

MINUTES OF COMMITTEE OF THE WHOLE MEETING

PERRYSBURG CITY COUNCIL

JULY 21, 2020

Council President Jonathan Smith called the meeting, which was held at the Hilton Garden Inn for social distancing purposes, to order at 6:31 p.m. Present were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Tim McCarthy, Jonathan Smith, and Barry VanHoozen (6). Jim Matuszak was absent (1). Also present was Laura Alkire, Law Director.

The purpose of the meeting was to discuss an application for a Designated Outdoor Refreshment Area (DORA) in the downtown area.

Kelli Powell, owner of Suburban Bottle, spoke on behalf of the downtown businesses requesting the Downtown DORA – Swig, Stella's, Casa Barron, Rose & Thistle, and Suburban Bottle. Ms. Powell said that their intent is to create positive economic benefits for the downtown area. She said there are 34 DORA's in Ohio and they have created an increase in sales for restaurants and retail stores. Ms. Powell said that they feel the DORA will help Perrysburg be culturally progressive. She discussed security and said that many of the business owners are Perrysburg residents. She said that they already have a responsibility to not serve underage patrons and to keep things under control. She said that since 2013, in the downtown there have been 3 DUI's, 9 disorderly conducts, 1 trespassing, and 0 open container violations. Ms. Powell said that they feel the current number of officers on patrol is sufficient, but they agree that an increased number of officers will be needed, at their cost, for special events. She said the cups will have the map of the district on them so patrons can see where they are allowed to go, and there will be signage throughout the district, along with a website. With regards to sanitation, she said that the garbage is already picked up downtown and they do not believe the volume of cups that will be sold will be high enough to affect that. She said they will closely monitor it and will work with the Administration. Ms. Powell said that she is a 25 year resident of Perrysburg and if they find that the DORA disrupts the community, she will agree that it be discontinued. She added that small businesses are trying to stay afloat through this pandemic and they are trying anything they can to help.

Ms. Born thanked Ms. Powell and said that the common thread throughout their application is that people love Perrysburg. She said that she supports the downtown businesses as well as other Perrysburg businesses. She asked why this is being considered during the Covid-19 crisis, and she noted that there is no formal organization making this request. Ms. Powell said that prior to Covid, customers would come in, sit down and enjoy a cup of wine. She said customers don't feel comfortable sitting inside right now. She also said that they are not opposed to forming a group, they just tried to get this going as soon as possible.

Mr. Kuhlman asked why they went with the design that they chose for the district. Ms. Powell said that originally, to address security concerns that might be raised, they were going to keep it on one street but then included the development on Third Street and Burlingwood to include Inside the Five. She said they felt strongly that they wanted to keep it simple and compact as possible. Mr. Kuhlman said that Powell, Ohio created their own district and no businesses were included in the application. He said that he spoke to Powell City Manager Andy White and they just started their DORA. Mr. White told him that the non-liquor businesses were apprehensive but the Monday after they started the DORA, he received calls thanking the City because they were reporting a 300% increase on sales. Mr. Kuhlman added that Sylvania has seen no downside to their DORA. He said he is all for trying something new, and if it doesn't work, it can be shut down.

Mr. Smith said he received a question from a resident about the hours of the DORA. He stated that four of the five businesses included on the application aren't open on Sundays. Ms. Powell said that they included Sunday because of events. Mr. Smith asked about the expected daily cup usage. Ms. Powell said that they reached out to Sylvania, but their numbers included special events. She talked to Toledo, and they are averaging 20 cups per week per business.

Ms. Materni said that the group is relying on the City for security, and she wondered if there had been any discussion about hiring a security person for Fridays and Saturdays. Ms. Powell said that she spoke to Chief Jones about the security and as indicated on the application, they feel the current police patrols are sufficient security at this time. Ms. Materni asked how they know it's adequate if they don't know how successful it is going to be. Ms. Powell said that they feel education is so important and when a patron purchases a cup, it is very important that they know where the boundaries are. Ms. Materni said her biggest concern is there is no group to monitor this.

Mr. McCarthy asked Ms. Powell if she had seen the report prepared by City Staff. Ms. Powell said she had not. Mr. McCarthy suggested that she get a copy and review it. He added that he voted against the Levis Common DORA because he felt it should be downtown, and he still believes that. He asked about the signage because the application shows the placement of signs on City signs but that would not be permitted. He also said that he feels the review period should be shorter than five years.

Mr. VanHoozen asked if the applicants approached Fifth Street Pub. Ms. Powell said that they did and they wanted to be a part of it, but they didn't want to hinder approval. Ms. Powell stated that with the railroad tracks, the library and the Commodore Building, they decided not to include the Fifth Street Pub. Mr. VanHoozen wondered if the food trucks on the other side of the tracks during the Farmers' Market would be an attractive nuisance. Ms. Powell said they were not aware the food trucks were being moved off of Third Street when they filed their application. Mr. VanHoozen said that he was not able to vote on the Levis Commons application for a DORA, and he feels we need one both places. Ms. Powell said that House Bill 674 changes some of the DORA language and it would allow two DORAs for a town our size. Mr. VanHoozen said that he wonders if Hood Park will also be an attractive nuisance. Ms. Powell said they considered that, but were concerned the application would not be approved if that area were included.

Chris Morris, co-owner of Inside the Five, said that the Perrysburg location will be their second location; they also have one in Sylvania. He said that the same concerns were raised in Sylvania, but there have been no issues. He said that Covid presented new challenges and they had to reduce seating which creates more wait time. He said that DORA has allowed people to wait outside where they feel more comfortable. He said that in Sylvania 6,000 cups were sold last year and 90% of them were sold from May to October. He said that the biggest pro to keeping the hours consistent is making it easier for the customers and staff.

Ms. Born said that she went to the Sylvania DORA last year and watched from a business, and it wasn't busy. She said that most people she saw were going to the coffee shop. She said Perrysburg is a different animal, and she doesn't see any benefits to a DORA. Ms. Born called attention to comments she received from Carol Shepard, 270 Southwood, asking why it is necessary to carry your alcohol with you. Ms. Born noted that Mr. Morris does not live in Perrysburg. Mr. Morris said he does not, but his partner Katie Fields grew up here. He added that the DORA doesn't just support his business, it supports the community.

Mr. Kuhlman said that he prosecutes in Sylvania, and there have been no increase in prosecutions because of the DORA. He also said that he hasn't heard from anyone against the DORA and if someone has valid statistics against a DORA, he would like to see them.

Mr. Smith thanked Mr. Morris and said that he appreciates hearing about the Sylvania DORA.

Ms. Materni said that she is not against it, she just wants to make sure we get it right.

Mr. VanHoozen said that he has had people say if it ain't broke, why fix it. He said that the Farmers' Market and First Fridays are more family experiences, and he asked if there has been a change in the make-up of crowds in Sylvania. Mr. Morris said he has not seen a change.

Dr. Linda Bowyer, 149 Partridge Lane, said that she also spoke at the Levis Commons DORA meeting. She said that she is Vice-Chair of the Uptown Adams Street DORA in Toledo. She said that they hired security for the first number of months and found that they did not need it. She said that with the pandemic if there were no DORA, she believes a lot of the businesses on Adams Street would not have survived. She encouraged City Council to support this DORA application.

Chelsea Palmer, President of Downtown Perrysburg Inc., read a prepared statement. She said that Downtown Perrysburg Inc. supports the concept of a downtown DORA, and the DORA and DPI's involvement will be on the agenda of their next meeting on August 18, 2020.

Alex Ward, 117 Cherry Street, said that it would be foolish not to consider anything that would help the local businesses. He said that he fully supports the DORA application and anything else to increase the livability of Perrysburg.

Ms. Born said that she does not normally agree with the Administration, but in reviewing the packet of information, she saw that concerns were raised by the Administration about the lack of private sanitation, private security, that there is no formal organization, and the increased burden on City services. Ms. Born questioned the possibility of increased lawsuits, increased falls, and asked how the liability would affect the City.

ADJOURNMENT

Mr. McCarthy moved to adjourn the meeting at 7:46 p.m. Seconded by Ms. Materni. Ayes: (6). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor