

# Canal Winchester

*City Hall  
Council Chambers  
45 East Waterloo Street  
Canal Winchester, OH 43110*



## Meeting Minutes - FINAL

November 7, 2022

5:30 PM

### Public Hearing

*Chuck Milliken - President*

*Bob Clark - Vice President*

*Laurie Amick*

*Jill Amos*

*Steve Buskirk*

*Patrick Shea*

*Mike Walker*

- A. **Call To Order** *Milliken called the meeting to order at 5:31 p.m.*
- B. **Roll Call** *Present 7 – Amick, Amos, Buskirk, Clark, Milliken, Shea, Walker*
- C. **Purpose of Public Hearing**

**RES-22-045** A RESOLUTION TO APPROVE THE APPLICATION FILED BY THE MAYOR THEREBY CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA IN OLD TOWN CANAL WINCHESTER AND ENACTING REGULATIONS

*Ebert – We’ve been working on this for a while. We’ve been through a couple different versions of it. Luke came up with the final version with the boundaries, dates and times. I’m going to turn this over to Lucas because he did most of the work on it.*

*Haire – I have a quick presentation here. The location is generally the areas that cover Old Town Canal Winchester, the Historic District Area. The general boundaries are on West Waterloo Street from Washington Street. Then, heading East and on East Waterloo Street to Trine Street. Then, around High Street on the North, the boundary is Mound Street, and on the South the boundary is Columbus Street. The entire area there encompasses 21.6 acres and there are five liquor permit holders within that 21.6 acre boundary. The boundary markers there’s required to be notification when you’re exiting a DORA boundary so people know the boundaries of where they’re allowed to carry an open container within the designated outdoor refreshment area. This map indicates there are 21 locations where we’re proposing boundary markers that would indicate to people leaving in any public right-of-way where those DORA boundaries end. This is the proposed boundary markers. I believe there are 13 locations where we would use a sidewalk sticker. The sidewalk sticker will be the round logo. These are used in many of the DORA districts around Central Ohio. They essentially are an easy indicator for people as they’re walking down sidewalks to know that they’re leaving a DORA area. We’d have eight locations where we’d use existing street sign posts and we’d attach a small metal sign. This is kind of postcard size, 5x7 signage that would be attached to a post. It would also include that QR code that you could scan with your phone and get specific rules on the DORA which will direct you to the city’s website and the web page specifically in regards to the DORA. So, in total 21 sign locations. Hours of operation, this is something we’ve gone back and forth with. The hours of operation that we’re proposing is Thursday, Friday, Saturday, and Sunday from noon until 11:00 p.m. Monday would be during Labor Day only. There would be no other Mondays throughout the year and no Tuesday, and Wednesday time frames that DORA would be permitted. It’d be generally Thursday through Sunday, noon to 11:00 p.m. In terms of sanitation and safety plans, we are proposing six new waste receptacles to be added at the boundaries of the DORA. These would generally be on North and South High Street at the boundary. East and West Waterloo Street at the boundary and then on Washington Street and Towing Path Alley so six new waste receptacles. That’s just so if people are walking in the DORA and they have a beverage or open container beverage they have somewhere to dispose of that cup. During special events we’d monitor those special events with the host of that event, consult with them on the potential need for additional waste receptacles. I know this is something that’s done a lot in Worthington which I’m most familiar with, during special events they’ll bring out the cans if people have open containers. There’s more trash generated and if you don’t have staff regularly checking the waste receptacles in the downtown area those can get overflowing. It’s just making sure that we’re working with a special event host and putting out temporary trash containers during those events to keep up with that. The policing, the safety aspect of this there’d just be regular patrols from our deputies in regards to enforcing the DORA regulations and making sure people don’t have open containers outside the DORA area. The special events we’d also be consulting and permitting the potential of requiring special duty policing for those events. It’s the same thing we do for the events currently just maybe additional needs for special duty during specific DORA events. The DORA beverages will be required to be served in a plastic cup or bottle. That would be no greater than 20 ounces in size. There previously it was a requirement in the DORA regulations that all the cups needed to be marked with the specific logo. You’d have to have a specific type of vessel to have an open container beverage that’s served in the DORA area but many communities found during the pandemic that because of supply chain issues they were unable to acquire*

*cups. It was becoming a large issue for people right at the time when people needed to be outside the most when the indoor facilities were closed. The state did away with that requirement and based on consultation with other communities that was one of the biggest issues was managing the cups and making sure people had the cups. We've proposed is just a plastic bottle or a cup no greater than 20 ounces in size for the DORA. There's not a specific cup required. That also puts less burden on the liquor establishments because they can just go through their regular supplier to get all the cups and everything that they would need to serve both interior and exterior if they're serving in plastic cups. In terms of implementation, if approved by City Council by resolution staff would forward to Ohio Division of Liquor Control. That would be after 30 days so that's a regular resolution. It takes effect after 30 days so we would forward after the 30-day time period. The division of liquor control verifies the resolution was adopted correctly and that the DORA meets all the required standards from the Ohio Revised Code. Based on their estimate that takes approximately three weeks to do so. Once that three-week time period is up and once everything is verified then they do an endorsement of all the permit holders of their liquor license and they add the outdoor refreshment area endorsement. They'll notify those permit holders by mail that the outdoor refreshment area is permitted along with their liquor permit. Staff will order the trash receptacles and signage with the intent of having them all up. Right now we're looking at January 1<sup>st</sup>, 2023 or within 60 days of adoption. The trash receptacles are about eight weeks out from getting those delivered and so that's really the thing that's most critical in terms of time lining and getting those in place.*

*Amick – The legislation Resolution #22-045 Section (4) I believe to be 100% correct where it says Thursday, Friday, Saturday, and Sunday from noon to 11:00 p.m. In the application under the designated hours of operation it says Thursday to Sunday from noon to 11:00 p.m. Am I making a mountain out of a molehill? I don't know who this application actually goes to. Do we need to change that in the actual application?*

*Haire – I'm not sure that I recognize the difference between the two statements.*

*Amick – Sunday begins at 12:01 a.m. so at noon on Sunday, is it to Sunday or through Sunday during those hours?*

*Haire – Sunday would be included in the hours.*

*Amick – The legislation I believe that is exactly how it is worded. So, the legislation I believe to be correct.*

*Haire – That's correct. Am I the only person that sees the distinction between to Sunday versus including it through Sunday?*

*Amos – One of them sounds like continuous time frame than the others.*

*Ebert – I can see one thing in the legislation that might need to be changed Lucas. It says as well as Labor Day but that would be Labor Day itself at 6:00 p.m.*

*Haire – That's how it was written in the application. Correct.*

*Amos – I think in the application if we just add the words daily, Thursday to Sunday from noon to 11:00 p.m. daily.*

*Boggs – Ultimately it's your resolution that is going to establish the hours of operation. If Council moves forward to adopt this perhaps the thing to do is to make the revision that the mayor noted for the hours on Labor Day specifically and maintain Thursday, Friday, Saturday, and Sunday as it's written in the legislation because that will prevail over the term in the application.*

*Clark – You mentioned a bottle. You can either take a plastic cup or a bottle. Are you saying a glass bottle of beer?*

*Haire – It's a plastic bottle. If you go to sporting events you'll often see plastic bottles of beer.*

Amos – *Is there any additional fee for the businesses who have their license to get that addendum?*

Haire – *No. There's nothing required. The state automatically endorses anyone that's within a DORA area if their address is included in the DORA resolution or ordinance.*

Shea – *How many additional liquor licenses are available in this area?*

Haire – *We have a Community Entertainment District in the Downtown Area so because of that we can have additional six licenses within the Old Town Area.*

Shea – *In addition to the five we have presently?*

Haire – *Correct. That's beyond the quota system. I don't know if there's any license available. I believe there is certain licenses available within our quota system in Canal Winchester but six are available, D5J permits, which is the Community Entertainment District.*

Shea – *That gets them the full range of liquor permits.*

Haire – *Correct.*

Amick – *Going back to the cup thing. Since the cups are no longer DORA designated, can someone bring their own cup as long as they're within the DORA boundaries? Can they bring their own cup as long as it doesn't exceed 20 ounces?*

Haire – *I don't know about Health and Safety regulations about someone bringing their own cup into an establishment. I couldn't answer that.*

Ebert – *If they bring their own cup and it has beer in it, they were outside the boundaries at some point.*

Boggs – *The DORA law requires that the beverage have been purchased at a liquor permit holder within the DORA so whether you lived outside of the DORA area or even if you lived inside the DORA area and poured your own and walked out into the sidewalk or whatever then that would be prohibited under the DORA law.*

Amick – *That's what I was getting at. Thank you.*

**D. Staff Report**

**E. Public Comments - Five Minute Limit Per Person**

**F. Council Discussion and Recommendation**

**G. Adjournment @ 5:46 p.m.**

*A motion was made by Milliken, seconded by Clark to adjourn. The motion carried with the following vote:  
Yes 7 – Milliken, Clark, Shea, Walker, Amick, Amos, Buskirk*