

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

At 1600 Fernwood Ave.

January 18, 2016

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, January 18, 2016 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, 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 Johannes Fiscal Officer, Cynthia A. McKay. Visitors were present.

OATH OF OFFICE

State Representative Michael Curtin administered the Mayoral Oath of Office to Kent E. Studebaker and the Council Member Oath of Office to Kendy A. Troiano and Joanne C. Taylor.

ORGANIZATION OF COUNCIL

Ms. Troiano nominated Matthew P. Cincione to serve as President Pro Tem of Council for 2016. Mr. Voelker seconded the nomination. Roll Call: Mr. Kukura, yes; Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes; Mr. Cincione, yes. Mr. Cincione was elected President Pro Tem of Council with 6 votes in favor, 0 opposed.

VISITORS

Mayor Studebaker introduced Don Rife Jr., owner of Rife's Autobody located on Cardigan Ave. in the Village of Marble Cliff.

Mr. Rife stated that his company has been located in the Tri-Village area since 1944. It is family owned and he has recently welcomed his daughter into the business making her the fourth generation involved in the business. He stated that business is currently very good and he is looking to expand either the Marble Cliff location or the Westerville location. Mr. Rife explained that the business is expanding its ability to perform repairs on new aluminum vehicles. He stated his company has been identified as a certified repair shop by several car manufacturers including Cadillac, Acura, and Tesla.

Mr. Rife explained that body work on aluminum cars must be kept separate from work on traditional steel cars because of the chemical reactions that occur when aluminum and steel particles interact. Mr. Rife is interested in purchasing the Village lot on Cardigan Ave. to construct a building to house the body shop for aluminum cars.

Mr. Rife also reported that his business needs additional parking to support current and future staff. Mr. Rife anticipates that if he is able to expand at the Marble Cliff location he will add 6-8 new employees over the coming years.

Mayor Studebaker commented that the property in question would have to be rezoned to accommodate any new business activity and the public would be given an opportunity to make comment on any proposed changes.

Mayor Studebaker introduced Dan Schmidt and Jonathan Barnes to present revised drawings for development of 2015 W. Fifth Ave. Mayor Studebaker confirmed that staff has reviewed the revised drawings.

Mr. Schmidt stated that the revised drawing reflect the comments and concerns raised by Council. The development includes 55 units and 4 total stories of living space. Mr. Barnes reviewed the revised W. Fifth Ave. façade which is designed to mimic a row of brown stones with a variety of colors. He reviewed several of the aspects of the design including green space between the buildings, the inclusion of a community room and significant setback between the 2nd and 3rd floor and between the 3rd and the 4th floor. The units on W. Fifth Ave. have separate entrances and walks to the front doors. One existing curb cut will be eliminated. Mr. Barnes stated the setback from W. Fifth Ave. is 25 feet. The W. Fifth Ave. exposure is 3 stories. The fourth floor is part of the two rear buildings only.

Ms. Siefkas stated that the revised appearance is more in keeping with the look of the Village. She commented that it is an improvement, but she is concerned about the appearance of the buildings from the side and the back. Mr. Barnes noted that the revised drawings include plantings to soften the appearance of the building from surrounding properties.

Mr. Cincione stated the revised drawings are an improvement over previous presentations. Ms. Taylor asked about the market need for apartments. Ms. Troiano cited a study by Business First showing the need for apartments given the current housing trends. She also stated that the apartments have the potential to be converted to

condominiums if the market changes. Mr. Schmidt confirmed the Business First study.

Mr. Kukura stated his opinion that the density is too high and the four floors is too high for the community. He commented that the size of the project should not be dictated by the number of parking places that can be accommodated on the property.

Ms. McKay reviewed the three step process for rezoning the property as a Planned District Development and moving forward with the demolition process. She explained the first step of submitting a formal Concept Plan which would allow the staff to make formal notification to neighbors. Mayor Studebaker encouraged Council to review the proposal and pass any questions or concerns on to staff or the developer.

Mayor Studebaker introduced State Representative Michel Curtin and invited him to comment on the upcoming primary election. Mr. Curtin explained that he will not be running for re-election in 2016. He told Council that there are two democrats running in the primary for the seat he is vacating; Matt Jolson and Adam Miller. Both gentlemen reside in Marble Cliff and both are attorneys. John Rush will be the republican candidate in the November election. Mr. Rush lives on Columbus' west side and works with ex-offenders to provide job training and placement.

Mayor Studebaker asked Mr. Curtin to be aware that through Upper Arlington the Village of Marble Cliff has a request pending for funding through the state capital budget.

Mayor Studebaker introduced former Village Solicitor Mitchell Banchefsky. Mr. Banchefsky explained that he has taken a new position as the part-time Law Director for the City of New Albany. He said he is pleased with the opportunity, but will miss the work with Marble Cliff.

Council thanked Mr. Banchefsky for his 18 years of service to the Village and commented that he will be missed. They also thanked him for leaving the Village in the capable hands of Mr. Ashrawi.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, December, 2015
- 2) Receive – Police Report, December, 2015
- 3) Receive - Fire Dept. Report, December, 2015
- 4) Receive - Building permits issued in December, 2015
- 5) Approval - Minutes of the regular, scheduled meeting of December 16, 2015
- 6) Approval - Financial Statements for December, 2015
- 7) Receive - Village Income Tax Report – \$122,893.90
- 8) Receive – Permissive Tax Information – Franklin County Engineer

Mr. Voelker moved approval of the Consent Agenda. Ms. Troiano seconded. The Consent Agenda was approved unanimously.

MAYOR'S REPORT

Mayor Studebaker said he attended a recent Franklin County Health Department Community Health Action Team (CHAT) meeting. The CHAT will be focusing on elderly resident safety concentrating on preventing slips and falls.

Mayor Studebaker reported he and the Fiscal Officer met with Bob Meyers, owner of 1600 Dublin Rd., to discuss the proposed multi-purpose path for the south side of W. Fifth Ave. running from Dublin Rd. to the railroad tracks. The Mayor reported Mr. Meyers is very supportive of the plan. Mr. Meyers described the W. Fifth Ave. and Dublin Rd. intersection as the "gateway to Marble Cliff" and expressed his willingness to work with the Village to improve the area.

Mayor Studebaker also reported that he and the Fiscal Officer met with Harrison Allen who will be serving as a summer intern for the Village. Mr. Allen will be focusing on W. Fifth Ave. as identified in the Village's Strategic Plan.

ENGINEER'S REPORT

Mr. Ford reported the W. Fifth Ave. bridge over the Scioto River is complete for vehicle traffic. Work on the bike path is ongoing. The traffic lights will be installed in the coming weeks. Restoration will be completed in the spring.

Mayor Studebaker commented that there have been several accidents that appear to be related to the new traffic pattern and the inadequate striping. Mr. Ford plans to contact the City of Columbus to address the repainting of the lanes. Mr. Johannes asked Mr. Ford to check on the traffic flow control at the intersection.

Mr. Ford reported the street repair work related to the Columbia Gas project to install new, medium pressure gas lines is complete. There are several items remaining on a punch list to be addressed.

Mr. Kukura asked about the street lights on Cambridge Blvd. that stopped working about the time Columbia Gas did work at the intersection of Cambridge Blvd. and W. Third Ave. Mr. Ford said that a repair crew has identified that there are most likely breaks under the sidewalk on the northeast corner. The estimated cost of repair is between \$1,800 and \$4,000. If wheelchair ramps have to be removed, the cost could go higher. Council discussed whether to expend funds to repair the lights when work on the new street light system will begin within the next 90 days.

Mr. Ford stated that he and Mr. Johannes will be meeting with the contractor for the Phase 2 Street Light Project on January 20, 2016. At that meeting they will be discussing the start date along with the order in which the project will move forward. Mr. Ford and Mr. Johannes will be recommending that the project begin on Cambridge Blvd. to address the concerns of the lights which are no longer working at the intersection of Cambridge Blvd. and W. Third Ave. Mr. Ford and Mr. Johannes will develop a schedule for the project and make the schedule available through the web site. Council concurred with Mayor Studebaker's suggestion that the repairs to the street lights at the intersection of Cambridge Blvd. and W. Third Ave. not be performed at this time and that the residents in the impacted area be notified by a letter of the Village's plans.

Mr. Ford and Ms. McKay reported the feasibility study for the W. Fifth Ave. Street Rehab and Bike Path project will be available at the February meeting.

Mr. Johannes complemented Mr. Ford for the manner in which the sewer line break between Our Lady of Victory Church and the Roxbury Arms Apartments was repaired. He commented that the work was done with little disruption to the surrounding properties and completed very quickly.

Mr. Kukura noted that the addition project at the Youssef property at 1261 Cambridge Blvd. for which the Council approved a variance in February 2015 is not the design presented to and approved by Council. He said the addition was approved as a single story addition and the addition under construction is two stories.

The variance permitted a side yard setback and that information was sent to the Grandview Heights Building Department. The variance language also states that the variance is approved based on the drawings attached to the application which in the case of the Youssef property showed a one story, four seasons, sunroom. Ms. McKay explained that routinely the variance language is sent to the Building Department, but it has not been routine to send the drawings as well. That process has already been changed between the Village Hall and the Building Department.

Mayor Studebaker said the Building Department approved plans submitted based on the variance that allowed for a side yard setback but not the drawings attached to the application because they were not provided to the Building Department.

Council expressed their concern that the property owner did not return to the Village Council for approval of the expanded addition. Mayor Studebaker said staff is continuing to work with the Building Department to address the issues raised by this project. Mayor Studebaker commented that Village staff was not made aware of the construction until the expanded work was well underway. No phone calls or emails have been received at the Village Hall regarding the project.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi reviewed a memo included in the Council packets regarding the sale of Village owned property. Based on several Attorney General Rulings, Mr. Ashrawi recommends that the Village follow standard procedures for competitive bidding. However, Mr. Ashrawi stated that Attorney General Rulings are not binding and some communities have sold municipally owned properties without competitive bidding based on community economic development plans or development in the best interest of the municipality.

Mr. Kukura asked if the Village can use benchmarks other than highest bid such as proposed use of the property in making a decision on multiple bids. Mr. Ashrawi commented that consideration of other issues might be allowed in making a determination of how the Village wants to proceed to sell property. Ms. Troiano asked if there have been other parties interested in the Cardigan Ave. lot. Mr. Cincione reminded Council that Brad DeHays, owner of 1400 Dublin Rd., expressed interest in the lot. Ms. McKay commented that over recent years the office has received inquiries about the availability of the lot. Mayor Studebaker commented that Mr. Rife had expressed a willingness to contact Brad DeHays regarding a possible joint venture.

Council had a brief discussion of options for sale and development of the Cardigan Ave. lot. Council asked the Fiscal Officer to get quotes for an appraisal of the Village property on Cardigan.

ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes had no report for Council.

APPROVAL OF BILLS

**Mr. Cincione moved approval of the January 2016 bills totaling \$83,435.59.
Ms. Siefkas seconded. The motion passed unanimously.**

Mr. Kukura moved approval of the amended December 2015 bills totaling \$144,484.94. Ms. Siefkas seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Ms. McKay reported that all financial year end close out activities were completed during the first week of January. All year end required state and county reports and filings have been completed and submitted.

Ms. McKay reported that the Ohio Municipal League is offering Newly Elected Officers Training. She commented that if any Council Members are interested in attending one of the training sessions she has all the necessary registration materials.

Ms. McKay reported she is considering enrolling the Village for automated bill payment through the Arlington Bank. The service is included with the Village's checking account program. Ms. McKay stated she and Mayor Studebaker are working to determine what procedures need to be put in place to satisfy the State Auditor requirements for financial security.

Mr. Kukura commented that his company has experienced some fraudulent activity which appears to be connected to automated bill pay. He suggested that direct deposit is a much safer than having the bank issue checks.

COUNCIL MEMBER REPORTS

Ms. Troiano reported Grandview Heights Parks and Recreation Board has identified three final candidates for the project manager for the new pool project. A decision should be made in the coming weeks.

Ms. Troiano reported that the Start Talking Grandview will be holding a community forum focusing on drug issues within the community. The meeting will be held Tuesday, January 26th from 6-8 pm at the Grandview Library.

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2485-16, An Ordinance adopting a contract for Police, Emergency Medical and Fire Prevention and Suppression Services, Recreational Facilities, Solid Waste Collection, Maintenance Services, and Other Public Services with the City of Grandview Heights, Ohio and directing the Mayor to execute the contract.

Mayor Studebaker pointed out the term of the contract is proposed at 10 years. He stated the dollar increases over the term of the contract contract reflect Grandview's anticipated cost increases for the contracts for uniform personnel and benefits. The services provided will remain the same. Mayor Studebaker reminded Council that the position of the community five years ago which drove the Council's decision to remain with Grandview Heights for contract services, Grandview is the only option and there is little or no room for negation. He did comment that the contract amounts over the last years have been lower than Grandview's actual costs.

No action was taken

Mayor Studebaker introduced the first reading of O-2486-16, An Ordinance providing for additional legal counsel for the Village of Marble Cliff, Ohio, authorizing the employment of Public Defenders in connection with the defense of indigent defendants charged in criminal and traffic cases in the Municipal Court of Franklin County, Ohio, setting compensation of said assistants, authorizing the Mayor to enter into a contract with the Franklin County Public Defender Commission to accomplish such purposes

Mr. Cincione moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Mr. Cincione moved the adoption of O-2486-16. Mr. Voelker seconded. The motion passed unanimously.

Mayor Studebaker introduced the first reading of R-2487-16, A Resolution authorizing the mayor to execute the 2016 Plumbing Inspection Contract between the Village of Marble Cliff and the Franklin County Board of Health.

Mr. Cincione moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Mr. Cincione moved the adoption of R-2487-16. Ms. Siefkas seconded. The motion passed unanimously.

Mayor Studebaker reported the Upper Arlington Chamber of Commerce and the Grandview Heights Chamber of Commerce have agreed to merge and be known as the Tri-Village Chamber Partnership. Grandview's Chamber has approximately 350 members and Upper Arlington's Chamber has approximately 400 members. Michelle Wilson will be the Executive Director. The new offices will be located on Dublin Rd.

Ms. Troiano encouraged Council Members to attend the February Chamber Meeting where Mayor Studebaker and Mayor DeGraw will be presenting State of the Village and State of the City reports.

ADJOURN

Ms. Troiano moved the meeting be adjourned. Mr. Cincione seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 9:50 PM.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer