

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

At 1600 Fernwood Ave.

December 14, 2015

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, December 14, 2015 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were: Council Members: Matthew P. Cincione, John F. Kukura III, Linda J. Siefkas, Robert W. Sterneker, Kendy A. Troiano and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Mitchel Banchevsky; Village Engineer, Joshua Ford; Fiscal Officer, Cynthia A. McKay. Visitors were present.

Administrative Assistant, William Johannes was excused.

## VISITORS

Mayor Studebaker welcomed members of the Grandview Heights High School football team. Mayor Studebaker asked Mr. Sterneker to introduce those present and make the presentation of the Mayoral Proclamation: Proclaiming December 14, 2015, "Championship Day" in Marble Cliff.

Mr. Sterneker introduced Coach Jason Peters and senior members of the football team and recognized the parents present in the audience. Mr. Sterneker recapped the team's exceptional year and summarized the many highlights of the season. Mr. Sterneker also praised the seniors for their commitment and their leadership on the team.

Mr. Sterneker read the Mayoral Proclamation recognizing the 12-2 record, the team's play in the state championship semi-finals, and the many individual awards given to team members.

Coach Peters thanked the Mayor and Council for the recognition and their ongoing support of Grandview Heights High School athletics. Coach Peters spoke glowingly of the team members recognizing them not only as excellent athletes but also as outstanding community members. Each member of the team present introduced themselves and received an enthusiastic round of applause from the Village officials, staff and visitors present.

Mayor Studebaker thanked the coach and team members for coming to the meeting.

## CONSENT AGENDA

- 1) Receive - Mayor's Court Report, November, 2015
- 2) Receive - Police Report, October and November, 2015
- 3) Receive - Fire Dept. Report, November, 2015
- 4) Receive - Building permits issued in November, 2015
- 5) Approval - Minutes of the regular, scheduled meeting of November 16, 2015
- 6) Approval - Financial Statements for November, 2015
- 7) Receive - Village Income Tax Report - \$107,379.46

**Mr. Kukura moved approval of the Consent Agenda. Ms. Siefkas seconded. The Consent Agenda was approved unanimously.**

## MAYOR'S REPORT

Mayor Studebaker reported he attended a reception for Upper Arlington's outgoing mayor, Don Leach.

Mayor Studebaker reported the Chamber of Commerce recognized the architect who completed the work on the Cambridge Ave. home of the Graingers.

Mayor Studebaker reported the Junior League of Columbus held its holiday tour of homes in the Grandview and Marble Cliff Communities. Three homes in Marble Cliff were part of the tour.

Mayor Studebaker reported there is no update from the developers of 2015 W. Fifth Ave. The developer has not brought any changes or modifications to Village staff for review since the last meeting.

Mayor Studebaker reported Don Rife, Jr. has approached him about the possibility of the Village selling the Village owned property on Cardigan Ave. for the purpose of building an additional building that would be dedicated to expanding their auto body business to include the repair and painting of aluminum cars.

Council agreed they would be willing to look into such a sale. They recognized that the Village would need to offer the property through competitive bidding. Council asked staff to collect additional information about the nature of the business, the number of employees, the impact (if any) of the proposed work on the community. They also asked that a memo about rules and procedures required for selling property previously prepared by the Village Solicitor be brought to the next meeting.

Council briefly discussed additional development options for the Cardigan Ave./Dublin Rd. area.

#### ENGINEER'S REPORT

Mr. Ford reported the City of Columbus anticipates the W. Fifth Ave. bridge over the Scioto River should be open on December 21, 2015. He stated the bike path and intersection traffic and street lights will be completed in February.

Mr. Ford reported the street repair work related to the Columbia Gas project to install new, medium pressure gas lines is complete. There is some curb repair work yet to be done. Mr. Ford also reported that the work performed by Columbia Gas along Cambridge Blvd. at W. Third Ave. does not appear to be related to problems with the street lights along Cambridge Blvd. Mr. Ford is working with Tipp Dan Electric to identify the problem with the street lights and to estimate the cost for repair.

Mayor Studebaker introduced the first reading of O-2484-15, An Ordinance accepting a bid for the 2016 Street Lighting Project Phase 2 (Village Streets south of W. Fifth Ave. excluding Fernwood Ave.) and waiving any bid irregularities and declaring an emergency.

Mr. Ford presented Council with the results of the bid process and recommended the Council accept the bid from Precise Boring. The Precise Boring bid came in approximately \$200,000 below the engineer estimate. Mayor Studebaker reminded Council that Precise Boring completed the first phase of the project and the engineer and staff are pleased with the work done previously. Mr. Ford stated the contractor may be able to get started early next year if the weather cooperates and the project materials are available. Council discussed the bid results. Mr. Ford stated there have been no problems or repairs needed for the W. Fifth Ave. / Fernwood Ave. lights installed earlier this year.

**Mr. Kukura moved the rules be suspended. Mr. Voelker seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2484-15. Mr. Kukura seconded. The motion passed unanimously. Mr. Cincione moved the ordinance be adopted as emergency legislation to move the project forward to be completed next year and to correct the deteriorating condition of the street light system for the benefit of the Village of Marble Cliff. Mr. Sterneker seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Mr. Sterneker, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.**

Mr. Ford reported the sidewalk project is complete. He apologized to Council for the incidents regarding the contractor starting work prior to 8:00 am and the inconvenience to residents. He explained that in one situation the cement truck arrived an hour early despite having the 8:00 start time clearly marked on the delivery ticket.

Mr. Ford reported he and Ms. McKay are continuing to work with Upper Arlington to finalize the feasibility study for the Fifth Ave. Street Rehabilitation and Bike Path Project. Village staff will be working with property owners to address issues of right of way acquisition. Staffs of both communities are working to identify funding opportunities. Upper Arlington submitted an application for partially funding the project through the state Capital Budget. If the Capital Budget request is granted the project could move forward in late 2016 or early 2017.

Mayor Studebaker briefly discussed the proposed design of the bike path between Dublin Rd. and the railroad tracks. Ms. McKay stated that the final feasibility study should be ready for Council review in January or February at the latest.

Council thanked Mr. Ford for providing cookies for the meeting.

Mr. Ford left the meeting at this point.

#### SOLICITOR'S REPORT

Mr. Banchefsky had no report for Council.

#### ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes had no report for Council.

#### APPROVAL OF BILLS

**Mr. Kukura moved approval of the December 2015 bills totaling \$101,680.17.**

**Mr. Sterneker seconded. The motion passed unanimously.**

**Mr. Sterneker moved approval of the amended November 2015 bills totaling \$199,795.24. Mr. Voelker seconded. The motion passed unanimously.**

#### FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the third reading of O-2478-15, 2016 ANNUAL APPROPRIATION ORDINANCE.

**Mr. Kukura moved to amend O-2478-15 to increase the General Fund Appropriation by \$22,000 bringing the total appropriation for all funds to \$3,035,466. Ms. Troiano seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2478-15 as amended. Ms. Troiano seconded. The motion passed unanimously.**

**Mr. Cincione moved approval of the proposed 2016 Village Council Meeting Schedule as follows:**

|                                  |                                   |
|----------------------------------|-----------------------------------|
| <b>Monday, January 18, 2016</b>  | <b>Monday, July 18, 2016</b>      |
| <b>Monday, February 15, 2016</b> | <b>Monday, August 15, 2016</b>    |
| <b>Monday, March 21, 2016</b>    | <b>Monday, September 19, 2016</b> |
| <b>Monday, April 18, 2016</b>    | <b>Monday, October 17, 2016</b>   |
| <b>Monday, May 16, 2016</b>      | <b>Monday, November 21, 2016</b>  |
| <b>Monday, June 20, 2016</b>     | <b>Monday, December 19, 2016</b>  |

**Mr. Voelker seconded. The motion was passed unanimously.**

**Mr. Cincione moved the Fiscal Officer be instructed to process and pay all routine bills received prior to year-end. Mr. Voelker seconded. The motion passed unanimously.**

Ms. McKay presented a final report of expenses for the 2015 Holiday Party including information regarding reservations and distribution of leftover materials and food. Ms. McKay reported that 5 boxes of donated toys were delivered to the Grandview Heights Fire Department for their "Fire Fighters for Kids" program.

#### COUNCIL MEMBER REPORTS

Ms. Troiano reported approximately 30 people attended a Grandview Heights Parks and Recreation meeting to discuss the new public pool. They plan to hold one more meeting for public input.

Ms. Troiano reported that the Start Talking Grandview web site is up and running. The address is [www.starttalkinggrandview.org](http://www.starttalkinggrandview.org). The next meeting will be held at the library in January.

#### OLD BUSINESS

Mayor Studebaker introduced the fourth reading of O-2475-15, An Ordinance to add Chapter 36 to the Codified Ordinances of the Village of Marble Cliff regarding

Municipal Income Tax and declaring an emergency.

Mr. Banchevsky explained the modifications to the legislative language approved by Council at the November meeting have been incorporated into the final language attached to the ordinance.

**Mr. Voelker moved Ordinance O-2475-15 be amended to include Revised Exhibit A (Document Reference Code 0127291.0608986 4835-2315-8570v4 11/19/2015).**

**Ms. Troiano seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2475-15 as amended. Ms. Troiano seconded. The motion passed unanimously. Mr. Cincione moved the ordinance be adopted as emergency legislation in order to comply with the requirements of House Bill 5 and to be effective on January 1, 2016. Mr. Kukura seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Mr. Sterneker, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.**

Mayor Studebaker introduced the third reading of O-2480-15, An Ordinance authorizing an agreement with Charles Kelsey to provide Mayor's Court Magistrate Services for a one-year period from January 1, 2016 Through December 31, 2016.

**Mr. Cincione moved the adoption of O-2480-15. Mr. Sterneker seconded. The motion passed unanimously.**

Mayor Studebaker introduced the second reading of O-2482-15, 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, 2016 to January 31, 2017.

Ms. McKay reported the proposed contract is identical to the current year's contract.

**Mr. Cincione moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2482-15. Ms. Siefkas seconded. The motion passed unanimously.**

#### NEW BUSINESS

Ms. Troiano cited a conflict of interest and abstained from all discussion and vote on items related to COTA.

Mayor Studebaker explained that a member of the Grandview Council has asked the Village to support the maintenance of the #19 bus route. Mr. Banchevsky stated that Council is not required to pass a new action but may reaffirm the resolution passed in 2014 supporting the continuation of the #19 route which serves Grandview and Marble Cliff.

Council discussed the advantages of having the community served by COTA.

**Mr. Cincione moved the Council reaffirm COTA Resolution R-2432-14 and its support for the #19 bus route which serves Grandview Heights and Marble Cliff and that the Fiscal Officer be instructed to notify COTA of the Council's action.**

**Mr. Kukura seconded. The motion passed 5 in favor.**

Mr. Voelker recommended that a notice to lock cars and close garage doors be placed on the Village web site.

Mayor Studebaker introduced the first reading of R-2483-15, A Resolution recognizing Robert W. Sterneker for his years of service to the people of the Village of Marble Cliff.

Mayor Studebaker read the resolution and thanked Mr. Sterneker for his service to the Village over the past 8 years. Mayor Studebaker complimented Mr. Sterneker for the holiday light display this year and shared that he has received many compliments from residents and visitors alike.

**Mr. Kukura moved the rules be suspended. Mr. Cincione seconded. The motion passed unanimously. Mr. Cincione moved the adoption of R-2483-15. Mr. Voelker seconded. The motion passed unanimously.**

Mayor Studebaker presented Mr. Sterneker with a token of the Village's appreciation.

Mr. Sterneker stated that it has been an honor and a pleasure to serve the community on the Village Council. He complimented the Council on its spirit of cooperation.

ADJOURN

**Ms. Troiano moved the meeting be adjourned. Ms. Siefkas seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:35 PM.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer