

BRYAN CITY COUNCIL

December 4, 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, City Engineer Brian Wieland, Police Chief Greg Ruskey, Fire Chief Doug Pool, Street Commissioner Tyson Engstrom, Wastewater Superintendent Wes Wygant, Parks and Recreation Director Benjamin Dominique, Planning and Zoning Administrator Andy Waterston, Board of Public Affairs Member Annette Schreiner, and Clerk-Treasurer John Lehner.

Clerk-Treasurer Lehner suggested a correction to the minutes from the November 27, 2023 Special Meeting.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to approve the minutes from the November 20, 2023 Regular Meeting, as written, and the November 27, 2023 Special Meeting, as amended. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 58, 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. Clerk-Treasurer Lehner explained the two items in the ordinance.

Mr. Betts moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 58, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Mr. Kozumplik seconded, to pass Ordinance No. 58, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 59, 2023, titled,

AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS FOR THE CITY OF BRYAN, FOR THE MONTH ENDING DECEMBER 31, 2023.

was presented and read by title only. Clerk-Treasurer Lehner explained the various transfers, most of which had been included in the annual budget; one being the result of the Horton Heights Sewer Project being completed under budget and returning the balance of project funds to the 401 Capital Fund.

Mr. Kozumplik moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 59, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Betts seconded, to pass Ordinance No. 59, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 60, 2023, titled,

AN ORDINANCE AUTHORIZING THE CLERK TREASURER TO ISSUE CHANGE ORDER #1 AND FINAL FOR THE PROJECT KNOWN AS “2023 SOUTH PORTLAND STREET EXTENSION.”

was presented and read by title only. City Engineer Wieland explained that the project has been completed and under budget by \$7,250.15, and requested City Council approve the final change order.

Mr. Betts moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 60, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Ordinance No. 60, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 52, 2023, titled,

AN ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATORS, ADULT USE CULTIVATORS, AND ADULT USE DISPENSARIES FROM OPERATING WITHIN THE CITY OF BRYAN

was presented and read by title only. Mayor Schlade provided an update from City Attorney Marc Fishel indicating the perceived urgency of passing an ordinance by December 7, 2023 was no longer valid due to the delayed timing of action to be taken by the Ohio Department of Commerce. City Attorney Fishel’s suggestion was that any action could wait until the December 18, 2023 meeting, which he plans to attend.

Ordinance No. 52, 2023 was let lie after its second reading.

Ordinance No. 53, 2023, titled,

AN ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATORS, ADULT USE CULTIVATORS, AND ADULT USE DISPENSARIES FROM OPERATING WITHIN THE C-3 ZONING DISTRICT IN THE CITY OF BRYAN

was presented and read by title only.

Ordinance No. 53, 2023 was let lie after its second reading.

Ordinance No. 57, 2023, titled,

**AN ORDINANCE LIMITING ADULT USE CANNABIS OPERATORS,
ADULT USE CULTIVATORS, AND ADULT USE DISPENSARIES
OPERATIONS WITHIN THE CITY OF BRYAN (AS AMENDED)**

was presented and read by title only.

Ms. Leatherman moved, Mrs. Yahraus seconded, to further amend Ordinance No. 57, 2023 by changing Section 3 to read, “That the growing and selling ...”, by adding the words “and selling”. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 57, 2023 was let lie after its second reading, as amended.

Resolution No. 53, 2023, titled,

**A RESOLUTION AUTHORIZING THE CITY ENGINEER OF THE CITY
OF BRYAN, WILLIAMS COUNTY, OHIO TO APPLY FOR THE FISCAL
YEARS 2024-2025 WATER AND WASTEWATER INFRASTRUCTURE
GRANT FOR THE CITY OF BRYAN AND BRYAN MUNICIPAL
UTILITIES, WILLIAMS COUNTY, OHIO AS NECESSARY**

was presented and read by title only. City Engineer Wieland explained that this is the same source of funding as had been used for the Horton Height Sewer Project, that here is an unusually tight window in which to apply, and that the exact project will be determined at a later date, if the funding is awarded.

Mrs. Yahraus moved, Mr. Betts seconded, to suspend the reading of Resolution No. 53, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Ms. Leatherman moved, Mr. Kozumplik seconded, to pass Resolution No. 53, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Planning and Zoning Administrator Waterston requested Council approve a building permit for a \$266,000 building renovation for Ridi Stores, LLC at 1108 S. Main Street.

Attorney John Shaffer introduced his clients, Mo and Tim from Ridi’s, who spoke about their plans for a convenience store in the former Bryan Drive-Thru building, for which they will coming back to City Council at a future meeting to request a TREX liquor permit. The owners plan to have a total investment of nearly \$600,000 in the building when completed. Further discussion was held.

Mr. Kozumplik moved, Ms. Leatherman seconded, to approve a building permit for a \$266,000 building renovation for Ridi Stores, LLC at 1108 S. Main Street. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade thanked all who participated in the Santa Parade, and informed City Council that earlier in the day she had attended a meeting at the Ohio Governor’s Mansion as part of a group discussing housing issues with Governor Mike DeWine.

Planning and Zoning Administrator Waterston provided City Council with copies of the proposed/updated Planning and Zoning Code for review. A public hearing and legislation on the new language will be included on the next City Council Meeting agenda.

All members of City Council, in turn, thanked Ridi Stores for its investment in the City of Bryan.

A brief recess was taken.

Ms. Leatherman moved, Mr. Kozumplik seconded, to go into Executive Session to discuss the appointment and compensation of a public employee at 5:53 p.m. Roll call vote: all ayes; nays, none. Motion carried.

Asked to attend: Mayor Schlade, Clerk-Treasurer Lehner

Council Member Yahraus exited the meeting at 6:00 p.m.
Council Member Yahraus re-entered the meeting at 6:10 p.m. and exited at 6:23 p.m.
Steven Cox entered the meeting at 6:34 p.m. and exited at 6:50 p.m.
Debra Beevers entered the meeting at 6:53 p.m. and exited at 7:08 p.m.
Phil Whittington entered the meeting at 7:14 p.m. and exited at 7:26 p.m.
Steve Alspaugh entered the meeting at 7:46 p.m. and exited at 8:05 p.m.

Mr. Betts moved, Mr. Kozumplik seconded, to adjourn the Executive Session at 8:49 p.m. Roll call vote: all ayes; nays, none. Motion carried. Yahraus absent.

Mr. Betts moved, Mr. Kozumplik seconded, to appoint Steve Alspaugh to the Ward 4 Council seat effective upon its vacancy on January 1, 2024. Roll call vote: Betts aye, Kozumplik aye, Leatherman nay, Hupe aye. Motion carried. Yahraus absent.

Mayor Schlade and Council President Hupe jointly called Mr. Alspaugh to offer the position, which he accepted.

All present offered sincere thanks to Council Member Yahraus for her eight years of service on City Council and congratulated Mr. Alspaugh on his appointment.

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

President of Council

Clerk-Treasurer