

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: February 4, 2014

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 27, 2014

Date Prepared

Agenda Title: Legislative Authority Notice - Stock Transfer for MJ Restaurants LLC DBA LaRosa's 21 Lynn Avenue Oxford, Ohio 45056.

Recommendation: N/A

Discussion:

This is a stock transfer as indicated above.

The permit is for:

D5I - Spirituous liquor for on premises consumption only beer, wine and mixed beverages for on premises, or off premises in original sealed containers until 2:30 a.m. (Same as D5). Restaurant meeting certain criteria.

Approved By:

Department Head:

Initial Date

City Manager:

DRE \ 1/31/14

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5379955		STCK		MJ RESTAURANTS LLC DBA LAROSAS 21 LYNN AVE STE 101 OXFORD OH 45056
PERMIT NUMBER		TYPE		
ISSUE DATE				
05 16 2013				
FILING DATE				
D5I				
PERMIT CLASSES				
09	088	A	F11273	
TAX DISTRICT		RECEIPT NO.		

FROM 01/21/2014

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 01/21/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/21/2014

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A STCK 5379955**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

**CLERK OF OXFORD CITY COUNCIL
101 E HIGH ST
OXFORD OHIO 45056**

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control

6606 Tussing Road, Reynoldsburg, Ohio 43068-9005

<http://www.com.ohio.gov/liqr>

APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE \$100.00

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING



PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name:

MT Restaurants LLC

Permit Premises Address:

*21 Lynn Ave
Oxford, OH 45056*

Liquor Permit Number(s):

5379955 / F011273

Federal Tax ID Number:

27-0649090

Email
Address:

jengelhardelarosas.com

Attorney's Name, Address and Telephone Number (If represented):

Nathan Gordon 2485 East Broad St. Columbus, OH 43209

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) <i>David Wispiser</i>	-	<i>Owner</i>	☒ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	-
2)			☐ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	
3)			☐ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	
4) <i>ok to buy in JV, Sund Rd, cc, rept.</i>			☐ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) <i>Joel Engerhard</i>		<i>Owner</i>	☒ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	
2) <i>Melissa Engerhard</i>		<i>Owner</i>	☒ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	
3)			☐ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	
4)			☐ Managing Member ☐ Voting interest _____ % ☐ Membership interest _____ %	

DLC4259

EOE/ADA SERVICE PROVIDER

FOR TTY USERS DIAL ORS 1-800-750-0750

Revised 6/2013

no viol, June ren. issued, 1 permit issued.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the February 4, 2014
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: January 29, 2014

Agenda Title: Resolution releasing an existing residential mortgage with Michael & Michelle Patterson for the Patterson's Café RLF loan.

Recommendation: Approval

Mike & Michelle Patterson are requesting the City of Oxford amend its security position on the Revolving Loan they have with the City of Oxford. The CIC Board met on January 24th to review and discuss this request. The CIC voted unanimously to recommend adjusting the Patterson's Café RLF security position to UUC filings on the restaurant equipment and personal guarantees from the Patterson's, including releasing the mortgage on the Patterson's personal residence. Below is a recap of the original loan, current loan amounts, the current request and the rationale for approval.

Original Loan:

Originated: July 2009
Loan Amount: \$205,600
Terms : 10 years at 3% Interest,
Monthly payment: \$1,985
Security: < UCC filings on the restaurant equipment.
< Personal Guarantees from Mike & Michelle
< Home Mortgage – 3rd position

Current Loan Status:

Loan balance: \$124,006
Remaining term: 5.6 years
Loan is current: 52 payments have been made = \$103,235

Request:

In 2009 the Patterson's received funding from both the City of Oxford and Somerville National Bank to move and expand Patterson's Café to Stewart Square. At that time, both the Bank and the City placed mortgages on the Patterson's personal residence. The original home mortgage is in the 1st position, Somerville Bank is 2nd and the City of Oxford is 3rd.

The Pattersons are attempting to re-finance the 1st and 2nd mortgages into one loan. This will significantly reduce their monthly payment obligations.

The bank will not combine and refinance mortgages #1 & #2, if the City continues to hold its mortgage, as the 'Loan to Asset Ratio' would be too high.

Requested RLF Security Position:

Security

- UCC filings on the restaurant equipment.
- Personal Guarantees from Mike & Michelle Patterson.

Rational

- The loan amount has been reduced by 40%.
- The length of the loan has been reduced 44%.
- The loan is current and all payments have been made on time.
- The 3rd position on the mortgage does not guarantee a full equity position.
- If the refinancing of the current loans occur, it creates lower monthly obligations for the Pattersons, which in turn increases their cash position to repay all their financial obligations, including the City's RLF loan.

Reviewed By:

Department Head:

CK

Initial Date

1-29-14

City Attorney:

DRE

City Manager:

1/31/14

RESOLUTION NO.

A RESOLUTION RELEASING THE MORTGAGE BETWEEN MICHAEL M. PATTERSON AND MICHELLE KRAUSE PATTERSON AND THE CITY OF OXFORD RECORDED ON SEPTEMBER 2, 2009 AT BOOK 8150 PAGE 1846 OF THE BUTLER COUNTY RECORDS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: A Request was made by the borrowers, Michael M. Patterson and Michelle Krause Patterson to release the mortgage with the City of Oxford in the amount of \$124,006.06 to allow the borrowers to refinance their mortgage.

SECTION 2: Council finds that the Community Improvement Corporation, the City Manager, and the Economic Development Director have recommended this course of action. The City will continue to hold personal guarantees from the borrowers, and a UCC filing on the restaurant equipment.

SECTION 3: Council hereby accepts and approves the recommendation of the Community Improvement Corporation, the City Manager, and the Economic Development Director, and authorizes the City Manager to sign a release of the mortgage between the City of Oxford and Michael M. Patterson and Michelle Krause Patterson in the amount of \$124,006.06.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: ALAN KYGER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance

Originating Department

Council Meeting Of : 1/21/2014

Account Code No. : see below

Joe Newlin

Prepared By

Budgeted Amount : _____

1/21/2014

Date Prepared

Agenda Title:	2014 Supplemental Budget #1
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Recommendation:	Approve
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Issue 1

To correct 2014 budget by increasing revenue - \$1,800,000 not yet received for US 27 South Right-A-Way purchases

Action Needed:

Revenue Side

Capital Improvement 141	1,800,000.00	Reimbursement from State
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Expense Side

-

Net Effect on Fund Balance/(s)	1,800,000.00
Increase/(Decrease)	

Issue 2

Data extraction from old software higher than anticipated - \$13,700 sole provider increase in appropriation from unencumbered balance

Action Needed:

Revenue Side

- N/A

Expense Side

Capital Equipment 140	4,480.00
Parking Improvement 142	654.00
Water Capital Equipment 320	933.00
Sewer Capital Equipment 330	933.00

Net Effect on Fund Balance/(s)	(7,000.00)
Increase/(Decrease)	

Total Net Effect on Fund Balance/(s)	1,793,000.00
Increase/(Decrease)	

Breakdown by Fund

Capital Equipment 140	(4,480.00)
Capital Improvement 141	1,800,000.00
Parking Improvement 142	(654.00)
Water Capital Equipment 320	(933.00)
Sewer Capital Equipment 330	(933.00)

Net Effect on Fund Balance/(s) Increase/(Decrease)	1,793,000.00
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Approved By:

Department Head:

City Manager:

Initials

Date

MC 1/21/14
DLE 1/21/14

Joe Newlin

From: Tom Johnston <johnstont@civicacmi.com>
Sent: Tuesday, January 21, 2014 4:40 PM
To: Joe Newlin
Subject: RE: CMI Data Extraction Quote

Joe,

I was wondering that myself; now you know why I questioned this quote when I received it and asked for another pass. I will pass along your request and let you know the response.

Tom

Tom Johnston | Account Manager | Creative Microsystems, Inc
Tel: 800-686-9313 or 937-836-4499 ext 3118 | Fax: 937-836-1036
E-mail: johnstont@civicacmi.com | Web: www.civicacmi.com



From: Joe Newlin [<mailto:jnewlin@cityofoxford.org>]
Sent: Tuesday, January 21, 2014 4:15 PM
To: Tom Johnston
Subject: RE: CMI Data Extraction Quote

Tom,

How did they arrive at \$13,700? It would be helpful to see how they arrived at is it a \$137/hr. for a hundred hours of work?

Thanks

From: Tom Johnston [<mailto:johnstont@civicacmi.com>]
Sent: Tuesday, January 21, 2014 4:10 PM
To: Joe Newlin
Subject: CMI Data Extraction Quote

Good afternoon, Joe...

Please note the attached file, which contains your quote for CMI's Data Extraction Services for our Finance, Payroll and Utility Billing Client Server Applications, as requested. I apologize for the delay in getting this quote to you.

Please review this quote at your earliest convenience (along with the Special Notes included). When you are ready to proceed, please sign and return the quote to me. You can E-mail it back to me or you can fax it to 937-836-1036, to my attention. Once I receive the signed quote, I will process it right away, so we can get the Data Extraction process set up as soon as possible.

If you have any questions about this quote, or there is any other way I can be of help to you, please give me a call or send me an E-mail. FYI, I have a couple appointments outside the office tomorrow, but I should be back around 2:00-2:30 if you need to get a hold of me then.

Have a nice evening,

Tom

Tom Johnston | Account Manager | Creative Microsystems, Inc
Tel: 800-686-9313 or 937-836-4499 ext 3118 | Fax: 937-836-1036
E-mail: johnstont@civicacmi.com | Web: www.civicacmi.com



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Creative Microsystems, Inc. 52 Hillside Ct, Englewood, Ohio 45322

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Creative Microsystems, Inc. 52 Hillside Ct, Englewood, Ohio 45322

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3249. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2014.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in revenues be made:

Capital Improvement Fund 141	1,800,000.00
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SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Capital Equipment Fund 140	4,480.00
Parking Improvement Fund 142	654.00
Water Capital Equipment Fund 320	933.00
Sewer Capital Equipment Fund 330	933.00

SECTION 4: In all other respects, Ordinance No. 3249 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of:

Gail S. Brahier

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

1/29/14
Date Prepared

Agenda Title: Joint TRI-Recreation Board Meeting, 1/16/14

Recommendation: N/A

Discussion: In attendance: Edna Southard, Council Rep., Shaunna Tafelski, John Thomas, Melissa Engelhard. Staff: Gail Brahier, Deanna Barbour. Guest, Jessica Greene, OVB.

Jessica Greene gave a short presentation on applying for a Clean Ohio Grant to pave a portion of the OATS trail, connecting the Black Covered Bridge to the DeWitt Log Cabin. The paved portion would be from the Black Covered Bridge through Leonard Howell Park. Ms. Greene said the funds would pass through the City, with a match of \$125,000 to be raised. Ms. Greene said it costs app. 1 million per mile to construct. The Recreation Board will send a letter of support to Ms. Greene. Ms. Brahier inquired about the long term maintenance. Ms. Greene said the OATS trail group agreed to convene 3 times a year to do project work on the trail.

Mr. Thomas said the THS turf field is reserved for the adidas spring event, April 11-13 and 25-27. Ms. Brahier mentioned they are also using Cook Field. Ms. Brahier said the 27S construction will have begun by April, so the adidas participant map will detour users to Stillwell Beckett and St. RT. 73.

Mr. Thomas mentioned hosting the OPRD BB kids at a varsity game. Ms. Brahier said OPRD appreciates his efforts in securing facilities to assist the sports programs.

Ms. Engelhard mentioned selecting a live band for the July 3rd event in the partnership with the OVB.

The Board reviewed questions to be posted online to gauge Parks and Recreation Department Services.

*Next meeting, Apr. 17, 4 pm at the Oxford Senior Center.

Approved By:

Initial Date

Department Head:

gb 1/29/14

City Attorney:

City Manager:

DRE 1/31/14