

RECORD OF PROCEEDINGS

Minutes of City Council

Held August 22, 2024

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
Deputy Police Chief Jason Neubauer	Fire Chief Traci Kuzminski
Acting Finance Director Lora Perry	City Engineer Lauren Alvarado
Street Superintendent Chris Dunn	Public Information Officer Aaron Vietor
Parks and Recreation Director Brent Shane	Clerk of Council Amy Brown
Build. Maint. Supervisor Rocky Bangert	

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular City Council Meeting Minutes - August 8, 2024

Mayor Murphy asked if there were any changes or corrections to the August 8, 2024 Regular Council meeting minutes. Hearing none, the minutes were approved as submitted.

Special Presentations - None

Reports from the Following

Finance Committee

No report.

Acting Finance Director

Acting Finance Director Monthly Report - July 2024

Mrs. Perry stated she had nothing beyond her written report.

Committee of the Whole

Ms. Marcus reported the last meeting was on August 8, and added there would be another meeting after this meeting tonight.

City Manager

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City Manager's Report - August 22, 2024

Mr. Davis commented that he had nothing beyond his written report.

Law Director

Ms. Dillon requested to add Ordinance 2167-24 to the agenda this evening, which would make supplemental appropriations for current expenses and other expenditures.

Mrs. Whitt made a motion to add Ordinance 2167-24 to tonight's agenda.

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

Ms. Dillon requested to add Resolution 8069-24 to the agenda, which is a Resolution authorizing the City Manager to engage Squire Patton Boggs LLP for professional legal services related to tax increment financing.

Mrs. Allen made a motion to add Resolution 8069-24 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 requested to add Resolution 8070-20 to the agenda, which authorizes the City Manager to enter into an agreement with the Shared Resource Center for provision of financial consulting.

Ms. Marcus made a motion to add Resolution 8070-24 as outlined by the Law Director.

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

Mayor

Mayor's Court Monthly Report - July 2024

Mayor Murphy wished Ora Allen a Happy Birthday today. She also reported that for the month of July 2024, Mayor's Court received \$21,888.00. She noted after various expenses and disbursements, a total of \$16,581.00 was deposited into the General Fund. She mentioned that Council Members have a document at their seat with a quote for the purchase of candy bars for the Boo Bash event. She noted that there was a suggestion that if they purchased 2,000 candy bars, whatever is left over could be re-wrapped and passed out at the Christmas tree lighting ceremony. She asked Mr. Shane how many were at the Boo Bash event last year.

Mr. Shane replied there were around 1,400 to 1,500 children and adults total.

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Mayor Murphy asked for input from Council Members.

Ms. Marcus stated she would rather have too many candy bars than not enough.

Mrs. Whitt asked if there was any way they could get it cheaper.

Mayor Murphy responded she didn't think so.

Mr. Shane asked if all the City departments would be participating in Boo Bash this year, because he thought that Council wanted representation from all the departments.

Mayor Murphy stated that was up to each department, and added they never told that to anyone.

Mr. Shane noted that they are trying to fill up the space in that room, and added there are a couple of groups from last year that aren't returning this year.

Mayor Murphy replied that it would be up to each department.

Mr. Bangert commented that when he brought his son to the Boo Bash last year, he had a conversation with the Mayor who said it would be nice to see other departments participate, and added that his department would be more than happy to be involved if that's what Council would like.

Mayor Murphy stated that they weren't going to force anyone to be involved, but any department that would like to join and volunteer their time, that would be great. She asked the Council Members what they would like to do about the candy bars.

Mr. Miller reported it would cost about \$1.70 per candy bar, but that would include everything.

Mayor Murphy commented that \$1.70 isn't bad for a candy bar, and added it falls within the budget they have set forth.

Mrs. Brown stated the budgeted amount is \$1,000, but as they have discussed before, there is money in other lines of the Council's budget that was not being used and could be transferred.

Mr. Daughtery agreed with Ms. Marcus, and added it was better to have more than not enough.

Mayor Murphy asked for a voice vote to approve the purchase of 2,000 candy bars for the Boo Bash event.

RESULT: Passed, *(Yes 6, No 1, Abstained 0)*
MOVER: None
AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Jeanette Marcus
NAYS: Shirley Whitt

Guest Speakers - None

Business

Ordinances

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An Ordinance approving amendment of Section 1.1 (Definitions) of the City's Personnel Policy Manual.

Mrs. Whitt reported this Ordinance approves an amendment to the City of Moraine's Personnel Policy Manual regarding the definition of the appointing authority. She noted this item was on for a first reading, and added the second reading and final adoption would be at the September 12 Regular Council meeting.

An Ordinance certifying unpaid charges for grass mowing and weed cutting to the Montgomery County Auditor for collections with real estate taxes in the amount of \$12,850.90.

Mrs. Allen stated this Ordinance certifies unpaid charges for grass mowing and weed cutting on certain properties and forwards them to the Montgomery County Auditor to allow for collections with real estate taxes. She noted this item was on for a first reading, and added the second reading and final adoption would be at the September 12 Regular Council meeting.

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, 2024 to December 31, 2024 and declaring an emergency. (To Be Added By Law Director)

Ms. Marcus noted this Ordinance allows for supplemental appropriations in the General Fund for the provision of financial consulting services. She 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: Jeanette Marcus
AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt, Jeanette Marcus
NAYS: None

Ms. Marcus motioned to approve.

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

Resolutions

A Resolution extending moratorium on the issuing and processing of permits allowing retail dispensaries, cultivators, or processors of adult use marijuana within the City of Moraine, Ohio.

Mr. Burchett explained this Resolution extends the City's moratorium on the issuance and processing of any permits for operators, cultivators, and retail dispensaries of adult use marijuana in the City. He added this would allow for additional time to consider amendments or prepare regulations that may be necessary and would expire twelve months from the date of the enactment of this Resolution on August 22, 2025.

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

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NAYS: None

A Resolution authorizing the purchase of a Medic Cot and Cot Load System from Stryker to be used by the Fire Department in the amount of \$67,549.85.

Mr. Miller stated this Resolution approves the purchase of a medic cot and cot load system for use in the Fire Division's new medic vehicle that would be arriving soon. He added this purchase was from a sole source provider to be used for municipal purposes.

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 transfer of appropriations between Capital Improvement Fund expense accounts in order to provide sufficient appropriations to meet current and future obligations of the City of Moraine for the period January 1, 2024 to December 31, 2024.

Mr. Daugherty explained this Resolution authorizes the transfer of appropriations within the Engineer's Capital Improvement Fund budget line in order to cover expenses related to the Elbee Road Bridge Replacement Project.

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 authorizing the City of Moraine to accept the proposal of and enter into an agreement with Fishbeck, Thompson, Carr & Huber of Ohio, Inc. dba Fishbeck for professional design services for the Elbee Road Bridge Replacement Project.

Mrs. Allen noted this Resolution accepts the proposal and approves the agreement with Fishbeck for design services for the Elbee Road Bridge Replacement Project with costs to be paid from the Capital Improvement Fund.

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 approving the application of Shearer's Food, LLC for a ten (10) year, 75% tax abatement for investment in real property (renovation) in an amount of \$15,575,000 and said investment being made within the City of Moraine's Community Reinvestment Area No. 2.

Ms. Marcus reported this Resolution approves the application from Shearer's Foods for real property tax abatement in order to make improvements and renovations at 4100 Springboro Pike. She added this should generate 250 full-time jobs within the next three years and is subject to terms and conditions set forth in the City's CRA Tax Abatement Program.

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

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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 Squire Patton Boggs (US) LLP for professional legal services related to tax increment financing. (To Be Added By Law Director)

Mr. Burchett stated this Resolution allows for an agreement with Squire Patton Boggs for legal services in relation to tax increment financing, with costs to be paid from the General Fund.

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 authorizing the City Manager to enter into an agreement with the Shared Resouce Center for provision of financial consulting services at a cost not to exceed \$50,000.00. (To Be Added By Law Director)

Mrs. Whitt reported this Resolution approves an agreement with the Shared Resource Center for financial consulting services, with total costs not to exceed \$50,000.00 and paid from the General Fund.

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

Persons Appearing Before Council

Any Other Business

Fire Chief Kuzminski thanked Council for the approval of the purchase of the cot.

Deputy Chief Neubauer wished Mrs. Allen a Happy Birthday.

Mr. Bangert wished Mrs. Allen a Happy Birthday. He noted that there is construction throughout the City as roofs are being replaced right now. He noted the main shop would be completed by the first of next week, and added they would be continuing with the patio area at the Civic Center and the rest of the Rec Center.

Mr. Dunn wished Mrs. Allen a Happy Birthday.

Mr. Shane wished a Happy Birthday to Mrs. Allen. He reported the Master Park Plan Open House would be on Wednesday at the Payne Rec Center from 6:00 PM to 8:00 PM. He encouraged everyone to come out to the Open House, and added that anyone who uses the facilities or parks is welcome to come and give their input. He stated that the information he received from the event would be provided to Council next month. He noted that Doggy Date Night is Saturday night at Wax Park from 6:00 PM to 8:00 PM. He reported that next Friday is the second Movie Night in the Park at Wax Park, and added they would be showing Back to the Future. He explained the walking path from Deer Meadow Park down to the bridge is being resurfaced, and added it looks good so far.

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Mrs. Alvarado wished Mrs. Allen a Happy Birthday. She thanked Council for the approval of the Elbee Bridge item. She reported that the majority of the walking paths throughout the City are being worked on, and added that everyone should see those improvements soon.

City Manager - No report.

Acting Finance Director - No report.

Ms. Dillon wished Mrs. Allen a Happy Birthday.

Mrs. Brown wished Mrs. Allen a Happy Birthday.

COUNCIL REPORTS

Mrs. Allen thanked everyone for their Happy Birthday wishes.

Ms. Marcus - No report.

Mrs. Whitt wished Mrs. Allen a Happy Birthday. She reported she attended the opening day for teachers at the West Carrollton schools along with Mr. Davis, Mrs. Allen, and Mayor Murphy. She noted it was always a pleasure to meet with the teachers and see their excitement, and added they do need to keep the teachers in their prayers. She extended prayers to Maxine Daugherty, and added that she has had a fall. She commented her thoughts are with her, Mr. Daugherty, and her family. She wished everyone a happy and safe Labor Day.

Mr. Miller stated that he hoped Mrs. Allen had a wonderful day today.

Mr. Daugherty wished a Happy Birthday to Mrs. Allen. He thanked the Moraine Parks and Recreation Division for the final Family Fun Night. He noted he had a good time, and added he enjoyed the City BBQ and the bubble truck. He thanked the City Manager and the Street Department for taking care of some broken playground equipment that a resident had reached out about, and noted it was fixed before the end of that day. He commented he has already had residents reaching out about the walking path around Ora Everetts Park, and they are as excited as can be. He noted there are some residents that are Pokemon Go fans, and they have been establishing Pokestops along the walking path.

Mr. Burchett wished a Happy Birthday to Mrs. Allen. He reported he attended the monthly board meeting of the MVCC yesterday.

Mayor Murphy encouraged everyone to stay safe for the upcoming Labor Day holiday, and added kids would be out of school that day. She thanked the Miami Valley Communications Council for broadcasting this meeting live, as well as any future rebroadcasts.

Executive Session

Adjournment

Adjournment at 6:23 PM



Mayor Teri Murphy

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ATTEST: Clerk of Council Amy Brown