

BRYAN CITY COUNCIL

JULY 20, 2020

Council President F. John Betts opened the meeting via teleconference with the following members present in the Bryan City Council Chambers: Judith Yahraus, Mary Leatherman, Richard Hupe, and Jim Kozumplik. Also present in the Council Chambers were: Mayor Carrie Schlade and Deputy Clerk-Treasurer Patricia Buda. Other City employees participating by teleconference include: City Attorney Rhonda Fisher, City Engineer Brian Wieland, Street Commissioner Tyson Engstrom, Police Captain Christopher Chapa, Fire Chief Bruce Siders, Parks and Recreation Director Benjamin Dominique, Wastewater Superintendent Wes Wygant, Bryan Municipal Utilities Operations Manager Dawn Fitzcharles and Local Programming and Production Lead Eric Herman.

Mrs. Yahraus moved, Ms. Leatherman seconded, to approve the minutes from the June 15, 2020, Regular Meeting and the July 1, 2020, Special Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Council President F. John Betts asked about the city's financial status. Deputy Clerk-Treasurer Buda responded that at this time the funds are stable and with the tax filing deadline being extended to July 15, 2020, July month end totals will give a better indication. Mr. Hupe moved, Mr. Kozumplik seconded, to approve the June 30, 2020, Clerk-Treasurer's report as presented by Deputy Clerk-Treasurer Buda. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 26, 2020, titled,

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CENTRAL POLY-BAG CORP. FOR "600,000 CITY OF BRYAN REFUSE BAGS."

was presented and read by title only. Street Commissioner Engstrom explained that there were two (2) bidders for the annual purchase of refuse bags with the low bidder being Central Poly-Bag at \$52,680.00.

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

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 26, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 27, 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. Mayor Schlade detailed the appropriation request for Council which was for CARES Act funds.

Mr. Hupe moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 27, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 27, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 29, 2020, titled,

A RESOLUTION TO ACCEPT A DONATION ON BEHALF OF THE BRYAN FIRE DEPARTMENT FROM NORTHWEST RECYCLING INC. IN THE AMOUNT OF \$1000.00 TO THANK THE FIRE DEPARTMENT FOR MUTUAL AID.

Fire Chief Siders explained that on July 7, 2020, the Bryan Fire Department assisted the Montpelier Fire Department with a fire at Northwest Recycling.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 29, 2020, on three separate days. Roll call vote: all ayes; nays, none.

Ms. Leatherman moved, Mr. Hupe seconded, to pass Resolution No. 29, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Wastewater Superintendent Wygant presented Council with an employment status change request for Jason Manon to be reclassified to a Class 2 Operator as he has completed his three (3) year apprenticeship and passed the State of Ohio Class 2 certification exam.

Mr. Kozumplik moved, Mr. Hupe seconded, to reclassify Jason Manon from Class 1 Operator to Class 2 Operator at a rate of \$21.16 effective August 8, 2020 as he has completed and passed the requirements for class 2 operator status. Roll call vote: all ayes; nays, none. Motion carried.

Fire Chief Siders informed Council, with great reservations, that Fire Lieutenant Tyson Engstrom has submitted a letter of retirement from the Bryan Fire Department effective July 31, 2020 and thanked him for his years of service.

Mr. Hupe moved, Ms. Leatherman seconded, to approve with much regret the retirement of Fire Lieutenant Engstrom effective July 31, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 30, 2020, titled,

AN ORDINANCE TO PLACE ON THE BALLOT FOR ELECTORAL CONSIDERATION, THE QUESTION, WHETHER TO ALLOW MAYOR CARRIE SCHLADE TO APPLY FOR A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA), PURSANT TO OHIO REVISED CODE 4301.82, WITHIN THE PROPOSED MAP AREA OF DOWNTOWN BRYAN, ATTACHED HERETO AND INCORPORATED HEREIN, AND DECLARING AN EMERGENCY.

was presented and read by title only. Council President Betts led a discussion on the ballot issue with City Attorney Fisher explaining the process and stating that the ballot language would be decided on by the Mayor and Council. She emphasized that, if passed, the language is important as it cannot be changed until another ballot issue is placed before the citizens. Discussion was held if the citizens should vote on this issue or if Council should make the decision for them. Council member Hupe cited past practices of Council on deciding public issues as he felt that this is the Council's responsibility and is why they were elected. Council members Yahraus and Leatherman concurred. Council President Betts felt that he was elected to represent but not vote for the people of Bryan depending on the issue. City Attorney Fisher clarified that either way the application has to be approved by the Ohio Department of Public Safety and requires a public hearing. Further discussion was held.

Mrs. Yahraus moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 30, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 30, 2020. Roll call vote: Hupe, nay; Yahraus, nay; Kozumplik, nay; Leatherman, nay; Betts, aye. Motion failed.

Council President Betts commented again that he felt that the issue should be on the ballot as many people wanted to weigh in on the subject.

Next, Mayor Schlade presented a draft of the Designated Outdoor Refreshment Area (DORA) ordinance. She thanked the Tiffin Mayor for information and help received as Tiffin passed a temporary plan which could also work for Bryan. The modified Bryan draft document includes ordinance language and exhibits that covers a downtown district map, signs, hours of operation, safety and sanitation plans which need to be reviewed and discussed by Council.

Chamber Director Dan Yahraus then asked to speak to Council. He explained that a DORA district, per Ohio Revised Code, can be suspended at any time and wanted them to be aware of that option.

Mayor Schlade then reinforced that the plan could be set up with a temporary timeframe tentatively through December 31, 2021. Various comments were made which included adding additional businesses, not including residential homes, staying away from the Police and Fire building frontage and language for practicing social distancing. The Mayor then reviewed the attached exhibits and answered Council various questions including the makeup of the DORA review committee with input from Chamber Director Yahraus. Further discussion was held. Mayor Schlade will bring back an updated plan to the next meeting.

Council President Betts reiterated that the new amphitheater that is being developed is all being funded by donated dollars. Mayor Schlade also explained that the city pools are closed based on the current Ohio COVID guidelines which were very different from the baseball and softball guidelines.

Bryan Municipal Utilities Operation Manager Fitzcharles presented a public service slide in regard to moving ahead with utility service disconnections starting with bills rendered after June 20, 2020 non pays. She noted that there are various service organizations that can help with utility bills and also that additional funds are available through the Bryan Good Neighbor Fund.

Council members congratulated Jason Manon on being reclassified to a Class 2 Operator and Tyson Engstrom on his retirement from the Fire Department and thanked Northwest Recycling for their generous donation to the Fire Department.

Mayor Schlade thanked Fire Lieutenant Engstrom for his 22 years of service and Class 2 Operator Manon on his reclassification. She also thanked Northwest Recycling on their donation and encouraged citizens to comment on the DORA district by contacting her and/or Council which they can now do through the new City of Bryan website. Mayor Schlade updated citizens on the current COVID numbers and asked them to continue to practice safe distancing measures.

Council President Betts recognized the life of Representative John Lewis who recently passed away.

A brief recess was taken.

Mr. Kozumplik moved, Mr. Hupe seconded, to go into Executive Session for promotion, appointment, compensation of a public employee, acquisition of property, and pending/imminent litigation at 6:56 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend the Executive Session were: Mayor Schlade, City Attorney Fisher, and Deputy Clerk-Treasurer Buda.

Mr. Hupe moved, Ms. Leatherman seconded, to adjourn the Executive Session at 7:43 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

President of Council

Deputy Clerk-Treasurer