

RECORD OF PROCEEDINGS

Minutes of Committee of the Whole

Held August 13, 2026

COW Meeting Call to Order

Meeting called to order at 6:27 PM.

Roll Call

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

Staff Attendance:

City Manager Michael Davis	Law Director Martina Dillon
Deputy Police Chief Jason Neubauer	Fire Chief Traci Kuzminski
Finance Director Annetta Williams	Street Superintendent Chris Dunn
Build. Maint. Superintendent Rocky Bangert	Comm. Dev. Directory Libby Schroeder
City Planner Jakob Denney	City Engineer Lauren Alvarado
Parks and Recreation Director Brent Shane	Public Information Officer Aaron Victor
Build. & Zoning Admin. Brent Carpenter	Clerk of Council Karen Powell

Approval of Minutes

Committee of the Whole Meeting Minutes - July 23, 2026

Ms. Marcus asked if there were any changes or corrections to the July 23, 2026, Committee of the Whole meeting minutes. Hearing none, the minutes were approved as submitted.

Topics of Discussion from the Following

Finance Director

No report.

City Manager

Mr. Davis said the award he received this evening was not so much about him, but was really a reflection of the City, staff, and what Council does every day. He said the award has given Moraine the notoriety of being a community that works well with its businesses and is always here to support them.

Mayor

No report.

Law Director

Law Director Martina Dillon said there is a need for an executive session at the end of the meeting with no business to follow for matters pertaining to the terms and conditions of employment and compensation of public employees. She asked for a motion and second.

Mrs. Allen moved to enter into executive session at the end of the meeting with no business to

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follow; Mr. Daugherty seconded the motion.

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

Clerk of Council

No report.

Business

Discussion - Municipal Building Front Entrance Concrete Repair

Building and Maintenance Supervisor Rocky Bangert and Street Superintendent Chris Dunn provided an update on the repairs needed to the front entrance concrete of the municipal building. Mr. Bangert reported that during the building remodel, a subcontractor who was installing electrical wires for the pedestals bored into the conduit underneath the ground, going through the middle of the drainage for the building. He presented Council with a PowerPoint presentation outlining the current issues, timing concerns, and recommendations. Mr. Bangert noted that if the City waits too long to have the issue repaired, the Tree Lighting will be canceled. He said there are three ADA ramps that are closed and the front of the City Building entrance is torn up. He said it is his belief that this is an emergency situation. He emphasized that Council may handle the situation however they want, and he noted he has provided Council with multiple quotes. He further discussed costs for stamped concrete and rebuilding of the retaining walls which are crumbling. Mr. Bangert indicated that he and City Manager Mike Davis have been in touch with representatives from Greater Dayton Construction, and they are receptive to trying to make this right. He said City of Moraine staff have reached out asking for reimbursement in the amount of \$47,703.00.

Mr. Daugherty asked if any of the cost could be covered by the City's or Greater Dayton Construction's insurance?

Mr. Bangert said what he is asking for is what their damages cost the City to include sidewalk repairs, drainage, man hours, and equipment. He said this is an opportunity to upgrade the front entrance.

Mr. Dunn said some of the reasons they have decided on this are that the tree falls over in the gravel, and with a concrete surface the tree would have a flat surface and children could get closer for pictures. He also noted that the loading zone featured in the pictures is to give delivery drivers a place to pull up on court day and also for Santa to have a place to park during the tree lighting. He also said a lot of the work done in the parking lot was from finding mistakes made years ago regarding improper installations. He said the decision was made to fix the issues instead of covering them up. He said he feels this is a much better look for the City building than the gravel. Mr. Dunn said he feels confident going forward that a lot of issues were fixed that staff will not have to deal with three to five years from now.

Mrs. Whitt said if the subcontractor had done the right thing, we would not be doing any of this. She said the whole liability for the project should be on Greater Dayton Construction.

Mr. Dunn said the purpose for going across the parking lot was to fix things that needed to be fixed. He said Greater Dayton Construction would be okay with putting back the sidewalk and

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throwing gravel in the middle as before. He said he and Mr. Bangert want to make it look better now that it is under construction. He said the City cannot make the contractor pay for any improvements.

Mrs. Whitt said \$50,000.00 does not sound like near enough money for Greater Dayton Construction to pay.

Mr. Davis said the project regarding the conduit across the parking lot had nothing to do with the building project. He said that came from Chris's staff noticing there were buried live wires that had been repaired with electrical tape and then placed back in the ground and not in conduit. He said that work cannot be tied back to the work that was completed by Greater Dayton Construction.

Mr. Bangert explained problems that were found that have probably been there for 30 to 40 years that needed to be repaired.

At Mr. Davis's request, Mr. Dunn described the issues that were found in the retaining wall. He said he understands Mrs. Whitt's feelings after spending all this money on the building.

Mr. Bangert said Greater Dayton Construction is not running from the problem, and the project manager wants to hold the subcontractors accountable. He said that he, Mr. Dunn, and Mr. Davis are all working together to make the situation right. He said if we do not do this as an emergency type deal and the project goes out to bid, we are looking at months before beginning. He said with all the rain, contractors are very behind. He said this will be a spring project if it goes out to bid.

Mr. Davis explained to Ms. Dillon that the information in the packet are quotes that did not go through the bid process. He said Mr. Bangert is inquiring as to if we have the ability to know that the project is not meeting certain ADA responsibilities and there are safety hazards out front, do we have the ability to move forward in an emergency to have the project completed?

Mrs. Dillon said MCO 159.01 provides an exemption for emergency contracts or expenditures. She indicated that if Council agrees that this would be an emergency expenditure, they can authorize the expenditure by a two-thirds vote. She further reported that the City can accept the lowest of the quotes. She confirmed that Council would need to approve a supplemental and a resolution awarding the job.

Council, by voice vote, unanimously voted for stamped concrete.

Mayor Murphy moved to approve the preparation of supplemental appropriation legislation for this project.

Ms. Marcus asked if a 10 percent contingency should be added to the total.

Mr. Bangert explained it should be added, and hopefully it will not need to be spent.

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

Mayor Murphy moved to approve the preparation of legislation authorizing Miami Valley Site Work pursuant to Moraine Codified Ordinance 159.01.

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MOVER: Teri Murphy
AYES: Jeanette Marcus, Mike Daugherty, Teri Murphy, Ora Allen, Dave Miller, Shirley Whitt, Branden Delph
NAYS: None
ABSTAIN: None

Overtime for Finance Dept — Income Tax

Mrs. Williams explained that the Finance Department is asking for authorization for additional overtime primarily due to the non-filer letters and process that has started. She said there has been a large turnout over the counter and with phone calls. She described the upcoming need for overtime and said the department typically does not budget much for overtime. She said a person will be starting in the full-time position soon. Mrs. Williams requested \$4,000.00 in overtime to cover approximately 10 hours per week for 8 weeks. She noted that there is \$5,900.00 in full-time wages for the tax clerk position, and she asked for authorization to reduce the full-time wages and increase the overtime wages by \$4,000.00.

Mrs. Whitt moved to approve the preparation of legislation authorizing the supplemental appropriations for Finance Department overtime wages.

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

Persons Appearing Before Council - None

Staff and Council Reports

Deputy Chief Neubauer thanked Council for the nice comments regarding National Night Out. He said he would be happy to have an information sharing session about Flock cameras and its capabilities.

Mr. Bangert thanked Council for listening to his presentation, and he congratulated Mr. Davis on his award.

Mrs. Schroeder congratulated Mr. Davis.

Mrs. Williams congratulated Mr. Davis and reported that Finance is well underway in the 2027 budget process.

Mrs. Whitt said today on the news they showed that a three year old was rescued within 30 minutes due to Flock cameras.

Mr. Delph reminded residents about the Splash Bash night this Friday from 6:00 pm to 8:00 pm.

Executive Session

A motion to enter into Executive Session for matters pertaining to the terms and

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conditions of employment and compensation of public employees.

Mrs. Allen moved to enter into Executive Session for matters pertaining to the terms and conditions of employment and compensation of public employees with no business to follow. Mayor Murphy seconded the motion.

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

Adjournment

Council returned from Executive Session and adjourned the meeting with no business to follow.

Meeting adjourned at 9:31 PM.



Jeanette Marcus



ATTEST: Clerk of Council, Karen Powell