

RECORD OF PROCEEDINGS

Minutes of City Council

Held March 23, 2023

Public Hearing

Mayor Murphy opened the Public Hearing at 6:00 PM

Electric Aggregation Plans of Operation and Governance

Amy Hoffman, Palmer Energy representative, was present this evening to give a brief explanation on electric aggregation and answer any questions or concerns. She explained this program would be through the Miami Valley Communications Council, and includes a large group of cities in order to get the best and competitive pricing for electric service.

Mayor Murphy asked what other cities this would impact.

Ms. Hoffman replied there are 13 cities in the first large aggregation, which are Centerville, Clayton, Englewood, Fairborn, Germantown, Kettering, Miamisburg, Moraine, Trotwood, Vandalia, West Carrollton, Troy, and Xenia. She added it would be approximately 61,000 residences and 5,100 small businesses.

Mayor Murphy reported the second and final public hearing would be on April 13 at 6:00 PM.

With no further discussion, Mayor Murphy closed the public hearing at 6:09 PM.

Regular Meeting Call to Order

Regular Meeting Call to Order at 6:09 PM

Roll Call

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

Staff Members Present:

City Manager Michael Davis	Law Director Martina Dillon
Police Chief Craig Richardson	Fire Chief Dave Cooper
Finance Director Don Buczek	Parks and Rec. Program Coord. Chandler Woodcock
Build. Maint. Supervisor Rocky Bangert	Public Information Officer Aaron Viotor
Community Dev. Director Matt Eisenbraun	Clerk of Council Amy Brown

Mrs. Allen made a motion to excuse Ms. Marcus from tonight's meeting.

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

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

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Approval of Minutes

Regular Council Meeting Minutes - March 9, 2023

Mayor Murphy asked if there were any changes or corrections to the March 9, 2023 Regular Council meeting minutes. Hearing none, the minutes were approved as submitted.

Special Presentations

Reports from the Following

Finance Committee

No report.

Finance Director

No report.

Committee of the Whole

Mr. Daugherty reported there would be a Committee of the Whole meeting after this meeting tonight.

City Manager Report

City Manager Report - March 23, 2023

No report.

Law Director

Ms. Dillon requested to add Resolution 7937-23 to tonight's agenda, which would authorize Miami Valley Communications Council to serve as the City's electric aggregator. She stated the City has adopted similar resolutions in the past, but it's been a while since those were adopted.

Mrs. Whitt made a motion to add Resolution 7937-23 to tonight's agenda.

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

Mayor

Oaths of Office for Fire Division

Mayor Murphy administered the Oaths of Office to Firefighter/EMT Wyatt Evans and Firefighter/Paramedic Robert Patterson.

Mayor's Court Monthly - February 2023

Mayor Murphy reported for the month of March 2023, Mayor's Court received \$26,547.00.

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She noted after various expenses and disbursements, a total of \$20,673.00 was deposited into the General Fund.

Guest Speakers - None

Business

Ordinances

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, 2023 to December 31, 2023 and declaring an emergency.

Mr. Daugherty stated this Ordinance allows for supplemental appropriations to the budget to allow for expenses that will be incurred regarding the concrete portion of the Cobblegate project. He moved to suspend the rules to allow for the second reading and final adoption at this meeting.

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

Mr. Daugherty made a motion to approve.

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

Resolutions

A Resolution approving and accepting the annual report of the Community Reinvestment Housing Council (CRHC).

Mrs. Whitt noted this Resolution allows for the adoption of the 2022 Annual Report for the Community Reinvestment Housing Council.

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

A Resolution approving and accepting the annual report of the Tax Incentive Review Council (TIRC).

Mr. Miller remarked this Resolution allows for the adoption of the 2022 Annual Report of the Tax Incentive Review Council.

RESULT: Passed, *(Yes 6, No 0, Abstained 0)*

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MOVER: Dave Miller
AYES: Teri Murphy, Donald Burchett, Ora Allen, Randy Daugherty, Dave Miller, Shirley Whitt
NAYS: None

A Resolution authorizing and approving the update to the City of Moraine credit card policy.

Mrs. Allen commented this Resolution approves an update to the City's Credit Card Policy which will add two additional positions to the authorized user list and also make some minor language changes.

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

A Resolution authorizing the City Manager to enter into a modification agreement with Clark, Schaefer, Hackett & Co. to perform additional audit services at an additional cost not to exceed \$4,120.00.

Mr. Burchett explained this Resolution allows for an Audit Modification Agreement with Clark, Schaefer, Hackett & Co. for a needed single audit to review expenses in relation to Federal funds in the amount of \$4,120.00.

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

A Resolution accepting the proposal of and authorizing the City Manager to enter into a contract with Barrett Paving Materials for the 2023 Paving Program for the total amount of \$641,242.00.

Mr. Miller stated this Resolution awards the 2023 Paving Program to Barrett Paving Materials in the amount of \$641,242.00. He added the paving would include German Village, Infirmary Road, the parking lots and paths at Pinnacle Park, and the final paving of Wright Landing.

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

A Resolution accepting the proposal of and authorizing the City Manager to enter into a contract with L. J. DeWeese, Co, Inc. for the 2023 Concrete Program for the amount of \$452,800.00.

Mr. Daugherty noted this Resolution awards the 2023 Concrete Program to L. J. DeWeese Co. in the amount of \$452,800.00. He added the work would include isolated curb, sidewalk, and ADA ramp installation on Northlawn Avenue from Dryden to 741, Springboro Road West, Viking Lane, and Kreitzer Road.

RESULT: Passed, *(Yes 6, No 0, Abstained 0)*

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MOVER: Randy Daugherty
AYES: Teri Murphy, Donald Burchett, Ora Allen, Randy Daugherty, Dave Miller, Shirley Whitt
NAYS: None

A Resolution authorizing the City to participate in ODOT Contract No. 888-23 to enable the Street Division to purchase traffic paint.

Mrs. Whitt reported this Resolution allows the Street Division to contract with the Ohio Department of Transportation to purchase traffic paint in amounts and colors as determined by the Street Superintendent.

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

A Resolution authorizing the purchase, for use by the Fire Division, of monitors/defibrillators and related equipment via Savvik Buying Group at a total cost of \$84,755.00.

Mr. Daugherty noted this Resolution allows for the purchase of two LifePak monitors/defibrillators for use by the Fire Division to replace two older and outdated models.

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

A Resolution authorizing the City of Moraine, Ohio to participate in new National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart and further authorizing the City Manager, on behalf of the City of Moraine, Ohio, to execute and deliver settlement participation forms and further authorizing the City Manager to execute necessary documentation for participation in said opioid settlements.

Mrs. Allen commented this Resolution allows the City of Moraine to participate in new national opioid settlements with five named pharmaceutical participants. She added this would permit the City to become eligible to receive any potential future allocated funds.

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

A Resolution urging the Legislative Branches of the Federal Government as well as the State of Ohio to enact legislation to further protect the citizens of the City of Moraine, Ohio from the inherent dangers of a train derailment on the tracks located at and/or near our City.

Mr. Burchett stated that due to recent train derailments in the State, this Resolution encourages the Federal Government and the State of Ohio to enact legislation to help protect the residents in the City of Moraine from the inherent dangers of train tracks located in and near the City.

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MOVER: Donald Burchett
AYES: Teri Murphy, Donald Burchett, Ora Allen, Randy Daugherty, Dave Miller, Shirley Whitt
NAYS: None

A Resolution authorizing Miami Valley Communications Council to act as the City of Moraine, Ohio's governmental aggregator for electrical aggregation. (To Be Added By Law Director)

Mrs. Whitt noted this Resolution allows Miami Valley Communications Council to act as the City of Moraine's governmental aggregator of retail electric in accordance with Ohio law.

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

Persons Appearing Before Council - None

Any Other Business

Chief Cooper thanked Council for the approval of the defibrillators, and stated they would put them to good use.

Police Department - No report.

Building and Maintenance Department - No report.

Mr. Woodcock reported the Easter event is coming up on April 1 at the Payne Rec Center at 10:00 AM.

Mr. Eisenbraun thanked Council for the approval of the paving and concrete resolutions, and thanked them for approving the supplemental appropriation regarding the Cobblegate project. He reported next week marks the beginning of the next phase of the Comprehensive Plan, with the representatives from American StructurePoint coming into town to conduct a number of focus group meetings with businesses and residents. He noted they would also be attending the Easter event on Saturday morning to answer questions and receive feedback. He added there would be a chance in the near future for residents to also complete a survey.

City Manager - No report.

Law Director - No report.

Finance Director - No report.

Clerk of Council - No report.

COUNCIL REPORTS

Mrs. Allen - No report.

Mrs. Whitt congratulated the two firefighters that were sworn in this evening.

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Mr. Miller - No report.

Mr. Daugherty - No report.

Mr. Burchett reported he attended the monthly board meeting of the Miami Valley Communications Council on March 15.

Mayor Murphy encouraged everyone to attend the Easter Egg Hunt on April 1 at the Payne Rec Center, and thanked the Miami Valley Communications Council for broadcasting this meeting live as well as any future rebroadcasts.

Executive Session - None

Adjournment

Adjournment at 6:35 PM



Mayor Teri Murphy



ATTEST: Clerk of Council Amy Brown