

## **BRYAN CITY COUNCIL**

**November 20, 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 Captain Jamie Mendez, Fire Chief Doug Pool, Street Commissioner Tyson Engstrom, Wastewater Superintendent Wes Wygant, Parks and Recreation Director Benjamin Dominique, and Clerk-Treasurer John Lehner.

Mayor Schlade gave notification that applications for the open seat on the Bryan City Council as of January 1, 2024 would be accepted through November 30<sup>th</sup> and should be sent to her attention. The Council will be holding interviews after an upcoming meeting.

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

Mr. Kozumplik moved, Mr. Betts seconded, to approve the Clerk-Treasurer's Report for the month ending October 31, 2023 as submitted by Clerk-Treasurer Lehner. 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 explained that this ordinance is one of two for Council to consider as options to address local regulation of adult use cannabis businesses potentially located within the City as a result of the recently passed law allowing recreational adult use of marijuana in Ohio. This ordinance prohibits any of the named business categories from operating within the Bryan city limits. She reminded the Council that the in-city voter turnout on this ballot issue was very high and that the language was favored, albeit narrowly.

Council Member Betts explained that the new State law takes effect on December 7, 2023, leaving only a small window of time for the City to proactively assert any local control on its impact to the community.

Much discussion continued including on the challenge of regulating an all-cash business, and what the City can and cannot implement to regulate operations. Several Council Members noted that they were against an outright ban, but very interested in maintaining local control by establishing limits. Mayor Schlade reiterated concern for protecting the

C-3 District. Council Member Betts and Council President Hupe independently expressed their hope to receive input from businesses and the community at-large.

Captain Mendez was asked for his opinion on the matter from a law enforcement standpoint, to which he responded, with easier access, more people will use marijuana, that it can be addictive, and is often a gateway drug to stronger and more dangerous drugs. Discussion ensued about the challenge of measuring being “being under the influence” and how to test.

Further discussion was held.

Ordinance No. 52, 2023 was let lie after its first 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. Mayor Schlade explained that this ordinance prohibits the location of adult use cannabis operations only in the Downtown C-3 District (the Courthouse Square area), allowing it in all other properly zoned areas of the City.

Mr. Betts expressed that he would like see an ordinance that restricts cannabis operations in the C-3 District, but also other limitations within the City. Much discussion was held on what to include in a third ordinance that would incorporate a mix of the ideas presented in the two ordinances this evening, including 500- or 1,000-foot buffers surrounding protected areas, such as schools, parks, and churches. City Engineer Wieland pulled up maps on screen and suggested he could have marked up versions available at a follow-up meeting.

Mr. Kozumplik moved, Ms. Leatherman seconded, to call for a special meeting on the topic of adult use cannabis operations on Monday November 27, 2023 at 4:30 p.m. Roll call vote: all ayes; nays, none. Motion carried.

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

Bryan resident Steve Cox addressed Council to ask if plans to pave Huntington Drive were planned to be included in the 2024 budget. City Engineer Wieland responded that he could not plan the project without core samples of the road, which he believed Mr. Cox and his neighbors did not want drilled into the street, and that therefore, there are no plans to repave the street in 2024.

Ordinance No. 54, 2023, titled,

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS ON BEHALF OF THE BRYAN FIRE DEPARTMENT FOR MUTUAL AID OR FIRE PROTECTION SERVICES FOR 2024, TO PULASKI TOWNSHIP.**

was presented and read by title only. Chief Pool explained that this and the next two ordinances are to renew various mutual aid agreements, that fee increases are less than 5 percent in each, and that all parties are agreeable to the new terms.

Mr. Betts moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 54, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Ms. Leatherman seconded, to pass Ordinance No. 54, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 55, 2023, titled,

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS ON BEHALF OF THE BRYAN FIRE DEPARTMENT FOR MUTUAL AID OR FIRE PROTECTION SERVICES FOR 2024, TO JEFFERSON TOWNSHIP.**

was presented and read by title only. Chief Pool referred to his explanation of the previous ordinance.

Mrs. Yahraus moved, Ms. Leatherman seconded, to suspend the reading of Ordinance No. 55, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Betts moved, Mr. Kozumplik seconded, to pass Ordinance No. 55, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Ordinance No. 56, 2023, titled,

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS ON BEHALF OF THE BRYAN FIRE DEPARTMENT FOR MUTUAL AID OR FIRE PROTECTION SERVICES FOR HILLSIDE COUNTRY LIVING, OPDYCKE PARK, AND THE WILLIAMS COUNTY PARK BUILDING FOR YEARS 2024 AND 2025.**

was presented and read by title only. Chief Pool referred to his explanation of the previous two ordinances and noted that this agreement with Williams County is for two years, rather than one.

Ms. Leatherman moved, Mrs. Yahraus seconded, to suspend the reading of Ordinance No. 56, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mr. Kozumplik moved, Mr. Betts seconded, to pass Ordinance No. 56, 2023. Roll call vote: all ayes; nays, none. Motion carried.

Resolution No. 52, 2023, titled,

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE ECONOMIC DEVELOPMENT TRANSFER FORM (TRES) FOR A LIQUOR PERMIT TO BE TRANSFERRED TO THE OWNERS OF ZAZARAC'S, LLC LOCATED AT 116 W. HIGH ST. IN BRYAN, OHIO**

was presented and read by title only. Mayor Schlade introduced Mr. Dave Swanson, owner of the property at 116 W. High Street, who is developing, among other things, a dining establishment that will require the use of a liquor permit. The State of Ohio allows for the transfer of a liquor permit from outside the area when used to accommodate economic development, and with City approval. Further discussion was held.

Ms. Leatherman moved, Mr. Betts seconded, to suspend the reading of Resolution No. 52, 2023, on three separate days. Roll call vote: all ayes; nays, none. Motion carried.

Mrs. Yahraus moved, Ms. Leatherman seconded, to pass Resolution No. 52, 2023. Roll call vote: all ayes; nays, none. Motion carried.

City Engineer Wieland requested Council approve a building permit for a \$65,000 improvement to the Eric's Ice Cream store at 1022 Center Street. The project will enclose the open canopy area in front of the building.

Mr. Kozumplik moved, Mrs. Yahraus seconded, to approve a building permit for a \$65,000 improvement to the Eric's Ice Cream store at 1022 Center Street. Roll call vote: all ayes; nays, none. Motion carried.

Mayor Schlade thanked all for the lively discussion, congratulated Council Member Kozumplik on his re-election, and offered Happy Thanksgiving. Others offered the same and thanked Mr. Swanson and Eric's Ice Cream for their investments in the City of Bryan.

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