

CITY OF AMHERST, OHIO

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Minutes of the Ordinance Committee Meeting held May 4, 2026, at 7:00 P.M. Present in Council Chambers were Chairman Dembinski, Mr. Nahorn, Mr. Wachholz, Mr. Janik, Mr. Mowcomber, Mr. Winiarski, Council President Wasilk, Mayor Costilow, Auditor Phillips, Treasurer Miller, Assistant Law Director Ward. Safety Service Director Jeffreys, Ms. Harmych, and Law Director Pecora were absent and had letters on file and were excused on a motion by Mr. Janik and second by Mr. Wachholz. Vote 6-0 to excuse. There were eight members of the public present.

A-26-20 Amending the current Amherst DORA policy to include a temporary Trial 2006 - summer seasonal operational calendar to include hours 12:00 P.M. to 10:00 P. M. Daily Sunday-Saturday from May 15 through September 27, 2026

Mr. Janik corrected the chair in that the timeframe is noon to 10pm, not midnight to 10 p.m. as the chair stated when reading the ordinance. Mr. Janik researched other cities and they have not had any additional crime while increasing their economic activity. They did not need to increase their police presence for their DORA. 88% of the business owner within the Amherst DORA did sign the petition and are on board with the temporary trial period. The chair provided the police crime stats that were provided by the police chief. Mr. Janik continued that he believes this will help the businesses downtown. The mayor read a letter that was provided by the police chief. The mayor has talked to some businesses and those that he spoke to had concerns that they did not fully understand the petition when they signed it. They also had concerns about how any underage workers who would be responsible for patrons who were drinking.

The chair asked for clarification on the days the DORA would be active as the petition says Sunday through Saturday but later also says it would not be active on Saturday. The chair mentioned that he and Mr. Winiarski had previously discussed doing a shorter trial period and asked Mr. Janik if those in favor and those against this proposal had discussed the proposal and tried to find a compromise and Mr. Janik stated no they didn't because they knew the position of those against the DORA. The chair asked for clarification on how special events would be handled with the DORA always in effect and the mayor explained we would still have special events and depending on the event there may need to be additional police because of the DORA. The chair then asked the law department if we needed to resubmit the DORA to the state. The department answered that this change would not be temporary, meaning if council wanted to go back to a special event only DORA we would need to have councilmatic action to do so, even though there is an end date in the proposed ordinance.

Mr. Janik mentioned the city of Powel was surprised that the city was charging organizers to use their police for DORA events. The city of Akron and Cleveland, much larger cities, have not needed to increase their police presence at DORA events. He doesn't believe the city shouldn't be charging for DORA events. Mr. Nahorn spoke that he put safety above all else and that is relying on our police department to provide that information. Mr. Mowcomber asked for clarification about the information provided by Powel when most of their benefit was during a much smaller time period. He also thinks that if some businesses are given an opportunity to sell additional alcohol, then they should pay for those bills.

Mr. Winiarski referenced the trial the chair talked about and how he was able to get everything lined up, including buying supplies with his own money, but his application was denied so we couldn't do the trial that would have given us more information. One concern we hear often is the ability to give the alcohol to a minor and he doesn't believe the risk is as great as discussed but it would be the police who would take the blame if something happened, so we need to respect the police's opinion. Mr. Winiarski asked how the additional police would be paid and the mayor answered it would have to come from the budget where we would need to ask for additional funding to account for the additional police. The mayor has done some research and the DORA cups are meant to be used as a fundraising source for the DORA area for additional cleaning and police force. Those cities normally buy the cups then sell them to the businesses to cover the additional costs. Mr. Winiarski asked Mr. Wachholz if he ever got his questions answered and Mr. Wachholz answered he did not. Mr. Wachholz asked what is the cost for the additional police force and the mayor answered \$60 per hour with a 4 hour minimum per police officer. Mr. Wachholz asked for clarification about if every event would need additional police and the mayor explained their staffing process. The mayor also explained the funding process for canceled events. Mr. Janik clarified that he never said the DORA wasn't worth having the police presence. Previously Main Street Amherst (MSA) was charged \$75, not \$60, and MSA was required to pay for the police even when the event was canceled. Mr. Janik asked for clarification on the police staffing and the law department answered that staffing is an administrative responsibility. The mayor replied about fairness for an officer being scheduled for event and then not getting paid because the event was canceled. The fairness for the officers should be considered also. Mr. Mowcomber spoke to the difficulties the police chief may have with staffing, particularly depending on the weather. Mr. Janik believes the current police who patrol the area are sufficient for the DORA area during the expanded trial period.

Peggy Sinibaldi from 5 Points Tavern, 134 Park Ave, believes it could be beneficial to other businesses and presented a survey where 51 people (100%) were in favor of the expanded DORA. She thinks the 10 p.m. timeframe is a good time to end the DORA and the police statistics are probably mostly from the night, not from DORA events from during the day. She also doesn't believe the businesses or police should need to hire additional staff. She referenced a previous St. Patrick's Day where the police did not hire additional officers when it's a day known for additional drinking.

Stacy Recknagel from the Mermaid's Tail, 201 Church St, also works at Olde Towne Charleston, 651 Broadway, in Lorain. They have not had any issues with events with the DORA, including large events, to the best of her knowledge.

Judy Recknagel from Mermaid's Tail, 201 Church St, provided data on her sale during a DORA event and in all DORA events she had an increase of 10% to 15% increase in sales. Mr. Wachholz asked if she compared it to events without the DORA and she said yes, so the same event across different years, with and without a DORA and she said yes, the same event but with a DORA showed the increase in sales.

Christina Meier, 275 South Main St, CM Beez Tea & Honey Haven, is a new business owner but did not have any issues during the DORA events and does believe she had an increase in sales because of it.

Robert Lucas, Coles Public House, 219 South Main, he believes a DORA is largely to help create a good vibe within the Amherst area but not necessarily to provide a huge benefit from sales to the business. Having a DORA is not necessarily the specific reason he and his wife travel someplace but that it's a nice additional benefit to the area when it's an option.

Peggy Sinibaldi brought up that the DORA cups were previously paid for by the businesses and were required to purchase \$600 worth of cups. Mr. Wachholz asked who purchased them and she answered it was through Main Street Amherst. Mr. Lucas said it was that cost because it was the most cost effective amount to get a decent price and that once the initial purchase is made it may be possible to have a smaller run of cups.

Heidi Hoffman, Captain's Club, 232 Park Ave, believes this is about growing the downtown area while still being cautious of the risk. Having the DORA would help people want to stay in the area. She does not believe it will increase risk to an unacceptable level but will set more structure around the existing risk.

Mr. Wachholz asked is Main Street Amherst managing the DORA and Mr. Lucas answered about the process to order the cups. Mr. Lucas believes the current data may not support the information we're looking for simply because the current DORA events are too sporadic, including not having a consistent DORA schedule. He believes Port Clinton does a good job and has a similar space and atmosphere to Amherst. Amherst is lucky in that we're currently at a 98% occupancy downtown so this would be a great way to showcase what Amherst has to offer.

Mr. Wachholz has concerns about the legal process with this not being temporary even though there's an end date and the law department explained the process. The law department also pointed out there is a 5 year rule through the Ohio Revised Code which requires the legislative body to renew the DORA. Mr. Wachholz also has concerns about costs to the smaller events downtown if they are also required to pay for additional police officers.

The mayor mentioned that if this passes the mayor's office will fully support the new DORA and we'll make the best decisions that we can.

Mr. Nahorn commented on the police statistics and how the ones supplied from the police would represent issues that arose from established business but may not represent those that might happen within the DORA.

The chair explained the voting process to those in the audience.

Sarah Niehart, representing Ziggy's at 193 Park Ave, thinks taking the risk would be beneficial as a way to help grow the downtown area. She also thinks we could section off a small portion of downtown to facilitate people being able to spend time outside to make a Amherst destination location, including potentially blocking off part of Park Ave. She suggested some ways the DORA and downtown could be modified to help encourage people to participate. She also mentioned the younger generation doesn't drink as often as previous generations.

Mr. Mowcomber looked for clarification on how we can amend the proposal and the law department answered yes, we can through the first two readings.

The law department will work with the Clerk of Council to follow all legal requirements for the DORA proposal.

Mr. Winiarski motioned to send this to the floor of Council. Seconded by Mr. Janik. Roll call vote 4-2 with Mr. Mowcomber and Mr. Nahorn voting no to take to the floor of council

Mr. Wachholz motioned to adjourn. Seconded by Mr. Winiarski. Vote 6-0 to adjourn. The meeting adjourned at 8:08 p.m.

Brian Dembinski, Chairman
Ordinance Committee