



**NORTON CITY COUNCIL**

**NOTICE: SPECIAL COUNCIL MEETING  
WEDNESDAY, MAY 9, 2018  
7:00 PM**

**AGENDA**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF PRAYER**

**ROLL CALL**

**INTRODUCTION OF NEW LEGISLATION**

**ORD #62-2018**

**First Reading:**

An ordinance declaring an emergency and granting non-conforming status to all existing signs on properties impacted by the Cleveland-Massillon Road Widening Project, Phases 2 and 3, and declaring an emergency.

**NEW BUSINESS- COMMITTEE OF THE WHOLE**

**Executive Session**-Conferences with an attorney for the City concerning disputes involving the City that are the subject of pending or imminent court action as defined in (O.R.C. § 121.22) (G) (3) & Section 3.12 of the Norton City Charter.

**ADJOURN**

***\*\*Note to all attendees-While Council is in Executive Session, the audio and video is recording live and uninterrupted. If you do not want your conversations recorded, please exit the Council chambers.***

**\*\*\*NOTE:** During a meeting a live video stream can be accessed by going to [www.cityofnorton.org](http://www.cityofnorton.org) and clicking on the icon below for instructions \*\*



*Any person who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at [330-825-7815](tel:330-825-7815) Ext. 322 or [kmacomber@cityofnorton.org](mailto:kmacomber@cityofnorton.org). Any request for an auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.*

*Emailed to Media on 5/8/18  
Posted & Distributed on 5/8/18*

SPONSORED BY: Administration  
REFERRED TO: Special Council Meeting  
INTRODUCED BY: Planning and Economic Dev

## **CITY OF NORTON ORDINANCE NO. 62-2018**

AN ORDINANCE DECLARING AN EMERGENCY AND GRANTING NON-CONFORMING STATUS TO ALL EXISTING SIGNS ON PROPERTIES IMPACTED BY THE CLEVELAND-MASSILLON ROAD WIDENING PROJECT, PHASES 2 AND 3, AND DECLARING AN EMERGENCY

WHEREAS, the City and the Ohio Department of Transportation are currently undertaking Phase 2 and Phase 3 of the widening and repaving of Cleveland-Massillon Road (the "Improvement") in the City; and

WHEREAS, the City has completed the acquisition by appropriation or consent of property abutting the Improvement necessary to enlarge the right-of-way for the widening of Cleveland-Massillon Road; and

WHEREAS, due to the acquisition of the right-of-way by the City in Phase 2 and Phase 3 of the Improvement, it is necessary for certain properties in Phase 2 and Phase 3 (the "Impacted Properties") to relocate, replace or reinstall signs for their businesses; and

WHEREAS, the erection, display, relocation, replacement, reinstallation, or alteration of signs in the City are typically governed by Chapter 1289 of the Codified Ordinances of the City; and

WHEREAS, because the Impacted Properties are required to relocate, replace or reinstall signs solely because of the City's acquisition of right-of-way in connection with the Improvement, this Council has determined to declare an emergency and grant all existing signs on Impacted Properties required to be relocated, replaced or reinstalled because of the Improvement non-conforming use status for signs under Section 1290.06 of the Codified Ordinances, provided, that such sign on an Impacted Property may be relocated, reinstalled or replaced only one time as a result of the Improvement and Section 1290.06(d) of the Codified Ordinances shall not apply to the one-time relocation, reinstallation or replacement of such sign.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Norton, Counties of Summit and Wayne, and State of Ohio:

Section 1: This Council has determined to declare an emergency and grant all existing signs on Impacted Properties required to be relocated, replaced or reinstalled because of the Improvement non-conforming use status for signs under Section 1290.06 of the Codified Ordinances, provided, that such sign on an Impacted Property may be relocated, reinstalled or replaced only one time as a result of the Improvement and Section 1290.06(d) of the Codified Ordinances shall not apply to the one-time relocation, reinstallation or replacement of such sign.

Section 2: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its Committees that resulted in such formal action

were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason that the this Ordinance is necessary for the timely resolution of the Improvement to improve vehicular and pedestrian safety in the City, and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: \_\_\_\_\_Yeas \_\_\_\_\_Nays

Date passed: \_\_\_\_\_

\_\_\_\_\_  
Scott Pelot, President of Council

Date submitted to the Mayor \_\_\_\_\_

Attest: \_\_\_\_\_  
Kerry Macomber, Clerk of Council

\_\_\_\_\_  
Mike Zita, Mayor

Date approved by the Mayor \_\_\_\_\_

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 62-2018** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on \_\_\_\_\_, 2018.

That this legislation was posted according to law on \_\_\_\_\_, 2018 and will become effective on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, May 8, 2018