

RECORD OF PROCEEDINGS

Minutes of City Council

Held October 9, 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	Present

Staff Present:

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

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular City Council Meeting Minutes - September 25, 2025

Mayor Murphy asked if there were any changes or corrections to the September 25, 2025, Regular Council meeting minutes. Hearing none, the minutes were approved as submitted.

Special Presentations

Oath of Office - Sergeant Walter Porter

Mayor Murphy administered the Oath of Office to Sergeant Walter Porter.

Police Chief Craig Richardson reported that Sergeant Porter came to the Moraine Police Division in April 2022. He said Sergeant Porter quickly made a name for himself and garners the respect of his peers and supervisors. He said he is a great representative of the City. He discussed several accomplishments of Sergeant Porter and acknowledgements he has received from citizens.

Public Hearings

R-02-2025 - 3305 Main Street Zoning District Change from R-2 to B-2

Mayor Murphy reported that anyone wishing to speak during the Public Hearing will have three minutes.

Open Public Hearing

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Mayor Murphy opened the Public Hearing for Case R-02-2025 at 6:07 PM.

Law Director Martina Dillon administered the Oath to those wishing to speak during the Public Hearing.

Staff Report

City Planner Nick Sorice reported to Council that the applicant, Mr. Omar Shaker, has applied for a Zoning District Change for 3305 Main Street from an R-2 to B-2. He noted the property has not held a form of business or usage within the property for two years. He said a Public Hearing was held by the Planning Commission. He stated all legal notices were issued per Moraine Codified Ordinances (MCO) Chapter 1127. He read a passage from MCO Chapter 1191.02(C) regarding nonconforming use of land being discontinued for two years or more. He said on the application tobacco sales is listed as a proposed use, and retail tobacco sales is a permitted use under B-2. He discussed the history of the building and uses. He said upon review and through historical references, the property has always been commercial use. He said the current Certificate of Occupancy is Mercantile, which came from a 2011 Certificate of Occupancy which was approved as a pre-existing condition. He reported the Certificate of Occupancy remains with the building and is still active unless a structural change is made or a new structure is erected on the property. He said tobacco sales are permitted under a Mercantile use group under the Ohio Building Code. Mr. Sorice reported that a Planning Commission meeting was held on September 2, 2025, and the commission members voted to approve and recommend to City Council to move forward.

Opponents/Proponents

Mr. Jerry Dunn spoke in opposition to the Zoning District Change.

Mr. Omar Shaker, the applicant, stated the property is not meant for anything else but commercial use because it is extremely small and not suited for residential use.

Close Public Hearing - R-02-2025 - 3305 Main Street Zoning District Change from R-2 to B-2

Mayor Murphy closed the Public Hearing at 6:16 PM. She stated that a vote would be taken during the Committee of the Whole meeting regarding moving the item forward for legislation.

Reports from the Following

Finance Committee

No report.

Finance Director

No report.

Committee of the Whole

Ms. Marcus noted the last Committee of the Whole meeting was on September 25, 2025. She reported there would be a meeting this evening.

City Manager

City Manager's Report - October 9, 2025

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No further report.

Law Director

No report.

Mayor

Mayor's Court Monthly Report - August 2025

Mayor Murphy reported for the month of August 2025, Mayor’s Court received \$15,960.05. She noted after various expenses and disbursements, a total of \$11,659.01 was deposited into the General Fund.

Guest Speakers - None

Business

Ms. Doris Fisher of 6919 Germantown Pike spoke regarding an accident that occurred at Germantown Pike and Union Road. She showed photos of the accident to the Council members.

Ordinances

2200-25 An Ordinance denying a Zoning District Change for City Lot Number 4988 and located at 6844 Germantown Pike within the City of Moraine that encompasses a proposed 1.5 acre lot in Exhibit A from Parcel ID Numbers J44204201 0034 and J44204201 0035 from R-2 (Single Family Residence District) To B-1 (Neighborhood Business District).

Mrs. Allen stated that this Ordinance denies the request for a Zoning District Change at 6844 Germantown Pike and additional land. She said this item will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

2201-25 An Ordinance to amend Moraine Codified Ordinance Section 521.07 entitled “Fences.”

Mr. Burchett reported that this legislation approves text amendments to better clarify language and code requirements in the "Fences" section of the Moraine Codified Ordinances. He stated this item will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

2202-25 An Ordinance to amend Moraine Codified Ordinance Section 1181.04 entitled “Standards For Accessory Buildings And Uses In Residential And Agricultural Districts”.

Mr. Daugherty stated this legislation approves text amendments to Section 1181.04 of the Moraine Codified Ordinances regarding fencing. He said the legislation will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

2203-25 An Ordinance to amend Moraine Codified Ordinance Section 1181.05 Entitled “Standards For Accessory Buildings And Uses In Conservation, Business, And Industrial Districts.”

Ms. Marcus noted this legislation approves text amendments to Section 1181.05 of the Moraine Codified Ordinances regarding fencing. She said this item will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

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2204-25 An Ordinance to add a new section 1185.23 to the Moraine Codified Ordinances entitled “Mobile Food Vendors”.

Mr. Miller reported that mobile food vendors are becoming more popular, and the City of Moraine does not have any regulations in place. He said this Ordinance approves the addition of Section 1185.23 entitled "Mobile Food Vendors" to the Moraine Codified Ordinances. He stated the legislation will be passed on to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

2205-25 An Ordinance to amend Moraine Codified Ordinance Section 1412.02 entitled “Parking”.

Mrs. Whitt noted that this legislation approves text amendments to Section 1412.02 of the Moraine Codified Ordinances and allows for a gravel pad in the side or rear yard for the purpose of parking an additional vehicle as outlined in Exhibit A. She said this item will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

2206-25 An Ordinance to amend Moraine Codified Ordinance Section 505.08 entitled “Cruelty To Animals Generally”.

Mrs. Allen said that this Ordinance approves text amendments to Section 505.08 and adds language for the protection of additional types of animals. She said this legislation will be passed to the October 23, 2025, Regular City Council Meeting for a second reading and final adoption.

Resolutions

8176-25 A Resolution of Authorization authorizing the City Manager to submit application and all documentation necessary to become eligible for possible funding assistance via the Land and Water Conservation Fund Program.

Mr. Burchett reported that this Resolution is necessary to apply for a grant to assist with supporting the proposed 2026 Ora Everetts Splash Pad construction costs through the Land and Water Conservation Fund program. Mr. Burchett moved to approve.

RESULT: Passed (*Yes 7, No 0, Abstained 0*)
MOVER: Donald Burchett
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus, Donald Burchett
NAYS: None
ABSTAIN: None

8177-25 A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Mr. Daugherty said the County Budget Commission has approved the property tax levy rates and estimated amounts for tax year 2025 to be collected in 2026. He stated that once adopted, the legislation must be provided to the Montgomery County Auditor in accordance with State law. Mr. Daugherty moved to approve.

RESULT: Passed (*Yes 7, No 0, Abstained 0*)
MOVER: Mike Daugherty
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus, Donald Burchett

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NAYS: None
ABSTAIN: None

8178-25 A Resolution authorizing the submittal of an application(s) for Federal IIJA Funds through the Miami Valley Regional Planning Commission for the 2030 Asphalt Paving Program.

Ms. Marcus stated that approval of this Resolution is necessary to allow the City of Moraine to apply for STP Funding for the 2030 Asphalt Paving Program. Ms. Marcus moved to approve.

RESULT: Passed (Yes 7, No 0, Abstained 0)
MOVER: Jeanette Marcus
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus, Donald Burchett
NAYS: None
ABSTAIN: None

8179-25 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 thru a trade-in program.

Mr. Miller said that this legislation approves the disposal of items to be declared no longer of value to the City. He noted that disposal of the listed items will be through GovDeals Auction, donation to a non-profit organization, or through a trade-in program. Mr. Miller moved to approve.

RESULT: (Yes 7, No 0, Abstained 0)
MOVER: Dave Miller
AYES: Teri Murphy, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus, Donald Burchett
NAYS: None
ABSTAIN: None

Voice Vote - None

Persons Appearing Before Council - None

Any Other Business

Parks and Recreation Director Brent Shane reminded everyone that Boo Bash will be held on Saturday, October 11, 2025, from 5:00 PM to 9:00 PM at the Gerhardt Civic Center. He said there will be a lot going on with the Trick or Treat line, a hayride, a haunted library, and the movie Haunted Mansion will be shown. He reported there will be three food vendors onsite.

Clerk of Council Karen Powell reported the City Shredding Event was held on Saturday, October 4, 2025. She noted there was a pretty good turnout, and she is looking forward to the event growing in the upcoming years. She thanked Rocky Bangert for his assistance with the City records, and also thanked Parks and Recreation Board members Sylvia Harlow and Erica Grooms for volunteering for the event.

Mrs. Allen expressed her condolences to Ms. Powell and she invited everyone out to Boo Bash.

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Ms. Marcus noted a resident turned in a street sign to her, and she asked City staff to pick up the sign when possible. She reported residents are complaining about the street light at the corner of Ned Drive and Mays Avenue as the light is shining into their homes.

Mr. Davis said he will reach out to Miami Valley Lighting.

Mrs. Whitt congratulated Sergeant Porter on his promotion. She thanked the Fire Division and Police Division for the great job they always do.

Mr. Daugherty congratulated Sergeant Porter. He expressed his condolences to Ms. Powell, and he invited everyone out to Boo Bash.

Mr. Miller thanked Mr. Bangert and Ms. Powell for their work with the City Shredding Event. He said he hopes the event will grow and become a well-attended event. He congratulated Sergeant Porter on his promotion.

Mayor Murphy expressed her condolences to Ms. Powell. She congratulated Sergeant Porter, and she invited everyone out to Boo Bash. She stated the event is a free event. She thanked the Miami Valley Communications Council for broadcasting this meeting live as well as any future rebroadcasts.

Executive Session - None

Adjournment

Meeting adjourned at 6:35 PM.



Mayor Teri Murphy



ATTEST: Clerk of Council, Karen Powell