

Village of Mantua, Ohio
ORDINANCE 2022-10

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF MANTUA TO EXECUTE AN “ECONOMIC DEVELOPMENT TRANSFER FORM” RELATING TO THE APPLICATION OF JAMES MOCNY TO TRANSFER A D-1, D-2 AND D-3 LIQUOR LICENSE TO THE VILLAGE OF MANTUA, AND DECLARING AN EMERGENCY.

WHEREAS, James Mocny, DBA MAJCAHO, LLC, is applying to the Ohio Department of Liquor Control to transfer a D-1, D-2 and D-3 liquor license into the Village of Mantua in accordance with Ohio Revised Code Section 4303.29; and

WHEREAS, such a transfer will not be approved by the Ohio Department of Liquor Control unless the municipality into which the transfer is sought has acknowledged that such transfer will be to an economic development project; and

WHEREAS, this Council has considered the relevant factors and wishes to authorize the Mayor to execute the form specified by the Ohio Department of Liquor Control in order to facilitate the transfer.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Mantua, Ohio, two-thirds or more of the members elected thereto concurring, that:

SECTION 1. This Council hereby endorses the James Mocny, DBA MAJCAHO, LLC project in the Village of Mantua, and finds that it is an economic development project as defined in Ohio Revised Code 4303.29, due to the number of jobs that will be created within Mantua by James Mocny, DBA MAJCAHO, LLC, the projected earnings of the project, the projected tax revenues for the Village of Mantua relating to the project, and the amount of financial investment that James Mocny, DBA MAJCAHO, LLC has made or will make in the project.

SECTION 2. The Mayor of the Village of Mantua is hereby authorized and directed to execute, on behalf of this Council, Section B of the “Economic Development Transfer Form” submitted by James Mocny, DBA MAJCAHO, LLC, attached hereto as “Exhibit A” and incorporated herein by reference.

SECTION 3. It is hereby 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 the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were adopted in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared an emergency measure, effective immediately upon its passage, in order to expedite the application of James Mocny, DBA MAJCAHO, LLC for the transfer of a D-1, D-2 and D-3 liquor license into the Village of Mantua in order to promote economic development within the Village.

PASSED IN Council this 15th day of February, 2022.

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ATTEST:

Linda Clark, Mayor

Teresa Criblez, Fiscal Officer

I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio, on the ____ day of February, 2022.

Teresa Criblez, Fiscal Officer

Approved as to Legal Form:

Michele Stuck, Solicitor



ECONOMIC DEVELOPMENT (TRES) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application. NO fee required.

Seller - Current Permit Holder - (Individual, Corp., LLC or Partnership) <u>JAMES A. MOCNY MASCAHO LLC</u>	Buyer - Prospective Permit Holder - (Individual, Corp., LLC or Partnership) Name: <u>JAMES A. MOCNY MASCAHO LLC</u>
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Permit Number: <u>545 4616</u>	Address: _____
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Check Class of Permits Being TRES Transferred:

C-1
 C-2
 C-2X
 D-1
 D-2
 D-2X
 D-3
 D-3A
 D-3X
 D-5
 D-6

SECTION A: (To Be Completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (TRES) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

- The total amount invested in this project is \$ 50,000.00
- The total number of jobs that will be created by this economic development project is ~~2-3~~ 2-3
- Existing or Estimated Tax Revenue generated by this project is:

<u>SALES TAX</u>	\$ <u>4200⁰⁰</u>
<u>UNEMPLOYMENT TAX</u>	\$ <u>350⁰⁰</u>
<u>OHIO WITHH</u>	\$ <u>250⁰⁰</u>
<u>RITA MANTUA</u>	\$ <u>500⁰⁰</u>

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

<u>JAMES A. MOCNY</u> Print or Type Name	 Signature
<u>FEB 10, 22</u> <u>330-348-1957</u> Date Phone Number	<u>OWNER</u> Title

SECTION B: The applicant must have this section completed by the City, Village or Township Office in which this Economic Development Project (TRES) will be located. This form must be returned to the applicant to accompany the transfer application.

Based upon factors outlined above, the City, Village or Township of _____ hereby endorses and acknowledges that this transfer will be to an economic development project.

_____ Print or Type Name	_____ Signature of Mayor, Legislative Office Holder or Law Director
_____ Date	_____ Title (e.g., Mayor, Clerk of Council, Fiscal Officer or Law Director)