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SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session Monday, January 10, 1972 at 8:00 P.M. at the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: John McIntire, Leonard Stubbs, J. V. Stone, Charles McQueeney, Russell Sweetman, City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

Mr. Ronald Rude, a representative from T.C.C. appeared before Council to present their report concerning the southeast busway and to discuss the status of this Urban Corridor Demonstration Program at this time. The system is composed of three types of transit service: 1. Neighborhood distribution consisting of 15 areas, 2. Five stations scattered along the line haul service, and 3. A shuttle operating on two routes in the critical business district. The Busway would begin at Alexandersville-Bellbrook Road, it would travel upon a one lane pavement running parallel with the railroad tracks to Hempstead Road where it would then become a two lane pavement. In the vicinity of DESI to Brown Street, removal of the rail is being considered. T.C.C. will, this week, ask the Federal Government for additional funds to hire a consultant to look at rail transit and to continue with the study; and will ask for permission to continue to purchase additional rail right of way. They would also like to determine the Federal Government's attitude towards operating a demonstration program.

Mr. McIntire, recognizing certain economic drawbacks in the proposed bus type transit, felt that the light rail transportation study should be pursued.

Mr. Stone wondered if T.C.C. would be required to purchase equipment for a demonstration program. Mr. Rude advised that 2 neighborhood buses, 1 for line haul, and 2 circulation buses would be needed. The types would be the same as would be utilized if the busway is put into service. The system as proposed would cost approximately .40 for a citizen to travel from Centerville to Dayton in about 30 minutes. The ideal ownership agency would be the Regional Transit Authority. The cost to purchase needed right of way and prepare it for the system would be approximately \$4,788,000.00. The right of way would be purchased in the name of the Federal Government. The right of way south of Hempstead Road will be leased from Penn Central Railroad Company, it will not be sold due to it's future potential in the southern area. Mr. McIntire moved that the City of Centerville endorse the further study by the Transportation Coordinating Committee of the Urban Corridor Demonstration Program to add an in-depth study of the light rail transportation concept to the existing study and to bring the terminus point into the Franklin Street, Centerville Station Road Penn Central Railroad Crossing area. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy advised that in accordance with the Centerville Charter, a Deputy-Mayor is to be selected by Council for a term of two years. Mr. Stubbs nominated Mr. Stone. Mr. McQueeney nominated Mr. McIntire. Mr. Sweetman moved that nominations be closed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion. John McIntire was selected as Deputy-Mayor by secret ballot.

Mr. McIntire nominated Mr. Sweetman as Council's Representative on the Transportation Coordinating Committee. Mr. Stone moved that nominations be closed, Mr. McQueeney seconded the motion. A roll call vote resulted in

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five ayes in favor of the motion. Mr. Sweetman abstained.

Mayor Hoy advised that there is currently a vacancy on the Personnel Appeals Board due to term expiration of David Leigh. He requested that publicity concerning this vacancy be publicized in local newspapers and that resumes of applicants be given to the Clerk of Council.

Mayor Hoy advised that there is also a vacancy on the Centerville Youth Board due to the resignation of Leonard Stubbs. Publicity concerning this will also be in the newspapers, and resumes will be directed to the Clerk of Council.

Mayor Hoy was excused from the Meeting at this time. Deputy-Mayor John McIntire presided.

Mr. Smith reported on the Planning Commission Meeting held January 4, 1972. He explained the Rezoning Request for 14 lots located on the south side of Alexandersville-Bellbrook Road directly across from the Gold Circle Store. Requested is a change from Centerville R-2 to Centerville R-4 zone classification. There being considerable opposition to this Request, the Applicant possibly will re-submit for a change to R-3 zoning instead of R-4. The Planning Commission took no action on this Request.

Mr. Smith reviewed the Rezoning Request of Inland Systems, Inc. for a change from R-1 to B-2 and EC zone classifications. The property is located on the north side of Alexandersville-Bellbrook Road just east of Loop Road. A Rezoning Request has been submitted by Marjorie Lagedrost which would, if granted, correspond her land with that surrounding it, being that of Inland Systems, Inc. The Planning Commission recommended approval of this Request by a 6 to 0 vote. The Applicant has agreed to dedicate one additional lane of right of way along Alexandersville-Bellbrook Road. The Planning Commission felt that the developer should also place a suitable sum in escrow for future construction of this additional lane. The Lagedrost Rezoning Request has been set for Public Hearing on January 25, 1972. Mr. Sweetman moved that Ordinance Number 5-72, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning 52.654 Acres, More Or Less, From Centerville R-1 Classification To Centerville B-2 And EC Classification, be set for Public Hearing on March 20, 1972. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

City Manager James Smith reviewed the Controlled Use Request of the Singer Learning Center to construct a private school in Residential District. Proposed is a Day Care Center on approximately 3.022 acres of land on Rahn Road just east of Marshall Road. Municipal Attorney Robert Farquhar has determined that a Controlled Use is not required for this construction; a school can be constructed in any zoned area. The school would accommodate a maximum of 100 students between the ages of 3 to 8 years and would operate from 7 A.M. until 6 P.M., there would be some evening sessions.

Mr. Smith advised that the Planning Commission has expressed a desire for Professional Planning Assistance for 1972. This will be incorporated into the Budget.

Mr. Smith reviewed an amendment to the Curb Cut Ordinance which would require a developer to request a curb cut prior to receiving a building and zoning permit in B-1 and B-2 zoning. The Planning Commission recommended approval of said Ordinance by a 6 to 0 vote. Mr. Stone moved that Ordinance Number 6-72, An Ordinance Amending Ordinance No. 18-69 To Provide Additional Procedures For Curb Cuts In B-1 And B-2 Districts, be set for Public Hearing

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on January 17, 1972. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Smith advised that the Planning Commission would like the Historical Society or an outside party to present the Ordinance describing the area proposed in the Architectural Preservation District to them for consideration. Mr. Sweetman moved that the Historical Society be requested to meet with the Planning Commission to provide the Commission with further knowledge of this particular area. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Smith reviewed an Ordinance to establish amended requirements and procedures for Business and Entrance Corridor Districts. Mr. Baker, a Member of the Planning Commission, indicated his concern with Section 6 and Section 7 of said Ordinance. He wondered if these Sections conflict with the Initiative Ordinance passed in 1969. Mr. Farquhar advised that the Initiative was relating to rezoning matters and neither Section 6 or 7 relate to such. Mr. Baker also wondered whether the Ordinance as proposed bestows upon the Planning Commission certain legislative powers. Mr. McIntire requested a complete clarification of this Ordinance. Council concurred to table the Ordinance for clarification from the Municipal Attorney.

Mr. Sweetman asked the City Manager for a complete breakdown on what Miami Valley Regional Planning Commission is providing for the City of Centerville.

In consideration of MVRPC's interest in the Master Plan, Mr. McQueeney moved that a representative of MVRPC be invited to the Meeting between the Historical Society and the Planning Commission in consideration of the Architectural Preservation District to provide some in-put into the matter. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Sweetman moved that Ordinance Number 7-72, An Ordinance Authorizing And Directing The City Manager To Enter Into An Agreement With Eugene R. Romer On Behalf Of The City Of Centerville To Provide Animal Warden Services To Said City And Accepting The Terms Of Said Agreement, be set for Public Hearing on January 17, 1972. Mr. McQueeney seconded the motion. This proposed Ordinance provides for the authorization of an agreement including a monthly fee of \$100.00 per month instead of \$90.00 per month. A roll call vote resulted in four ayes in favor of the motion. Mr. Stubbs was not present for this item of business.

Mr. Farquhar suggested that a Council Committee meet with him to consider an amendment to Ordinance Number 39-71, An Ordinance Amending Ordinance Number 12-1966 By Providing Additional Regulations For Lot And Site Improvements. He recommended that the suggestions previously outlined by the Home Builders Association of Metropolitan Dayton be considered along with those submitted by Mr. Gene Cronk. Deputy-Mayor John McIntire referred this matter to the Public Health and Safety Council Committee. He suggested and Council concurred that the Clerk of Council make appropriate notations to remind this Council Committee of this task, when the Committees have been reorganized.

Mr. Farquhar advised that the Codification of City Ordinances is completed up to Chapter 16 and has been referred to the City Manager for review. He suggested that the Code be reviewed by Council in sections.

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While the Poll of Council Members was taken, the following comments were received.

Mr. Stubbs wondered about the Meeting held Thursday Evening by various Civic Associations relative to the Red Coach South Park. Mr. McIntire suggested that the City Manager acquire information concerning the development of the Park.

Mr. Sweetman inquired of the City Manager his progress concerning additional Municipal Facilities. He will have a report at the next Council Meeting.

Mr. McIntire recommended that the City of Centerville consider entering into an agreement with the City of Dayton to own the Penn Central Right of Way when and if acquisition of such occurs in the Centerville, area.

The Meeting was then adjourned.

Approved:

Paul H. Gray

Mayor

ATTEST:

Marie J. McLaughlin

Clerk of Council