

The COMMUNITY DEVELOPMENT COMMITTEE
held a Meeting on MONDAY, APRIL 12TH, 2021
beginning at 6:00 P.M.

CD PRESENT: Chair Callahan, Mitchell, Cerra, Oswald, Jessie

FINANCE PRESENT: Chair Stewart, Tollett, Baird, Jessie **ABSENT:** Davis

OTHERS PRESENT: Law Dir Deery, Safety Service Dir Brubaker, Finance Dir Pileski, Asst Finance Dir Farrell, Water Pumping Superintendent Jacobs, Public Works Supervisor Conner, Parks Superintendent Reardon, CD Director Scott, CD Manager Almobayyed, Asst Director Calvert, Councilpersons Keys and Simmons

1. Approval of the Regular CD Meeting Minutes ~ March 29th, 2021.

Motion made by Mr. Cerra, second by Mrs. Mitchell to approve the said meeting minutes.

2. The matter of a request for an Application For Placement in an Agricultural District. Referred by: Property owners; Bryan and Linda Baus

This matter is a public hearing and was published in the CT on April 5th.

Chair Callahan asked if there were any proponents three times and there were none.

Chair Callahan asked if there were any opponents three times and there were none.

Mr. Oswald asked what this matter is and why this is brought to Council.

Mr. Callahan said this type of application has to be renewed every 5 years. It's a renewal application for placement of farmland in an agricultural district. This property has been owned by the Baus family for several decades.

Law Dir Deery said the requirements are in the application and are set forth in the Ohio Revised Code, and the requirements are reflected in the application. This deals with the Lorain County Auditor's Office and the type of taxation that they are subject to. This is something that the property owner has to deal with every 5 years according to Ohio State Law.

Mr. Callahan declared this Public Hearing has been held.

Mr. Cerra moved and Mrs. Mitchell second the motion to authorize the 'said' application for placement of 23.13 acres of farmland in the agricultural district owned by Bryan and Linda Baus Trust.

MOTION CARRIED

COMMITTEE REPORT WRITTEN

3. The matter of a request for a New Liquor License submitted by Speedy Gas, 824 Middle Ave. (Permit Class C1 and C2).

Referred by: Ohio Division of Liquor Control

The said New Liquor License request has been requested for the location of 824 Middle Avenue and the chair reported that the Elyria Police Department has no records of this applicant. The Building and Zoning Official Farkas reported that this location is Zoned B-AO and alcohol sales are permitted. Elyria Codified Ordinance, Section 1162.02 D & H.

Mrs. Mitchell asked if this location is the old Gas USA and Mr. Brubaker said yes, this is the old Gas USA.

Mrs. Mitchell asked Law Dir Deery if the liquor license for Gas USA was put on hold a while back?

Law Dir Deery said that this is a new entity that is applying for a new license. The property was sold and therefore the prior license has been dropped and therefore this is a new application by a new entity, a new owner.

Because this is a new owner, that may be why there are no records for the current applicant. Both of the liquor licenses that were opposed by City Council are still making their way through the Liquor Control Commission. But obviously if this is a new entity, they are not precluded from applying on their own behalf.

Chair Callahan thanked the Law Dir. and asked for a motion from the committee; does the committee request a hearing.

Mrs. Mitchell feels the committee needs more information on this applicant. She said it could be a family member who is applying at this time and there was a reason why Council requested a hearing.

Dir Deery said that the City may not even get that information. If a request for a hearing is put through, they get a hearing, but there is no guarantee that we will get any additional information. The City will put forth our case to get additional information.

Mrs. Mitchell asked what the C1 and the C2 is for.

Mr. Callahan said the C1 is for Beer only in original sealed containers for carry out only and C2 is for wine and certain prepackaged mixed drinks in sealed containers for carry out only.

Mr. Oswald understands that these are new owners but the building location has had such a bad track record and he agrees with Mrs. Mitchell. He feels that Council needs to give this request a little resistance.

Dir. Deery said that the City has the right to either request a hearing or waive our right to have a hearing. The City doesn't have the right to say; we're good with this-give them the license or no-we're not good with this-don't give them the license, but we have the right to ask for a hearing.

Mr. Cerra asked to resend his previous motion, which was to that the City does not request a hearing.

A new Motion was made by Mrs. Mitchell that the City DOES Request a Hearing and that motion was seconded by Mr. Cerra.

MOTION CARRIED

COMMITTEE REPORT WRITTEN

At this time the Community Development went into a JOINT Meeting with Finance Committee at 6:18 P.M.

This evening's JOINT meeting ended at 6:53 and continued with the Finance Committee Meeting at 6:55 P.M.

Mr. Cerra moved and Mrs. Mitchell seconded to adjourn the Community Development Committee's portion of this evening's meetings at 6:52 P.M.

MOTION CARRIED

Respectfully submitted by,

Colleen Rosado, Council Clerk Secretary

(Meeting was attended by Secretary Rosado and Meeting Minutes transcribed by Secretary Rosado)