

## MEMORANDUM

To: Dublin City Council  
Dana McDaniel, City Manager  
Anne Clarke, Clerk of Council

From: Stephen J. Smith  
Jennifer D. Readler  
Yazan S. Ashrawi

Date: May 14, 2015

Re: Matt the Miller LLC – Change of LLC Membership – D51 & D6 Liquor Permits

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### **I. INTRODUCTION**

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control regarding Matt the Miller LLC, DBA Matt the Miller (“Matt the Miller”). The Ohio Division of Liquor Control requires that liquor permit holders notify the Division when there is a change of LLC membership interests. Matt the Miller currently holds a D51 and a D6 liquor permit, and submitted an application for a change of LLC membership interests. Dublin has received this Notice pursuant to R.C. 4303.26 because the location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

### **II. BACKGROUND**

Matt the Miller is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6725 Avery-Muirfield Dr., Dublin, Ohio 43017, which is located off of Avery-Muirfield Drive, between Perimeter Drive and Post Road. Matt the Miller had a change in LLC membership interest – 100% of the membership and voting interest went from Craig L. Barnum to CLB Restaurants Holdings, LLC. Mr. Barnum will remain as president. This change in membership and voting interest likely has no direct effect on Matt the Miller’s D51 and D6 liquor permits. The change in LLC membership interest application is currently pending before the Ohio Division of Liquor Control (“Division”).

According to the Division’s records, Matt the Miller does not have a history of violating Ohio liquor laws. The change in LLC membership should have no impact on Matt the Miller’s clean history with the Division.

Notice to Legislative Authority – Matt the Miller Change of LLC

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**RECOMMENDATION**

It would appear that it is unnecessary to request a hearing in this matter; Matt the Miller does not have a history of violating Ohio liquor laws and the change in LLC membership will not change that. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by June 4, 2015.

**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

<b>56349810005</b> PERMIT NUMBER		<b>STCK</b> TYPE	<b>MATT THE MILLER LLC DBA MATT THE MILLER 6725 AVERY MUIRFIELD DR &amp; PATIO DUBLIN OH 43017</b>
ISSUE DATE			
<b>01 20 2015</b> FILING DATE			
<b>D5I D6</b> PERMIT CLASSES			
<b>25</b> TAX DISTRICT	<b>066</b>	<b>B</b>	<b>F14061</b> RECEIPT NO.

FROM **05/04/2015**

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



MAILED **05/04/2015**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **06/04/2015**

**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

**B STCK 5634981-0005**

(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:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

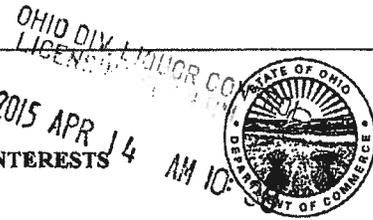
Township Fiscal Officer

**CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017**

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: Matt the Miller, LLC		Permit Premises Address: 6725 Avery Muirfield Dr & Patio Dublin OH 43017	
Liquor Permit Number(s): 5634981-0005 / FO / 14061	Federal Tax ID Number: 42-1753790	0 / KS	
Email Address:	c . b a r n u m @ c l b r e s t a u r a n t s . c o m		

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

Christy Prince, 65 E. State St., Ste 1800, Columbus, OH 43215, 614 462 5444

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) Craig L. Barnum			<input type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest _____ %	
2)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4) <i>OH to Key Hold Send CC pl Rept NO VIOL Ren pending-</i>			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> 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) CLB Restaurants Holdings, LLC	32-0406863		<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest 100 % <input checked="" type="checkbox"/> Membership interest 100 %	
2) Craig L. Barnum		President	<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	

### Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	<u>ORC 4303.11</u> Beer only in original sealed container for carry out only.
C2	\$376	<u>ORC 4303.12</u> Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	<u>ORC 4303.121</u> Beer in original sealed containers for carry out.
D8	\$500	<u>ORC 4303.184</u> Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

### Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in sealed containers for carry out.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in sealed containers for carryout.
D2X	\$376	<u>ORC 4303.141</u> Beer only for on premises consumption or in sealed containers.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> Wine only for on premises consumption only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Fine arts museum only.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community entertainment district.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	<u>ORC 4303.181(N)</u> (Same as D5). Casino Operator or Casino Management Company.
D5O	\$2344.00	<u>ORC 4303.181(O)</u> (Same as D5). Restaurant located in a casino.
E	\$500	<u>ORC 4303.19</u> Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.