

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025-4

By: Councilman Chris McManis Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING THE MAYOR TO FILE THIS ORDINANCE WITH THE CUYAHOGA COUNTY BOARD OF ELECTIONS REQUESTING THE SUBMISSION OF QUESTION OF A LOCAL OPTION AT THE PRIMARY TO BE HELD MAY 6, 2025 IN BEREAL, OHIO, COUNTY OF CUYAHOGA, ON

THE SALE OF BEER AND ANY INTOXICATING LIQUOR ON ALL DAYS OF THE WEEK INCLUDING SUNDAY AT BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METRO PARK DISTRICT DBA THE WALLACE LAKE GRILLE, A COMMUNITY FACILITY AS DEFINED BY SECTION 4301.01 OF THE REVISED CODE, AND LOCATED AT 240 VALLEY PARKWAY, BEREAL, OHIO PURSUANT TO SECTION 4301.324 OF THE REVISED CODE, EXPRESSLY REPEALING ORDINANCE NO. 2025-3, AND DECLARING AN EMERGENCY.

WHEREAS, the Wallace Lake Grille is a Community Facility pursuant to Section 4301.01(B)(19) of the Revised Code and is located at 240 Valley Parkway, Berea, Ohio 44017; and

WHEREAS, Section 4301.324 authorizes a local liquor option election for the sale of beer and any intoxicating liquor concerning a Community Facility to be placed on the ballot by Ordinance; and

WHEREAS, pursuant to Section 4301.334 of the Revised Code, Form 5-J prescribed by the Ohio Secretary of State was submitted to the Ohio Division of Liquor Control and was received by January 5, 2025; and

WHEREAS, the Ohio Division of Liquor Control has confirmed that no permit holders would be affected by the results of the election; and

WHEREAS, this Council had already adopted the necessary legislation in the form of Ordinance No. 2025-3 on January 6, 2025, but has since received a request from the Board of Elections and the Board of Liquor Control, asking that the Ordinance include additional identifying information regarding the permit holder, specifically the official name of the applicant on the liquor permit, which is Board of Park Commissioners of the Cleveland Metro Park District dba the Wallace Lake Grille; and

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WHEREAS, the City wishes to place the local liquor option question for the sale of beer and any intoxicating liquor concerning the Community Facility known as the Wallace Lake Grille located at 240 Valley Parkway, Berea, Ohio on the ballot in the May 2025 Primary.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the City Mayor is authorized to provide a copy of this Ordinance to the Cuyahoga County Board of Elections as a request to submit to the electors of the City of Berea question of a local liquor option at the Primary Election to be held on May 6, 2025 in Berea, Ohio, County of Cuyahoga. Pursuant to Section 4301.324 of the Revised Code, the question of "shall the sale of beer and any intoxicating liquor be permitted on all days of the week, including Sunday, at Board of Park Commissioners of the Cleveland Metro Park District dba the Wallace Lake Grille, a Community Facility as defined by Section 4301.01 of the Revised Code, and located at 240 Valley Parkway, Berea, Ohio 44017.". Further, that the City Mayor is directed to provide the documentation, included as "Exhibit A," from the Ohio Division of Liquor Control, evidencing that no permit holders would be affected by the results of the election.

SECTION 2. That Ordinance No. 2025-3 be expressly repealed.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is in the interests of public welfare to allow full utilization of a community facility by meeting the deadline for submission of the local option question to be placed on the Primary election ballot. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: *January 27, 2025*

ATTEST: *[Signature]*
Clerk of Council

APPROVED AS TO FORM:

[Signature] Director of Law

[Signature]
President of Council

APPROVED: *January 27, 2025*
[Signature]
Mayor

BEREA CITY COUNCIL

City of Berea, Ohio

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CERTIFICATE

I, KATHLEEN RUSSELL OLMEDA, CLERK OF COUNCIL OF
THE CITY OF BEREAL OHIO, DO HEREBY CERTIFY THAT
THE FOREGOING IS A TRUE AND ACCURATE COPY OF
ORDINANCE/RESOLUTION NO. 2025-4 PASSED ON
THE 27th DAY OF January 2025, BY SAID
COUNCIL.

CLERK OF COUNCIL

1.30.25

DATE



Department of Commerce

Division of Liquor Control

Exhibit "A"

com.ohio.gov

Mike DeWine, Governor Jon Husted, Lt. Governor Sherry Maxfield, Director

12/27/2024

CITY OF BEREAL
C/O 4101 FULTON PKWY
CLEVELAND OH 44144

RE: LOCAL OPTION ELECTION
FILING DATE: FEBRUARY 05, 2025
18 CUYAHOGA 066 BEREAL
FORM 5-J QUESTION
WARD/PRECINCT:

Dear Petitioner:

In response to your request, please see the enclosed list of liquor permit holders who would be affected by the question(s) set forth on a petition for a local option election.

Should you have any questions concerning this matter, please feel free to contact localoption@com.ohio.gov should you have any questions pertaining to the filing of your petition, please contact your County Board of Elections.

Sincerely,

Jesse H. Jacob, Accountant/Examiner 4
Licensing Section

JJ
Enclosure

DLC 4219

Rev. 2/2021

EXHIBIT A

12/27/2024

BOARD OF PARK COMMISSIONERS
CLEVELAND METRO PARK DISTRICT
DBA WALLACE LAKE GRILLE

RE: LOCAL OPTION ELECTION
FILING DATE: FEBRUARY 05, 2025
18 CUYAHOGA 066 BEREAL
FORM 5-J QUESTION
WARD/PRECINCT:

"LIQUOR PERMIT HOLDERS AND LIQUOR AGENCY STORES THAT WOULD BE
AFFECTED BY THE QUESTION(S) SET FORTH ON PETITION FOR A LOCAL OPTION
ELECTION":

This would be a site-specific vote, so the only permit holder affected would be the one being placed on the ballot:

PERMIT# 0771035-0115
D1 D2 D3 D6
BOARD OF PARK
COMMISSIONERS
CLEVELAND METRO PARK
DISTRICT
DBA WALLACE LAKE GRILLE
240 VALLEY PARKWAY
BEREA OH 44017

EXHIBIT A