

## **BRYAN CITY COUNCIL**

**AUGUST 17, 2020**

Council President F. John Betts opened the meeting via teleconference with the following members present in the Bryan City Council Chambers: 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, Assistant Fire Chief Doug Pool, Parks and Recreation Director Benjamin Dominique, and Local Programming and Production Lead Eric Herman.

A public hearing was held regarding the Designated Outdoor Refreshment Area (DORA) for the City of Bryan downtown. Mayor Schlade read a letter submitted by Bryan citizen Mr. Bill Metz in support of the Designated Outdoor Refreshment Area (DORA) and commending Council for moving forward. He also suggested plexiglass be utilized to allow Council to meet in person during the COVID-19 pandemic. Also, Bryan citizen Mr. Dan Fenter appeared expressing his appreciation with moving ahead with the Designated Outdoor Refreshment Area (DORA) as well as including the Eagles in the map. He continued that by doing so the Eagles could host additional events/functions.

Mrs. Yahraus moved, Ms. Leatherman seconded, to approve the minutes from the August 3, 2020, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

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

Ordinance No. 30, 2020, titled,

### **AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) FOR DOWNTOWN BRYAN, ENACTING REGULATIONS FOR THE DORA.**

was presented and read by title only. Mayor Schlade reviewed legislation with Council regarding the regulations for the Designated Outdoor Refreshment Area (DORA) including the map as well as the effective dates of January 1, 2021, through December 31, 2021 and hours of 12:00 p.m. through 11:00 p.m. She added that a safety plan was included and that special events could require additional crowd control personnel. The current trash schedule will be in effect. Further discussion was held regarding the Courthouse to which Mayor Schlade reminded that no alcohol is to be permitted on the Courthouse premises per previous legislation. In addition, she updated Council that while Myros would be temporarily closing due to COVID-19 affecting their buffet

business, they were fine with not being in the Designated Outdoor Refreshment Area (DORA) map due to their location and limited alcohol sales.

Council President Betts clearly stated that while he is in support of the timing and area of the temporary Designated Outdoor Refreshment Area (DORA), he feels a variety of metrics should be utilized to assess the value of it. There was discussion on possible metrics and the best way to measure the value of them including public input and the Designated Outdoor Refreshment Area (DORA) advisory committee.

Mr. Kevin McDougle, a Bryan citizen, then entered to thank Council for including the Eagles and starting the Designated Outdoor Refreshment Area (DORA) in January 2021.

Council President Betts referred to other municipalities with regard to metrics used to evaluate a Designated Outdoor Refreshment Area (DORA) and expressed his desire to evaluate such metrics by early November 2021. Further discussion was held with regard to possible standards to evaluate.

Mrs. Yahraus moved, Mr. Hupe seconded, to approve the first reading of Ordinance No. 30, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 31, 2020, titled,

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MCDONALDS' DESIGN & BUILD, INC. FOR THE PROJECT KNOWN AS "DON NORTH MUNICIPAL BUILDING NORTH VESTIBULE ADDITION."**

was presented and read by title only. City Engineer Wieland requested Council approve the Mayor to enter into a contract with McDonalds' Design & Build, Inc. for the Don North Municipal Building North Vestibule Addition per the request of Judge North. The total amount of the contract including alternate one (1) is \$181,447 with an estimated completion date for the end of October. Further discussion was held with City Engineer Wieland and the Mayor noting that the addition is to improve the safety features of the building allowing for separation of persons using the facility for court, utilities, taxes, probation, and other municipal functions in light of the COVID-19 pandemic.

Ms. Leatherman moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 31, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to pass Ordinance No. 31, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 32, 2020, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 AND FINAL FOR THE PROJECT KNOWN AS “SOUTH WILLIAMS STREET WATER MAIN REPLACEMENT PROJECT 2020.”**

was presented and read by title only. City Engineer Wieland requested Council approve change order number one (1) and final for the South Williams Street water main replacement project. If approved, the City’s portion of the project will increase by \$1,065. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 32, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Hupe seconded, to pass Ordinance No. 32, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 33, 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.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 33, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 33, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 34, 2020, titled,

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

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

Mrs. Yahraus moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 34, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Ordinance No. 34, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 31, 2020, titled,

**A RESOLUTION TO SET THE EMPLOYEE ANNUAL PREMIUM RATE FOR HEALTH INSURANCE FOR THE PERIOD SEPTEMBER 1, 2020 THROUGH AUGUST 31, 2021, AND DECLARING AN EMERGENCY.**

was presented and read by title only. Mayor Schlade requested Council approve the health insurance premium rates for the period September 1, 2020, through August 31, 2021.

Mr. Kozumplik moved, Mr. Hupe seconded, to suspend the reading of Resolution No. 31, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 31, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 32, 2020, titled,

**A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

was presented and read by title only. City Engineer Wieland addressed Council requesting the Mayor to submit an application to participate in the Ohio Public Works Commission state capital improvement and/or local transportation improvement program(s). He continued that the City is planning to apply for several capital improvement projects including the western Bryan sanitary sewer replacement, resurfacing, restoring, rehabbing and reconstructing Brunicardi Way, and replacing the South Lynn Street water main. Further discussion was held.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 32, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 32, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 33, 2020, titled,

**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF BRYAN, WILLIAMS COUNTY, OHIO TO APPLY FOR THE FOLLOWING GRANTS: OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM FOR FISCAL YEAR 2021.”**

was presented and read by title only. Police Chief Chapa requested Council's approval to apply for the Ohio Law Enforcement Body Armor Program grant for 2021. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 33, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Resolution No. 33, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested Council move Dispatcher Danielle Nicholson from probationary status to regular employment status effective September 1, 2020, taking her from a rate of \$15.00 per hour to \$15.45 per hour.

Mr. Hupe moved, Mr. Kozumplik seconded, to move Dispatcher Danielle Nicholson from probationary status to regular employment status effective September 1, 2020, taking her from a rate of \$15.00 per hour to \$15.45 per hour. Roll call vote: all ayes; nays, none. Motion carried.

Assistant Fire Chief Pool requested Council approve the resignation of Brett Miller from the City of Bryan Volunteer Firefighter roster.

Mrs. Yahraus moved, Ms. Leatherman seconded, to accept with regret the resignation of Brett Miller from the Volunteer Firefighter program. Roll call vote: all ayes; nays, none. Motion carried.

Council President Betts inquired as to the steps it would take to return to firefighter status should one wish to do so to which Assistant Fire Chief Pool replied that if the person kept their card current, it would be a fairly quick process.

City Engineer Wieland requested Council's approval on building permit applications for the Ohio Gas Company located at 715 East Wilson Street, Bryan, Ohio, and the Bryan Area Foundation located at 1313 Horton Trail, Bryan, Ohio.

Ms. Leatherman moved, Mr. Hupe seconded, to approve building permit applications for the Ohio Gas Company located at 715 East Wilson Street, Bryan, Ohio, and the Bryan Area Foundation located at 1313 Horton Trail, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Jeff Sheldon of Bryan called in with several questions for Council about the Designated Outdoor Refreshment Area (DORA) including why the public is not voting on the issue, how is it helping the local economy, and why the hours begin at 12:00 p.m. Council implied that the one (1) year measure is a time to access the value of having a Designated Outdoor Refreshment Area (DORA). In addition, it was shared that the noon start time was to allow customers wishing to have an adult beverage with their lunch

physically outside an establishment the option to be able to do so while helping assist local business owners. Further discussion was held.

Mayor Schlade and Council members wished all those involved in returning children to school this fall well. Councilman Kozumplik also reminded the public of the upcoming fireworks this weekend.

Mayor Schlade reminded Council of the Council Meeting scheduled for September 8, 2020, at 5:30 p.m. due to the Labor Day holiday.

Council President Betts stated he would continue to gather more information from other municipalities regarding the Designated Outdoor Refreshment Area (DORA) noting that a strong recommendation is to provide good public relations if implementing one.

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