

BRYAN CITY COUNCIL

MARCH 2, 2020

Council President F. John Betts opened the meeting with the following members present: Jim Kozumplik, Mary Leatherman, Judith Yahraus, and Richard Hupe. Also present were: Mayor Carrie Schlade, City Attorney Rhonda Fisher, Police Chief Christopher Chapa, Street Commissioner Tyson Engstrom, Wastewater Superintendent Wes Wygant, Fire Chief Bruce Siders, Parks and Recreation Director Benjamin Dominique, City Engineer Brian Wieland, Board of Public Affairs members Tom Sprow, Richard Long, Karen Ford, Annette Schreiner, and Jim Salsbury, and Clerk-Treasurer Laura Rode.

Ms. Leatherman moved, Mrs. Yahraus seconded, to approve the minutes from the February 17, 2020, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Clarence Wheeler, owner of Jackie Blu's, shared that he did not believe the Designated Outdoor Refreshment Area (DORA) to be a good fit for Bryan particularly as the county courthouse sits in the middle of it.

Bryan citizen Jane Tucker approached Council expressing her concern as a resident in the historic district which is inside the proposed designated area. She questioned the purpose, who would be held as the responsible party when issues arise, and if more police officers would be hired.

James Fenter representing the Eagles shared that he thought the DORA would increase their ability to raise funds and increase participation. He added that he felt DORA could be good for the community if it were done properly.

Bryan citizen Michael Lirot spoke that a DORA could attract younger people to Bryan and be seen as innovative.

Citizen Mary Grymonprez questioned the size of the proposed DORA district suggesting it just be kept around the courthouse and out of residential areas. She continued that Bryan has some hard drinkers. Citizen Sandy Huffman shared that she was against the DORA and added that Bryan has a reputation of being a quaint, nice town and didn't want to see obnoxious people drinking in the downtown.

Jesse Hageman, a citizen of Bryan, shared that he was in favor of the DORA noting that we are German descendents and "like our beer." Mr. Hageman continued that he would like to let the people decide regarding the dissolution of the Board of Public Affairs.

Ms. Tucker reapproached Council stating that she had recently traveled to Napoleon and questioned people about their DORA district noting that they either hated it, didn't know it existed, or felt it was for certain cliques that like to drink.

Citizen Ken Epling added that Defiance and Napoleon have not seen an increase in criminal activity with the passing of their respective DORAs. He concluded that we will not know the effects of a DORA until we try.

Ordinance No. 8, 2020, titled,

AN ORDINANCE PROVIDING FOR ANNUAL APPROPRIATIONS FOR THE CITY OF BRYAN, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

was presented and read by title only. Clerk-Treasurer Rode detailed the requested appropriations for City Council.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 8, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Hupe seconded, to pass Ordinance No. 8, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Council President Betts asked for a motion to bring Ordinance No. 46, 2019, back to the table.

Mrs. Yahraus moved, Ms. Leatherman seconded, to bring Ordinance No. 46, 2019, back to the table. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 46, 2019, titled,

AN ORDINANCE TO PLACE ON THE BALLOT FOR ELECTORAL CONSIDERATION, AN AMENDMENT TO THE CHARTER OF THE CITY OF BRYAN, TO DISSOLVE THE ELECTED BOARD OF PUBLIC AFFAIRS AND TO BRING THE BRYAN MUNICIPAL UTILITIES UNDER THE DIRECTION AND SUPERVISION OF THE BRYAN MAYOR AND BRYAN CITY COUNCIL.

was presented and read by title only. Council President Betts restated his position that it was imperative to bring the Charter issue pertaining to the dissolution of the Board of Public Affairs before the residents of Bryan.

Councilman Hupe noted that while this issue does need to be looked at, now is not the time. After some confusion regarding the meaning of the motion, a roll call vote was conducted as follows.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to approve the third and final reading of Ordinance No. 46, 2019. Roll call vote: Yahraus; nay. Kozumplik; nay. Hupe; nay. Leatherman; nay. Betts; aye. Motion denied.

Ordinance No. 9, 2020, titled,

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BRYAN EXCAVATING, LLC FOR THE PROJECT KNOWN AS “SOUTH WILLIAMS STREET WATER MAIN REPLACEMENT PROJECT 2020.”

was presented and read by title only. City Engineer Wieland requested that Council approve entering into a contract with Bryan Excavating, LLC for the South Williams Street Water Main Replacement project for a contract amount of \$690,859.80. He continued by reminding that a \$275,000 Ohio Public Works grant would be applied to the project cost and that the project is a joint effort with the Water Department.

Ms. Leatherman moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 9, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 9, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 12, 2020, titled,

A RESOLUTION RATIFYING THE AGREEMENT BETWEEN THE CITY OF BRYAN AND THE LOCAL UNION NO. 245 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS FOR THE BRYAN WASTEWATER TREATMENT PLANT.

was presented and read by title only. Wastewater Superintendent Wygant asked that Council approve to ratify a three (3) year agreement between the City of Bryan and the Local Union No. 245 of the International Brotherhood of Electrical Workers for the Bryan Wastewater Treatment Plant. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 12, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Hupe seconded, to pass Resolution No. 12, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 13, 2020, titled,

A RESOLUTION PROVIDING FOR INTER-FUND CASH ADVANCES

was presented and read by title only. Clerk-Treasurer Rode requested Council approve inter-fund cash advances for the South Williams Street Water Main Replacement project advising that \$275,000 is anticipated to be reimbursed to the City via an Ohio Public Works grant.

Mr. Hupe moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 13, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to pass Resolution No. 13, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 10, 2020, titled,

AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING MARCH 31, 2020

was presented and read by title only. Clerk-Treasurer Rode detailed the requested transfers for City Council.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 10, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Hupe seconded, to pass Ordinance No. 10, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Street Commissioner Engstrom requested permission to repost for a Vehicle Operator Trainee.

Mr. Hupe moved, Ms. Leatherman seconded, to allow for reposting for a Vehicle Operator Trainee. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested permission to give a Civil Service test for the position of Police Officer for the City of Bryan Police Department. Further discussion was held.

Mr. Hupe moved, Mr. Kozumplik seconded, to grant permission to give a Civil Service test for the position of Police Officer for the City of Bryan Police Department. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade requested Council approve designating her as a representative to the Executive Council of Maumee Valley Planning Organization.

Ms. Leatherman moved, Mr. Hupe seconded, to approve of the designation of Mayor Carrie M. Schlade to the Executive Council of Maumee Valley Planning Organization. Roll call vote: all ayes; nays, none. Motion carried.

City Engineer Wieland requested Council's approval on building permit applications for Spangler Candy Company located at 500 West Mulberry Street, Bryan, Ohio, and for Nostrum Laboratories located at 705 East Mulberry Street, Bryan, Ohio. Further discussion was held.

Mr. Hupe moved, Ms. Leatherman seconded, to approve building permit applications for Spangler Candy Company located at 500 West Mulberry Street, Bryan, Ohio, and for Nostrum Laboratories located at 705 East Mulberry Street, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Street Commissioner Engstrom and Wastewater Superintendent Wygant gave annual reports for the Street Department and Wastewater Department, respectively. Discussion was held at various intervals of the presentations.

Council members thanked Street Commissioner Engstrom and Wastewater Superintendent Wygant for their 2019 annual reports. In addition, they congratulated the Bryan High School bowling, swim, and basketball teams on their recent athletic achievements. Council member Yahraus stated that she was glad the Board of Public Affairs Charter issue is finished. In addition, she stated that not everyone will be happy with the outcome of the DORA issue; but, the Council is doing their very best.

Mayor Schlade asked that any Council members wishing to attend the Williams County Economic Development Corporation luncheon on March 1, 2020, to please let her office know. She added that on April 1, 2020, a celebration would be held honoring the 200th year of Williams County.

A brief recess was taken.

Mr. Hupe moved, Mr. Kozumplik seconded, to go into Executive Session to discuss acquisition of property and appointment of personnel at 8:08 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend Executive Session were: Mayor Schlade, City Attorney Fisher, Police Chief Chapa, and Clerk-Treasurer Rode.

Police Chief Chapa exited the Executive Session at 8:44 p.m.

City Engineer Wieland and Parks and Recreation Director Dominique entered the meeting at 8:44 p.m.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to adjourn Executive Session at 8:55 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 14, 2020, titled,

Non-Infrastructure Resolution

was presented and read by title only. City Engineer Wieland explained that the estimated cost of the Safe Route to School Projects is approximately \$422,000. A grant of \$400,000 is anticipated from the State of Ohio Department of Transportation. If the project funding comes through the State, the City of Bryan is responsible for any cost

exceeding the grant amount; however, City Engineer Wieland noted that the project could be scaled back if that were the case. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 14, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 14, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 15, 2020, titled,

Infrastructure Resolution

was presented and read by title only.

Ms. Leatherman moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 15, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Ms. Leatherman seconded, to pass Resolution No. 15, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Ms. Leatherman seconded, to adjourn the meeting. Roll call vote: all ayes; nays, none. Motion carried.

President of Council

Clerk-Treasurer