

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

**MINUTES OF SPECIAL COUNCIL MEETING  
HELD 6/21/2023**

**Council Pro Tempore Graora called the meeting to order at 5:35pm.**

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

Also in attendance: Fiscal Officer Cathleen Nagorski, Fire Chief Higginbotham and Police Chief Majoy.

Council Pro Tempore Graora reminded those in attendance that there will be no public comment as it was not included in the special meeting agenda and asked everyone to please silence their phones.

**Legislation:**

**Ordinance 2023-26**

**Introduced by All of Council**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 315 ENTITLED "AUTOMATED SPEED AND TRAFFIC ENFORCEMENT PROGRAM", UPDATE SAID ORDINANCES, REMOVE LATE FEES AND AMEND CERTAIN TIME PERIODS, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Ordinance 2023-26, and that Ordinance 2023-26 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Moran seconded. Roll call on suspension of rules: Moran, Giersz, Kray and Graora. Roll call on adoption: Moran, Giersz, Kray and Graora voted yes. Motion passed.

Ordinance 2023-26 is adopted.

**Ordinance 2023-27**

**Introduced by All of Council**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 317 ENTITLED "OFFICER-OPERATED HANDHELD TRAFFIC LAW ENFORCEMENT DEVICES AND SPEED ENFORCEMENT PROGRAM", TO UPDATE SAID ORDINANCES, REMOVE LATE FEES AND AMEND CERTAIN TIME PERIODS, AND DECLARING AN EMERGENCY.**

Council Pro Tempore Graora motioned to adopt Ordinance 2023-27, and that Ordinance 2023-27 is placed on 1st, 2nd, and final reading for immediate adoption. Councilperson Moran seconded. Roll call on suspension of rules: Moran, Giersz, Kray and Graora. Roll call on adoption: Moran, Giersz, Kray and Graora voted yes. Motion passed.

Ordinance 2023-27 is adopted.

### **ARPA Grant**

Per Mr. Jones, County Council Representative for our district, Village Council and Mayor Traore are to agree on one grant and resubmit it for consideration.

Council Pro Tempore motioned to remove the discussion from the agenda since the mayor was not present. She was reminded by Mrs. Nagorski that a Special Meeting Agenda cannot be changed. Mrs. Graora then motioned to table the discussion until a time the mayor was present. Councilperson Moran seconded. Roll call on tabling the discussion of the ARPA grant: Moran, Giersz, Kray and Graora voted yes. Motion passed.

### **Good and Welfare**

Councilperson Kray motioned to excuse Councilperson Dunman from the meeting. Council Pro Tempore Graora seconded. Motion passed 4 yes - 0 no.

Councilperson Kray mentioned that this is the shortest night of the year and hoped everyone enjoyed the summer solstice.

Police Chief Majoy read a statement pursuant to Ohio Revised Code section 4113.52 and section 825 of the Personnel Policy Manual of the Village of Newburgh Heights. He stated he is seeking whistleblower protection for violations of law committed by Mayor Gigi Traore as it relates to the filing of photo enforcement citations issued on Interstate 77. Chief Majoy provided a copy of his statement which will be filed with the minutes, legislation, and other information pertaining to this meeting.

After listening to Chief Majoy's statement and his request that a brief be filed in the GHMC removing him from the Judgement Entry, Council Pro Tempore Graora inquired as to what type of legal action he is suggesting the Village take. Chief Majoy noted that the Law Director would make that decision, but his suggestion is a Writ of Mandamus.

### **Executive Session**

Council Pro Tempore made a motion to enter Executive Session for the purpose of discussing personnel issues regarding administration and police staffing. Peggy Gallek of Fox 8 News stood and questioned the legality of this particular executive session as the wording of the agenda was too vague. After some back and forth between the reporters and council, the following reason for Executive Session was given:

*Council Pro Tempore Graora made a motion to enter Executive Session for the discussion of personnel issues (to consider appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official), pending/potential litigation, and property acquisitions, if necessary. Councilperson Kray seconded. Motion passed 4 yes - 0 no.*

### **Executive Session began at 6:15pm.**

Councilperson Kray motioned to exit executive session at 7:01pm. Councilperson Moran seconded. Motion passed 4 yes – 0 no.

**Regular Session of Council resumed at 7:05pm.**

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

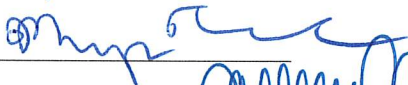
Fiscal Officer Cathleen Nagorski was also in attendance.

**Adjournment**

Councilperson Kray made a motion to adjourn. Councilperson Moran seconded. Roll Call: Moran, Giersz, Kray and Graora voted yes. Motion passed 4 yes - 0 no.

Meeting was adjourned at 7:05pm.

Date Approved: 7/18/23

Mayor Gigi Traore: 

Fiscal Officer Cathleen Nagorski: 