

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

At 1600 Fernwood Ave.

July 15, 2019

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, July 15, 2019 in the Village Hall at 1600 Fernwood Ave. at 6:30 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 Ashrawi; Village Engineer, Joshua Ford; Administrative Assistant, Judith A. Ciccone; and Fiscal Officer, Cynthia A. McKay. Visitors were present.

## PUBLIC HEARING

Mayor Studebaker opened the Public Hearing for the 2020 budget and introduced the third reading of O-2605-19, An Ordinance adopting a budget for the year 2020 for the Village of Marble Cliff.

No members of the public rose to speak to the proposed 2020 budget. Mayor Studebaker closed the public hearing.

**Mr. Cincione moved the adoption of O-2605-19. Ms. Troiano seconded. The motion passed unanimously.**

## VARIANCES AND PERMITS

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 from Thomas Eggers for a front yard setback variance to permit an addition to the front of his house at 1399 Cambridge Blvd. that would encroach four feet into the fifty-foot front yard setback.

Mr. Eggers presented the proposed addition to the Council and explained that he enjoys the opportunity to interact with passersby. The proposed addition would have large windows that will create a feeling of a front porch. The proposed addition would encroach four feet into the required fifty-foot front yard setback. Mr. Eggers confirmed that the addition would be one story only.

Ms. McKay reported no comments in favor of or opposition to the request had been received at Village Hall. Mr. Eggers reported he spoke to his neighbors on either side and both supported the variance.

**Ms. Troiano moved approval of the request for a front yard setback variance for the property at 1399 Cambridge Blvd. as presented in the variance application.**

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

Mayor Studebaker introduced a request from Heather Bauer for a Swimming Pool Permit for the property at 2000 W. Third Ave.

Ms. McKay explained staff reviewed the application and determined that no variances are required for the proposed pool. The proposed pool would sit entirely in the back yard and would meet all required setbacks. An existing fence meets the requirement for fencing around the pool.

Heather Bauer reported she has spoken with her neighbors and did not receive negative comments. The existing fence will remain and soft landscaping to shield the pool. The pool will have a retractable cover for safety.

**Mr. Voelker moved approval of the request for a Swimming Pool Permit for the property at 2000 W. Third Ave. as presented in the application. Ms. Taylor seconded. The motion passed unanimously.**

## VISITORS

Mayor Studebaker introduced the first reading of O-2607-19, An Ordinance authorizing the Mayor to execute the Economic Development Agreement between the Village of Marble Cliff and Zipline Logistics LLC and declaring an emergency.

Mayor Studebaker reported the agreement request mirrors the previous agreement that ended in 2018. Mayor Studebaker stated that the language presented in the agreement is for five years. However, Zipline Logistics is requesting a seven-year agreement.

Mayor Studebaker introduced Thomas Seward to present the request from Zipline Logistics. Mr. Seward stated he is representing Zipline Logistics in the effort to find new space for the company because of the significant growth over the past few years. The company has been of the “Fast Fifty” for growth over the past several years.

Zipline Logistics has found suitable space at 1600 Dublin Rd. and would like to execute a seven-year lease with the owner of 1600 Dublin Rd. The company increasing their staff by 37 in the coming years and adding an additional 30 employees by the end of the seven-year lease. Mr. Seward also commented that there might be space available for expansion in the 1600 Dublin Rd. building at the end of the seven-year lease.

Mr. Voelker asked if they are moving the entire operation from 2300 W. Fifth Ave. to 1600 Dublin Rd. Mr. Seward confirmed the company will move and they will work with the owner of 2300 W. Fifth Ave. to locate a tenant for the remaining two years on their lease at that location.

Ms. McKay explained the formula for calculating the incentive for each year. She explained the contract requires the company to meet a threshold amount of income taxes received by the Village. The threshold amount in the proposed agreement is \$50,000. After the threshold is met, the incentive is calculated as 50% of additional income tax received by the Village up to \$20,000. The incentive cap for the entire agreement period will be \$140,000 (\$20,000 per year X 7 years). Ms. McKay reported Zipline Logistics met the requirements of the previous agreement and received the full incentive of \$80,000 over the five years.

Ms. McKay noted the Village has never offered an incentive agreement over five years. She stated the agreement could be easily modified to a seven-year agreement. However, she wanted Council to be fully aware of the difference. Mayor Studebaker noted the company is also applying for some state of Ohio incentives and they will benefit in those applications from the support of the Village.

Council discussed the request for a seven-year agreement as opposed to a five-year agreement. Council endorsed the request for a seven-year agreement with the necessary amendments to the seven-year total incentive cap of \$140,000 with an annual cap of \$20,000.

**Mr. Cincione moved to suspend the rules. Ms. Troiano seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2607-19 directing the Mayor and Fiscal Officer to amend the agreement to reflect seven years. Ms. Hoag seconded. The motion passed unanimously. Mr. Cincione moved Ordinance O-2607-19 be passed as an emergency for the economic benefit to the Village and its residents. 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.**

#### CONSENT AGENDA

- 1) Receive - Mayor's Court Report, June 2019
- 2) Receive - Police Report, June 2019
- 3) Receive - Fire Report, June 2019
- 4) Receive - Building permits issued in June, 2019
- 5) Approval - Minutes of the regular, scheduled meeting of June 17, 2019
- 6) Approval - Financial Statements for June, 2019
- 7) Receive - Village Income Tax Report May 2019 - \$260,042.55

**Mr. Cincione moved approval of the Consent Agenda. Mr. Voelker seconded. Council unanimously approved the Consent Agenda.**

#### MAYOR'S REPORT

Mayor Studebaker reported the tax abatement request for 2015 W. Fifth Ave. is still pending before the Grandview Heights School Board. He reported the School Board's next meeting would occur in early August. Mayor Studebaker reported he continues to be in discussion with the developer and school officials.

Mayor Studebaker reported the Tri- Village Chamber Partnership is looking for support for their podcast. Mayor Studebaker reminded Council the Village has previously acted as an underwriter for the program. Mayor Studebaker stated he would bring additional information to Council to consider ongoing support.

Mayor Studebaker commented that he believes the podcast has been a benefit to Marble Cliff businesses. Mr. Jolson stated that he believes it is a good program for the

Village and the tri-village community as a whole. Mayor Studebaker noted that the podcast has also had a benefit to small businesses as they work to network with one another.

Ms. Hoag asked if other municipalities have participated in the past. Mayor Studebaker stated the other municipalities did not participate. Ms. Hoag stated her support for the Village participating in the program. Mr. Voelker noted that it supports the Village's long-term goal of supporting the business community.

#### ENGINEER'S REPORT

Mr. Ford reported the sidewalk project is completed.

Mr. Ford reported the street project is completed. The contractor still needs to do cleanup and striping.

Mr. Ford reported the sewer-lining project is underway with some point repairs completed.

Mr. Ford left the meeting at this point.

#### SOLICITOR'S REPORT

Mayor Studebaker introduced the fourth reading of R-2601-19, A Resolution accepting sanitary sewer infrastructure and maintenance responsibility of the same from Franklin County, Ohio.

Mr. Ashrawi stated he is still working to get a response from Franklin County.

**Mr. Jolson moved Resolution R-2601-19 be amended to add a Section 4 which states the Resolution will not go into effect until the receipt of a reciprocal Resolution from the Franklin County Board of Commissioners confirming the transfer of ownership from Franklin County to the Village of Marble Cliff. Ms. Taylor seconded. The motion passed unanimously**

**Mr. Voelker moved the adoption of R-2601-19 as amended. Ms. Taylor seconded. The motion passed unanimously.**

Mr. Ashrawi had no update on the pending request for PACE Financing.

#### ADMINISTRATIVE ASSISTANT REPORT

Ms. Ciccone reported the landscaping project at Village Hall is complete with the exception of a few punch list items. The handicapped ramp in the back will be poured later in the week. Council members commented on how pleased they are with the project. Mayor Studebaker noted that the plaque honoring Ms. Duffy Larson will be moved to the new gardens at Village Hall.

#### APPROVAL OF BILLS

**Ms. Troiano moved approval of the July 2019 bills totaling \$111,217.29. Ms. Hoag seconded. The motion passed unanimously.**

**Ms. Troiano moved approval of the amended June 2019 bills totaling \$184,612.88. Mr. Voelker seconded. The motion passed unanimously.**

#### FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the third reading of O-2604-19, 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 adoption of O-2605-19. Mr. Voelker seconded. The motion passed unanimously.**

Ms. McKay reported she is continuing to work with Ray Leard regarding curbside composting. Mr. Leard has left Innovative Organics and is offering curbside composting through his own company. Ms. McKay reported that she has some questions that need to be answered before recommending the Village move forward with a curbside

composting program.

Council concurred that it makes sense to gather more information before moving forward with the program.

Ms. McKay reported she attended a tax seminar through Ohio Municipal League. Ms. McKay stated the seminar was well run and a good information was made available.

#### OLD BUSINESS

Mayor Studebaker introduced the fourth reading of O-2602-19, An Ordinance authorizing the Mayor to execute the Community Reinvestment Area Agreement between the Village of Marble Cliff and F2 Companies.

No action was taken

Mayor Studebaker introduced the first reading of O-2606-19, 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.

**Mr. Jolson moved to suspend the rules. Mr. Voelker seconded. The motion passed unanimously. Ms. Hoag moved the adoption of O-2602-19. Ms. Taylor seconded. The motion passed unanimously.**

#### NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2608-19, An Ordinance authorizing the Mayor to execute an agreement between the Village of Marble Cliff and EVunited to provide assistance in the purchase and installation of two Electric Vehicle Charging Stations to be located at Village Hall and to secure a grant for the cost of the purchase and installation from American Electric Power.

Ms. McKay reported AEP is doing their due diligence to confirm that the necessary electric service is available to the Village Hall property.

**Ms. Troiano moved to suspend the rules. Mr. Voelker seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2608-19. Ms. Hoag 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 8:20 P.M.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer