

## **BRYAN CITY COUNCIL**

**SEPTEMBER 8, 2020**

Council President F. John Betts opened the meeting 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, Planning and Zoning Administrator Andy Waterston, and Videographer Kristopher Bryce.

Ms. Leatherman moved, Mr. Kozumplik seconded, to approve the minutes from the August 17, 2020, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

A discussion was held regarding a list of possible metrics for assessing information pertaining to the Designated Outdoor Refreshment Area (DORA) for the City of Bryan. Six (6) metrics were noted with Mayor Schlade designating items one (1), two (2), and six (6) as metrics which would need to be gathered by the Designated Outdoor Refreshment Area (DORA) committee. Council President Betts clearly pointed out that the metrics were not intended to be a scorecard, but rather information to be helpful in future decision-making and ensure that a review was made to the public. The intent would be to review the metrics in October-November 2021 timeframe.

Council member Yahraus shared that she was not comfortable with the metrics as she believes that if problems did result from the Designated Outdoor Refreshment Area (DORA), they would be apparent before the end of 2021. Council President Betts responded that he felt the metrics were an endpoint of the initial program. Further discussion was held regarding using the metrics, for example, as a balance between the increased revenues from the Designated Outdoor Refreshment Area (DORA) and the safety and sanitation issues. In addition, the Council discussed changing or adding to the metrics if needed in the future and that businesses did not have to participate.

Mr. Hupe moved, Mr. Kozumplik seconded, to approve the Designated Outdoor Refreshment Area (DORA) metrics noting that the metrics may be added to or changed in the future. Roll call vote: Hupe, aye; Kozumplik, aye; Leatherman, nay; Yahraus, nay; Betts, aye. 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.

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

Ordinance No. 35, 2020, titled,

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING SEPTEMBER 30, 2020**

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

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

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

Ordinance No. 36, 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 appropriation requested for Council.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 36, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 36, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 37, 2020, titled,

**AN ORDINANCE APPROVING THE CONDITIONAL USE IN A C-3 ZONING DISTRICT FOR OUTDOOR SALES AND DISPLAY.**

was presented and read by title only. Planning and Zoning Administrator Waterston addressed Council regarding the conditional use of outdoor sales and display to be located at 222 West High Street, parcel number 063-170-49-009-001 in a C-3 Zoning District. He noted the Planning and Zoning Commission voted unanimously to approve

it. Further discussion was held on the ability to revoke the conditional use if necessary as well as American with Disabilities Act compliance.

Ms. Leatherman moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 37, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Ms. Leatherman seconded, to pass Ordinance No. 37, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Council President Betts thanked all who assisted with this issue.

Ordinance No. 38, 2020, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 FOR THE PROJECT KNOWN AS “2020 STREET IMPROVEMENT OF MAYBERRY DRIVE FROM YMCA ENTRANCE TO CENTER STREET, BRYAN, OHIO.”**

was presented and read by title only. City Engineer Wieland requested Council approve change order number one (1) for the 2020 Street Improvement of Mayberry Drive from YMCA Entrance to Center Street project. The change order is an addition of \$5,858.79 to the project primarily for subgrade stabilization. Further discussion was held.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 38, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Hupe seconded, to pass Ordinance No. 38, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 39, 2020, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 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 change order number one (1) for the Don North Municipal Building North Vestibule Addition. The change order will be a decrease in the amount of \$5,053 eliminating a door from the scope of work. Further discussion was held with City Engineer Wieland reiterating that the addition is deemed necessary as social distancing requirements due to COVID-19 were not possible with the current entrance. The new design should allow the flow of persons in and out of the building to be accomplished safely while continuing to provide the necessary building security. Mayor Schlade added that Williams County Health Commissioner Watkins wrote a letter supporting the addition in light of the

current pandemic and the health, safety concerns within the Don North Municipal building.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 39, 2020, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Ordinance No. 39, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Assistant Fire Chief Siders requested that Council hire Christopher L. Roberts and Vincent A. Rios as Volunteer Firefighters effective September 26, 2020.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to hire Christopher L. Roberts and Vincent A. Rios as Volunteer Firefighters effective September 26, 2020, at a pay rate of \$8.70 per hour. Roll call vote: all ayes; nays, none. Motion carried.

Assistant Fire Chief Siders requested that Council move Volunteer Firefighters Zakaree D. Merschdorf, Williams J. Douglas, and Kara R. Bok, from probationary status to regular employment status effective September 8, 2020.

Ms. Leatherman moved, Mrs. Yahraus seconded, to move Volunteer Firefighters Zakaree D. Merschdorf, Williams J. Douglas, and Kara R. Bok, from probationary status to regular employment status effective September 8, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Parks and Recreation Director Dominique requested to hire Darrel Huard and Tim Muehlfeld as seasonal part-time employees for the Parks and Recreation Department.

Mr. Kozumplik moved, Mr. Hupe seconded, to hire Darrel Huard and Tim Muehlfeld as seasonal part-time employees for the Parks and Recreation Department at a pay rate of \$8.90 per hour. Roll call vote: all ayes; nays, none. Motion carried.

Parks and Recreation Director Dominique requested Council's approve to advertise for a part-time position to manage and schedule events at the amphitheater. Further discussion was held.

Mr. Hupe moved, Ms. Leatherman seconded, to advertise for a part-time position to manage and schedule events at the amphitheater. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested Council move Patrol Sergeant John Rathke from probationary status to regular employment status effective August 25, 2020.

Ms. Leatherman moved, Mr. Kozumplik seconded, to move Patrol Sergeant John Rathke from probationary status to regular employment status effective August 25, 2020. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested Council's permission to hire Zakaree Merschdorf as a part-time Dispatcher at a rate of \$14.50 per hour contingent upon successfully passing a medical examination.

Mrs. Yahraus moved, Ms. Leatherman seconded, to hire Zakaree Merschdorf as a part-time Dispatcher at a rate of \$14.50 per hour contingent upon successfully passing a medical examination. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Chapa requested Council's permission to hire Corey Ruch and Aaron Brown as Patrol Officers at a rate of \$20.00 per hour contingent upon the successful completion of any and all pre-employment medical examinations.

Mr. Kozumplik moved, Mr. Hupe seconded, to hire Corey Ruch and Aaron Brown as Patrol Officers at a rate of \$20.00 per hour contingent upon the successful completion of any and all pre-employment medical examinations. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade led a discussion regarding Ordinance 1163.04(e)(B) as there has been recent sign enforcement as the November election approaches. She noted that discussion has been held internally noting that the original ordinance passed in 2001 was likely established to keep the clean appearance of the City as signs add a certain amount of "clutter." She continued that signs need to be placed behind the terrace of properties to avoid blocked views for travelers.

Bryan citizen Paula Hudecek approached Council advocating to keep flags flying in Bryan and sharing that she believes signs encourage citizen participation. She continued that during the unusual election season with citizens being encouraged to vote early, she really didn't see an issue with the signs being out. Further discussion was held.

Ms. Leatherman moved, Mr. Kozumplik seconded, to suspend Ordinance 1163.04(e)(B), but continue to prohibit signs within the terrace location of properties and ask that all political signs be removed from properties inside the Bryan city limits within 30 days after the election. Roll call vote: all ayes; nays, none. Motion carried.

It was noted that the Bryan Planning and Zoning code would be reviewed regarding this issue. Further discussion was held.

Council President Betts again requested citizens to complete the 2020 Census.

A brief recess was taken.

Mrs. Yahraus moved, Ms. Leatherman seconded, to go into Executive Session for pending litigation at 6:36 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

Mrs. Yahraus moved, Ms. Leatherman seconded, to adjourn Executive Session at 6:57 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Kozumplik 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