

Special

July 27, 2011

President Baker called the special meeting to order at 6:08 p.m.

Roll Call: Shupp, Miller, Hamsher, Aspiras, Corfman, & Leathers were present. Vance was absent.

New Business:

ORDINANCE F-11

Leathers moved and Hamsher seconded that Ordinance F-11, an ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, and/ or building permit approvals for sweepstakes/internet cafes and the issuance of such approvals; and declaring an emergency be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: We have had a few recent inquiries regarding internet sweepstakes cafes in the City of Orrville. These cafes sell phone cards or internet time on magnetic swipe cards loaded with sweepstakes points, which are then used for playing games on provided computers. The more points accumulated via the games, the bigger the potential prize. The City does not have any zoning regulations regarding internet sweepstakes cafes, but Chief Carozza and I are aware that the State House of Representatives has legislation in process that would regulate them (HB 195), which Attorney General Mike DeWine supports. However, as we await this legislation –or work to come up with our own possibly—it may be in our best interests to enact a moratorium on these businesses. These businesses are different from the skill-based businesses, which are currently regulated by the State. Many cities have established moratoriums already. Some have also gone forward with legislation to regulate these businesses.

Baker: Mr. VanSickle, are there any concerns about the enforcement of the ordinance?

VanSickel: Noted this ordinance is patterned after the one passed in Medina, which has worked well for them.

Shupp: Asked about the “down side” of these businesses in our community.

Wheeler: Noted there are several “gray areas” regarding these businesses (i.e. gambling? Type of clientele? Prizes?)

Shupp: Noted that we must ask ourselves (1) if we want these types of businesses in the City and (2) if we do, how much do we want to regulate them?

Aspiras: Noted that this ordinance will enable us to look at the situation and/or wait on the state to enact regulations. It puts the power in our hands. He also confirmed that the reason for a special meeting is so that we don’t run into a scenario where someone submits an application for one of these businesses prior to any action by council. This legislation will protect us until we can determine what we want to do about regulating these types of businesses.

Carozza: Noted the skill-based businesses are regulated as far as prizes (nothing over wholesale value to \$10) and what types of prizes can be offered and awarded. Right now, the sweepstakes/internet café businesses are not regulated at all. They could potentially provide alcohol, tobacco, firearms, etc. It is thought that HB 195 will have similar regulations to the skill-based games legislation, but there is still work to be done.

Leathers moved and Corfman seconded that the rules, regulations and statutes requiring a reading of an ordinance on three separate days be suspended. Roll call vote. Ayes all. Motion carried.

Leathers moved and Aspiras seconded that Ordinance F-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

Leathers moved and Hamsher seconded that the meeting be adjourned. Roll call vote. Ayes all. Motion carried.

Meeting was adjourned at 6:25 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council