

## **BRYAN CITY COUNCIL**

**SEPTEMBER 7, 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 in person were: Mayor Carrie Schlade, City Attorney Rhonda Fisher, City Engineer Brian Wieland, Fire Chief Bruce Siders, Wastewater Superintendent Wes Wygant, Street Commissioner Tyson Engstrom, Police Captain Greg Ruskey, Parks and Recreation Director Benjamin Dominique, and City Clerk-Treasurer Laura I. Rode.

Mr. Kozumplik moved, Mr. Betts seconded, to approve the minutes from the August 16, 2021, Regular Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 32, 2021, titled,

### **A RESOLUTION PROVIDING FOR THE REPAYMENT OF AN INTER-FUND CASH ADVANCE**

was presented and read by title only. Clerk-Treasurer Rode requested Council approve the repayment of the Probation JRIG Grant 22/23 Fund advance as the State had issued the first grant payment.

Mr. Hupe moved, Mrs. Yahraus seconded, to suspend the reading of Resolution No. 32, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Mr. Kozumplik seconded, to pass Resolution No. 32, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 36, 2021, titled,

### **AN ORDINANCE PROVIDING FOR ANNUAL APPROPRIATIONS FOR THE CITY OF BRYAN, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.**

was presented and read by title only. Clerk-Treasurer Rode detailed the requested appropriations for City Council. She noted that \$1,800,000 of the appropriations requested were to transfer funds for the principal payment of the Police Fire Building debt as the bond was called. She continued that the new direct placement debt was with Zion Bank headquartered in Utah and that the new interest rate was 1.39% which will result in substantial savings for the City of Bryan. The new issue also allows for early payoff should the City be in a position to do so; otherwise, it is a 10-year obligation. She added that the following two (2) ordinances are also in conjunction with the aforementioned matter.

Mr. Betts moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 36, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Hupe seconded, to pass Ordinance No. 36, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 37, 2021, titled,

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

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

Mr. Kozumplik moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 37, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Betts seconded, to pass Ordinance No. 37, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 38, 2021, titled,

**AN ORDINANCE PROVIDING FOR ANNUAL APPROPRIATIONS FOR THE CITY OF BRYAN, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.**

was presented and read by title only. Clerk-Treasurer Rode detailed the requested appropriations for City Council noting that this appropriation was to payoff the existing bond obligation.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 38, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 38, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 39, 2021, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE CHANGE ORDER #1 FOR THE PROJECT KNOWN AS “2021 PARKVIEW AVE. AND BELMONT AVE IMPROVEMENTS” EXTENDING THE COMPLETION DATE.**

was presented and read by title only. City Engineer Wieland requested Council approve extending the completion date for the 2021 Parkview Avenue and Belmont Avenue

Improvements project with a final completion date of October 1, 2021. Further discussion was held.

Mrs. Yahraus moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 39, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Kozumplik seconded, to pass Ordinance No. 39, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 40, 2021, titled,

**AN ORDINANCE TO AMEND BRYAN MUNICIPAL CODE SECTION 111.03, PERTAINING TO COMPETITIVE BIDDING AND ADDING SECTION 111.031, EXCEPTIONS TO COMPETITIVE BIDDING, OF THE CITY OF BRYAN CODIFIED ORDINANCES AND RESCINDING ANY SECTION INCONSISTENT HEREWITH.**

was presented and read by title only. City Attorney Fisher requested that Council update the Bryan Municipal Code Section 111.03 pertaining to competitive bidding and add Section 111.031 Exceptions to Competitive Bidding, of the City of Bryan Codified Ordinances to clarify the bidding standards and exceptions to the competitive bidding requirement. She noted that as the Wastewater Department had an upcoming project with the possibility of utilizing the Construction Manager at Risk (CMAR) delivery method, updating the municipal code at this point seemed timely. Further discussion was held.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 40, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mrs. Yahraus seconded, to pass Ordinance No. 40, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 41, 2021, titled,

**AN ORDINANCE AUTHORIZING THE CONSTRUCTION MANAGER AT RISK (CMAR) DELIVERY METHOD FOR THE WASTEWATER TREATMENT PLANT DEWATERING IMPROVEMENT PROJECT AND ACCEPTING THE PROPOSAL FOR PRECONSTRUCTION DOCUMENT DEVELOPMENT AND CMAR SELECTION GUIDANCE FROM ARCADIS. U.S. INC. IN THE AMOUNT OF \$25,000.00.**

was presented and read by title only. Wastewater Superintendent Wygant approached Council requesting to utilize the Construction Manager at Risk (CMAR) project delivery method for the Wastewater Treatment Plant Dewatering Improvement project and to approve Arcadis U.S. Inc. to assist with the procurement process including request for qualifications and request for proposals documents as well as providing guidance with the

Construction Manager at Risk (CMAR) selection process. The fee for Arcadis U.S. Inc. to perform said services is approximately \$25,000.

Mr. Kozumplik moved, Mr. Hupe seconded, to suspend the reading of Ordinance No. 41, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Mrs. Yahraus seconded, to pass Ordinance No. 41, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Further discussion was held regarding the Construction Manager at Risk (CMAR) process.

Resolution No. 33, 2021, titled,

**A RESOLUTION TO ACCEPT A \$15,000.00 DONATION FROM BRYAN BASEBALL ASSOCIATION TO THE PARKS AND RECREATION DEPARTMENT FOR SUMPTER FIELD BACK STOP PROJECT.**

was presented and read by title only. Parks and Recreation Director Dominique requested Council accept a \$15,000 donation from the Bryan Baseball Association for the Sumpter Field Back Stop project. Further discussion was held.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 33, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Hupe seconded, to pass Resolution No. 33, 2021. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 42, 2021, titled,

**AN ORDINANCE FOR A “THEN AND NOW” PURCHASE CERTIFYING ADEQUATE FUNDS WERE AVAILABLE**

was presented and read by title only. Street Commission Engstrom approached Council requesting a “then and now” purchase be allowed for the leaf machine purchased by the Street Department through the Houston-Galveston Area Council Cooperative Purchasing Program via purchase order number 48761. Further discussion was held.

Mrs. Yahraus moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 42, 2021, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Kozumplik seconded, to pass Ordinance No. 42, 2021. Roll call vote: all ayes; nays, none. Motion carried.

City Engineer Wieland approached Council requesting approval on a building permit application for Circle K - Great Lakes dba Mac's Convenience Stores LLC located at 923 South Main Street, Bryan, Ohio. Further discussion was held.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to approve a building permit application for Circle K - Great Lakes dba Mac's Convenience Stores LLC located at 923 South Main Street, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Police Captain Ruskey approached Council requesting to give a Civil Service test for the position of full-time Police/Fire Dispatcher.

Mr. Betts moved, Mr. Hupe seconded, to grant permission to give a Civil Service test for the position of full-time Police/Fire Dispatcher. Roll call vote: all ayes; nays, none. Motion carried.

Parks and Recreation Director Dominique approached Council requesting to set Trick or Treat for the City of Bryan on October 30, 2021, from 5:00 p.m. to 6:30 p.m. He added that the Halloween party at the ice rink was set to be from 2:00 p.m. to 4:00 p.m. on the same day. Further discussion was held regarding the possible impact of COVID on the event.

Mr. Betts moved, Mr. Kozumplik seconded, to set Trick or Treat for the City of Bryan on October 30, 2021, from 5:00 p.m. to 6:30 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade gave an update on the Designated Outdoor Refreshment Area (DORA) noting that no complaints had been received to date. She continued that 1,350 cups had been sold to date. She also noted that styrofoam cups with the Designated Outdoor Refreshment Area (DORA) logo would be utilized for hot alcoholic beverages for the Christmas Kindle event in December.

Further discussion was held regarding possibly amending the Designated Outdoor Refreshment Area (DORA) map to include other establishments to which Mayor Schlade replied she and City Engineer Wieland would look into the matter. Further discussion was held regarding the State rules regarding entering and leaving establishments with Designated Outdoor Refreshment Area (DORA) cups.

Council members and Mayor Schlade thanked the Bryan Baseball Association for their donation and Circle K for the building improvement. In addition, Council Vice President Kozumplik and Mayor Schlade expressed their appreciation of the Parks and Recreation Department with regard to the amphitheater.

Mayor Schlade and Councilman Hupe recognized the refinancing efforts of the Police/Fire Building including the City Clerk-Treasurer's office, City Attorney Fisher, and Fire Chief Siders. In addition, Mayor Schlade thanked those involved with the

Parkview Avenue and Belmont Avenue Improvements project for their effort and patience.

A brief recess was taken.

Mr. Hupe moved, Mrs. Yahraus seconded, to go into Executive Session to discuss compensation and discipline of a public employee at 6:09 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

Council members Hupe, Kozumplik, and Leatherman exited the Executive Session at 6:39 p.m.

Council members Hupe, Kozumplik, and Leatherman returned to the Executive Session at 6:41 p.m.

Mr. Betts moved, Mr. Kozumplik seconded, to adjourn the Executive Session at 7:17 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

---

President of Council

---

Clerk-Treasurer