

## **BRYAN CITY COUNCIL**

**JUNE 15, 2020**

Council President F. John Betts opened the meeting via teleconference with the following members present via teleconference: Jim Kozumplik, Mary Leatherman, Judith Yahraus, and Richard Hupe. Also present in the Council Chambers were: Mayor Carrie Schlade and City Clerk-Treasurer Laura Rode. Other City employees participating via teleconference include: City Attorney Rhonda Fisher, City Engineer Brian Wieland, Police Chief Christopher Chapa, Street Commissioner Tyson Engstrom, Fire Chief Bruce Siders, Wastewater Superintendent Wes Wygant, and Parks and Recreation Director Benjamin Dominique.

Mr. Hupe moved, Ms. Leatherman seconded, to approve the minutes from the June 1, 2020, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to approve the Clerk-Treasurer's report for the month ending May 31, 2020, as submitted by Clerk-Treasurer Rode. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 24, 2020, titled,

### **A RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF A NEW FUND**

was presented and read by title only. Clerk-Treasurer Rode requested Council to establish a new fund entitled Local Coronavirus Relief Fund.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 24, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Hupe seconded, to pass Resolution No. 24, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Bryan citizen Jane Tucker called in as a resident concerned about the Designated Outdoor Refreshment Area (DORA) issue. She voiced concern regarding a potential conflict of interest for Council member Yahraus in voting on the issue. In addition, she stated she felt the community should decide the issue. Further discussion was held between Ms. Tucker and Mrs. Yahraus.

Ordinance No. 23, 2020, titled,

### **AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING JUNE 30, 2020**

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

Mr. Kozumplik moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 23, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 23, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 24, 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. City Clerk-Treasurer Rode detailed the appropriations request for Council.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 24, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Hupe seconded, to pass Ordinance No. 24, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Council President Betts addressed an issue regarding the roof at the Don North Municipal Building to which the Mayor responded that recent storm damage will required some repairs. Further discussion was held.

Resolution No. 25, 2020, titled,

**A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR THE PROJECT KNOWN AS “2020 DON NORTH MUNICIPAL BUILDING ENTRANCE IMPROVEMENTS.”**

was presented and read by title only. City Engineer Wieland requested Council approve going out for bids for the Don North Municipal Building Entrance Improvements.” He added that the project would enhance the safety of employees and customers in light of the Coronavirus allowing for more room to screen for security as well as social distancing. Further discussion was held noting the estimate is approximately \$125,000.

Mr. Hupe moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 25, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Ms. Leatherman seconded, to pass Resolution No. 25, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 26, 2020, titled,

**A RESOLUTION PASSED BY THE CITY OF BRYAN, OHIO  
AFFIRMING THAT FUNDS FROM THE COUNTY CORONAVIRUS  
RELIEF DISTRIBUTION FUND WILL BE EXPENDED ONLY TO  
COVER COSTS OF THE CITY OF BRYAN, OHIO CONSISTENT WITH  
THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS  
DESCRIBED IN 42 U.S.C. 801 {FORMERLY 42 U.S.C. 601(D), AND ANY  
APPLICABLE REGULATIONS AS IS NECESSARY PURSUANT TO H.B.  
481 BEFORE RECEIVING SAID FUNDS AND DECLARING AN  
EMERGENCY.**

was presented and read by title only. Mayor Schlade requested Council's approval of a resolution affirming that funds received from the County coronavirus relief distribution fund would be expended accordingly. She added that changes in the legislation at the State level required a change to our previous resolution on the CARES Act. Further discussion was held.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to suspend the reading of Resolution No. 26, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Ms. Leatherman seconded, to pass Resolution No. 26, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade requested to move Police Chief Chapa from probationary status to regular employment status effective June 17, 2020, noting his accomplishments over the previous six (6) months.

Mr. Kozumplik moved, Mr. Hupe seconded, to move Police Chief Chapa from probationary status to regular employment status effective June 17, 2020, with no change in pay. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade requested Council accept the voluntary separation of Executive Secretary Natasha Baldwin effective June 2, 2020.

Mr. Hupe moved, Mrs. Yahraus seconded, to accept the voluntary separation of Executive Secretary Natasha Baldwin effective June 2, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade then requested permission to post for an Executive Secretary position for the Mayor's office. She requested some flexibility with regard to the position if needed as she had discussed possibly scenarios with the Wage Committee. Further discussion was held.

Mr. Hupe moved, Ms. Leatherman seconded, to allow the posting for an Executive Secretary position for the Mayor's office. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade requested that Council renew the appointment of Amy Welling to the Williams County Combined Health Board representing the City of Bryan for a five (5) year term ending January 2024.

Mr. Kozumplik moved, Ms. Leatherman seconded, to renew the appointment of Amy Welling to the Williams County Combined Health Board representing the City of Bryan for a five (5) year term ending January 2024. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested to promote Patrol Officer Tony Plotts to the position of Police Captain effective June 16, 2020, taking him from a rate of \$27.72 per hour to \$31.30 per hour or a salary of \$65,109 per year.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to promote Patrol Officer Tony Plotts to the position of Police Captain effective June 16, 2020, taking him from a rate of \$27.72 per hour to \$31.30 per hour or a salary of \$65,109 per year. Roll call vote: all ayes; nays, none. Motion carried.

Council President Betts began a discussion regarding who on Council can or cannot vote on the proposed Designated Outdoor Refreshment Area (DORA) due to possible ethical conflicts of interest for Council members Leatherman and Kozumplik who also serve on the Bryan Area Chamber of Commerce Board as well as a potential ethical voting conflict for Council member Yahraus. City Attorney Fisher repeatedly informed the Council members that they need to make their own decisions when it comes to choosing to vote on the issue or not. Further discussion was held with regard to possible consequences should an ethics violation be determined and/or the possibility of a Council vote on the issue being challenged.

Further discussion was held with City Attorney Fisher sharing that only residents within the corporation limits of the City of Bryan would be eligible to vote on this issue on this issue in November should it go on the ballot. Council President Betts continued that he believed the people of the City of Bryan should determine if a Designated Outdoor Refreshment Area (DORA) is appropriate for the City via the ballot suggesting a Monday through Saturday schedule from 12:00 p.m. to 10:00 p.m. along with other potential criteria. He also noted that if this issue were to go on the November ballot, it needed to be submitted to the Board of Elections on or before August 5, 2020.

Further discussion was held noting that the issue may need to wait for a response from the Ohio Ethics Commission.

Council members wished Police Chief Chapa and Police Captain Plotts well in their respective positions.

Mayor Schlade informed Council of recent peaceful protests held in the City. In addition, she updated them on the status of the Revolving Loan Fund with regard to local businesses applying for assistance.

Mr. Kozumplik moved, Mr. Hupe seconded, to adjourn the meeting. Roll call vote: all ayes; nays, none. Motion carried.

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President of Council

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Clerk-Treasurer