

## **BRYAN CITY COUNCIL**

**April 3, 2023**

Council President Richard Hupe opened the meeting with the following members present: F. John Betts, Judith Yahraus, Mary Leatherman and Jim Kozumplik. Also attending were: Mayor Carrie Schlade, Fire Chief Douglas Pool, City Engineer Brian Wieland, Street Commissioner Tyson Engstrom, Wastewater Superintendent Wes Wygant, Assistant Parks and Recreation Director Bruce Wheeler and Interim Clerk-Treasurer Patricia Buda.

Mrs. Yahraus moved, Ms. Leatherman seconded, to approve the minutes from the March 6, 2023 Regular Meeting and the March 10, 2023 Joint Special Meeting as written. Roll call vote: all ayes; nays, none. Motion carried.

A public hearing was held to address the reapplication to place two (2) parcels of property in an agricultural district in accordance with Ohio Revised Code 929.02. City Engineer Wieland explained to Council the request. There were no questions, objections or comments from the public.

Bryan resident Steven Cox approached Council about the condition of Huntington Drive, Eastland Estates after the winter months. He stated that after snowfalls when the street is plowed, loose gravel is being re-distributed into residents' yards which causes a dangerous situation during the lawn mowing season. Council member Yahraus replied that in her situation she proceeds to rake the gravel out of her driveway and yard herself. Further discussion was held.

Mr. Kozumplik moved, Mr. Betts seconded, to approve the Clerk-Treasurer's Report for the month ending February 28, 2023, as submitted by Interim Clerk-Treasurer Buda. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 14, 2023, titled,

### **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SMITH PAVING & EXCAVATING, INC. FOR THE PROJECT KNOWN AS "WIL-SRTS-BRYAN CITY SCHOOLS."**

was presented and read by title only. City Engineer Wieland requested Council approve entering into a contract with Smith Paving & Excavating, Inc. for the Safe Routes to School project, at a cost of \$382,118.65. The project is being funded through grant monies along with 10 % funding from the City. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 14, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Betts seconded, to pass Ordinance No. 14, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 15, 2023, titled,

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH FENSON CONTRACTING, LLC. FOR THE PROJECT KNOWN AS “2023 SOUTH LYNN STREET STORM SEWER IMPROVEMENTS.”**

was presented and read by title only. City Engineer Wieland requested Council approve entering into a contract with Fenson Contracting LLC. for the 2023 South Lynn Street Storm Sewer project at a cost of \$92,150. He explained that this a joint project with the Water Department and is hoping to obtain additional grant money.

Mrs. Yahraus moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 15, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded to pass Ordinance No. 15, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 16, 2023, titled,

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DANGLER EXCAVATING, LLC FOR THE PROJECT KNOWN AS “2023 SOUTH PORTLAND STREET EXTENSION.”**

was presented and read by title only. City Engineer Wieland requested Council approve entering into a contract with Dangler Excavating, LLC for the 2023 South Portland Street Extension at a cost of \$743,500. He explained that the project would go from the Senior Center south to Fountain Grove Drive. Further discussion was held in regard to half of the right of way that would need to be dedicated.

Mr. Betts moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 16, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Ms. Leatherman seconded, to pass Ordinance No. 16, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 26, 2023, titled,

**A RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF A NEW FUND**

was presented and read by title only. Interim Clerk-Treasurer Buda requested Council approve the establishment of Fund 415 as the Safe Routes to School Fund.

Mr. Betts moved, Mrs. Yahraus seconded, to suspend the reading of Resolution No. 26, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Resolution No. 26, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 27, 2023, titled,

**A RESOLUTION PROVIDING FOR AN INTER-FUND CASH ADVANCE**

was presented and read by title only. Interim Clerk-Treasurer Buda requested Council approve an inter-fund cash advance from the 401 Capital Improvement Fund to the 415 Fund Safe Routes to School project in the amount of \$343,906.78.

Mr. Kozumplik moved, Mr. Betts seconded, to suspend the reading of Resolution No. 27, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 27, 2023. Roll call vote: all ayes; nays, none. Motion carried

Ordinance No. 17, 2023, titled,

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING APRIL 30, 2023**

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

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 17, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Mrs. Yahraus seconded, to pass Ordinance No. 17, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 18, 2023, titled,

**AN ORDINANCE PROVIDING FOR ANNUAL APPROPRIATIONS FOR THE CITY OF BRYAN, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.**

was presented and read by title only. Interim Clerk-Treasurer Buda detailed the appropriations requested for Council.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 18, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Ordinance No. 18, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 28, 2023, titled,

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT  
ROAD SALT CONTRACTS AWARDED IN 2023**

was presented and read by title only. Street Commissioner Engstrom requested Council's permission to participate in the annual Ohio Department of Transportation Road salt contract awards for 2023. Further discussion was held regarding the amount of salt needed for the upcoming winter. Street Commissioner Engstrom explained that the City has to purchase 90 percent of what is bid.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 28, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Betts seconded, to pass Resolution No. 28, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 29, 2023, titled,

**A RESOLUTION APPROVING THE *COMMUNITY REINVESTMENT*  
AREA TAX EXEMPTION APPLICATION AS SUBMITTED BY  
WILLIAMS COUNTY PORT AUTHORITY.**

was presented and read by title only. City Engineer Wieland requested Council approve the Community Reinvestment Area Tax Exemption application as submitted by Williams County Port Authority. The area is located at 903 South Main Street. Further discussion was held.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 29, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Betts seconded, to pass Resolution No. 29, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 30, 2023, titled,

**A RESOLUTION APPROVING THE *COMMUNITY REINVESTMENT* AREA TAX EXEMPTION APPLICATION AS SUBMITTED BY PMA LLC.**

was presented and read by title only. City Engineer Wieland requested Council approve the Community Reinvestment Area Tax Exemption application as submitted by PMA LLC. The area is located at 101 East Edgerton Street. Further discussion was held.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 30, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mrs. Yahraus seconded, to pass Resolution No. 30, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 31, 2023, titled,

**A RESOLUTION APPROVING THE REQUEST TO CONTINUE THE INCLUSION OF CERTAIN PROPERTY IN AN AGRICULTURAL DISTRICT IN ACCORDANCE WITH OHIO REVISED CODE SECTION 929.02.**

was presented and read by title only. City Engineer Wieland requested Council approve the request to continue to include the properties in an agricultural district per Ohio Revised Code Section 929.02.

Mr. Betts moved, Ms. Leatherman seconded, to suspend the reading of Resolution No. 31, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to pass Resolution No. 31, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Assistant Parks and Recreation Director Wheeler recommended to Council that Dave Schumm serve on the Tree Commission to fill the position vacated by Erica Lewis.

Mr. Betts moved, Ms. Leatherman seconded, to approve Dave Schumm to serve on the Tree Commission. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade recommended to Council that AJ Nowaczyk be appointed to the City of Bryan Board of Zoning Appeals which fills the term of Bob Carter.

Mrs. Yahraus moved, Ms. Leatherman seconded, to approve the appointment of AJ Nowaczyk to the City of Bryan Board of Zoning Appeals.

Mayor Schlade requested Council choose whether to hold a hearing or not regarding an application for a D1 liquor permit for Paleros LLC DBA Blueberry Hill Pancake House and Restaurant located at 122 South Union Street, Bryan, Ohio.

Mr. Kozumplik moved, Ms. Leatherman seconded, to not hold a hearing regarding an application for a D1 liquor permit for Paleros LLC, DBA Blueberry Hill Pancake House and Restaurant located at 122 South Union Street, Bryan, Ohio. Roll call vote: all ayes; nays, none. Motion carried.

Fire Chief Pool reminded citizens to be aware that severe weather season is here and to update Alert 86 contact information for weather reminders. Councilman Betts asked him about train derailments and if there is a plan when a crisis occurs in Bryan. Fire Chief Pool responded that the training is ongoing and have a knowledgeable Hazmat team.

Street Commissioner Engstrom reminded Council that spring garbage drop off is scheduled for April 27<sup>th</sup> and 28<sup>th</sup> from 1:00 p.m. to 7:00 p.m. and April 29<sup>th</sup> from 8:00 a.m. to 12:00 p.m. at the Street Department. Citizens were also notified of the drop off dates and times on their utility bills. Further discussion was held.

Council members expressed thanks to the Water Department and Administration for their management of the water crisis and for citizens and industries in helping to conserve water. They also expressed thanks to Dave Schumm and AJ Nowaczyk on their appointments and to the Williams County Port Authority and PMA LLC for investing in Bryan. Council member Yahraus again thanked Laurie Rode for her years of service.

A brief recess was taken.

Mrs. Yahraus moved, Ms. Leatherman seconded, to go into Executive Session to discuss compensation of a public employee at 6:14 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend the Executive Session were: Mayor Schlade and Interim Clerk-Treasurer Buda.

Mrs. Yahraus moved, Mr. Betts seconded, to adjourn the Executive Session at 7:23 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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Interim Clerk-Treasurer