

BRYAN CITY COUNCIL

NOVEMBER 18, 2019

Council President Lynn Wieland opened the meeting with the following members present: Judith Yahraus, Mary Leatherman, F. John Betts, and Richard Hupe. Also present were: Mayor Carrie Schlade, City Attorney Rhonda Fisher, Assistant Parks and Recreation Director Bruce Wheeler, Fire Chief Bruce Siders, Interim Police Chief Christopher Chapa, Planning and Zoning Administrator Andy Waterston, Board of Public Affairs members Jim Salsbury, Richard Long, and Tom Sprow, AJ Geren Power Plant Operator IV, John Caperton Water Distribution Supervisor, Council member-elect Jim Kozumplik, Board of Public Affairs member-elect Annette Schreiner, and Clerk-Treasurer Laura Rode.

Mrs. Yahraus moved, Mr. Betts seconded, to approve the minutes from the November 4, 2019, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Jim Funderburg of Bryan, Ohio, thanked Council and Board of Public Affairs members for serving. He wanted to address Council regarding the Charter issue and dissolving the Board of Public Affairs acknowledging that the issue has been brought up many times over the years. His primary concern was with regard to the timing believing it to be rushed. He suggested that waiting until the November 2020 election to give voters more time to absorb information as well as bring in better voter attendance. He related this slowed down approach to a recent editorial letter written by Mr. Al Horn.

Discussion was held at various intervals including Charter changes over the past 20 years as well as the last Charter review which was performed in the 1999-2001 timeframe; however, it did not make the ballot. In addition, City Attorney Fisher described the timeline of events following the election if the measure passed by a vote of the people in March 2020.

Then, Mr. Jim Bailey, a former Bryan City Council and Board of Public Affairs member, addressed Council suggesting the process be slowed down. He reminded that Council's responsibility lies with the taxpayers while the Board's responsibility lies with ratepayers. His main concern was that the City would sell Bryan Municipal Utilities which City Attorney Fisher addressed later in the meeting. Another suggestion by Mr. Bailey was to have a joint meeting before the third reading to allow the Council and Board to hash things out.

Board member Long then addressed the Council to state that the process isn't a race. He has been bombarded with emails and phone calls about how much money will be saved. He feels that the Board and Council need to get together and hash things out acknowledging that the relationship between the Board and Council is strained. He also questioned how the Council was going to handle the responsibilities of the Board of

Public Affairs, too. He asked that the Council vote this down and get together with the Board to make Bryan, Ohio a better place.

Mr. Betts moved, Mr. Hupe seconded, to approve the October 31, 2019, Clerk-Treasurer's report as presented by Clerk-Treasurer Rode. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 47, 2019, titled,

AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING NOVEMBER 30, 2019

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

Ms. Leatherman moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 47, 2019, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 47, 2019. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 46, 2019, titled,

AN ORDINANCE TO PLACE ON THE BALLOT FOR ELECTORAL CONSIDERATION, AN AMENDMENT TO THE CHARTER OF THE CITY OF BRYAN, TO DISSOLVE THE ELECTED BOARD OF PUBLIC AFFAIRS AND TO BRING THE BRYAN MUNICIPAL UTILITIES UNDER THE DIRECTION AND SUPERVISION OF THE BRYAN MAYOR AND BRYAN CITY COUNCIL.

was presented and read by title only.

Mr. Betts moved, Mr. Hupe seconded, to approve the second reading of Ordinance No. 46, 2019. Roll call vote: Betts; aye. Hupe; aye. Leatherman; nay. Yahraus; aye. Wieland; aye. Motion carried.

Ordinance No. 48, 2019, titled,

AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 AND FINAL FOR THE PROJECT KNOWN AS "2019 STREET IMPROVEMENTS FOR BRYAN NORTH INDUSTRIAL PARK CONNECTING BEMENT STREET AND BRUNICARDI WAY CONSTRUCTION PROJECT."

was presented and read by title only. Planning and Zoning Administrator Waterston requested Council approve change order #1 and final for the project known as 2019 Street Improvements for Bryan North Industrial Park Connecting Bement Street and Brunicardi Way decreasing the amount of the contract by \$3,856.77. Further discussion was held.

Ms. Leatherman moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 48, 2019, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Ms. Leatherman seconded, to pass Ordinance No. 48, 2019. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 49, 2019, titled,

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT (MOU) WITH THE WILLIAMS COUNTY COMBINED HEALTH DISTRICT, TO MANAGE STRATEGIC PLANNING SERVICES WITH BOWLING GREEN STATE UNIVERSITY.

was presented and read by title only. Mayor Schlade requested Council's approval to enter a memorandum of understanding with the Williams County Combined Health District to manage strategic planning services with Bowling Green State University at a cost of \$5,000 to the City.

Mr. Hupe moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 49, 2019, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 49, 2019. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 50, 2019, titled,

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO HIRE THE FIRM OF FISHEL DOWNEY ALBRECHT & RIEPENHOPF, LLP, AS OUTSIDE LEGAL COUNSEL.

was presented and read by title only.

Mr. Betts moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 50, 2019, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Ms. Leatherman seconded, to pass Ordinance No. 50, 2019. Roll call vote: all ayes; nays, none. Motion carried.

Assistant Parks and Recreation Director Wheeler requested Council's permission to hire Mr. Darrel Huard as a seasonal, part-time employee effective November 5, 2019.

Mr. Betts moved, Ms. Leatherman seconded, to hire Mr. Darrell Huard as a seasonal, part-time employee for the Parks and Recreation Department effective November 5, 2019, at a rate of \$8.90 per hour. Roll call vote: all ayes; nays, none. Motion carried.

Planning and Zoning Administrator Waterston approached Council requesting approval on a building permit for Jedler Properties located at 327 South Main Street, Bryan, Ohio.

Mr. Hupe moved, Mrs. Yahraus seconded, to approve a building permit for Jedler Properties located at 327 South Main Street, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Fire Chief Siders reminded everyone to check their smoke detectors as well as advising as to the regulations regarding burning leaves in the City.

Councilman Hupe shared that the decision to send the Charter change to the ballot isn't a done deal. Council member Yahraus added that while she is personally on the fence with regard to the issue, she believes it needs to go before the people to decide. Council member Leatherman added that she has a lot of questions and advocated slowing the process down and considering it for the November 2020 election.

Councilman Betts shared his opinion that the voters should decide. He doesn't believe it is a rush to judgment considering the issue to consider dissolving the Board of Public Affairs has come up many times in the past. He wants the voters to determine how much government is needed for the City and to consider if the current form of government is efficient and/or redundant. If approved by the people, the Board of Public Affairs duties would transfer to the City with the Bryan Municipal Director of Utilities reporting to the Mayor.

Councilman Betts continued that Council has the expertise to take on the responsibilities required and reminded that other municipalities do this as well. The savings in Board of Public Affairs personnel costs, travel costs, and outside legal/personnel consultants is approximately \$68,000; however, capital considerations should also result in savings. Less duplication, streamlining processes and improved communications are savings that cannot be assigned a dollar value. Further discussion was held with Councilman Betts sharing that if the Charter issue goes through, there is no intent to reduce employees, salaries, benefits or services at this time.

Mr. Bailey interjected that the people wanted two (2) separate governing bodies; so, why after over 100 years are we trying to fix something that isn't broken?

Councilman Betts response to Mr. Bailey was to let the people decide. Further discussion was held regarding the cost of taking a Charter issue to the citizens of Bryan to which Mayor Schlade responded there would be postage, some printing and labor as the City is required to furnish information to the electorate.

Mr. Funderburg then offered his view of maintaining the two separate entities and the separate funds wondering if combining the boards wouldn't give Council too much freedom. Councilman Betts said that perhaps an advisory board would be considered. Discussion was then held with regard to the strong mayoral system, the previous Charter committee's determination to not attempt going to the ballot, and the plan if the ballot issue should pass. Councilmen Betts reiterated his previous statement to let the people decide.

Council member Leatherman asked how is the issue to be presented to the people without a plan.

Council President Wieland summarized that everyone has an opinion. It's a serious matter to consider; but, it is not a new issue. What is best for Bryan? He encouraged citizens to come forward to share their thoughts.

City Attorney Fisher advised all that the Utilities will not be sold. To do so would take a vote of the people according to City Charter and that is not under consideration. Further discussion was held with Board member Long suggesting a joint meeting with the Council and Board of Public Affairs. Board President Salsbury shared that he felt there were good questions with no answers being provided and that the process seems to be hurried.

Mayor Schlade advised that garbage would not be picked up on Thanksgiving Day.

A brief recess was taken.

Ms. Leatherman moved, Mrs. Yahraus seconded, to go into Executive Session to discuss acquisition of property at 8:31 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend Executive Session were: Mayor Schlade, City Attorney Fisher, Interim Police Chief Chapa, and Clerk-Treasurer Rode.

Interim Police Chief Chapa exited Executive Session at 8:43 p.m.

Mr. Betts moved, Mr. Hupe seconded, to adjourn Executive Session at 8:44 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Ms. Leatherman seconded, to go into Executive Session to discuss acquisition of property at 8:47 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

Ms. Leatherman moved, Mr. Betts seconded, to adjourn Executive Session at 9:34 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

President of Council

Clerk-Treasurer