

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

At 1600 Fernwood Ave.

July 16, 2018

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, July 16, 2018 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were: Council Members: Matthew P. Cincione, Marnie Hoag, Matthew R. Jolson, Kendy A. Troiano, Joanne Taylor, and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Yazan S. Ashrawi.; Village Engineer, Joshua Ford; Administrative Assistant, Judith A. Ciccone; and Fiscal Officer, Cynthia A. McKay. Visitors and press were present.

## VISITORS

Mayor Studebaker introduced Ted Foster, representing F2 Companies, to present revised plans for 2015 W. Fifth Ave. Mayor Studebaker commented that he and Council were hearing the proposal for the first time. Mayor Studebaker stated that Council would not be taking public comment at this meeting. If Council chooses to move forward with the project, there will be opportunity for public comment as plans are developed but before final approval of the plan and any required rezoning.

Mr. Foster thanked Council for allowing F2 to be on the agenda. He stated that his company has made significant changes to the plan. He commented that they have reduced the unit count at least by 40%, modified the traffic flow to allow ingress and egress from Arlington Ave. and W. Fifth Ave. Most significantly, the revised plans save the existing home on the property and modify the home to include 4-6 units. The plan also includes nine townhome style units facing on W. Fifth Ave. that provide the look of individual homes. The townhomes are divided into two sections to provide a clear entrance view of the existing home. The townhomes will be two and one half stories and will have two car garages. The proposed architecture would complement the look of the existing home and carriage house.

The existing 1960's addition will be torn down. A new building will be built in the rear with 26 units. The carriage house portion will be converted to common space for the units. The overall height of the addition in the rear will be three stories of living space with underground parking. The new building will not be visible from W. Fifth Ave. The third floor of living space will be set back so that the impact of the new building on the adjoining properties will be minimized.

Council reviewed a drawing of the proposed view from W. Fifth Ave. and as well a proposed site plan. Mr. Foster reported he has met with Columbus Landmarks to review the plans. He stated his opinion that Columbus Landmarks favorably received the revised plans. Mr. Foster commented that the proposal is more in keeping with the flavor and nature of the community. He also commented that he believes the project is financially feasible but will be "tight." Mr. Foster stated that, at the lower density, he would anticipate the units will be owner occupied very quickly.

Mr. Foster stated that the town homes would have elevators to improve the appeal to an older demographic. No units will have more than two bedrooms.

Council asked questions about parking. Mr. Foster said there would be one parking place for every bedroom. In addition to underground and garage parking, there will be surface parking in front of the house and along the entrance from Arlington Ave.

Mr. Foster said the new building would be angled on the property to minimize the impact on neighbors. Current setback requirements would be honored. The third floor would have only 4 units and a smaller foot print than the first and second floor foot print.

Mr. Cincione complemented Mr. Foster for the effort and stated that the proposal addresses most of the concerns raised. He stated his support for moving forward with the Village's formal process. Ms. McKay stated there is an existing Concept Plan on the table. She suggested that the Concept Plan be modified for Council.

Ms. Troiano stated her support for the proposal. She stated that before moving forward she would need to review the appearance of the new building. Mr. Foster stated that will be included in the revised Concept Plan. Mayor Studebaker stated his opinion that Council is more comfortable with the revisions. He stated that the impact on the Village is to the Roxbury Rd., Arlington Ave. and ravine side of the property. Mr. Foster stated that the addition would be in keeping with the look of the front rendering.

Mayor Studebaker asked if the manor house design would be determined by the desires of a purchaser(s). Mr. Foster stated they will probably begin the buildout of the house along with the rest of the project unless a buyer were to come forward very early in the process. The carriage house and the east end of the manor house will be common space for the units.

Mayor Studebaker stated the Fiscal Officer will work with F2 Companies to schedule a process and procedure for moving forward. He reiterated that public comment will be part of the process.

#### CONSENT AGENDA

- 1) Receive - Mayor's Court Report, June, 2018
- 2) Receive – Police Report, June 2018
- 3) Receive – Fire Report, June 2018
- 4) Receive – Building permits issued in June, 2018
- 5) Approval - Minutes of the regular, scheduled meeting of June 18, 2018
- 6) Approval - Financial Statements for June, 2018
- 7) Receive - Village Income Tax Report – \$129,290.93

**Ms. Troiano moved approval of the Consent Agenda. Ms. Taylor seconded. Council unanimously approved the Consent Agenda.**

#### MAYOR'S REPORT

Mayor Studebaker commented that there are “Outparcel for Sale” and “Available Space” signs at 1600 Dublin Rd. Staff will follow up with the property owner for additional information.

Mayor Studebaker reviewed a spreadsheet provided by the Columbus Foundation outlining the impact of a \$20,000 contribution from the Village to offset fees in the early years of management of the Falco Scholarship by the Columbus Foundation. Mayor Studebaker reported the Columbus Foundation normally suspends scholarship for the first four years of their management to establish a growth trend for the funds. Mayor Studebaker has suggested the contribution from the Village to offset fees and provide scholarships limited to \$5,000 in the first four years.

Based on the 4% return model the, scholarships would have to be suspended after 2030 to avoid dipping into the \$200,000 principal. The 6% model allows for scholarships well beyond 2049 – the last year on the spreadsheet. The 6% model also allows for larger scholarships in the long term. He commented that 4% is well above what the Village can garner under government restrictions on investments.

Mayor Studebaker asked for Council feedback. Ms. Troiano asked if others will be able to make contributions. Mayor Studebaker stated that Mr. Ashrawi has spoken with Mr. Falco's attorney and he confirmed that the move to the Columbus Foundation is acceptable as long as the original intent of the scholarship is maintained. Mr. Falco's attorney also confirmed that others could contribute as long as the Falco name is not diluted or the scholarship name is changed. Ms. McKay suggested that the Village make the \$20,000 contribution and make another \$10,000 available as matching funds to additional gifts.

Mayor Studebaker stated that Village Officials would have a place on the committee for awarding scholarships and controlling the amount of scholarships awarded. Mr. Voelker commented that the Columbus Foundation provides these services for many organizations. Ms. McKay commented that the Columbus Foundation website makes donations and contributions very easy to do. She stated she used the website to make the contribution approved by Council to the Johannes-Tyler GH Teacher of the Year Fund.

Ms. Taylor stated her opinion that the move to the Columbus Foundation would be a wise and financially sound decision. Ms. Troiano and Mr. Jolson concurred. Council asked staff to prepare the necessary paperwork to initiate the process. Mr. Studebaker stated the paperwork will reflect the restrictions in place including the restriction on expending any of the core principal of \$200,000.

Mayor Studebaker reported the Grandview Heights City School Board has proposed a levy for the fall ballot to fund the proposed school facility improvements. The levy, if approved, will generate 55.2 million dollars. An operating levy will also be part of the ballot issue. Mayor Studebaker reported he is working with the school treasurer to determine the impact of the proposed levy on Marble Cliff property owners.

Mayor Studebaker reported the owners of Zipline Logistics will be featured in an upcoming Tri-Village Partnership Chamber of Commerce pod cast. Mayor Studebaker reminded Council that the Village made a financial contribution to the Tri-Village Partnership in support of their podcast program.

Mayor Studebaker reminded Council that the first "Tri-the-Heights" youth triathlon will be held on September 1, 2018. Some streets in the Village will be part of the course.

#### ENGINEER'S REPORT

Mr. Ford reported that the Cardigan Ave. road project may wrap up by the end of July. The paving is almost done and there are a few punch list items to complete. The August deadline will be met with time to spare. No complaints have been received to date at the Village Hall.

Mr. Ford stated the sewer inspection project is wrapping up. A report will be produced for Council's review.

Mr. Ford left the meeting at this point.

#### SOLICITOR'S REPORT

Mr. Ashrawi reported the tax case appeal is ongoing. The municipalities will file a final brief a week from today. Then the court will hear oral arguments at some time in the future. Mr. Ashrawi reported his firm is representing approximately 140 municipalities.

#### ADMINISTRATIVE ASSISTANT'S REPORT

Ms. Ciccone reported she is working with the landscaping company, Environmental Management Inc., to address some concerns about the landscaping throughout the Village.

Ms. Ciccone also reported she will be working with Grandview Heights to repaint yellow curbs throughout the Village.

Ms. McKay reported Ms. Ciccone will be attending the state mandated open record/sunshine laws training. Ms. McKay explained that all elected officials are required to attend the training during each term or designate a representative to attend on their behalf.

**Ms. Troiano moved Ms. Ciccone be designated to attend the state mandated open records/sunshine law training course on behalf of herself, Mr. Cincione, Mr. Voelker, Mr. Jolson, Ms. Hoag, Ms. Taylor and Mayor Studebaker. Mr. Cincione seconded. The motion passed unanimously.**

#### APPROVAL OF BILLS

**Mr. Cincione moved approval of the July 2018 bills totaling \$74,496.47. Mr. Voelker seconded. The motion passed unanimously.**

**Mr. Voelker moved approval of the amended June 2018 bills totaling \$84,983.19. Ms. Troiano seconded. The motion passed unanimously.**

#### FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2568-18, 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. McKay reviewed the renewal premium. She explained the Village's claim for the basement flooding of Village Hall impacted the Village's claim history credit. Ms. McKay reported that the Village received an excellent claim prevention audit and received full credit under that category.

**Mr. Cincione moved to suspend the rules. Mr. Voelker seconded. The motion passed unanimously. Mr. Jolson moved the adoption of O-2568-18. Mr. Cincione seconded. The motion passed unanimously.**

Ms. McKay reported the City of Columbus is ending their municipal tax collection services effective December 31, 2018. She explained there are two options – RITA and CCA (City of Cleveland). Ms. McKay stated she has met with a representative of CCA and will meet with RITA.

Ms. McKay reported RITA and CCA both offer some services that have not been routinely available through the City of Columbus. Both services also offer online portal services for the Village. Ms. McKay reported she was very impressed with CCA'S willingness to offer educational opportunities to Village residents.

Council expressed concerns about the customer service provided by RITA from third party reports and personal experiences. Council asked staff to continue to gather information and report to Council.

Ms. McKay said she plans to have a recommendation for Council at the August Council meeting.

Ms. McKay presented a request from Matthew Mnich to allow Garth's Auction House to locate temporarily in the building at 1450 Dublin Rd. Council reviewed the request and determined they would like to have the request brought before Council as a use variance. Council expressed concerns about parking, traffic, and noise.

Ms. McKay reported the proposed sale of a unit at 2109 W. Fifth Ave. did not close. Council approved a use variance for the property at their June regular meeting. The variance was "owner specific."

**Mr. Jolson moved to rescind the use variance for 2109 W. Fifth Ave. Unit A to be used as "residential" approved by Council at their June 18, 2018 Council meeting. Mr. Cincione seconded. The motion passed unanimously.**

#### COUNCIL MEMBERS REPORTS

Ms. Troiano stated she did not attend the most recent meeting of the Parks and Recreation Advisory Committee. However, she reported that the board discussed the new building and received some complaints about the pool.

Mr. Voelker reported GH Growing on Tradition Steering Committee held a public meeting to gather ideas from the community. The committee will meet on August 1, 2018 to review the information gathered at the public meeting.

Ms. Troiano reported that she has received some comments about expanding playground activities in Falco Park. Ms. Taylor commented that First Community Church and Trinity Methodist have playgrounds that she has used with her children. Ms. Troiano asked if the Village could reach out to the churches to determine if the Village can recommend their facilities for play. Mayor Studebaker stated there has been a request for swings. He explained to Council that swings were eliminated from the original plan because of liability and the amount of space required for swings to be installed safely. The plan sought the most activity in the least amount of space. Mayor Studebaker noted that the other park options in the area offer a wide variety of play options. The other purpose of the original park design was to make it a park for all not just children.

#### OLD BUSINESS

Mayor Studebaker introduced the third reading of O-2567-18, An Ordinance adopting a budget for the year 2019 for the Village of Marble Cliff.

**Ms. Troiano moved the adoption of O-2567-18. Ms. Hoag seconded. The motion passed unanimously.**

#### NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2569-18, An Ordinance authorizing the expenditure of funds of \$350.00 for the Music in the Park Program and declaring the expenditure to constitute a public purpose.

Mayor Studebaker confirmed the Grandview Heights High School Marching Band is scheduled to perform in Falco Park on Sunday, August 12<sup>th</sup> at 7:00 P.M.

**Mr. Cincione moved to suspend the rules. Ms. Troiano seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2569-18. Mr. Jolson seconded. The motion passed unanimously.**

ADJOURN

**Mr. Voelker moved to adjourn the meeting. Ms. Troiano seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:40 P.M.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer