

CITY OF FRANKLIN, OHIO
RESOLUTION 2023-17

WITHDRAWING OBJECTION TO A LIQUOR PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO

WHEREAS, pursuant to Ohio Revised Code Chapter 4303, a property owner or establishment may not serve alcohol, or offer alcohol for sale, without first obtaining the necessary permit(s) for such service or sale from the Ohio Department of Commerce, Division of Liquor Control (the "Division");

WHEREAS, the City of Franklin received notice in 2022 that Pap Oil Company LLC (the "Owner") filed an application with the Division (the "Application") to renew for the 2022-2023 year an existing liquor permit attached to premises within the City located at 1111 William C. Good Blvd., Franklin, Ohio 45005 (the "Premises");

WHEREAS, City Council objected to the Owner's Application in accordance with R.C. 4303.271 and 4303.292 through the passage of Resolution 2022-34 on April 18, 2022;

WHEREAS, the Division set the Application and Council's objection to the same for hearing before the Division on March 30, 2023;

WHEREAS, prior to the Division's hearing, the City and the Owner discussed at length the City's legitimate public health and safety concerns prompting Council's objection to the Application and negotiated an amicable and mutually agreeable settlement of this matter, with terms satisfactory to the City to address its concerns (the "Settlement");

WHEREAS, City Council desires to resolve its objection to the Owner's Application in accordance with the terms and conditions of the Settlement, without proceeding to hearing and final decision before the Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. Council hereby withdraws its original objection to the Application, filed with the Division following Council's passage of Resolution 2022-34.

Section 2. Council hereby authorizes the City Manager to take all action and execute all documentation necessary to communicate Council's withdrawal of its objection to the Division and cancel the Division's hearing on this matter.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Rules of Council.

Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED: March 20, 2023

ATTEST: Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED: Brent Centers
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on March 20, 2023.

Khristi Dunn Khristi Dunn, Clerk of Council