

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2014-8

INTRODUCED BY COUNCILPERSON TERLOSKY

**A RESOLUTION IN SUPPORT OF AMENDING SUB HOUSE BILL 377
TO GIVE WALTON HILLS 35% OF THE SECOND PAYMENT FROM
THE CASINO OPERATOR SETTLEMENT FUND, AND DECLARING
AN EMERGENCY**

WHEREAS, Northfield Village received the entire amount of the first \$1 million dollar payment from the Casino Operator Settlement Fund late in 2013 because more than 50% of the Northfield Park racetrack is located within their community; and

WHEREAS, the Village Council and Mayor firmly believe that Walton Hills should not have been overlooked when the first \$1 million was paid out; and

WHEREAS, House Bill 377 was introduced to change the distribution of payments from the Casino Operator Settlement Fund to certain municipalities and townships based on proportions of horseracing track property; and

WHEREAS, Sub House Bill 377 seeks to make an adjustment to the second payment from the Casino Operator Settlement Fund, whereby Walton Hills would receive 10.9% of the second \$1 million dollar payment because 10.9% of the entire Northfield Park property is located in the community; and

WHEREAS, the Council for the Village of Walton Hills is in support of amending Sub House Bill 377 to give Walton Hills 35% of the second payment, because 35% of the actual racetrack at Northfield Park is located in Walton Hills. The equitable distribution of the second \$1 million dollars would be to provide Walton Hills with \$350,000. This would be consistent with the statutory definition of "track" as well as being reasonably consistent with the horse wagering tax allocation (50/50) under ORC 3769.28; and

WHEREAS, Walton Hills is truly deserving of these funds because the traffic flow of an average of 12,000 cars daily in and out of the racetrack/racino will burden the infrastructure and safety forces at the very least as equally as the burden on Northfield Village since Walton Hills traffic will be coming from the north, the much more populated Cuyahoga County, as patrons travel to this facility; and

WHEREAS, Walton Hills clearly indicated their desire to use the funds sought to resurface Sagamore Road at a presentation made to the State and Local Government Committee on February 25, 2014. Walton Hills' contribution to that effort is no less than \$463,000, which is more than the money being sought by the Village from the second payment from the Casino Operator Settlement Fund. Sagamore Road is a direct feeder road to the north entrance to the racetrack/racino facility intersecting Northfield Road at a new traffic light controlling the intersection.

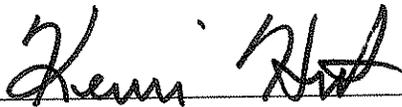
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO, THAT:

SECTION 1. That this Village Council and Mayor support the amendment of Sub House Bill 377 to give Walton Hills 35% of the second payment from the Casino Operator Settlement Fund to help with the resurfacing of Sagamore Road.

SECTION 2. That the Clerk of Council shall send a copy of this Resolution to State Representative Marlene Anielski, State Representative Terry Blair, and the Councils and Mayors of Northfield Village, Macedonia, Warrensville Heights, and North Randall to formally declare our support of amending Sub House Bill 377 to provide for an equitable distribution of the second \$1 million payment from the Casino Operator Settlement Fund.

SECTION 3. The Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution was taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public and in compliance with the law.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety for the reason stated in the preamble hereof, wherefore this Resolution shall take effect and be in force upon receiving the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



KEVIN HURST, MAYOR

PASSED: MARCH 18, 2014

ATTEST: Vic J. Nogalo

VIC NOGALO, FISCAL OFFICER

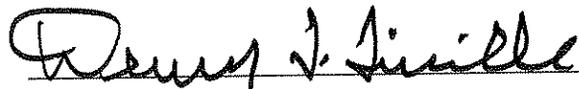
APPROVED:



Council President Pro Tem Don Kolograf



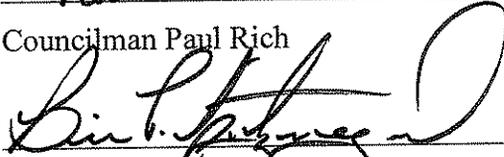
Councilwoman Mary Brenner



Councilman Denny Linville



Councilman Paul Rich



Councilman Brian Spitznagel



Councilwoman Gloria Terlosky