



MINUTES

DORA SUBCOMMITTEE
Village Green Municipal
Building Council Chambers
47 Hall Street
June 4, 2019
6:30 p.m.

The meeting began at 6:33 p.m. Those present included:

Committee Members: Daniel Swartwout, Melissa Riggins, Councilmembers; Steve Lutz, City Manager; Rocky Kambo, Assistant Director of Development; Nicole Scott, Citizen Representative; and Shawn Boysko, P&Z Representative.

Staff/Others: Jon Bennehoof, Mayor; Karen J. Mitchell, City Clerk; David McCorkle, Economic Development Director for the City of Worthington; Elton Sargent of Prohibition Gastro Lounge; John Gabriel of Annie's Wine Cottage; Dustin Sun of Huli Huli Tiki Lounge; Brian Mathias of Ill-Mannered Brewing; and other interested parties.

Question and Answer Discussion with David McCorkle, Economic Development Manager of the City of Worthington regarding their DORA District

Mr. Kambo introduced David McCorkle to the Committee who attended to answer questions regarding the DORA district within the City of Worthington and their experiences utilizing it over the last 18 months it has been in place. Mr. McCorkle explained that Worthington did not have a large patio space in their downtown area so restaurants had to utilize outside public right-of-way sidewalks for outside dining, alcohol was not permitted in these places.

Worthington wanted to explore a DORA district to address two issues (i) a designated outdoor refreshment area to enhance outdoor dining; and (ii) to enhance events. Overall, Worthington has found it to be a tremendous success. They started conservatively with four DORA events over a four and one-half acre area in Old Worthington, which has expanded to fifteen events today. They created 9x12 signs on moveable stanchions that say "No alcohol beyond this point" so it can move with the DORA boundaries of each event. Police originally staffed the events up, but they learned, by the second event, that they were overstaffing and the Chief reduced the number of officers by 2/3rds. Mr. McCorkle mentioned that implementing the DORA did require a lot of education up front and recommended being diligent in educating the public if moving forward. They utilized DORA hangers, brought in the state to do front-end education, and brought the business owners to a training program. The statute requires reporting to council every five years on how well the DORA is going. Worthington's findings so far is that: (i) businesses have reported an average of a 10% increase in sales; (ii) there has not been an increase in police calls/police presence; (iii) it has enhanced the events; (iv) no increased sanitation issues; and (v) no public intoxication issues.

Administratively, Mr. McCorkle said that they only needed to tweak their permit application to add the DORA. The application requires the applicant to submit a map of the proposed area of their DORA event because the DORA does not require utilization of the entire DORA area, and/or could contain several smaller DORA areas within the DORA district.

Q. How are the retail businesses, where people are allowed to enter with their DORA drink, handling it?

A. So far, well. It allows customers, who previously had to stay contained within a fenced in area, to take their drink and go shopping. It is up to each retail business to decide if they want alcohol going into their space. A customer is not permitted; however, to take a drink poured by one establishment into another establishment serving liquor. All drinks must be in a plastic cup. Worthington requires an opaque cup, but otherwise allows the establishment to decide the shape, size, and style of cup (i.e. wine glass or lager-styled, etc.) At the request of their police chief, each liquor establishment utilizes a different colored cup so the police know which establishment the drink came from.

Q. What is the logistics of staffing for events?

A. Every event is different. We require a special event permit be filed for each event. Staffing, such as sanitation, police, etc., is considered based on the nature of the event. Each department head makes the determination on whether to elevate staff based on the permit application. The sponsor reimburses any cost of staff elevation.

Q. What is the liability around the permit holder/restaurants?

A. We have been told it is no different than overserving someone. The sponsor just uses their standard event liability insurance. They have reported no increase in premiums. The restaurants have said the same thing.

Q. How can you track the colored cups when it is possible for someone to get liquor somewhere else and pour it into the cup?

A. Luckily, we have not had that issue of someone who may have been overserved in one place that went on to the next restaurant and had a different colored cup.

Q. Is there any liability on the business owner for a patron passing barriers/stanchions with a drink? Have you worked much with the state on this issue?

A. Yes, quite a bit when we brought them in for training for all the business owners and managers of all the restaurants. We had undercover agents that came in and gave that training. The agents patrolled some of the early events and work with the local police to assist training in handling events. Patrons were given warnings at those early events to help educate them. After the first few events, anyone violating the DORA were issued citations. If people leave the DORA area with a drink, anything that follows is on them, similar to an open container violation. If a business overserves someone, then the liability comes back to the establishment.

Q. Who is paying the fees for things like the cups and labels?

A. The businesses are. Our Main Street organization is buying those in bulk for the businesses and then invoicing each business separately. We did not have any elevated costs to put on these events.

Q. Do you use wristbands?

A. No. We talked about it, but did not choose to do that. When we approved our DORA, F-permits were not eligible, but that has since changed (end of March 2019). F-permit holders still have to have the sale occurring on their premises, so a boundary must be created for the sale to happen.

Q. Are the expenses to the City for your DORA a net zero?

A. Yes.

Q. What are the infrastructure concerns that you think might be an issue?

A. Lighting would be one. Key intersections should be considered. You also have railroad tracks. You have many scattered public parking lots, which would allow many points of ingress/egress.

Q. Did you modify any fines for violations by increasing the amount of the fine?

A. No.

Q. Is the ten percent business increase for all businesses or just the ones serving alcohol?

A. I believe it is only for those serving alcohol.

Q. What are your suggestions for a community like ours with a dispersed alcohol community with some outliers?

A. We tried to make ours as rectangle as possible and not have many lines that went off in different directions so people could easily understand the boundaries. We had some outliers but we did not include them in the DORA. They could now - with the recent change in law - bring a tent or beer truck into the DORA district.

Q. How have the nonalcoholic businesses responded to the DORA?

A. They have not had anything negative to say. They also have not been overly positive either. Their sales have been somewhat similar to what they were before. They do appreciate the influx of people around the downtown for the events.

Mr. McCorkle recommended that when the DORA is created the reasons for creating that DORA need to be understood. For Worthington, there was a zero vacancy downtown. They were not trying to get people to the downtown area, but rather to enhance outdoor dining and enhance events. Other communities may be interested in achieving different things (i.e. attracting more people to the area, tourism, etc.)

Mr. Kambo also reminded the Committee that DORAs are highly customizable to each event/circumstance. The purpose in exploring a DORA is to bring people to our local businesses.

Adjournment - Having no further business to come before the Committee, the meeting was adjourned at 7:29 p.m.