



LEGISLATIVE COVER MEMO

Date: May 18, 2026

Agenda Item: **Resolution 2026-31**

WITHDRAWING OBJECTION TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: The City of Franklin received notice from the Ohio Division of Liquor Control (the “DOLC”) that the new owner of the Marathon gas station property located at 1111 William C. Good Blvd (Franklin Foodmart LLC) filed an application with the DOLC to receive a Class D liquor permit with respect to the premises. The new owner initially failed to obtain necessary City zoning approvals to operate the business on the property, and it was unclear whether the new owner was affiliated with the previous owner (Prince Petroleum Inc.—who demonstrated to the City that it was unfit to operate a liquor establishment).

Franklin Foodmart LLC recently obtained conditional use approval from the City to operate the Marathon gas station business on the property, and City staff have confirmed that Franklin Foodmart is not affiliated with Prince Petroleum Inc. Based on these updates, City staff recommends that Council withdraw its objection to Franklin Foodmart’s liquor permit application.

Budget Impact: None

Exhibits: None

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2026-31

**WITHDRAWING OBJECTION TO A LIQUOR RETAIL PERMIT APPLICATION
ON BEHALF OF THE CITY OF FRANKLIN, OHIO**

WHEREAS, Ohio Revised Code Chapter 4303 provides that a property owner or establishment may not serve alcohol, or offer alcohol for sale, without first obtaining the necessary permit(s) for such service or sale from the Ohio Department of Commerce, Division of Liquor Control (the "DOLC");

WHEREAS, pursuant to R.C. 4303.271 and 4303.292, the legislative authority of a municipal corporation is empowered to object to applications for new liquor permits or renewals of existing liquor permits with respect to premises located within the municipal corporation's territorial boundaries;

WHEREAS, the City of Franklin, Ohio received written notice from the DOLC in 2025 that an application had been filed with the DOLC to acquire a new liquor permit for property located at 1111 William C. Good Blvd, Franklin, Ohio 45005 (the "Permit Application");

WHEREAS, during a public meeting of the Franklin City Council held on February 3, 2025, Council objected to the Permit Application based on evidence indicating the permit applicant may be unfit to operate a liquor establishment;

WHEREAS, based on City staff's collection of additional information, and discussions with the permit applicant, following Council's February 3, 2025 meeting date, the City has determined that Council's objection to the Permit Application is no longer necessary to further the public health and safety of the Franklin community; and

WHEREAS, Council desires to withdraw its objection to the Permit Application.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of the members of Council present concurring, that:

Section 1. Council hereby repeals Resolution 2025-07 (embodying Council's original objection to the Permit Application). Council's objection to the Permit Application is, therefore, withdrawn.

Section 2. Council hereby authorizes the City Manager to take all action and execute all documentation necessary to communicate Council's withdrawal of its objection to the DOLC, and ensure any DOLC hearing on Council's original objection is cancelled.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Rules of Council.

Section 5. This Resolution shall become effective immediately upon its passage.

ADOPTED: May 18, 2026

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on May 18, 2026.

Khristi Dunn, Clerk of Council