

## **BRYAN CITY COUNCIL**

**August 5, 2024**

Council President Mary Leatherman opened the meeting with the following members present: Jim Kozumplik, F. John Betts, Richard Hupe, and Stephen Alspaugh. Also attending were: Mayor Carrie Schlade, City Engineer Brian Wieland, Police Chief Greg Ruskey, Fire Chief Doug Pool, Wastewater Superintendent Wes Wygant, and Clerk-Treasurer John Lehner.

Council President Leatherman asked for a motion to amend the evening's agenda to include an executive session to discuss pending or imminent litigation.

Mr. Alspaugh moved, Mr. Hupe seconded, to amend the August 5, 2024 Agenda to add an Executive Session to discuss pending or imminent litigation. Roll call vote: all ayes; nays, none. Motion carried.

A public hearing was held on a proposed expansion of the Designated Outdoor Refreshment Area (DORA) in downtown Bryan. There were no comments.

Mr. Kozumplik moved, Mr. Alspaugh seconded, to approve the minutes of the July 15, 2024 Regular Meeting, as written. Roll call vote: all ayes; nays, none. Motion carried.

Bryan resident Larry Hutton voiced his concern with the Bryan Police Department for what he perceived as poor handling of a personal matter. Mayor Schlade indicated the Bryan Police Department and City Attorney were working on the matter and that all laws have been properly followed.

Ordinance No. 26, 2024, titled,

**AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO ISSUE  
CHANGE ORDER #1 AND FINAL FOR THE PROJECT KNOWN AS  
"2023 SOUTH LYNN STREET STORM SEWER IMPROVEMENTS."**

was presented and read by title only. City Engineer Wieland explained the project is completed and came in under the approved budget by \$2,995.

Mr. Betts moved, Mr. Kozumplik seconded, to suspend the reading of Ordinance No. 26, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Alspaugh seconded, to pass Ordinance No. 26, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 27, 2024, titled,

**AN ORDINANCE EXPANDING THE CURRENT DESIGNATED  
OUTDOOR REFRESHMENT AREA (DORA) IN DOWNTOWN BRYAN  
AND DECLARING AN EMERGENCY.**

was presented and read by title only. Mayor Schlade explained that the geographical boundary of the DORA is not changing, but that a new liquor permit holder was being added (Zazaracs LLC).

Mr. Kozumplik moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 27, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Alspaugh seconded, to pass Ordinance No. 27, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 28, 2024, titled,

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO  
ENTER INTO THE PARTICIPATION AGREEMENT FOR THE  
ONEOHIO SUBDIVISION SETTLEMENT WITH KROGER PURSUANT  
TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING  
REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID  
LITIGATION SETTLEMENT FUNDS AND CONSISTENT WITH THE  
MATERIAL TERMS OF THE AGREEMENT DATED NOVEMBER 22,  
2022 PROPOSED NATIONAL OPIOID DISTRIBUTOR SETTLEMENT  
AGREEMENT AVAILABLE AT <https://nationalopioidsettlement.com/>.**

was presented and read by title only. Mayor Schlade explained that an additional nationwide opioid settlement has been reached with Kroger grocery stores, and this ordinance allows the City of Bryan to participate, as it does in several other settlement agreements.

Mr. Alspaugh moved, Mr. Betts seconded, to suspend the reading of Ordinance No. 28, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Hupe seconded, to pass Ordinance No. 28, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 30, 2024, titled,

**A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND  
SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC  
WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT  
AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S)  
AND TO EXECUTE CONTRACTS AS REQUIRED.**

was presented and read by title only. City Engineer Wieland explained this will be a request for grant funding to help with a sanitary sewer improvement project on S. Walnut Street, estimated to cost \$400,000.

Mr. Alspaugh moved, Mr. Kozumplik seconded, to suspend the reading of Resolution No. 30, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Hupe moved, Mr. Betts seconded, to pass Resolution No. 30, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 31, 2024, titled,

**A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

was presented and read by title only. City Engineer Wieland explained this will be a request for grant funding to help with a waterline replacement project in the E. Mulberry Street neighborhood, estimated to cost \$550,000.

Mr. Kozumplik moved, Mr. Alspaugh seconded, to suspend the reading of Resolution No. 31, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Mr. Hupe seconded, to pass Resolution No. 31, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 32, 2024, titled,

**A RESOLUTION ADOPTING REVISED STORM WATER REGULATIONS FOR DEVELOPMENT AND RE-DEVELOPMENT OF SITES WITHIN THE CITY LIMITS.**

was presented and read by title only. City Engineer Wieland explained the current storm water regulations have not been updated since 1996. The revised regulations will incorporate the Environmental Protection Agency's current best practices, in addition to other clarifications to the existing language.

Mr. Betts moved, Mr. Hupe seconded, to suspend the reading of Resolution No. 32, 2024, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Alspaugh seconded, to pass Resolution No. 32, 2024. Roll call vote: all ayes; nays, none. Motion carried.

Police Chief Ruskey described the “Buckle Up with Brutus” program prepared by the Ohio Traffic Safety Office. The course will be offered to the 2<sup>nd</sup> and 3<sup>rd</sup> grades in the Bryan City Schools, and will be conducted by the school’s Safety Resource Officers. There is an affiliated grant from the State of Ohio of \$20 per student to help cover the cost of the seatbelt safety program.

Police Chief Ruskey described the challenges of enforcing the State of Ohio’s private-use fireworks law. He and Fire Chief Pool noted the very few areas in the Bryan city limits that comply with the narrow parameters of the law, and that their offices received many complaints over the July 4<sup>th</sup> holiday period. They asked Council to consider adopting a complete ban on the private use of fireworks in the City. Further discussion was held. Mayor Schlade was asked to bring a resolution to that effect for Council’s consideration.

Mayor Schlade reminded all of the upcoming Day of Prayer/Prayer Breakfast and suggested that anyone who received an invitation, please RSVP.

Fire Chief Pool noted that after 13 months of waiting on parts, the ladder truck is now fully in service.

A brief recess was taken.

Mr. Alspaugh moved, Mr. Hupe seconded, to go into Executive Session to discuss imminent and pending litigation at 5:55 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend: Mayor Schlade, Police Chief Ruskey, Fire Chief Pool, City Attorney Marc Fishel (via cell phone), Clerk-Treasurer Lehner

Mr. Alspaugh moved, Mr. Hupe seconded, to adjourn the Executive Session at 6:29 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik 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