

## **BRYAN CITY COUNCIL**

**NOVEMBER 1, 2021**

Council President Mary Leatherman opened the meeting with the following members present: Judith Yahraus, F. John Betts, Richard Hupe, and Jim Kozumplik. Also attending were: Mayor Carrie Schlade, City Attorney Rhonda Fisher, City Engineer Brian Wieland, Wastewater Superintendent Wes Wygant, Police Captain Greg Ruskey, Parks and Recreation Director Benjamin Dominique, Assistant Fire Chief Doug Pool, and City Clerk-Treasurer Laura I. Rode.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to approve the minutes from the October 18, 2021, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 46, 2021, titled,

### **AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING NOVEMBER 30, 2021**

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

Mr. Kozumplik moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 46, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 46, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 47, 2021, titled,

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

was presented and read by title only. Mayor Schlade reviewed with Council that the proposed ordinance, if approved, would replace the temporary ordinance implementing the Designated Outdoor Refreshment Area (DORA) for the City of Bryan. She added that it has no changes with regard to the coverage area or hours of operation. She continued that she had just received a letter from the Williams County Commissioners asking for a change in the hours of operation. Further discussion was held noting that there had been no issues to date with the Designated Outdoor Refreshment Area (DORA); however, it would be courteous to hear the concerns of the County

Commissioners. City Attorney Fisher advised that Council could proceed with the first reading of the ordinance and amend it later if required. Further discussion was held.

Mr. Hupe moved, Mrs. Yahraus seconded, to approve the first reading of Ordinance No. 47, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 48, 2021, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 & FINAL FOR THE PROJECT KNOWN AS “2021 PAVEMENT MARKING PROGRAM.”**

was presented and read by title only. City Engineer Wieland requested Council approve change order number one (1) and final for the 2021 Pavement Marking Program. The change order results in a decrease of \$11,721.70 for various items.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 48, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Hupe seconded, to pass Ordinance No. 48, 2021. Roll call vote: all ayes; nays, none. Motion carried.

City Engineer Wieland requested Council’s approval for a building permit application for Steve Mohre, leased by Starkweather Family LLC, DBA Biggby Coffee, located at 1001 South Main Street, Bryan, Ohio.

Mr. Kozumplik approved, Mr. Betts seconded, to approve a building permit application for Steve Mohre, leased by Starkweather Family LLC, DBA Biggby Coffee, located at 1001 South Main Street, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Council member Yahraus voiced a concern from a resident with regard to the location of the business as that intersection is already congested. Mayor Schlade also had spoken to the resident. City Engineer Wieland said that he recognized the concern; however, he feels people will get used to the change in traffic patterns entering and exiting the business in a short period of time.

Mayor Schlade requested Council’s permission to post for the Fire Chief position.

Mr. Betts moved, Mr. Kozumplik seconded, to grant permission to post for the Fire Chief position. Roll call vote: all ayes; nays, none. Motion carried.

City Engineer Wieland shared with Council that a \$2,100,000 grant has been received for sanitary sewer improvements in the western part of the City. The project should launch in 2022. He received congratulations from Council for securing the grant.

Further discussion was held noting the intent is to replace approximately 8,000 feet of old sewer lines.

Council members encouraged citizens to vote in tomorrow's election. Appreciation was also expressed for the Parks and Recreation Halloween event last Saturday. In addition, the public was reminded of the 6:30 a.m. decorating of the downtown square on Sunday, November 7, 2021.

A brief recess was taken. The Council then moved into the Mayor's conference room for an Executive Session.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to go into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee at 5:58 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend were: Mayor Schlade, City Attorney Fisher, and Clerk-Treasurer Rode.

Mr. Betts moved, Mr. Kozumplik seconded, to adjourn the Executive Session at 6:15 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Council members then returned to the Council Chambers for open session.

Mayor Schlade addressed Council by reviewing that while no charges would be filed against Police Chief Chapa via the Wood County investigators and that an internal investigation in the Police Department ensured it was not a hostile work environment as legally defined, Police Chief Chapa did not behave in a manner appropriate for management. As a result, she recommended to Council transferring Chief of Police Chapa to the position of Patrol Officer effective November 8, 2021, taking him from an annual salary of \$73,374 to a pay rate of \$28.41 per hour. If approved, Chief Chapa would not be eligible to join the union until November 8, 2022, and he would serve a 12-month probationary period. In addition, he would not be eligible to apply for any positions with the Police Department in a supervisory capacity.

Mr. Betts moved, Mr. Hupe seconded, to transfer Police Chief Chapa to the position of Patrol Officer effective November 8, 2021, taking him from an annual salary of \$73,374 to a pay rate of \$28.41 per hour with the understanding that he would be on a 12-month probationary period and not be eligible to join the union until November 8, 2022, and that he would not be eligible to apply for any positions within the Police Department in a supervisory capacity. Roll call vote: all ayes; nays, none. Motion carried.

Then, Mayor Schlade requested Council move Captain Ruskey to the position of Interim Chief of Police effective November 1, 2021, with no change in pay.

Mr. Hupe moved, Mrs. Yahraus seconded, to move Captain Ruskey to the position of Interim Chief of Police effective November 1, 2021, with no change in pay. Roll call vote: all ayes; nays, none. Motion carried.

Council took another brief recess with a second Executive Session to follow.

Mr. Kozumplik moved, Mr. Hupe seconded, to go into Executive Session to consider the acquisition of property at 6:23 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend were: City Attorney Fisher, City Engineer Wieland, and Clerk-Treasurer Rode.

Mr. Hupe moved, Mr. Kozumplik seconded, to adjourn the Executive Session at 6:48 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Betts 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