

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

At 1600 Fernwood Ave.

September 19, 2016

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, September 19, 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, Linda J. Siefkas, Joanne C. Taylor, and Dow T. Voelker ; Mayor, Kent E. Studebaker; Village Solicitor, Yazan S. Ashrawi; Village Engineer, Joshua Ford; Cynthia A. McKay. Visitors were present.

**Ms. Siefkas moved Ms. Troiano be excused. Mr. Kukura seconded. The motion passed unanimously.**

Administrative Assistant, William Johannes was excused.

## PERMITS AND VARIANCES

Mr. Ashrawi asked all in attendance who intended to offer testimony on either of 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 recognized Sue Grant, landscape architect representing Michele and Michael Leach. Ms. Grant presented plans for the installation of a swimming pool and surrounding fence for the Leach property located at 1449 Arlington Ave.

Ms. Grant explained the property landscaping will be “cleaned up” and additional lawn will be added to the rear yard along with the pool. She explained a hedge of hemlocks will be installed along the south property line to screen the pool and the backyard. A pergola with an outdoor fireplace would also be constructed.

Ms. McKay reported she has not received any comments in favor of or opposition to the pool or the variance requests.

Ms. Grant confirmed the size of the pool along with the paved area surrounding of the pool. Council asked about runoff from the paved and pool area. Ms. Grant explained that the lot would be leveled off and the water flow will be captured in a drainage system and sent to the street. Ms. Grant said the neighbors should actually experience less runoff than they experience now.

Ms. Grant explained that the Leachs are discussing the actual location of the fence with the neighbor but believes it will be placed slightly off the property line on the Leach’s side of the property line.

Donivee Walters, 1427 Arlington Ave., expressed concerns about the amount of construction and activity in the narrow side yard. She commented that any noise and activity will be occurring on the side of the property that faces her porch, bedrooms, kitchen and living space. Ms. Walters suggested the pool could be moved toward the back property line and out of the side yard. Ms. Grant explained that they considered an alternate location toward the rear and determined that such a placement could damage the roots of mature hackberry trees on Ms. Walters’ property.

**Mr. Cincione moved approval of the request submitted by Michael and Michele Leach to install an in ground swimming pool on their property located at 1449 Arlington Ave. in the Village of Marble Cliff Mr. Kukura seconded. The motion passed unanimously.**

**Mr. Cincione moved approval of the request submitted by Michael and Michele Leach for the following variances for their property located at 1449 Arlington Ave. in the Village of Marble Cliff as presented in the Application for Variance dated 8-30-2016:**

- 1. Lot Coverage Variance to allow up to 42% lot coverage.**
- 2. Side Yard Setback Variance to allow the pool and paved area around the pool to have a setback of 10 feet from the south property line.**
- 3. Fence Variance to allow construction of 56 inch fence gate pillars as part of a 48 inch aluminum fence surrounding the pool area.**
- 4. Side Yard Structure Variance to allow a fence surrounding the swimming pool to be constructed along the south property line and between a point on the south property line and the southeast corner of the existing house.**

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

## VISITORS

Mayor Studebaker introduced Zyg Stafa, Eagle Scout candidate from Troop 73, to present a proposal for an Eagle Scout project in Tarp Woods.

Mr. Stafa reviewed a Power Point presentation summarizing the proposed project to repair and replace the steps on the trail in Tarp Woods and to repair the boundary ties in the parking area. Mr. Stafa explained that there is erosion occurring around the steps. He also noted that water sits on the steps creating a slippery surface. Mr. Stafa's project would fill in and stabilize the areas that are eroding and he would remove the dirt on the steps and replace the dirt with pea gravel to promote drainage. He stated some of the wood of the steps would be removed and replaced and other parts would be removed and reinstalled with additional anchoring.

Mr. Stafa stated that the project would replace broken planks in the bridge and gravel would be added in the bridge approach to reduce the amount of mud which flows onto the bridge. In the parking area the wood boundary ties would be removed and reinstalled with improved anchors.

Council discussed the proposal and asked questions about the process and timing for the project. Mr. Stafa stated his plan to start and complete the project during the first or second weekend of October.

**Mr. Voelker moved approval of up to \$400.00 for an Eagle Scout project in Tarp Woods to repair and rebuild the steps on the trail and the parking enclosure.**

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

## CONSENT AGENDA

- 1) Receive - Mayor's Court Report, August, 2016
- 2) Receive - Police Report, July and August 2016
- 3) Receive - Fire Dept. Report, August, 2016
- 4) Receive - Building permits issued in August, 2016
- 5) Approval - Minutes of the regular, scheduled meeting of August 20, 2016
- 6) Approval - Financial Statements for August, 2016
- 7) Receive - Village Income Tax Report - \$119,753.21

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

## MAYOR'S REPORT

Mayor Studebaker reported the Eagle Scout project to replace the fence in Tarp Woods was completed on Sunday, September 18, 2016.

Mayor Studebaker reported he and Ms. McKay attended the MORPC Intern Presentations. He stated that the Village's Intern, Harrison Allen did an excellent job in presenting his project and commented that the Village's project was unique among the projects with its singular focus.

Mayor Studebaker reported he, Ms. McKay and Mr. Ford held a "stakeholders" meeting with the businesses located along Cardigan Ave. to discuss the Cardigan Ave. Street Rebuilding project proposed for OPWC funding and completion in 2018. Mayor Studebaker commented that the meeting went very well. The stakeholders provided good input about what should and should not be included in the rebuild along with recommendations for construction procedures to minimize the disruption of business. Mayor Studebaker also commented that he believes new business relationships will grow out of the opportunity for the various business representatives to meet and consider the future of the Cardigan Ave. business district.

Mayor Studebaker presented a proposal for pavement marking to promote traffic calming on Village Court. Council also suggested that pavement marking be added to the curve on Cambridge Blvd. onto Village Court. Council agreed to move forward with the pavement marking.

### ENGINEER'S REPORT

Mr. Ford reported there will not be a 2016 Crack and Slurry Project. Time for bidding is running out and costs for similar projects have come in higher than anticipated. The engineer is looking at opportunities to partner with Upper Arlington for future road improvement projects.

Mr. Ford reported the Dublin Rd. and Cardigan Ave. Waterline Project will begin on September 26, 2016 and will be completed by November 25, 2016.

Mr. Ford reported the he, Mayor Studebaker and Ms. McKay met with the owners of business on Cardigan Ave. and Dublin Rd. The business owners provided helpful information which was incorporated into the OPWC application. The application was submitted a day early and Wilma Yoder at MORPC was able to make a suggestion that resulted in an additional 5 points for the application.

Mayor Studebaker commented that having the business owners around the table created a mutually supportive atmosphere that will be beneficial for the businesses and the Village.

Mr. Ford left the meeting at this point.

### SOLICITOR'S REPORT

Mr. Ashrawi reported that he spoke with Don Rife's attorney and he has given his approval to the materials for the sale of the Cardigan lot.

Mayor Studebaker introduced the second reading of O-2507-16, An Ordinance authorizing the sale of Village Property located at 2215 Cardigan Avenue (Parcel # 143-0000175) to MGR Real Estate I, LLC ; authorizing the Mayor to execute a Real Estate Contract for Sale and Purchase of Real Property.

**Ms. Siefkas moved the rules be suspended. Mr. Cincione seconded. The motion passed unanimously. Ms. Siefkas moved the adoption of O-2507-16. Ms. Taylor seconded. The motion passed unanimously.**

### ADMINISTRATIVE ASSISTANT'S REPORT

There was no report from the Administrative Assistant

### APPROVAL OF BILLS

**Mr. Cincione moved approval of the September 2016 bills totaling \$84,107.35. Ms. Taylor seconded. The motion passed unanimously.**

**Mr. Cincione moved approval of the amended August 2016 bills totaling \$171,702.58. Mr. Voelker seconded. The motion passed unanimously.**

### FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2512-16, An Ordinance to amend Ordinance O-2478-15 (2016 APPROPRIATION ORDINANCE as amended by Ordinance No. O-2491-16)) to decrease the appropriation to the Dublin Rd. & Cardigan Ave. Water Line Improvement Fund (4902) by \$71,156.84 to \$558,186.00 and to increase the appropriation for the Mayor's Court Agency Fund (9901) by \$10,000.00 to \$34,000.00.

Ms. McKay explained that the change to the waterline fund is to correct a "double" appropriation and the increase to the Mayor's Court Fund is required because the Mayor's Court revenue has exceeded initial estimates.

**Mr. Voelker moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2512-16. Ms. Taylor seconded. The motion passed unanimously.**

Ms. McKay requested Council modify the location of one of the legislation "posting poles".

**Ms. Siefkas moved the location of one of the legislation "posting poles" be moved from the southwest corner of Cambridge Blvd. and W. First Ave. to the southeast corner of Cambridge Blvd. and W. First Ave. Mr. Kukura seconded. The motion passed unanimously.**

COUNCIL MEMBER REPORTS

No Council Members had reports to present.

Mayor Studebaker noted that Ms. Troiano will no longer be representing the Village with Start Talking Grandview. Mayor Studebaker noted the group's focus has shifted primarily to the schools. He reported that Village resident Heidi Varner will remain active with the group and will be available to report to Council in the future.

NEW BUSINESS

Mayor Studebaker introduced the first reading of R-2511-16, A Resolution authorizing the mayor to execute the 2017 Plumbing Inspection Contract between the Village of Marble Cliff and the Franklin County Board of Health.

**Mr. Voelker moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Mr. Cincione moved the adoption of R-2511-16. Mr. Voelker seconded. The motion passed unanimously.**

Mayor Studebaker introduced the first reading of R-2513-16, A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor

**Mr. Kukura moved the rules be suspended. Mr. Voelker seconded. The motion passed unanimously. Ms. Taylor moved the adoption of R-2513-16. Mr. Kukura seconded. The motion passed unanimously.**

Mayor Studebaker introduced the first reading of O-2514-16, An Ordinance authorizing the expenditure of \$3,500 for the 2016 Village Holiday Party and \$1,000 for holiday decoration of the Village green spaces.

Council determined the Village Holiday party would be held on Monday, December 5, 2016. Ms. Taylor agreed to chair the event.

No action was taken on the ordinance.

ADJOURN

**Mr. Cincione moved the meeting be adjourned. Mr. Kukura seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:45 PM.**

Approved by:

Submitted by:

Matthew P. Cincione  
Council President Pro Tem

Cynthia A. McKay  
Fiscal Officer