

**Cuyahoga Falls City Council
Minutes of the Public Affairs Committee**

Sept 5, 2017

Members: Vic Pallotta, Chair
Adam Miller
Jerry James

Mr. Pallotta called the meeting to order at 6:35 p.m. All members were present.

Legislation Discussed:

Temp. Ord. B-63

Discussion:

Temp. Ord. B-63

An ordinance approving the application of the City of Cuyahoga Falls for the designation of a Community Entertainment District within the downtown Cuyahoga Falls area; making certain findings in connection therewith, and declaring an emergency.

Mr. Pallotta stated that this ordinance pertains to the number of liquor permits can be applied for and the containment of those permits.

Ms. Janet Ciotola, Deputy Law Director, stated that this ordinance seeks approval for the City's application for the designation of a Community Entertainment District within the downtown Cuyahoga Falls area. In 2005, the State of Ohio passed legislation intending to help revitalize communities and business districts. The legislation allows for the creation of Community Entertainment Districts. Once established, the Community Entertainment District creates a new, limited pool of liquor licenses that can only be issued in the district. The Ohio Department of Liquor control sells these permits to new businesses at face value. On the secondary market, these licenses are selling 10 to 12 times their face value. With the exciting recent construction to open Front Street to motorists, this is an attractive area for future development. By creating an Entertainment District, the City will add yet another incentive to attract economic and cultural development to the downtown area. The attached application to the ordinance complies with Ohio Revised Code Section 4301.08.

Mr. Iona asked for the number of licenses the City can have downtown. Ms. Ciotola stated that it is one liquor license for every five acres. The City's proposed district is 57 acres, which would entitle it to receive up to 11. The statute caps the licenses at 15, but the City would be eligible for 11. They're called D5J licenses and they're typically what a restaurant has to sell beer, wine and spirits. Mr. Pallotta asked if there is a distinction between liquor and wine or beer with the D5J license. Ms. Ciotola stated that there are various clarifications, but the license that most restaurants have is the D5J, and that is the one that's permitted by the Community Entertainment District. Ms. Nichols-Rhodes asked what the boundaries of the Entertainment District would be. Ms. Ciotola stated that it is from Oakwood Drive to Chestnut Boulevard. Mr. Brillhart asked if there would

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be 11 additional liquor licenses. Ms. Ciotola stated that, under Ohio law, there is get one liquor license for every 2,000 residents. Today, in the City of Cuyahoga Falls, there are no more D5J liquor licenses available. They must be purchased on the secondary market. Establishments have had to go out on the open market to look for an available license somewhere else in the state and it's very costly. Mr. Brillhart asked if this would allow Sunday sales. Ms. Ciotola stated that the zoning regulations of the City trump those of the Community Entertainment District. If it's not allowed in that precinct or district, it's not allowed unless it goes on the ballot. The licenses typically cost \$2,344 a year. Mr. Pallotta asked if those are leased per year. Ms. Ciotola stated that those are leased. They are not transferable. If a business would leave the district, the license would stay with the district and go to a new business in that district.

Mr. James moved to bring out Temp. Ord. B-63 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Mayor Walters stated that the City of Cuyahoga Falls has started a drive for a city in Texas. He has been in contact with the Mayor of Humble, Texas. It is a City of about 15,000 on the outskirts of Houston that was totally devastated. A lot of people have been displaced. Their one high school is probably going to be closed for at least a year. There has been no loss of life in this city. The City of Cuyahoga Falls is going to do a drive that will start today and go on for a week. There is going to be an attendant on duty from 8 a.m. to 8 p.m. weekdays, 10 a.m. to 6 p.m. on weekends. The trucks will leave next Wednesday morning. The U-Haul was donated by the nursing home on Bath Road, Western Reserve, the YMCA and the Chamber of Commerce. Go-Jo is a donating a lot of Purell. The two school districts, Woodridge and Cuyahoga Falls, are going to have every class of every elementary school do a card or a drawing for the children. Those will be distributed to the grade school. They have plenty of bottled water. They do not need any clothing now. They can use products, nonperishables, cleaning supplies, brooms, mops, scrubbers, masks and gloves. They're going to have to deal with a lot mold and of mildew. They have a river that runs through the town and most of the town was under deep water. The water has receded. Now, the cleanup starts. Mayor Walters stated that when people have donations, they like to see where it goes. Those who donate will be able see the products going directly to the residents of Humble. They're going to go to a product station initially. They have another distribution center in town, so the people can come into town. What they need, in the short-term, is supplies to help these families that have been displaced. Tax-deductible donations can be made to the Humble Area Assistance Ministries. They're a nonprofit, so it will be tax deductible. Everything they receive goes directly back to Humble.

The meeting adjourned at 6:46 p.m.