

CLYDE CITY COUNCIL
Regular Session – April 19, 2016

Clyde City Council met at 7:00 p.m. on Tuesday, April 19, 2016 in Council Chambers of the Municipal Building, 222 N. Main Street, Clyde, Ohio. Mayor G. Scott Black called the meeting to order.

Roll Call.

Present: Mayor G. Scott Black
Vice Mayor Kenneth Dick
Council Member Jean Jackson
Council Member Steve Keegan
Council Member Gary Smith
City Manager Paul H. Fiser (Not voting)
Solicitor Zachary J. Selvey (Not voting)
Clerk of Council Janet R. Dickman (Not voting)
Deputy Clerk of Council Jackie Hoppe (Not voting)

Absent/

Excused: Finance Director Craig Davis

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

The meeting opened with The Lord's Prayer followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

The minutes of the April 5, 2016 regular session of council were distributed for review prior to this meeting. There were two corrections.

Page 1, Approval of Minutes: ~~There were no corrections.~~ There were two corrections.
Page 5, 2nd paragraph, end of 4th line: change 2004 to 2014

Motion: to approve the minutes of the April 5, 2016 regular session of council as corrected,

Action: Approve,

Moved by Council Member Jean Jackson, **Seconded by** Mayor G. Scott Black.

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

Yes: Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan.

DISCUSSION OF PENDING OLD BUSINESS

Mr. Fiser stated that two weeks ago Clyde awarded the 2016 paving contract; however, there is a question regarding Amanda Street. In attendance at tonight's meeting is Mr. Casey Talbott, Norfolk & Southern (NS) outside counsel and Mr. Bryant Thomas, NS Government Relations Director. All of Amanda Street is scheduled to be paved in 2016; however, Amanda Street has been closed at the railroad crossing since 2012. At that time, the closure was considered temporary while a solution was sought for the grain train problem, but this problem still exists.

A merger is currently in process for Country Springs and it is unknown how this could affect the City. Previously, a detour route was set up for traffic to divert off of Route 20 and drive through the City to get around the closed crossings due to stopped trains. This detour involves a Police Officer posted at Maple Street/Route 20 and another officer at Woodland Avenue/Route 20 for one to two hours to re-direct traffic.

In 2012 a plan was discussed to build a longer spur for Country Springs to use. There was a commitment from the Ohio Rail Commission (ORC) and from NS. The City would receive a half million dollars to put towards this spur if the City agreed to close the Amanda Street crossing. The total cost of the spur was \$2.5 million. Country Springs was also offered a half million dollars from NS to put towards the spur. However, the total funding fell short (only \$2 million could be raised) and we were unable to fill the gap. ODOT and Jobs Ohio repeatedly would not get involved to try to find a solution. The City "solved" ODOT's problem in 2008 when the detour was created; if the detour is stopped, it will negatively affect Whirlpool who runs "just in time" parts from Norwest Drive to the Whirlpool plant. Mr. Fiser is requesting Councils input regarding permanently closing or re-opening Amanda Street, prior to the start of the 2016 paving program. It is a goal for Mr. Fiser to find a resolution for this problem, but he does not know how it can be accomplished. It is not reasonable for the City to put up more money towards the spur.

Mr. Dick feels we must find a solution to make this problem go away. If we re-open Amanda Street we will lose the half million dollars from NS to put towards the spur. Maybe the new Sunrise owners could come up with something. If we keep Amanda Street closed, maybe there would be some grant money that could be found to fill the gap of the total amount needed for the spur. Maybe we need to close the detour since the truck traffic through town is hurting our roads, but then that will cause problems for Whirlpool, which is not good.

Mr. Keegan refers to the grain train as the nuisance train. He is a 37 years employee of Whirlpool and he gets comments repeatedly from co-workers who are upset when the crossing is blocked and they cannot get to work on time and they do not like the Amanda Street closure. He encouraged them to come to this meeting to say their comments, but he noted that no one is here from Whirlpool for this discussion. Most of them are from out of town and they used that crossing for 25 years and now it's been closed for four years for no reason at all. That was part of the plan to get some extra money to get rid of the grain train, but Mr. Keegan commented years ago that that is never going to happen because we are stuck with it. Mr. Keegan would be more in favor of closing that rail spur than closing any crossing. Mr. Keegan wants Amanda Street opened and he wants the detour taken down. He has never asked anybody to do something he would not do himself. He saw Police Officers directing traffic for almost two hours in bitter cold weather, during a time when Mr. Keegan didn't even want to go out of the house. This costs the City money every time the grain train comes to town to have Police Officers direct traffic. Sending two Police Officers to direct traffic, sometimes there are only two police officers on the force and that leaves the rest of the town vulnerable and that is not right. He noted that no other business would expect the City to consistently provide these Police services for them every week. The crossing closure and the detour were to be temporary, and the time is up. Mr. Keegan

stated he works for the people of Clyde, not for NS.

Ms. Jackson questioned why the closure of the Amanda Street rail crossing is connected to the money for the spur (the original proposal was that by closing East Street a couple years ago and by closing Amanda, a half million dollars would be put aside to put towards a private extension of the rail spur to help solve the problem). Ms. Jackson is unsure about the Amanda Street closure; although it can cause an inconvenience, Clyde is not that big of a city that it should not be that big of a deal to get around it. She tends to be in favor of keeping the detour; although the detour is not a good situation, it is better than the stopped train.

Mr. Smith feels the detour is the lesser of two evils and he would be in favor of re-opening Amanda Street.

Mayor Black noted that Amanda Street has been closed for four years. That is four years of Clyde youth turning sixteen, becoming drivers and not knowing the difference between that crossing being closed instead of open. If Amanda Street is re-opened, then we would have to start all over again if a decision was made later to re-close it. Therefore, he currently is of the opinion to keep it closed. Mayor Black is currently of the opinion to disband the detour. This is due to multiple reasons, such as, people living along the detour route cannot get out of their driveway during a detour due to the extra heavy traffic, the semi-trucks following the detour are ruining the City streets, there are more kids near the streets in town and Route 20 is specifically made for heavy trucks. We have already tried to help find a solution; this is a problem between the railroad and the grain company and any extra money needed for the spur should come from them, not the City.

Mr. Talbott noted that the City and the railroad have been good neighbors for a long time in the past and will be for maybe a 100 years in the future; both are doing the best they can to fix this problem (a representative from the Ohio Rail Commission could not be here tonight, but could possibly attend a future meeting). The grain train is a difficult situation. The business is thriving and NS is a common carrier and is obligated to service it. In a perfect world if this business was five miles away from Route 20, this would not be such a difficult logistical situation. Many parties have tried to solve this problem. There was talk about an overpass, but that was not viable due to the historical McPherson residence. The other suggestion for a loop track adjacent to the Sunrise facility had a funding gap, although NS was committed to this it did not come to fruition. He agrees that finding a solution will take participation and cooperation by everyone involved. NS does not make money when trains are sitting still, they want to get in and get out as quickly as possible. The Amanda Street crossing history was in part a response from the Federal Railway in the whole country. This was asked because "the only safe crossing is a closed crossing". They are asking to have only four crossings per linear mile. Clyde has about two and a half times that many, about ten crossings in less than a linear mile running east to west. These are tough discussions because most people want to have a crossing for every road for convenience, but this is also the most dangerous and costly scenario. The state of Ohio or the federal government along with NS is paying for every crossing. Eliminating redundant or non-critical crossings were asked to be looked at. It was thought the City could do without East Street and Amanda Street crossings. When the closings occurred it did not appear that there was a huge outpouring of

comments about this, and people in general have adjusted to it. He did meet with the Ohio Rail Development Commission (ORC) last week and they confirmed that for this limited purpose he has the authority to speak for them. They had made an offer to the City back in February of 2014 and they will stand by that offer. NS is prepared to pay \$33,000 to the City free and clear to use for any purpose. Then NS and the ORC will pay another \$10,000 to be used for any highway safety project (barricades, painting, etc.) If the City agrees to the Amanda Street closing, ORC and NS will pay to have lights and gates put in at Nelson Street and gates at Church Street. This is how East Street was closed. This is a voluntary closure. The alternative is to file a formal petition, which is like a complaint, with The Public Utilities Commission of Ohio (PUCO) and PUCO makes the decision regarding the closure. Going this alternative route does not include any incentive money. Petitions are not filed loosely and are not filed without prior knowledge to the City. Mr. Talbott has been directed that if a voluntary agreement cannot be reached, then he should notify Mr. Selvey regarding the filing of a petition to close Amanda Street. Every effort is made to work with the City to reach an agreement for a voluntary closure. Mr. Talbott personally does not like the Amanda Street crossing because of the angle that exists which causes a skewed approach.

Mr. Dick questioned if the half million dollar commitment from NS is still available for the grain train spur (due to needing approximately \$250,000 each to upgrade the Church Street and Nelson Street rail crossings, we would need to start fresh with grain train spur negotiations). Mr. Dick noted that the discussed rail crossing closings and upgrades do not address the original problem with the grain trains. With this new information, the short fall gap in the funding for the spur is now increased to \$1.5 million (a solution to this problem will require all of the entities to come back together and to bring in other agencies as well). Sunrise has never said a word about their contribution, but they would get all of the benefit. We need to push them to contribute. We need to start penalizing Sunrise for the stopped traffic; if they would then threaten to leave Clyde, then we would need to get Jobs Ohio involved to help to not lose the Sunrise jobs. At previous meetings, they did not attend. Mr. Dick is still in favor of closing Amanda Street. He is not happy to lose the half million dollars from NS that could be used for the spur, but he is glad for the upgrades to the two other rail crossings.

Mr. Keegan has never seen a Sunrise representative. He noted that during the Clyde Fair the downtown rail crossing was blocked by a stopped train and kids were climbing through the train to get to the Fair. This also happens with Whirlpool workers who want to get past a stopped train to get to work because if they are one minute late to work they will get charged for a half day as missed (NS would still be committed to solving the grain train problem, with all parties coming back to the table to discuss it; the Amanda Street closure being done to improve safety would help in those discussions by showing the City's commitment to train safety). Originally, these discussions were all about the grain train, but then NS wanted to have three rail crossing closures (the state of Ohio wanted to bridge a gap and asked if two more crossings could be closed, but Clyde could not come up with more than the East Street and Amanda Street closures). Amanda Street has an angle but he does not feel it is more of a problem crossing than any other crossing. There are 3,089 hourly employees at Whirlpool; traffic is very busy at shift change and it is bad to have Amanda Street closed. Regarding the previous statement that Clyde and NS will be neighbors for another 100 years, there have been four owners of the local railroad in the past

fifty-eight years. If the railroad is truly concerned for safety, they would put in lights and gates at all crossings (they are talking to the ORC about this and if Amanda is closed, they will pay for the lights and gates at Nelson). Drivers prefer the Birdseye Street route during Whirlpool shift change since it has a traffic light. Twenty years ago, when Mr. Keegan was a visitor at a Council meeting, a railroad representative was here and was using PUCO as a bully tactic and he was run out of the meeting (Mr. Talbott has never had that type of relationship or experience with a City; Mr. Fiser requested Mr. Talbott to discuss the petition procedure since there are two new Council members who have not heard this information before). Mr. Keegan questioned if we should ask PUCO to close the rail spur that goes to Sunrise (we need to bring the parties all back together again, and get buy in by all critical players). If we continue to have the detour and have every truck go across the bridge by Miller's grocery store, that bridge will not last and who is going to pay the \$300,000 to fix it. The City has already replaced the handrails. If the detour would be discontinued and if a traffic jam causes a production delay at Whirlpool then maybe they will get mad enough to work to fix the problem. Mr. Talbott told of an experience where he did almost get run out of a meeting where community members were very upset about a discussion of closing a crossing, but the Council members did vote unanimously in favor of the closure because they understood the benefits of a voluntary closure as opposed to having a petition filed.

Ms. Jackson appreciates the background information discussed tonight. She has no problem with closing Amanda Street as she feels it has been closed long enough that people's schedules should be adjusted to it by now, to be able to get around it. The warning lights at the Nelson and Church Street rail crossings will be a benefit, and the incentive for the grain train is a whole other issue.

Mayor Black feels that PUCO makes decisions based on what is best for big business, not what is best for the people. NS could ask PUCO to close a crossing and then the City would get no incentive for the closure. Mayor Black would rather take the incentive. Church Street is the worst crossing and needs the upgrade, but he is unsure about the Nelson Street crossing. He has also seen kids climb over the train car connectors, and sometimes they fall off if the train moves. This situation is an accident waiting to happen. Sunrise had purchased some land from an adjoining orchard with the original intent to use the land to build the spur. However, they have used that land now for a truck route through the orchard. He is unsure if they can change that area back to use for the spur now. Multiple meetings were held four years ago and nothing changed, but we could try again to meet with all parties.

Mr. Selvey questioned the success rate when NS asks PUCO to close a rail crossing (one successful; five to ten other closures were filed but an agreement was reached prior to PUCO closing the crossing).

Mr. Thomas echoes Mr. Talbott's comments. NS is committed to join the conversation to address this concern. He noted that, during special events like the Fair, Clyde could contact him and he will try to help to ensure that the crossings are not blocked during the event. He commended Mr. Talbott for his passion in trying to resolve this issue.

Mr. Dick questioned who schedules the grain pick-up (there is no set schedule but he can try to remind them to avoid shift change times; the train schedule is a 24 hour a day operation traveling

to many locations).

Heather Lear-Shull is the mother of Alexis Shull who was riding her bike and was hit by a train at the Church Street crossing four years ago. They were told four years ago that crossing gates would be installed, but this has not been done. They had to deal with an issue this year with the school bus, wanting the bus to come to the house to pick her up because Alexis is still too afraid of train tracks to walk across them to get to the bus pick-up spot. She noted there was a car accident on the train tracks one month after her daughter's accident. The lights that are currently in place are not dependable, sometimes flashing when there is not a train coming and not flashing when a train is coming. Having gates there would not allow anyone to cross when a train is coming.

Council members gave their opinion, if a vote was taken right now, on whether to close or open the Amanda Street rail crossing:

Mr. Dick – close

Mr. Keegan – open

Mayor Black – close

Ms. Jackson – close

Mr. Smith – open

Council members are not bound by this opinion; they could change their vote if new information is presented.

CORRESPONDENCE

There was none.

Visitors:

See above "Old Business."

FIRST READING ORDINANCES

There was none.

SECOND READING ORDINANCES

There was none.

RESOLUTIONS

2016-25 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH POWER LINE SUPPLY OF REED CITY, MICHIGAN FOR THE PURCHASE OF LED DECORATIVE LIGHT FIXTURES.

Resolution No. **2016-25** was read in its entirety.

Mr. Fiser stated this expense was approved through the budget process. At that time, Supervisor Lachner presented a four-year plan to change to LED lights. This Resolution is for part of that expense, by replacing the lights in the fiberglass black posts that have underground electrical

lines. We are still searching for appropriate replacements for the other streetlights.

Mr. Dick questioned if these lights will be brighter now (yes, it will have a different look to it, more of a white light). Will something be done about the junk lights downtown (no, the downtown lighting will be addressed in the next budget).

Motion: to pass Resolution No. **2016-25**, **Action:** Pass,

Moved by Vice Mayor Kenneth Dick, **Seconded by** Council Member Jean Jackson.

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

Yes: Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith.

Mayor Black announced that Resolution No. **2016-25** passed.

2016-26 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH POLYDYNE INCORPORATED OF RICEBORO, GA FOR A CONTRACT TO PURCHASE SLUDGE DEWATERING POLYMER IN THE YEAR 2016 FOR THE WASTE WATER TREATMENT PLANT.

Resolution No. **2016-26** was read in its entirety.

Mr. Fiser stated that there is an increased polymer usage with more sludge going to the landfill due to more EPA restrictions. There were four bidders, with our current suppliers bid being two times higher than the winning bid. Following a test period with the new supplier, the waste water treatment plant staff are recommending to switch to this new supplier.

Mr. Selvey commended Mr. Fiser for his involvement in this bid process. The current supplier stated that this contract did not need to go out for bid; however, Mr. Fiser and Mr. Selvey decided to put the contract out for bid and in doing so saved the City about \$40,000.

Mr. Dick noted it pays to question what a supplier tells you.

Mr. Keegan questioned why this is paid by the pound instead of by the gallon (industry standard).

Motion: to pass Resolution No. **2016-26**, **Action:** Pass,

Moved by Council Member Steve Keegan, **Seconded by** Council Member Gary Smith.

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

Yes: Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Jean Jackson.

Mayor Black announced that Resolution No. **2016-26** passed.

2016-27 A RESOLUTION AUTHORIZING AN AGREEMENT WITH COMP MANAGEMENT INC. FOR THE ADMINISTRATION OF WORKERS' COMPENSATION

CLAIMS FILED BY THE CITY OF CLYDE

Resolution No. **2016-27** was read in its entirety.

Mr. Fiser noted that normally there are only two quotes for this bid; however, one of the companies no longer offers group rates. We will be paying less this year; fees are determined according to past claims history and some of our larger claims occurred long enough ago that they have fallen off of our claims history.

Motion: to pass Resolution No. **2016-27**, **Action:** Pass,

Moved by Council Member Jean Jackson, **Seconded by** Vice Mayor Kenneth Dick.

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

Yes: Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith.

Mayor Black announced that Resolution No. **2016-27** passed.

ADMINISTRATIVE REPORT

Mr. Fiser gave the following report:

The General Service (GS) Department, Environmental Service (EVS) Department and the Parks Department have been concentrating most of their efforts on work needed to be completed prior to the 2016 Paving Program. We will be executing the pavement contracts tomorrow with 7L Construction and we appear to be first on their list. The General Service crews have been replacing deteriorated curbing and countless ADA curb ramps in preparation for paving while the EVS Department has been exercising valves and ensuring that no replacements are needed prior to the paver's arrival. Today the Parks Department, despite all their annual work, started excavating the Stephenson Path through Hurd Park. They need to excavate 400 yards of earth, place 300 yards of stone and then compact that stone prior to the asphalt surface being laid. This is our third major park improvement that would not have been possible without the generous donations of the Russell and Marguerite Stephenson Foundation.

Work on the Waste Water Treatment Plant's Flow Equalization Basin is starting to wind down. Widening work on the second channel in the Preliminary Treatment Building should be completed this week after a final concrete pour. Following that, the second rotating drum screen can be installed and commissioned. Installation of the perimeter fencing began today and hopefully will be completed by the weekend. Commissioning of other new equipment has been on-going and we have encountered a few issues but they are being addressed.

The Clyde Solar Energy Center is still a very busy, but much less muddy, construction site these days. The PV panels continue to be installed and as of today, the EPC Contractor has well over 50% of the panels installed. Over the past few days, Clyde Light and Power (CL&P) crews have been working on our final phases of the interconnection line. They have been working on the foundation for a large switch gear which should be arriving in town soon. Commissioning of the field is tentatively scheduled for the end of May.

The construction plans for both the Clyde Light and Power building and the maintenance/office building for the Parks Department have been reviewed by the State. A few minor changes were needed but we are expecting plan approval next week. The stone pads for both buildings were completed last week so you can now see the footprints if you visit the sites. We are still looking at a May 16th bid date.

Yesterday morning, Sandco Industries held the groundbreaking ceremony at their new headquarters on Premier Drive. The weather was absolutely perfect and the event was very well attended. Sandco CEO, Megan Craun expressed her excitement about the huge journey they are about to undertake with the construction of a brand new manufacturing facility and she stressed how proud they are to call Clyde their new home.

Miscellaneous City Updates:

- CL&P should take delivery of their new bucket truck this week.
- The GS Department should take delivery of their new leaf machine on April 29th.
- The reservoirs are full and we will be “topping-off” as needed.
- The Clyde Fire Department will be hosting its annual chicken barbeque this Sunday from 11 am until 2pm.

FINANCE DIRECTOR'S REPORT

Mr. Fiser reported the fund balances are all looking good. The Sewer Fund balance is about \$158,000 higher than last year at this time, and climbing. The Sewer Fund increases that were made a couple years ago will be expiring at the end of the year. We will probably be talking about some other slight increases. Income tax collections are still great, and they are tracking for an income tax receipt record.

COUNCIL REMARKS

Mr. Keegan reported that the area behind a factory on East Street/260 looks like a dump; an area across 260 on 175 has eight tires/wheels in a ditch and a large amount of pop cans. A rake and a mower with a bagger would be needed to clean the area behind the factory and a lot of plastic needs to be picked up (Mr. Fiser will contact Vanguard Vocational Center; Mr. Selvey suggested contacting Judge Brad Smith, Juvenile Court, for juveniles who need community service hours).

Ms. Jackson also suggested contacting the Renaissance and Key Club members who need service hours or a local Boy Scout Troop.

By poll of Council and Administration, the scheduled work session is cancelled.

MOTIONS

Motion: to eliminate the present temporary detour that is used when the grain train blocks rail crossings across town, **Action:** Approve,

Moved by Council Member Steve Keegan, **Seconded by** Mayor G. Scott Black.

Mr. Keegan questioned if semis coming out of the warehouse onto Route 20 could take a different route to Whirlpool if there is stopped traffic blocking their normal route. His reason for

making this motion are to save City resources by not using Police Officers to direct traffic, to save City streets and bridges and to not have semi trucks speeding and using City streets as a race track.

Mr. Dick does not believe in “slapping the hand that feeds you” by making Whirlpool upset, but possibly something good could come of them getting involved. City money is being spent on road maintenance and police presence. We need to do what is good for everybody. There are a lot of people who are very “ticked off” with this situation.

Mayor Black feels the detour causes safety issues and cost issues for Clyde. The heavy traffic can do harm to the roads and be a danger to the kids in town riding their bikes or walking. The detour can also “lock” citizens in their driveways. He suggested that using an alternate route, as Mr. Keegan suggested, could alleviate this problem for Whirlpool if a detour is not offered.

Mr. Fiser recommends that the use of the detour not stop. If Council does vote to stop the use of the detour, he is asking for an “out” so that if there are major issues that arise as a result of not using the detour he could reinstate the use of the detour. Mr. Fiser anticipates that if the detour is not used, the Whirlpool warehouse will have to close until the roads open back up. Mr. Keegan feels that sooner or later something must be done. Mr. Keegan has been ticked off for a long time and has been waiting for this meeting tonight for a long time. He is not happy about the grain train and is not happy about the Amanda Street situation. The only thing he will give is that today is April 19th, and he would give one month. In a month, if we vote tonight to do away with the detour, that sign and that detour are done.

Mr. Dick is okay with an addition to the motion of including a one-month “out” to discontinue the use of the detour for at least one month, then reinstating the detour if needed. He does not feel that this would make Whirlpool mad enough to leave, but maybe it would make them mad enough to help resolve the problem. He feels the grain train is one of the worst problems that the City has had to deal with. There has been no cooperation from Sunrise, and they need to either step up and help deal with this problem or they need to pay for this problem. A train blocking a crossing is illegal. Mr. Dick suggests sending a ticket for a fine to Sunrise, instead of sending the ticket to NS as they have in the past (Mr. Selvey will look into this).

Mr. Selvey clarified that either Mr. Keegan would need to amend his motion to create the out clause, or he would need to rescind his motion. If he rescinds or the motion is declined, then someone else could make a new motion and include the out clause.

Mr. Keegan reminded Council that for years the City had to deal with the blocked rail crossings with no detour, then Council voted for the detour. Council could go back and re-vote regarding the use of the detour.

Mr. Fiser feels it would be beneficial to have a representative from Whirlpool speak to Council. We are talking about thousands and thousands of dollars for a minute shut down.

Mr. Dick questioned if Mr. Keegan’s motion could be tabled (the vote could be declined or if

there is not a second to the motion, it could be tabled). Mr. Dick would be in favor of the motion if it were amended.

Ms. Jackson wants to have more information because at this time she cannot make an informed decision. She was not elected to Council to give her personal opinion on decisions. She questioned what the 30-day out is (there is currently not a 30-day out option in the motion; that is only hypothetical).

Mr. Smith feels the "out" sounds reasonable and he would agree with that.

Mr. Keegan reiterated that Council could go back and re-vote regarding reinstating the use of a temporary detour if major problems arise. He feels that we will always have the grain trains here, and it is only going to get worse because the company is continuing to grow. He is worried that nothing will be done until someone gets hurt.

Vote: Motion failed by lack of majority vote (**summary:** Yes = 2, No = 2, Abstain = 1).

Yes: Council Member Steve Keegan, Mayor G. Scott Black

No: Council Member Jean Jackson, Council Member Gary Smith

Abstain: Vice Mayor Kenneth Dick

ADJOURNMENT

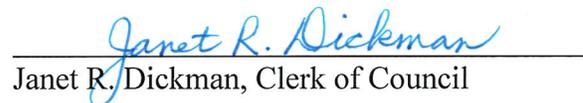
Motion: to adjourn the meeting at 8:58 p.m., **Action:** Adjourn,

Moved by Mayor G. Scott Black, **Seconded by** Vice Mayor Kenneth Dick.

Vote: Motion failed by lack of majority vote (**summary:** Yes = 2, No = 2, Abstain = 1).

Yes: Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan.


G. Scott Black, Mayor


Janet R. Dickman, Clerk of Council

CLYDE CITY COUNCIL
VISITOR SIGN-IN

DATE: April 19, 2016 Regular Session

1. Bryant Thomas
2. CASEY TALBOT
3. Waverly Perry
4. Alexis Shull
5. Heather Lear-Shull
6. Scott Mahoney
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____