

November 22, 2021

City of Columbus  
Mitchell J. Brown, City Council Member  
90 W. Broad St.  
Columbus, Ohio 43215  
c/o Denise Friend Foster, Legislative Aide

Sir,

The following investigation was conducted concerning the City of Columbus' 2021 annual objection to the renewal of liquor permit **64304320005** issued to **19 East 13 LLC**, which is doing business as **Midway on High**, located at **1728 North High Street, Columbus, Ohio 43201**. The record owners of said permit are **Rola Alshahal and Abed Alshahal**. These owners are also the owners of the permit for a neighboring bar on the same parcel, Ethyl & Tank, located at 19 East 13<sup>th</sup> Avenue, Columbus, Ohio 43201

After reviewing the State of Ohio, Franklin County, and City of Columbus records regarding the above liquor permit establishment, the following information has been compiled to support the objection to the renewal of the aforementioned permit issued by the State of Ohio.

The above listed liquor establishment has been issued **D1, D2, D3, D3A, and D6** permits by the Division of Liquor. This permit grants the permit holder the privilege to sell alcoholic beverages at the above listed address.

In December 2018, the City of Columbus file a nuisance abatement lawsuit in Franklin County Environmental Court against the permitholder at this location, and subsequently entered into an agreed judgment entry with the permitholder. This agreement governed the operation of the location, and among the requirements were the following:

- Permitholder was permanently enjoined from maintaining a public nuisance at the property or elsewhere in Franklin County;
- No violations of liquor law shall occur at the location;
- No person under the age of 21 should be allowed at the location after 8:00 p.m.;
- IDs of all individuals shall be scanned through a point of entry card reader;
- All those wishing to purchase alcohol shall provide valid ID at the point of sale;
- The location shall be kept in compliance with Columbus City Code, including as the code pertains to Fire, Building, Health, and Code Enforcement; and
- There shall be no music, live performances, DJ performances, or amplified sound, performed, played, broadcasted, or otherwise offered upon the outside/outdoors area of the building between the hours of 11:00 p.m. and 8:00 a.m.

To date, the City of Columbus has motioned for a finding of contempt by the permit holder **four (4)** times, resulting in the following penalties ordered by the Environmental Court:

- May 15, 2019: Motion for Contempt for multiple violations of the prohibition on outdoor noise/performances
  - o October 17, 2019: A fine in the amount of \$1,250.00
- December 14, 2020: Motion for Contempt for multiple violations of liquor law and the COVID-19-related regulations
  - o Jan. 26, 2021: Additional rules to increase enforcement of COVID-19 related regulations, including reduction in capacity
- April 27, 2021: Motion for Contempt for multiple violations of liquor law, COVID-19 related regulations, and Columbus City Zoning Code for the installation of exterior windows without obtaining proper approvals
  - o May 2, 2021: Court-ordered closure of the location for one week, including for OSU Senior Crawl; additional reductions in capacity
- October 11, 2021: Motion for Contempt for multiple violations of the prohibition on outdoor noise/performances
  - o Hearing not yet held
  - o Additionally, since the filing of this motion, the City was made aware of additional underage sale violations and fire code violations for being over capacity.

An inquiry of liquor violations revealed that the permit holder has received the following violations from **2019 through 2021:**

**November 23, 2019**

ALLOWING CONSUMPTION OF ALOCHOL NOT PURCHASED AT PERMIT PREMISES  
REMOVAL OFF PREMISES OF BEER AND/OR LIQUOR SOLD FOR ON PREMISES CONSUMPTION

**October 24, 2020**

SALE OF BEER TO A PERSON UNDER 21 YEARS OF AGE  
FURNISHING BEER TO A PERSON UNDER 21 YEARS OF AGE  
PERMIT NOT POSTED IN A CONSPICUOUS PLACE  
IMPROPER CONDUCT (DISORDERLY CONDUCT – COVID VIOLATIONS)

**April 23, 2021**

IMPROPER CONDUCT (DISORDERLY CONDUCT – COVID VIOLATIONS)  
PERMIT NOT POSTED IN A CONSPICUOUS PLACE

**September 11, 2021**

SALE OF BEER TO A PERSON UNDER 21 YEARS OF AGE  
FURNISHING BEER TO A PERSON UNDER 21 YEARS OF AGE

- The Ohio Investigative Unit also witnessed an assault upon an individual while inside the location on this date.

A review of the Columbus Division of Police records revealed the Division of Police has created **(34)** **thirty-four** official police reports concerning incidents at the listed liquor establishment between **January 2020** and **November 2021**. These reports referenced robbery, liquor law offense, assaults, public intoxication, noise violations, theft, and disorderly conduct, including:

**January 25, 2020**

LIQUOR LAW OFFENSE (CONSUMPTION OF ALCOHOL UNDERAGE)

**January 26, 2020**

ROBBERY

**February 14, 2020**

PUBLIC INTOXICATION

**June 13, 2020**

ASSAULT

**May 12, 2021**

NOISE VIOLATION

**May 23, 2021**

ROBBERY

**May 31, 2021**

ASSAULT

**June 4, 2021**

ASSAULT

**September 5, 2021**

ASSAULT

**September 12, 2021**

ASSAULT

**October 9, 2021**

NOISE VIOLATION

**October 10, 2021**

NOISE VIOLATION

**October 11, 2021**

ASSAULT

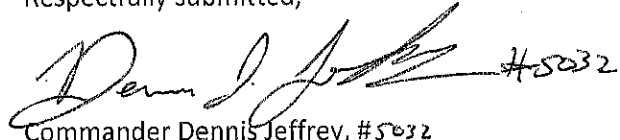
**October 31, 2021**

ASSAULT

**November 6, 2021**  
NOISE VIOLATION

In addition, the Columbus Division of Police have been dispatched to **1728 North High Street, Columbus, Ohio 43201** on **(112) one-hundred twelve** calls for service, **(27) twenty-seven** in 2020, and **(85) eighty-five** in 2021 at **Midway on High**. These calls for service include responses to a stabbing, persons with a gun or knife, sexual assault, assaults, narcotics complaints, loud noises, fights, disturbances (including those involving intoxicated individuals), and burglary.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dennis Jeffrey", followed by the number "#5032".

Commander Dennis Jeffrey, #5032  
Columbus Division of Police  
Patrol Commander, Police Zone 4