

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

At 1600 Fernwood Ave.

March 21, 2016

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, March 21, 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.

VISITORS

Mayor Studebaker introduced Grandview Heights Police Chief McCann. Chief McCann reviewed the reports provided to Council by the GHPD. He reported that Jana Cohill is now the GHPD information officer. He reported that the GHPD is participating in a new program which is operated with Franklin County to identify and make arrests for Internet Crimes Against Children. Chief McCann also reported GHPD is now working with the Franklin County drug interdiction program.

Ms. Troiano asked about a recent rash of car and garage break ins. Chief McCann reported that there were 6 break-ins and one car stolen over the previous weekend. The crimes are being investigated. Chief McCann reported that the new bike paths and bridges are being utilized by criminals for easy access into the Grandview and Marble Cliff neighborhoods. Chief McCann said that the department would be ramping up their bike patrols.

Mayor Studebaker reminded Council to notify the police department of any and all suspicious activities. Chief McCann commented that construction site thefts in Grandview Yard have been significant. Mr. Voelker suggested the Village recommend that, while the Village street lights are being replaced, residents should be encouraged to turn on their porch lights. Mayor Studebaker said that a blast e-mail had been sent suggesting that porch lights be left on during installation of the new street lights, but agreed that another e-mail could be sent out as a reminder.

Mayor Studebaker thanked Chief McCann for his visit and for the information provided to Council.

Mayor Studebaker introduced Village residents Helen Miller and Jill Ackerman. Ms. Miller reported she and Ms. Ackerman recently visited with Village residents to share information regarding proposed development of 2015 W. Fifth Ave. Ms. Miller presented a petition signed by 49 residents encouraging the Council to consider the impact of the proposed redevelopment of 2015 W. Fifth Ave. on the Marble Cliff community and to hold a public meeting with the developer and the Council so that interested residents can hear first-hand about the proposal, ask questions, and offer comments and input.

Ms. Miller reported she and Ms. Ackerman had received comments including:

- People stated they do not receive the Columbus Dispatch or Tri-Village News nor do they access the Village web site so they were unaware of the redevelopment discussions. Communication is a concern
- People commented that it is a “neat old building” and “would like to see it preserved if possible.”
- People stated a concern about a loss of tax income to the Village.
- Concerns were expressed about the size and the density of the proposed redevelopment and compared it to the Tarp Woods development proposed many years ago
- Development plans should be posted on the web-site.

Ms. Miller cited the Village’s Strategic Plan and expressed her opinion that the current proposed development is not in keeping with the strategic plan. Ms. Miller also commented that the proposed development would create a 20% increase in housing units and a 13% increase in residents. Ms. Miller stated her concern that the proposed development would skew the ratio of owner occupied verses tenant occupied housing units to approximately 57% of housing units occupied by tenants rather than property owners.

Ms. Miller and Ms. Ackerman offered to serve on a citizen’s committee to consider options for the property. She suggested a public meeting could be an opportunity to form a citizen’s committee to work with those interested in developing the property. Ms. Ackerman stated her concerns of increased traffic on W. Fifth Ave. and the potential loss of revenue to the Village.

Mayor Studebaker thanked Ms. Miller and Ms. Ackerman for their comments. He explained that the presentations to Council to date have been informational and, at the point, the Council has not received a formal request for rezoning or demolition from the property owner or the developer. Under Village rules and regulations, any formal request for a variance, rezoning or demolition will require notice to surrounding properties and public hearing prior to any action by Council. Council has informed the owner and developer that the next step is to make formal application if they are interested in moving forward with redevelopment of the property at 2015 W. Fifth Ave. Council will not take any action without formal application. Mayor Studebaker also stated that the property is privately owned and any action must be initiated by the property owner or his/her representative.

Mayor Studebaker commented that communication is always a concern and the Village routinely considers ways to improve communication. He also reported the Village will have a summer intern whose job will be to analyze the options and potential for the W. Fifth Ave. corridor. Mayor Studebaker confirmed that the issues raised by Ms. Miller and Ms. Ackerman have been raised previously and are being considered by Council and staff.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, February, 2016
- 2) Receive – Police Report, February, 2016
- 3) Receive - Fire Dept. Report, February, 2016
- 4) Receive - Building permits issued in February, 2016
- 5) Approval - Minutes of the regular, scheduled meeting of February 16, 2016
- 6) Approval - Financial Statements for February, 2016
- 7) Receive - Village Income Tax Report – \$110,844.59

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

MAYOR'S REPORT

Mayor Studebaker reported he will not be able to attend the Chamber Gala on March 31 which is being held to celebrate the joining of the Grandview Heights and Upper Arlington Chambers of Commerce. Mayor Studebaker asked members of Council to consult their calendars and let the office know if one of them is able to attend. Mayor Studebaker stated staff will prepare a proclamation from the Mayor to be presented at the event.

Mayor Studebaker presented the appraisal of the Village's Cardigan Ave. lot prepared by Kohr Royer Griffith. The appraised value is \$175,000 which is \$15,000 more than the appraisal prepared by Kohr Royer Griffith in 2008. The appraisal was completed at the request of Council because Don Rife, president of Rife's Autobody, has expressed an interest in purchasing the property for business expansion.

Mr. Cincione asked Mr. Ashrawi to review the process for the sale or lease of municipally owned property. Mr. Ashrawi stated the process for sale or lease requires the Village to publicly advertise the request for bids for five consecutive weeks and then receive the bids at a public bid opening. The Village may accept the highest bid or reject all bids. The Village has the right to specify a minimum bid as part of the bidding process.

Mr. Ashrawi then explained that there is some precedent for municipalities selling property without the bidding process if there is a specific purpose for the property that the municipality believes will benefit the entire community, such as economic development. However, Mr. Ashrawi stated that the most recent opinions tend to heavily support the public bidding process.

Mr. Ashrawi explained that the legislative language states "highest" bid not "highest and best" for the sale of real property. Ms. Taylor asked if a municipality could try the bid approach and, if that process were not successful, move to the direct sale approach. Mr. Ashrawi stated there is nothing in legislation to limit the municipality from trying one approach and then the other.

Council and staff had a lengthy discussion of options and processes including issues of rezoning, allowed uses, governmental transparency and potential liability. Council and staff identified other parties who have expressed interest in the property over the past five years.

Mr. Ashrawi reported that the Ohio Revised Code language does allow a municipality to reject “any or all bids.”

Council directed staff to contact those who have expressed interest in the property to inform them of the potential bidding process for sale of the property. Council asked the Fiscal Officer and Solicitor to prepare an ordinance for consideration by Council at the April Council meeting for the authorizing the sale of the property through the bidding process.

ENGINEER'S REPORT

Mr. Ford reported that the Village has not heard whether funds have been awarded through the state capital budget for the W. Fifth Ave. Street Rehabilitation and Bike Path. He also reported that the deadline for a Clean Ohio Trails Funds which provides funds for multipurpose trails has been extended.

Mayor Studebaker introduced the first reading of R-2492-16, A Resolution authorizing the Fiscal Officer and Engineer to execute the Application for Financial Assistance through the Ohio Department of Natural Resources for Public Recreation Purposes through the Clean Ohio Trails Fund (COTF)

Mr. Voelker moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Mr. Voelker moved the adoption of R-2492-16. Ms. Troiano seconded. The motion passed unanimously.

Mr. Ford explained that the street light project is ongoing. The digging, boring, and pouring of bases is complete. The wiring will be pulled and the poles installed in the coming weeks. If everything stays on schedule the new lights on Cambridge should be up and on in May.

Ms. Taylor reported a neighbor has asked about a location where a pole has been moved, but restoration has not been completed. Mr. Johannes reported that restoration is ongoing. Mr. Ford explained that a gas line on Cambridge Blvd. was hit and damaged. Columbia Gas failed to mark the lines as required. The line has been repaired.

Ms. McKay explained that during the televising of the sanitary and storm sewers prior to directional boring, it was determined that some sanitary and storm sewer lines needed to be cleaned. Precise Boring agreed to do the required cleaning and has requested that the cost be added to their contract through a change order.

Mayor Studebaker introduced the first reading of O-2490-16, An Ordinance accepting a change order submitted by Precise Boring of Ohio for the Marble Cliff Street Light Project – Phase 2.

Mr. Kukura moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Mr. Kukura moved the adoption of O-2490-16. Ms. Troiano seconded. The motion passed unanimously.

Mr. Ford reported the multipurpose trail on the new, W. Fifth Ave. bridge over the Scioto River has been opened. The new signals are not operational because additional work on the traffic flow cameras is required. The painting of the intersection will be completed when the weather allows.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi had no report.

ADMINISTRATIVE ASSISTANT'S REPORT

Mr. Johannes reported new gutters have been installed on Village Hall.

Mr. Johannes reported Grandview Parks and Recreation have installed new mulch in the play area in Falco Park.

APPROVAL OF BILLS

Mr. Cincione moved approval of the March 2016 bills totaling \$238,880.22. Mr. Voelker seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Ms. McKay reported there is another opportunity for public records training on April 12th. Ms. Troiano stated she would be available to attend training on behalf of Village officials. Council agreed that they would be represented by Ms. Troiano if she is able to attend.

COUNCIL MEMBER REPORTS

Ms. Troiano reported Grandview Heights Parks and Recreation Board will meet 3/21/2016 at the Wyman Woods shelter for public input on the pool and park buildings.

Ms. Troiano reported Start Talking Grandview is meeting during this Council meeting. The agenda calls for electing the board and receiving its 501(c).

Mr. Kukura reported the applications for the Falco Scholarship have been made available to Grandview Heights High School and a press release regarding the scholarships was picked up in the Tri-Village News.

OLD BUSINESS

Mayor Studebaker introduced the Third 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 commented that Grandview Heights has passed an ordinance accepting the contract.

Mayor Studebaker reviewed the salient elements of the agreement including the 10 year length of the contract, cost increases based on Grandview's estimate of employee salaries and benefits, and the opportunity to renegotiate in the event of a change in the environment which might significantly alter the delivery of services.

Ms. Taylor reported resident Stephanie Brett express a concern that the amount of annual increases seems high although she supports the idea of a 10 year contract.

Mr. Cincione noted that he was abstaining from any discussion and vote on Ordinance O-2485-16 citing a conflict of interest.

Mr. Voelker moved the adoption of O-2485-16. Ms. Troiano seconded. The motion passed 5 in favor; 0 opposed. Mr. Cincione abstained from discussion and vote on the Ordinance citing a conflict of interest.

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2491-16, An Ordinance to make an appropriation of \$71,156.84 to the Dublin Rd. and Cardigan Ave. Water line Improvements Fund and to authorize the transfer of \$23,000 from the General Fund to the Dublin Rd. and Cardigan Ave. Water line Improvements Fund

Ms. Troiano moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2491-16. Mr. Voelker seconded. The motion passed unanimously.

ADJOURN

Ms. Troiano moved the meeting be adjourned. Mr. Voelker seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:55 PM.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer