

BRYAN CITY COUNCIL

Special Meeting

November 27, 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, Board of Public Affairs Member Tom Sprow, Police Captain Jamie Mendez, Bryan Municipal Court Bailiff Rob Watson, Zoning Administrator Andy Waterston, and Clerk-Treasurer John Lehner.

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

was presented and read by title only. Mayor Schlade explained that this ordinance offers a third option for the Council to consider – in addition to the two ordinances that received first readings on November 20th – with regard to local regulation of adult cannabis operations, including zoning restrictions and limitations on the number and types of allowed businesses.

There was much discussion:

Council Member Betts expressed his intent to clarify the desired numbers of each type of business allowed and zoning restrictions. Council Member Yahraus proclaimed that she is not in favor of any adult cannabis operations in the City of Bryan and preferred the option of a total ban on cultivators, operators and dispensaries within city limits.

There was recognition of the fact that recreational use of marijuana will soon be legal in Ohio, and the City of Bryan now has a short window in which to exert some control over how the new law might impact the City, including whether it will receive any of the potential tax revenue the new law provides. Further discussion was held.

Council Member Leatherman asked Captain Mendez if he knew if drug related crime has increased, for example in Michigan, as a result of legalized THC, to which he did not have statistics. He did restate his opinion that when made readily available, more people will use marijuana, that it can be addictive, and is often a gateway drug to stronger and more dangerous drugs.

Much debate and discussion followed along similar lines, in addition to trying to define the various operations and how many might be acceptable to include in an amended

ordinance. Discussion evolved around allowing one cultivator (growing), one operator (processing/manufacturing), and two dispensaries (sales).

Zoning Administrator Waterston reviewed several maps shared with Council that showed the impacts of placing 500- and 1,000-foot restrictions around various types of properties, including schools, churches, and parks.

1,000-feet appeared to be overly restrictive, limiting potential sites to a very few. There was much discussion that eventually focused on a 500-foot restriction around schools, churches, parks, actively used government property, and the Downtown C-3 District.

Council Member Betts also was interested in adding language that would require adult cannabis operators in the City to submit financial records to the City for review upon request. Discussion centered on the types of taxes (sales and/or income) being discussed and the City's legal ability to require disclosure. Further consultation with City Attorney Marc Fishel will be required.

Further discussion was held.

Mr. Kozumplik moved, Mr. Betts seconded, to request City Attorney Marc Fishel amend Ordinance No. 57, 2023 to include language authorizing two (2) Level 3 Dispensaries (sales), one (1) Level 2 Operator (manufacturing), and one (1) Level 1 Cultivator (growing) to be located no closer than 500 feet from any parks, schools, churches, utilized government properties and buildings, and the downtown area zoned C-3. Roll call vote: all ayes; nays, none. Motion carried.

Board of Public Affairs Member Sprow indicated his agreement with Council Member Yahraus' earlier opinion, and that he wanted none of the adult cannabis business activity in the City of Bryan.

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

President of Council

Clerk-Treasurer