
Regular Council Meeting



Agenda

6:00 PM August 28, 2025

Teri Murphy, Mayor

Council Members:

Ora Allen..... At-Large
Donald Burchett..... At-Large
Mike Daugherty..... Ward 1
Dave Miller..... Ward 2
Shirley Whitt..... Ward 3
Jeanette Marcus..... Ward 4

Michael Davis, City Manager
Martina Dillon, Law Director

Payne Recreation Center • 3800 Main Street, Moraine, OH 45439

I. Regular Meeting Call to Order

- A. Roll Call
- B. Pledge of Allegiance
- C. Approval of Minutes
 - 1. Regular Council Meeting Minutes - August 14, 2025
- D. Special Presentations
 - 1. Oath of Office - Officer Ian Dalton
 - 2. Oath of Office - Firefighter/EMT Kara Westfall

II. Reports from the Following

- A. Finance Committee
- B. Finance Director
 - 1. July 2025 Finance Director Report
- C. Committee of the Whole
- D. City Manager
 - 1. City Manager's Report - August 28, 2025
- E. Law Director
- F. Mayor
 - 1. Mayor's Court Monthly Report - July 2025

III. Guest Speakers - None

IV. Business

(Anyone wishing to raise a question about any piece of legislation listed on this agenda will have three (3) minutes at this time. All other topics to be addressed to Council will be heard later in this meeting.)

Ordinances

- | | |
|---------|--|
| 2194-25 | An Ordinance approving a Zoning District Modification for City Lot Number 5191 and located at 2705 Lehigh Place located within the City of Moraine from R-4 (Multi-Family Residence District) To B-1 (Neighborhood Business District). |
| 2195-25 | An Ordinance to amend Moraine Codified Ordinance Section 159.01 entitled "Competitive Bidding". |
| 2196-25 | An Ordinance approving current replacement pages to the Moraine Codified Ordinances and declaring an emergency. |
| 2197-25 | 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. |
| 2198-25 | An Ordinance approving amendments to the Table Of Organization for a 2% increase |

in pay rates for non-bargaining unit employees of the City Of Moraine and declaring an emergency. (TO BE ADDED BY THE LAW DIRECTOR)

Resolutions

8173-25 A Resolution accepting the bid of and authorizing the City Manager to enter into a contract with Brumbaugh Construction, Inc. for the 2025 Pinnacle Road Culvert Replacement Program for the total amount of \$261,880.00 and further authorizing the City Manager to execute needed change order(s), if any, in specified amount.

Voice Vote

V. Persons Appearing Before Council

VI. Any Other Business

VII. Executive Session

VIII. Adjournment

RECORD OF PROCEEDINGS

Minutes of City Council

Held August 14, 2025

Regular Meeting Call to Order

Meeting called to order at 6:00 PM.

Roll Call

Teri Murphy	Mayor	Present
Donald Burchett	At-Large	Present
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 Attendance:

City Manager Michael Davis	Law Director Martina Dillon
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	

Mrs. Allen moved to excuse the absence of Ms. Marcus.

RESULT: Passed *(Yes 6, No 0, Abstained 0)*
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Donald Burchett
NAYS: None
ABSTAIN: None

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular City Council Meeting Minutes - July 24, 2025

Mayor Murphy asked if there were any changes or corrections to the July 24, 2025, Regular City Council meeting minutes. Hearing none, the minutes were approved as submitted.

Special Presentations

Oath of Office - Lieutenant Wayne Segraves

Fire Chief Traci Kuzminski said Lieutenant Wayne Segraves distinguished himself by earning the highest score in the recent promotional process testing his expertise in fire tactics, exceptional communication skills, and his proven readiness to lead.

Mayor Murphy administered the Oath of Office to Lieutenant Segraves.

Reports from the Following

RECORD OF PROCEEDINGS

Minutes of City Council

Held August 14, 2025

Finance Committee

No report.

Finance Director

No report.

Committee of the Whole

Mr. Miller noted the last Committee of the Whole meeting was on July 24, 2025. He reported there would be a meeting this evening.

City Manager

City Manager's Report - August 14, 2025

City Manager Michael Davis stated he has nothing further unless there are questions regarding the City Manager's Report.

Law Director

No report.

Mayor

No report.

Guest Speakers - None

Business

Mayor Murphy stated anyone wishing to raise a question about a piece of legislation listed on the agenda will have three minutes at this time. She said all other comments to be addressed to Council will be heard later in the meeting.

There were no comments on agenda items.

Ordinances

2194-25 An Ordinance approving a Zoning District Modification for City Lot Number 5191 and located at 2705 Lehigh Place located within the City of Moraine from R-4 (Multi-Family Residence District) To B-1 (Neighborhood Business District).

Mr. Burchett remarked that this is the first reading for the zoning district change at 2705 Lehigh Place. He said this item will be passed to a second reading at the August 28, 2025, Regular City Council meeting.

Resolutions

8171-25 A Resolution accepting the proposal of Miami Valley Educational Computer Association (MVECA) for the provision of a computer security software subscription upgrade at a total cost of \$75,831.00.

Mrs. Allen stated a computer security software subscription upgrade is needed for the City to remain protected. She said this Resolution accepts the proposal from Miami Valley Educational

RECORD OF PROCEEDINGS

Minutes of City Council

Held August 14, 2025

Computer Association for those services.

RESULT: Passed (*Yes 6, No 0, Abstained 0*)
MOVER: Ora Allen
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Donald Burchett
NAYS: None
ABSTAIN: None

8172-25 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.

Mr. Daugherty said this Resolution authorizes the disposal of listed items which are no longer valuable or useful to the City. Mr. Daugherty moved to approve.

RESULT: Passed (*Yes 6, No 0, Abstained 0*)
MOVER: Mike Daugherty
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Donald Burchett
NAYS: None
ABSTAIN: None

Voice Vote - None

Persons Appearing Before Council - None

Any Other Business

Building Maintenance Superintendent Rocky Bangert provided Council with an update regarding the City building renovations.

Mrs. Whitt asked if the contractors are going to repair the deterioration at the corner of the front of the building?

Mr. Bangert replied it was not part of the project, but it is on his and Mr. Davis' radar. He said they are trying to get through the project to a point where other items can be addressed.

Mrs. Allen stated she attended the ribbon cutting for the opening of the new West Carrollton Schools building. She said the event was fantastic.

Mrs. Whitt said she also attended the ribbon cutting, and the school is really beautiful. She commented that National Night Out was amazing, and she thanked the Police Division, Fire Division, and all other staff who assisted. She said this was the biggest and best yet.

Mrs. Allen agreed and said that everyone loved the event.

Mrs. Whitt sent get well wishes to Delana Dunn.

Mr. Miller congratulated Garrett Sagraves on his promotion. He said he attended the open house and ribbon cutting at Frey's Place, the new dog training business. He said he followed up with the owner and filmed a segment for Profile Moraine. He said National Night Out was awesome, and he thanked the Police Division and other departments that participated. Mr. Miller expressed condolences to the family of former Moraine firefighter Ryan Bauer who passed away at a young age. He also sent condolences to former employee Jimmy Montgomery on the

RECORD OF PROCEEDINGS

Minutes of City Council

Held August 14, 2025

passing of his daughter, Vanessa. He said Mr. Montgomery's granddaughter, Rosemary, recently received a \$1,000 Moraine Rotary Club College Scholarship, and she will be attending Wright State University this fall. He reported that although the Moraine Rotary Club folded five years ago, there is still a large amount of money in the College Scholarship Fund. He encouraged anyone graduating in December or May to apply for a scholarship.

Mr. Daugherty said National Night Out was a great time and bigger than last year. He expressed his appreciation to all departments involved as well as the community partners who showed up to the event.

Mr. Burchett said National Night Out was great and everyone enjoyed the event. He stated that on August 7, 2025, he attended the board meeting of the Miami Valley Regional Planning Commission. He said there has been an increase in membership, and there are a total of 108 board members.

Mayor Murphy said she enjoyed National Night Out, but she missed the water balloons. She congratulated Lieutenant Sagraves, and she expressed her well wishes for Delana Dunn's recovery. She noted she attended the visitation and she gave her condolences to Jim and Penny Montgomery for Vanessa. She thanked the Miami Valley Communications Council for the live broadcast of the meeting as well as any other rebroadcasts.

Executive Session - None

Adjournment

Meeting adjourned at 6:20 PM.

City of Moraine

Finance Department



To: Mayor & City Council

From: Annetta Williams, Finance Director

Date: August 20, 2025

Subject: July 2025 Finance Director Report

Summary

The City continues to be in a strong financial position as we are more than halfway through the year. Our operating expenses remain below budget across the board and all revenues continue to remain strong coming in at or above target. Major sources of revenue remain strong at over 67% collected as we are 58% of the way through the year. General fund revenues are at 63% of the budget. We are in a good position as we begin planning the 2026 budget. For income tax, net revenues are at 62% of the annual budget. Total net income tax collections for the month of July are 21% more than those collected in July 2024 and down 2% year to date compared to 2024. For July, our fund balances decreased by \$742,610 primarily due to capital project expenditures and for the year, we have increased our fund balances by \$2,814,780.

Finance Department Notes

The budget planning process is underway. Finance is having meetings this month with departments to review preliminary budget requests and preparing to review with Mike in early September.

The final audit report should be released by the Auditor of State and available in August.

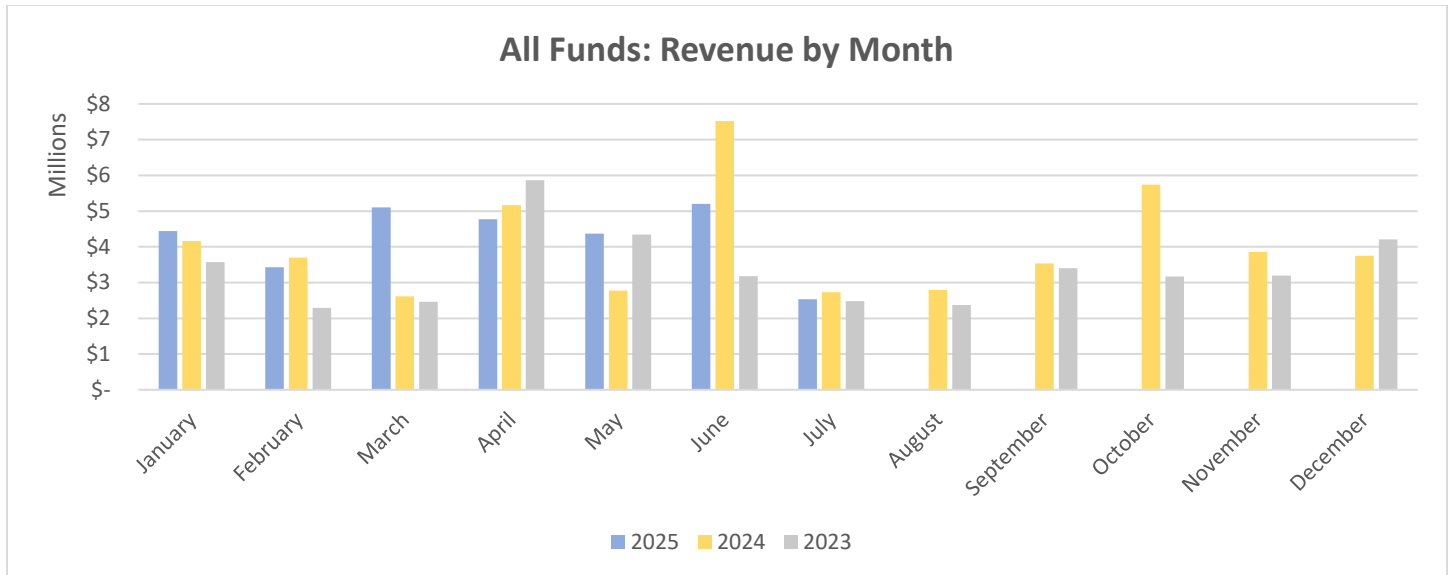
We received 12 applications for our part-time position during the month of July. Of those applications, there were no applicants that received an interview.

Taxpayers can continue to use the drop box in addition to the methods indicated below. Documents can be sent by mail, email or uploaded to the online filing site. If you have any questions, call 937-535-1026 or email incometax@moraineoh.org. If you would like to file online or upload your documents: <https://www.mitstaxonline.com/moraine/>. Forms and information are available on the City website: <https://ci.moraine.oh.us/taxes/>.

ALL FUNDS

JULY 2025

MONTHLY REVENUE COLLECTIONS VS. BUDGET



REVENUES BY CATEGORY (GROSS)	CURRENT MONTH	YEAR TO DATE	COLLECTED		
			2025 BUDGET	UNDER / (OVER)	COLLECTED
Local Taxes	\$ 2,890	\$ 750,080	\$ 1,289,503	\$ 539,423	58%
Income Taxes	1,881,690	16,584,032	26,906,250	10,322,218	62%
State Shared Taxes & Fees	75,180	512,545	906,000	393,455	57%
Special Assessments	-	123,313	586,365	463,052	21%
Intergovernmental Aid	-	302,281	330,100	27,819	92%
Charges for Services	41,392	321,057	505,000	183,943	64%
Civic Center	2,788	14,602	17,500	2,898	83%
Payne Recreation Center	6,310	59,506	58,250	(1,256)	102%
Fines & Forfeitures	20,216	224,342	319,400	95,058	70%
Miscellaneous Receipts	462,169	3,623,202	5,583,100	1,959,898	65%
Interfund Transfers	45,000	7,344,800	12,870,000	5,525,200	57%
Total	\$ 2,537,635	\$ 29,859,760	\$ 49,371,468	\$ 19,511,708	60%

REVENUE COLLECTIONS – ALL CITY FUNDS

Gross Revenues: Through July, our gross revenue collections for the year are at 60%, slightly above target. Intergovernmental Aid revenue is at 92% of budget as the City has received a large amount of its grant funding for several street projects.

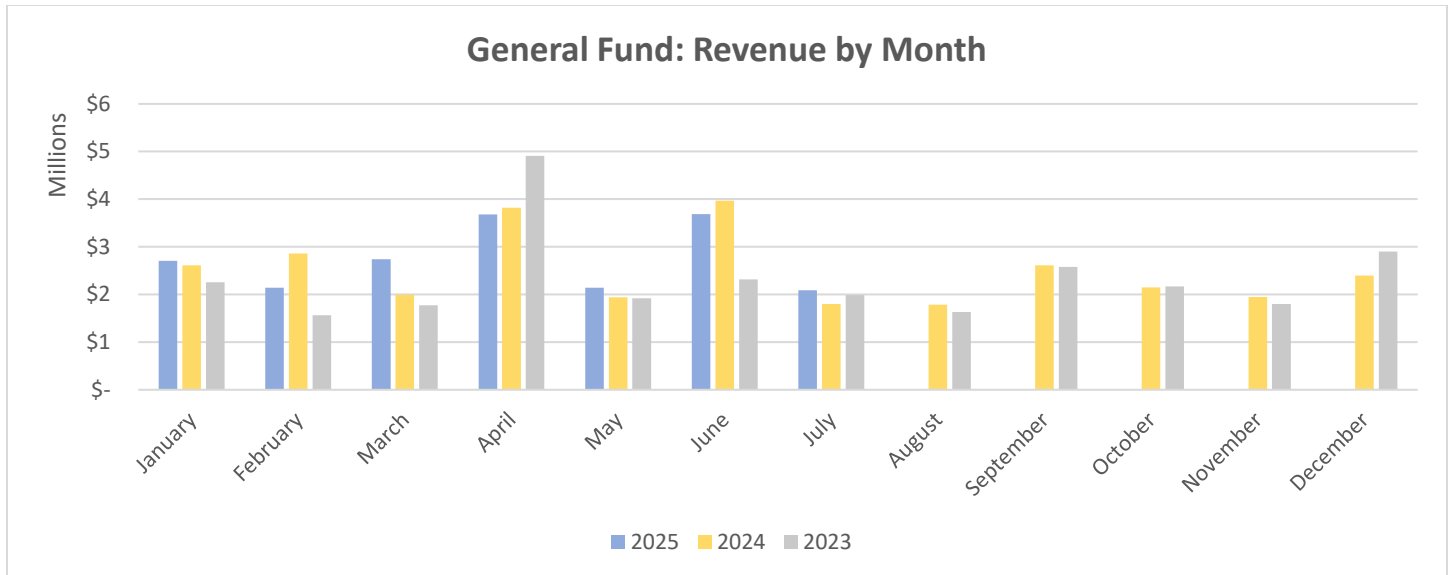
Net Revenue: After removing interfund transfers, net revenue for the month of July was \$2,225,011 and 63% of the year-to-date budget. For the year, we have experienced a 3% increase in year-to-date revenues compared to this point in 2024.

Interfund Transfers: Transfers for this month are in the normal range to ensure proper fund cash balances. Year to date transfers are pretty close to the target for the year at 57%.

GENERAL FUND

JULY 2025

MONTHLY REVENUE COLLECTIONS VS. BUDGET



REVENUES BY CATEGORY (GROSS)	CURRENT MONTH	YEAR TO DATE	COLLECTED		
			2025 BUDGET	UNDER / (OVER)	COLLECTED
Local Taxes	\$ 2,890	\$ 405,212	\$ 667,813	\$ 262,601	61%
Income Taxes	1,881,690	16,584,032	26,906,250	10,322,218	62%
State Shared Taxes & Fees	16,450	109,802	143,500	33,698	77%
Special Assessments	-	4,442	5,365	923	83%
Intergovernmental Aid	-	2,500	3,000	500	83%
Charges for Services	41,392	321,057	504,000	182,943	64%
Fines & Forfeitures	20,216	224,342	319,400	95,058	70%
Miscellaneous Receipts	128,947	1,532,302	1,864,500	332,198	82%
Total	\$ 2,091,585	\$ 19,183,690	\$ 30,413,828	\$ 11,230,138	63%

REVENUE COLLECTIONS – GENERAL FUND

Charges for Services: This category is primarily EMS billing receipts from Fire Department runs that can be billed to insurance. This revenue is slightly higher than budgeted due to a high volume of EMS runs.

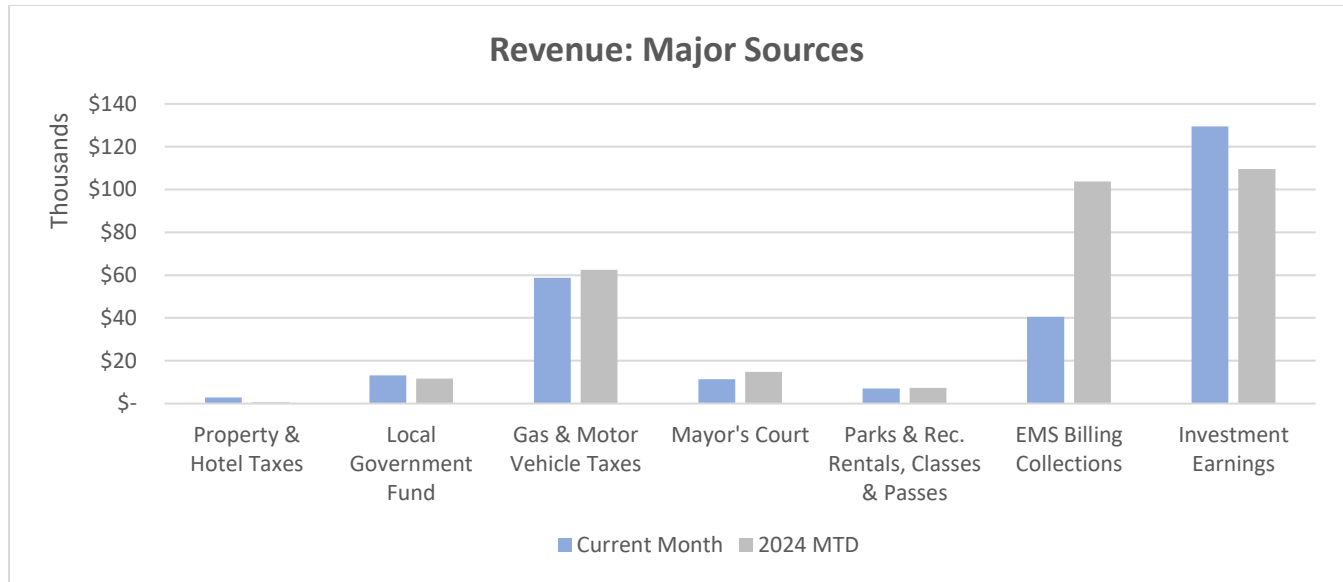
Fines & Forfeitures: This category includes the Residential and Commercial Building Permits revenues which are above target at 85% of budget.

Miscellaneous Receipts: This category is mostly made up of health care contributions from various funds and interest from investments. We received \$118,600, in interest into the General Fund in July, making it 78.5% collected year to date. Also, in July, the revenue estimate was adjusted to account for the sale of 5540 Vance Road as this revenue was not included in the 2025 original budget estimate. This explains why the percent collected was 96% in June but decreased to 82% in July.

MAJOR SOURCES

JULY 2025

MONTHLY REVENUE COLLECTIONS VS. BUDGET



REVENUES BY TYPE	CURRENT MONTH	YEAR TO DATE	COLLECTED UNDER / (OVER)		
			2025 BUDGET	(OVER)	COLLECTED
Property & Hotel Taxes	\$ 2,890	\$ 551,090	\$ 918,253	\$ 367,163	60%
Local Government Fund	13,109	78,294	113,000	34,706	69%
Gas & Motor Vehicle Taxes	58,730	402,743	727,500	324,757	55%
Mayor's Court	11,393	107,347	180,000	72,653	60%
Parks Rentals, Classes & Passe	7,078	60,963	69,000	8,037	88%
EMS Billing Collections	40,472	316,297	500,000	183,703	63%
Investment Earnings	129,540	1,055,560	1,357,350	301,790	78%
Total	\$ 263,212	\$ 2,572,295	\$ 3,865,103	\$ 1,292,808	67%

REVENUE COLLECTIONS – MAJOR SOURCES

Property Taxes: This revenue is paid to the City twice a year. The distribution for the 1st half of the year was posted in April and we should receive the 2nd half payment in September.

Gas & Motor Vehicle Taxes: For the last several years, these taxes have been consistent. For the year, we expected to receive about \$60,625 per month. July was slightly below target at \$58,730.

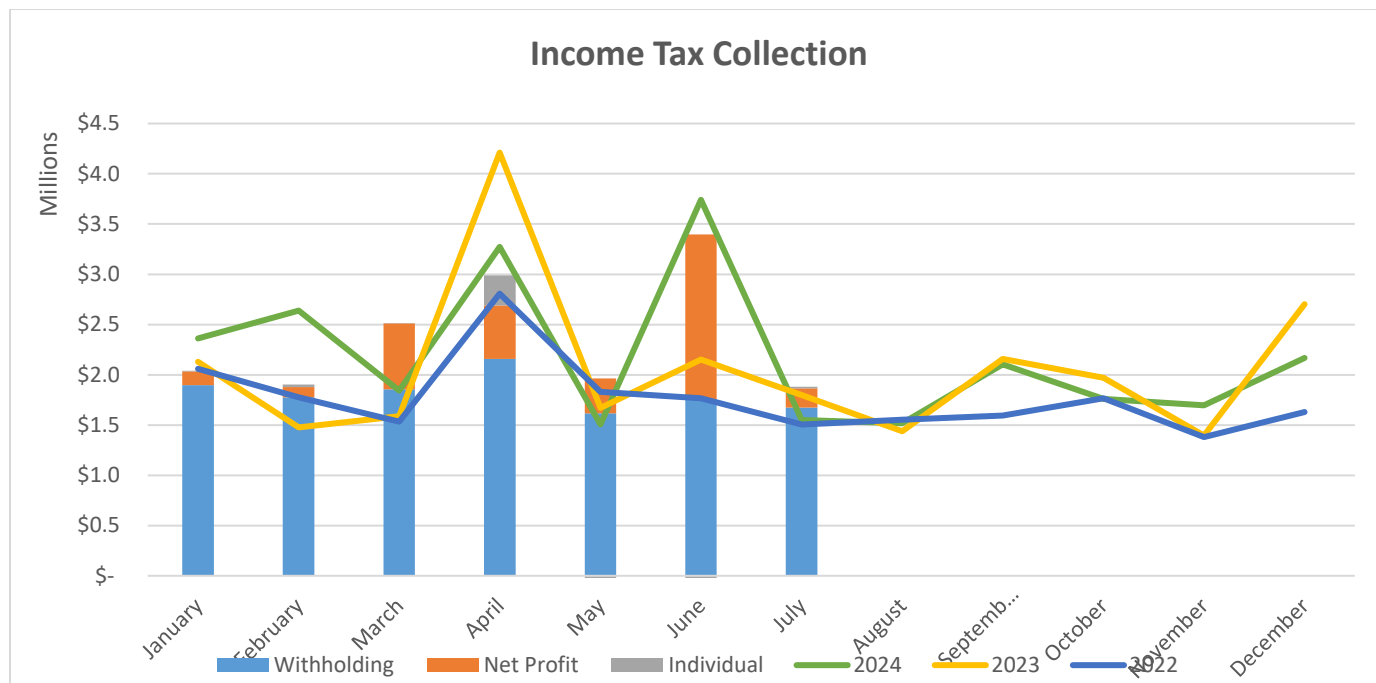
Parks Rentals & Season passes: These revenues are higher than expected at 88% of the budget. These line-item budgets were reduced in 2025 to account for the City's use of the recreation building. Overall, revenues are about the same as year-to-date 2024.

Investment Earnings: The interest earnings revenue received is higher than budgeted. We have collected 78% of our expected budget and are on track to exceed the estimated revenue budget.

INCOME TAX

JULY 2025

MONTHLY REVENUE COLLECTIONS VS. BUDGET



REVENUES BY TYPE	CURRENT MONTH	YEAR TO DATE	COLLECTED UNDER / (OVER) COLLECTED		
			2025 BUDGET	2024	2023
Electric Co. Income Tax	\$ -	\$ 1,271	\$ 1,000	\$ (271)	127%
Income Tax Refunds	(8,911)	(366,745)	(700,000)	(333,255)	52%
Income Taxes	1,890,601	16,949,507	27,605,250	10,655,743	61%
Total	\$ 1,881,690	\$ 16,584,032	\$ 26,906,250	\$ 10,322,218	62%

REVENUE COLLECTIONS – INCOME TAX

2025 Collections: Through July, we expect to collect approximately 63% of our total estimated gross income tax revenue. We have collected \$16,949,507 and budgeted for \$17,403,913 through July. For the year we are at 62% of our target net budget amount and 2% below year-to-date 2024. It is possible we will be under our estimated tax revenue budget for the year by roughly 2%.

Net Profit: Through July, we anticipate collecting 70% of our estimated Net Profit taxes. So far, we have collected 57% of the gross expected taxes. For the year, we are below our budget year to date amount by 18%. The net profit collection rate is rebounding slowly from where it was in the first half of the year, but it is likely that we will not meet the net profit estimated revenue budget.

Withholding: Withholding payments continue to come in strong. Through July, we anticipate collecting 60% of our estimated Withholding taxes. So far, we have collected 62% of the gross expected taxes. For the year, we are slightly above budget amount by 4%.

Individual: Through July, we anticipate collecting 80% of our estimated Individual taxes. So far, we have collected 71% of the gross expected taxes. For the year, we are below our budget by 11%.

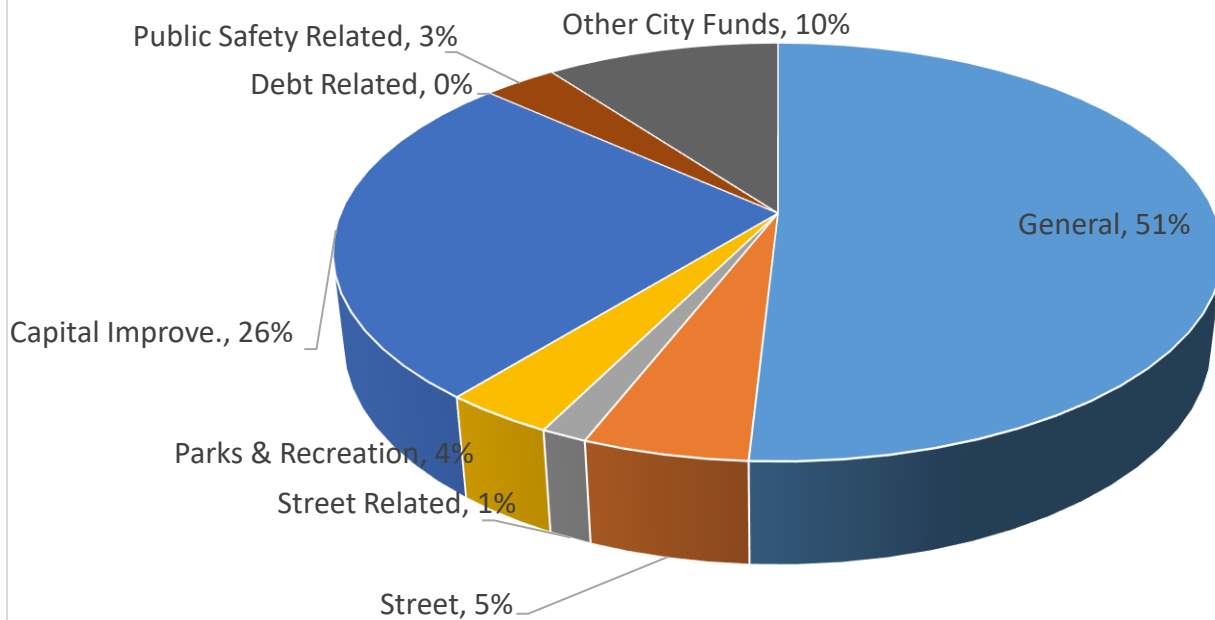
Refunds: Through July, we have processed \$66,745 of Refunds. For the year, we have refunded 52% of the amount budgeted.

ALL FUNDS

JULY 2025

MONTHLY EXPENSES VS. BUDGET

All Funds: Current Month Expenses by Percentage



EXPENSES BY FUND/TYPE	CURRENT MONTH	YEAR TO DATE	2025 BUDGET	AVAILABLE BALANCE	% EXPENSES TO BUDGET
General Fund	\$ 1,668,620	\$ 17,245,352	\$ 31,906,084	\$ 12,561,176	54%
Street Fund	166,569	1,304,222	2,598,078	1,110,041	50%
Street Related Funds	46,659	356,248	1,112,622	567,351	32%
Parks & Recreation Fund	112,464	759,067	1,579,148	633,189	48%
Capital Improvement Fund	849,307	4,045,845	12,959,580	2,391,522	31%
Debt Related Funds	-	177,220	1,011,700	10,130	18%
Public Safety Related Funds	103,840	790,758	1,478,780	681,412	53%
Other City Funds	332,786	2,366,268	5,501,924	2,128,779	43%
Total	\$ 3,280,244	\$ 27,044,980	\$ 58,147,916	\$ 20,083,599	47%

EXPENSES – ALL FUNDS

Net Expenses: After interfund transfers, our Net Expenses for July were \$2,967,620 and year-to-date are at 43% of the budget.

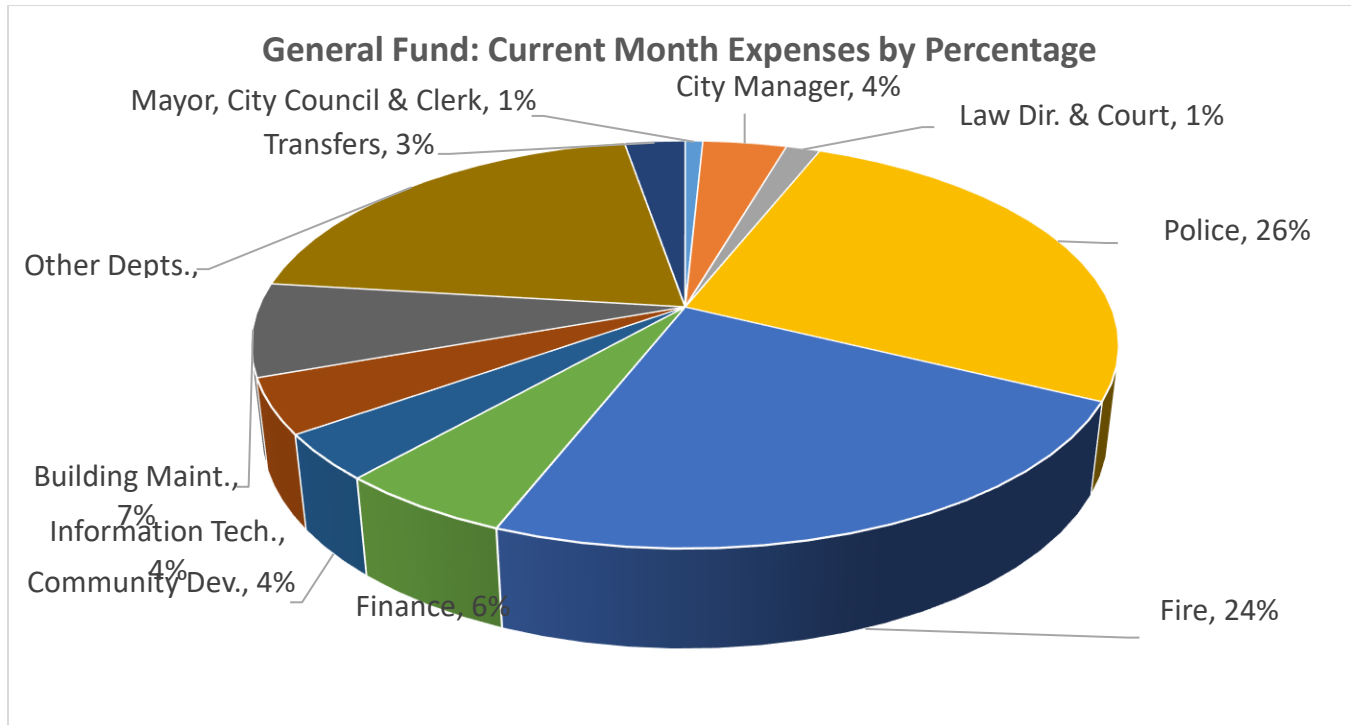
Large Expenses: In July, we made our property and casualty insurance renewal payment. We made a large payment on the City building renovation project of \$669,859, \$56,300 for the fuel system removal as well as payments on engineering street related projects.

Budget Review: We are currently at 47% of the budget at 58% of the year.

GENERAL FUND

JULY 2025

MONTHLY EXPENSES VS. BUDGET



EXPENSES BY DEPARTMENT	CURRENT MONTH	YEAR TO DATE	2025 BUDGET	AVAILABLE BALANCE	% EXPENSES TO BUDGET
Mayor, City Council & Clerk	\$ 13,092	\$ 94,875	\$ 231,009	\$ 114,588	41%
City Manager & Info. Center	62,295	312,134	672,649	271,317	46%
Law Director & Clerk of Courts	25,254	183,148	438,286	124,503	42%
Police	438,007	3,317,371	6,273,936	2,495,621	53%
Fire	395,141	2,829,406	4,733,195	1,659,710	60%
Finance	92,547	471,454	931,320	390,405	51%
Community & Economic Dev.	61,076	443,735	1,111,000	550,673	40%
Information Technology	72,650	476,068	1,122,720	365,248	42%
Building Maintenance	123,398	786,990	1,846,913	789,040	43%
Other Departments	340,161	985,372	2,045,055	644,870	48%
Transfers	45,000	7,344,800	12,500,000	5,155,200	59%
Total	\$ 1,668,620	\$ 17,245,352	\$ 31,906,084	\$ 12,561,176	54%

EXPENSES – GENERAL FUND

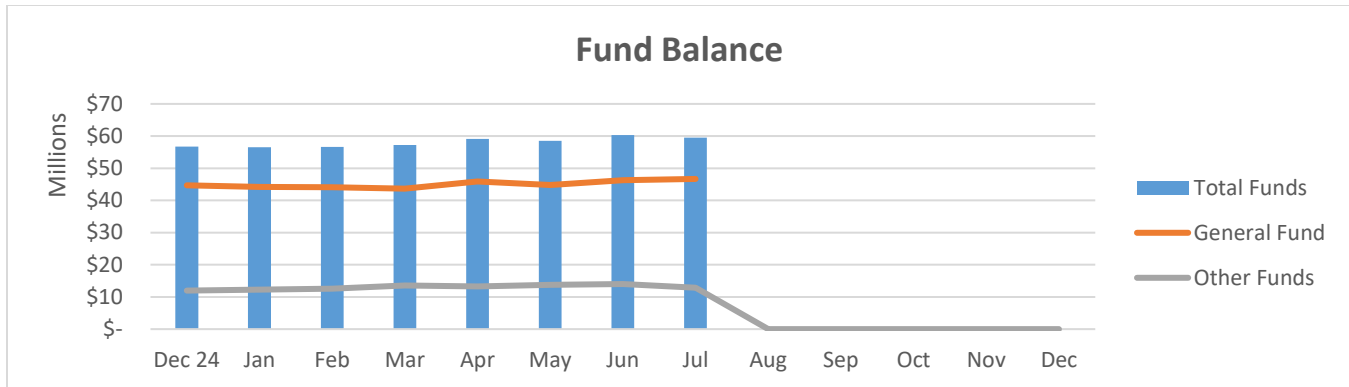
Budget Status: The General Fund is at 54% of expense budget which is slightly below target for this time of the year.

Transfers: Transfers are on track for funding our Capital and other operating funds. If there are supplemental appropriations to other funds, we will need to increase our transfer budget.

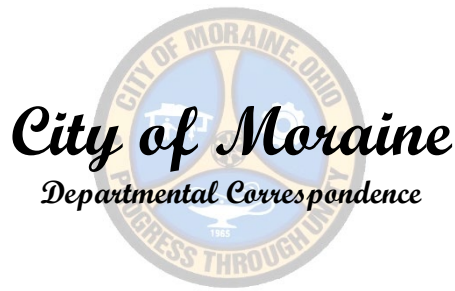
FUND BALANCES & CASH FLOW

JULY 2025

MONTH END BALANCES BY FUND



FUND	YEAR BEGIN BALANCE	MONTH BEGIN BALANCE	MONTH CHANGE BALANCE	MONTH END BALANCE	YEAR TO DATE CHANGE
General	\$ 44,743,031	\$ 46,258,403	\$ 422,965	\$ 46,681,368	\$ 1,938,337
Street	287,303	493,527	(54,585)	438,942	151,639
State Highway	459,370	415,111	(882)	414,229	(45,141)
Parks & Recreation	227,480	415,756	(92,470)	323,286	95,805
Cemetery	96,875	93,304	(2,623)	90,681	(6,193)
Motor Vehicle License Tax	45,792	39,637	744	40,381	(5,411)
Enforcement & Education	72,551	73,987	259	74,246	1,695
Mayor's Court Computer	90,557	86,080	(92)	85,988	(4,569)
Clerk of Court Computer	60,372	57,387	(63)	57,324	(3,048)
Economic Development	484,336	622,766	-	622,766	138,431
Capital Improvement	5,969,408	7,778,067	(849,307)	6,928,760	959,352
Vance Darroch Project	57,381	57,381	-	57,381	-
Debt Service	187,127	189,949	409	190,358	3,231
Tax Increment Financing	48,682	200,721	432	201,153	152,471
Home Improvement Loan	700,563	712,035	1,534	713,569	13,005
City Garage	360,161	360,819	5,311	366,130	5,968
Miscellaneous Trust	45,654	44,994	477	45,471	(183)
Police Pension	52,200	108,801	(45,489)	63,312	11,111
Fire Pension	61,067	143,769	(57,207)	86,562	25,495
Insurance Reserve	1,464,773	1,477,231	(29,586)	1,447,645	(17,127)
Health Insurance	521,563	385,991	(47,595)	338,395	(183,167)
Federal Law Enforcement	42,290	42,982	93	43,075	785
State Law Enforcement Training	46,112	46,867	101	46,968	856
Drug Law Enforcement Trust	43,933	44,652	96	44,748	816
Local Fiscal Recovery	435,657	-	-	-	(435,657)
OneOhio Opioid Settlement	113,560	124,972	4,868	129,840	16,280
Total	\$ 56,717,797	\$ 60,275,188	\$ (742,610)	\$ 59,532,578	\$ 2,814,780



TO: Mayor
City Council

FROM: Michael Davis, City Manager

DATE: August 25, 2025

SUBJECT: City Manager's Report

1) City Manager

- a) Attended the WC Elementary School opening on August 13, 2025, with members of City Council.
- b) Visited with members and graduates of the MPA program at Wright State University on August 15, 2025, during the annual networking event.
- c) Attended the August 18, 2025, Records Commission meeting.
- d) I attended West Carrollton School District's opening ceremonies on August 18, 2025, with members of City Council.
- e) Attended the August 19, 2025 Planning Commission meeting.
- f) A Special Council meeting was held on August 21, 2025.
- g) The Dayton Area Managers Association (DAMA) held a meeting on August 22, 2025, which included an update on DAMA's direction and membership.

2) Parks and Recreation

- a) Director Brent Shane has reached out to Environmental Design Group, Kimbley Jones, and DWA Recreation to schedule meetings on park concepts.
- b) Parks Board picked three homes for City Beautification: 3949 Herford Trail – 3232 Clearview Road – 2701 Homan Street. Awards will be delivered to the winners early next week.
- c) Flag Football numbers are down, and staff are discussing an extension to the deadline.
- d) Christmas Smiles registration will open in less than a month.

3) Police

- a) August 11: A stolen vehicle was recovered in the area of 741 and Alex Bell after the GPS device was deployed. Ongoing investigation.

Dayton Police Department made a recovery of a firearm stolen from a Moraine resident which led to an arrest. The investigation is ongoing.
- b) August 14: Detectives and officers conducted a saturation patrol of Red Roof Inn. There were nine arrests that were made for warrants and drugs.

- c) August 18: A vehicle was stolen from Dovetree Apartments. The vehicle was found abandoned and running on Lauderdale Drive. The subject was hiding under Holes Creek bridge and was arrested for multiple charges.
- d) Sgt Parish attended an OVI saturation patrol meeting kickoff event. The patrols are scheduled for the Labor Day holiday.
- e) DC Neubauer attended the Solid Waste meeting regarding the Tire Buy-Back Event. The 2025 Tire Buy-Back Event is Sunday, September 28, 2025, from 9:00 a.m. to 1:00 p.m. at the Montgomery County Transfer and Recycling Facility, located at 1001 Encrete Lane.
- f) Chief Richardson attended The Municipal Cyber Summit, and it was very informative.
- g) Deputy Chief Neubauer met with owners of Red Roof Inn regarding nuisance issues.
- h) There were 15 calls for service at Walmart, 15 calls at Red Roof Inn, 13 calls at Kroger, and 37 calls for service on I75.

4) Streets

- a) Seasonal maintenance was performed at the ballfield and Ellerton Cemetery. Mowing, weed trimming, pothole patching and catch basin maintenance were also accomplished.
- b) The Division received a new street sweeper and staff training on the equipment is underway.
- c) Staff spruced up the trail entrance and removed tree debris at Wax Park's front parking lot.

Bi-Monthly Report

To: Michael Davis, City Manager

From: Traci Kuzminski, Fire Chief



Date: August 20th 2025

Subject: Activity Report

The Fire Division responded to a total of 121 incidents from August 3rd-August 16th 2025.

EMS/ Fire & Rescue –

- Division Responded to 2 Motor Vehicle Incidents
- Division responded to 87 EMS Incidents
- Division responded to 11 Fire Alarm/Detector Activations
- Division Responded to 21 all other calls

Long-term projects/issues:

- New Medic ordered. Still Waiting
- Tornado Siren replacement complete.
- In house monitoring system ordered
- Received new Staff truck, currently at K.E. Rose
- Order of new ladder E-One Metro Quint Fire Truck through Vogelpohl Fire Equipment.

Full time hiring/promotions:

- Lieutenant Promotion- FF/Paramedic Garrett Sagraes appointed to new Lieutenant July 27th.
- Lt Chris Lutz Retirement 7/26/25
- Upcoming Retirement FF/Paramedic Derek Montgomery 8/23/25
- New full time hire Kara Westfall starts 8/26/25

Part time hiring:

- We have 5 part time personnel currently on the roster

Short term projects/issues:

- Beginning phase of Station 30 Bathroom remodel-Contract Signed

Number of Inspections/Re-Inspections:

- 15 Inspections

Meetings:

- Council Meeting / Committee of the Whole

Other:

- National Night Out 8/5
- 1 CPR class for Kettering Early Childhood Education Center 8/6
- 1 CPR class for South Community 8/7
- 1 CPR class for Gridflex 8/12 & 8/13
- 1 Car seat check for safety
- Attended Dayton Dragons Fire Night 8/7
- Pre Plan @ Arco Gas 8/14
- Picnic @ South Dayton Baptist Church 8/16

MAYORS' COURT MONTHLY STATEMENT TO COUNCIL

Fines and Other Monies Collected or Received
Rev. Code Sec. 733.40

To the Council of The City of Moraine Ohio:

The following is a full statement of all fines, forfeitures, and costs in ordinance cases and all fees collected by me, or which have in any manner come to my hands, or which are due me as Mayor, Chief of Police or other officer of the city and any other fees and expenses which have been advanced out of the city treasury, and all monies received by me as Mayor for the use of the city and paid over by me to the Treasury of the city as required by law.

Prepared: August 11, 2025

BALANCING FOR MONTH OF: JULY 2025

BOND ACCOUNT

Balance retained in Bond Account Beginning:	7/1/2025	\$	3,182.00
Amount received and deposited - CASH		+	196.00
Amount received and deposited - SURETY		+	2,267.00
Less amount returned to Defendants		-	4,114.00
Less amount retained in Bond Account (end of month)		-	1,054.00
Additions, Subtractions or Changes, etc.		+/-	0.00
EQUALS BONDS FORFEITED		\$	477.00

MAYOR'S ACCOUNT

Fines & Court Costs

Amount received and deposited	\$	18,432.00
Monthly reimbursement to City for Kett "LEAF"	(-)	0.00
Additions, Subtractions or Changes, etc.	+/-	-
EQUALS GROSS REVENUE		\$ 18,909.00

DISBURSEMENTS

Mo. Co. Booking Fees	Check #	4023	299.00
Police Dept Traffic School ACCT# 101-0600-40603	Check #	~	-
IDAM-Ind Drvrs Alc Mntr (15%) - Kettering \$\$	Check #	4024	117.60

Computer Fund:

B4 12-13-18	Computer Fund (CF)	ACCT# 301-0800-40820	\$	-		
12-13-18	Mayor's Court CF	208-0800-40820		327.00		
& AFTER	Clerk of Court CF	209-0800-40820		218.00	Check #	4025 545.00

Treasurer of State:

Victims of Crime	\$	835.00		
IDSF-Ind Def Support Fund (50%)		2,323.00		
CJDE - Crim Just Drug Enf Fund (35%)		274.40		
Expungements		30.00		
Child Restraint		-		
Seatbelt Fines		25.00		
Attorney General Reimbursement		30.00	Check #	paid on-line \$ 3,517.40

City-General Fund: Acct# 101-0600-40601

ADTS - Admin T/School Fee	\$	-		
City Fines		14,430.00		
Miscellaneous Fees		-		
Parking Tickets		-		
Truck Fund Overweights		-		
Witness Fees		-		
Kettering Fees		-	Check #	4026 \$ 14,430.00

An Ordinance approving a Zoning District Modification for City Lot Number 5191 and located at 2705 Lehigh Place located within the City of Moraine from R-4 (Multi-Family Residence District) To B-1 (Neighborhood Business District).

Department: Clerk of Council

Request: Action Item

Item Background and Purpose:

A Public Hearing was held at the July 10, 2025, Regular City Council Meeting for the Zoning District Change of 2705 Lehigh Place. The first reading of this legislation was held on August 14, 2025.

Financial Impact:

Is Item Budgeted?: No

Funding Source: N/A

Attachments:

RECORD OF ORDINANCES

Ordinance No. 2194-25

AN ORDINANCE APPROVING A ZONING DISTRICT MODIFICATION FOR CITY LOT NUMBER 5191 AND LOCATED AT 2705 LEHIGH PLACE LOCATED WITHIN THE CITY OF MORaine FROM R-4 (MULTI-FAMILY RESIDENCE DISTRICT) TO B-1 (NEIGHBORHOOD BUSINESS DISTRICT).

WHEREAS, Jeffrey R. Anderson Real Estate, with approval of Highdale LLC, owner of the property located at 2705 Lehigh Place and being City Lot 5191 (approximately 0.4535 acres), filed an application and request to rezone said property from R-4 (Multi-Family Residence) to B-1 (Neighborhood Business District); and

WHEREAS, after public hearing by the Planning Commission on May 20, 2025, notice of which was given as required by law, said request to rezone the aforementioned property from R-4 (Multi-Family Residence) to B-1 (Neighborhood Business District) was recommended for approval by the Planning Commission; and

WHEREAS, a public hearing by City Council on said request occurred on July 10, 2025, notice of which was given as required by law, and

WHEREAS, this Ordinance has received two separate readings on August 14, 2025, and August 28, 2025.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MORaine, STATE OF OHIO:

- SECTION 1:

That the proposed rezoning from R-4 (Multi-Family Residence) to B-1 (Neighborhood Business District) for property located 2705 Lehigh Place and being City Lot 5191 is hereby approved.
- SECTION 2:

That the City’s Zoning Map shall be revised to reflect the approved zoning change to City Lot 5191.
- SECTION 3:

That any Ordinance in conflict with this Ordinance is hereby repealed.
- SECTION 4:

That this Ordinance shall take effect and be in force thirty (30) days after its second reading and adoption.
- SECTION 5:

That the Clerk is hereby directed to forward a certified copy of this Ordinance to the City Manager, City Planner, and Building and Zoning Inspector.

An Ordinance to amend Moraine Codified Ordinance Section 159.01 entitled “Competitive Bidding”.

Department: Clerk of Council

Request: Action Item

Item Background and Purpose:

In discussions with City staff, the Law Director drafted the attached revision to MCO 159.01 to address emergency situations in which an expenditure over the City Manager’s threshold exists which requires immediate action to adequately address the emergency. Such an emergency would be deemed to exist when there is a real and present threat to public health, welfare or safety.

Financial Impact:

Is Item Budgeted?: No

Funding Source: (i.e. Capital, Operating, etc...)

Attachments:

RECORD OF ORDINANCES

Ordinance No. 2195-25

AN ORDINANCE TO AMEND MORaine CODIFIED ORDINANCE SECTION 159.01 ENTITLED “COMPETITIVE BIDDING”.

WHEREAS, upon recommendation of staff, the following amendment to Section 159.01 of the Moraine Codified Ordinances is hereby approved for enactment.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MORaine, STATE OF OHIO:

SECTION 1: That Moraine Codified Ordinance Section 159.01 is hereby amended by adding the language in **boldtype** and deleting the language in ~~strikethrough~~:

159.01 COMPETITIVE BIDDING.

(a) Except as herein otherwise set forth, the minimum threshold for competitive bidding for goods and services for the City of Moraine, Ohio shall be fifty thousand dollars (\$50,000).

(b) The following expenditures may be exempted by Council from competitive bidding:

(1) Goods and services which can be at State Bid Pricing pursuant to Ohio R.C. 125.04 and goods and services which can be obtained from sources at a price less than the State bid price as provided for in Ohio R.C. 125.04(B) may be purchased by the City of Moraine, Ohio, without the necessity of competitive bidding provided the request to Council contains all appropriate information demonstrating compliance with this provision;

(2) Intergovernmental contracts or expenditures and purchases and expenditures made via participation in a cooperative purchasing program;

(3) Where there exists only a sole source to provide the needed goods or services;

(4) Emergency contracts or expenditures authorized by a vote of two-thirds of the members of Council. **Notwithstanding the foregoing, when there is a real and present threat to public health, welfare, or safety, including but not limited to, a natural or man-made disaster, requiring the immediate procurement of services, supplies, materials, construction, demolition or equipment, the City Manager may authorize the purchase and/or expenditure of funds up to \$100,000.00 by purchase order of the needed services, supplies, materials, construction, demolition, or equipment. A record of all emergency purchases and expenditures shall be reported to City Council by the City Manager as soon as practicable after the emergency situation has been addressed. The City Manager and the impacted Department shall keep a written determination of the basis for the emergency and for the selection of a particular contractor or supplier in the relevant City file(s).**

(5) Other exceptions to the requirements of competitive bidding as set forth by the general laws or established by the common law of the State of Ohio.

(c) When an expenditure or contract is required to be competitively bid under the provisions of this Chapter, the City may solicit competitive bids without prior approval of Council. The award will be made by the City Manager after approval by majority vote of Council to the lowest and best, responsive bid submitted by a responsible bidder. The City shall have the right to waive defects in a bid and to reject any and all bids.

RECORD OF ORDINANCES

Ordinance No. **2195-25**

(d) For purposes of this Section “lowest and best” shall mean that bid which provides the best combination of quality and service to the City taking into such factors as, but not limited to, past performance, price, warranty, reliability, delivery date, adequacy of equipment, bidder’s experience, financial solvency, adherence to specifications, and any other factor determined to be relevant.
(Ord. ~~2137-23~~ _____. Passed ~~5-11-23~~. ____)

SECTION 2: That the remaining provisions of MCO Chapter 159 not amended hereby shall remain unchanged and in full force and effect.

SECTION 3: That this Ordinance shall become effective 30 days after its second reading and adoption by Council.

SECTION 4: That the Clerk is hereby directed to forward a certified copy of this Ordinance to the City Manager.

An Ordinance approving current replacement pages to the Moraine Codified Ordinances and declaring an emergency.

Department: Clerk of Council

Request: Action Item

Item Background and Purpose:

This update is the final portion of the 2nd quarter update through June 26, 2025.

Financial Impact:

Is Item Budgeted?: No

Funding Source: N/A

Attachments:

1. 2196-25 - Exhibit A

RECORD OF ORDINANCES

Ordinance No. 2196-25

AN ORDINANCE APPROVING CURRENT REPLACEMENT PAGES TO THE MORAINE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been enacted by the Moraine City Council which should be included within the Codified Ordinances of the City of Moraine; and

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, said Codified Ordinances complete to June 26, 2025, have been prepared and presented to the City and have been reviewed and approved by the City Law Department.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MORAINE, STATE OF OHIO:

SECTION 1: That the ordinances of the City of Moraine, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections complete to June 26, 2025, are hereby approved and adopted.

SECTION 2: The following sections and chapters are hereby added, amended, reconfigured, repaginated or repealed as respectively indicated in order to comply with current State law:

Administrative Code

149.01 Rule 2: Definition of Terms (Amended)

Business Regulation Code

781.01 Adult Use Cannabis and Marijuana Related Operations (Amended)

SECTION 3: The complete text of the Code sections listed above are set forth in full in the current replacement pages to the Codified ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein. (Ref. R.C. 731.23)

SECTION 4: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and its inhabitants for the reason that there exists a necessity for the earliest distribution and publication of current Replacement Pages to the officials and residents of the City, so as to facilitate administration and daily operation and avoid practical and legal misunderstanding and therefore this Ordinance shall take effect and be in force from and after the date of its passage.

SECTION 5: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Ordinance to the City Manager, Law Director and City Prosecutor.

CHAPTER 149 Merit System Commission

149.01 Adoption of rules and regulations.

CROSS REFERENCES

Creation, composition and terms - see CHTR. 7.7
 Duties - see CHTR. 7.8
 Classified service - see CHTR. 7.10, 7.12
 Unclassified service - see CHTR. 7.11, 7.13
 Civil Service Law - see Ohio R.C. Ch. 124
 Civil Service Commission - see Ohio R.C. 124.40

149.01 ADOPTION OF RULES AND REGULATIONS.

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RULE 1 -	Application of rules.	RULE 17 -	Additional requirements for the Fire Division.
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RULE 3 -	Organization and administration of the Commission.	RULE 19 -	Non-competitive appointments (lateral entry) for Police and Fire Divisions.
RULE 4 -	Duties of the Commission.	RULE 20 -	Additional requirements for Building and Park Maintenance Division.
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RULE 9 -	Notice of exams.		
RULE 10 -	Conduct of examination.		
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RULE 14 -	Probationary period.		
RULE 15 -	Temporary appointment.		

EDITOR'S NOTE: The Rules and Regulations contained in Chapter 149 were adopted by Ordinance 2177-25, passed June 26, 2025. Subsequent amendments to Ordinance 2177-25 will be indicated by legislative histories placed at the end of the affected sections.

PREAMBLE

The following rules and regulations of the Merit System Commission ("Commission") of the City of Moraine are hereby adopted pursuant to the authority conferred upon said Commission by Article VII, Section 7.3 of the Charter of the City of Moraine, Ohio, and in accordance with the Constitution of the State of Ohio. Where the MSC rules and regulations are silent, Ohio Civil Service Laws will govern. The general law applying to civil service remains in full force and effect for classified employees.

RULE 1: APPLICATION OF RULES

Section 1: All previous rules for the classified service of the City of Moraine, and for employment and promotion therein, are hereby voided; provided, however, that nothing herein contained will affect any examination held, or any grading had thereunder, or any eligible list theretofore formed, and every eligible list duly formed under previous regulations will in all respects be deemed to be formed under these rules, and to be an eligible list for the position specified.

Section 2: These rules may be amended, repealed, supplemented, or new rules adopted by a majority vote of the Commission; provided, however, that no new rules, amendment, repeal, or supplement to an existing rule may be adopted at the meeting at which it was originally proposed and will not be considered for final adoption except at a duly noticed meeting held at least seven (7) days after the original proposal.

Section 3: The present title, seniority and service rights of any employee occupying a position in the classified service to which he/she was appointed prior to the adoption of these rules, will not be affected by the adoption of these rules.

Section 4: These rules are intended to cover all civil service matters and to displace the Ohio Revised Code as far as possible. When these rules are completely silent on an issue, provisions of the Ohio Revised Code will be applied.

RULE 2: DEFINITION OF TERMS

Section 1: The terms as used in these rules and regulations have the meaning normally associated with terminology used in the civil service provisions of the Ohio Revised Code as supplemented by the Charter of the City of Moraine and various sections of these rules.

Section 2: Where using these rules and regulations, the following terms will mean:

- (a) Appointing Authority: The City Manager will appoint and/or remove all officers and employees of the City in the classified service except those within the Departments of Finance and Law and the Clerk of Council as provided in the Charter. The officers and employees in these departments will be appointed or removed by the respective director.
- (b) Classified Service: Those positions which are filled by competitive examination, or by Lateral Entry as enumerated herein, and which are under the jurisdiction of the Merit System Commission.
- (c) Commission: Commission refers to the Merit System Commission of the City.

- (d) Demotion: The act of placing an employee, at the request of the appointing authority or such employee, in a vacant or new position, the classification for which is assigned a lesser salary than the classification previously held.
- (e) Eligible List: The names of persons eligible for appointment to classified service. Less than three eligible constitutes an incomplete list for an open competitive examination.
- (f) Layoff: Defined in Section 124.321, Ohio Revised Code.
- (g) Merit System: The civil service provisions of the City of Moraine in accordance with the Charter and Ohio Revised Code, Chapter 124.
- (h) Open Competitive Examination: An examination open to anyone, whether already employed in the City service or not, who meets the minimum qualifications established for a given classification or position.
- (i) Position: Any specific employment or job calling for the performance and exercise of certain duties and responsibilities by an individual.
- (j) Probationary Period: The period of time at the beginning of an original appointment, or immediately following a promotion, which constitutes a trial or testing period for the employee during which he/she may be terminated (in the case of original appointment) or reduced (in the case of promotion.)
- (k) Promotion: Placing an employee in a new or vacant position with new and increased responsibilities and a higher pay range.
- (l) Promotional Examination: An examination open only to persons already employed in the City service in specified classes or meeting specified qualifications.
- (m) Reduction: A change in the classification held by an employee to one having a lower base pay or a lower number in a classified series, or any decrease in compensation for an employee.
- (n) Removal: Dismissal from duty for the following reasons: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, misfeasance, malfeasance, nonfeasance.
- (o) Suspension: Temporary loss of employment (without pay) as a disciplinary measure. Appealable by the employee if in excess of three (3) working days.
- (p) Temporary Appointment: Appointment for a limited period of time fixed by the appointing authority and approved by the Commission, for a period not to exceed six (6) months.

RULE 3: ORGANIZATION AND ADMINISTRATION OF THE COMMISSION

Section 1: The Merit System Commission will consist of five (5) members who are electors of the City of Moraine. Members will be appointed for a term of two (2) years and until their successors have been appointed and qualified. Appointment terms will be staggered. The regular term of any member will begin on the first of January of each year.

Section 2: In coordination with the City Manager and the Clerk of Council, the Commission will determine the schedule and frequency of Commission meetings. At the first regular meeting held each year, the Commission will elect one of their members as Chairperson and will elect another of their members as Vice Chairperson for the ensuing year. It will be the duty of the Chairperson to call such meetings as are necessary to transact the business and affairs of the Commission, to preside at all meetings and to sign the minutes and formal actions taken by the Commission. The Vice Chairperson will act as Chairperson upon the Chairperson's absence.

Section 3: The Clerk of Council, or designee, will be responsible for transcribing the minutes of all meetings which will officially record all actions taken by the Commission; prepare notices and communications for the Commission, prepare and provide the appointing authority with eligible lists; maintain the records and files of the Commission and perform such other duties as are requested by the Commission and related to the functions of the Commission.

Section 4: Three members of the Commission will constitute a quorum and the affirmative vote of a majority of the members present is required to adopt any motion.

Section 5: Commission meetings will be open to the public and the Clerk of Council will give public notice of Commission meetings in the same manner as regular City Council meetings. Under appropriate circumstances, the Commission may recess into an Executive Session. Meetings in Executive Session (closed/private/confidential) shall be held in accordance with Ohio Revised Code 121.22, the Ohio "Sunshine Law". A motion to move into Executive Session, to include the general purpose of the Executive Session, and passed by a majority vote taken by roll call, is required for recess into Executive Session. Executive Sessions may only be called for one of the enumerated reasons in Ohio Revised Code 121.22. Minutes of Executive Sessions shall not be kept. Neither shall any participant record the proceedings of any Executive Session by any electrical, digital, or mechanical device. The minutes of the regular meetings of the Commission should reflect the general subject matter of discussions held in Executive Session authorized by Ohio Revised Code 121.22. Further, the minutes should reflect the commencement and termination time of the Executive Session. Discussion in Executive Session is confidential and no participant shall compromise the confidentiality of an Executive Session.

RULE 4: DUTIES OF THE COMMISSION

Section 1: It will be the duty of the Commission to determine the merit and fitness of candidates for positions within the classified civil service of the City and certify the candidates who meet the qualifications for applicable positions.

Section 2: The Commission will have the power to appoint such examiners, or consultants as they deem necessary. Funds are provided by City Council.

Section 3: The Commission will keep minutes of its meetings and maintain necessary records and files to carry out its responsibilities. Minutes will be approved at a subsequent Commission meeting. Once approved, the Minutes will be signed and dated by the Chairperson, or Vice Chairperson when the Chairperson is absent. The Commission will make an annual report to the City Council detailing its activities during the previous year.

Section 4: The Commission will hear the appeal of employees who have completed the required probationary period in the classified service from the action of the City Manager or other officer relative to reductions in pay or position, job abolishment, layoffs, suspensions in excess of three (3) working days, removals, and assignment or reassignment to a new classification, except that members of bargaining units must appeal under the terms established by their respective Collective Bargaining Agreements. The Commission may affirm, disaffirm, or modify the decision of the City Manager or other officer. The decision of the Commission will be final.

Section 5: The Commission will have other powers, duties and functions that are conferred upon it by the laws of the State of Ohio which apply to civil service.

RULE 5: PAPERS. PROPERTY OF THE COMMISSION

All original papers, applications, examination questions and papers, certificates, material, etc. are the official records of the Commission and considered City property. These records are maintained by the Clerk of Council in accordance with an approved Records Retention Schedule.

RULE 6: DUTIES OF EXAMINERS

It will be the duty of any examiner selected by and under the supervision of the Commission to prepare or provide the examinations in the classified service of the City, evaluate such examinations and perform other duties as may be necessary. The Commission will approve an examination's format prior to the examination being given.

The Commission will determine whether it is appropriate to engage the services of an outside organization to prepare an examination, or to have an examination prepared within the City organization.

RULE 7: CLASSIFICATION OF SERVICE

Section 1: In accordance with the provisions of Article VII of the City Charter, the Merit System Commission has jurisdiction over those positions that are in the classified merit service.

Section 2: The Classified Service will include only the following full-time employees of the municipality:

- (a) Members, including officers, of the following departments and divisions:
 - i. Division of Streets and Park Maintenance;
 - ii. Division of Building Maintenance;
 - iii. Department of Public Safety (Police and Fire).
- (b) Specifically excluded from the classified service are the following positions within the above departments and divisions:
 - i. Chiefs and Deputy Chiefs;
 - ii. Directors and Assistant Directors;
 - iii. Clerks, Secretaries and Receptionists;
 - iv. Unsworn Community Services Officer;
 - v. Superintendents and their assistants;
 - vi. Police Lieutenants appointed after January 1, 2009.

Section 3: The unclassified service will include:

- (a) All officials elected by the people;
- (b) All part-time and seasonal personnel;
- (c) All positions not specifically included by the Charter in the classified service.

RULE 8: APPLICATION FOR EMPLOYMENT

Section 1: Applications for positions in the classified merit service will be submitted by the applicant on line at times specified in the advertisement.

Section 2: Applicants shall complete all required steps and provide all requested information in a complete and truthful nature.

Section 3: Applications, applicant qualifications, testing procedures, eligibility tests, and other procedures under these rules will be received and/or established by the Commission or its examiners without regard to race, color, religion, national origin, gender (including pregnancy, childbirth, or related medical conditions), sexual orientation, ancestry, political affiliation, age, past or present military service, disability, or other applicable legally protected characteristics. Applicants may be asked to provide information for the sole purpose of maintaining equal employment opportunity statistics, but requests for this information will not identify the specific individual and is on a voluntary basis. Failure by an applicant to provide such data will not affect his/her status for the position.

Section 4: The Commission may refuse to qualify or certify as eligible after examination any applicant who:

- (a) Does not possess the knowledge, skills, or abilities necessary to effectively perform the essential duties of the vacant position, with or without reasonable accommodation;
- (b) Has made a false statement of material fact on the application form or other documents or materials submitted in connection with the application and selection process, or in the course of any interview or other portion of the selection process;
- (c) Has committed or attempted to commit a fraudulent act at any stage of the selection process;
- (d) Failed to comply with an order for payment of child support in the State of Ohio or another state;
- (e) Is addicted to the habitual use of intoxicating liquors or drugs; or
- (f) Has been dishonorably discharged from any military service obligation.

Section 5: Applications must be filed with the Commission electronically and will be considered completed if all required steps and paperwork are completed in accordance with the advertisement for the examination.

Section 6: Any person who resigns under charges, or who has been dismissed for just cause, will not, without special vote of the Commission, be reappointed or readmitted to examinations for any position in the City's classified merit service for two years from the date of such dismissal or resignation.

Section 7: Employees who resign or are terminated under special circumstances without delinquency or misconduct on their part may be considered for reinstatement to the same or similar position within one year. The decision whether to reinstate an employee who has resigned or been terminated by the City shall be solely at the discretion of the appointing authority. Prior notice of such intended reinstatement will be provided to the Commission by the appointing authority who will consult with the Commission upon request to advise the Commission regarding the reasons for his/her decision.

RULE 9: NOTICE OF EXAMS

Section 1: Advertisements for positions in the classified merit service will be approved by the Commission.

Section 2: Notice of competitive examinations must be advertised in at least one newspaper of general circulation in the City on two occasions, at least three (3) weeks prior to an examination and by posting appropriate notice on the City's website. In addition to advertising in the newspaper and on the City's website, the Commission may authorize advertising via other media formats. The department or division will notify their employees appropriately via email or whatever means necessary and at the discretion of the department/division head.

Section 3: Notice of promotional examinations will be announced at least two weeks prior to such examinations by posting appropriate notice on the City's website. In addition to advertising on the City's website, the Commission may authorize advertising via other media formats. The department or division will notify their employees appropriately via email or whatever means necessary and at the discretion of the department/division head.

RULE 10: CONDUCT OF EXAMINATION

Section 1: Examinations will be conducted under the supervision and direction of the Commission, or its contracted agents. Applicants who desire to participate in a written examination under this Rule will pay a fee, established by the Commission or its contracted agents, and payable with the submission of the application packet. Applicants for appointment to the Fire Division may also be required to pay other fees associated with the conducting of a CPAT (Candidate Physical Ability Test) as part of their evaluation. The actual conduct of the examinations will be free from interference, participating, or influence of the appointing authority, or of any other person. At least one member of the Commission is preferred to be present and/or its appointed secretary will be present when an exam is administered.

Section 2: Examinations will be designed to test the fitness and qualifications of applicants for the position being filled. Examinations may include an evaluation of such factors as listed in Section 124.23 of the Ohio Revised Code. For original appointment positions, examinations may consist of, but are not limited to, any one or more of the following types:

- (a) Written Examination: Designed to determine the familiarity of candidates with the knowledge required for the position sought, the range of their general information and to ascertain special aptitudes, when required.
- (b) Performance Examination: Includes such tests of performance as would determine the ability of candidates to perform the work involved.
- (c) Oral Examination: A personal interview designed to determine the ability of the candidates to perform the duties of the position to be filled, i.e., the ability to deal with others, to supervise, or other qualifications.
- (d) Experience and Competency Ratings: A structured format permitting the evaluation and rating of previous experience, education, or training in particular areas determined to be relevant and useful to executing the duties and responsibilities of the position to be filled. Experience ratings may be used to rank order candidates on eligible lists or for non-competitive classified positions where it is impractical to ascertain the merit and fitness of applicants through traditional examinations.

Examinations, administration of examinations, and action(s) taken upon examination results will not be designed, intended, or used to discriminate because of race, color, religion, sex or national origin.

Section 3: The content of each examination will be based upon the duties, knowledge, skills and abilities noted in the position description.

Section 4: The schedule of subjects and weights will be fixed by the examiners or experts hired for such purpose, subject to the approval of the Commission. In conjunction with such scheduling, a minimum-passing score will likewise be determined and approved.

Section 5: Each component of an examination will be assigned a predetermined percentage ranking by the examiner or expert hired for such purpose, subject to the approval of the Commission.

Section 6: In original appointment examinations, an applicant with previous service in the Armed Forces as defined in Section 124.23 of the Ohio Revised Code, who has been honorably discharged or transferred to the reserves will be required to present a certificate of honorable discharge or confirmation of transfer to be awarded a credit of 5% of his/her total grade. Credit for military service will only be given if the applicant attains a passing grade on the examination.

Section 7: Where the Commission has determined that fitness and qualifications of applicants are best evaluated with a combination of a written test and a physical ability test or assessment center, the Commission may either:

- (a) Make passage of the exam a prerequisite to taking the physical ability test or assessment center to facilitate grading and notification.
- (b) Conditionally certify as eligible those applicants who pass the exam, subject to verification of qualifications, with appointments further subject to passage of the physical ability test which may be included in any post-offer, pre-placement physical examinations.

Section 8: After completion of an examination and the establishing of an eligible list, each candidate will be advised by mail by the Secretary of the Commission of the results of his/her examination, and if applicable, his/her relative standing on the eligible list.

Section 9: See Rules 10, 16, 17, 18 and 24 for additional points awarded for Police and Firefighter exams.

RULE 11: PROMOTIONAL EXAMINATIONS

Section 1: Vacancies in positions above the lowest grades in the classified service not filled by transfer, reinstatement or reduction will be filled as far as practicable by competitive promotional examinations.

Section 2: No employee will be eligible for promotion while in probationary period.

Section 3: The probationary period in all cases is twelve months unless otherwise specified in the applicable Collective Bargaining Agreement.

Section 4: Examinations for promotions will be conducted under the control and direction of the Commission by its contracted agents. Such examination will be conducted as set forth in Rules 8, 9, and 10 and eligible lists for exams will be established as set forth in Rule 12 with the following additions and/or exceptions. When the general rules regarding examinations and the sections of this rule conflict, the sections of this rule will govern in the case of promotional examinations.

Section 5: Notice of a promotional examination will be by notice at least two weeks prior to such examination. This notice will appear on the City's website and at the headquarters of the department or division offering the promotional exam. The notice will indicate the required grade, rank and qualifications for eligibility. Applicants for promotional examinations will fill out an electronic application with the Clerk of Council at least two business days before the date of the examination.

Section 6: In any promotional examination, the applicant will be examined by any combination of written, oral, physical or skills demonstration testing as necessary to determine knowledge of the duties, responsibilities and requirements of the position to be filled, and his or her fitness and qualifications to discharge such duties and meet such requirements.

Section 7: When only one person is eligible for promotion to fill a vacancy, and where consistent with these rules, he/she may be nominated to the Commission by the appointing authority and by a statement of facts may be promoted to the next higher grade after passing a noncompetitive examination similar in scope, subject, and conditions as would have been prescribed in a competitive examination. In addition, if a current employee declines to participate in a closed, non-competitive or closed competitive examination, that employee is not eligible to take the open competitive examination that may be given.

- (a) In the event no person qualifies for promotion, or in the event that one or more persons initially qualify for promotion but do not pass the promotional examinations noted in this section, then an open competitive examination will be administered.
- (b) If a current City employee does not pass a competitive or non-competitive promotional examination given for a vacant position, the employee is not eligible to take the open competitive examination that may be given to the public or to employees in the next lower rank for that vacant position.

Section 8: Applicants for promotional examinations may within five (5) calendar days of the conclusion of the examination, file protests of any examination question only on the grounds that a question does not fairly measure knowledge to meet such requirements. Protests will be filed on forms provided by the Commission. The Commission may take such action as it deems appropriate in regard to a protest. The decision of the Commission as to a protest will be final and not subject to appeal.

Section 9: Promotional testing scores will be calculated as follows: 1/3 written exam, 1/3 assessment center and 1/3 department/division interview. Scores will be rounded up to the nearest .001 percentage point.

Section 10: Promotional Appointments. Whenever the City Manager requests a certified list from the Commission for a promotional appointment to a position in the classified service, he/she shall specify the title, duties and compensation for such position.

RULE 12: ELIGIBLE LISTS

Section 1: Eligible lists will be prepared and approved by the Commission from the candidates who have attained at least the minimum passing score on the competitive examination. Additional points, if applicable (See Rules 10, 16, 17, 18, and 24), will be added to passing scores only. Candidates will be ranked in the order of merit as determined by a numerical ranking of such scores.

Section 2: In the event two or more applicants receive identical scores on an open-competitive examination, priority will be given to the person whose application was filed electronically first. Seniority will determine the rankings on promotional examinations when identical scores exist.

Section 3: The term of an eligible list of original and promotional appointment in the classified service will be valid for one year from the date of certification. However, upon the recommendation of the appointing authority, the Commission may extend the term of an eligible list for an additional year, but not to exceed a total of two years from the date of certification. Eligible lists may be cancelled prior to the expiration date of the list if fewer than ten eligible candidates remain on the list.

Section 4: A person whose name has been released from a certified eligible list more than four times to the same appointing authority for the same or similar positions may be removed from the eligible list, provided that release for a temporary appointment will not be counted as one such release.

Section 5: If fewer than ten names remain on an eligible list and at the request of the appointing authority, the Commission may declare the list null and void. The Commission may then arrange for a new examination.

Section 6: If a candidate is deemed undesired for a position, written notice must be given to the Clerk of Council asking that the candidate be removed permanently from the eligible list with an explanation for the removal. This permanent removal negates Section 4.

RULE 13: APPOINTMENTS IN THE CLASSIFIED SERVICE

Section 1: Every vacancy in the classified merit service not filled by reinstatement or reduction will be filled by appointment from an eligible list established for the position, or as provided elsewhere within these rules.

Section 2: Original appointments. Whenever the City Manager requests an eligible list from the Commission for an original appointment to a position in the classified service, he/she will specify the title, duties, and compensation for such position.

Section 3: The Commission will, as soon as practical, release to the department/division head the names, addresses and scores of the ten candidates standing highest on the eligible list. The Commission can certify less than ten names if ten names are not available. If fewer than ten names are certified by the Commission, appointment is not mandatory. If more than one vacancy is to be filled, the Commission will release one additional name for each additional vacancy.

The City Manager, after a background check, follow-up testing and on recommendation of the department/division head, will fill the position by selecting the best candidate out of the ten candidates on the eligible list released by the Commission immediately after said background and follow-up testing is complete. The "rule of ten" will be followed. This means that when a group of ten eligible candidates are available and has been released by the Commission for consideration, one must be appointed. Starting at the top of the list, every candidate available, but not permanently appointed or permanently removed must be considered four (4) times before the candidate's name can be dropped from further consideration.

If additional candidates are requested from the current eligible list, the Commission may consider releasing additional candidates only if one or more of the candidates on the original certified and released eligible list is unavailable and unable to accept the appointment or has been removed from the eligible list.

Section 4: If a candidate has been certified for appointment and fails to accept an offer within five (5) business days of receipt of the notice of conditional appointment, then such eligible candidate will be deemed to have declined the appointment for that position, and the candidate will be moved to the bottom of the eligible list. All offers of appointment will be conditioned upon the candidate's successful completion of any medical examination necessary to determine physical ability to perform the essential functions of the job, a criminal background check, reference check, polygraph and interview. If, however, it is shown to the satisfaction of the Commission, within thirty (30) days after giving such notice, that the candidate was unavailable and, without fault on his/her part, were prevented from accepting an appointment, then the name will be restored to its original position on the eligible list.

Section 5: When the City Manager makes a temporary appointment, a competitive examination will be held within 120 days. The temporary appointee will be eligible to take the examination and acquires unclassified status until the competitive examination for that position is held.

Section 6: All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.

Section 7: The City Manager or other designated officer will not appoint, employ, or promote any employee in the classified service, or in any way change the official status of any employee, except in accordance with these rules and in compliance with the laws of the State of Ohio. No such appointment, employment, promotion or other change in status, made in contravention of any provision of these rules, will be valid.

RULE 14: PROBATIONARY PERIOD

Section 1: All original appointments will be for a probationary period of twelve months. No appointment is final until the appointee has satisfactorily served his/her probationary period. Such satisfactory performance will be evidenced by probationary evaluations to be completed by the appropriate department head at the completion of six and eleven months of service. The department or division head can extend the probationary period at their discretion for just reason.

All promotional appointments will be subject to a probationary period as established in the applicable Collective Bargaining Agreement.

Section 2: If work performance is deemed unsatisfactory, the appointee may be removed (in the case of an original appointment) or reduced (in the case of a promotion) at any time by the appointing authority during the probationary period. Such appointees will be notified in writing of the reasons for the unsatisfactory performance. The employee may not appeal a probationary removal to the Commission.

Section 3: No probationary period is required following a demotion.

Section 4: If an employee is not in active pay status for any period of time during the probationary period, then the time of such leave or inactive status is not counted as part of the probationary period. For the purpose of extending the probationary period, any leave of less than one day will not be considered.

RULE 15: TEMPORARY APPOINTMENT

Section 1: Temporary appointments may be made by the City Manager for a limited period of time, not to exceed six (6) months, and must be approved by the Commission when there are valid reasons to do so for the efficient operation of the City as set forth in Ohio Revised Code Section 124.30. The City Manager may select any individual on the eligible list for permanent appointment to serve in a temporary position.

Section 2: Such temporary appointment will not count as time served towards the completion of a probationary period, nor confer any vested rights in a full-time position of the same title, grade or classification.

Section 3: Temporary appointments made pursuant to this section must be terminated within the time limit originally specified at the time of the appointment. Successive temporary appointments to the same position may not be made under this section.

RULE 16: ADDITIONAL REQUIREMENTS FOR THE POLICE DIVISION

Section 1: Applications/Entry Level

- (a) All applicants for examination for Police Officer positions within the Police Division will, in addition to the general requirements of Rule 8, meet the following requirements:
 - i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must be the age of 21 at the time of appointment, but cannot be older than 50 years of age at the time of original appointment.
 - iii. The applicant must pass a physical examination which complies with the Ohio Police and Fire Pension Fund Rules and Regulations and conducted by a licensed physician or center of the appointing authority's choice and a physical abilities exam at the earliest time possible but no earlier than 120 days before, and no later than seven (7) days before employment is scheduled to begin.
 - iv. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.

- (b) All applicants for the position within the Police Division of Police Cadet will, in addition to the general requirements of Rule 8, meet the following requirements:
 - i. The applicant must be 18 years of age but no older than 19 years of age at the time of appointment to the Police Cadet position.
 - ii. The applicant must be able to perform the essential functions of the position for which appointment is made, with or without reasonable accommodation.
 - iii. As the Police Cadet Service is a training program, if a Cadet is not promoted to the rank of Patrol Officer, his/her employment will end no later than 30 days following his/her 22nd birthday.
- (c) All applicants for examination for the position within the Police Division of Dispatcher/Clerk will, in addition to the general requirements of Rule 8, meet the following requirements:
 - i. The applicant must be capable of completing basic clerical tasks including, but not limited to using computer systems and software, basic record keeping, and filing.
 - ii. The applicant must be knowledgeable about basic police and fire procedures.
 - iii. The applicant must be able to perform the essential functions of the position for which the application is made, with or without reasonable accommodation.

Section 2: Promotions

- (a) On promotional examinations for the Police Division, applicants who achieve a passing score on the written and/or practical examination, will receive credit for seniority for any prior peace officer service with any political subdivision in the State of Ohio. Credit for seniority will be as follows: one full percentage point (1%) of the total grade attainable will be credited for the first four (4) full years of service; six-tenths percent (.6%) of the total grade attainable will be credited for each full year of the next ten (10) years of service. Points for service will not exceed ten percent (10%) of the highest score attainable for any examination. No credit for seniority will be added to an examination score unless the applicant achieves at least the minimum passing score on the examination without considering seniority credit.
- (b) For promotions in ranks above the position of Police Officer, the Commission will certify to the City Manager the name of the person with the highest rating on the competitive promotional examination. Within 30 days from the certification of an individual for a promoted rank position in the Police Division, the City Manager must appoint the individual to the position.

- (c) Every Cadet, prior to entry into the Cadet Service, will be required to pass all requirements of the Patrol Officer Entrance Written Examination or a similar written examination authorized by the Commission. A police cadet hired prior to his/her twentieth (20th) birthday, who has served eighteen (18) months or more, may, upon recommendation by the City Manager, and without further examination, be appointed to the rank of Police Officer if a vacancy exists. Seniority will govern an appointment if two or more cadets are eligible.
- (d) Because of the specialized knowledge, skills and abilities required for respective supervisory personnel, the Police Division will have the following additional requirements:
 - i. A Patrol Officer applying for a promotion in the Police Division must have at least one (1) year of continuous service in the Police Division in the City of Moraine and at least three (3) years total service as a sworn and certified peace officer in order to be eligible to take an examination for promotion to the position of Sergeant. No competitive promotional examination shall be held unless there are at least two persons eligible and willing to compete.

RULE 17: ADDITIONAL REQUIREMENTS FOR THE FIRE DIVISION

Section 1: Applications/Entry Level

- (a) All applicants for examination for the position of Firefighter/Paramedic will, in addition to the general requirements in Rule 8, meet the following requirements:
 - i. The applicant must be a high school graduate or possess a GED.
 - ii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.
 - iii. The applicant must not be less than eighteen (18) years of age at the time of appointment, but cannot be 40 years of age or older at the time of original appointment.
 - iv. The applicant must pass a physical examination which complies with the Ohio Police and Fire Pension Fund Rules and Regulations and conducted by a licensed physician or center of the appointing authority's choice and a physical abilities exam no earlier than 30 days before and no later than seven (7) days before employment is scheduled to begin.
 - v. The applicant must be an Ohio-certified paramedic and must meet the certification requirements for full-time firefighters as established by the State of Ohio prior to original appointment.

Section 2: Promotions

- (a) On promotional examinations for the Fire Division, applicants will, in addition to their passing score on the written and/or practical examination, receive credit for seniority for full-time service in a municipal or civil service township fire division and, if applicable, service in the Armed Forces due to an interruption in service in a municipal or civil service township fire division. Credit for seniority will be as follows: one full percentage point (1%) of the total grade attainable will be credited for the first four (4) full years of service; six-tenths percent (.6%) of the total grade attainable will be credited for each full year of the next ten (10) years of service. Points for service will not exceed ten percent (10%) of the highest score attainable for any examination. No credit for seniority will be added to an examination score, unless the applicant achieves at least the minimum passing score on the examination without considering seniority credit.
- (b) For promotions in ranks above the position of Firefighter/Paramedic, the Commission will certify to the City Manager the name of the person with the highest rating on the competitive promotional examination. Within 30 days from the certification of an individual for a promoted rank position in the Fire Division, the City Manager must appoint the individual to the position.
- (c) Because of the specialized knowledge, skills and abilities required for supervisory personnel, the Fire Division will have the following additional requirements for promotional testing:
 - i. Firefighter/Paramedic must have at least three (3) years of continuous service in the City of Moraine Fire Division to be eligible to take an examination for promotion to the position of Fire Lieutenant. A competitive promotional examination will not be held unless there are at least two (2) persons eligible to compete. When filling vacancies immediately above the Firefighter rank, if there are less than two (2) persons willing and eligible to compete, the three (3) year eligibility requirement will not apply.
 - ii. When a vacancy exists in a promoted rank, other than the promoted rank immediately above the rank of Firefighter, the applicant must have served at least twelve (12) months in the rank from which the promotion is made in order to be eligible for the examination. A competitive promotional examination will not be held unless there are at least two (2) persons eligible to compete. If there are less than two (2) persons willing and eligible to compete in the next lower rank than the position to be filled, the Commission must allow persons holding positions in the next lower rank, who are eligible, to compete with the persons in the next lower rank than the position being filled.

RULE 18: ADDITIONAL EXAMINATION CREDIT FOR PART-TIME FIREFIGHTERS

Part-time firefighters who take and receive a passing examination score on the entry level examination for full-time firefighter shall receive a half-point credit to their examination score for each consecutive, full year (12 months) of continuous City service up to a maximum of five (5) points. These points shall be credited to the passing examination score based on the time period from the date hired as a part-time firefighter to the date the eligible list is certified by the Commission. No points will be credited for any period of time less than one full year (12 months). Such credit is retroactive for current City part-time firefighters. If a part-time firefighter leaves City employment and is in good standing with the Division- his/her credit for part-time service with the Division will be made whole if he/she returns to City employment within one year from the separation date. If a part-time firefighter leaves City employment and is not in good standing with the Division or does not return to City employment within one year, his/her service time will be eliminated (reduced to zero) and will not count if the firefighter later returns to the City as a part-time firefighter.

RULE 19: NON-COMPETITIVE APPOINTMENTS (LATERAL ENTRY) FOR POLICE AND FIRE DIVISIONS

Section 1: The process of Lateral Entry is established as a method for hiring full-time Police Patrol Officers, Firefighters, EMT/Paramedics, and/or EMT/Basics, who have already been trained by other jurisdictions or this jurisdiction.

Section 2: This form of initial appointment meets the criteria of a non-competitive selection process into the classified Civil Service for Police Patrol Officers, Firefighters, EMT/Paramedics, and/or EMT/Basics since it is recognized that trained Police Patrol Officers, Firefighters, EMT/Paramedics, and/or EMT/Basics possess unique and exceptional qualifications and experience for which it is impracticable to ascertain the merit and fitness of applicants through competitive examinations. Qualifications which are impracticable to test for include, but are not limited to, past performance and behavior and demonstrated success as an employee.

Section 3: The Commission shall establish the criteria required for a candidate to qualify for consideration and selection under a Lateral Entry process and the Commission will oversee the lateral entry process.

Section 4: The Lateral Entry process may be applied to the classified positions of Fire Lieutenant and Police Sergeant only when an emergency situation is deemed to exist by the Commission. Such an emergency situation would include lack of internal candidates applying for the position.

Lateral entry supervisor candidates should have qualifications including, but not limited to: experience at another agency acting in a supervisory capacity and/or three (3) or more years of service experience with another agency.

The Commission, prior to authorizing a lateral entry process for Fire Lieutenant or Police Sergeant, may consider modifying the MSC promotion rules regarding minimum time of service to allow possible in-house candidates an opportunity to apply and compete in a standard promotional process.

Section 5: Police Patrol Officer Lateral Entry Criteria:

Applicants will submit an employment application and all applicants for lateral entry shall meet the follow pre-requisites:

- (a) Minimum of one-year service as a full-time peace officer or as a US Federal Agent or Federal Law Enforcement Officer;
- (b) Certified as a law enforcement officer by the Ohio Peace Officer's Training Commission or substantially similar and equivalent police training program and/or certification from another state or federal agency and be current with all applicable continuing education requirements;
- (c) Must not have been out of active law enforcement status for more than two years at time of appointment at Moraine; and
- (d) Consideration of past experience, evaluations, training and discipline will be reviewed in the pre-employment background process.

The Chief of Police will initially review resumes and applications to determine which applicants meet the lateral entry criteria and will advise the Commission accordingly. Lateral entry candidates shall be required to submit to the following, including but not limited to, a thorough background investigation, polygraph examination, psychological and medical evaluation/physical, oral interview and drug screening.

Section 6: Firefighter Lateral Entry Criteria:

Applicants will submit an employment application and all applicants for lateral entry shall meet the follow pre-requisites:

- (a) Minimum of one-year service as a full-time Firefighter;
- (b) Minimum Ohio-certified EMT/Basic and Ohio Firefighter Level II. All full-time firefighters hired via Lateral Entry are required to be Ohio-certified EMT/Paramedics within three (3) years of the date of initial employment. This three (3) year period may be extended for good cause shown at the discretion of the Fire Chief;
- (c) Applicant must be current with all applicable continuing education requirements;
- (d) Must not have been out of active fire service status for more than two (2) years at time of appointment at Moraine; and
- (e) Consideration of past experience, evaluations, training and discipline will be reviewed in the pre-employment background process.

The Fire Chief will initially review resumes and applications to determine which applicants meet the lateral entry criteria and will advise the Commission accordingly. Lateral entry candidates shall be required to submit to the following, including but not limited to, a thorough background investigation, polygraph examination, psychological and medical evaluation/physical and/or physical ability evaluation, oral interview and drug screening.

Section 7: Positions filled through these procedures are therefore exempt from competitive examination.

Section 8: Employees hired within the Lateral Entry Program will complete the standard training programs utilized by the City of Moraine while concurrently serving a one (1) year probationary period.

Section 9: Employees selected through these lateral entry procedures shall obtain and retain all other rights attributed to the classified service, following successful completion of the probationary period.

Section 10: Consideration of past experience, evaluations, training and discipline shall be used to determine the beginning level of compensation (salary, sick leave accrual and vacation accrual) for a lateral entry applicant. Maximum starting compensation will not be greater than the equivalent step of a four-year Moraine employee.

Section 11: The City of Moraine does not accept the transfer of unused vacation or paid time off credit from a previous employer and does not transfer unused vacation time or paid time off, other than unused sick leave, to another entity. Unused vacation time will be paid out at the employee's current hourly rate.

Section 12: An employee who has had prior service with another Ohio public agency may receive credit for all unused sick leave earned while in such service. Only accumulated and unused sick leave recognized by the immediately preceding employer will be eligible for transfer to the City. The employee, within one (1) year of hire by the City, must furnish a properly certified letter from the previous employer stating the amount of sick leave so accumulated if the employee wishes to have that accrued sick leave balance credited to their Moraine sick leave balance. Accumulated sick leave so certified shall be credited to the employee's record as of the date received by the City. (ORC124.38)

Section 13: Lateral entry hires shall receive no other special consideration for seniority within their department. All employees, regardless of the means of entry into the department, shall have their seniority with the department calculated from their date of appointment to the City of Moraine.

RULE 20: ADDITIONAL REQUIREMENTS FOR BUILDING MAINTENANCE DIVISION

Section 1: Applications/Entry Level

- (a) All applicants for examination for the position of Maintenance Worker I will participate in a two-part exam consisting of a written examination and department/division interview. Each portion of the exam will equal $\frac{1}{2}$ of the total grade and the score will be rounded up to the nearest 100th percentage point. In-addition to the general requirements in Rule 8, applicants must meet the following requirements:
 - i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must be at least eighteen (18) years of age at the time of original appointment.

- iii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.
 - iv. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.
- (b) In the event no applicant obtains a passing score on the written examination, then, with Commission approval, a competitive exam may be administered to include a performance examination including a demonstration of skills necessary for performance of the duties of Maintenance Worker I and an evaluation of training and experience. Applicants will also be required to participate in a department/division interview. Each portion of the exam will equal $\frac{1}{2}$ of the total grade and the score will be rounded up to the nearest 100th percentage point. Each applicant, in addition to satisfying the requirements of Rule 8, must also meet the following requirements:
- i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must be at least eighteen (18) years of age at the time of original appointment.
 - iii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.
 - iv. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.
- (c) In the event that an open, competitive examination is held for the position of Maintenance Worker II or Maintenance Worker III, all applicants for the position will, in addition to the general requirements in Rule 8, meet the following requirements:
- i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must be at least eighteen (18) years of age at the time of original appointment.
 - iii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.
 - iv. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.

Section 2: Promotions

- (a) All candidates for examination for promotion to Maintenance Worker II or Maintenance Worker III will, in addition to the general requirements in Rule 8, meet the following requirements:
 - i. The candidate must have completed at least one (1) year of service and not be in probationary status in his/her current designation to be eligible to take the promotional examination for Maintenance Worker II or Maintenance Worker III.
 - ii. When a vacancy exists in a higher designation, in the event that only one (1) candidate in the next lower rank has served the required one (1) year of service in his/her current designation and is not in probationary status, then a non-competitive examination may be held.
 - iii. In the event that no one in the next lower rank has served the one (1) year of service in his/her designation and/or candidates are in probationary status, or in the event that one candidate initially qualifies for promotion but does not pass the non-competitive examination noted in this section, then the one (1) year in current designation status requirement will be waived. If this waiver does not produce at least two eligible candidates who are willing to compete, then a non-competitive examination may be held.
 - iv. If the above-referenced waiver does not produce at least one (1) eligible person who is willing to compete or in the event that one person initially qualifies for promotion but does not pass the noncompetitive examination noted in this section, the same procedure will be followed by moving to successively lower designations until two (2) or more persons are willing and eligible to compete in a promotional examination for the vacancy.
 - v. In the event that no candidate qualifies for promotion, or in the event that one candidate initially qualifies for promotion but does not pass the non-competitive examination noted in this section, then an open competitive examination will be administered.

RULE 21: ADDITIONAL REQUIREMENTS FOR THE STREET DIVISIONSection 1: Entry Level

- (a) All applicants for examination for the position of Street Maintenance Worker and Operator I will participate in a two-part exam consisting of a written examination and department/division interview. Each portion of the exam will equal $\frac{1}{2}$ of the total grade and the score will be rounded up to the nearest 100th percentage point. In addition to the general requirements in Rule 8, applicants must meet the following requirements:

- i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must not be less than eighteen (18) years of age at the time of the original appointment.
 - iii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment and must have a State of Ohio Class B (or higher) Commercial Driver's license.
 - iv. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.
- (b) All applicants for the position of Mechanic's Apprentice, Mechanic and/or Chief Mechanic will, in addition to the general requirements in Rule 8, meet the following requirements:
- i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must be at least eighteen (18) years of age at the time of original appointment.
 - iii. The applicant must possess current ASE certifications in Heating and Air Conditioning; Brakes; and Steering or obtain said certifications prior to expiration of his/her probationary period if hired.
 - iv. The applicant must possess and provide all necessary operating hand tools. The City will provide all necessary specialized tools.
 - v. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment and must obtain State of Ohio Class B (or higher) Commercial Driver's license within the probationary period.
 - vi. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.
- (c) All applicants for examination for the position of Facility Grounds Keeper will participate in a two-part exam consisting of a written examination and department/division interview. Each portion of the exam will equal $\frac{1}{2}$ of the total grade and the score will be rounded up to the nearest 100th percentage point. In addition to the general requirements in Rule 8, applicants must meet the following requirements:
- i. The applicant must be a high school graduate or possess a GED.
 - ii. The applicant must not be less than eighteen (18) years of age at the time of the original appointment.

- iii. All applicants must possess a current motor vehicle operator's license and must obtain a State of Ohio driver's license prior to appointment.
- iv. Successful applicant(s) will be required to submit to a thorough background investigation and drug screening.

Section 2: Promotions

- (a) Because of the specialized knowledge, skills and abilities required for Equipment Operator positions, candidates for promotion to Equipment Operator positions will have the following additional requirements:
 - i. An operator in the Street Division must have served at least one (1) year in grade after the twelve-month probationary period, to be eligible to take an examination for the position of Operator II and Operator III.
 - ii. When a vacancy exists in a promoted rank, in the event that only one (1) person in the next lower rank has served the required one (1) year in grade after the twelve-month probationary period, then a noncompetitive examination may be held.
 - iii. In the event that no one in the next lower rank has served the one (1) year in grade after the twelve-month probationary period, or in the event that one person initially qualifies for promotion but does not pass the non-competitive examination noted in this section, then the one (1) year in grade after the twelve-month probationary period requirement will be waived. If non-application of the one (1) year in grade after the twelve-month probationary period requirement does not produce at least two eligible persons who are willing to compete, then a non-competitive examination may be held.
 - iv. If non-application of the one (1) year in grade after the twelve-month probationary period requirement does not produce at least one (1) eligible person who is willing to compete or in the event that one person initially qualifies for promotion but does not pass the noncompetitive examination noted in this section, the same procedure will be followed by going to successively lower ranks until two (2) or more persons are willing and eligible to compete in a promotional examination for the vacancy.
- (b) Because of the specialized knowledge, skills and abilities required for the Mechanic and Chief Mechanic positions, applicants for promotion will have the following additional requirements:
 - i. When a vacancy exists in a promoted rank, a Mechanic's Apprentice or Mechanic in the Street Division must have served at least one (1) year in grade after the twelve-month probationary period, to be eligible to take an examination for a promoted rank.

- ii. In the event that only one (1) person in the next lower rank has served the required one (1) year in grade after the twelve-month probationary period, then a non-competitive examination may be held.
 - iii. A Mechanic's Apprentice or Mechanic in the Street Division must possess a valid State of Ohio Class B (or higher) Commercial Driver's License to be eligible to take an examination for a promoted rank.
 - iv. In the event that no person qualifies for promotion by passing either the non-competitive or competitive examinations noted in this section, then an open competitive examination will be administered.
- (c) Because of the specialized knowledge, skills and abilities required for the Street Maintenance Worker positions, applicants for promotion will have the following additional requirements:
- i. An employee in the Street Division must have served at least one (1) year in grade after the twelve-month probationary period, to be eligible to take an examination for the position of Street Maintenance Worker.
 - ii. When a vacancy exists in a promoted rank, in the event that only one (1) person in the next lower rank has served the required one (1) year in grade after the twelve-month probationary period, then a non-competitive examination may be held.
 - iii. In the event that no one in the next lower rank has served the one (1) year in grade after the twelve-month probationary period, or in the event that one person initially qualifies for promotion but does not pass the noncompetitive examination noted in this section, then the one (1) year in grade after the twelve-month probationary period requirement will be waived. If non-application of the one (1) year in grade after the twelve-month probationary period requirement does not produce at least two eligible persons who are willing to compete, then a non-competitive examination maybe held.
 - iv. If non-application of the one (1) year in grade after the twelve-month probationary period requirement does not produce at least one (1) eligible person who is willing to compete or in the event that one person initially qualifies for promotion but does not pass the non-competitive examination noted in this section, the same procedure will be followed by going to successively lower ranks until two (2) or more persons are willing and eligible to compete in a promotional examination for the vacancy.

RULE 22: APPEALS

Section 1: An employee who has completed the required probationary period in the classified service may appeal a transfer, a reduction in rank, a suspension of more than three (3) working days or a dismissal by filing a written notice of appeal with the Commission within ten (10) calendar days from the date the official notification is filed with the Commission. Members of bargaining units must appeal under the terms established by their respective Collective Bargaining Agreement(s) which may exclude the Commission from the appeal process. The Commission will proceed within thirty (30) calendar days from receipt of such notice of appeal to hear such appeal. The Commission will give written notice to the appointing authority, the Director of Law, the employee and his/her attorney, if known, of the time and place of the hearing.

Section 2: The Commission will hear and be concerned only with evidence relating directly to the allegations and specifications filed by the appointing authority. No additional charges, material amendments or specifications will be considered by the Commission.

Section 3: The hearing procedure and order of proof will be as follows:

- (a) The City Manager or a department/division head will present evidence in support of the charges leading to the transfer, reduction, suspension or dismissal;
- (b) The affected employee, or his/her attorney, will then produce such evidence as he/she may wish in his/her defense;
- (c) The Commission may hear rebuttal evidence if offered;
- (d) The Commission in its discretion may hear arguments.

Section 4: The Commission may limit testimony and evidence based upon materiality, relevancy and competency. The Commission may limit the number of witnesses upon any issue and may require any party to present additional evidence on any issue. All parties will be sworn or will affirm.

Section 5: The City Manager or department/division head may be represented by the City Law Director or other counsel. The appellant may also be represented by counsel of their choosing and at their cost.

Section 6: The Commission, within thirty (30) calendar days from the date of the hearing, will render its judgment in writing to the appellant, appointing authority and the City Law Director. The Commission may affirm, disaffirm or modify the action of the appointing authority. The action of the Commission is final.

RULE 23: REPORTS

Section 1: The appointing authorities will notify the Commission on the following matters regarding positions within the Commission's jurisdiction.

- (a) Appointments.
- (b) Reinstatement appointments.

- (c) Transfer of any officer or employee from one department to another or from one position to another.
- (d) Reductions.
- (e) Suspensions.
- (f) Discharge or removal from the service and the cause for such.
- (g) Creation or abolishment of any position.
- (h) Any material change in the duties of an employee, or in an organization of a department.

Each report will contain the name of the employee affected, the date upon which the action becomes effective and other facts that will make it possible for the Commission to fulfill its responsibilities.

RULE 24: ADDITIONAL EXAMINATION CREDIT FOR APPLICANTS FOR ORIGINAL APPOINTMENT IN THE POLICE AND FIRE DIVISIONS

A. In original appointment examinations in the Police Division, an applicant who attains a passing examination score on the entry level examination for full-time Police Patrol Officer, and who has been awarded any degree in Criminal Justice (or equivalent police related degree) from a college or university will receive an additional five (5%) percentage points to his/her base exam score.

B. In original appointment examinations in the Police Division, an applicant who attains a passing examination score on the entry level examination for full-time Police Patrol Officer, and who possesses a current certification as an Ohio Peace Officer will receive an additional five (5%) percentage points to his/her base exam score.

C. In original appointment examinations in the Fire Division, an applicant who attains a passing examination score on the entry level examination for full-time Firefighter/Paramedic, and who has been awarded a bachelor's degree in a Fire or EMS degree from a college or university will receive an additional five (5%) percentage points to his/her base exam score.

CODIFIED ORDINANCES OF MORaine
PART SEVEN - BUSINESS REGULATION CODE

Chap. 705. Bondsmen.

Chap. 709. Commercial Amusements.

Chap. 717. Fortunetellers. (Repealed)

Chap. 725. Junkyards, Junk and Secondhand Dealers.

**Chap. 734. Licensing and Operation of Sexually
Oriented Businesses.**

Chap. 741. Peddlers and Solicitors.

Chap. 745. Restaurants.

Chap. 751. Taxicabs.

Chap. 761. Massage Establishments.

Chap. 771. Contractor Registration.

Chap. 781. Adult Use Cannabis and Marijuana Related Operations.

CHAPTER 781
Adult Use Cannabis and Marijuana Related Operations

781.01 Adult use cannabis prohibition.

781.99 Penalty.

781.01 ADULT USE CANNABIS PROHIBITION.

(a) For the purpose of this Chapter, certain words and terms used herein shall be interpreted as follows:

- (1) The words or terms "Adult Use Cannabis", "Adult Use Cultivator", "Adult Use Cannabis Operator", "Adult Use Dispensary", "Adult Use Cannabis Processor" and "Adult use extract" as used in this Chapter shall have the same meanings as defined or described in Chapter 3780 of the Ohio Revised Code.
- (b) Prohibition on adult use cannabis and related operation within the City.
 - (1) Adult use cannabis operators, adult use cultivators, or adult use processors, including all cultivation, processing and retail dispensing of adult use cannabis or adult use extract, whether permitted under Chapter 3780 of the Ohio Revised Code or not, are prohibited within the entire corporate limits of the City of Moraine, Ohio.
 - (2) This prohibition shall not be applicable to any adult use testing laboratory having been issued a license under Chapter 3780 of the Ohio Revised Code to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.
 - (3) Nothing herein shall prohibit the legal personal use, cultivation, or possession of adult use cannabis by individuals within the City as may be provided for in Chapter 3780.29 of the Ohio Revised Code.
 (Ord. 2190-25. Passed 6-12-25.)

781.99 PENALTY.

Any person, firm, or corporation who violates any provision of this Chapter shall be guilty of a misdemeanor of the third degree. Each day such violation continues shall constitute a separate offense. (Ord. 2190-25. Passed 6-12-25.)

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.

Department: Finance

Request: Ordinance

Item Background and Purpose:

Emergency ordinance for supplemental appropriations for the 2025 Pinnacle Road Culvert Replacement.

This was an unexpected project that must be completed prior to the repaving of Pinnacle Road. The legislation also includes a request for additional budget in the general fund to transfer \$288,000 from the general fund to the capital improvement fund to support the project.

Financial Impact:

Is Item Budgeted?: No

Funding Source: General Fund - Transfers and Capital Improvement Fund - Engineering

Attachments:

RECORD OF ORDINANCES

Ordinance No. 2197-25

Passed August 28, 2025

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.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MORaine, STATE OF OHIO:

SECTION 1: That after due review and consideration, it has been determined that it is in the best interest of the City of Moraine to provide for the following supplemental appropriations as listed:

301 CAPITAL IMPROVEMENT FUND			
Department		Operating Expenses	Appropriation
Engineering		\$ 288,068	\$ 288,068
	Supplemental Appropriations		\$ 288,068
101 GENERAL FUND			
Department	Personnel Services	Operating Expenses	Appropriation
Transfers to Other Funds		\$ 288,000	\$ 288,000
		Total Appropriations	\$ 288,000
	Total Supplemental Appropriations		\$ 576,068

SECTION 2: That this ordinance being a supplemental appropriation, shall take effect immediately upon passage, pursuant to Section 4.9 of the City of Moraine, Ohio charter.

An Ordinance approving amendments to the Table Of Organization for a 2% increase in pay rates for non-bargaining unit employees of the City Of Moraine and declaring an emergency. (TO BE ADDED BY THE LAW DIRECTOR)

Department: Clerk of Council

Request: Action Item

Item Background and Purpose:

This item to be added by the Law Director.

Financial Impact:

Is Item Budgeted?: No

Funding Source: (i.e. Capital, Operating, etc...)

Attachments:

1. Table of Organization Effective 8-31-25 DRAFT 8-25-2025

RECORD OF ORDINANCES

Ordinance No. 2198-25

AN ORDINANCE APPROVING AMENDMENTS TO THE TABLE OF ORGANIZATION FOR A 2% INCREASE IN PAY RATES FOR NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF MORaine AND DECLARING AN EMERGENCY. (TO BE ADDED BY THE LAW DIRECTOR)

WHEREAS, Council has determined to increase pay rates for all employees (not otherwise subject to Collective Bargaining Agreements) by 2% effective August 31, 2025.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MORaine, STATE OF OHIO:

SECTION 1: That the appended Table of Organization and Pay Table for specified employees of the City of Moraine is hereby approved, said 2% increase in pay rates to be effective August 31, 2025.

SECTION 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Ordinance to the City Manager and Finance Director.

SECTION 3: That any Ordinance in conflict with this Ordinance is hereby repealed.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and safety of the City and its inhabitants for the reason that it is necessary that this amended Table of Organization and Pay Table become immediately effective for payroll purposes, thereby ensuring that employees will timely receive the appropriate pay rates and so that the provision of City services remain uninterrupted.

DRAFT**ADMINISTRATION**

ADMINISTRATION	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
City Manager 1 Full-time	See Contract or Resolution								
Executive Secretary 1 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			
Human Resources Administrator 1 Part-time	\$ 35.23	\$ 36.99	\$ 38.84	\$ 40.78	\$ 42.82	\$ 44.96			
Secretary I 2 Part-time	\$ 16.35	\$ 17.17	\$ 18.03	\$ 18.93	\$ 19.88	\$ 20.87			
Volunteer Coordinator 1 Part-time	\$ 24.41	\$ 25.63	\$ 26.91	\$ 28.26	\$ 29.67	\$ 31.15			

DEPARTMENT OF FINANCE	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Finance Director 1 Full-time	See Contract or Resolution								
Deputy Finance Director 1 Full-time	\$ 36.11 \$ 75,109	\$ 37.92 \$ 78,874	\$ 39.82 \$ 82,826	\$ 41.81 \$ 86,965	\$ 43.90 \$ 91,312	\$ 46.10 \$ 95,888			
Income Tax Administrator 1 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			
Financial Assistant 3 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			
Finance Clerk 2 Part-time	\$ 18.06	\$ 18.96	\$ 19.91	\$ 20.91	\$ 21.96	\$ 23.06			

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DEPARTMENT OF LAW	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Law Director 1 Part-time	See Contract or Resolution								
Assistant Law Director/Prosecutor (Per Week) 1 Part-time	\$ 1,153.85 \$ 60,000	See Contract or Resolution for Additional Legal Work							
CLERK OF COURTS	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Clerk of Court 1 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			
Deputy Clerk of Court 1 Full-time	\$ 24.06 \$ 50,045	\$ 25.26 \$ 52,541	\$ 26.52 \$ 55,162	\$ 27.85 \$ 57,928	\$ 29.24 \$ 60,819	\$ 30.70 \$ 63,856			
Magistrate - Juvenile Court 1 Part-time	\$500.00 per month								
CLERK OF COUNCIL	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Clerk of Council 1 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			
INFORMATION TECHNOLOGY	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Manager of Information Technology 1 Full-time	\$ 41.97 \$ 87,298	\$ 44.07 \$ 91,666	\$ 46.27 \$ 96,242	\$ 48.58 \$ 101,046	\$ 51.01 \$ 106,101	\$ 53.56 \$ 111,405			
Public Information Officer 1 Full-time	\$ 36.11 \$ 75,109	\$ 37.92 \$ 78,874	\$ 39.82 \$ 82,826	\$ 41.81 \$ 86,965	\$ 43.90 \$ 91,312	\$ 46.10 \$ 95,888			
Information Technology Specialist 1 Full-time	\$ 26.85 \$ 55,848	\$ 28.19 \$ 58,635	\$ 29.60 \$ 61,568	\$ 31.08 \$ 64,646	\$ 32.63 \$ 67,870	\$ 34.26 \$ 71,261			

DRAFT**DEPARTMENT OF PUBLIC SERVICE**

DIVISION OF COMMUNITY DEVELOPMENT		Step A		Step B		Step C		Step D		Step E		Step F		Step G		Step H		Step I
Director of Community Development	\$	41.97	\$	44.07	\$	46.27	\$	48.58	\$	51.01	\$	53.56						
1 Full-time	\$	87,298	\$	91,666	\$	96,242	\$	101,046	\$	106,101	\$	111,405						
Building & Zoning Administrator	\$	36.11	\$	37.92	\$	39.82	\$	41.81	\$	43.90	\$	46.10						
1 Full-time	\$	75,109	\$	78,874	\$	82,826	\$	86,965	\$	91,312	\$	95,888						
Building & Zoning Inspector	\$	26.85	\$	28.19	\$	29.60	\$	31.08	\$	32.63	\$	34.26						
1 Full-time	\$	55,848	\$	58,635	\$	61,568	\$	64,646	\$	67,870	\$	71,261						
City Planner	\$	36.11	\$	37.92	\$	39.82	\$	41.81	\$	43.90	\$	46.10						
1 Full-time	\$	75,109	\$	78,874	\$	82,826	\$	86,965	\$	91,312	\$	95,888						
City Engineer	\$	41.97	\$	44.07	\$	46.27	\$	48.58	\$	51.01	\$	53.56						
1 Full-time	\$	87,298	\$	91,666	\$	96,242	\$	101,046	\$	106,101	\$	111,405						
Secretary III	\$	24.06	\$	25.26	\$	26.52	\$	27.85	\$	29.24	\$	30.70						
1 Full-time	\$	50,045	\$	52,541	\$	55,162	\$	57,928	\$	60,819	\$	63,856						
Engineering Assistant	\$	25.18	\$	26.44	\$	27.76	\$	29.15	\$	30.61	\$	32.14						
1 Part-time																		

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DIVISION OF STREETS & PARKS MAINTENANCE	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Streets & Park Maintenance Superintendent	\$ 41.97	\$ 44.07	\$ 46.27	\$ 48.58	\$ 51.01	\$ 53.56			
1 Full-time	\$ 87,298	\$ 91,666	\$ 96,242	\$ 101,046	\$ 106,101	\$ 111,405			
Secretary III	\$ 24.06	\$ 25.26	\$ 26.52	\$ 27.85	\$ 29.24	\$ 30.70			
1 Full-time	\$ 50,045	\$ 52,541	\$ 55,162	\$ 57,928	\$ 60,819	\$ 63,856			
Equipment Operator I	See Union Contract								
4 Full-time									
Equipment Operator II	See Union Contract								
4 Full-time									
Chief Mechanic	See Union Contract								
1 Full-time									
Mechanic	See Union Contract								
2 Full-time									
Street Maintenance Worker	See Union Contract								
7 Full-time									
Mechanic Apprentice	See Union Contract								
1 Full-time									
Street Maintenance Worker	\$ 15.19	\$ 15.95	\$ 16.75	\$ 17.59	\$ 18.47	\$ 19.39	\$ 20.36	\$ 21.38	\$ 22.45
2 Part-time									

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DIVISION OF BUILDING MAINTENANCE	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Superintendent of Building Maintenance	\$ 41.97	\$ 44.07	\$ 46.27	\$ 48.58	\$ 51.01	\$ 53.56			
1 Full-time	\$ 87,298	\$ 91,666	\$ 96,242	\$ 101,046	\$ 106,101	\$ 111,405			
Maintenance Supervisor	\$ 36.11	\$ 37.92	\$ 39.82	\$ 41.81	\$ 43.90	\$ 46.10			
1 Full-time	\$ 75,109	\$ 78,874	\$ 82,826	\$ 86,965	\$ 91,312	\$ 95,888			
Secretary III	\$ 24.06	\$ 25.26	\$ 26.52	\$ 27.85	\$ 29.24	\$ 30.70			
1 Full-time	\$ 50,045	\$ 52,541	\$ 55,162	\$ 57,928	\$ 60,819	\$ 63,856			
Maintenance Worker I	See Union Contract								
2 Full-time									
Maintenance Worker II	See Union Contract								
2 Full-time									
Maintenance Worker III	See Union Contract								
3 Full-time									
Maintenance Worker	\$ 15.19	\$ 15.95	\$ 16.75	\$ 17.59	\$ 18.47	\$ 19.39	\$ 20.36	\$ 21.38	\$ 22.45
2 Part-time									

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DIVISION OF PARKS & RECREATION		Step A		Step B		Step C		Step D		Step E		Step F		Step G		Step H		Step I	
Director of Parks and Recreation		\$	41.97	\$	44.07	\$	46.27	\$	48.58	\$	51.01	\$	53.56						
1 Full-time		\$	87,298	\$	91,666	\$	96,242	\$	101,046	\$	106,101	\$	111,405						
Operations Manager		\$	26.85	\$	28.19	\$	29.60	\$	31.08	\$	32.63	\$	34.26						
1 Full-time		\$	55,848	\$	58,635	\$	61,568	\$	64,646	\$	67,870	\$	71,261						
Recreation Program Coordinator		\$	26.85	\$	28.19	\$	29.60	\$	31.08	\$	32.63	\$	34.26						
2 Full-time		\$	55,848	\$	58,635	\$	61,568	\$	64,646	\$	67,870	\$	71,261						
Secretary II		\$	24.06	\$	25.26	\$	26.52	\$	27.85	\$	29.24	\$	30.70						
1 Full-time		\$	50,045	\$	52,541	\$	55,162	\$	57,928	\$	60,819	\$	63,856						
Recreation Monitor Supervisor		\$	14.27	\$	14.98	\$	15.73	\$	16.52	\$	17.35	\$	18.22	\$	19.13	\$	20.09	\$	21.09
5 Part-time																			
Recreation Services (Front Desks)		\$	13.04	\$	13.69	\$	14.37	\$	15.09	\$	15.84	\$	16.63	\$	17.46	\$	18.33	\$	19.25
10 Part-time																			
Recreation Monitor		\$	12.23	\$	12.84	\$	13.48	\$	14.15	\$	14.86	\$	15.60	\$	16.38	\$	17.20	\$	18.06
32 Part-time 33 Seasonal																			

DRAFT**DEPARTMENT OF PUBLIC SAFETY**

POLICE DIVISION	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Police Chief	\$ 53.58	\$ 56.26	\$ 59.07	\$ 62.02	\$ 65.12	\$ 68.38			
1 Full-time	\$ 111,446	\$ 117,021	\$ 122,866	\$ 129,002	\$ 135,450	\$ 142,230			
Deputy Police Chief	\$ 47.77	\$ 50.16	\$ 52.67	\$ 55.30	\$ 58.07	\$ 60.97			
1 Full-time	\$ 99,362	\$ 104,333	\$ 109,554	\$ 115,024	\$ 120,786	\$ 126,818			
Administrative Secretary	\$ 26.85	\$ 28.19	\$ 29.60	\$ 31.08	\$ 32.63	\$ 34.26			
1 Full-time	\$ 55,848	\$ 58,635	\$ 61,568	\$ 64,646	\$ 67,870	\$ 71,261			
Police Sergeant	See Union Contract								
6 Full-time									
Police Officer	See Union Contract								
24 Full-time									
Community Service Officer (Unsworn)	\$ 26.85	\$ 28.19	\$ 29.60	\$ 31.08	\$ 32.63	\$ 34.26			
1 Full-time	\$ 55,848	\$ 58,635	\$ 61,568	\$ 64,646	\$ 67,870	\$ 71,261			
Dispatcher	See Union Contract								
5 Full-time									
Police Cadet	\$ 17.39	\$ 18.26	\$ 19.17	\$ 20.13	\$ 21.14	\$ 22.20			
2 Full-time	\$ 36,171	\$ 37,981	\$ 39,874	\$ 41,870	\$ 43,971	\$ 46,176			
Records Clerk	\$ 24.06	\$ 25.26	\$ 26.52	\$ 27.85	\$ 29.24	\$ 30.70			
1 Full-time	\$ 50,045	\$ 52,541	\$ 55,162	\$ 57,928	\$ 60,819	\$ 63,856			
POLICE PROBATIONARY RATES									
Police Officer	\$ 30.79								
	\$ 64,043								
Dispatcher	\$ 25.61								
	\$ 53,269								

EXHIBIT A: TABLE OF ORGANIZATION

DRAFT

EFFECTIVE: 8/31/2025
UPDATED: 8/25/2025

FIRE DIVISION	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
Fire Chief	\$ 53.58	\$ 56.26	\$ 59.07	\$ 62.02	\$ 65.12	\$ 68.38			
1 Full-time	\$ 111,446	\$ 117,021	\$ 122,866	\$ 129,002	\$ 135,450	\$ 142,230			
Deputy Fire Chief	\$ 47.77	\$ 50.16	\$ 52.67	\$ 55.30	\$ 58.07	\$ 60.97			
1 Full-time	\$ 99,362	\$ 104,333	\$ 109,554	\$ 115,024	\$ 120,786	\$ 126,818			
Fire Marshal/Inspector	See Union Contract								
1 Full-time									
Fire Lieutenant	See Union Contract								
6 Full-time									
Firefighter/Paramedic/EMT	See Union Contract								
21 Full-time									
Firefighter-Level 1	\$ 17.17	\$ 17.64	\$ 18.11	\$ 18.57	\$ 19.06	\$ 19.52			
Firefighter-Level 2	\$ 18.35	\$ 18.81	\$ 19.30	\$ 19.76	\$ 20.25	\$ 20.71			
Firefighter-Level 3	\$ 19.52	\$ 19.99	\$ 20.47	\$ 20.94	\$ 21.42	\$ 21.90			
Firefighter-Level 4	\$ 20.71	\$ 21.20	\$ 21.65	\$ 22.11	\$ 22.60	\$ 23.07			
20 Part-time									
Fire Secretary II	\$ 24.06	\$ 25.26	\$ 26.52	\$ 27.85	\$ 29.24	\$ 30.70			
1 Full-time	\$ 50,045	\$ 52,541	\$ 55,162	\$ 57,928	\$ 60,819	\$ 63,856			

FIRE PROBATIONARY RATES

Firefighter	See Union Contract
Firefighter/Paramedic	See Union Contract
Fire Inspector	See Union Contract

Approved Positions	
Full-time	129
Part-time	81
Seasonal	33
Total Approved Positions	243

A Resolution accepting the bid of and authorizing the City Manager to enter into a contract with Brumbaugh Construction, Inc. for the 2025 Pinnacle Road Culvert Replacement Program for the total amount of \$261,880.00 and further authorizing the City Manager to execute needed change order(s), if any, in specified amount.

Department: Community Development

Request: Action Item

Item Background and Purpose:

Bids for the subject project were received on Tuesday, August 5th, 2025 at 4:00 PM. The following bids were received:

COMPANY	BID	ALTERNATE	BID TOTAL
Brumbaugh Construction, Inc.	\$253,719.00	\$8,161.00	\$261,880.00
L.J. DeWeese Co., Inc.	\$268,881.00	\$8,775.00	\$277,656.00
Milcon Concrete	\$281,403.00	\$8,547.00	\$289,950.00
Outdoor Enterprise	\$293,433.20	\$8,593.50	\$302,026.70
JTM Smith Construction, Inc	\$299,226.20	\$10,742.48	\$309,968.68
Performance Site Development	\$309,283.40	\$13,198.00	\$322,481.40
C. G. Construction & Utilities, Inc.	\$327,663.40	\$23,667.00	\$351,330.40
Barrett Paving Materials, Inc	\$328,932.45	\$13,359.00	\$342,291.45
Integrity Contractors LLC	\$346,462.15	\$10,429.93	\$356,892.08
ENGINEERS ESTIMATE	\$315,000.00	\$5,000.00	\$320,000.00

This project consists of removing and replacing the 60" culvert crossing Pinnacle Road near Deer Meadow Park. The alternate bid items are dependent on the scheduling of the City of Moraine 2025-001 Asphalt Paving Program awarded to Barrett Paving Materials, Inc. Please refer to the attached Departmental Correspondence from July 24th, 2025 documenting the culvert failure.

The apparent low bidder with a bid price of \$261,880.00, Brumbaugh Construction, Inc. has done satisfactory work in Moraine and neighboring jurisdictions in the past.

Including a 10% contingency amount that the City Manager can use to authorize potential change orders, the total amount approved would be \$288,068.00. There is no existing budget for this emergency work and will need a supplemental appropriation.

I recommend creating the necessary legislation for a supplemental appropriation in the amount of \$288,068.00 and awarding the 2025 Pinnacle Road Culvert Replacement Program to Brumbaugh Construction, Inc. with the accepted bid amount of \$261,880.00 and approving a total of \$288,068.00.

Financial Impact:

Is Item Budgeted?: No

Funding Source: This is not a budgeted item. This project will be part of the Engineering Capital

budget.

Attachments:

1. 2025-010 Bid Results Memo to CM
2. Departmental Correspondence_Pinnacle Road 60in Culvert Failure

RECORD OF RESOLUTIONS

Resolution No. 8173-25

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRUMBAUGH CONSTRUCTION, INC. FOR THE 2025 PINNACLE ROAD CULVERT REPLACEMENT PROGRAM FOR THE TOTAL AMOUNT OF \$261,880.00 AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE NEEDED CHANGE ORDER(S), IF ANY, IN SPECIFIED AMOUNT.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MORaine, STATE OF OHIO:

- SECTION 1:

Bids were requested and received for the 2025 Pinnacle Road Culvert Replacement Program and upon review and recommendation by staff, and determination that the bid of Brumbaugh Construction, Inc. in the amount of \$261,880.00 is hereby deemed to be the lowest and best responsive bid submitted by a responsible bidder and same is hereby accepted and the City Manager is authorized to enter into a contract therewith in accordance with the terms of the bid specifications, said costs to be paid from the Capital Improvement Fund.
- SECTION 2:

The City Manager is further authorized to expend up to an additional 10% of the bid amount of \$261,880.00 for additional work, if necessary, making the total amount approved to be \$288,068.00.
- SECTION 3:

That the Clerk is hereby directed to forward a certified copy of this Resolution to the City Manager, City Engineer, and Finance Director.
- SECTION 4:

That this Resolution shall take effect from and after the date of its passage.



CITY OF MORaine DEPARTMENTAL CORRESPONDENCE

DATE: August 6th, 2025

TO: Michael Davis, City Manager

FROM: Lauren Alvarado, City Engineer

SUBJECT: 2025 Pinnacle Road Culvert Replacement Program

Bids for the subject project were received on Tuesday, August 5th, 2025 at 4:00 PM.
The following bids were received:

COMPANY	BID	ALTERNATE	BID TOTAL
Brumbaugh Construction, Inc.	\$253,719.00	\$8,161.00	\$261,880.00
L.J. DeWeese Co., Inc.	\$268,881.00	\$8,775.00	\$277,656.00
Milcon Concrete	\$281,403.00	\$8,547.00	\$289,950.00
Outdoor Enterprise	\$293,433.20	\$8,593.50	\$302,026.70
JTM Smith Construction, Inc	\$299,226.20	\$10,742.48	\$309,968.68
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This project consists of removing and replacing the 60" culvert crossing Pinnacle Road near Deer Meadow Park. The alternate bid items are dependent on the scheduling of the City of Moraine 2025-001 Asphalt Paving Program awarded to Barrett Paving Materials, Inc. Please refer to the attached Departmental Correspondence from July 24th, 2025 documenting the culvert failure.

The apparent low bidder with a bid price of \$261,880.00, Brumbaugh Construction, Inc. has done satisfactory work in Moraine and neighboring jurisdictions in the past.

Including a 10% contingency amount that the City Manager can use to authorize potential change orders, the total amount approved would be \$288,068.00. There is no existing budget for this emergency work and will need a supplemental appropriation.

I recommend creating the necessary legislation for a supplemental appropriation in the amount of \$288,068.00 and awarding the 2025 Pinnacle Road Culvert Replacement Program to Brumbaugh Construction, Inc. with the accepted bid amount of \$261,880.00 and approving a total of \$288,068.00.



CITY OF MORaine DEPARTMENTAL CORRESPONDENCE

DATE: July 24th, 2025

TO: Michael Davis, City Manager

FROM: Lauren Alvarado, City Engineer

SUBJECT: Pinnacle Road 60in Culvert Failure

Back on June 25th, 2025, our street crews notice a small depression by the guardrail on the south side of Pinnacle Road near Deer Meadow Park. Upon closer inspection, they found that the pipe going under the road had major defects. After Benjamin and I were able to inspect the 60 inch pipe, we determined it was failing and put it on everyone's watchlist.

In the meantime, I reached out to Barret, the contractor for our 2025 Asphalt Paving Program. Since they would be paving Pinnacle Road over the failing pipe, we were hoping they could replace this pipe as part of the 2025 program. The contingency for this program is \$62,000 and the pipe replacement cost estimate quickly exceeded \$200,000.

It was about this time that I noticed a hole had formed in the road. On July 16th, 2025, the streets crew placed a steel plate over the hole and the growing depression and used asphalt to secure the plate in place.

I put together a rough cost estimate that is summarized in the table below:

Excavation	\$53,000
Headwalls	\$45,000
60 inch Pipe	\$40,000
Bedding and backfill	\$94,000
Manhole	\$27,000
Repaving	\$18,000
Other	\$39,000
TOTAL	\$316,000

With the high cost, we had to take the project to bid. We expedited a new bid project to replace the culvert and are working with Barrett and the scheduling for the asphalt paving program. Bids will be opened August 5th, 2025 and we hope to award the project by August 28th, 2025.

To replace the culvert, Pinnacle Road could be closed for up to 4 weeks with a detour of approximately 3 miles. Photos showcasing the deterioration are on the following pages.



Original depression from June 25th, 2025



Depression and hole from July 16th, 2025



Separated pipe



Eroded pipe bed