

**PUBLIC HEARING
CLYDE CITY COUNCIL
REZONING OF REAL ESTATE**

Clyde City Council held a Public Hearing at 6:15 p.m. on Tuesday, August 15, 2023 in Council Chambers, 2nd Floor of the Clyde Municipal Building, 222 N. Main Street, Clyde, Ohio, to hear the request of Sunrise Cooperative, Inc. of rezoning real estate. Mayor McCauley called the meeting to order.

Roll Call.

Present: Mayor Doug McCauley
Vice Mayor Scott Black
Council Member Steve Keegan
Council Member Chris Shay
Council Member Brent Stanley
City Manager Justin LaBenne (Not voting)
Clerk of Council Janet Dickman (Not voting)
Deputy Clerk Jackie Hoppe (Not voting)
Finance Director Frank Weasner (Not voting)
Solicitor Zachary Selvey (Not voting)

Absent/

Excused:

Visitors signing in can be referenced in the Record Book Supplement.

Visitor comments:

Holly Snyder, 1194 Burkholder Rd.

- Rezoning would open it up for any changes, not just railroad tracks, that Sunrise would like to make; she feels more is going on than just railroad tracks
- Why would Sunrise spend millions on this project, if they were not planning to do additional things to grow their business
- Why is there a rush to rezone when the railroad tracks across Burkholder Road are not approved yet
- She does not feel the inconvenience to residents to have tracks in town blocked a couple times a month outweighs the decrease in property value to homes in the area of Sunrise along with it becoming impossible to live there
- Increasing the number of cars per train, it would need a full size locomotive to pull it
- With an increased number of cars per train, it will decrease the frequency of trains going through town

George Secor, Sunrise

- The number of train cars used per season is dictated by the farmer's crop.
- Their intention is for railroad tracks, and that is the only purpose; the tracks have been approved
- Some fruit trees will remain in the center of where the tracks will be; other "open" areas

around the tracks they do not have a planned use for

- The locomotive must stay on the train to allow them to load the cars faster; Sunrise staff do not have the same mandates as railroad staff and therefore they will not need to use the train horn
- The tracks will not continue, they will dead end

Yvette Howey, 1287 Burkholder Rd.

- This will have a negative financial impact on the residents
- This would create a logistical nightmare for Burkholder Road residents
- There will be railroads all around their properties
- She is concerned with noise and air pollution
- She is concerned with the potential for chemical run-off in their yards from train fuel and other chemicals
- She feels this is being rushed
- This is affecting their homes, where they live and this is personal to these residents; if this is approved, they will have railroads in their back yard and this is not fair
- Would Council members want this in their back yard

Mayor McCauley noted this public hearing will end at 6:50 p.m. as there is another meeting with a full agenda to follow this public hearing.

Mr. Tom Snyder, 1175 Burkholder Rd.

- His property is right in the center and will be surrounded by this business
- It is already an issue dealing with dirt, noise, stone dust, grain dust, etc.
- A new railroad would be ninety feet from his property line
- The truck beds are open, allowing dirt and dust to blow all around; there are a couple hundred trucks per day
- Why should these residents suffer a loss for this business to have a gain.

Mr. Secor noted Sunrise has not discussed purchasing any of the resident properties.

Chris Snyder, 1194 Burkholder Rd.

- When Sunrise purchased the Kessler property, they said they had no plans to use the property, they bought it to use as a buffer zone
- Months later they demolished the house, put in a long driveway ten feet off the property line; equipment was brought in and a line of trucks filled the driveway; he feels he was lied to
- Sunrise put in a privacy fence, and eventually the fence was placed on top of the property line
- They have to keep their vehicles in a garage to prevent them becoming covered with grain dust; the problems are excessive
- He doesn't feel this would happen if living next to Whirlpool
- This rezoning hurts their lives, while Sunrise continues to make more money

Ken Winke, Zoning Inspector

- Twelve letters were sent to property owners within 200 feet of the property requesting rezoning, to notify them of the request
- Letters were not sent to property owners on C.R. 236 as they are 1,000 feet away
- No letters were returned as undeliverable; Mr. Winke spoke to a couple property owners

Council comments:

Steve Keegan

- Is 65 years old and lived on Spring Street across from Whirlpool for his first 25 years
- They could hear the intercom and a buzzer (with no AC in their home, they windows would be open), there was an odor, and when a press was used it rattled the windows in their home
- At one time he lived on S.R. 510 and his kids were not allowed in their front yard due to traffic
- He worked at Whirlpool for forty years and is aware of the problems it caused employees when the tracks were blocked and employees could not get to work on time; he has heard complaints about the grain trains for years
- He is for this Resolution

Brent Stanley

- He questioned the concern about possible chemicals run-off (no chemicals, grain only)
- He questioned having a buffer zone (they usually ask the property owners what they would prefer – either an earth mound with trees on it (he feels this works best), or a fence, or only trees; he noted residents have stated they do not want to see the trains/tracks
- Mr. Stanley is part of the Planning Commission and has attended prior meetings regarding this topic

Scott Black

- He does not see a favorable solution for either side
- He would like to see Sunrise purchase the homes of the residents who are the most concerned with this situation, and for Sunrise to then sell the homes to buyers who are aware of the circumstances
- He understands the need for the business to be profitable
- Residents want the nicest neighborhood possible, with few distractions
- Mr. Black lives by train tracks and understands dealing with the noise; he feels there are problems wherever you live

Chris Shay

- Several comments have been made that there is a rush for this rezoning; this issue has been discussed since at least 2008
- In 2012 the Rail Commission identified five problems
 - People climbing over the stopped trains on the tracks
 - Warning signs
 - Obstructing emergency vehicles

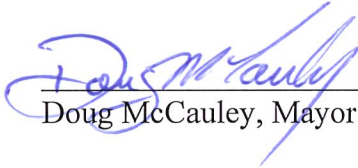
- Employees/deliveries delayed
 - Damage to infrastructure
- This move is for either “profit” or “inconvenience”; the railroad crossings being blocked affects commerce and emergency response
- A vote is to be a part of the solution

Mayor McCauley

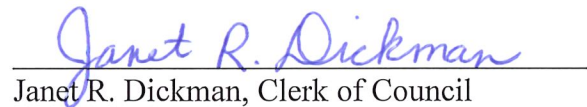
- Part of this Ordinance contains a clause stating any further expansion by Sunrise must have Council approval
 - Mr. Winke clarified this clause would only apply to this exact parcel; he also noted the first meeting this year regarding this request was on 3/14
- The stoppage of trains is a Clyde issue; we must solve it somehow

ADJOURNMENT

Mayor McCauley motioned to adjourn the Public Hearing at 6:49 p.m.



Doug McCauley, Mayor



Janet R. Dickman, Clerk of Council

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday August 15, 2023 Public Hearing +
Regular Session

Visitors – PLEASE SIGN IN:

1. Jan Hoersten
2. Donald Chris Anple
3. Yvonne Hony
4. Bm Brown
5. Charles W Chack
6. Christopher & Holly Snyder
7. Math Hopf
8. Bob Shaw
9. Gary Smith
10. Ray Byr
11. Ray Bedmer
12. _____
13. _____
14. _____
15. _____

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday August 15, 2023

Visitors – PLEASE SIGN IN:

1. Brian Brown
2. Jeff Lemmon
3. Kathy Morrison
4. John Morrison
5. Sue Lemmon
6. Penny Moore
7. Rick Moore
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____