

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026

## Regular Meeting Call to Order

Meeting called to order at 6:00 PM.

## Roll Call

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

## Staff Attendance:

City Manager Michael Davis	Law Director Martina Dillon
Police Chief Craig Richardson	Deputy Fire Chief Michael Guadagno
Finance Director Annetta Williams	Comm. Dev. Director Libby Schroeder
Build. Maint. Superintendent Rocky Bangert	City Engineer Lauren Alvarado
Parks and Recreation Director Brent Shane	Public Information Officer Aaron Viotor
Build. & Zoning Admin. Brent Carpenter	Clerk of Council Karen Powell

Mrs. Whitt moved to excuse Mr. Miller's absence.

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

**MOVER:** Shirley Whitt

**AYES:** Teri Murphy, Ora Allen, Mike Daugherty, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** Non

## Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

## Approval of Minutes

### Regular City Council Meeting Minutes - April 23, 2026

Mayor Murphy asked if there were any changes or corrections to the April 23, 2026, Regular Council meeting minutes. Hearing none, the minutes were approved as submitted.

### Special Presentations - None

## Public Hearing

**Case No. R-01-2026: Zoning District Change of City Lots 2157, 2158, 5057, and 5275 from R-2 to B-1**

## Open Public Hearing

Law Director Martina Dillon notified Council that Mr. Delph will be recusing himself from the

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026

Public Hearing and discussion on this matter. Mr. Delph left the room.

Mayor Murphy opened the Public Hearing at 6:02 PM.

Mrs. Dillon administered the testimony oath to those present to speak on this item.

## Staff Report

Building and Zoning Administrator Brent Carpenter presented the Staff Report. He said this report was created by former City Engineer Nick Sorice. Mr. Carpenter stated that this formality is brought before the City Council today after a 30-day legal notice period for a public hearing, and all legal notices were issued per Moraine Codified Ordinances (MCO) Chapter 1127. He reported that the applicant, Harjeet Singh, is applying for a Zoning District Change for the four (4) remaining residential-zoned (R-2) lots identified as City lots 2157, 2158, 5057, and 5275, at the premises of 3351 Main Street from R-2 to B-1. Mr. Carpenter noted that the property encompasses nine (9) lots total with five (5) lots at the B-1 Zoning District, which are the lots that contain the existing structure on the property. He said the current R-2 lots are comprised of 0.3903 acres +/- of the 1.1029 acre +/- property per Montgomery County Auditor records and consist of 35.39% of R-2 lots currently. He also noted that the B-1 lots consist of 0.7126 acres +/- of the property. He informed Council that the proposed use for this Zoning District Change per Application R-01-2026 is for the addition of a gas canopy with three (3) double-sided pumps. He mentioned that the architect, Craig E. Dillon, AIA Architects, informed staff that the fueling station would be a Marathon franchise with choices of unleaded, premium, and diesel available. Mr. Carpenter said the fueling station hours would be from 5 AM – 12 AM and would not be a 24/7 fueling station. He reviewed the site plans through a PowerPoint presentation. He said Site Plan 1 includes variances, and Site Plan 2 shows no variances. Mr. Carpenter reported that the Technical Review Committee met on March 11, 2026, to review this application and documentation; and it was agreed that Site Plan Option 1 provides better flow for traffic and larger vehicles to maneuver with the canopy as the current structure will continue to house a drive-thru inside. He mentioned that parking spots 1-10 would be an issue if a variance allowed the Main Street entrance to remain. Mr. Carpenter noted that the reason why the Main Street entrance would be closed off for this is in the packets under MCO 1185.17 which reads: (A) due to the new use on the property of a fueling station having an entrance on the same side of the street that is within 200' of the First Freedom Baptist Church property, the parking spots in front of the entrance would not allow enough clearance if a larger vehicle or public safety vehicle had to maneuver within that area. A buffer will need to be included as well with the Residential zoned church property to the east. He stated that the landscape requirements can be found in MCO Chapter 1187. Mr. Carpenter reminded Council that these site plans are only preliminary ideas to provide a visual to City Council and can change as this is contingent upon this Zoning District change case. He noted that this case was not recommended by Planning Commission to proceed due to a voting board of 4 consisting of one recusal, one no, and two ayes.

Mayor Murphy invited the applicant to speak.

Mr. Dillon spoke on Mr. Singh's behalf. He reported that if the variance is granted, the owners will be good neighbors, and they plan to improve the convenience store by adding windows and giving the building a face lift. He said the owners are willing to work with any of the neighbors, including putting up fencing if necessary. He did note that if the owners were not approved for the zoning change, then no changes can be made to the structure.

## Opponents/Proponents

Mayor Murphy asked if any opponents or proponents would like to speak regarding the Zoning District change.

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026

Seeing none, Mayor Murphy asked if any Council members would like to ask questions of City staff or the applicants.

## **Close Public Hearing - Case No. R-01-2026: Zoning District Change of City Lots 2157, 2158, 5057, and 5275 from R-2 to B-1**

Mayor Murphy closed the Public Hearing at 6:10 PM.

Mr. Delph joined Council at the dais.

### **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 April 9, 2026. She reported there would be a meeting this evening.

#### **City Manager**

No report beyond the written report.

#### **City Manager's Report - May 14, 2026**

#### **Law Director**

Mrs. Dillon requested to add a Resolution to the agenda which will repeal Resolution No. 8164-25 adopted on June 26, 2025. She noted that the resolution adopted in 2025 authorized the City to enter into a contract with Buck Pavement Restoration, LLC, for the 2025 Crack Sealing Program. She said it is her understanding that the project was delayed, and by the time the City was ready to engage Buck Pavement for the work, the City learned recently that Buck Pavement had gone out of business. She remarked that the City had received confirmation in writing. She said in order to clean up the paper trail, she suggested to the City Manager that it would be appropriate for Council to consider a resolution repealing the prior resolution authorizing Buck Pavement to conduct the 2025 crack sealing work.

Ms. Marcus moved to approve the addition of a resolution to the agenda to repeal Resolution No. 8164-25.

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

**MOVER:** Jeanette Marcus

**AYES:** Teri Murphy, Ora Allen, Mike Daugherty, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** None

#### **Mayor**

No report.

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026

## Guest Speakers - None

## Business

## Ordinances

### **2232-26 An Ordinance approving amendment(s) to Section 6.3 of the City of Moraine Personnel Policy Manual.**

Mr. Delph noted that this legislation amends Section 6.3 of the PPM as shown in Exhibit A and this is the second reading of the Ordinance. Mr. Delph moved to approve.

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

**MOVER:** Branden Delph

**AYES:** Teri Murphy, Ora Allen, Mike Daugherty, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** None

### **2233-26 An Ordinance approving amendment(s) to Section 6.16 of the City of Moraine Personnel Policy Manual.**

Mrs. Allen reported that this is the second reading of the legislation which amends Section 6.16 of the PPM as shown in Exhibit A. Mrs. Allen moved to approve.

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

**MOVER:** Ora Allen

**AYES:** Teri Murphy, Ora Allen, Mike Daugherty, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** None

## Resolutions

### **8236-26 A Resolution declaring the items listed on the attached 2026 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 explained that this Resolution authorizes the disposal of listed items which are no longer of value 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, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** None

## To Be Added By Law Director

### **8237-26 A Resolution repealing Resolution No. 8164-25 adopted on June 26, 2025.**

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026

Mrs. Whitt remarked that this legislation repeals Resolution No. 8164-25 awarding Buck Pavement Restoration LLC the 2025 Crack Sealing Project as the company is no longer in business. Mrs. Whitt moved to approve.

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

**MOVER:** Shirley Whitt

**AYES:** Teri Murphy, Ora Allen, Mike Daugherty, Shirley Whitt, Jeanette Marcus, Branden Delph

**NAYS:** None

**ABSTAIN:** None

**Voice Vote - None**

**Persons Appearing Before Council - None**

**Any Other Business**

Mr. Shane reminded all that the flooring project at the Civic Center began this week and is moving very fast. He said he will work with Mr. Bangert to make a game plan in moving forward. He said they are trying to get the Senior Club back in the building by Wednesday.

Mr. Vietor reminded Council of the Memorial Day presentation on May 25, 2026, at 11:00 AM.

Mrs. Whitt expressed her condolences to Mr. Davis on the passing of his grandmother, her pastor on the passing of his step-father, her neighbor on the passing of his wife this morning, and Todd Wallace who lost his brother this morning. She wished Ms. Powell a safe trip to the IIMC Conference.

Mr. Daugherty mentioned his daughter is finishing up MLS Go tonight. He said he feels this has been good for her, and it is nice the City has this program for the kids. He shouted out to Mr. Shane, Mr. Woodcock, and the Parks and Recreation Division. He said several members of Council were able to attend the MVRPC Spring Dinner and mingle with other city officials. He discussed movie night at Wax Park where Zootopia will be shown.

Mayor Murphy expressed her condolences to Mr. Davis and Mr. Wallace. She said she attended the MVRPC Spring Dinner and had a good time. She said it is nice to get out and see what is going on in other cities.

**Executive Session - None**

**Adjournment**

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

The meeting adjourned at 6:22 PM.



Mayor Teri Murphy

# RECORD OF PROCEEDINGS

Minutes of City Council

Held May 14, 2026



ATTEST: Clerk of Council, Karen Powell