further nominations, council voted. Roll call to elect Councilperson Graora: Moran, Dunman, Giersz, Kray and Graora. Motion passed 5 yes - 0 no. Council then thanked Mr. Dunman for his hard work as Council Pro Tempore.

**Good and Welfare**

Police Chief Majoy had a presentation of appreciation and recognition for Lieutenant Thomas Frohwerk who recently retired from the NHPD. Lt. Frohwerk joined the department in 1976 and was the Chief's right-hand man when he came on to lead the

Police Department. It was noted that his hard work and dedication to Newburgh Heights is greatly appreciated.

Lifelong resident Mrs. Florentine Doubek received a special Proclamation and flowers from Village Council for celebrating her 100<sup>th</sup> birthday. Members of the Fire, Police, and Service departments also stopped by her home to wish her a happy birthday.

Councilmembers Linda Giersz and Michelle Graora submitted a letter commending the Fire Department for their quick response to a reported gas leak. Lt. Jordan took the extra time to comfort the resident and assure her that they would not leave until the issue was resolved. The team that came out works very well together and stayed with the residents until the leak was repaired.

### **Reading & Disposition of the Minutes**

Council Pro Tempore Graora motioned to approve the minutes from December 6, 2022. Councilperson Kray interjected with a correction for the minutes. Adjournment read as Mrs. Kray motioning for it however, she was not at that meeting. Mr. McConville suggested the minutes be tabled until corrected. Councilperson Kray motioned to table the minutes from December 6, 2022, until they are corrected; Council Pro Tempore Graora seconded. Roll call: Moran, Dunman, Giersz, Kray and Graora. Motion passed.

Minutes from 12/6/2022 tabled.

Council Pro Tempore Graora motioned to approve the minutes from December 20, 2022. Mrs. Kray pointed out that the title of “mayor” was missing from Resolution 22-19 where it reads “Introduced by” and should be added on. Councilperson Kray motioned to approve the minutes of December 20, 2022, as amended. Mrs. Graora seconded. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Minutes from 12/20/2022, as amended, approved.

### **Legislation:**

**Ordinance 2022-63**

**Introduced by Council Pro Tempore Dunman**

**AN ORDINANCE WAIVING THE VILLAGE’S EXEMPTION UNDER CHAPTER 4117 OF THE OHIO REVISED CODE RELATING TO PUBLIC EMPLOYEES’ COLLECTIVE BARGAINING, AND DECLARING AN EMERGENCY**

Councilperson Moran made a motion to table this legislation until there is a better idea of how the budget for 2023 will look. Councilperson Dunman seconded. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Ordinance 2022-63 is tabled.

**Ordinance 2023-01**

**Introduced by Mayor Gigi Traore**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ASSIST NOW, THE EAP DIVISION OF RECOVERY RESOURCES, FOR THE PROVISION OF BEHAVIORAL SERVICES TO VILLAGE EMPLOYEES, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Ordinance 2023-01 and that Ordinance 2023-01 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Ordinance 2023-01 is adopted.

**Ordinance 2023-02**

**Introduced by Mayor Gigi Traore**

**AN ORDINANCE AUTHORIZING AND RATIFYING THE MAYOR OR HER DESIGNEE TO ENTER INTO A LEASE AGREEMENT WITH OHIO BUSINESS MACHINES, LLC FOR THE LEASE OF A COPIER AND RELATED OFFICE EQUIPMENT AND TO ENTER INTO A LEASE ADDENDUM WITH LEAF CAPITAL FUNDING, LLC, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Ordinance 2023-02 and that Ordinance 2023-02 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Ordinance 2023-02 is adopted.

**Resolution 22-16**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO FILE AN APPLICATION WITH THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR A COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (CDSG), AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to remove Resolution 22-16 from the agenda due to this being an inopportune time to vote on it. Councilperson Kray seconded. Roll call on removing Resolution 22-16 from the agenda: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 22-16 is removed.

**Resolution 23-01**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR ENGINEERING SERVICES FOR THE TIME PERIOD FROM JANUARY 1, 2023 THROUGH MARCH 31,2024 WITH OHM ADVISORS, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Resolution 23-01 and that Resolution 23-01 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 23-01 is adopted.

**Resolution 23-02**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE VILLAGE TO ACCEPT A GIFT OF \$250.00 FROM ORCHARD, HILTZ & MCCLIMENT INC. FOR THE BENEFIT OF THE VILLAGE'S SANTA VISIT EVENT, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Resolution 23-02 and that Resolution 23-02 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 23-02 is adopted.

**Resolution 23-03**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE TRANSFER OF UP TO \$65,000.00 IN FISCAL YEAR 2023, AS NEEDED, TO THE NEWBURGH HEIGHTS COMMUNITY IMPROVEMENT CORPORATION FOR PAYMENT OF COSTS, FEES AND ONGOING OPERATING EXPENSES, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Resolution 23-03 and that Resolution 23-03 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 23-03 is adopted.

**Resolution 23-04**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE MAYOR TO PLACE FIVE (5) PANASONIC TOUGHBOOK LAPTOP COMPUTERS UTILIZED BY THE POLICE DEPARTMENT UP FOR SALE ON THE GOVDEALS AUCTION WEBSITE, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Resolution 23-04 and that Resolution 23-04 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 23-04 is adopted.

**Resolution 23-05**

**Introduced by Mayor Gigi Traore**

**A RESOLUTION AUTHORIZING THE MAYOR TO PLACE CERTAIN POLICE DEPARTMENT EQUIPMENT, INCLUDING THREE (3) WHELEN LEGACY LIGHT BARS AND TWO (2) STAR PHANTOM UNDERCOVER EMERGENCY LIGHTS, UP FOR SALE ON THE GOVDEALS AUCTION WEBSITE, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Resolution 23-05 and that Resolution 23-05 is placed on 1<sup>st</sup>, 2<sup>nd</sup>, and final reading for adoption. Councilperson Kray seconded. Roll call on suspension: Moran, Dunman, Giersz, Kray and Graora voted yes. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Resolution 23-05 is adopted.

**PAYROLL RESOLUTION #4564**

**INTRODUCED BY: COUNCIL**

**EMPLOYEE PAYROLL P/E. 11/26/2022**

**PD. 12/2/2022**

**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 \$95,349.97 AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Payroll Resolution #4564, rules suspended, and that Payroll Resolution #4564 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Kray seconded. Roll call on suspension of rules: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes.

Payroll Resolution #4564 is adopted.

**PAYROLL RESOLUTION #4565**

**INTRODUCED BY: COUNCIL**

**NOVEMBER 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 \$897,489.93 AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Payroll Resolution #4565, rules suspended, and that Payroll Resolution #4565 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Kray seconded. Roll call on suspension of rules: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes.

Payroll Resolution #4565 is adopted.

**PAYROLL RESOLUTION #4566 INTRODUCED BY: COUNCIL**

**EMPLOYEE PAYROLL P/E. 12/10/2022 PD. 12/16/2022**

**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 \$94,675.34 AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Payroll Resolution #4566, rules suspended, and that Payroll Resolution #4566 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Kray seconded. Roll call on suspension of rules: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes.

Payroll Resolution #4566 is adopted.

**PAYROLL RESOLUTION #4567 INTRODUCED BY: COUNCIL**

**EMPLOYEE PAYROLL P/E. 12/24/2022 PD. 12/30/2022**

**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 \$105,332.26 AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Payroll Resolution #4567, rules suspended, and that Payroll Resolution #4567 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Kray seconded. Roll call on suspension of rules: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed. Roll call on adoption: Moran, Dunman, Giersz, Kray and Graora voted yes.

Payroll Resolution #4567 is adopted.

**Reports:**

**Mayor:**

The mayor announced that she had a meeting with Mayor Bacci of Cuyahoga Heights to discuss connecting the Metropark trailheads.

**Fiscal Officer:**

The Fiscal Officer presented the November 2022 Fund Cash Report:

General Fund MTD Receipts	\$ 134,709.88
General Fund MTD Disbursements	\$ 312,731.89
General Fund Unexpended Balance	\$ 1,160,974.98
All Funds MTD Receipts	\$ 869,293.77
All Funds MTD Disbursements	\$ 897,489.93
All Funds Unexpended Balance	\$ 1,852,612.41

Rumpke Report: December 2022

RITA Report: December 2022

(please see attached reports)

**Clerk of Courts:**

Cash Flow Report December 2022

(please see attached reports)

**Councilperson Moran:**

Nothing at this time.

**Councilperson Dunman:**

Thanked Council, the administration and staff and the residents for supporting him as Council Pro Tempore.

**Councilperson Giersz:**

Nothing at this time.

**Councilperson Kray:**

Mrs. Kray reported that the Village Christmas party went well although attendance was down from previous years. She complimented the Service Department and Fire Department, the food and Santa Claus.

Mrs. Kray extended a big thank you to the Fire Department for being so helpful while she has been ill. She feels this is the best place to live when you're sick.

**Council Pro Tempore Graora:**

Mrs. Graora was put in contact with the Cleveland Division of Air to report the residents' complaints about the sediment falling from the air and sticking to homes and vehicles. They did offer to send a public speaker out to speak at a meeting to address the issues with air quality.

Mrs. Graora thanked the Clerk of Council for printing double-sided meeting packets.

She also inquired about the Community Recycling Awareness Grant (CRAG) worth \$5,000 that the Service Department applies for on a yearly basis. She was given a brief overview of what the grant is used for and how we go about applying for it. The application was filled out by Michelle Bolin, Finance Clerk, was sent to the mayor for review, and will need to be into the Solid Waste District by February 1, 2023.

**Chief Majoy:**

NHPD Monthly Report: November 2022 (please see attached)  
December 2022 (please see attached)

Chief Majoy informed Council that the police department was the recipient of a \$42,000 grant that will be used to purchase 15 new body cameras.

In the past two months 12 vehicle tires needed replaced or repaired due to the number of nails and screws along Harvard Avenue. He is requesting street sweeping of Harvard Avenue every three months to prevent these repairs and expenses from reoccurring. The mayor is going to look into a partnership with the county for street cleaning before presenting it to council. The question of cost arose, and Chief stated that Jerry Coburn of the Service Department noted that in the past, sweeping the entire village cost around \$4,500 and just to sweep Harvard he estimated the cost at \$500 each time it is done.

**Chief Higginbotham:**

NHFD Monthly Report: October 2022 (please see attached)  
November 2022 (please see attached)  
December 2022 (please see attached)

Chief Higgs announced that there are three grants the fire department will be applying for. The FEMA Grant became available on January 9, 2023 and requires a \$5,000 match. The AFG Grant, for EMS, will be available the 3<sup>rd</sup> week of February 2023. This will require a 5% matching of funds. The final grant is the



S.A.F.E.R. Grant for adequate staffing. The grant is for \$600,000 over two years and will be used to hire 3 firefighters.

**Service Department:**

November and December 2022 Report (please see attached)

The CRAG application was discussed with an explanation of what it is for. The application process is quite simple and with the funds awarded being used for specific recycling related events and products.

**Mr. Sickels:**

Engineer's Report: (please see attached report)

**Purchases & Approvals:**

- a. Council Pro Tempore Graora motioned to approve the sale of four (4) wheel rims for a 2013 ford Explorer Interceptor on GovDeals. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- b. Council Pro Tempore Graora motioned to approve the Fire Department sell certain hydraulic rescue tools on GovDeals. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- c. Council Pro Tempore Graora motioned to approve the Fire Department sell certain obsolete tools and equipment on GovDeals. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- d. Council Pro Tempore Graora motioned to approve the quote from S.A. Communale to perform required sprinkler system inspections and testing at Village Hall at a cost not to exceed \$5,510. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- e. Council Pro Tempore Graora motioned to approve the quote from S.A. Communale to perform required sprinkler system inspections and testing at the Fire Department at a cost not to exceed \$5,760. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- f. Council Pro Tempore Graora motioned to approve the appointment of Councilperson Giersz and Councilperson Kray to the Volunteer Firefighters Dependents Fund Board. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- g. Council Pro Tempore Graora motioned to approve the November 2022 Fund Cash Report. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.
- h. Council Pro Tempore Graora motioned to approve the continued use of the 2020 Rules of Council until an updated version is prepared. Councilperson Kray seconded the motion. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

**Public Comment:**


Mr. Andexler of 4411 Harvard Avenue informed council of the dangerous conditions of the sidewalks after a major snow event. Due to plowed snow piling up, people are forced to walk in the street. He suggests the Service Department plow the sidewalks to make it safer for pedestrians along Harvard Avenue.

**Adjournment:**

Council Pro Tempore Graora made a motion to adjourn with a second from Councilperson Kray. Roll call: Moran, Dunman, Giersz, Kray and Graora voted yes. Motion passed.

Meeting adjourned at 8:58pm.

Date Approved: 2/7/23

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 