

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

At 1600 Fernwood Ave.

December 19, 2016

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, December 19, 2016 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were: Council Members: Matthew P. Cincione, John F. Kukura, Linda J. Siefkas, Joanne C. Taylor, Kendy A. Troiano, and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Yazan S. Ashrawi; Village Engineer, Joshua Ford; Administrative Assistant, William C. Johannes; and Fiscal Officer, Cynthia A. McKay. Visitors were present.

## PERMITS AND VARIANCES

Mr. Ashrawi asked all in attendance who intended to offer testimony on either of the variance requests before council to stand and be sworn in. Mr. Ashrawi asked, **“Do you swear or affirm that the testimony that you will give before the Marble Cliff Council in this variance hearing will be the truth and the whole truth and nothing but the truth?”** Those standing responded **“Yes.”**

Mayor Studebaker introduced Zach Miller, manager of Landfare Landscaping, representing Michael and Michelle Leach. Mr. Miller explained the Leachs' request to approve the installation of an in-ground spa. He explained that the Leachs have decided not to install a swimming pool as previously requested and approved, but to install only a spa / hot tub. Ms. McKay explained that the location of the proposed spa does not require approval or variance, but Village Code requires Council approval of a spa / hot tub.

Mr. Miller reviewed the proposed landscaping as well as the existing landscaping that provides screening to the neighboring properties.

Ms. McKay reported that no comments in favor of or opposition to the request were received at Village Hall.

**Mr. Cincione moved the two actions taken by Council at its September 19, 2016 meeting approving an in ground swimming pool, a lot coverage variance, a side yard setback variance, a fence variance and a side yard structure variance be set aside and approval of the request submitted by Michael and Michele Leach to install an in ground spa / hot tub on their property located at 1449 Arlington Ave. in the village of Marble Cliff. Mr. Voelker seconded. The motion passed unanimously.**

Mayor Studebaker introduced Shawn Rine, representing Aly and Dan Sullivan. Mr. Rine reviewed the latest plans for construction of a fence and wall on the Sullivans' property at 1410 Arlington Ave. (See minutes from September, October and November regarding earlier plans and discussions.)

Mr. Rine explained that the newest plans call for construction of a new retaining wall four feet west of the eastern property line of 1420 Arlington Ave. The retaining wall will replace an existing retaining wall which has deteriorated over many years and which curves onto and off of the property at 1389 Cambridge Blvd. Portions of the wall on the property at 1389 Cambridge Blvd. will be left untouched.

The Sullivans are requesting a variance for a five foot fence to be installed nine inches east of the new wall. Mr. Rine explained that some backfill will be added on the east side of the wall only on the Sullivan property. The new fence will be installed at the existing grade established by the current wall.

Mr. Rine confirmed that a survey has been completed and the property lines shown on the newest drawing are accurate. Mayor Studebaker asked about the length of fence having seen several different lengths over the past months. Mr. Rine said the design shown on the plan submitted for the December meeting is the length that the Sullivans want.

Council asked that Mr. Rine provide drawings that show the proposed wall and fence from all directions including a cross section showing the proposed fence and the grade at which the fence will be installed relative to existing grade. Because the design has changed over the past months, Council also asked that a revised variance application be submitted.

Mr. Cincione said he understands what is being requested, but asked to hear from Mr. and Ms. Sichko. Ms. Sichko stated they have discussed the last proposal with their landscape architect. However she has just received the newest proposal and has not had an opportunity to review the request. She stated their concern continues to be maintaining their natural view and she and Mr. Sichko would like to continue to investigate options that would be mutually agreeable between the neighbors.

Mr. Ashrawi stated that a new variance with drawings adequate for Council to make the necessary decision must be submitted for Council consideration.

## CONSENT AGENDA

- 1) Receive - Mayor's Court Report, November, 2016
- 2) Receive - Fire Dept. Report, November, 2016
- 3) Receive – No Building permits issued in November, 2016
- 4) Approval - Minutes of the regular, scheduled meeting of November 20, 2016
- 5) Approval - Financial Statements for November, 2016
- 6) Receive - Village Income Tax Report – \$121,564.32

**Ms. Siefkas moved approval of the Consent Agenda. Ms. Troiano seconded. The Consent Agenda was approved unanimously.**

### MAYOR'S REPORT

Mayor Studebaker reported that the Dueser property on W. Fifth Ave. is in contract. He had no other details.

Mayor Studebaker reported that he attended a meeting to discuss the possible development of a circulator bus to serve the Grandview Yard, Marble Cliff and areas of Columbus and Grandview Heights between the two end points.

Mayor Studebaker reported he is in communication with John Royer regarding the development of W. Fifth Ave. He hopes to have a report after the first of the year.

Mayor Studebaker introduced a request from Burgess & Niple to cover un-anticipated costs associated with the Cardigan Ave. Waterline Project including permitting cost for railroad access, additional costs associated with the hardness of the rock that limited the daily progress and review fees and requirements from the City of Columbus.

**Ms. Siefkas moved approval of the request from Burgess & Niple for an additional, not to exceed amount of \$7,500 in engineering costs for the Cardigan Ave. Waterline Project. Ms. Taylor seconded. The motion was approved unanimously.**

### ENGINEER'S REPORT

Mr. Ford reported work on the Dublin Rd. and Cardigan Ave. Waterlines Project continues. The main line is done and the chlorination has been completed. Final hook-ups to the new line will be done as can be scheduled with the contractor and the City of Columbus.

Mr. Ford reported the City of Columbus has been investigating the problems the Village experienced in early December when water was cut off to repair a valve. The valves located at the corners of Cambridge Blvd. and Third Ave. and Cambridge Blvd. and First Ave. which are designed to allow water to flow from Grandview into Marble Cliff had been closed, but are now open and functioning. A valve at Fifth Ave. and Cambridge Blvd. is broken and will not open when the Village loses water pressure. The Village should not experience a complete loss of water in the future.

Mr. Ford reported the plans for the W. Fifth Ave. multi-use path are complete. Upper Arlington will handle the advertising and bid process.

Mr. Ford reported he and Ms. McKay will meet with Upper Arlington to discuss working together for the 2017 street paving project. Streets included in the project will be Cardigan Ave., Roxbury Rd north of Cardigan Ave., Fernwood Ave., and Third Ave. west of Arlington Ave.

Mr. Ford reported that Tip-Dan is working to correct the problem with the photocell on the north controller of the street light system.

Mr. Ford left the meeting at this point.

### SOLICITOR'S REPORT

Mr. Ashrawi reported he has begun work on the paperwork on the easement at 1600 Dublin Rd. which is necessary for the multi-purpose trail that will be completed in 2017.

### ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes stated that EMI will be making another trip through the Village to complete leaf pick-up for the season. The work will be completed as soon as the weather permits.

### APPROVAL OF BILLS

**Mr. Kukura moved approval of the December 2016 bills totaling \$143,098.32. Ms. Troiano seconded. The motion passed unanimously.**

### FISCAL OFFICER'S REPORT

Ms. McKay introduced the proposed meeting schedule for regular Council meetings for 2017.

**Mr. Voelker moved approval of the proposed 2017 Village Council Meeting Schedule as follows:**

<b>Monday, January 23, 2017</b>	<b>Monday, July 17, 2017</b>
<b>Monday, February 20, 2017</b>	<b>Monday, August 21, 2017</b>
<b>Monday, March 27, 2017</b>	<b>Monday, September 18, 2017</b>
<b>Monday, April 17, 2017</b>	<b>Monday, October 16, 2017</b>
<b>Monday, May 15, 2017</b>	<b>Monday, November 20, 2017</b>
<b>Monday, June 19, 2017</b>	<b>Monday, December 18, 2017</b>

**Ms. Taylor seconded. The motion was passed unanimously.**

**Mr. Kukura moved the Fiscal Officer be instructed to process and pay all routine bills received prior to year-end. Ms. Troiano seconded. The motion passed unanimously.**

Ms. McKay asked Council to consider signing up for direct deposit for their paychecks. Information for sign-up will come from Arlington Bank.

### COUNCIL MEMBER REPORTS

Ms. Taylor reported the Holiday Party was a success and many positive comments were received regarding the pot luck format. The food was good and it was plentiful. Mayor Studebaker reported that several families appreciated having the full dinner for their children. Leftover chicken and cookies were delivered to the police and fire departments.

Ms. McKay presented a final report of expenses for the 2016 Holiday Party including information regarding reservations and distribution of leftover materials and food. Ms. McKay reported that 5 boxes of donated toys were delivered to the Grandview Heights Fire Department for their "Fire Fighters for Kids" program.

### OLD BUSINESS

Mayor Studebaker introduced the third reading of O-2515-16, An Ordinance authorizing an agreement with Charles Kelsey to provide Mayor's Court Magistrate Services for a one-year period from January 1, 2017 Through December 31, 2017.

**Ms. Siefkas moved the approval of Ordinance O-2515-16. Mr. Cincione seconded. The motion passed unanimously.**

Mayor Studebaker introduced the third reading of O-2516-16, An Ordinance to make appropriations for Current Expenses and other Expenditures of the Village of Marble Cliff, State of Ohio, during the fiscal year ending December 31, 2017.

**Ms. Troiano moved the approval of Ordinance O-2516-16. Mr. Voelker seconded. The motion passed unanimously.**

Mayor Stuebaker introduced the third reading of O-2517-16, An Ordinance authorizing the Mayor and Fiscal Officer to enter into an agreement with Curtin & Associates for the audit and review of income tax policies and accounts of the Village of Marble Cliff.

**Ms. Troiano moved the approval of Ordinance O-2517-16. Ms. Taylor seconded. The motion passed unanimously.**

Mayor Stuebaker introduced the second reading of O-2518-16, An Ordinance authorizing the Mayor and Fiscal Officer to enter into a contract for professional legal services with Frost Brown Todd, LLC for a one-year period from February 1, 2017 to January 31, 2018.

No action was taken on the ordinance

Mayor Stuebaker reported that staff is working on a “refresh” for Village Hall including paint, carpet, flooring and furniture for the fiscal officer office. Staff is moving forward with the technology improvements for Council chambers.

Council discussed various technology options.

Mayor Stuebaker congratulated Council on a productive year and thanked each for their service to the community.

ADJOURN

**Ms. Troiano moved the meeting be adjourned. Mr. Kukura seconded. The motion passed unanimously. Mayor Stuebaker adjourned the meeting at 8:55 PM.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer