

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 67 -2015

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 COMMUNITY DEVELOPMENT TO ENTER INTO A
9 COMMUNITY REINVESTMENT AREA TAX EXEMPTION
10 AGREEMENT WITH BUCKEYE SPORTS CENTER, INC.,
11 AND DECLARING AN EMERGENCY.
12

13
14 WHEREAS, pursuant to Ordinance No. 69-2006, passed June 26, 2006, this
15 Council established and designated the boundaries of the Cuyahoga Falls Northern
16 Community Reinvestment Area ("CRA") pursuant to Ohio Revised Code §3735.65 et
17 seq., to encourage the development of real property within the CRA; and
18

19 WHEREAS, the State of Ohio Director of Development has made a
20 determination that the findings contained in Ord. No. 69- 2006 are valid, and that
21 the classification of structures and/or remodeling eligible for exemption under the
22 Ordinance is consistent with zoning restrictions applicable to the CRA, and
23

24 WHEREAS, with receipt of the Director's positive determination, the City is
25 enabled to abate certain taxes on real property located in the CRA, in order to
26 provide an incentive for the creation and retention of jobs and investment within
27 the CRA; and
28

29 WHEREAS, this Council has determined to provide economic development
30 assistance in the form of tax abatement to Buckeye Sports Center, Inc., in
31 connection with development of a new 7,500 SF warehouse/auxiliary boat display
32 and the acquisition of corresponding inventory for parcel number 37-00002, 4610
33 State Road, hereinafter the "Project".
34

35 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
36 Falls, County of Summit, and State of Ohio, that:
37

38 Section 1. The Director of Community Development is hereby authorized to
39 enter into a Community Reinvestment Area tax exemption agreement in
40 accordance with Ohio Revised Code §§3735.67 and 3735.671, with Buckeye Sports
41 Center, Inc., consistent with Ordinance No. 69-2006 and the terms set forth in the
42 application for tax exemption attached hereto as Exhibit A, to provide the Project
43 with an exemption from real property tax at (or not exceeding) the percentage and
44 for (or not exceeding) the duration stipulated in said application.
45

46 Section 2. This Council further authorizes the Mayor, Director of Finance,
47 Director of Community Development, Director of Law and any other city officials,
48 individually and/or collectively as may be appropriate, to prepare and execute such
49 other documents and do other things as are necessary or incidental to carrying out

50 the requirements of this legislation consistent with the terms of the attached
51 application.

52

53 Section 3. Any ordinances or resolutions or portions of ordinances and
54 resolutions inconsistent herewith are hereby repealed, but any ordinances and
55 resolutions not inconsistent herewith and which have not previously been repealed
56 are hereby ratified and confirmed.

57

58 Section 4. It is found and determined that all formal actions of this Council
59 concerning and relating to the adoption of this ordinance were adopted in an open
60 meeting of this Council, and that all deliberations of this Council and of any of its
61 committees that resulted in such formal action, were in meetings open to the
62 public, in compliance with all legal requirements including Chapter 107 of the
63 Codified Ordinances.

64

65 Section 5. This ordinance is hereby declared to be an emergency measure
66 necessary for the preservation of the public peace, health, safety, convenience and
67 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
68 receives the affirmative vote of two thirds of the members elected or appointed to
69 Council, it shall take effect and be in force immediately upon its passage and
70 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
71 period allowed by law.

72

73

74

Passed: Sept. 28, 2015

75

76

77

78

79

80

81

82

Approved: 10-1-15

83

84

85

86


9/14/15

87

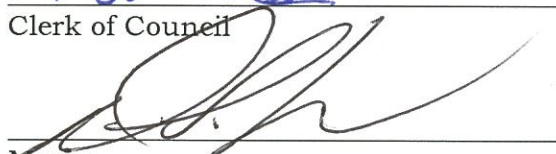
O:\2015 ords\CRA Buckeye Sports Center.doc



President of Council



Clerk of Council



Mayor

PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives between the City of Cuyahoga Falls located in the County of Summit and:

BSC, L.P.

(Company Name)

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

Buckeye Sports Center, Inc
Enterprise Name

Jim Armington
Contact Person

4610 State Road
Address

330.929.3366
Telephone Number

jimarmington@yahoo.com
Contact Email

Project site:

Same
Address

37-00002
Parcel Number

same
Contact Person

Telephone Number

Same as above
Contact Email

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

Buckeye Sports Center is a retail/service facility specializing in snow sports in the winter and boats and related equipment in the summer. We have been fortunate to grow considerably in the past five years and are now the second largest ski/snowboard retailer in the Midwest. We were named the top 100 boat dealers in North America last year. Our dilemma is "how do we continue to grow and survive with Bass Pro moving in just 5 miles up the road from us"? We would like to take the more aggressive approach and add a new, separate 7,500 SF warehouse/auxiliary boat display building to our existing property and the corresponding inventory and personnel to compete.

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

Business may list other relevant SIC numbers.

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

N/A

- d. Form of business of enterprise:

Corporation Partnership Proprietorship Other

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

James R. Armington, Jr BSC, L.P ; James R. Armington III, Elizabeth Armington, Sue Jean Armington Wagner

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

Full Time: 13 permanent Part Time: 2 permanent
(To be considered full time the individual must work at least 35 hours per week.)

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

- 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:

N/A

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

	Permanent	Temporary
Full Time	13	0
Part Time	2	27

(To be considered full time the individual must work at least 35 hours per week.)

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

N/A

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 Currently Owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes No

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

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.

n/a

6. Project Description. Be as detailed as possible:

Project includes building a new 7,500 SF storage/aux boat showroom, new covered outdoor display area, new parking lot for 21 cars, new pond with a boat ramp for testing, demonstrating and displaying boats and a new 35,000 SF fenced in boat storage lot.

7.

Project will begin on 10/29/15 and be completed by 2/29/2016 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):

	Permanent	Temporary
Full Time	3	0
Part Time	2	2

(To be considered full time the individual must work at least 35 hours per week.)

b. State the time frame of this projected hiring: 12 months

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

3 permanent full time and 2 permanent part time employees will be hired before 10/29/2016.

9.

- a. Estimate the amount of annual payroll such new employees will add (New annual payroll must be itemized by full and part-time and permanent and temporary new employees).

	Permanent		Temporary	
Full-time	\$	120,000	\$	0
Part-time	\$	20,000	\$	10,000
TOTAL:	\$	220,000	\$	10,000

(To be considered full time the individual must work at least 35 hours per week.)

- b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 1,250,000 as of fiscal year ending July 31, 2015.

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

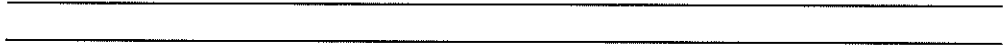
A. Acquisition of Land	\$	<u>0</u>
B. Additions/New Construction	\$	<u>550,000</u>
C. Improvements to Existing Buildings	\$	<u>100,000</u>
D. Machinery & Equipment	\$	<u>0</u>
E. Furniture & Fixtures	\$	<u>50,000</u>
F. Inventory	\$	<u>500,000</u>
Total New Project Investment	\$	<u>1,200,000</u>

11.

- a. Business requests the following tax exemption incentives: 50 % for 10 years covering the real property improvements as described above.

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

Buckeye's growth in Cuyahoga Falls over the past 50 years has been slow but consistent. We have been profitable and paying income taxes to the Falls for the last 22 years in a row. Our continued growth and even existence depends on our ability to compete with Bass Pro Shops which requires an improved, expanded and updated facility where we can afford to hire more employees and continue our growth and profitability. We know the next several years will be difficult but by investing in these improvements now we can survive and compete in the future.



Submission of this application expressly authorizes the City of Cuyahoga Falls 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.

_____	_____
Name of Property Owner	Title
_____	_____
Signature	Date