

# The Regular, Scheduled Meeting of the Council of The Village of Marble Cliff

At 1600 Fernwood Ave.

October 19, 2015

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, October 19, 2015 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were: Council Members: Matthew P. Cincione, John F. Kukura III, Linda J. Siefkas, Robert W. Sterneker, Kendy A. Troiano and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Mitchel Banchefsky; Village Engineer, Joshua Ford; Administrative Assistant, William Johannes;. Visitors were present.

Fiscal Officer, Cynthia A. McKay, was excused.

## VISITORS

Mayor Studebaker introduced Dan Schmidt, representing the owner of 2015 W. Fifth Ave., to present revised plans for redevelopment of 2015 W. Fifth Ave.

Mr. Schmidt introduced Jonathan Barnes, the architect working on development plans for 2015 W. Fifth Ave., and asked him to review the drawings distributed to Council. Mr. Barnes stated the plans include 58 total units with 76 "beds" and 85 parking spaces which include 4 handicap spaces. He stated half of the parking is below grade and unseen.

Mr. Barnes reviewed all four levels of living space. The below grade parking elevates the living floors a half level above grade. Mr. Barnes also reviewed the elevation drawings and discussed the building materials identified in the drawings.

Mr. Kukura commented that the proposed development is still almost 5 stories. Mr. Barnes explained that the parking is below grade so the overall height of the buildings is less than a five story building. Mr. Voelker noted that two units had been eliminated. Mr. Barnes confirmed that two units were eliminated on the upper story. Mr. Barnes confirmed that the overall height of the building is 49 feet.

Mr. Cincione asked if they considered a roof with a pitch similar to the existing building. Mayor Studebaker commented that flat roofs are rare in the Village. He commented that the design does not include the architectural detail and interest typically found in Marble Cliff. Mr. Barnes stated the flat roof allows for more units without going significantly higher.

Ms. Troiano stated her opinion that there are too many units on a small piece of property. She stated she is also concerned about the impact on traffic. Ms. Troiano stated the feel is similar to Jeffrey Place and has an institutional feel rather than a residential feel. Mr. Barnes confirmed that the upper floors have balcony space. Ms. Siefkas stated the development feels "closed off" rather than "inviting in." Mayor Studebaker commented that aesthetics are very important to the Village and outweighs the developer's desire for density. Mr. Cincione echoed some of Mayor Studebaker's comments and added that a pitched roof might have a better look even if it resulted in a higher building.

Council asked Mr. Schmidt to take the design comments of Council and consider revising the design. Mr. Kukura said he believes the density and size of the project is too large.

Mayor Studebaker invited comments from visitors. Alexandra Palay Harned, President of the Owners Association at French Quarter, stated that Council had spoken to all of her concerns about the size, density and design of the proposed development. Michelle Manning, 2000 W. Fifth Ave., stated that Council addressed many of her concerns but added that the possibility of up to 75 additional cars on W. Fifth Ave. at rush hour is of concern to her.

## CONSENT AGENDA

- 1) Receive - Mayor's Court Report, September, 2015
- 2) Receive - Police Report, July and September, 2015
- 3) Receive - Fire Dept. Report, September, 2015
- 4) Receive - Building permits issued in September, 2015
- 5) Approval - Minutes of the regular, scheduled meeting of September 20, 2015
- 6) Approval - Financial Statements for September, 2015
- 7) Receive - Village Income Tax Report - \$117,483.88
- 8) Receive - Thank you note from Allison Voelker, Falco Scholarship Recipient

**Mr. Voelker moved approval of the Consent Agenda. Mr. Sterneker seconded. The Consent Agenda was approved unanimously.**

### ENGINEER'S REPORT

Mr. Ford reported that the beams are in place on the new W. Fifth Ave. bridge. The completion date is December 12<sup>th</sup>. Mr. Ford also commented that the electrical work required by the new bridge and performed by AEP is complete and the pavement at the intersection of W. Fifth Ave. and Dublin Rd. has been restored.

Mr. Ford reported Columbia Gas is still working in the Village to connect properties that were not connected during the main project. Mr. Ford plans to meet with Columbia Gas to review the current project and to prepare for the 2016 Phase 3 project which will replace gas lines on Village Court and Cambridge south of First Ave.

Mr. Ford explained that some of the properties on Cambridge were tied into an old line behind the properties. Columbia Gas returned to the Village to hook those properties on to the new, medium pressure line. Mayor Studebaker commented that similar work was required on Roxbury Rd. south of Cardigan.

Mr. Ford reported that the preparatory work for the sidewalk project is complete and the work to pour new panels and to lift and grind other panels will begin in the next few weeks.

Mayor Studebaker introduced the first reading of R-2477-15, A Resolution, and declaring the necessity to repair certain sidewalks, gutters and driveway aprons in the village of Marble Cliff and confirming the costs of such repairs to be charged to the owner of property located at 1350 Arlington Ave., in accordance with Section 92.03 of The Codified Ordinances and the Sidewalk Policy of the Village of Marble Cliff adopted by Village Council on October 15, 2012, and declaring an emergency.

**Ms. Troiano moved the rules be suspended. Mr. Voelker seconded. The motion passed unanimously. Mr. Sterneker moved the adoption of R-2477-15. Ms. Troiano seconded. The motion passed unanimously. Ms. Siefkas moved the ordinance be adopted as emergency legislation in order to complete the repairs immediately for the health and safety of Marble Cliff residents and visitors. Ms. Troiano seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Mr. Sterneker, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.**

Mr. Ford distributed the revised street light plan showing a total of 62 lights. Mr. Ford explained the symbols on the plan showing new lights, moved lights and lights to be replaced with different styles of light and locations that will remain the same. The plan is designed to address dark spots. Mr. Cincione suggested the coverage on the circle on Village Court could light the circle to support evening activities on the circle.

Ms. Siefkas said she appreciates the balance on the street. Mr. Sterneker suggested that Arlington Ave. might need a little more light. Ms. Troiano concurred. Mr. Ford and Mr. Johannes agreed to review Arlington Ave. between Cardigan and W. Fifth Ave. Mr. Johannes reminded Council that the new LED lights will be brighter and they will be directed down.

Mayor Studebaker asked Council to review the plan and get comments to Mr. Johannes so the bidding process can move forward. Mr. Ford said the plan is to have the project bid by the end of the year and construction in late winter, spring and summer of 2016.

Mr. Ford left the meeting at this point.

### SOLICITOR'S REPORT

Mr. Banchefsky had no report for Council.

### ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes reported curb side leaf pick-up will begin on Monday, October 26<sup>th</sup>.

### APPROVAL OF BILLS

**Ms. Troiano moved approval of the October 2015 bills totaling \$64,569.10. Mr. Voelker seconded. The motion passed unanimously.**

**Mr. Kukura moved approval of the amended September 2015 bills totaling \$95,038.42. Ms. Troiano seconded. The motion passed unanimously.**

#### FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2478-15, 2016 ANNUAL APPROPRIATION ORDINANCE.

No action was taken

Mayor Studebaker introduced the first reading of R-2479-15, A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

**Mr. Voelker moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Mr. Kukura moved the adoption of R-2479-15. Mr. Voelker seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Mr. Sterneker, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.**

#### COUNCIL MEMBER REPORTS

Ms. Troiano reported the GH Parks and Recreation Board will be holding a meeting for public input on the swimming pool. The meeting will be held in the Middle School Commons at 7:00 pm on Wednesday, October 21<sup>st</sup>.

Ms. Troiano stated Start Talking Grandview did not meet this month.

Ms. Troiano state the Collaborative Work Group has not met in several months.

#### OLD BUSINESS

Mayor Studebaker introduced the second reading of O-2475-15, An Ordinance to add Chapter 36 to the Codified Ordinances of the Village of Marble Cliff regarding Municipal Income Tax.

Mr. Banchefsky stated the ordinance is state mandated. The Village must pass the legislation by December 31, 2015. Mr. Banchefsky and Ms. McKay are reviewing the City of Columbus statute and will have a full report and recommendations for the Council to approve at the December meeting. Mr. Banchefsky stated that he anticipates there will be necessary amendments going forward as statewide language are modified.

Mr. Banchefsky explained that tax rates and procedures will generally remain unchanged.

No action was taken

#### NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2480-15, An Ordinance authorizing an agreement with Charles Kelsey to provide Mayor's Court Magistrate Services for a one-year period from January 1, 2016 Through December 31, 2016.

No action was taken

Mayor Studebaker introduced the first reading of O-2481-15, An Ordinance authorizing the expenditure of \$3,500 for the 2015 Village Holiday Party and \$1,000 for holiday decoration of Village green spaces.

**Mr. Sterneker moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Mr. Voelker moved the adoption of R-2477-15. Mr. Kukura seconded. The motion passed unanimously.**

Council established December 7<sup>th</sup> as the date for the Holiday Party. Mr. Cincione stated he will ask Joanne Taylor to chair the party committee. Mr. Sterneker said he will coordinate the installation of the holiday lights.

Council agreed to change the regular December Council meeting from December 21<sup>st</sup> to December 14<sup>th</sup>.

Mr. Sterneker expressed concern about the process the Village is following for redevelopment of 2015 W. Fifth Ave. He stated a concern about the work being done without a level of approval from Council. Mayor Studebaker stated that the developer understands the full process and they want to have some level of conceptual approval from Council before moving forward with the formal process. Mayor Studebaker stated he met with the architect at the Grandview Building Department to review the plan and expressed his opinion that the design as presented at that meeting and this evening would not be received favorably by Council

Mr. Banchefsky commented that in a larger community this process would be going on through staff. Then it would go to a building commission for review before moving it to Council. Because the Marble Cliff Council sits as a committee of the whole it is more involved in this phase than other communities.

Mr. Sterneker stated his opinion that the current design is "way off" anything that the Council will approve. He stated his hope that the developer understands his position. Mr. Cincione stated his opinion that the developer understands that Council is not sold on the design. Mayor Studebaker stated his opinion that no one on Council should feel guilty about the work the developer is doing. He also said that the Council is free to say that no good progress is occurring and the developer should step away.

Ms. Siefkas stated that the current homeowner is not doing anything in the way of maintenance. Council agreed that what is happening now is demolition by neglect.

Mr. Cincione said it is worth moving forward with a "let's see what comes of discussions." Council expressed concern about the process the owner should undertake in closing the building and letting it deteriorate further. Mr. Banchefsky will investigate requirements for closing the building.

Mayor Studebaker reported Grandview Heights Mayor Ray DeGraw has approached the Village about negotiating a new service contract prior to the end of the current contract period which is December 31, 2016. Mr. Banchefsky explained that the current Council cannot bind a future Council by passing a contract that would begin in 2017. Mr. Banchefsky recommended an ordinance be brought for a first reading in January, 2016. Mayor Studebaker explained that a proposal from Grandview Heights is the only proposal that the Council will consider in light of the previous contract negotiation process. Mayor Studebaker stated he and Mayor DeGraw are considering a 10 year contract with no change in services. The contract amendment that added prosecutor services will be incorporated into the base contract. The proposed yearly increases would be based on the anticipated yearly increases in Grandview Heights' in personnel costs. The increase for 2016 will be 3.25%. The proposed increases for the next contract are 4% in 2017, 4.2% in 2018, 4.4% in 2019-2022, and 4.5% in 2023-2026.

Ms. Troiano asked Mayor Studebaker to restate the basis for the percentage increases. Mayor Studebaker stated the increases are based on the anticipated negotiated salary and benefit contracts with Grandview personnel. In 2012 the contract cost was reduced by 5%; the actual was a 2.6% increase. Grandview's actual cost increase in 2013 was 2.8% and the contract increase was 3%. The actual in 2014 was 6.01% and the contract increase was 3.2%. Grandview's expected increase for 2015 is 11.9%; the contract increase for 2015 is 3.25%. The anticipated increase in cost for Grandview for 2016 is 3.8% and the current contract has an increase in cost of 3.25%. The contract does not include costs for capital expenses.

All the figures and calculations will be made available for Council review in advance of formal consideration of the proposed contract. The proposed language includes the option for reexamining the agreement under certain circumstances such as changes mandated from the state that impact Village revenue or the establishment of an area fire district.

Mr. Kukura commented that he is pleased the Village's financial situation and the manner in which the Village is moving forward with the new street lights, sidewalk improvements, street improvements and sewer improvements. Ms. Siefkas encouraged Council to consider ways to make use of the Village's resources to continue Village improvements. Mayor Studebaker stated his pleasure with the Council's history of balancing wise fiscal practices with forward thinking utilization of resources to improve the infrastructure and aesthetics of the community.

ADJOURN

**Ms. Troiano moved the meeting be adjourned. Mr. Sterneker seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 9:10 PM.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer