



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final-revised

Public Safety & Governance

Chairperson, Scotty Johnson
Vice Chairperson, Jan-Michele Kearney
Councilmember Mark Jeffreys
Councilmember Liz Keating

Tuesday, April 5, 2022

9:30 AM

Council Chambers, Room 300

PRESENTATIONS

Liquor Permit Objections

Update of Settlement Agreement and ECC Progress

David Laing, Law Department

AGENDA

1. [202200878](#) **RESOLUTION** (LEGISLATIVE) (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 3/30/2022, **OBJECTING** to the renewal of the C2 and D6 liquor permit number 8019027 applied for by J.T. Shah, LLC to the Ohio Division of Liquor Control.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Legislative Resolution](#)

2. [202200879](#) **RESOLUTION** (LEGISLATIVE) (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 3/30/2022, **OBJECTING** to the renewal of the D5 and D6 liquor permit number 9115320 applied for by Dive Bar Cinci, LLC d/b/a Dive Bar to the Ohio Division of Liquor Control.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Legislative Resolution](#)

3. [202200880](#) **RESOLUTION** (LEGISLATIVE) (EMERGENCY) submitted by John P. Curp, Interim City Manager, on 3/30/2022, **OBJECTING** to the renewal of the D5 and D6 liquor permit number 1423292 applied for by Chevee on the Levee, LLC d/b/a Babe's Café to the Ohio Division of Liquor Control.

Sponsors: City Manager

Attachments: [Transmittal](#)
 [Legislative Resolution](#)

4. [202200929](#) **PRESENTATION**, submitted by Councilmember Johnson from David Laing, City of Cincinnati Law Department titled 2022 Liquor Permit Annual Renewals.

Sponsors: Johnson

Attachments: [PRESENTATION](#)

ADJOURNMENT

Date: March 30, 2022

202200878

To: Mayor and Members of City Council
From: John Curp, Interim City Manager
Subject: **Emergency Legislative Resolution – Objection to Renewal of J.T. Shah, LLC**

Transmitted herewith is an emergency legislative resolution captioned as follows:

OBJECTING to the renewal of the C2 and D6 liquor permit number 8019027 applied for by J.T. Shah, LLC to the Ohio Division of Liquor Control.

This resolution is necessary under R.C. 4303.271 for Cincinnati City Council to object to the renewal of J.T. Shah, LLC's liquor permit as recommended by the Cincinnati Police Department.

Attachment
360888

cc: Andrew W. Garth, City Solicitor

EMERGENCY

Legislative Resolution

DML

RESOLUTION NO. _____ - 2022

OBJECTING to the renewal of the C2 and D6 liquor permit number 8019027 applied for by J.T. Shah, LLC to the Ohio Division of Liquor Control.

WHEREAS, J.T. Shah, LLC has applied for the renewal of C2 and D6 liquor permit number 8019027 for the premises located at 3749 Glenway Avenue, Cincinnati, Ohio 45205; and

WHEREAS, the Council of the City of Cincinnati objects to the application for the above permit for the reasons set forth in Section 1 hereof; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council of the City of Cincinnati objects to the application of J.T. Shah, LLC located at 3749 Glenway Avenue, Cincinnati, Ohio 45205 for the annual renewal of the C2 and D6 liquor permit number 8019027 for the following reasons:

1. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of this state; and
2. The permit premises are so located with respect to the neighborhood that renewal of the permit would cause substantial interference with the public decency, sobriety, peace, and good order of the neighborhood.

Section 2. That Council requests a hearing on the above application be held in the City of Cincinnati, Hamilton County, Ohio, where the applicant's business is conducted and which is the county seat.

Section 3. That Council hereby designates the City Solicitor or any of his assistants to represent Council at any hearings pertaining to this application.

Section 4. That two certified copies of this resolution and the attached City Solicitor's statement that this objection is based upon substantial legal grounds be forwarded by the Clerk of Council by registered or certified mail to the Superintendent of the Ohio Division of Liquor Control, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

Section 5. That this legislative resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to transmit this objection to the Ohio Division of Liquor Control at least thirty days prior to the permit's expiration on June 1, 2022.

Passed: _____, 2022

Mayor

Attest: _____
Clerk

Date: March 30, 2022

To: Mayor and Members of City Council 202200879
From: John Curp, Interim City Manager
Subject: **Emergency Legislative Resolution – Objection to Renewal of Dive Bar Cinci, LLC’s Liquor Permit**

Transmitted herewith is an emergency legislative resolution captioned as follows:

OBJECTING to the renewal of the D5 and D6 liquor permit number 9115320 applied for by Dive Bar Cinci, LLC d/b/a Dive Bar to the Ohio Division of Liquor Control.

This resolution is necessary under R.C. 4303.271 for Cincinnati City Council to object to the renewal of Dive Bar Cinci, LLC’s liquor permit as recommended by the Cincinnati Police Department.

Attachment
360903

cc: Andrew W. Garth, City Solicitor

EMERGENCY

Legislative Resolution

DML

RESOLUTION NO. _____ - 2022

OBJECTING to the renewal of the D5 and D6 liquor permit number 9115320 applied for by Dive Bar Cinci, LLC d/b/a Dive Bar to the Ohio Division of Liquor Control.

WHEREAS, Dive Bar Cinci, LLC d/b/a Dive Bar has applied for the renewal of D1, D2, D3, D3A, and D6 liquor permit number 9115320 for the premises located at 2608 & 2610 Short Vine Street, Cincinnati, Ohio 45219; and

WHEREAS, the Council of the City of Cincinnati objects to the application for the above permit for the reasons set forth in Section 1 hereof; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council of the City of Cincinnati objects to the application of Dive Bar Cinci, LLC d/b/a Dive Bar located at 2608 & 2610 Short Vine Street, Cincinnati, Ohio 45219 for the annual renewal of the D1, D2, D3, D3A, and D6 liquor permit number 9115320 for the following reasons:

1. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of this state; and
2. The permit premises are so located with respect to the neighborhood that renewal of the permit would cause substantial interference with the public decency, sobriety, peace, and good order of the neighborhood.

Section 2. That Council requests a hearing on the above application be held in the City of Cincinnati, Hamilton County, Ohio, where the applicant's business is conducted and which is the county seat.

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Passed: _____, 2022

Mayor

Attest: _____
Clerk

Date: March 30, 2022

To: Mayor and Members of City Council 202200880
From: John Curp, Interim City Manager
Subject: **Emergency Legislative Resolution – Objection to Renewal of Chevee on the Levee, LLC d/b/a Babe’s Cafe**

Transmitted herewith is an emergency legislative resolution captioned as follows:

OBJECTING to the renewal of the D5 and D6 liquor permit number 1423292 applied for by Chevee on the Levee, LLC d/b/a Babe’s Café to the Ohio Division of Liquor Control.

This resolution is necessary under R.C. 4303.271 for Cincinnati City Council to object to the renewal of Chevee on the Levee, LLC’s liquor permit as recommended by the Cincinnati Police Department.

Attachment
360882

cc: Andrew W. Garth, City Solicitor

EMERGENCY

Legislative Resolution

DML

RESOLUTION NO. _____ - 2022

OBJECTING to the renewal of the D5 and D6 liquor permit number 1423292 applied for by Chevee on the Levee, LLC d/b/a Babe’s Café to the Ohio Division of Liquor Control.

WHEREAS, Chevee on the Levee, LLC d/b/a Babe’s Café has applied for the renewal of D5 and D6 liquor permit number 1423292 for the premises located at 3389 Glenmore Avenue, Cincinnati, Ohio 45211; and

WHEREAS, the Council of the City of Cincinnati objects to the application for the above permit for the reasons set forth in Section 1 hereof; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council of the City of Cincinnati objects to the application of Chevee on the Levee, LLC d/b/a Babe’s Café located at 3389 Glenmore Avenue, Cincinnati, Ohio 45211 for the annual renewal of the D5 and D6 liquor permit number 1423292 for the following reasons:

1. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of this state; and
2. The permit premises are so located with respect to the neighborhood that renewal of the permit would cause substantial interference with the public decency, sobriety, peace, and good order of the neighborhood.

Section 2. That Council requests a hearing on the above application be held in the City of Cincinnati, Hamilton County, Ohio, where the applicant's business is conducted and which is the county seat.

Section 3. That Council hereby designates the City Solicitor or any of his assistants to represent Council at any hearings pertaining to this application.

Section 4. That two certified copies of this resolution and the attached City Solicitor's statement that this objection is based upon substantial legal grounds be forwarded by the Clerk of Council by registered or certified mail to the Superintendent of the Ohio Division of Liquor Control, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

Section 5. That this legislative resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the need to transmit this objection to the Ohio Division of Liquor Control at least thirty days prior to the permit's expiration on June 1, 2022.

Passed: _____, 2022

Mayor

Attest: _____
Clerk



2022 Liquor Permit Annual Renewals

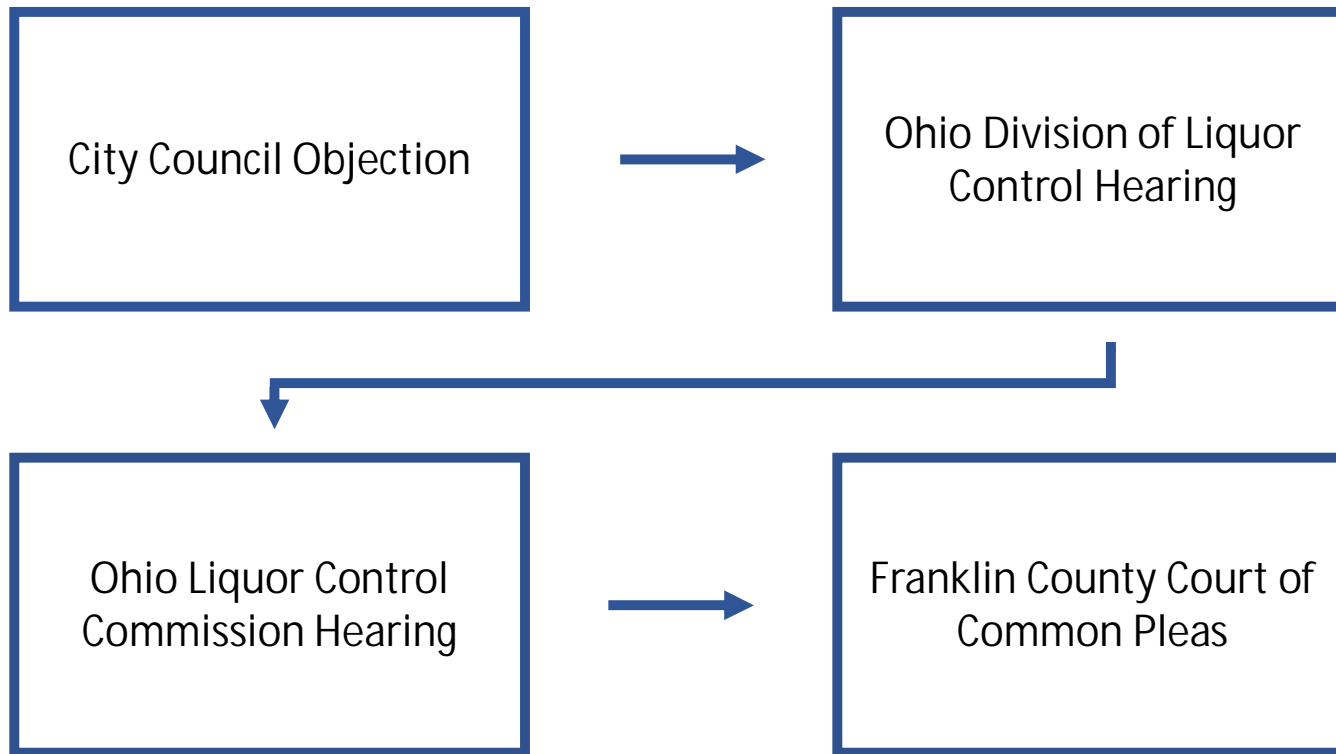
Presentation to the Public Safety & Governance
Committee of Cincinnati City Council

April 5, 2022

Process Overview

- Liquor permits are regulated by the State of Ohio, Department of Commerce, Division of Liquor Control
- Liquors permits are valid for one year – must be renewed annually
- City Council has the right to object to the renewal of liquor permits, under R.C. 4303.271
- Objections are usually on one of two grounds:
 - The permit holder has operated the business in disregard of the law [R.C. 4303.292(A)(1)(b)]
 - Renewal of the permit would substantially interfere with the “public decency, sobriety, peace or good order” of the neighborhood [R.C. 4303.292(A)(2)(c)]
- City Solicitor must approve the objection as having a legal basis

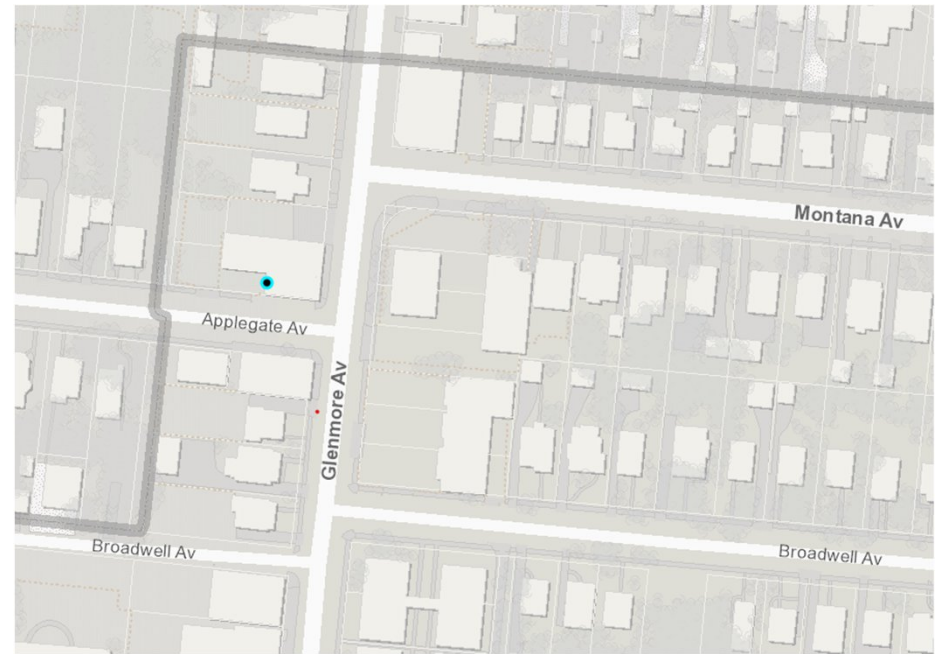
Process Overview



2022 Recommended Liquor Objections

- Babe's Café, 3389 Glenmore Avenue, Cincinnati, Ohio 45211
Westwood
- B.P., 3740 Glenway Avenue, Cincinnati, Ohio 45205
East Price Hill
- Dive Bar, 2608 Vine Street, Cincinnati, Ohio 45219
Corryville

Babe's Café (3389 Glenmore Avenue)



Babe's Café (3389 Glenmore Avenue)

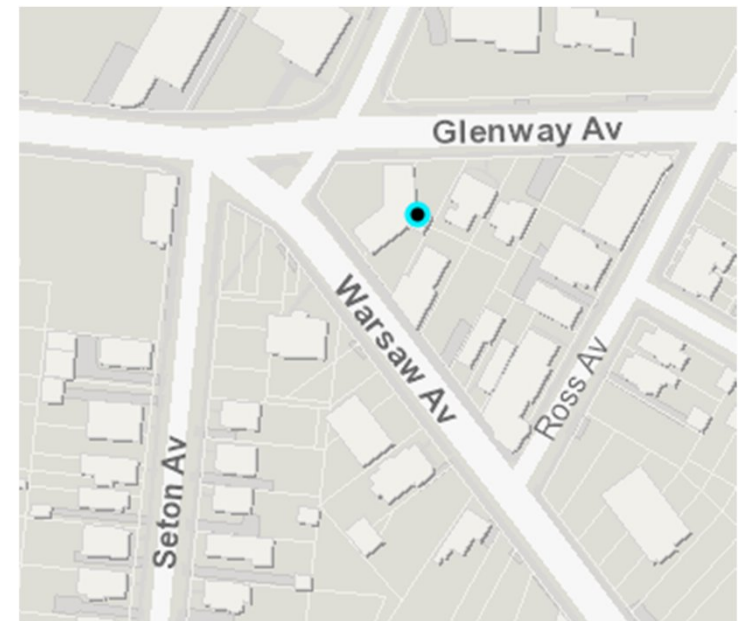
Drug Trafficking

- Four controlled buys of cocaine from bartenders (6/18/21; 7/15/21; 7/21/21; 7/29/21)

Violence

- Shooting immediately in front of bar on 7/13/21
- Six assaults (three felonious) since 1/1/21
- 39 calls for service since 1/1/21, including 3 fights, 2 gun reports, 1 shooting, 1 stabbing, 1 shots fired, 1 heroin overdose, and 1 weapon report

B.P. (3749 Glenway Avenue)



B.P. (3749 Glenway Avenue)

Violence

- Homicide (double shooting) on 12/19/21
- Seven assaults on the property since 1/1/21

Drug Trafficking by Employee

- Employee arrested on 3/24/22 for trafficking drugs inside the store

B.P. (3749 Glenway Avenue)

Violations of Liquor Law

- Underage sales on 1/24/22 and 1/26/22

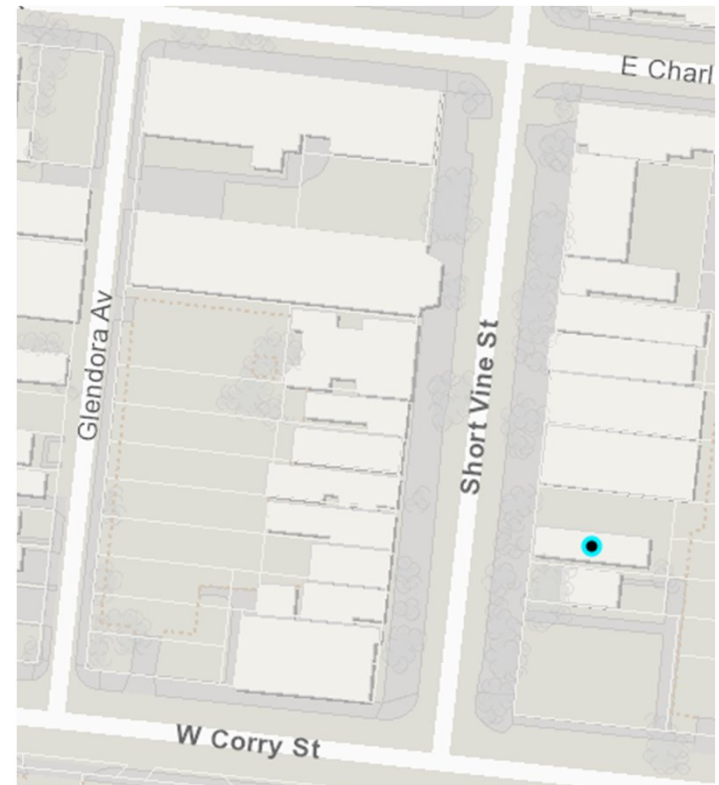
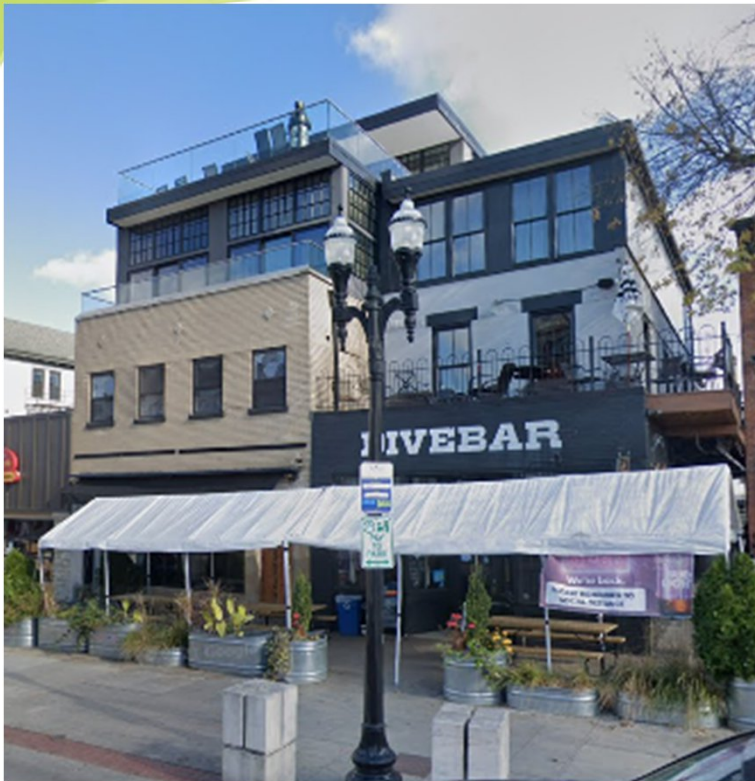
Drain on Police Resources

- 132 Calls for service since 1/1/21, including seven assaults
- 37 Offense reports since 1/1/21
- 31 Directed patrols in 2021

Community Support for Objection

- East Price Hill Improvement Association & West Price Hill Community Council

Dive Bar (2608 Short Vine Street)



Dive Bar (2608 Short Vine Street)

Fatal Heroin Overdose

- 8/4/21: Patron found unconscious in restroom
- 8/5 and 8/6 Dive Bar twice provided CPD with video that did not match what was requested (footage did not show area outside restrooms)
- CPD seized DVR, but is unable to access it

Shooting

- 10/9/21: Patron on video consuming drugs on premises, shot another person across the street immediately after leaving

Liquor Law Violations

- Cited for afterhours consumption of alcohol and removal of alcohol from premises on 8/27/21 and 9/10/21

Dive Bar (2608 Short Vine Street)

Drain on Police Resources

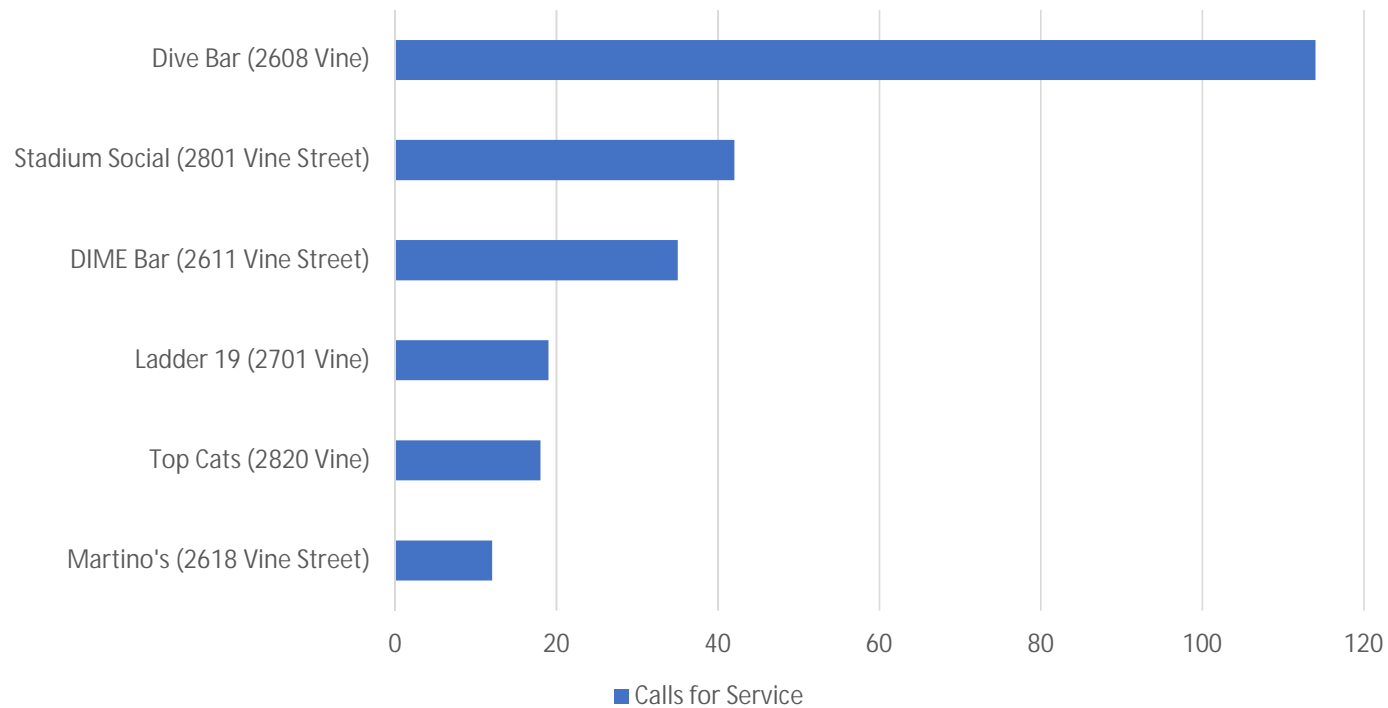
- 114 Calls for service to Dive Bar in 2021 for assaults, fights, robbery, drugs and disorderly persons and crowds
- 46 Vice Activity Reports since 6/8/21

Community Support for Objection

- Corryville Community Council & Short North Business Association

Dive Bar (2608 Short Vine Street)

Reactive Calls for Service
1/1/21 – 12/31/21



Next Steps

Administrative Process Begins

- If City Council votes to object to the renewal of these licenses, the Ohio Division of Liquor Control will begin its own process where hearings are held with testimony and evidence presented.
- Ultimately, any applicant may appeal the final decision of the Ohio Liquor Control Commission to the Franklin County Court of Common Pleas.

Questions?