

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

At 1600 Fernwood Ave.

July 17, 2017

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, July 17, 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. No representatives of the press were present.

Ms. Troiano moved Mr. Kukura be excused. Ms. Siefkas seconded. The motion was approved unanimously.

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 a request for a front yard setback and front yard structure variance for 1261 Cambridge Blvd. and introduced Patrick Youssef, owner of 1261 Cambridge Blvd.

Dr. Youssef explained that he and his wife believe the appearance of the front of their house will be improved by the additional of a covered porch. Ms. McKay reported the office has not received any comments in favor of or opposition to the variance request. Dr. Youssef stated he has reviewed the plans with his neighbors and has not received any opposition to the plans or the variance request.

Mr. Voelker moved approval of the request submitted by Patrick Youssef for a front yard structure variance and a front yard setback variance to permit construction of a new covered 10x10 front porch centered on the front door on the front of the existing home at 1261 Cambridge Blvd. in the Village of Marble Cliff. The proposed structure will be permitted to encroach 10 feet into the required setback as shown in the Application for Variance. Ms. Taylor seconded. The motion passed unanimously.

Mayor Studebaker introduced a request for sign variances from DaNite Sign for a wall sign at 2079 W. Fifth Ave.

Ms. McKay presented letters sent to DaNite Sign and the property owner regarding the status of their sign permit request and encouraging either the sign company or the property owner to attend the July Council meeting. She reported she has not received a response to the letters nor has the office received the permit fee required by Village Code. Ms. McKay confirmed that the wall sign which had been installed at 2079 W. Fifth Ave. without the property owner or business owner obtaining the necessary variance and permit has been removed at the request of the Village.

Mayor Studebaker reminded Council that the Council approved the request to reface the existing monument sign at its regular meeting in May. Approval of the requested window sign was also approved based on the fact that code is silent on the question of window signs in the B-2-Central Business District.

Mr. Cincione moved denial of the variance request from DaNite Sign for permission to install an exterior wall sign at 2079. W. Fifth Ave. Ms. Troiano seconded. The motion passed unanimously.

Council had a brief discussion about regulating window signs in the B-2 Central Business District and R-1 Residential District. Council directed staff to develop draft code language for restriction/regulations for business advertising through window signs.

VISITORS

Resident Don Plas was present. He did not express a desire to address Council.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, June, 2017
- 2) Receive – Police Report, June 2017
- 3) Receive – Fire Report, June 2017
- 4) Receive –Building permits issued in June, 2017
- 5) Approval - Minutes of the regular, scheduled meeting of June 19, 2017
- 6) Approval - Financial Statements for June, 2017
- 7) Receive - Village Income Tax Report – \$132,721.29
- 8) Receive – Scholarship thank you notes – Smith, Smith and Taylor

Ms. McKay presented several corrections to the minutes of the regular, scheduled meeting of June 19, 2017. The corrections included a typo and a clarification.

Mr. Voelker moved approval of the minutes of the regular, scheduled meeting of June 19, 2017 as corrected. Mr. Cincione seconded. The motion was approved unanimously

Mr. Voelker moved approval of the Consent Agenda with the corrected minutes of the regular, scheduled meeting of June 19, 2017. Mr. Cincione seconded. The Consent Agenda was approved unanimously.

MAYOR'S REPORT

Mayor Studebaker reported he has spoken with a business which is considering moving into the second floor of 2300 W. Fifth Ave. Handicapped access continues to be an issue with the building. The property owner and potential tenant are continuing to consider options to install an elevator. The Village has previously had discussion with the property owner regarding opportunities for the Village to assist the property owner with the cost of building updates to provide handicap accessibility. The property owner has not returned to the Village for additional discussions. Business representatives have asked the Village to consider tax incentives for their relocation. Mayor Studebaker explained that the Village might consider tax incentives or financial aid to address the handicap accessibility issues but not both.

ENGINEER'S REPORT

Mayor Studebaker introduced the first reading of O-2537-17, An Ordinance Amending Ordinance O-2525-17 confirming the City of Upper Arlington's acceptance of a bid for the 2017 Street Maintenance Project and accepting the agreement for cost sharing for the Project and declaring an emergency.

Mr. Ford explained the ordinance corrects the final, correct cost estimate for the 2017 Street Maintenance Project.

Ms. Siefkas moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2537-17. Ms. Taylor seconded. The motion passed unanimously.

Mr. Voelker moved the ordinance be adopted as emergency legislation in order to move ahead with the project immediately for the health and safety of Marble Cliff residents and visitors. Ms. Taylor seconded. Roll call: Mr. Cincione, yes; Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

Mr. Ford reported he and Ms. McKay have been meeting with representatives of Upper Arlington, Columbus, Grandview Heights and Franklin County to address ongoing concerns about the ownership and maintenance of the Franklin County Main sanitary sewer. The sewer runs along Riverside Drive/Dublin Road from Fishinger Rd. in Upper Arlington to the sanitary sewage treatment plant on Dublin Rd. The line was installed in the 1920's. The cost of the construction was shared between the municipalities served by the line. However, there is no record of ownership or maintenance responsibility being transferred from Franklin County to any of the jurisdictions through which the line passes.

The communities are discussing options to ensure the line is maintained into the future. One option under consideration is to transfer maintenance to the City of Columbus. Mr. Ford commented that any transfer of ownership would require that the line be in

acceptable condition prior to transfer of ownership.

Ms. McKay reported the Village's historical position is that the Village does not own the line and is not responsible for maintenance. Ms. McKay stated that the discussions are not based on a specific problem, but rather are to proactively address a potential problem. Grandview Heights has already taken responsibility for maintenance of the portion of the line which passes through their jurisdiction.

Mr. Ford reported that it is difficult for one jurisdiction to confirm the level of maintenance being performed by another jurisdiction. Mr. Voelker commented that the condition of the line both upstream and downstream of the Village can impact the Village. Mr. Ford confirmed that having one jurisdiction maintain the line has advantages and the City of Columbus has the necessary equipment and expertise to maintain the line.

The next meeting is scheduled for August 6, 2017.

Mr. Ford reported the West Fifth Ave. Multiuse Path and Road project is ongoing. The work has exposed the need for additional replacement of curbing along W. Fifth Ave. near the Dublin Rd. intersection. He suggested the Village authorize an additional \$5,000 to bring the curbing up to level with the road and into excellent condition.

Mr. Voelker moved approval of an additional \$5,000 for curb repair along W. Fifth Ave. near the intersection of Dublin Rd. and W. Fifth Ave. Ms. Siefkas seconded. The motion passed unanimously.

Mr. Ford reported the street paving through the Village is complete. The streets need to be striped and restoration needs to be completed. Striping will begin as soon as the weather permits.

Ms. Taylor reported there are algae spots developing in the curbs where the replacements have been completed. Mr. Ford stated he would investigate the issue and report back to Council.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi had no report for Council.

ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes summarized the landscaping plans under development by Environmental Management Inc.

The plans in Falco Park call for new trees in the rear of the park, removal of honeysuckle, refurbishing of flower beds, planting of hostas around the memorial rock. Council suggested that Mr. Johannes consider having the memorial bricks cleaned.

The plans for Village Court call for four new flower beds around the street lights.

The plans for Cambridge Island call for all the flower beds to be refurbished to have "three season" color and interest. The beds around the fountain will be replanted and the screening around the backflow box and electrical boxes will be replaced.

Council had a brief discussion of the proposed changes with no substantial suggestions or changes. Mr. Cincione asked if Mr. Johannes had contacted Rob Joseph to discuss landscape lighting. Mr. Johannes reported he has spoken with Mr. Joseph.

Mr. Joseph told Mr. Johannes he'd prefer to review plans submitted by a designer because he is not a landscape lighting designer or contractor.

Finalized plans will be brought to Council for approval at the August meeting.

Mr. Johannes presented options for new benches in the Village as requested by Council at their June meeting. The recommended bench is used by Grandview Heights and they are satisfied with the quality of the bench. Ms. Siefkas suggested that a bench be placed on Cambridge Island. Mayor Studebaker expressed concerns about the safety of encouraging pedestrians and children to cross Cambridge Blvd. Ms. Troiano concurred with the Mayor's safety concerns.

Mr. Johannes reported an Eagle Scout candidate has approached the Village about doing honeysuckle removal in Tapy Woods as his Eagle Project. Mr. Johannes suggested the scout might consider installing the benches as his Eagle Project. Discussions are ongoing.

Staff recommended the installation of one bench on Village Court Island and one bench on Arlington Ave. Island. Council concurred with staff's recommendation.

Mr. Johannes reported an agreement has been signed with Professional Gutter and Drainage to install downspout drains to the street at Village Hall. The company will also install field drainage at the driveway of 1122 Cambridge Blvd. and the north entrance of Tarpy Woods to address ongoing issues with standing water and damaging water flow across Tarpy Woods.

A quote was given to install drainage in Falco Park for a cost of \$6,400. Staff does not recommend that work be carried out. Council concurred.

Mr. Johannes reported he is continuing to work with Burgess and Niple to develop a plan for traffic/street signs throughout the Village.

Mr. Johannes reported the water line break on Roxbury Rd. just south of 1600 Roxbury Rd. has been repaired by the City of Columbus.

Mr. Johannes reported the trees in the front of Falco Park are ash trees and may have to be removed in the near future.

Mr. Johannes reported the Grandview Heights High School Marching Band will perform in Falco Park on August 13, 2017.

Council had a brief discussion of the lack of trash cans in the Village. Mr. Voelker asked staff to review locations for trash cans in the Village and make a recommendation for changes or additions.

Ms. Siefkas recommended staff develop a landscaping plan for the portion of Tarpy Woods located in front of 1122 Cambridge Blvd.

APPROVAL OF BILLS

Ms. Troiano moved approval of the July 2017 bills totaling \$103,517.34. Mr. Voelker seconded. The motion passed unanimously.

Ms. Troiano moved approval of the amended June 2017 bills totaling \$159,382.84. Mr. Voelker seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2538-17, An Ordinance authorizing the expenditure of funds of \$350 for the Music in the Park Program and declaring the expenditure to constitute a public purpose. Mayor Studebaker amended the agenda to include Ordinance O-2538-17.

Ms. McKay read Ordinance O-2538-17 into the record:

WHEREAS, *Council wishes to continue the Music in the Park program by inviting the Grandview Heights High School Marching Band to perform a concert in Falco Park in August 2017; and*

WHEREAS, *The Community Activities Account in the General Fund is the account through which these activities are funded;*

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Marble Cliff, County of Franklin, State of Ohio, _____ members concurring:

Section 1: *That Council hereby declares the expenditure of funds of \$350.00 for the Music in the Park concert by the Grandview Heights High School Marching Band to constitute a public purpose and hereby authorizes the expenditure of funds from the Community Activities Account in the General Fund in that amount.*

Section 2: *That shall be in effect on the earliest date allowed by law.*

Mr. Voelker moved the rules be suspended. Mr. Cincione seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2538-17. Ms. Taylor seconded. The motion passed unanimously.

COUNCIL MEMBER REPORTS

Ms. Troiano reported Sean Robey is retiring from the Grandview Heights Parks and Recreation Department.

Mr. Voelker reported the School Facilities Task Force will be meeting to review the most recent survey results. The next community meeting will be on August 3, 2017.

Mr. Voelker reminded Council that Franklin County will be issuing its findings for reappraisal of properties values throughout the county around the end of July or beginning of August.

OLD BUSINESS

Mayor Studebaker introduced the second reading of O-2533-17, An Ordinance authorizing the Mayor and Fiscal Officer to execute an agreement to renew the policy with Ohio Government Risk Management Plan for property, liability, wrongful acts, automobile, bond, crime, inland marine and electronic data processing insurance.

Ms. Troiano moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2533-17. Mr. Voelker seconded. The motion passed unanimously

NEW BUSINESS

Ms. Siefkas suggested the Village investigate ways to communicate to residents the many benefits provided by the Village while maintaining the absolute lowest property tax rate allowed. Ms. Siefkas agreed to draft language for use in various ways including newsletters, web site, meetings and events, media, etc.

Mayor Studebaker reminded Council members that the deadline for filing a petition to run for elected office is 4:00 PM on August 9, 2017.

ADJOURN

Mr. Voelker moved the meeting be adjourned. Ms. Troiano seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:25 PM.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer