

BRYAN CITY COUNCIL

OCTOBER 6, 2020

Council President F. John Betts opened the meeting at 5:30 p.m. 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, City Attorney Fisher, and City Clerk-Treasurer Laura Rode. Other City employees participating via teleconference include: Director of Utilities Nathan Gardner, Operations Manager Dawn Fitzcharles, Human Resource Director Jacqueline Schlachter, and Board of Public Affairs members Richard Long, Jim Salisbury, Tom Sprow, Karen Ford, and Annette Schreiner.

Mrs. Yahraus moved, Ms. Leatherman seconded, to go into Executive Session to discuss the compensation of public employees at 5:32 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend the Executive Session were: Mayor Carrie Schlade, City Attorney Rhonda Fisher, Director of Utilities Nathan Gardner, Operations Manager Dawn Fitzcharles, Human Resource Director Jacqueline Schlachter, Board of Public Affairs members Richard Long, Jim Salisbury, Tom Sprow, Karen Ford, and Annette Schreiner, and City Clerk-Treasurer Laura Rode.

Mr. Kozumplik moved, Ms. Leatherman seconded, to adjourn the Executive Session at 5:53 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Director of Utilities Gardner, Operations Manager Fitzcharles, Human Resource Director Schlachter, and Board of Public Affairs members Richard Long, Jim Salisbury, Tom Sprow, Karen Ford, and Annette Schreiner exited the meeting at 5:53 p.m.

As the Regular portion of the meeting resumed, the following City employees joined the meeting via teleconference: Police Chief Christopher Chapa, Fire Chief Bruce Siders, Street Commissioner Tyson Engstrom, Planning and Zoning Administrator Andy Waterston, Parks and Recreation Director Benjamin Dominique, Local Programming and Production Lead Eric Herman, and Videographer Kristopher Bryce.

Ms. Leatherman moved, Mr. Kozumplik seconded, to approve the minutes from the September 21 2020, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 40, 2020, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE
CHANGE ORDER #1 AND FINAL FOR THE PROJECT KNOWN AS
“2020 STREET IMPROVEMENTS FOR BRYAN NORTH INDUSTRIAL**

**PARK CONNECTING BEMENT STREET AND PAIGE STREET,
BRYAN, OHIO.”**

was presented and read by title only. Planning and Zoning Administrator Waterston requested Council approve change order number one (1) and final for Bryan North Industrial Park project connecting Bement Street and Paige Street. The change order is a decrease of \$2,143.72. Further discussion was held.

Mr. Hupe moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 40, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Hupe seconded, to pass Ordinance No. 40, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 41, 2020, titled,

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

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

Mr. Kozumplik moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 41, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Hupe seconded, to pass Ordinance No. 41, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 42, 2020, titled,

**AN ORDINANCE APPROVING THE CONDITIONAL USE IN A C-1
ZONING DISTRICT FOR A DRIVE-THRU FACILITY.**

was presented and read by title only. Planning and Zoning Administrator Waterston requested the conditional use for a drive-thru facility to be located at 1022 Center Street which is in a C-1 Zoning District. He further noted that the Planning Commission had approved to recommend the conditional use at their September 21, 2020, meeting. Further discussion was held with Council President Betts commenting that he would abstain from this vote due to a conflict of interest resulting from a land sale involving the aforementioned property and the David Betts Double Play Diamond facility.

Mr. Hupe moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 42, 2020, on three separate days. Roll call vote: Hupe, aye; Leatherman, aye; Kozumplik, aye; Yahraus, aye; Betts, abstain. Motion carried.

Mrs. Yahraus moved, Ms. Leatherman seconded, to pass Ordinance No. 42, 2020. Roll call vote: Yahraus, aye; Leatherman, aye; Hupe, aye; Kozumplik, aye; Betts, abstain. Motion carried.

Ordinance No. 43, 2020, titled,

AN ORDINANCE APPROVING THE CONDITIONAL USE IN A C-3 ZONING DISTRICT FOR A DRIVE-THRU FACILITY.

was presented and read by title only. Planning and Zoning Administrator Waterston requested the conditional use for a drive-thru facility to be located at 402 South Main Street which is in a C-3 Zoning District. He further noted that the Planning Commission had approved to recommend the conditional use at their September 21, 2020, meeting. Further discussion was held.

Mr. Kozumplik moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 43, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 43, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 44, 2020, titled,

AN ORDINANCE TO VACATE THE 30-FOOT HOLLY STREET RIGHT-OF-WAY BETWEEN EAST SOUTH STREET AND THE SOUTH BOUNDARY OF PAUL STREET

was presented and read by title only. Planning and Zoning Administrator Waterston requested the vacation of the 30-foot Holly Street right-of-way between East South Street and the south boundary of Paul Street. A map was included with the request. He further noted that the Planning Commission had approved to recommend the vacation at their September 21, 2020, meeting. Further discussion was held regarding the location of utilities along Paul Street.

Mrs. Yahraus moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 44, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Ms. Leatherman seconded, to pass Ordinance No. 44, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 45, 2020, titled,

AN ORDINANCE PROVIDING FOR THE 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 requested for Council. Further discussion was held with particular focus on the CARES Act funds being utilized via Local Corona Virus Relief fund. Mayor Schlade confirmed the efforts being made to ensure the funds were spent appropriately. She further noted that guidance on the CARES Act funds is still evolving and that City employees were doing their best to ensure appropriate spending of the funds under the timeline constraints invoked. It was further noted that the CARES Act items were primarily focused on our emergency responders dedicated to mitigating and/or responding to the public during the health crisis and their services, equipment, and tools necessary for public health and safety. Mayor Schlade reiterated the numerous communications the Fire Chief and Police Chief were responsible for as the County's representatives for the emergency operations center. Mayor Schlade also noted that the \$150,000 appropriation for the amphitheater is going to be passed along to the Bryan Area Foundation Project 2020 group as soon as the grant money is received.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 45, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 45, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 34, 2020, titled,

**A RESOLUTION PASSED BY THE CITY OF BRYAN, OHO
RECOMMENDING THAT FUNDS FROM THE COUNTY
CORONAVIRUS RELIEF DISTRIBUTION FUND WILL BE UTILIZED
TO COVER COSTS FOR EMPLOYEE SALARIES AND BENEFITS OF
THE BRYAN POLICE DEPARTMENT, POLICE DISPATCH AND FIRE
DEPARTMENT, AS EMPLOYEES SUBSTANTIALLY DEDICATED TO
THE COVID-19 PUBLIC HEALTH CRISIS, DURING THE PERIOD
BETWEEN MARCH 1, 2020 AND DECEMBER 30, 2020, AND
DECLARING AN EMERGENCY.**

was presented and read by title only. Mayor Schalde reminded Council that the first and second rounds of Local Corona Virus Relief Funds have been distributed by the County. In an effort to comply with the requirements on spending, it was recommended to pass a resolution to make it possible to utilize salaries and/or benefits for the Police Department, Dispatchers, and Fire Department when distributing the funds and noting them as substantially dedicated to the COVID-19 public health crisis. Clerk-Treasurer Rode detailed for Council the items which were purchased via the Local Corona Virus Relief fund including: two (2) Covid cruisers, an emergency response vehicle, UV sanitizing machines, and temperature machine. The remaining amount in the fund will likely be utilized for substantially dedicated personnel if approved.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 34, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 34, 2020. Roll call vote: all ayes; nays, none. Motion carried.
Resolution No. 35, 2020, titled,

A RESOLUTION TO ACCEPT A DONATION OF THE FOUNTAIN CITY AMPHITHEATER FROM THE BRYAN AREA FOUNDATION PROJECT 2020 CLUB TO THE CITY OF BRYAN.

was presented and read by title only. Mayor Schalde requested Council accept the generous donation of the Fountain City Amphitheater from the Bryan Area Foundation Project 2020 Club to the City. She continued by reminding Council of the October 14, 2020, dedication date.

Ms. Leatherman moved, Mr. Hupe seconded, to suspend the reading of Resolution No. 35, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to pass Resolution No. 35, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 36, 2020, titled,

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT A GRANT OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE OHIO FACILITIES CONSTRUCTION COMMISSION FOR THE FOUNTAIN CITY AMPHITHEATER.

was presented and read by title only. Mayor Schalde requested authorization to accept a grant of \$150,000 from the Ohio Facilities Construction Commission for the Fountain City Amphitheater. She continued that the funds would then be forwarded to the Bryan Area Foundation. The facility must not have a change in cultural use for 10 years, or the City may need to repay the grant.

Mr. Hupe moved, Mrs. Yahraus seconded, to suspend the reading of Resolution No. 36, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Resolution No. 36, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade requested Council appoint Douglas Johnson to fill the unexpired six (6) year term on the Bryan Planning and Zoning Commission of Marvin Merillat ending December 31, 2025. She further requested Council appoint Tommy Morr to fill the unexpired six (6) year term on the Bryan Planning and Zoning Commission of Niki

Warncke ending December 31, 2023. Mayor Schlade noted that there are plans to update the Planning and Zoning Code in the near future.

Mrs. Yahraus moved, Ms. Leatherman seconded, to appoint Douglas Johnson and Tommy Morr to the Bryan Planning and Zoning Commission to fill unexpired six (6) year terms ending December 31, 2025, and December 31, 2023, respectively. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested a contractual rate increase for Patrol Officer Mason Zuck effective October 6, 2020.

Mr. Kozumplik moved, Mr. Hupe seconded, to approve a contractual rate increase for Patrol Officer Mason Zuck taking him from a pay rate of \$22.56 per hour to a pay rate of \$23.76 per hour effective October 6, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Fire Chief Siders requested that Firefighter Devin L. Johnson be moved from probationary status to regular employment status effective October 8, 2020.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to move Firefighter Devin L. Johnson from probationary status to regular employment status taking him from a pay rate of \$12.89 to a pay rate of \$13.28 effective October 8, 2020.

Parks and Recreation Department Director Dominique informed Council of the drive-thru plans for Halloween in Recreation Park on October 31, 2020, from 1:00 p.m. to 2:00 p.m. It was noted that Trick or Treat would follow in the evening. Appreciation was given to the Parks and Recreation team for their creativeness given the current health situation.

Councilman Kozumplik reminded Council of the movie night on Saturday, October 10, 2020, sponsored by Bryan Municipal Utilities with a free will donation for the Good Neighbors Fund.

Mayor Schlade reminded small businesses of the CARES Act grant funds available through Williams County. She also shared with Council that the Designated Outdoor Refreshment Area (DORA) was approved for the City.

Council members expressed gratitude to the Bryan Area Foundation for the donation of the amphitheater.

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

President of Council

Clerk-Treasurer