

RECORD OF PROCEEDINGS

Minutes of City Council

Held April 10, 2025

Regular Meeting Call to Order

Meeting called to order 6:00 PM.

Roll Call

Teri Murphy	Mayor	Present
Donald Burchett	At-Large	Absent
Ora Allen	At-Large	Present
Mike Daugherty	Ward 1	Present
Dave Miller	Ward 2	Present
Shirley Whitt	Ward 3	Present
Jeanette Marcus	Ward 4	Absent

Staff Present:

City Manager Michael Davis	Law Director Kent Depoorter
Police Chief Craig Richardson	Fire Chief Traci Kuzminski
Finance Director Annetta Williams	Street Superintendent Chris Dunn
Build. Maint. Superintendent Rocky Bangert	City Engineer Lauren Alvarado
City Planner Nick Sorice	Public Information Officer Aaron Vietor
Parks and Recreation Director Brent Shane	Clerk of Council Karen Powell
Build. & Zoning Admin. Brent Carpenter	

Ms. Allen moved to excuse the absences of Ms. Marcus and Mr. Burchett.

RESULT: Passed *(Yes 5, No 0, Abstained 0)*
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular City Council Meeting Minutes - March 27, 2025

Mayor Murphy asked if there were any changes or corrections to the March 27, 2025, Regular Council meeting minutes. Hearing none, the minutes were approved as submitted.

Special Presentations

Oath of Office - Firefighter/EMT Kilar Hughes and Firefighter/EMT Austin Hoffman

Mayor Murphy administered the Oath of Office to Firefighter/EMT Austin Hoffman and Kilar Hughes.

Fire Chief Traci Kuzminski said Firefighter/EMT Hoffman grew up in Troy, Ohio, and moved to Moraine two years ago. She said he received his Firefighter/EMT certification from Clark State University. She stated that Firefighter/EMT Kilar Hughes grew up in Kettering, Ohio, and is currently enrolled in the Paramedic program with Butler Tech.

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Reports from the Following

Finance Committee

No Report.

Finance Director

No Report.

Committee of the Whole

Mr. Miller noted the last Committee of the Whole meeting was on March 27, 2025. He reported there would be a meeting this evening following the Regular Council Meeting.

City Manager

City Manager's Report - April 10, 2025

Mr. Davis extended his appreciation to Street Department and Building Maintenance Department staff for their hard work during the last few days through the flooding event. He thanked Mr. Bangert, Mr. Dunn, Mr. Vietor, and Mr. Shane who were onsite many times throughout the last 72-100 hours.

Law Director

No Report.

Mayor

Proclamation - Arbor Day 2025

Mayor Murphy read the Arbor Day Proclamation.

Guest Speakers - None

Business

Ordinances

2182-25 An Ordinance approving amendment to the Table of Organization and declaring an emergency.

Ms. Allen stated this Ordinance approves the removal of pay rates of Probationary Firefighter from the Table of Organization as those rates are listed in the Union Contract. Ms. Allen moved to suspend the rules to allow for the second reading and final adoption at this meeting.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

Ms. Allen moved to adopt.

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RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

2183-25 An Ordinance to make supplemental appropriations for current expenses and other expenditures of the City Of Moraine, State of Ohio for the period January 1, 2025, to December 31, 2025, and declaring an emergency.

Mrs. Whitt reported that the supplemental appropriations include \$435.00 to the General Fund for 2024 Liquor and Beer Permit revenue to the Public Health Department of Montgomery County and \$339.12 of ARPA fund money to be used toward the City Building Renovation. She said the Ordinance will be passed as an emergency. Mrs. Whitt moved to suspend the rules to allow the second reading and final adoption at the meeting in which this legislation was introduced.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Shirley Whitt
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

Mrs. Whitt moved to approve.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Shirley Whitt
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

Resolutions

8146-25 A Resolution accepting the bid of and authorizing the City Manager to enter into a contract with Barrett Paving Materials, Inc. for the 2025 Asphalt Paving Program for the total amount of \$654,721.69 and further authorizing the City Manager to execute needed change order(s), if any, in specified amount.

Mr. Daugherty stated that this legislation approves a contract with Barrett Paving Materials, Inc. for the 2025 Asphalt Paving Program and is a budgeted item. Mr. Daugherty moved to approve.

Mayor Murphy said she does not remember the City ever approving a 10 percent change order prior to a need and stated that type of request has always been brought back to Council for approval.

Mr. Davis said this item was reviewed by the Law Director and asked City Engineer Lauren Alvarado to address this practice in greater detail.

Mrs. Alvarado said preapproval is new, and a lot of municipalities are adopting this practice as this expedites the procedure and allows a contractor to continue construction instead of waiting until legislation moves through Council.

Mayor Murphy said Council will not know about the change order and she does not feel

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comfortable giving contractors approval to add on \$65,000.00 or any amount. She asked if the contractor knows a 10 percent change order is in place, what is to stop that contractor from using that amount?

Mr. Davis said if a change order is submitted, the City Engineer would notify him and he would report to Council.

Mrs. Alvarado presented an example to Council of when the curb was being replaced on Lance Drive and the contractor found that the road was deteriorating. She reminded Council that the street was closed with limited access and work was stopped until approval could be obtained by Council. She said even though the amount of money needed was under 10 percent, work halted until the amount could be approved. She said staff would not spend money without management and Council knowing about the expenditure.

Mr. Davis said another struggle is that a contractor may move on to another job instead of waiting for approval.

Mr. Miller stated that he understands Mayor Murphy's concern, but this would give Council the opportunity to expedite a project. He said if Council feels companies are price gouging due to the 10 percent, Council can re-evaluate the practice after this year's projects.

After discussion, Mr. Davis said he has a lot of faith and trust in staff and their ability to manage a project at cost.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Mike Daugherty
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

8147-25 A Resolution accepting the bid of and authorizing the City Manager to enter into a contract with R.A. Miller Construction Co. for the 2025 Curb Ramps And Sidewalks Program for the total amount of \$247,758.95 and further authorizing the City Manager to execute needed change order(s), if any, in specified amount.

Mr. Miller said this Resolution awards the 2025 Curbs Ramps and Sidewalks Program to R.A. Miller Construcion Company and is a budgeted item. Mr. Miller moved to approve.

Mayor Murphy said this item and the next list the same streets and also two different companies.

Mr. Davis said part is concrete work and part is asphalt work.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Dave Miller
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

8148-25 A Resolution accepting the bid of and authorizing the City Manager to enter into a contract with L.J. Deweese Co., Inc. for the 2025 Curb, Road, And Storm Structure Improvements Program for the total amount of \$772,715.00 and further authorizing the City Manager to execute needed change order(s), if any, in specified amount.

Mrs. Whitt reported that this legislation awards the 2025 Curb, Road, and Storm Structure

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Improvements Program to L.J. Deweese Company and is a budgeted item. She moved to approve.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Shirley Whitt
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

8149-25 A Resolution declaring the items listed on the attached 2025 list to be surplus and no longer needed for municipal purposes and authorizing the City Manager to dispose of such items through GovDeals Auction or donation to a non-profit organization or through a trade-in program.

Ms. Allen stated this Resolution authorizes the disposal of listed items which are no longer of value or useful to the City. Ms. Allen moved to approve.

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None
ABSTAIN: None

Persons Appearing Before Council - None

Any Other Business

Mr. Bangert gave a presentation to update Council on the construction of the City Building. He said progress is being made quicker than expected and the rain has not slowed the contractors down.

Mrs. Whitt asked if the contractor was offered an incentive to finish early.

Mr. Bangert replied that no incentive was given.

Mr. Shane thanked the Street Department. He said Parks and Recreation Staff are at the Gerhardt Civic Center handing out Pirate Packs. He reported there will be an Arbor Day event at Wax Park from 6:00 p.m. to 7:30 p.m on April 25, 2025. He requested that people register ahead of time because the Parks and Recreation Department will be giving out saplings. He noted that the presentation of the Master Parks Plan will be reviewed at the May 8, 2025, City Council meeting. He said Council will have a copy of the plan to look at a couple of weeks prior to that meeting so they are prepared for the meeting. He encouraged Council to pose questions in advance of the meeting so staff can better prepare for the discussion. Mr. Shane said the Adult Easter Egg Hunt and the Family Easter Egg Hunt will be held at the Gerhardt Civic Center.

City Manager – No report.

Law Director – No report.

Finance Director Annetta Williams said a staff member is available at the Gerhardt Civic Center on Friday, April 11, 2025, from 10:00 a.m. to 5:00 p.m. to assist taxpayers. She said legally the City does not have the ability to extend the deadline, but the Tax Division can waive late fees, etc. if necessary.

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Clerk of Council – No report.

Council Reports

Ms. Allen welcomed the new Firefighter/EMTs. She thanked all of the City employees who have gone above and beyond to take care of the City through the flood. She said it is good to know that the City has employees who can take over and handle an emergency.

Mrs. Whitt congratulated the Firefighter/EMTs. She said the City is blessed in the respect that the flood situation could have been worse, and staff have done an awesome job.

Mr. Miller said he was looking back at flooding history prior to the levee, and the City is blessed to have the levee. He thanked all the departments and the City Manager for getting the City through this event.

Mr. Daugherty thanked Governor DeWine for choosing Moraine to make his transportation budget announcement last week. He said Governor DeWine took the time to meet Council members and shake hands, and it was appreciated.

Mayor Murphy congratulated the two Firefighter/EMTs and said hopefully they will be with the City of Moraine for a long time. She thanked Mr. Dunn, Mr. Bangert, Mr. Vietor, and Mr. Davis for all they have done since Sunday and the time they have given. She thanked the City of Springboro for their assistance.

Mr. Davis said Moraine received pumps and assistance from neighboring communities, and he thanked all who helped.

Mayor Murphy thanked the Miami Valley Communications Council for broadcasting this meeting live as well as any future rebroadcasts.

Executive Session - None

Adjournment

Meeting adjourned at 6:39 PM.



Mayor Teri Murphy



ATTEST: Clerk of Council, Karen Powell