

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 3-2020

INTRODUCED BY: COUNCILMAN POINDEXTER

A RESOLUTION
RECOGNIZING AND HONORING RUSSELL AND DEBORAH HORNER
FOR INVENTING A NEW GAME CALLED 'BATTLE TOSS,'
AND DECLARING AN EMERGENCY

WHEREAS, Russell and Deborah Horner are residents of the City of Brook Park and invented a new game called "Battle Toss;" and

WHEREAS, Battle Toss is a fun game that can be played by people of all ages and skill levels; and

WHEREAS, Russell and Deborah Horner obtained their trademark for their logo on March 19, 2019 and trademark for Battle Toss on June 4, 2019 from the United States Patent and Trademark Office; and

WHEREAS, they received their European Union Certificate of Registration from the Intellectual Property Office on October 29, 2019; and

WHEREAS, Mr. and Mrs. Horner own the company Dr. Smiles, Inc., and they manufacture all of the Battle Toss units in the City of Brook Park; and

WHEREAS, Battle Toss has been sold and shipped to over 42 states and also to Alberta and Ontario Canada, and Germany; and

WHEREAS, Battle Toss has been a feature item at several community events including: The Cuyahoga County Fair, IX-Center's Christmas Connection, Crocker Park's Reindeer Crossing, Wildroots Holiday Markets, and many others; and

WHEREAS, Battle Toss has been featured on the WVIZ Ideastream series called "Making It" and was featured on News Channel 5 Cleveland for winning a local Shark Tank Competition; and

WHEREAS, Brook Park is the birthplace and hometown of Battle Toss;

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

SECTION 1: This Council does hereby recognize and honor Russell and Deborah Horner on their invention of Battle Toss and wish them much success in marketing this game.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to Mr. and Mrs. Russell Horner, 21858 Forestview Circle, Brook Park, OH 44142.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason to show recognition and honor Russell and Deborah Horner in their invention of the Battle Toss game; therefore, provided this Resolution receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2020

[Signature]
PRESIDENT OF COUNCIL

ATTEST: *[Signature]*
Clerk of Council

APPROVED: *[Signature]*
MAYOR

2/20/2020
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW
CERTIFICATE

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 3-2020 passed on the 18th day of February 2020 by said council.
[Signature]
Clerk of Council

commencing 2 February 20, 2020
[Signature]
MICHELLE BLAZAK
Clerk of Council

	Yea	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
	Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Troyer							
Mencini							
Orcutt							
Scott							
Schmuck							
Poindexter							
Salvatore							