

COUNCIL CHAMBER

City Manager
02/07/12

City of Mentor

RESOLUTION NO. 12-R-104

A RESOLUTION CONGRATULATING AND COMMENDING MENTOR FIRE CHIEF RICHARD L. HARVEY FOR RECEIVING THE VETERANS OF FOREIGN WARS (VFW) 2012 STATE OF OHIO FIREFIGHTER OF THE YEAR AWARD AND BRINGING DISTINCTION TO THE CITY OF MENTOR THROUGH THIS ACCOMPLISHMENT

WHEREAS, Chief Richard L. Harvey has served 46 years in the Fire Service, starting as a volunteer firefighter. He became a full-time firefighter with the Mentor Fire Department in 1974 and held the ranks of Firefighter/Paramedic, Fire Lieutenant, Training Officer and Battalion Chief before being named Fire Chief in the City of Kirtland. After four years he returned to Mentor as Fire Chief in 2001, where he continues to serve after a decade of effective leadership; and,

WHEREAS, Chief Harvey is a veteran of the U.S. Army, serving as a firefighter, training officer, and crash rescue crew chief during the Vietnam era; and,

WHEREAS, Chief Harvey has earned a reputation as gifted Fire Chief and a regional leader who leads by example with knowledge, wisdom, and a genuine desire to help and serve people while teaching the true meaning of a committed public servant; and,

WHEREAS, Chief Harvey is well known for serving his fellow man on his own time, utilizing his expert fire and EMS skills, and his skills as a paramedic and registered nurse to volunteer for humanitarian campaigns both at home, in the region, and elsewhere in the world; and,

WHEREAS, Chief Harvey's reputation for delivering professional service in a personal manner and his commitment to the Mentor community and greater region was recognized by Commander Bud Spreng and the membership of the VFW – George E. Hayward Post 9295 by nominating him for consideration as the VFW State of Ohio Firefighter of the Year Award ; and

WHEREAS, Chief Harvey was chosen as the most deserving individual from among many outstanding applicants across Ohio and recognized on January 28, 2012 as the award recipient, gaining both statewide recognition and gratitude from the National VFW.

NOW, THEREFORE, BE ITS RESOLVED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the City Council, the City Administration, and residents of Mentor congratulate and commend Fire Chief Richard L. Harvey for being named the Veterans of Foreign Wars State of Ohio Firefighter of the Year and for his career-long commitment and dedication to the community.

COUNCIL CHAMBER

City Manager
02/07/12

City of Mentor



SECTION 2. That Chief Harvey's honor brings distinction to the City of Mentor and showcases the professionalism and effectiveness of the entire Mentor Fire Department that supports his efforts.

SECTION 3. That the City Council, City Administration, and residents of Mentor are grateful to the VFW – George E. Hayward Post 9295, its members, and Commander Bud Spreng for nominating Chief Harvey for this honor and for continuing to make an ongoing and meaningful contribution to this community through its charitable work and service to the Mentor community and our country.

SECTION 4. That this Resolution shall take effect and be in force from and after its adoption at the earliest period allowed by law.

President of Council

Adopted: _____, 2012

Attest: _____
Clerk of Council

COUNCIL CHAMBER

City of Mentor

City Manager
Civil Service
02/07/12

ORDINANCE NO. 12-O-10

AN ORDINANCE AMENDING PART ONE, TITLE SEVEN, CHAPTER 159, OF THE CODIFIED ORDINANCES OF THE CITY OF MENTOR, 2006, AS AMENDED, THE SAME RELATING TO CIVIL SERVICE COMMISSION, EXAMINATIONS, AND DECLARING AN EMERGENCY

WHEREAS, at its meeting held on January 18, 2012, the Civil Service Commission unanimously voted to make changes to the Codified Ordinances of the City of Mentor relative to Civil Service Commission, Examinations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That Part One Title Seven, Section 159.06(d)(1)(D) of the Codified Ordinances of the City of Mentor, 2006 as amended, be and the same is hereby amended to read in such a way that existing language to be removed is shown as ~~stricken~~, newly added language is shown as **bold** and language to remain retains the existing font and format:

159.06 Examinations

(d)(1)(D) Additional Credits for Police Applicants. Applicants who receive a passing grade on the written examination for the position of Police Officer, who have successfully completed a Police Academy and currently hold an Ohio Police Certification, shall receive an additional credit of two (2) points added to their grade. **Applicants who receive a passing grade on the written examination for the position of Police Officer, who have achieved an Associates Degree at an accredited university or college as determined by the United States Secretary of Education as published in the Database of Accredited Postsecondary Institutions and Programs, or the successor entity thereof, or who have accumulated class credits equal to two (2) complete years in pursuit of a four-year degree at an accredited university or college, credits which are recognized by the accredited university or college in which the applicant is enrolled for the degree program, shall receive an additional credit of two (2) points added to their grade.**

SECTION 2. 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, except as otherwise provided by Section 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

COUNCIL CHAMBER

City of Mentor

City Manager

Civil Service

02/07/12

ORDINANCE NO. 12-O-10(2)

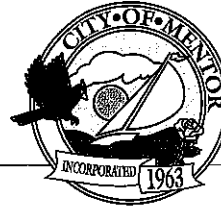


SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City and for the further reason so as to facilitate administration and daily operations, WHEREFORE, this ordinance shall take effect and be in force from and immediately upon its passage.

President of Council

PASSED: _____

ATTEST: _____
Clerk of Council




City of Mentor

Council-manager
government since 1963

8500 Civic Center Boulevard
Mentor, Ohio 44060-2499
440-255-1100
www.cityofmentor.com

Date: February 2, 2012

Memo to: City Council

Memo from: Ken Filipiak, City Manager 

Subject: **Staff Report on Civil Service Change**

Dear Council Members:

The proposed change to Civil Service rules Section 159.06(d)(1)(D) supports the Administration's goal of increasing the number of candidates with post-secondary education who appear on certified hiring lists for the position of Police Patrolman. This change is sought in anticipation of commencing testing for a new eligibility list immediately following Council's determination. Due to the changing and increasing demands placed upon police patrolmen, including more complex code interpretation and application, report writing, the premium on written and verbal communication and testimony, technology application, and sociological understanding, we believe that the knowledge, core skills, and learning techniques gained by college-educated candidates will better prepare them for success as police officers. This does not undermine the advantage already incorporated into our code for candidates with military service or those who have completed Police Academy training with an Ohio Peace Officer certification, who also receive an additional two points.

Other alternatives were considered, but the option to add points was regarded by all as the one best able to meet the Administration's goal without discouraging, and thereby limiting, potential candidates. We believe the change will enhance the overall pool of candidates applying for the Police Patrolman position, yet will not create too large an advantage to overcome by qualified candidates without the college credits.

Thank you.

COUNCIL CHAMBER

City of Mentor

City Manager
Finance Director
02/07/12

ORDINANCE NO. 12-O-11

AN ORDINANCE TO AUTHORIZE REVISIONS TO APPROPRIATIONS, AND DECLARING AN EMERGENCY

WHEREAS, it is necessary under proper accounting practices to adjust appropriations for the year 2012,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the Director of Finance be and he is hereby authorized to make the following adjustments to appropriations for the year 2012.

Decrease 171 – Police Canine Fund – Police – Empl Comp	(\$ 11,500.00)
Decrease 171 – Police Canine Fund – Police – Other	(\$ 1,250.00)
Increase 171 – Police Canine Fund – Police – Other	\$ 12,750.00

SECTION 2. The funds necessary to make the adjustments of funds are hereby appropriated in the 2012 fiscal year.

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, except as otherwise provided by Section 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City, and for the further reason that it is required for the proper operation of the administrative departments of the City. WHEREFORE, this ordinance shall take effect and be in force from and immediately upon its passage.

President of Council

Passed: _____, 2012

Attest: _____
Clerk of Council

TO: Kenneth J. Filipiak, City Manager

FROM: David W. Malinowski, Director of Finance



DATE: January 31, 2012

RE: Ordinance 12-O-11
Appropriation Revisions

Ordinance 12-O-11 approves the revisions to appropriations with respect to 2012 activity as explained below:

Appropriation Revisions

The \$12,750 increase in appropriations in the Police Canine Fund is to realign appropriations to cover the purchase and training of a K-9 Service Dog.

DWM/dv

COUNCIL CHAMBER

City of Mentor



ORDINANCE NO. 12-O-12

AN ORDINANCE AUTHORIZING PAY DIFFERENTIAL TO A CITY EMPLOYEE ASSIGNED TO ACTIVE MILITARY DUTY, AND DECLARING AN EMERGENCY

WHEREAS, Public Works Director Matthew Schweikert, an employee with the City of Mentor and a member of the United States Naval Reserve, has been ordered to deploy to active military duty in Afghanistan; and,

WHEREAS, Mentor City Council, in conformance with Ohio Revised Code §5923.05, hereby approves the recommendation of the administration to pay Mr. Schweikert his additional supplemental military pay (equal to the difference between regular employee pay and military pay) and also medical and dental coverage paid for by the City at the applicable employee co-pay amounts; and

WHEREAS, it is the Council's desire to authorize such payments, inclusive of any wage increase which may occur, until such time as Mr. Schweikert returns to regular employment with the City of Mentor or until Council passes an amendment to this ordinance.

NOW, THEREFOE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the City Manager and Finance Director are hereby authorized to continue to pay Matthew Schweikert in accordance with Ohio Revised Code §5923.05 and additionally pay Mr. Schweikert the difference between his military service pay (Basic Military Pay) and his regular compensation (including longevity pay) through the City of Mentor. During such military leave, Mr. Schweikert shall receive medical and dental coverage paid for by the City, but subject to applicable employee co-pays, and any wage increases he would have been eligible for regardless of his absence. Such wages and benefits shall continue until Mr. Schweikert returns to his regular employment with the City of Mentor or until Council passes an amendment to this ordinance.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that, except as otherwise provided by Section 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

COUNCIL CHAMBER

City of Mentor

ORDINANCE NO. 12-O-12(2)



SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City, and for further reason to meet payroll deadlines. WHEREFORE, this ordinance shall take effect and be in force from and immediately upon its passage.

President of Council

PASSED: _____

ATTEST: _____

Clerk of Council

INTEROFFICE MEMORANDUM

TO: KEN FILIPIAK, CITY MANAGER
FROM: ANTHONY J. ZAMPEDRO, ASSISTANT CITY MANAGER *AJZ*
SUBJECT: PROPOSED LEGISLATION – PUBLIC WORKS DIRECTOR MATT SCHWWEIKERT
DATE: FEBRUARY 2, 2012

The administration is requesting the passage of an ordinance to provide wages and benefits to Public Works Director Matt Schweikert who has recently been ordered to deploy to Afghanistan as part of his service in the United States Naval Reserve. This legislative request is intended to provide the same wage continuation and benefits City Council has afforded to Police Officer Daniel Shaw during his tours of duty in Iraq and Afghanistan. The legislation is in conformance with Ohio Revised Code §5923.05. A copy of the proposed legislation is attached for your consideration.

It should be noted that the pay differential and benefits paid by the City does exceed the minimum mandate of the state statute. At a minimum, the state statute requires that after the first one hundred and seventy-six (176) hours of full pay for the first month, the City must pay a differential pay to those individuals called to active service. Such pay is equal to the lesser of either: 1) the difference between the employee's gross monthly wages and the employee's military pay and allowances that month; or, 2) five hundred dollars that month (\$500.00). This essentially results in a maximum allowable monthly cap of \$500.00. In the proposed local ordinance, and as established previously, the City has committed to making the individual whole without capping the possible differential payment at \$500.00.

Additionally, in determining the employee's monthly military pay, the City does not factor in military allowances (e.g. hardship duty pay, hostile fire pay, subsistence allowance or housing allowance pay). This is because such allowances may vary greatly throughout the employee's tour of duty thus either requiring him to keep the City's Finance Department updated every biweekly payroll or face the prospect of having to repay the City upon his return for any overpayment.

Lastly, pursuant to Federal and State law, the only health benefits that minimally need to be made available are "COBRA" like insurance benefits paid in full by the employee for the duration of the military leave. It is in this regard the City has been more generous than the minimum statutory mandate, however, the state statute expressly allows a political subdivision to provide additional compensation to an employee on military leave beyond such minimums. Sec. ORC §5923.05(E)

It is recommended that Council enact the proposed legislation and the administration wishes Matt Schweikert "fair winds and following seas" in his deployment as well as safe passage until his return home.

AJZ/vm
Attach.

COUNCIL CHAMBER

City of Mentor

City Manager
Fire Chief
02/07/12

ORDINANCE NO. 12-O-13

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PENN CARE, INC. FOR THE PURCHASE OF ONE (1) 2012 BRAUN RESCUE SQUAD AND CHASSIS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Mentor's Rescue Squad #1132 was involved in an accident while responding to an emergency, and as a result was deemed a total loss by the City's insurance carrier; and

WHEREAS, it is the intent of the City of Mentor to replace said rescue squad this fiscal year; and

WHEREAS, state bid pricing was available for said replacement of the rescue squad; and

WHEREAS, upon research conducted by the City of Mentor Fire Department's Squad Committee, said committee determined that a 2012 Braun Rescue Squad, Chief XL1 Model and Chassis meets the specifications requested.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the City Manager be and he is hereby authorized to enter into a contract with Penn Care, Inc. for the purchase of one (1) 2012 Braun Rescue Squad and Chassis, said contract not to exceed One Hundred Ninety Three Thousand, Five Hundred Eighty Three Dollars and Zero Cents (\$193,583.00).

SECTION 2. That the funds necessary to pay the amount hereby authorized for the contract are hereby appropriated in the current fiscal year.

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

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this city, and for the further reason to meet contractual deadlines; WHEREFORE, this ordinance shall take effect and be in force from and immediately upon its passage.

President of Council

PASSED: _____

ATTEST: _____

Clerk of Council

Mentor Fire Department
Departmental Memorandum



TO: Kenneth J. Filipiak, City Manager
FROM: Richard L. Harvey, Fire Chief *RLH*
DATE: January 31, 2011
SUBJECT: Staff Report – Rescue Squad

As you know, Rescue Squad 1132 was hit and extensively damaged when responding to an emergency on November 7, 2011. The cities insurance company has recently agreed to consider it a total loss with payment toward replacement of \$185,130 (Original purchase price of \$186,130 minus \$1000 deductible). This vehicle had been in service less than six (6) months prior to the accident.

As you will recall, legislation was passed and purchase authorized for a new Rescue Squad for Fire Station #5 at the last Council meeting. It is the recommendation that an identical vehicle be purchased as a replacement for this damaged one. A Rescue Squad manufactured by Braun Industries of Van Wert, Ohio that meets requirements and specifications is again available through the State of Ohio Cooperative Purchasing Program. Cost through this program, with required options, will be \$193,583.00, the same as the previously authorized unit. State bid pricing does not allow for an additional discount unless three (3) or more units are purchased; however, the vendor had agreed to provide a \$3000 credit toward striping and lettering of these units which will be done at a local Mentor business.

Based on the above, it is the Fire Department's recommendation that the City Manager be authorized to enter into a contract with Penn Care, Inc. of Niles, Ohio for the purchase of one (1) 2012 Braun Rescue Squad; Chief XL1 Model on an International Terra Star Chassis and declaring an emergency. Delivery of both units is expected to occur in June.

RLH:ak

COUNCIL CHAMBER

City Manager
Econ & Comm Dev Director
02/07/12

City of Mentor

ORDINANCE NO. 12-O-14

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A MENTOR
INCENTIVE GRANT WITH ANGSTROM PRECISION METALS,
AND DECLARING AN EMERGENCY

WHEREAS, Angstrom Precision Metals (the "Company"), plans to invest in its current operations at 8229 Tyler Boulevard in the City of Mentor, Ohio, (hereinafter referred to as the "Project"), provided the appropriate development incentives are available to support the economic viability of the project; and

WHEREAS, the project will bring jobs and employment opportunities to Mentor and improve the economic welfare of the people of the City; and

WHEREAS, to facilitate the project of the Company, the City intends to agree to make annual incentive grant payments to the Company pursuant to and from the sources identified in a City of Mentor Incentive Grant Agreement (the "Grant Agreement"), a copy of which is attached hereto and incorporated herein as Exhibit "A," between the City and the Company; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. This Council does hereby find and determine that the Project is consistent with the purposes of Sections 2(P) and 13 of Article VIII, of the Ohio Constitution to develop sites and facilities for and in support of industry, commerce and research, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio.

SECTION 2. To assist the Company in the financing of the Project and in furtherance of the purposes of Sections 2(P) and 13 of Article VIII, of the Ohio Constitution to develop sites and facilities for and in support of industry, commerce and research, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio, this Council hereby agrees to make grant payments to the Company pursuant to the Grant Agreement. The City Manager is hereby authorized to execute the Grant Agreement in substantially the form as indicated on Exhibit "A" hereto, with such changes as are not materially adverse to the City as such officers and the Law Director may approve, such execution being conclusive evidence of approval of any such changes.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that, except as otherwise provided by Section 121.22 of the Ohio Revised Code, all

COUNCIL CHAMBER

City of Mentor

City Manager
Econ & Comm Dev Director
02/07/12
ORDINANCE NO. 12-O-14(2)



deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City, and for the further reason that this Ordinance must be immediately effective in order to proceed promptly with the development of the Project in order to meet contractual deadlines and promote commercial and economic development within the boundaries of the City; WHEREFORE, this Ordinance shall take effect and be in force from and immediately upon its passage.

President of Council

PASSED: _____

ATTEST: _____
Clerk of Council

Memorandum



DATE: January 30, 2012

TO: Kenneth J. Filipiak, City Manager
Tony Zampedro, Assistant City Manager

FROM: Ronald M. Traub, Director, Economic Development
Thomas Thielman, Economic Development Administrator

RE: Mentor Incentive Grant (MIG) Request
Angstrom Precision Metals

Angstrom Precision Metals was founded in 1946 as Brosius Products in Cleveland, Ohio. In 1948, the Company moved to Euclid, Ohio and became Bethandale Corporation. In 1966, the Company moved to its' present facility in Mentor, Ohio. In 1972 Buckeye International purchased Bethandale Corporation. In 1980, Worthington Industries instituted a strategic review of its business and decided to focus on processed steel products. This review determined that Worthington Precision Metals did not fit with Worthington Industries' core business. In October of 1998, Veritas Capital purchased Worthington Precision Metals. In November of 2000, the City negotiated an enterprise zone agreement, which provided for a 30% personal property abatement for five (5) years. While an investment of approximately \$7.7 million was made in machinery & equipment the company did not meet employment expectations. In October of 2006 the City entered into a 10-year Mentor Incentive Grant with the company; grant payments were made in 2008 & 2009.

The Company's core competency is the manufacturing of metal components to very tight tolerances. Angstrom Precision Metals has a wide range of process experience, in-house heat treatment, and experience with many finishing methods and CNC prototyping capabilities.

In December of 2010 the City was copied on a Workers Adjustment and Retaining Notification (WARN) indicating that the company's assets had been foreclosed upon and that the company would discontinue operations. The assets were purchased by Angstrom-USA of Taylor, Michigan. Staff has worked with Angstrom over the last year to retain them in the City.

In December, 2011, Angstrom purchased their 123,960 sq. ft. facility for \$1 million. The company anticipates investing \$300,000 in building improvements and \$1 million annually for the current and succeeding years in machinery & equipment. Angstrom projects employment to decline in calendar year 2012, and then to "recover" in succeeding years.

Based on the grant guidelines, staff recommends a seven (7) year agreement with a 20% inducement on payroll; the total value of which will be \$110,000.

COUNCIL CHAMBER

City of Mentor



City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(3)
ATTACHMENT "A"

MENTOR INCENTIVE GRANT Angstrom Precision Metals February 7, 2012

This agreement made and entered into by and between the City of Mentor, Ohio, a municipal corporation, with its main offices located at 8500 Civic Center Boulevard, Mentor, Ohio 44060 (hereinafter referred to as "Mentor"), and Angstrom Precision Metals with its offices located at 8229 Tyler Boulevard, Mentor, Ohio 44060 (hereinafter referred to as "Angstrom").

WITNESSETH;

WHEREAS, the City of Mentor has encouraged the development of real property, the acquisition of personal property and the investment into research and development located in the City's Industrial and Commercial Districts; and

WHEREAS, Angstrom is precision machined automotive and heavy truck original equipment manufacturer supplier and is desirous of making capital investments in machinery and equipment to facilitate its continued operations and subsequent expansion at the Mentor facility. Angstrom purchased the assets of the former Worthington Precision Metals and subsequently purchased the building in which Worthington Precision Metals owned. In anticipation of this grant, Angstrom has committed to investing over \$4.3 million into the project. Angstrom will create new and retain certain existing employment opportunities (as further described in Section 1 and hereinafter referred to as the "PROJECT") within the City of Mentor provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the City of Mentor, having the appropriate authority for the stated type of project, is desirous of providing Angstrom with incentives available for the development of the PROJECT consistent with the purposes of Sections 2(P) and 13 of Article VIII of the Ohio Constitution to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State; and

WHEREAS, the City Manager, Kenneth J. Filipiak, of the City of Mentor has investigated the request of Angstrom and has recommended the same to the City Council of the City of Mentor on the basis that Angstrom is qualified by financial responsibility and business experience to create and preserve employment

COUNCIL CHAMBER

City of Mentor

City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(4)

opportunities and to improve or preserve the economic climate of the City of Mentor; and

WHEREAS, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefits to be derived by the parties from the execution hereof, the parties herein agree as follows (provided that any obligation of the City of Mentor created by or arising out of this agreement shall not be a general debt on its part nor give rise to any pecuniary liability of the City of Mentor, but shall be payable solely from Non-Tax Revenues as defined in Section 3 below):

1. Angstrom, currently located at 8229 Tyler Boulevard, Mentor, Ohio 44060 shall as part of the PROJECT invest in the purchase of real property (land & building) located at 8229 Tyler Boulevard, conduct subsequent improvements and repairs to the building and purchase machinery and equipment which result in a total new investment in Mentor of approximately \$4,300,000 (Four Million Three Hundred Thousand Dollars). The investment includes: \$1,000,000 (One Million Dollars) for the purchase of the land and building located at 8229 Tyler Boulevard, Mentor, Ohio, \$300,000 (Three Hundred Thousand Dollars) for repairs and building improvements, \$3,000,000 (Three Million Dollars) for the purchase of machinery and equipment, and \$400,000 (Four Hundred Thousand Dollars) for research, design, and other associated costs. The PROJECT will preserve approximately 50 (Fifty) employment opportunities and create up to 30 (Thirty) additional employment opportunities for the City of Mentor. Angstrom estimates the PROJECT will maintain approximately \$2,700,000 (Two Million Seven Hundred Thousand Dollars) in existing payroll and create an additional \$1,600,000 (One Million Six Hundred Thousand Dollars) of additional annual payroll during the term of the grant agreement. The project shall begin on or about January 1, 2012 and will be fully completed by the end of the calendar year 2014. The term of the Mentor Incentive Grant shall begin on January 1, 2012 and shall run for 7 (Seven) years ending December 31, 2018.

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02/07/12
Ordinance No. 12-O-14(5)



2. Angstrom for the full grant shall maintain from the Project an average yearly payroll of \$2,700,000 (Two Million Seven Hundred Thousand Dollars) for calendar year 2012, \$3,500,000 (Three Million Five Hundred Thousand Dollars) for calendar year 2013, and \$4,300,000 (Four Million Three Hundred Thousand Dollars) for calendar years 2014 through 2018.
3. The City of Mentor shall pay Angstrom, Inc. as a grant from City Non-Tax Revenues a sum equal to a percentage of the City of Mentor annual income tax withholding receipts derived from all employees located at the Project ("Payroll Withholding Taxes") as follows:
 - a. For all Payroll Withholding Taxes withheld on payroll a TWENTY PERCENT (20.0%) grant on permitted payroll taxes of not more than two percent (2%), or on such lesser actual percentage if authority to collect payroll taxes at two percent (2%) of income should decrease, for a term of January 1, 2012 through December 31, 2018. The TWENTY PERCENT (20.0%) grant is based on annual payroll withholding taxes on all payroll taxes paid to the City of Mentor if annual payroll is at least \$2,700,000 for calendar year 2012, \$3,500,000 for calendar year 2013, and \$4,300,000 for calendar years 2014 through 2018.
 - b. Angstrom shall create the following yearly payrolls in accordance to the MIG Application filed with the City of Mentor. If Angstrom fails to create the agreed yearly payrolls no MIG grant will be distributed for that particular year.

Angstrom shall create from the Project yearly payrolls as follows:

Calendar Year 2012	\$2,700,000
Calendar Year 2013	\$3,500,000
Calendar Year 2014	\$4,300,000
Calendar Year 2015	\$4,300,000
Calendar Year 2016	\$4,300,000
Calendar Year 2017	\$4,300,000
Calendar Year 2018	\$4,300,000

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City of Mentor

City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(6)

Said grant, which is intended only for reimbursement of acquisition expenses for machinery and equipment and/or other personal property, shall be paid to Angstrom on an annual basis on or before April 15th of the succeeding year for the preceding calendar year in which Payroll Withholding Taxes were paid and received. "Non-Tax Revenues" as used in this agreement means all moneys of the City of Mentor which are not moneys raised by taxation, to the extent available for the purpose of making the annual payments required hereunder, including, but not limited to the following: (a) grants from the United States of America and the State; (b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on City indebtedness; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City's General Fund.

Nothing herein shall be construed as requiring the City to use or apply to the payment of annual payments due hereunder any funds or revenues from any source other than Non-Tax Revenues; provided, however, that nothing herein shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this agreement.

4. If Angstrom fails to maintain the minimum yearly payroll amounts pursuant to Section 2 and Section 3 for reasons other than substantiated economic hardship, or Angstrom materially fails to fulfill any other obligation under this agreement, the City of Mentor shall give written notice of such and Angstrom then shall have the opportunity to cure such default within a 120 day period. Economic hardship shall be defined as circumstances beyond Angstrom ability to control in the normal course of conducting business and shall be

COUNCIL CHAMBER

City of Mentor

City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(7)



substantiated by full financial disclosure (current and past financial statement and tax returns). If such default is not cured within such 120 day period, the City may terminate or abate the grant otherwise payable pursuant to this agreement relative to the period of time for which a default is proven. Mentor shall notify Angstrom of any potential default relative to minimum yearly payroll requirements within six months of the close of the calendar year for any payments required pursuant to this agreement for said year or its right to terminate or abate for failure to maintain minimum yearly payroll amounts for that calendar year is waived.

5. (a) Angstrom shall maintain an annual membership in the Mentor Area Chamber of Commerce during the term of this grant and (b) Angstrom Ltd. shall contribute 2% (Two Percent) of its annual grant payment (deducted by the City of Mentor from the annual grant) for payment to the City of Mentor Economic Development Fund for the duration of this grant agreement.
6. By executing this agreement, Angstrom commits to not discriminate in hiring on the basis of race, religion, sex, disability, color, national origin, or ancestry.
7. This agreement is not transferable or assignable without the express, legislative approval of the City of Mentor provided; however, Angstrom may assign any or all of its rights, interests or obligations hereunder in connection with any sale of Angstrom or substantially all of the assets of Angstrom.
8. This agreement is binding upon Angstrom and its successors or assigns.
9. The annual payments due hereunder shall be made to Angstrom Precision Metals and placed in the U.S. regular mail on or before each April 15 payment date addressed to Angstrom Precision Metals, 8229 Tyler Boulevard, Mentor, Ohio 44060, Attention: Mr. Mario Manocchio, President.
10. The Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

COUNCIL CHAMBER

City of Mentor

City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(8)



11. The parties agree: (i) not to disclose the Confidential Information (as defined below) of the other party or its agents, to third parties (excluding a party's agents or representatives); (ii) not to use the Confidential Information except for enforcement of or in furtherance of the purposes of this Agreement; and (iii) that the Confidential Information of a party is and shall remain the property of the disclosing party. Confidential Information means income tax withholding receipts used to calculate the grant pursuant to paragraph three (3), provided, however, that Confidential Information shall not include information that became known to the receiving party prior to the disclosing party's disclosure of such information to the receiving party. Nothing in this agreement shall preclude the City of Mentor from releasing any information as required by law.
12. Angstrom releases Mentor from, agrees that Mentor shall not be liable for, and shall indemnify Mentor against, all liabilities, claims, costs and expenses, including attorneys fees and expenses, imposed upon, incurred or asserted against Mentor on account of any failure to pay any applicable prevailing wages or to comply with Ohio Revised Code Chapter 4115 related to the Project.
13. In the event of a dispute arising out of this Agreement, the parties agree to negotiate in good faith to discuss and attempt to resolve the issues which are the subject of the dispute. If the parties are unable to resolve the dispute, such dispute shall be subject to litigation in the venue of Lake County, Ohio.
14. This agreement shall be null and void and the parties released from any liability to the other should a court of competent jurisdiction determine that the agreement is unlawful, except, however, Angstrom shall repay to Mentor all sums paid to it pursuant to this agreement by Mentor should Mentor or any of its employees, agents or officers be required or ordered to recover the grant funds paid to Angstrom.

COUNCIL CHAMBER

City of Mentor



City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(9)

IN WITNESS WHEREOF, the City of Mentor, Ohio, by Kenneth J. Filipiak, its City Manager, and pursuant to Ordinance No. 12-O-14 has caused this instrument to be executed in three (3) counterparts this _____ day of _____, 2012 and Angstrom Precision Metals, Mr. Mario Manocchio, President, has caused this instrument to be executed on this _____ day of _____, 2012.

City of Mentor

By: _____
Kenneth J. Filipiak, City Manager

Angstrom Precision Metals

By: _____
Mario Manocchio, President

Approved as to Form:

By: _____
Richard A. Hennig, Law Director

Prepared by:

By: _____
Ronald M. Traub, Director, Economic Development

COUNCIL CHAMBER

City of Mentor



City Manager
Econ & Comm Dev Director
02/07/12
Ordinance No. 12-O-14(10)

CERTIFICATE OF FISCAL OFFICER

The undersigned, fiscal officer of the City of Mentor, hereby certifies that the monies required to meet the obligations of the City for calendar year 2012 under this Agreement have been lawfully appropriated by the Council of the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

David W. Malinowski, Director of Finance
City of Mentor, Ohio

COUNCIL CHAMBER

City Manager
02/07/12

City of Mentor



RESOLUTION NO. 12-R-103

A RESOLUTION IN OPPOSITION TO A STATE OPERATED PROGRAM FOR THE CENTRAL COLLECTION OF OHIO MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Mentor has been informed a goal of Governor Kasich's administration is to institute a state operated program for the central collection of Ohio municipal income taxes; and

WHEREAS, the Small Business Advisory Council has been formed from the Common Sense Initiative Office and is meeting to evaluate and provide feedback to the Governor's administration on the economic impact that the proposed regulations might have on business regarding central municipal income tax collections; and,

WHEREAS, no such advisory panel has been formed to consider the impact the proposed regulations could have on Ohio municipalities and the services provided to the same Ohio businesses and residents; and,

WHEREAS, the primary source of funding for Ohio's cities and villages is the local income tax. With recent dramatic reductions in the Local Government Fund and the virtual elimination of the personal property tax replacement funds, these local municipal income taxes have become even more vital for the citizens who depend on this tax revenue to provide basic local services; and,

WHEREAS, municipalities currently collect local income taxes in an efficient and effective manner. While some still "self collect," many municipalities participate in regional tax collection agencies. The Regional Income Tax Agency (RITA) and the Central Collection Agency (CCA) are two examples of regional collaboration accomplished through shared services. Between the two agencies, 246 municipalities participate. These agencies have more than 40 years of expertise in the collection of municipal income taxes and perform these services at very low rates; and,

WHEREAS, municipalities currently receive their tax collections on a monthly basis. The state distributes the School Municipal Income tax and other state collected taxes on a quarterly basis. This will result in many municipalities issuing short term debt while waiting for distributions; and,

WHEREAS, as a result of years of expertise, regional collection agencies currently provide immediate access to records. The State will likely not be equipped to provide municipalities copies of paper returns, W2's, supporting schedules, and refund requests in a timely fashion; and,

COUNCIL CHAMBER

City Manager
02/07/12

City of Mentor

RESOLUTION NO. 12-R-103(2)



WHEREAS, local communities currently collaborate with the regional collection agencies to provide efficient service in collection, reporting and compliance efforts. This is critical for budgeting, forecasting, GASB requirements, and revenue sharing with schools or businesses. Local leaders strongly believe that a state centralized collection process cannot and will not provide this level of service; and,

WHEREAS, through a variety of tested methods, including non-filer subpoena programs, non-payer small claims & civil case work, and IRS data to pursue non-filers and under-reporters, local governments have worked to institute effective compliance efforts. The state's track record in this regard is poor at best. Unpaid balances perpetually exist with deregulated utility companies, School District Income Tax collections, and sales tax collections; and,

WHEREAS, the State of Ohio has already created the Ohio Business Gateway (OBG) which provides businesses the ability to file and pay municipal income taxes by submitting one return and one payment through the OBG. However, most businesses continue to file locally. Less than 4% of businesses filing forms for communities collected through the Regional Income Tax Agency and less than 2% of those filed with the Central Collection Agency are filed through the Ohio Business Gateway; and,

WHEREAS, technical problems with the OBG files have caused delays in the processing of tax returns and delays in the distribution of tax dollars to municipalities; and,

WHEREAS, OBG cannot accept reconciliations of income tax withheld, W-2's bulk withholding uploads, filings from sole proprietorships, consolidated filers, businesses not using apportionment, pass through entities reporting income on behalf of partners or shareholders, and short year returns; and,

WHEREAS, collection, administration, auditing, and constituent services on the local level have worked. Efforts to centralize these services put local governments at an enormous risk. Each community has established tax rates, credit rates, and credit limits based on specific needs to that community. Attempts to standardize tax rates, credit rates, and credit limits would fiscally paralyze many of our communities; and,

WHEREAS, the consolidation of municipal income tax collections and removal of administration of locally approved income taxes is a further erosion of the right to home rule, which has been greatly under attack by the State in recent years; and,

WHEREAS, creating additional State bureaucracy for this purpose not only removes a level of control over locally generated funds, it replaces private sector jobs within efficient regional collection agencies during difficult economic times with additional state employees, who have historically not demonstrated a similar level of efficiency; and,

COUNCIL CHAMBER

City Manager
02/07/12

City of Mentor

RESOLUTION NO. 12-R-103(3)

WHEREAS, in the wake of sweeping reductions in the Local Government Fund, municipalities cannot afford another potential loss in revenue resulting from a less efficient collection method as detailed by the concerns above, nor would the decision to consolidate all municipal tax revenues in Columbus instill a level of confidence among local governments in light of the stark break in the decades-long covenant between the State and local governments over the sharing of revenues placed in the Local Government Fund;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That this Council does hereby declare its strong opposition to any effort by the State of Ohio to take over the collection of municipal income taxes on behalf of Ohio communities and urges its state legislators to reject and oppose any amendment to pending bills or introduction of new legislation that proposes the transfer, collection, and/or control of municipal income taxes to the State of Ohio Department of Taxation.

SECTION 2. That this Council strongly encourages Governor Kasich and Lt. Governor Taylor to oppose any initiatives that would consolidate municipal income tax collections with the State of Ohio Department of Taxation, and to veto any legislation that proposes the transfer, collection, and/or control of municipal income taxes to the State of Ohio Department of Taxation.

SECTION 3. That this Council is unaware of any concerns expressed by the business community within the City of Mentor about the efficiency or effectiveness of local income tax collection efforts or about any undue burdens placed upon them as a result of the requirement to comply with current local tax codes or the need to file returns with the municipality.

SECTION 4. That it is found and determined 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, except as otherwise provided by Section 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City, and further, for the purpose of insuring the continued efficient and effective local collection of revenues necessary for continuing vital public services. WHEREFORE, this resolution shall take effect and be in force from and immediately upon its passage.

President of Council

Adopted: _____, 2012

Attest: _____
Clerk of Council

**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

1144636		N		BUTCHER PALACE INC DBA BARB & PATTYS BUTCHER PALACE & DETACHED STOR AREA 9456 REAR & 9454 & 9460 MENTOR AV MENTOR OHIO 44060
PERMIT NUMBER		TYPE		
ISSUE DATE				
01 13 2012				
FILING DATE				
C1				
PERMIT CLASSES				
43	077	C	261823	
TAX DISTRICT		RECEIPT NO.		

FROM 01/19/2012

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

RECEIVED
JAN 23 2012
CLERK OF COUNCIL



MAILED 01/19/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/21/2012

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 **C N 1144636**

(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:

Richard A Hennig
(Signature)

- (Title) Clerk of County Commissioner
 Clerk of City Council
 Township Fiscal Officer

2.7.12
(Date)

**CLERK OF MENTOR CITY COUNCIL
RICHARD A HENNIG, LAW DIRECTOR
8500 CIVIC CENTER BLVD
MENTOR OHIO 44060**

SECTION 3

CORPORATION/STOCK DATA VERIFICATION

CORPORATE NAME **BUTCHER PALACE INC** TOTAL SHARES HELD **10.00** PERMIT # **1144636**
 RENEWAL YEAR **OCTOBER 2011-2012**

STOCKHOLDERS HOLDING 5% OR MORE OF OUTSTANDING SHARES	LAST FOUR DIGITS OF SOCIAL SECURITY #	SHARES	TITLE	BIRTHDATE
BARBARA WISCH PATRICIA ARDIRE	*****7654 *****3334	5.00 5.00	PRESIDENT VICE PRES.	07/22/53 10/01/52

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

NAME	SOCIAL SECURITY #	SHARES	TITLE	BIRTHDATE

COMPLETE THE CURRENT LIST OF YOUR TOP (4) OFFICERS.
 IF NO ONE HOLDS THAT OFFICE, INDICATE 'NONE'. PLEASE PRINT OR TYPE.

CEO/PRESIDENT Barbara Wisch SOCIAL SECURITY#
 VICE-PRESIDENT Patricia Ardire SOCIAL SECURITY#
 TREASURER Barbara Wisch SOCIAL SECURITY#
 SECRETARY Patricia Ardire SOCIAL SECURITY#

EOE/ADA SERVICE PROVIDER
 FOR TTY USERS, DIAL ORS 1-800-750-0750

**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

69310140005 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	PINE POINT ENTERPRISES INC DBA BROWN DERBY 9500 DIAMOND CENTER RD MENTOR OH 44060	
ISSUE DATE				
01 23 2012				
FILING DATE				
D5I				
<small>PERMIT CLASSES</small>				
43	077	C	Z64733	
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	

RECEIVED

FROM 01/26/2012

JAN 27 2012

CLERK OF COUNCIL

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



MAILED 01/26/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/27/2012

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

C NEW 6931014-0005

(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:

E. Seal

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

27-12

**CLERK OF MENTOR CITY COUNCIL
RICHARD A HENNIG, LAW DIRECTOR
8500 CIVIC CENTER BLVD
MENTOR OHIO 44060**

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 69310140005	

OHIO DEPARTMENT OF COMMERCE
DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr

OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation Pine Point Enterprises Inc.	DBA Name	
Permit-Premises Address 9500 Diamond Center Road	City, State Mentor, Ohio	Zip Code 44060
Township, if in Unincorporated Area	Tax Identification No. (TIN) 34-1930361	

SECTION B.

1. Is stock publicly traded? YES NO
 If "YES", indicate exchange _____ & Do NOT complete SECTION D.

2. Does any stockholder own 5% or more shares? **IF YES, complete SECTION D.** YES NO

3. Total Number of shares issued 850

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 enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. **If an office is NOT held please indicate by writing NONE.**

→ THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO Thomas Koustis		2/10/1939
2) President Thomas Koustis		2/10/1939
3) Vice-President		
4) Secretary		
5) Treasurer		

SECTION D. Stockholders holding 5% or more outstanding shares. **Note: If you answered Question 1 YES, do not complete this section**

→ THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name Thomas Koustis	Social Security No. (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE) 850
Residence Address 7210 Pine Point	Tax Identification No. (if applicable)	
City and State Concord, Ohio	Zip Code 44077	
Telephone No. 440-477-7726	Date of Birth 2/10/1939	
2) Stockholder's Name	Social Security No. (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO,

COUNTYss

I, Thomas Koustis being first duly sworn, according to law, deposes and says that he/she is (Title) President of the Pine Point Enterprises, Inc. a corporation duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Thomas Koustis (Print Name and Corporate Title) Pres.

Sworn to and subscribed in my presence this 19th day of January 2012



Marjorie R. Carpeno
 (Notary Public) (Notary Expiration)

My Commission Expires April 17, 2012
 Recorded In Lake County

DLC4030

FOR TTY USERS DIAL 1-800-750-0750

**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

8860642 PERMIT NUMBER		STCK TYPE	TETA GROUP LLC	
ISSUE DATE		DBA ALADDINS EATERY		
09 16 2011 FILING DATE		8870 MENTOR AV SOUTH UNIT		
D1 D2 D3 D6 PERMIT CLASSES		MENTOR OH 44060		
43 TAX DISTRICT	077 RECEIPT NO.	C	F06932	

RECEIVED

JAN 18 2012

FROM **01/12/2012**

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



MAILED **01/12/2012**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **02/13/2012**

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 **C STCK 8860642**

(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:

[Handwritten Signature]

2.7.12

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF MENTOR CITY COUNCIL
RICHARD A HENNIG, LAW DIRECTOR
8500 CIVIC CENTER BLVD
MENTOR OHIO 44060**

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr

LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company Chamoun Ventures, Ltd.	DBA Name	
Permit Premises Address	City, State	Zip Code
Township, if in Unincorporated Area	Tax Identification No. (TIN)	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

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.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO Fady Chamoun		DOB 12/18/52
2) President Fady Chamoun		DOB 12/18/52
3) Vice-President		
4) Secretary		
5) Treasurer		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name Fady Chamoun	Social Security No. (if ir [REDACTED])	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 4149 W. Valley Dr.	Tax Identification No. (if applicable)	
City and State Fairview Park	Zip Code 44126	
Telephone No. 216-214-4100	Date of Birth DOB 12/18/52	
2) Name	Social Security No. (if individual)	
Residence Address	Tax Identification No. (if applicable)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Cuyahoga COUNTY ss,

1, Fady Chamoun being first duly sworn, according to law, deposes and says that he/she is (Title) CEO and Pres.

of the Chamoun Ventures, Ltd. a business duly authorized by law to do business in the State of Ohio, and that the statements made in the forgoing affidavit are true

(Signature) [Signature] (Print Name and Title) Fady Chamoun, Managing Member

Sworn to and subscribed in my presence this 9th day of November 2011

[Signature]
 (Notary Public) (Notary Expiration) 8/26/12

OHIO DEPARTMENT OF COMMERCE
 LICENSING SCAN RM 1-B