

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

At 1600 Fernwood Ave.

February 18, 2019

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, February 18, 2019 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, Joanne Taylor, Kendy A. Troiano, 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 were present. No representatives of the press were present.

VARIANCES AND PERMITS

Mayor Studebaker introduced a request for a fence variance from Julia White and Paul Giorgianni. The fence variance would allow the installation at 1538 Arlington Ave. of a 6-foot high, wooden fence that would run along the south property line beginning at the southeast corner of the property and extending west approximately 55 feet along the south property line. Most of the proposed fence is in the rear yard. However, a portion of the proposed fence would be in the side yard as determined by the rear of the house on the property. Village code requires approval for fences over 4-feet in height and fences constructed in a side yard.

Mr. Giorgianni explained the removal of trees and bushes on the property to their immediate south had eliminated screening of their home and yard from the adjacent property. Mr. Giorgianni stated he had discussed the fence with the David Bell – the owner of the property immediately south of 1538 Arlington Ave. - and stated Mr. Bell had no objection to the fence. Ms. McKay reported the Village Hall did not receive any comments in favor of or opposition to the variance request.

Mr. Cincione moved approval of the request for a fence variance at 1538 Arlington Ave. as presented in the application dated January 23, 2019. Ms. Troiano seconded. The motion passed unanimously.

VISITORS

Mayor Studebaker introduced Ted Foster – F2 Companies. Mr. Foster reviewed updated plans for the redevelopment of 2015 W. Fifth Ave.

Mr. Foster reported he has met with groups and individuals to review the proposed plan and refine the plan to address concerns that raised by Village residents and Columbus Landmarks. He explained the discussions have led to two major refinements to the plan. One, the town houses along W. Fifth Ave. have been removed in order to save several mature trees and to make the house the focal point of the development. Two, the access from Arlington Ave. has been removed to address traffic density concerns.

Mr. Foster stated the number of units has been reduced to 37. The entire first floor has now been designed to be common area for the residential community. He also stated that some of the space could be used for the larger community for meetings, etc. Mr. Foster stated there would also be three residential units in the house. Because of the changes, there is additional parking and every unit will have at least one garage space.

Mr. Foster stated his hope that this is the final plan that will be brought to Council in March to begin the formal process and allow for public comment. He stated his opinion that this is a vastly improved plan over earlier iterations. Mr. Foster said the proposed building in the rear is largely unchanged with underground parking and three stories above grade. The building will not be taller than the house and the plan saves more trees on the property. The plan adds several three car garages which will have a 1 bedroom unit on top of each garage.

Mr. Foster stated the unit in the carriage house may be eliminated in favor of a drive-through to the rear parking.

Lu Moan asked the size of the units. Mr. Foster stated they range from 2000 square feet down to 1100 square feet in the house. The new building has a variety of sizes. Mr. Foster also explained that units could be combined for larger units.

Mr. Jolson asked about traffic flow. Mr. Foster said the east entry on W. Fifth Ave. might be a right in right out configuration. Mr. Foster said that two bedroom units would have to two parking spaces and one-bedroom units will have 1.5 parking spaces. There are also guest parking.

Several members of Council expressed their appreciation of the change. Mr. Cincione asked if a new concept plan is required. Ms. McKay stated her opinion that the process can move directly into the new two steps of preliminary and final plans.

Nicole Devere from Columbus Landmarks expressed her pleasure with the revised plans and the changes to make the house the focal point of the development.

Helen Miller stated her pleasure with the front of the property; She said she very much wants to see renderings of the property from the prospective of her property which backs to 2015 W. Fifth Ave. She also commented that she likes the community aspect of the first floor. Several Council members echoed her comment. Mr. Foster stated that Columbus Landmarks was particularly helpful in the redesign of the first floor.

Mayor Studebaker confirmed that the development intends to honor the Village's current setback limits.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, January 2019
- 2) Receive – Police Report, January 2019
- 3) Receive – Fire Report, January 2019
- 4) Receive – Building permits issued in January, 2019
- 5) Approval - Minutes of the regular, scheduled meeting of January 21, 2019
- 6) Approval - Financial Statements for January, 2019
- 7) Receive - Village Income Tax Report – \$54,800 (Net – ½ month)

Ms. McKay noted that the Income Tax Report was incomplete. She noted that the new income tax administrator releases funds and reports on a mid/end of month basis. Undated information will be available for the March meeting.

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

MAYOR'S REPORT

Mayor Studebaker reported he represented the Village at the funeral services for Ted Stanton who passed away after a lengthy illness. Mr. Stanton was the City Manager for the City of Upper Arlington.

Mayor Studebaker reported he and Ms. McKay met with Bob and Drew Meyers to discuss the property at 1600 Dublin Rd. Mayor Studebaker stated the goal of the meeting was to gather information about the for sale and for lease opportunities currently advertised for the property. Bob Meyers explained that they are looking at a variety of options for filling the space. He commented that sale of the east building is the less likely option, but did not want to eliminate it from the possibilities. Mr. Meyers stated they are in discussions with several potential tenants and is confident that the building will return to a fully leased status. Mayor Studebaker stated he asked Drew Meyers to send the Village specifics on available space so that inquiries received at the Village Hall or through the Chamber of Commerce can be directed appropriately.

Mayor Studebaker also reported he and Ms. McKay discussed the options for sale or lease of the outer parcel located at the corner of W. Fifth Ave. and Dublin Rd. Bob Meyers stated they have had interest in the property. However, to date, none of the proposed development has met his requirements for appropriate use. He stated his hope that the property could be developed to support commercial tenant employees with services such as food service, dry cleaning, or child care. The possibility of residential development was also discussed. Mayor Studebaker directed the Meyers to Grandview Heights School Superintendent Andy Culp to review the limitations on residential properties to be within 2.0 miles of the furthest school to avoid forcing the school district into providing transportation throughout the district.

Mayor Studebaker also raised with the Meyers the possibility of having a Village "gateway" presence on the corner. Bob Meyers expressed his willingness to keep such an option in their development plans. At this time, there are no development plans or zoning issues for Council to consider. Mr. Jolson asked if the option of donating the property to the Village was discussed. Mayor Studebaker stated no such discussion was held. Mr. Voelker noted that the property owner is most interested in support services for the employees on the property.

Mr. Voelker asked if the east building is attached. Mayor Studebaker stated he believes the three buildings are connected. Ms. McKay stated that there are multiple parcels on the property but the parcels do not line up with building footprints. Ms. McKay

reported that the Meyers stated separating the buildings would create problems for electrical and HVAC services to the buildings.

Mr. Jolson asked if the property owners are considering a single tenant on the northwest corner or multiple tenants. Mayor Studebaker stated the owners have not limited the options. However, almost any business on the corner would require zoning variances of some sort.

Mr. Cincione asked if the corner would be a possible location for Village Hall. Mayor Studebaker stated that discussion of such an option could be considered in the future. Council had a brief discussion of various options.

ENGINEER'S REPORT

Mr. Ford reported the Village will receive bids for the 2019 Sanitary and Storm Sewer Improvements project on February 15, 2019. A contract recommendation will be brought to the March Council meeting for consideration. There are currently eight or nine plan holders.

Mayor Studebaker reported three streetlights on Cambridge Blvd. are out of service because a wheel came off a vehicle and damaged one pole. The others are off for safety purposes. Mr. Ford reported replacement parts are on order.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi reported the municipal income tax case. The court ruled in favor of the state. A motion for reconsideration has been filed. The motion is an intermediate step to taking an appeal to the Supreme Court.

Mr. Ashrawi had no updates regarding the request for PACE Financing.

Mayor Studebaker introduced the fourth reading of R-2580-18, A Resolution to approve the petition for special assessments for special energy improvement projects under Ohio Revised Code Chapter 1710 and approve the necessity of acquiring, installing, equipping, and improving certain public improvements in the Village of Marble Cliff, Ohio in cooperation with the Columbus Regional Energy Special Improvement District (1600 Dublin Rd. Project).

No action taken

Mayor Studebaker introduced the fourth reading of O-2581-18, An Ordinance to determine to proceed with the acquisition, installation, equipping, and improvement of certain public improvements in the Village of Marble Cliff, Ohio in cooperation with the Columbus Regional Energy Special Improvement District.

No action taken

Mayor Studebaker introduced the fourth reading of O-2582-18, An Ordinance to levy special assessments for the purpose of acquiring, installing, equipping, and improving certain public improvements in the Village of Marble Cliff, Ohio in cooperation with the Columbus Regional Energy Special Improvement District; and authorizing the Mayor and the Fiscal Officer to enter into an energy project cooperative agreement and a special assessment agreement.

No action taken

Mayor Studebaker introduced the first reading of O-2591-19, An Ordinance adopting Chapter 96 of the codified ordinances of the village of Marble Cliff addressing small cell facilities and wireless support structures within the right-of-way including design guidelines for specifications and aesthetic requirements that all small cell facilities and wireless support structures must meet prior to installation in the Village of Marble Cliff right-of-way.

Mr. Ashrawi explained the language of the legislation has been borrowed from other local communities who have been adopted legislation. Much of the language is restricted by federal and state law. Mr. Ashrawi stated his opinion the required Design

Guidelines are the most aspect of the legislation. The Design Guidelines provide for approval of installations addressing placement and aesthetic requirements within the Village rights-of-way. Basic Design Guidelines have been completed. Staff will continue to refine the guidelines which may then be approved by the Mayor or his designee.

Mayor Studebaker encouraged Council to move forward on the legislation because of the growing interest in small cell installations in the central Ohio area.

Mr. Jolson asked what other communities have adopted legislation. Mr. Ashrawi stated the Dublin, New Albany, Grove City, and Canal Winchester have all adopted small cell legislation substantially similar to the proposed legislation.

Ms. Troiano moved to suspend the rules. Mr. Jolson seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2591-19. Ms. Taylor seconded. The motion passed unanimously.

ADMINISTRATIVE ASSISTANT'S REPORT

Ms. Ciccone presented a proposal from Rine Landscaping for updating the landscaping at the Village Hall and improving handicapped accessibility to the building.

Ms. Troiano moved approval of the proposal from Rine Landscaping to updated the landscaping at the Village Hall at a not to exceed cost of \$37,000. Ms. Hoag seconded. The motion passed unanimously.

Ms. Ciccone presented the results of the bid for the 2019 landscaping contracting contract. The three bid responders were very close in total cost. Rine Landscaping's bid was in the middle. Ms. Ciccone recommended Rine Landscape be awarded the contract based on responsiveness and past experience of good service on other projects.

Mr. Cincione moved approval of the proposal from Rine Landscaping to provide landscaping services for the Village green spaces for the 2019 season at a cost of \$27,854.00 as presented in the request for quotes dated February 15, 2019.

Ms. Taylor seconded. The motion passed unanimously.

APPROVAL OF BILLS

Mr. Cincione moved approval of the February 2019 bills totaling \$72,203.92.

Ms. Troiano seconded. The motion passed unanimously.

Ms. Troiano moved approval of the amended January 2019 bills totaling \$102,011.22. Ms. Taylor seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of Ordinance O-2592-19, An Ordinance to amend Ordinance O-2578-18 (2019 APPROPRIATION ORDINANCE) to increase the Appropriation of the Park Fund by \$30,000 from \$15,000 to \$45,000

Ms. McKay explained the additional appropriation was to make funds from the Park Fund available for the Village Hall landscaping project.

Ms. Troiano moved to suspend the rules. Mr. Voelker seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2592-19. Ms. Taylor seconded. The motion passed unanimously

Ms. McKay presented a letter regarding the wildlife issues facing the Village. The letter is designed to remind residents not to feed the local wildlife and to take actions to make their properties unappealing to deer. The letter will be targeted to addresses south of W. Third Ave. where most of the problems with deer have been reported.

COUNCIL MEMBERS REPORTS

Ms. Troiano reported the next meeting of the Parks and Recreation Board is February 21, 2019

Ms. Troiano reported Monsignor Father Romano Ciotola passed away on Sunday. Visitation will be on Sunday – hours to be determined - and funeral will be at Our Lady of Victory Church on February 25, 2019. Mayor Studebaker stated the Village will make an honorarium of some sort in Father Ciotola's memory, subject to Council approval.

Mr. Voelker reported the Growing on Tradition Task Force's draft plan will be

available on March 7, 2019. There will be a community meeting at 6:00 pm on March 26, 2019 to discuss the plan.

Ms. Hoag reported she represented the Village at the First Robotics competition at Grandview Heights. She commented that the skill and knowledge of the students was impressive. Ms. Taylor commented that approximately half of the sixteen young people participating are from Marble Cliff.

OLD BUSINESS

Mayor Studebaker introduced the fourth reading of O-2585-18, An Ordinance adding section 70.02 (shared-use path) to the Code of Ordinances of the Village of Marble Cliff and declaring an emergency.

Ms. McKay reported she modified the definition of “shared path” and removed the word “building” from the legislation as requested by Council at the January Council meeting.

Mr. Voelker moved to amend Ordinance O-2585-18. Ms. Hoag seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2585-18 as amended. Mr. Voelker seconded. The motion passed unanimously. Ms. Troiano moved amended Ordinance O-2585-18 be passed as an emergency for the health and safety of residents and visitors. Mr. Jolson seconded. Roll Call: Mr. Cincione, yes; Ms. Hoag, yes; Mr. Jolson, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2593-19, An Ordinance authorizing the Mayor to execute the 2019-2021 Integrated Mosquito Management Program Agreement between the Village of Marble Cliff and the Franklin County Board of Health and authorizing the expenditure of funds for the Village of Marble Cliff’s portion of the program cost.

Ms. McKay reported this is the same agreement the Village has had for several years to address mosquitos during the summer particularly when a trap has tested positive for the West Nile Virus.

Mr. Cincione moved to suspend the rules. Mr. Voelker seconded. The motion passed unanimously. Ms. Hoag moved the adoption of O-2593-19. Mr. Jolson seconded. The motion passed unanimously.

Mayor Studebaker asked Council for volunteers to serve on the in house Falco Scholarship Committee. In addition to Mayor Studebaker and Council President Cincione, Mr. Jolson, Ms. Hoag and Ms. Taylor agreed to serve. Mr. Jolson will act as Village representative to the Columbus Foundation decision committee. Council had a brief discussion of the parameters for scholarship awards.

Mr. Jolson brought to Council’s attention the recently expanded curb-side composting services provided by the City of Bexley. Council had a brief discussion and asked staff to bring more information for consideration.

Mayor Studebaker stated he and Ms. Ciccone will be attending an informational SWACO seminar to gather information about expanded recycling opportunities.

Council had a discussion of the dumpster at Trinity Methodist Church.

ADJOURN

Ms. Troiano moved to adjourn the meeting. Mr. Voelker seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:55 P.M.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer