

RECORD OF PROCEEDINGS

Minutes of City Council

Held September 12, 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	Absent

Staff Members Present:

City Manager Michael Davis	Law Director Martina Dillon
Police Chief Craig Richardson	Deputy Fire Chief Michael Guadagno
Acting Finance Director Lora Perry	City Engineer Lauren Alvarado
Build. Maint. Superintendent Bobby Engle	Public Information Officer Aaron Vietor
Parks and Recreation Director Brent Shane	Clerk of Council Amy Brown
Street Superintendent Chris Dunn	

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, Mike Daugherty, Dave Miller, Shirley Whitt
NAYS: None

Pledge of Allegiance

Mayor Murphy led the Pledge of Allegiance.

Approval of Minutes

Regular City Council Meeting Minutes - August 22, 2024

Mayor Murphy asked if there were any changes or corrections to the August 22, 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

No report.

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Committee of the Whole

Mr. Miller stated the last meeting was on August 22, and added there would be another meeting after this meeting tonight.

City Manager

City Manager's Report - September 12, 2024

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

Law Director

Ms. Dillon requested to add five pieces of legislation to this evening's agenda. She stated the first piece of legislation was Resolution 8072-24 and would approve a Collective Bargaining Agreement with the Dayton Public Service Union for the Building Maintenance Division.

Mrs. Allen made a motion to add Resolution 8072-24 to tonight's agenda.

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

MOVER: Ora Allen

AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt

NAYS: None

Ms. Dillon stated the next request was to add Resolution 8073-24 to the agenda, which would approve a Collective Bargaining Agreement for the employees of the Streets and Parks Department.

Mrs. Whitt made a motion to add Resolution 8073-24 to tonight's agenda.

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

MOVER: Shirley Whitt

AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt

NAYS: None

Ms. Dillon noted the third request was to add Resolution 8074-24 to the agenda, which was a Resolution authorizing the City Manager to execute change order number one with respect to the 2024 Concrete Pavement Program contract with America's Decorative Concrete LTD.

Mr. Burchett made a motion to add Resolution 8074-24 to tonight's agenda.

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

MOVER: Don Burchett

AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt

NAYS: None

Ms. Dillon stated the next request was to add Resolution 8075-24 to the agenda, which was a Resolution authorizing the City Manager to enter into change order number one with respect to the 2024 Fire House Parking Lot Rehabilitation Project with Fillmore Construction LLC.

Mr. Miller made a motion to add Resolution 8075-24 to tonight's agenda.

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

MOVER: Dave Miller

AYES: Teri Murphy, Donald Burchett, Ora Allen, Mike Daugherty, Dave Miller, Shirley Whitt

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NAYS: None

Ms. Dillon reported the last request was to add Resolution 8076-24 to the agenda, which authorizes the City Manager to submit an application to participate in the OPWC State Capital Improvement and/or Local Transportation Improvement Programs relative to the Kettering Boulevard improvements project.

Mayor Murphy made a motion to add Resolution 8076-24 to tonight's agenda.

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

Clerk of Council

Clerk of Council Monthly Report - August 2024

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

Mayor

No report.

Guest Speakers - None

Business

Ordinances

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

Mrs. Whitt stated that this Ordinance approves an amendment to the City of Moraine's Personnel Policy Manual regarding the definition of the appointing authority. She added this was on for a second and final reading this evening.

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

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 commented that 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 added this item was on for a second and final reading this evening.

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

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

Resolutions

A Resolution authorizing an agreement with the City of Kettering for the holding of prisoners in the Kettering Municipal Jail.

Mr. Miller reported this Resolution approves an agreement between the City of Moraine and the City of Kettering for temporary housing of male prisoners in the Kettering Municipal Jail. He added the expenses would be paid from the General Fund.

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

A Resolution approving a new three (3) year Collective Bargaining Agreement with the Dayton Public Service Union, Ohio Council 8, Local 101 for employees in the Building Maintenance Division for the period September 1, 2024 through August 31, 2027 and authorizing specified wage increases. (To Be Added By Law Director)

Mr. Daugherty explained this Resolution authorizes a new three-year Collective Bargaining Agreement between the City of Moraine and the Moraine Building and Maintenance Department, effective September 1, 2024 through August 31, 2027.

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

A Resolution approving a new three (3) year Collective Bargaining Agreement with the Dayton Public Service Union, Ohio Council 8, Local 101 for employees in the Streets and Parks Department for the period September 1, 2024 through August 28, 2027 and authorizing specified wage increases. (To Be Added By Law Director)

Mrs. Whitt stated this Resolution allows for a new three-year Collective Bargaining Agreement between the City of Moraine and the Moraine Streets and Parks Department, effective September 1, 2024 through August 28, 2027.

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

A Resolution authorizing the City Manager to execute Change Order Number 1 to the 2024 Concrete Pavement Program Contract with America's Decorative Concrete, LTD for additional work at an added cost of \$25,343.50. (To Be Added By Law Director)

Mr. Burchett noted this Resolution approves a change order for additional concrete work in

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connection with the 2024 Concrete Pavement Program related to unexpected concrete depth and a found manhole at an additional cost of \$25,343.50. He added these costs were to be paid from the Capital Improvement Fund.

Mayor Murphy asked for further clarification on this item.

Mrs. Alvarado explained this was regarding the repair of concrete on the north end of Springboro Pike next to Arbor Blvd. She stated they intended to replace that with concrete since the asphalt was not performing as intended, and when they started digging up the road they found a manhole under 4 inches of asphalt. She noted that it needed to be cleaned up along with adding a riser to bring it up to the correct height of the road. She reported that as they were digging through the islands, they anticipated about 10 inches of concrete to get through, and it became 12 inches. She added the islands themselves were expected to be 6 inches sitting on top of the road, but it ended up being 2 feet deep, so the extra excavation costs increased the original amount.

Mr. Davis commented that this change order was still within the allowable budget amount.

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

A Resolution authorizing the City Manager to execute Change Order Number 1 to the 2024 Fire House 30 Parking Lot Rehabilitation Project with Fillmore Construction LLC for additional work at an added cost of \$2,786.40. (To Be Added By Law Director)

Mr. Miller stated this Resolution approves a change order for additional work in connection with the 2024 Fire House 30 Parking Lot Rehabilitation Project at an additional cost of \$2,786.40. He added the costs would be paid from the Capital Improvement Fund.

Mayor Murphy asked for further explanation of this item.

Mrs. Alvarado reported these extra costs happened when they were repaving the asphalt at Fire House 30. She explained there were some areas where the asphalt needed to be put on thicker than the anticipated 2 inches to ensure proper drainage, so there wouldn't be any sitting water.

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

A Resolution authorizing the City Manager to submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) for the MOT - Kettering Blvd. Improvements Project and for the City Manager to execute contracts as required. (To Be Added By Law Director)

Mr. Daugherty reported this Resolution authorizes the submittal of an application for participation in the Ohio Public Works Commission State Capital Improvement and the Local Transportation Improvement Programs in order to potentially receive assistance for the capital infrastructure improvements to Kettering Boulevard.

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

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

Persons Appearing Before Council

Mr. Daniel Sensabaugh, 96 Greenwood Lane, Springboro, appeared before Council with concerns regarding his rental property. He stated he has paid taxes to the City of Moraine for over 50 years, and added he had not had a violation in 18 years, but recently received a bill for \$535 for a violation on one of his properties. He noted he received a letter about storing boards at the curb at the property, which was supposed to be a bulk pickup, but the tenant put the boards out, and he didn't know anything about it. He stated he was not notified by Moraine City officials within the five-day period that he had to fix the violation, and added he would have corrected the issue if he had known. He asked Council to remove the \$535 charge since it was something he had no control over and didn't know about.

Mayor Murphy thanked him for his time, stated they would look into the issue, and have the City Manager follow up with him.

Any Other Business

Fire Department - No report.

Chief Richardson reported they entered one of their police cruisers in a photo contest on lightohio.org. He asked everyone to go to the website and vote for the cruiser in law enforcement category four, which is based on city population size.

Building and Maintenance Department - No report.

Street Department - No report.

Parks and Recreation Department - No report.

City Engineer - No report.

City Manager - No report.

Law Director - No report.

Acting Finance Director - No report.

Clerk of Council - No report.

COUNCIL REPORTS

Mrs. Allen welcomed a new business to Moraine, Cozy Book Nook at 4720 South Dixie Drive. She encouraged everyone to come out tomorrow night for the ribbon cutting at 5:30 PM.

Mrs. Whitt - No report.

Mr. Miller - No report.

Mr. Daugherty stated he attended the Movie Night in the Park, and added he appreciated the Parks and Recreation staff for holding these events for the citizens.

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Mr. Burchett - No report.

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

Executive Session - None

Adjournment

Adjournment at 6:19 PM



Mayor Teri Murphy



ATTEST: Clerk of Council Amy Brown