



# ORDINANCE 2022-11

## OF THE VILLAGE OF ASHVILLE

AN ORDINANCE AUTHORIZING THE ENTERPRISE INCENTIVE WITH MARAIS CAPITAL LLC AND GRANTING A TEN-YEAR SEVENTY FIVE PERCENT TAX EXEMPTION INCENTIVE AND DECLARING AN EMERGENCY.



WITNESSETH:

WHEREAS, the Village of Ashville (Village) has determined to encourage the development of real property and the acquisition and installation of personal property in Enterprise Zone 271C, and

WHEREAS, Marais Capital, LLC owns approximately 1.997 acres of land located within the Village on which Marais Capital LLC has or intends to construct a commercial facility (s) and related site improvements (collectively, the "Project," with each individual building within the Project and its related site improvements hereinafter referred to as a "Building"), provided that the appropriate development incentives are available to support the economic viability of the Project; and

WHEREAS, the Director of Development of the State of Ohio has determined that Enterprise Zone 271C as designated contains the characteristics set forth in Chapter 5709 of the Ohio Revised Code and confirmed that area as an "Enterprise Zone" pursuant to Section 5709.63 of the Ohio Revised Code, and the Village, having the appropriate authority for the Project, is desirous of providing incentives available for the development of the Project; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ASHVILLE, OHIO THAT:

**SECTION 1.** The Village Council for the Village of Ashville, Pickaway County, Ohio hereby grants Marais Capital LLC a tax exemption incentive for real property improvements made to the PROJECT in the amount of seventy five percent (75%) of the assessed value for real property for a period of ten (10) years and hereby authorizes and directs the Mayor and Village Administrator to execute an Enterprise Zone Agreement, in compliance with R.C. 5709.631, and with terms substantially similar to those described in this paragraph and in the application attached hereto as Exhibit A and incorporated herein by reference.


**SECTION 2.** It is hereby found and determined that all formal actions of this Village Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Village Council, and that all deliberations of this Village Council and any of the decision-making bodies of the Village of Ashville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Prepared: 06/01/2022  
Revised Date:  
Review Date:

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 6<sup>th</sup> day of June 2022, and that I am duly authorized to execute this certificate.

\_\_\_\_\_ Clerk-Fiscal Officer  
(Original signature of April D. Grube) (TITLE)



**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that there exists an imperative necessity for the earliest passage of this Resolution to meet the fiscal obligations of the Village and will go into effect immediately upon its passage by Council.

Therefore, this Ordinance shall take effect and be in full force and effect immediately upon its adoption.

Motion Offered by: Nelson R. Embrey

Second to the Motion offered by: Roger L. Clark


Upon roll call on the adoption of the resolution, the vote was as follow:

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nelson R. Embrey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Steve Welsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Passed this 6<sup>th</sup> Day of June, 2022

**ATTEST:**  
  
 \_\_\_\_\_  
 April D. Grube, Clerk-Fiscal Officer

DATE: 6/8/2022

**APPROVED:**  
  
 \_\_\_\_\_  
 Nelson R. Embrey II, President Pro Tempore

DATE: June 8, 2022

**EXHIBIT A**

**PROPOSED AGREEMENT** for Enterprise Zone Tax Incentives between the Village of Ashville, Ohio, located in the County of Pickaway; and Marais Capital LLC, an Ohio limited liability company.

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

<u>Marais Capital LLC</u>	<u>Jeremy Davitz</u>
Enterprise Name	Contact Person
 101 S. Business Pl.	
<u>Ashville, OH 43103</u>	<u>614-216-8925</u>
Address	Telephone Number

- b. Project site:

<u>Lot 6 Ashville Commerce Center</u>	<u>Jeremy Davitz</u>
	Contact Person
 <u>TBD</u>	<u>614-216-8925</u>
Address	Telephone Number

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site.

Manufacturing facility for Production Plus Corp. ("PPC"; please see paragraph 2(d) below for more information on entities).

- b. List primary 6 digit North American Industry Classification System (NAICS) # \_\_\_\_\_

Business may list other relevant SIC numbers. 332618

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred: \_\_\_\_\_

n/a; this project is an expansion of PPC manufacturing capacity

d. Form of business of enterprise (corporation, partnership, proprietorship, or other).  
Marais Capital LLC is an Ohio limited liability company that owns real property in the Village of Ashville leased to Production Plus Corp. Jeremy Davitz is the sole owner of both entities.

3. Name of principal owner(s) or officers of the business.

Jeremy Davitz

4. a. State the enterprise's current employment level at the proposed project site:

12 FTEs, 1 part-time works 30 hours/week

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes \_\_\_ No X

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

NA

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

12 Full-time 1 part-time works 30 hours/week – PPC has one location currently adjacent to the proposed project site

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

n/a – no relocation

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

n/a

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?  
Yes \_\_\_ No X

- b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes \_\_\_ No X
  - c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? Yes \_\_\_ No X
  - d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets).
6. Project Description: Production Plus is a manufacturing and fabrication company located in Ashville, Ohio in Pickaway County. The company employs a total of 13 individuals consisting of positions such as production, fabrication, welding, sales, marketing, and customer service. The company under new ownership since 2016 has returned to profitability in 2019, 2020, and 2021, with sustained revenue growth each year. With success in the marketplace the company plans to expand its operation by adding 25% to its employment base as well as investing \$1.3M in land and facilities resulting in an increase of 12,000 square feet to it production and office facilities. In addition to its employment and facilities expansion, the company plans to invest over \$100,000 in new machinery and equipment.
7. Project will begin on or about May 1, 20 22 and be completed on or about December 31, 20 22, provided a tax exemption is provided.
8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):  
2-3 FTE permanent  
\_\_\_\_\_  
\_\_\_\_\_
- b. State the time frame of this projected hiring: 2 yrs.
- c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): 2-3 FTE employees within approximately 24 months after project completion
9. a. Estimate the amount of annual payroll such new employees will add \$ 120,000 – 150,000 FTE permanent (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).
- b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ \_\_\_\_\_ n/a

- 10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:
  - A. Acquisition of Buildings: \$ \_\_\_\_\_
  - B. Additions/New Construction: \$ 1,300,000
  - C. Improvements to existing buildings: \$ \_\_\_\_\_
  - D. Machinery & Equipment: \$ 100,000
  - E. Furniture & Fixtures: \$ 10,000
  - F. Inventory: \$ \_\_\_\_\_
  - Total New Project Investment:** \$ 1,410,000

10. a. Business requests the following tax exemption incentives:

11. 75 % for 10 years covering real property as described above. Be specific as to the rate, and term.

b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

---

Production Plus has worked diligently to grow the business and be positioned to potentially expand. This project would effectively double the physical footprint of our operations. A new investment of this scale presents both great opportunity and great risk for a company of our size. Any relief on property taxes will support our continued investment into the company, our manufacturing operations, and our employees. Production Plus has had a great experience to date in Ashville and hopes to further anchor our presence as a growing employer in the Village.

Submission of this application expressly authorizes (name of local jurisdiction) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item # 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request.

The Applicant agrees to supply additional information upon request.

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C) (1) and 2921.13(D) (1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Marais Capital LLC

Name of Property Owner

By:

Signature

\_\_\_\_\_

Date

Jeremy Davitz, Member

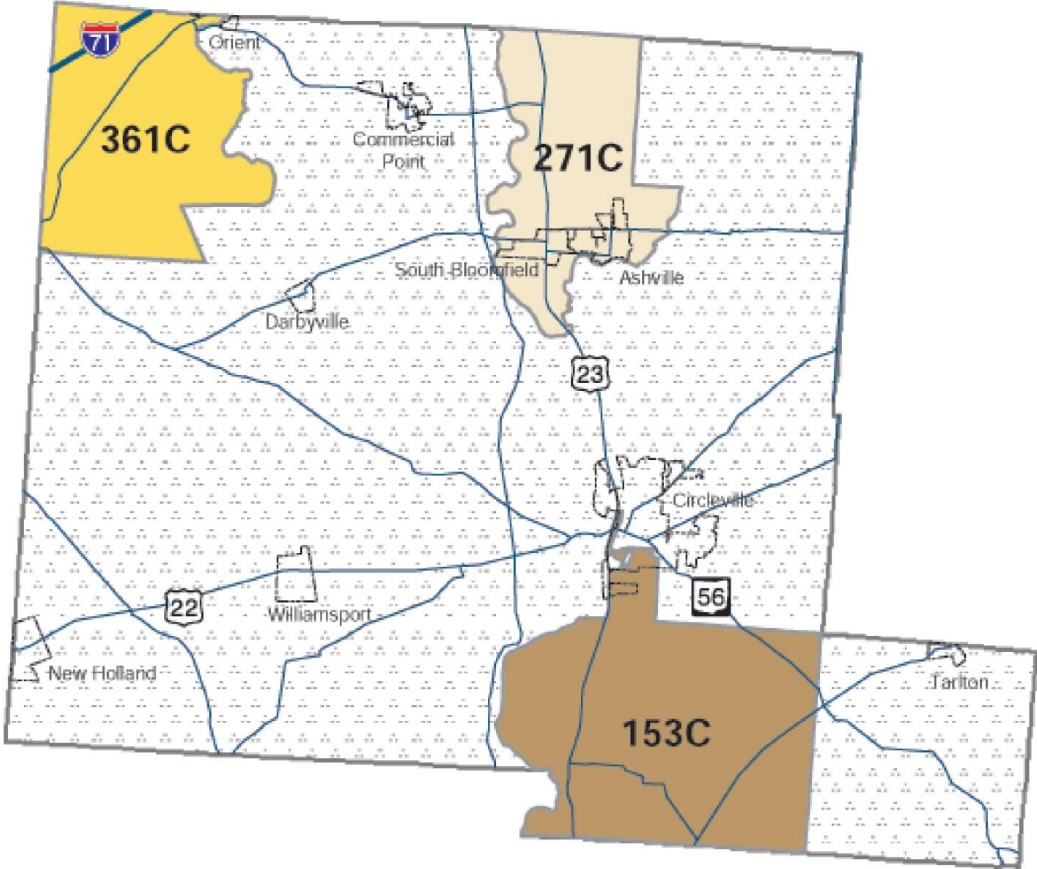
Typed Name and Title

\* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

\*\* Attach to Final Community Reinvestment Area Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

**DEPICTION OF ENTERPRISE ZONE 271C**





**EXHIBIT A-1 to EZ AGREEMENT  
PRAIRIE ACRES/PRODUCTION PLUS SITE**

The Exempted Property is the real estate situated in the Village of Ashville, County of Pickaway and State of Ohio identified as “D1300270004207” on the map below and identified by the Pickaway County Auditor for tax year 2016 as parcel number D1300270004207.

