

SPECIAL SERVICE COMMITTEE MEETING MINUTES

August 7, 2006

Members of Service Committee present: Mel Clemens, Doug Joseph, Preston Stearns, Donna Shirey.

Other members of Council present: Ron Stake, Brett Baxter, Antoinette Newman, Council President William L. Hills.

The meeting was called to order at 7:00 p.m.

Mr. Clemens: ...Special Exception Use Permit that was sent to us from the B&Z Commission. Special Exception Use Permit for Spot Family Fun & Billiards Club. We're having this meeting because it was sent back to us. We sent the Special Exception Use Permit back to the B&Z and asked them to re-do it, which they did do it properly like it should have been the first time. And they did have a hearing. They did put conditions on it that I asked them to, and other members of Council had asked them to. And I think if you had read the minutes, the conditions they put on were that the applicant insures to the best of his ability to comply with the curfew ordinance of the City of Reynoldsburg. That the applicant will not serve, and donate, or apply for anything to do with alcohol beverages and beer and wine. That the applicant will apply for and keep current, a billiard room license and if necessary, an arcade license. The applicant will not allow food or drink to be brought into the facility by customers. And no more than 10 video amusement machines shall be permitted on the facility. These are the conditions they sent back. And I think these are the conditions we had asked them to approve. And so we're here tonight to discuss this in the committee and hopefully move this on. The reason I had asked for the special meeting was, I didn't want to hold the applicant up another 30 days since they've been held up this long. So committee members, it's open for your discussion if you have any other discussion or anything in committee that you've thought about that you would like to consider, or if you feel this is the proper conditions that the B&Z brought. Mr. Stearns.

Mr. Stearns: Well, the only thing, I guess I could say, it's just one of those situations where you think you need to ask something. My question is concerning the overcrowding. What do you have as far as planning? I know this is not the Safety Committee or anything like that. But how, you know, your business is so successful, how do you intend to control the crowd?

Mr. Maszon: We will have on the busier times, in house security. They'll have a shirt that says "Security" on the back of it. He should be able to maintain crowds accordingly.

Mr. Stearns: Sir, what I'm talking about you know, a huge number of people happen to come in there and have a good time, so you will be watching that very closely, right?

Mr. Maszon: Yes. And I honestly, with these type of _____, you start getting a regular crowd. Normally it's not even an issue.

Mr. Stearns: Okay. Well, that's all I've got. Thank you.

Mrs. Newman: Well, the fire department recommends, or controls that, don't they? Sets the limits on...

Mr. Clemens: There is a certain number they are allowed to have in there.

Mr. Maszon: And I believe, I haven't been given those numbers yet. But I think that's all part of...

Mr. Clemens: They will when they inspect it.

Mr. Maszon: Okay. Good.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: Councilman Clemens, one of the pieces that I looked at is that the applicant will not serve, give, donate, or apply for anything to do with alcohol beverages, beer or wine. And that's tied to the applicant. Is there a way we can tie that to the premises rather than the applicant?

Mr. Clemens: That, I'd have to ask Jed. I talked to him before about this and he says, no. It's strictly the applicant is applying for it.

Mr. Baxter: So then is it possible then to say, for example, one of the other members of your company to apply for it with this...

Mr. Maszon: Actually, with the billiards Chapter 711, it says in there, to have a billiards license in the City of Reynoldsburg, I can't serve alcohol.

Mr. Baxter: Very good. That satisfies me then.

Mr. Clemens: Yeah, it does. 711 does say that. There's other guidelines he has to fall under through the Police Department that really covers, most all of this.

Mr. Maszon: And that's renewed once a year. So if there ever becomes a problem that I can't resolve, then obviously (inaudible).

Mr. Clemens: Also, I would like to add on there if it's okay with members of the committee, that we have a 6 month review. And if you don't mind that, _____ 6 months from we'll review that. Review the Special Exception Use Permit to see that everything's handled correctly and everything's been followed according to the ordinance. We do this on, lately we've been doing it with quite a few of them.

Mr. Maszon: Not a problem.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: The second question I have Chairman, is dealing with the last, number 4 that's listed

on here. That the applicant will not allow food or drinks to be brought in by the facility by customers, and that would be expected. The question I have is based upon what your intent is. Do you have plans on bringing food into the establishment that you order as a business owner into the business?

Mr. Maszon: Well, what they were saying is, no one should be able to walk into the establishment with, honestly I would prefer them to just say drinks. But it's fine. We are going to have Grandma's Pizza delivering food. Also, El Chico's at this point and time are going to be delivering food into the facility. We'll be taking our percentages off of that.

Mr. Baxter: I thought I heard you say that once before. And then would there be the idea you might want to bring a pot luck, or maybe your own crock pots and stuff like that?

Mr. Maszon: No. I mean, if I decide to start serving food, you know, then it'll probably be hamburgers and stuff like that. But I'd have to go through the city and get a health permit.

Mr. Baxter: Okay. So that's not your intent now?

Mr. Maszon: No. No.

Mr. Baxter: Alright. Very good. Thank you.

Mr. Clemens: I think he'd have to call in the Health Department if he started something like that.

Mr. Maszon: Yeah. I'd have to go to the Health Department.

Mr. Clemens: Members of Council, do you have any, yes Donna.

Mrs. Shirey: Thank you, Councilman Clemens. I just need to confirm the hours of operation on this. Can you tell me what those are again?

Mr. Maszon: Well, what's stated in 711 is where we've now come to the conclusions with our hours of operation. We're actually going to back that up a little bit as well. Chapter 711, according to the Police Department says, I cannot be open any sooner than 9 a.m. in the morning until 2:00 during the week. And then from 1 p.m. on Sundays until I believe midnight that day. What we are going to do for hours operation are going to be Sundays from 1 until midnight. Monday, Tuesday and Wednesday from 11 a.m. until midnight. And then on Thursdays, Fridays, and Saturdays, we're going to go from 11 a.m. until 2:00 in the morning instead of 2:30. That gets us out before the bar crowds come out.

Mrs. Shirey: Okay. I just had a concern with the hours as far as being open until 2:00. I would think that if this would be a family function atmosphere, that I could see being open until 11. 10, or 11, or 12 Monday...

Mr. Maszon: Well before 8 p.m., there's no smoking in the facility. And that's where I'm gearing

this up for more of a family environment. Now after 8:00, I'm gearing up more for an 18 and older crowd. People that are getting off of work at 9:00 that are cooking hamburgers, making pizzas. You know, they all get off at a later shift and they all want somewhere to go and have a good time until they go to bed. And that's the crowd we're shooting for in those later hours. I'd honestly love to be able to go until 2:00 like the Chapter 11 had stated, but it's not that big of a deal to me. You know, we'll back it off during the middle of the week and then obviously, the busier hours will be Thursday, Friday, and Saturday. Does that satisfy? I don't see why we need to be closed any sooner than midnight.

Mrs. Shirey: Okay.

Mr. Stake: Thank you, Chairman Clemens. I think it's a great alternative to a drinking establishment. You know, some place for people to go that don't want to stay home. They can go to a recreational facility and play some games, play some billiards. And I think it's a good idea.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: I also understand you'll be doing darts and things like that. Correct?

Mr. Maszon: Yeah. We're at least going to have two. I'll have to look at the space by the time all set it up. There'll be at least be two dart boards. I believe the _____ of services already has leads set up now. I don't know if that's, depending on what age groups or whatever. But we're still exploring those options once _____ the facility 100% set up and running.

Mr. Baxter: Well, I'm in agreement with Councilman Stake. I think it's a great idea to have a wholesome type of place to have activities like this that doesn't include alcohol. And can show that you can have a good time without alcohol.

Mr. Maszon: Exactly right.

Mr. Baxter: Thank you.

Mr. Clemens: This does fill up that shopping center. Are there any other questions from members of the committee or members of... Yes, Mr. Stearns.

Mr. Stearns: Yes, Chairman Clemens. I have one more question. You have two locations. I mean, you have two addresses here. 1756 and 1762. Are you going to have two entrances, or one entrance?

Mr. Maszon: One entrance. The other entrance is getting blocked off. So technically, this is going to be 1762 Brice Road when it's all together.

Mr. Clemens: Any other questions from members of Council? (No response). I do have one speaker slip. Ken Wright.

Mr. Wright: Since I got here a little bit late, could I ask if the security was addressed? If the security issue was addressed?

Mr. Maszon: Yes, it was.

Mr. Wright: So there is going to be security on site?

Mr. Clemens: Security as needed. I mean, it'll be by the owner. People that work for him. Unless there's a need for it. If it becomes a need, then that'll be handled by the Police Department through the permit, 711. It is up for review in 6 months. So we'll see how it works.

Mr. Wright: But it's not required to start off with or anything?

Mr. Clemens: No.

Mr. Wright: Like you would have at least one security person?

Mr. Clemens: No. Other than himself and his employees.

Mr. Wright: Well, that's what I was hoping for. Because that's what I was concerned about, was the security issue because of the location. It's not because of the business particularly. It's not because, my objections are not because of, necessarily because of business. And it's not necessarily because of, you know, it's nothing against Mr. Maszon or anything else. I don't know him. I'm sure he's a fine guy and everything. But it's just the location is what I'm worried about and all the trouble there's been around that particular spot. You know, if it was, it wouldn't have to be too far in almost any direction except west to be a little bit better off. But as far as location. But I just think that, I don't, here's my question, what's wrong, if a business is going to come into an area that is troubled, and his architect said it was a troubled area, members of the BZBA Board said it was a troubled area, and from what I've seen and read it's a troubled area, so if a business is going to go in there and pull the profit out of a certain area, what is wrong with requiring that at least one security person could be on duty there if you already know it's a troubled area. Because it seems like it's backwards to wait until trouble starts. Because if you had a guy required to be there, I think it would prevent trouble. Even if you just required it just for a month. Just the first month, just require it. Then that would set the, like you'd never get a second chance to make a first impression you know? So if the people that would be likely to be attending there, I mean to be patrons of the place, if they saw that Mr. Maszon was serious about security to start off the bat, it just seems like they'll go, okay well we can't fool around with this guy. We can't fool around at this place. You know, and it just seems like you know, if they saw an actual security guard there, you know, I don't mean a policeman, I'm talking about a private security person there that was recognizable uniform, I think it would keep trouble from happening. And you know, that's what I'm worried about. Hearing about in the future is that, something happened there that could have been prevented. And so that's my concern about it.

Mr. Clemens: I can understand. But I also can understand we have a lot of troubled areas that we

don't require security. And we don't require security in our bars and so forth. That's where our trouble is. They have pool tables. I think to require security when a person is just opening up their business, and he's not the one that has caused trouble, he hasn't had trouble, I think we're asking a little bit too much. Now if there is trouble, he will have security. I mean, we'll see to that. But to have somebody just open a brand new business and say, you've got to have a guard here, security because we've got trouble in these other businesses around you, I think we're asking too much. We don't require security in these other places. Yet we would require security for him to guard against these other places. So I think that's how the B&Z felt. And that's how I feel. Now certainly, if we do have a problem, that's why we put it on for review. And certainly if we do have a problem, that's why we have a Police Department, and the Mayor that runs the city, I'm sure that they'll watch closely on what happens. We have to rely on that. But I don't think it's fair to penalize any business that comes into town when they open their doors up and say, you have to have security because you're in the neighborhood where we have problems. We have problems in all of our neighborhoods. We have problems in each section of town. So anything we would do, his business will open up that people would go into to buy something and we'd have to say, well you've got to have security because we have trouble here. And I think that's, at the present time, I don't think that's fair to the applicant on opening up a business. If there is trouble, I guarantee that it will be taken care of and there will be security. But I think we do owe him the right to open up his business, and see how it's ran, and go from there. I mean, that's something that surely we're going to watch. And I understand your feelings on it and I hope you understand mine on it. But I just don't think it's fair for new businesses to require security because of other businesses that we don't even require security. And they're the ones that give us our problems.

Mr. Wright: Yeah. But the BZBA, that's one of the things they brought up. Was, they were saying, well we should require from every business if we require it from them. They say, you going to require it from the pizza place? Are you going to require it for those kinds of businesses in the area? And I said, but yeah, but that's a different nature. It's not where people are loitering around see because (inaudible).

Mr. Clemens: This is not where people are loitering around either. This is a legitimate business. They have them all over Columbus. It's a non-alcohol business. It's a family business to a certain time and other people come in. We can't judge all people being hoodlums in town. We just can't do that. And so I feel we have the right, and we have a lot of decent people, we have a right for them to be able to walk in without having to stare a security guard in the face with a uniform on the first day the man opens up. Like I said, I'm sure it's something we're going to watch closely. I'm sure it's something that the police will watch closely as they do others, and we'll see how it works. But it is up for a 6 month review. Are there any other questions? Mr. Baxter.

Mr. Baxter: Thank you, Councilman Clemens. And I'll further what you stated and the fact that I think it's a great idea that we have a business like this family business moving into that area. Why? Because hopefully, it's the first best step to turn that area around. And more businesses like this that are family oriented businesses, I'd love to see step up. It's going to help out the whole neighborhood. The whole community. As he brings more people in, they're going to shop at those areas. So hopefully, this is the first step to seeing a turn around in that area.

Secondly, from a policing standpoint, why would we expect a single business coming in as a new business, be responsible for policing the entire community of that area? Whereas it is already the responsibility of our existing Police Department to do just that. Hence, the reason why we're reaching out to our community now, asking them to go out and vote for our increase so we can have additional Police Officers, and we can put focus in areas that are troubled. Not just that one. In other areas as Councilman Clemens said. So I hope you tomorrow, go out and vote for that. And let's help make this a better community. That's my comment. Thank you.

Mr. Clemens: And I think if there's a let down, and I live in that community, if there's a let down in that community, I think you'd have to blame it on Council and the administration or something like that. You can't blame it on the individual store owners. It's up to us to make sure that there is a let down. And I'm sure that we are, I'm sure the Mayor's working on that. That district is no different than any other district. If you read the paper on our police reports, you'll find out that there's much more that goes on in the City of Reynoldsburg than just down in that little section right there. And we have a complete city to look after. And that's our problem. That's why we need more people. But you always speak of this community, the worse section of town. It's not the worse section of town. We have one place or two places. But God knows, they're all over Reynoldsburg that we have all kinds of problems. All you have to do is look at the police reports. So any how, are there any other questions pertaining to this subject? Mr. Stake.

Mr. Stake: Chairman Clemens, I just have a couple of comments. And I always appreciate Mr. Wright bringing forward his ideas. But very rarely agree with most of them. And this is one that I don't agree with. I think that we've got to be careful we don't put undue burdens on business owners who want to start a business in our community. I think that's what makes our community work is having business owners and them having employees who pay taxes. So I don't want business owners to get the idea that we're going to try and make things difficult for them if they want to put a business in the City of Reynoldsburg. And there's also property owner rights. You know, the person who owns that facility has the right to rent that space to a viable business. So I think that if Mr. Maszon has a viable business and the property owner has rent coming in, and there's a recreational facility in the City of Columbus that's non-alcoholic that gives people an alternative to going to bars and places like that, I think it all works well together. So I just want to again, express my support for this business.

Mr. Clemens: Are there any other questions from members of Council? (No response). Thank you Mr. Wright. We appreciate it.

Mr. Wright: Okay. Could I have one more comment? Mr. Kucera mentioned on the BZBA Board to me.

Mr. Clemens: Make it short.

Mr. Wright: When I went there, is that okay if I mention that?

Mr. Clemens: Yeah. But don't stretch it out.

Mr. Wright: I'm not stretching it out. I just wanted to say that he even told me in the meeting, at BZBA Board, he said that that area gets more police calls than any other area of Reynoldsburg. He admitted that.

Mr. Clemens: On certain calls. I think if you check the police report, probably the place that gets more calls is right down here on 256 in our commercial area.

Mr. Hills: Mr. Clemens, if I could. And I read the minutes. Everyone here has read the minutes. Mr. Kucera made that statement. Now I don't think that statement's correct. Now I haven't called Mr. Kucera, but I believe we do have the Mayor and the City Attorney here. Where the basis for that statement was, I don't know. I don't know whether he was trying to agree with you or not. But I don't think that it's true that the majority of police calls are to that corner and in that shopping center.

Mr. Wright: Well, not that shopping center, but that area.

Mr. Hills: Mr. Clemens, do you mind if the Mayor comes up? I read the statement myself.

Mr. Clemens: Okay, Bob.

Mayor McPherson: First of all, the administration supports this business also. And I think I've expressed that to several people. Having family oriented businesses coming into any community in any section is always good. And I don't care where the section is. That was an inaccurate statement. That is not the highest crime calls in the City of Reynoldsburg. And to say that you have to give a time frame. Because it varies. There's one month that's going to be high in one area. There's one month that's going to be high in another area. If you're looking for consistency, it's probably in some of our larger shopping malls and shopping areas because you have a whole lot of activity. You have a tremendous amount of people coming in and out. So that statement was not an accurate statement. And probably, it was preferenced on some other issues that have been said over the past few months about some of the businesses in the area. But that's not true. That is not the highest crime area in the city. We don't get more calls there than we do in other areas. So that's a misnomer. It just doesn't happen. And again, I appreciate businesses like this coming in any place in the City of Reynoldsburg. They're welcome. They're family oriented. And that's what we need. Thank God it's not another bar. You know, we've got so many bars and we all know that there's not really a whole lot we can do about them. But I'll guarantee you we don't require them to have security in them. And the gentleman's already addressed the issue that if there are problems, he's going to have security in it. I'm sorry you didn't get here on time but that's not the rest of our problems here. He addressed that issue. And he's going to have security. They're going to be marked security if there's problems. So I'd just like to see it moved on and have the man get his Special Exception Use Permit. And like Mr. Clemens said, it's going to be reviewed in 6 months. It's on the ordinance. And I can assure you that if there's any problem there, he will get exactly the same treatment everyone else gets. Our police will handle it. And just like any other business, they call us, they have a problem, we take care of it.

Mr. Clemens: Thank you, Mayor.

Mayor McPherson: Thank you.

Mr. Clemens: And I would like to say, this has sat vacant for 2 years since there was going to be a bar there. It had already been approved. They were working on it. It was a bar that was across the street that was moving there. And there was a split up between the people that owned it so they didn't put the bar in. But it had been approved for a bar. It was going to be a bar and it's sat vacant ever since then. So that's one reason I'm glad it fulfilled. Both of them. Both of the sections. Thank you, Ken. I appreciate it.

Mr. Wright: Well, I'd just like to thank Mr. Clemens on the record for when this first, this issue first came up, you stood firm on the no alcohol policy there. And which the BZA Board didn't, they weren't clear about on that. And you noticed that. And you emphasized that, that there couldn't be alcohol there. And that was really important and I appreciate it.

Mr. Clemens: Thank you. I appreciate that. I'd like to, in committee, I'd like to recommend to Council that we send this to Council with a rule suspension. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

That ends the meeting at 7:22.

Special Service Committee

August 7, 2006

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)