

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

At 1600 Fernwood Ave.

January 23, 2017

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, January 23, 2017 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were: Council Members: Matthew P. Cincione, 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.

Ms. Troiano moved Mr. Kukura be excused. Mr. Voelker seconded. The motion passed unanimously.

ORGANIZATION OF COUNCIL

Ms. Troiano nominated Matthew P. Cincione to serve as President Pro Tem of Council for 2017. Mr. Voelker seconded the nomination. Roll Call: Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes; Mr. Cincione, yes. Mr. Cincione was elected President Pro Tem of Council with 5 votes in favor, 0 opposed.

PERMITS AND VARIANCES

Mr. Ashrawi asked all in attendance who intended to offer testimony on 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 Shawn Rine, representing Aly and Dan Sullivan, to present revised plans and application for two fence variances for the property at 1410 Arlington Ave. Mr. Rine reviewed the drawings attached to the revised variance application and answered questions from Council members regarding location, length and distance from the property line of the proposed fence along the east property line. Mr. Rine confirmed the fence will be five feet above the existing grade established by the existing retaining wall. It will be located slightly over 1 ft. west of the property line and will extend 3 panels south of the “play house” shown on the submission drawing.

Ms. Sichko expressed concerns about drainage. Mr. Rine explained the construction will include standard drainage materials that will permit water to run off the Sichko property. Mr. Rine also said the existing ground cover will remain undisturbed.

Ms. Sichko asked if the portions of the existing stone wall on their property will be removed. Mr. Rine stated only stone on the Sullivan property will be removed for reuse. Mayor Studebaker reminded Mr. Rine that no construction or deconstruction can take place on the Sichko property.

Ms. Taylor expressed her concern that Mr. and Mrs. Sullivan and Mr. and Mrs. Sichko did not meet face to face to address their differences. Ms. Sichko explained that schedules had not permitted such a meeting.

Ms. Sichko reviewed the landscaping plan for their property developed by their landscape architect.

Ms. Siefkas expressed her regret that the two property owners had not found a compromise. Ms. Troiano stated that Council’s responsibility is to act on the request as submitted. Ms. Sichko expressed her concern that there have been attempts at reconciling the options, but she noted that the Sullivan’s proposal keeps changing.

Mayor Studebaker noted that a plan approved by Council is the maximum that can be done. The property owners are free to negotiate a reduction in the length of the fence. Mr. Voelker asked if Council could approve a variance with Council mandated changes. Mr. Ashrawi said Council could approve a plan with a change such as reducing the length of the fence.

Mr. Rine explained his understanding of the view of fence and trees from the Sichko property. Council had a general discussion of the impact of the proposed fence on various views on the Sichko property.

Mr. Cincione moved approval of the request submitted by Aly Sullivan for the installation of a 5 foot high, wooden fence on the north property line for 45 feet along the north property line from the northeast corner of the property at 1410 Arlington Ave. A portion of which the proposed fence will extend in front of the northeast corner of the existing structure located on the property as shown in the Application for Variance. Ms. Troiano seconded. The motion passed unanimously.

Mr. Cincione moved approval of the request submitted by Aly Sullivan for the installation of a 5 foot high, wooden fence on the east property line for approximately 132 feet along the east property line from the northeast corner of the property located at 1410 Arlington Ave. as shown in the Application for Variance. Ms. Troiano seconded. The motion passed 4 in favor and 1 opposed.

Council had a discussion about the Council's role in dispute resolution between neighbors and facilitating resolution of conflicts that arise related to variance requests.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, December, 2016
- 2) Receive – Police Report, November and December 2016
- 3) Receive - Fire Dept. Report, December, 2016
- 4) Receive –Building permits issued in December, 2016
- 5) Approval - Minutes of the regular, scheduled meeting of December 19, 2016
- 6) Approval - Financial Statements for December, 2016
- 7) Receive - Village Income Tax Report – \$226,239.51

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

MAYOR'S REPORT

Mayor Studebaker reported he attended the quarterly Tri-Village Economic Development meeting. The group asked for input from each community about current and future economic development activities within each community. The featured speaker was from Columbus 20/20. She presented information about support opportunities and resources that may be available to suburban communities through Columbus 20/20. Mayor Studebaker said he plans a follow up meeting with the Columbus 20/20 representative.

Mayor Studebaker reported there has been some interest shown in leasing space on the second floor of 2300 W. Fifth Ave. He said he is not able to share any details at this time.

Mayor Studebaker reported he has received confirmation that PDS Planners with offices at 2200 W. Fifth Ave. plan to remain at their current location for at least another two years.

Mayor Studebaker reported that 1943 W. Fifth Ave. is sold. Renew Wellness will be occupying the space and bringing up to 8 new employees to the Village.

Mayor Studebaker reported he had another conversation with the owner of 2015 W. Fifth Ave. regarding options for the property. Mayor Studebaker also reported he has had two recent inquiries from developers regarding the redevelopment of the property,

Mayor Studebaker reported he has asked Mr. Kukura to chair the Falco Scholarship Committee. He has not received a response from Mr. Kukura as of this date.

ENGINEER'S REPORT

Mr. Ford reported the main tie in for the new water line at Dublin Rd. and Cardigan Ave. was completed over the weekend. The Village did not experience any interruption of service while the work was being completed. Restoration, except for landscaping and final pavement repair is complete.

Mr. Ford reported the bid opening for the W. Fifth Ave. multi-use path will take place on January 25th. There are currently 5 plan holders. The bid requires that the work be completed within 90 days of the start date.

Mr. Ford reported he and Ms. McKay met with Upper Arlington to discuss the 2017 street paving project. The project will be bid in March.

Mr. Ford reported that Tip-Dan has repaired a loose wire in the street light control panel which should correct the problems the Village has been experiencing with the street lights in the north of W. Third Ave.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi reported he is continuing to work with the attorney for the property owner of 1600 Dublin Rd. to finalize the easement language for the W. Fifth Ave. multipurpose trail. He said he is not anticipating any problems with finalizing the easement.

ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes reported a COTA bus hit a street light pole at the corner of Roxbury Rd. and W. Fifth Ave. Mr. Johannes is working with COTA to submit a claim for reimbursement to the Village. However, COTA has informed Mr. Johannes that they will only pay the Village's insurance deductible and will not be responsible for any cost of replacement beyond the deductible.

APPROVAL OF BILLS

Mr. Voelker moved approval of the January 2017 bills totaling \$76,978.00. Ms. Taylor seconded. The motion passed unanimously.

Ms. Troiano moved approval of the amended December 2016 bills totaling \$165,595.29. Mr. Voelker seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2519-17, An Ordinance to amend Ordinance O-2516-16 (2017 APPROPRIATION ORDINANCE) to increase the appropriation for the Transfer Out Line Item (1000-910-910-0000) by \$87,000.00 to \$220,295.00

Mr. Cincione moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Mr. Cincione moved the approval of Ordinance O-2519-17. Mr. Voelker seconded. The motion passed unanimously.

Ms. McKay reported she has completed all the year-end financial closing procedures and all reports have been filed with the state and the county as required.

Ms. McKay reported that Council members who signed up for auto-deposit of their pay checks will receive their January pay checks in their personal accounts on January 24th or 25th. She asked that they contact her if their payments are not received by January 25th.

Ms. McKay reported the painting, carpeting and electronics installation should be complete by the February Council meeting.

OLD BUSINESS

Mayor Studebaker introduced the third 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.

Ms. Troiano moved the approval of Ordinance O-2518-16. Ms. Siefkas seconded. The motion passed unanimously.

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2520-17, An Ordinance providing for additional legal counsel for the Village of Marble Cliff, Ohio, authorizing the

employment of Public Defenders in connection with the defense of indigent defendants charged in criminal and traffic cases in the Municipal Court of Franklin County, Ohio, setting compensation of said assistants, authorizing the Mayor to enter into a contract with the Franklin County Public Defender Commission to accomplish such purposes.

Mr. Voelker moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Ms. Troiano moved the approval of Ordinance O-2520-17. Mr. Cincione seconded. The motion passed unanimously.

Ms. Troiano reported she has been traveling for business and noting how other communities expand their “branding” to establish a uniform look throughout. She suggested the Village needs to paint and upgrade poles. Mr. Johannes reported he is working on inventorying poles in the Village with a plan to paint and upgrade poles for a unified look. Ms. Troiano also suggested the Village investigate opportunities to focus attention to Marble Cliff such as enhanced welcome markers at Village entrances. Council had a discussion of opportunities to expand and enhance Village branding.

Mr. Voelker reported a resident reported there have been a few unexplained wild and domestic animal deaths in the Village. Council asked staff to issue a blast email reminding residents that pets should not be allowed to run unsupervised and wild animals should not be fed.

ADJOURN

Mr. Voelker moved the meeting be adjourned. Mr. Cincione seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:40 PM.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer