

**PUBLIC HEARING
CLYDE CITY COUNCIL
INITIAL REZONING OF PROPERTIES**

Clyde City Council held a Public Hearing at 6:30 p.m. on Tuesday, January 21, 2025, in Council Chambers, 2nd Floor of the Clyde Municipal Building, 222 N. Main Street, Clyde, Ohio, to establish the rezoning of the following properties in the City of Clyde. Mayor Doug McCauley called the meeting to order.

Roll Call.

Present: Mayor Doug McCauley
Vice Mayor Scott Black
Council Member Greg McMaster
Council Member Terri Meek
Council Member Chris Shay
City Manager Justin LaBenne (Not voting)
Clerk of Council Janet Dickman (Not voting)
Deputy Clerk Jackie Hoppe (Not voting)
Solicitor Zachary Selvey (Not voting)

Absent/

Excused: Finance Director Frank Weasner (Not voting)

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

Mayor McCauley explained this public hearing is for the rezoning request of Garza Dirt Works, LLC (Waylon Garza) 783 E McPherson Hwy., Clyde, OH 43410 to rezone part of OL 113, Parcel No's. 326000011300, totaling 8.1699 acres, at 837 E McPherson Hwy., Clyde, OH 43410 from (C-2) General Commercial to (I-1) General Industrial.

Mr. Winke noted minutes from previous Council and Planning Commission meetings where this rezoning request was discussed were included with this public hearing agenda packet. The Planning Commission recommends rezoning the property as requested. Three letters were sent out to adjacent property owners to inform them of the rezoning request and of this public hearing and we have not heard any response from them.

Mayor McCauley noted that Mr. Garza presented his request some time ago to Council. No formal action will be taken in regards to this request tonight. The first reading of an Ordinance will occur at the 2/4/2025 Council meeting and a second reading will take place at the 2/18/2025 Council meeting, when a vote will be taken.

Mr. McMaster attended the Planning Commission meeting, and he agrees with the recommendation to approve the rezoning request.

Ms. Meek visited the site. She questioned if there are restrictions related to the size and maintaining of the piles (Council could decide to include caveats if approved, to include, for example, requirements for aisles between the piles).

Mayor McCauley described the purpose of zoning as helping to protect the integrity and safety of areas, including visual integrity. Zoning also includes the provision to control the types of businesses and their locations. He referenced a property on S.R. 101 that is not protected by zoning. A business on that property has experienced two catastrophic fires that remain in need of clean up. Mayor McCauley also attended the Planning Commission meeting. At that meeting, Mayor McCauley brought up a concern on behalf of himself and others, related to junk cars and other junk vehicles that should be removed from the property. After several months, this still has not been addressed. If the rezoning is approved, all of the property could potentially become a concern with clean-up not occurring as needed.

Mr. Garza feels this issue does not pertain to the request to rezone. He requested to speak with Mayor McCauley outside of this meeting regarding this issue.

Mr. Selvey offered options for Council to consider:

1. Vote yes to rezone
2. Vote no to rezone
3. Vote yes to rezone, with caveats/limitations; for example, the rezoning is only approved as long as Mr. Garza owns the business, or a fence needs to surround the business, or a height restriction for the piles, etc.

If Council votes in such a manner that is different than what the Planning Commission recommended, Council must have a 4/5 majority vote. Council has 30 days to act on this request, following tonight's public hearing. It is requested that if a Council member would like to include limitations to approval of this request, they should contact Mr. LaBenne with this information prior to the first reading. Mr. Selvey noted there could be multiple legislative documents presented to Council for voting, related to this issue.

Mr. Garza noted he has been in business for ten years and he is a lifelong resident of Clyde. He feels the comparison of his business to the business on S.R. 101 in a public forum is disrespectful as he sees his business as nothing like the other business. He noted the EPA is fully on board with how he is managing the piles, and he feels everyone else is in favor of it. He questioned if his business is not wanted.

Mr. Selvey feels that Council is merely being cautious, and noted they have only one chance to look at all considerations before it is approved. The comparison to the business on S.R. 101 is merely to point out the difference between having zoning and not having zoning.

Mr. Garza reminded Council that there are Industrial zoned properties to the east and west of his property. This decision will affect his livelihood.

Mr. McMaster supports the rezoning; however, he reminded Mr. Garza that he started an industrial business while his property was still zoned commercial, thus putting the "cart before the horse."

Mayor McCauley wants businesses to be successful; Council must decide what is best for Clyde for today and for the future.

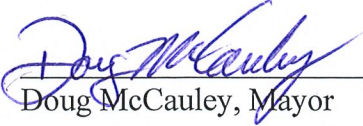
ADJOURNMENT

Motion: to adjourn the public hearing at 6:48 p.m., **Action:** Adjourn,

Moved by Council Member Chris Shay, **Seconded by** Council Member Greg McMaster.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Mayor Doug McCauley, Council Member Chris Shay, Vice Mayor Scott Black, Council Member Greg McMaster, Council Member Terri Meek.



Doug McCauley, Mayor



Janet R. Dickman, Clerk of Council

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday, January 21, 2025 Regular Meeting

Visitors – PLEASE SIGN IN:

1. Waylon & Jenn Garber
2. Ben White
3. Bruce Brown
4. Gary Smith
5. Gene Paul
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____