

RESOLUTION NO. 35-2022

**TITLE: TAX INCENTIVE REVIEW COUNCIL
BWXT NUCLEAR OPERATIONS GROUP, INC.**

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL REGARDING THE ENTERPRISE ZONE AGREEMENT WITHIN THE CITY OF BARBERTON FOR BWXT NUCLEAR OPERATIONS GROUP, INC., AND DECLARING AN EMERGENCY.

WHEREAS, the County of Summit, with the consent of several townships and municipalities within the County, has designated certain areas within those townships and municipalities as Enterprise Zones, pursuant to Ohio Revised Code §5709.61 through §5709.69; and

WHEREAS, the purpose of said Enterprise Zones is to provide these townships and municipalities with an effective tool for managing and guiding economic development by enhancing the tax base, by encouraging and sustaining long term investment in these communities, by enhancing the quality of life, and by preserving existing business and attracting new business; and

WHEREAS, the County of Summit and the City of Barberton have previously entered into several Enterprise Zone Agreements with various businesses for the abatement of portions of the businesses’ real property and/or tangible personal property taxes as incentives for the businesses to invest in the communities; and

WHEREAS, Ohio Revised Code §5709.85 requires a County that enters into an Enterprise Zone Agreement to appoint a Tax Incentive Review Council (“TIRC”) to review each Enterprise Zone Agreement, to review each business’s compliance with each Agreement, and to make a recommendation to continue, modify or terminate each Agreement; and

WHEREAS, the duly appointed TIRC for the Enterprise Zones located in Summit County met on March 10, 2022, reviewed each Enterprise Zone Agreement, reviewed each business’s compliance with each Agreement, and made certain recommendations to either continue, modify or terminate said Agreements; and

WHEREAS, pursuant to Ohio Revised Code §5709.85, the Council of the City of Barberton is required to either accept, reject, or modify all or any portion of the recommendations of the TIRC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Barberton, State of Ohio, that:

SECTION 1. The Council of the City of Barberton hereby accepts the recommendation of the Tax Incentive Review Council (TIRC) that the following Enterprise Zone Agreement be continued because the business has fully met all of the requirements of the Enterprise Zone Agreement:

<u>Company</u>	<u>Community</u>	<u>Recommendation</u>
BWXT Nuclear Operations Group, Inc.	City of Barberton	Continue

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, and for the further reason to accept the above recommendation in a timely manner to allow the continuance of the Enterprise Zone Agreement for BWXT Nuclear Operations Group, Inc., and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed MARCH 28, 2022

Clerk of Council

President of Council

Approved _____ 2022

Mayor