

To: Members of Dublin City Council
From: Dana L. McDaniel, City Manager
Date: April 21, 2016
Initiated By: Michelle L. Crandall, Assistant City Manager
Re: Ohio University College of Fine Arts - Waiver Requests

Summary

At the April 25 Council meeting, Ohio University's College of Fine Arts (COFA) will be requesting three waivers related to the operations of the University's Tantrum Theater - Summer Theater Program. As Council is aware, the City is entering into a lease agreement with Ohio University for the use of the Abbey Theater to serve as the summer home of COFA's Tantrum Theater. Three plays are planned for the first summer season, with performances beginning May 31 and running through August 13.

Two waiver requests are related to alcohol service and one is related to the extension of Dublin Community Recreation Center (DCRC) rental hours to accommodate evening rehearsals and performances. The following is a summary of each waiver request:

Current Code Requirements – Alcohol Service

Currently, under Chapter 35 of the Codified Ordinances (Schedule of Fees and Service Charges), the serving of beer and wine is limited to only the Community Hall (Tallas) portion of the DCRC and is further limited to such service occurring after 7:30 p.m. on Thursday, Friday and Saturday night. Waiver requests #1 and #2 are related to this section of City Code.

Waiver #1 – Serving of Alcohol for a Celebration Reception

This waiver request is for Ohio University to serve beer and wine from 6:30 p.m. – 8:00 p.m. in the lobby area adjacent to the theater and in the second floor open area on Saturday, June 18 as part of a reception event. This waiver would allow for alcohol to be served in a location other than the Community Hall and prior to 7:30 p.m. on this one specific date.

On Saturday, June 18, in celebration of the Tantrum Theater's first season in Dublin, OU plans to hold a reception prior to a presentation of *Little Shop of Horrors*. This reception would take place from 6:45 p.m. – 7:45 p.m. in the open lobby area outside of the theater (adjacent to the stairway leading to the second floor) and in the upstairs open area (adjacent to the office area).

This theater lobby area was designed to accommodate these type of events and can be easily blocked off to restrict the consumption of alcohol to only this designated area. Access can also be restricted in a manner that will not allow for the general public to enter or pass through the reception area, but still allow easy entry and access by patrons to the rest of the facility. Attached is a diagram showing the blocked northern entrance to the DCRC and the monitored access to the theater lobby near the west entrance.

All other requirements currently related to the serving of alcohol within the Community Hall will be

adhered to by Ohio University. These requirements will be as follows:

The serving and consumption of beer and wine is limited to the confines of the area designated for the reception, and must comply with State of Ohio liquor laws. Additional proof of insurance may be required. The City of Dublin is not liable for any injuries to guests or negligence where alcohol is involved. Special Duty Police Officer(s) must be contracted by the rental group and are required on the premises throughout the entire event when alcohol is being served. An additional \$100 refundable damage deposit will be collected for groups serving alcohol.

Ohio University will contract with a company that holds a catering/serving license for this event. This is required of those renting the Community Hall when beer and wine are served.

Waiver #2– Serving of Alcohol within the Abbey Theater

This waiver request is for Ohio University to serve beer and wine from 7:30 p.m. – 10:30 p.m. in the Abbey Theater (in the area near the ticket counter) as part of Wednesday, Thursday, Friday and Saturday evening performances. This waiver would allow for alcohol to be served in a location other than the Community Hall and on an additional evening (Wednesday).

Ohio University wishes to offer theater patrons beer and wine during Wednesday, Thursday, Friday and Saturday evening performances. The Abbey Theater is designed in such a way as to easily restrict the consumption of alcohol to the area of the theater. As required by City code and to ensure no one leaves the theater and enters other areas of the DCRC with alcohol, a Special Duty Police Officer must be on-site during the event.

All other requirements currently related to the serving of alcohol within the Community Hall, as noted above, will be adhered to by Ohio University. Ohio University will contract with a company that holds a catering/serving license to provide this service.

Waiver #3 – Extension of DCRC Rental Hours

This waiver request is for Ohio University to rent the Abbey Theater up to midnight, seven days/week, as needed and communicated with City staff to accommodate rehearsal and performance times.

Currently, under Chapter 35 of the Codified Ordinances (Schedule of Fees and Service Charges), rental hours for the Abbey Theater can only be extended up to midnight on Friday, Saturday and Sunday, pending staff and facility availability. Ohio University will have a need as part of both rehearsals and performances to extend rental of the theater up to midnight on any day of the week during their summer rental schedule. A full preliminary schedule has been reviewed with the DCRC staff and, based on this schedule, the City could provide a staff member during requested evenings.

Recommendation

Rachel Cornish, Director of External Relations for OU's College of Fine Arts, will be in attendance at the Council meeting to respond to any questions Council Members may have related to these waiver requests. Staff is requesting Council take action on each of these waiver requests.

Ohio University – Theater Reception

