

RECORD OF PROCEEDINGS

Minutes of City Council

Held December 14, 2023

Regular Meeting Call to Order

Regular Meeting Call 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 Members Present:

City Manager Michael Davis	Law Director Martina Dillon
Police Chief Craig Richardson	Deputy Fire Chief Traci Kuzminski
Finance Director Don Buczek	Street Superintendent Chris Dunn
City Planner Nick Sorice	Public Information Officer Aaron Vietor
Build. Maint. Supervisor Rocky Bangert	Clerk of Council Amy Brown
Parks and Recreation Director Brent Shane	

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular Council Meeting Minutes - November 9, 2023

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

Special Presentations

Joe Braden - Presenting the Auditor of State Award with Distinction for 2022

Joe Braden, Representative from the Ohio Auditor's office, presented the Auditor of State Award with Distinction for 2022 to the City and Mr. Buczek.

Reports from the Following

Finance Committee

No report.

Finance Director

November 2023 Finance Director Report

Mr. Buczek thanked his staff for the award, and noted that without their daily efforts in trying to stay on top of things, mistakes can be made. He added his staff is the key to the City being

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able to obtain this award.

2024 Budget Presentation

Mr. Buczek and Mr. Davis gave a short PowerPoint presentation to Council on the annual budget for the City for 2024. They presented a highlighted overview of departmental and capital budget items. They also reviewed revenue funds and key budget objectives for the coming year.

Committee of the Whole

Ms. Marcus stated the last meeting was on November 9, and added the items from that meeting are on tonight's agenda. She noted there would be another meeting tonight following this Regular meeting.

City Manager

City Manager's Report - December 14, 2023

Mr. Davis noted he had nothing beyond his written report.

Law Director

Ms. Dillon stated she had three requests this evening to add three pieces of legislation to this evening's agenda. She noted the first request was to add Resolution 7992-23 to the agenda which authorizes the City to enter into a public works mutual aid agreement with surrounding cities.

Mrs. Allen made a motion to add Resolution 7992-23 to tonight's agenda.

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

Ms. Dillon commented the second item would be to add Resolution 7993-23, which imposes an immediate moratorium on the issuing and processing of permits allowing retail dispensaries, cultivators or processors of adult use marijuana within the City of Moraine.

Ms. Marcus made a motion to add Resolution 7993-23 to tonight's agenda.

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

Ms. Dillon reported the last item is Resolution 7994-23, which authorizes the City Manager to enter into an agreement with Flock Group for the purchase and installation of license plate detection equipment for use by the police department.

Mrs. Whitt made a motion to add Resolution 7994-23 to tonight's agenda.

RESULT: Passed, *(Yes 7, No 0, Abstained 0)*

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AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus
NAYS: None

Clerk of Council

Clerk of Council Report - December 14, 2023

Mrs. Brown stated that she had nothing beyond her written report.

Mayor

Mayor's Court Report - November 2023

Mayor Murphy reported for the month of November 2023, Mayor’s Court received \$25,403.00. She noted after various expenses and disbursements, a total of \$19,868.00 was deposited into the General Fund.

Guest Speakers - None

Business

Ordinances

An Ordinance to amend Moraine Codified Ordinance Section 509.03 entitled "Disorderly Conduct: Intoxication".

Ms. Marcus noted this Ordinance would modify MCO Section 509.03 which concerns disorderly conduct: intoxication, and also amends the potential charges. She commented this was on for a second and final reading.

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

An Ordinance amending the City Income Tax Code at Chapter 185 of the Moraine Codified Ordinances to adopt revisions mandated by Ohio House Bill 33 and declaring an emergency.

Mrs. Allen commented this Ordinance would modify MCO Chapter 185 concerning the City income tax code in order to adopt revisions made to the Ohio Revised Code through Ohio House Bill 33. She added this was on for an emergency and moved to suspend the rules to allow for the second reading and final adoption at this meeting.

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

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Mrs. Allen made a motion to approve.

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

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. Burchett explained this Ordinance allows for supplemental appropriations for end-of-year budget adjustments in various fund departments. He stated this was on for an emergency and moved to suspend the rules to allow for the second reading and final adoption at this meeting.

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

Mr. Burchett made a motion to approve.

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

An Ordinance to make permanent appropriations for current expenses and other expenditures of the City of Moraine, State of Ohio, for the period January 1, 2024 through December 31, 2024 and declaring an emergency.

Mrs. Whitt reported this Ordinance makes permanent appropriations and establishes the City's expense budget for 2024. She stated the budget and capital program was reviewed by City Council and shows the commitment to providing residents and businesses with a broad range of services and investments in the community.

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

Mrs. Whitt made a motion to approve.

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

Resolutions

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A Resolution accepting the proposal of and authorizing the City Manager to enter into a contract with RDA Group Architects to perform professional architectural and related services for the Municipal Building Renovation Project.

Mr. Miller noted this Resolution approves the proposal of RDA Group Architects for the City building renovation design work. He added this was a budgeted item paid from the Capital Improvement Fund.

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

A Resolution authorizing the City Manager to enter into an agreement with LJB, Inc. to provide professional services for preparation of the project development process for resurfacing and curb replacement for the MOT-Kettering Boulevard Improvements Project (PID No. 116879).

Mr. Daugherty stated this Resolution approves an agreement with LJB, Inc. for design work related to the MOT-Kettering Boulevard Improvement Project. He added the costs for this would be paid from the Capital Improvement Fund.

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

A Resolution declaring the items listed on the attached 2023 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.

Ms. Marcus commented this Resolution declares that these listed items are deemed no longer usable by the City and would be disposed of through auction, donation, or trade-in program.

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

A Resolution approving out-of-county conferences and seminars for Council Members of the City of Moraine to attend during the year 2024.

Mrs. Whitt noted this Resolution allows for out-of-county travel for Council Members for the year 2024. She added this legislation is a requirement per City Charter Section 3.6.

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

A Resolution authorizing the City to enter into a Public Works Mutual Aid Agreement

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with surrounding jurisdictions. (To Be Added By Law Director)

Mr. Burchett explained this Resolution approves a Public Works Mutual Aid Agreement with surrounding jurisdictions to provide for mutual aid, assistance, labor, and equipment in the event of non-emergency and emergency situations.

Mayor Murphy asked what brought this item up.

Mr. Davis stated this was brought up at one of the City Manager roundtable meetings, and noted Mr. Weiskircher with MVCC initiated working with all the jurisdictions to be a part of this mutual aid. He explained it does not commit the City to anything financially, it just commits to the availability of machinery and equipment to help in emergency and non-emergency situations. He reported this agreement would formalize the process versus it being an informal process, and added they all felt it would be better to actually have a formal document.

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

A Resolution imposing an immediate moratorium on the issuing and processing of permits allowing retail dispensaries, cultivators, or processors of adult use marijuana within the City of Moraine, Ohio. (To Be Added By Law Director)

Mrs. Allen stated this Resolution imposes a moratorium concerning permits for cultivators, processors, or retail dispensaries of adult use marijuana within the City. She added this allows the City time to make informed decisions regarding regulations that may be needed.

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

A Resolution authorizing the City Manager to enter into a five-year agreement with Flock Group, Inc. for purchase and installation of license plate detection equipment at a cost not to exceed \$137,500.00 (\$27,500.00 per year). (To Be Added By Law Director)

Mr. Miller explained this Resolution approves a five-year agreement with Flock Group, Inc. for license plate detection equipment for use by the Police Division. He added this would be a budgeted item with a total cost not exceeding \$137,500.00 for a five-year period.

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

Persons Appearing Before Council - None

Any Other Business

Fire Department - No report.

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Police Department - No report.

Building and Maintenance Department - No report.

Street Department - No report.

City Planner - No report.

Mr. Shane thanked everyone for attending the Christmas tree lighting, and added it was a great event. He noted this past weekend was Christmas smiles pickup. He reported it was a challenge this year, but all the staff contributed a lot of hours to making sure the kids had a really good Christmas. He thanked everyone that donated to help the program. He congratulated Mr. Buczek and the Finance Department for the award.

Mr. Davis welcomed Mr. Sorice to the City, and added they have been working on some projects already. He noted they have a scheduled BZA meeting and a Planning Commission meeting, so he came on at the perfect time.

Law Director - No report.

Finance Director - No report.

Clerk of Council - No report.

COUNCIL REPORTS

Mrs. Allen welcomed Mr. Sorice as the new City Planner. She thanked Mr. Shane for the wonderful Christmas decorations, and added she has received a lot of compliments on the decorations. She congratulated Mr. Buczek on the award of distinction.

Ms. Marcus stated she had nothing to add to Mrs. Allen's comments because she thinks she said it all.

Mrs. Whitt thanked Mr. Shane and the Street Department for the Christmas decorations, and added the cookies for the Christmas Tree Lighting event were beautiful. She welcomed Mr. Sorice to the City. She thanked all the departments for the great job they have done all year, and added Council would not look good without everyone making them look that way. She reported she attended the Electripack open house yesterday, and added they are going to be a great asset to the City. She congratulated Mr. Buczek, and wished everyone a Merry Christmas.

Mr. Miller congratulated Mr. Buczek and the whole Finance Department for a great job on receiving the award. He thanked Mr. Buczek and Mr. Davis for their budget presentation, and added it was very informative for everyone. He reported he attended the Electripack ribbon cutting, and thanked them for investing in the City. He acknowledged the solar radar speed sign that was installed on Main Street, and added it was good to see it working there. He commented it was also a nice asset to have a safety crossing at the top of the bridge. He stated the municipal building looks great with all the Christmas lights. He welcomed Mr. Sorice as the new City Planner. He wished staff, Council, and residents a Happy Holidays.

Mr. Daugherty congratulated Mr. Buczek, and added he appreciated the budget presentation from Mr. Buczek and Mr. Davis. He welcomed Mr. Sorice, and added it is a pleasure to have him here. He reported he attended the Christmas Tree Lighting, and thanked Mr. Shane and the Street Department for helping out with the lights. He noted he attended the Electripack open

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house, and added it was exciting to have a new business like that in the City.

Mr. Burchett reported on December 7, he attended the monthly meeting of the MVRPC. He congratulated Mr. Buczek on the award. He thanked all the departments and staff for all the hard work they have done this year. He commented he was glad to have Mr. Sorice here. He wished everyone a Merry Christmas and Happy New Year.

Mayor Murphy thanked Mr. Buczek and his staff for all the hard work they do all year. She welcomed Mr. Sorice to the City. She commented that she was sorry she missed the Christmas Tree Lighting, and added that the lights at the City Building look great. She noted she attended the Electripack open house yesterday, and added they will be a nice new business for the City. She wished the citizens of Moraine and City staff a Merry Christmas and Happy New Year, and added she hoped everyone stays safe during the holidays. She thanked Miami Valley Communications Council for broadcasting this meeting live as well as any future rebroadcasts.

Executive Session - None

Adjournment

Adjournment at 6:42 PM



Mayor Teri Murphy



ATTEST: Clerk of Council Amy Brown