

MINUTES OF COMMITTEE OF THE WHOLE MEETING

PERRYSBURG CITY COUNCIL

SEPTEMBER 16, 2019

Council President Jim Matuszak called the meeting to order at 5:35 p.m. Present were Council Members Deborah Born, Jim Matuszak, Tim McCarthy, Jonathan Smith, Barry VanHoozen, Mark Weber and Becky Williams (7). Also present were Mayor Tom Mackin and Laura Alkire, Law Director.

Mr. Matuszak stated that the Administration has brought forth an application for a Designated Outdoor Refreshment Area (DORA) at Levis Commons. He said that the Law Director has presented draft legislation to City Council, and City Council is only considering the application at Levis. Mr. Matuszak read the Law Director's synopsis of the process for considering this application. Mr. McCarthy clarified that City Council would not be voting at this time. Ms. Alkire said that it has to be advertised for two consecutive weeks before City Council can vote and at the September 3 City Council meeting it was decided that the vote would occur on October 1, 2019.

Mr. Smith said there was discussion at the public hearing about taking a cup into another establishment. He said that he spoke to Ohio Liquor Control and they said you can't take a cup into another establishment. Ms. Williams said that she called and was told the same thing. Ms. Alkire said that Police Chief Pat Jones spoke to the Ohio Investigative Unit at Liquor Control and they said if you are going into a non-liquor permit establishment it is allowed. Ms. Alkire added that she spoke to other communities with a DORA and there appears to be some confusion at the State level.

There was discussion regarding the boundaries of the proposed DORA. Allison Schroeder of Levis said that the area chosen made very clear boundaries based on roads and the ditch. She added that they are open to discussing the boundaries. Mel Ayers, 1000 Hollister, said that they are also open to discussion regarding the hours. Mr. Weber asked if any residents of Levis have expressed opposition to the DORA. Mr. Ayers said he's not aware of any.

Ms. Born said that this type of zoning is inappropriate for any mixed use area and people shopping do not want inebriated people around them. She said this zoning is not for isolated events, it's seven days a week.

There was discussion regarding security at Levis. Ms. Williams said that at the last meeting the number of security officers was provided. Ms. Schroeder called attention to a map showing one day's coverage of security patrol. Mr. Matuszak said according to the map, they patrol an area every 2½ to 4 hours. He questioned whether that is sufficient if alcohol is there. Mr. Ayers said that they can put the cart before the horse and do a plan showing security should the DORA be approved. He added that they thought about amending the hours to 4 p.m. to 11 p.m. on Monday through Thursday unless there is an event or holiday.

Mr. Matuszak raised concerns about underage drinking. Mr. Ayers said that there will be a training program for establishments. Ms. Williams said that one community she spoke to said that they use wristbands to show that their ID has been checked. She said that they charge \$1.00 for the wristbands and hotels use it as a marketing tool for groups that use the hotel.

Ms. Alkire said that City Council has the authority to determine how long a period of time, up to five years, before a review of the DORA is required. She said that the

Administration has recommended two years. Ms. Williams said that she would like to see a review after one year, at least for the first year.

Mr. Ayers asked for additional information regarding Council's concerns about parking lots being included in the designated area. Mr. Matuszak suggested that Levis make their proposal and give City Council their reasoning.

Jim Hagen, 10741 Avenue Road, said that he has not heard any discussion about whether we need a DORA at all. He said he has not heard any benefits.

Izzet Sozeri of Hilton Garden Inn and Home 2 Suites said that it is a great benefit for hotels and it is an opportunity to bring fresh money to town. He said that a DORA would make Levis a destination. Mr. VanHoozen asked Mr. Sozeri how he sees the DORA working. Mr. Sozeri said that hotel guests could walk down the street to visit other establishments. Mr. Matuszak said that he has heard that it will be an economic benefit but no one has even been willing to venture a guess at quantifying it. Mr. Sozeri said that there are various studies. Mr. Ayers said that from a 30,000 foot level they have 400,000 square feet of retail area to be developed which means more employment and more payroll taxes without using City resources, but he can't forecast the economic benefit. Mr. Matuszak said that a lot of people don't want the DORA, a lot of people want it elsewhere, and City Council has to grapple with the benefits versus the costs. Mr. Ayers said that they feel the most likely scenario for economic impact is at Levis because there are three, possibly four hotels, and 400,000 additional square feet for retail growth.

Abigail Flores, 10263 N. Bramblewood, said that she does not think the DORA would help the Levis Commons area.

Mr. VanHoozen asked Chief Jones if a modified map were created, would having jigsaw boundaries affect security. Chief Jones stated that the easiest thing is not necessarily the best. He said that his concern with the parking lot is people taking the cup in their car or throwing it on the ground. He said that the Shaker Heights DORA does not include parking lots, and Liberty Center in Liberty Township is similar to Levis, and their DORA does not include parking lots.

Ms. Schroeder said that it's nice to have other communities to look to for assistance but one difference is that the Levis DORA would be overseen and monitored by full-time staff, not a board like other communities, so there would be constant oversight.

ADJOURNMENT

Mr. Matuszak moved to adjourn the meeting at 6:47 p.m. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor