

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

At 1600 Fernwood Ave.

March 27, 2017

The regular, scheduled meeting of the Council of the Village of Marble Cliff was held Monday, March 27, 2017 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, Kendy A. Troiano, and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Yazan S. Ashrawi; Village Engineer, Joshua Ford; and Fiscal Officer, Cynthia A. McKay. Visitors were present. No press were present.

Administrative Assistant, William C. Johannes was excused.

VARIANCES

Mayor Studebaker introduced John Persons from Signarama of Gahanna who introduced the proposed sign for 1943 W. Fifth Ave. Mr. Persons described the size and materials for the sign as well as the location in the front yard of 1943 W. Fifth Ave.

Mr. Cincione moved approval of the request submitted by Signarama of Gahanna on behalf of Anna Schott to permit a sign variance for the installation of a 64.6 inch wide by 61 inch tall, two sided ground sign in the front yard of the property at 1943 W. Fifth Ave. in the Village of Marble Cliff as shown in the Application for Variance. Mr. Voelker seconded. The motion passed unanimously.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, February, 2017
- 2) Receive - Police Report, February 2017
- 3) Receive - Fire Dept. Report, February, 2017
- 4) Receive - Building permits issued in February, 2017
- 5) Approval - Minutes of the regular, scheduled meeting of February 20, 2017
- 6) Approval - Financial Statements for February, 2017
- 7) Receive - Village Income Tax Report - \$114,611.62

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

MAYOR'S REPORT

Mayor Studebaker reported he presented the State of the Village report at the most recent Tri-Village Chamber Partnership meeting on March 9, 2017.

Mayor Studebaker reported he met with two potential developers for 2015 W. Fifth Ave. The owner of the property was present at both meetings.

Mayor Studebaker reported the Commissary has changed ownership. Mayor Studebaker has met with the new owners to discuss possible modification of the approved uses for the property.

Mayor Studebaker reported he has exchanged e-mails with the resident who raised concerns about the presence of coyotes in the Village. She expressed her appreciation for the Council considering her concerns. Mayor Studebaker said he would have some of the information about "coyote hazing" posted on the web site.

ENGINEER'S REPORT

Mr. Ford reported no change in the status of the construction of the new water line at Dublin Rd. and Cardigan Ave. The construction work is complete. Paving and restoration will be completed when the asphalt companies begin manufacturing hot asphalt.

Mayor Studebaker introduced the first reading of O-2524-17, An Ordinance confirming the City of Upper Arlington's acceptance of a bid for the West Fifth Avenue Shared Use Path and Roadway Improvement Project and accepting the agreement for cost sharing for the Project and declaring an emergency.

Mr. Voelker moved the rules be suspended. Mr. Kukura seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2524-17. Ms. Taylor seconded. The motion passed unanimously. Mr. Voelker moved the ordinance be adopted as emergency legislation in order to move ahead with the project immediately for the health and safety of Marble Cliff residents and visitors. Ms. Taylor seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

Mr. Ford reminded Council of the scope of the 2017 Street Pavement Project which was bid in conjunction with Upper Arlington. The engineer's estimate for the project was \$400,000. The bid for the Village's work came in at \$128,000. Strawser Paving was the winning bid. They are the same company that will be doing the W. Fifth Ave project.

Mayor Studebaker introduced the first reading of O-2525-17, An Ordinance confirming the City of Upper Arlington's acceptance of a bid for the 2017 Street Maintenance Project and accepting the agreement for cost sharing for the project and declaring an emergency.

Ms. Troiano moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2525-17. Mr. Voelker seconded. The motion passed unanimously. Ms. Troiano moved the ordinance be adopted as emergency legislation in order to move ahead with the project immediately for the health and safety of Marble Cliff residents and visitors.

Mr. Voelker seconded. Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

Mr. Ford reported that Elite Excavating will be repairing a portion of the storm sewer located at 1238 Cambridge Blvd. (south of First Ave.) where an individual water service was run through the storm sewer. The work will be completed the first week in April.

Mr. Ford reported the damaged street light on W. Fifth Ave. should be replaced by the second week of April.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi reported the easement for the multi-use path at 1600 Dublin Rd. has been approved by the property owner. The mortgage holder is reviewing the language.

Mr. Ashrawi presented information regarding pending law suits against the State of Ohio's Substitute Senate Bill 331 regarding expanded rights of wireless companies to utilize municipality rights-of-ways without full regard for the municipalities' ordinances and requirements regarding rights-of-ways.

APPROVAL OF BILLS

Ms. Troiano moved approval of the March 2017 bills totaling \$81,118.46. Ms. Taylor seconded. The motion passed unanimously.

Ms. McKay reported the sump pump in the basement of Village Hall failed early in March. There was about 3 inches of standing water throughout the basement. Only records identified for disposal were damaged. Materials for the ice rink were also damaged. Serv-Pro brought in equipment to dry out the basement. An insurance claim will be filed.

Ms. Troiano moved approval of the amended February 2017 bills totaling \$176,622.68. Ms. Siefkas seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Mayor Studebaker introduced the first reading of O-2526-17, An Ordinance to establish the OPWC Loan Repayment Fund 2017, amend Ordinance O-2516-16 (2017 Appropriation Ordinance) to increase the "Transfer Out" line item of the 2017 General Fund Appropriation by \$4,771.46 to \$225,066.46 bringing the total 2017 General Fund Appropriation to \$2,091,935 and to make an appropriation of \$4,771.46 from the OPWC Loan Repayment Fund 2017.

Ms. Troiano moved the rules be suspended. Ms. Siefkas seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2526-17. Ms. Troiano seconded. The motion passed unanimously.

Ms. McKay presented an updated debt summary and analysis for the next 10 years.

Mayor Studebaker introduced the first reading of O-2527-17, An Ordinance to establish the West Fifth Ave. Shared Use Path and Roadway Improvements Fund and to make an Appropriation of \$150,000 from the West Fifth Ave. Shared Use Path and Roadway Improvements Fund. First Reading

Mr. Voelker moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2527-17. Ms. Taylor seconded. The motion passed unanimously.

Ms. McKay reported the Records Commission met to discuss records disposal. A copy of the minutes and the accompanying documentation attached to those minutes were made available to Council for review. Marcia Thomas has agreed to serve on the commission replacing Stephanie Brett who moved out of the Village. She reported the RC-3 has been approved by the state and sent to the Grandview Heights/Marble Cliff Historical Society for review.

Mr. Cincione moved the Council receive the minutes of the Records Commission dated 3/27/2017 and the accompanying RC-3 and incorporate those documents as an attachment to these minutes. Mr. Voelker seconded. The motion passed unanimously

Mayor Studebaker asked Council to note the disposal of Council packets for 2004-2011 and reminded them to dispose of their copies of those documents as well.

Ms. McKay presented an Inventory Disposal List of items damaged in the water in basement event as well as items no longer needed by the Village. The Village will contact charitable organization to determine interest in the items which are still usable.

Mr. Kukura moved approval of the Inventory Disposal List dated March 27, 2017. Ms. Troiano seconded. The motion passed unanimously.

COUNCIL MEMBER REPORTS

Ms. Troiano there will be some new work in the Memorial Park because of a donation to the City of Grandview Heights.

Ms. Troiano reported she has received complaints from residents regarding dogs running unleashed in Tarp Woods and owners failing to clean up after their pets.

Ms. McKay suggested Ms. Troiano ask those who are complaining to her contact the Village staff to file a formal complaint that can be heard in Mayor's Court.

Mr. Kukura reported there were 9 qualified applicants for the 2017 Falco Scholarships. The committee will meet after the Council meeting to determine scholarship awards.

Mr. Voelker reported the Grandview Heights School Facilities Committee will be holding a public meeting on May 1, 2017 at 6:30 pm to discuss options and costs for facility redevelopment.

Mr. Cincione moved to adjourn into executive session to consider the compensation of a public employee or official pursuant to Ohio Revised Code 121.22(G)(1). Ms. Troiano seconded. Roll Call: Roll call: Mr. Cincione, yes; Mr. Kukura, yes; Ms. Siefkas, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

EXECUTIVE SESSION

Mr. Cincione moved Council adjourn from executive session and return to regular session. Mr. Voelker seconded. The motion passed unanimously.

Mr. Cincione moved the salaries of the two staff members (Administrative Assistant and Fiscal Officer) be increased by 4% effective January 1, 2017. Mr. Voelker seconded. The motion was passed unanimously.

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2528-17, An Ordinance amending section 36.051 (C) (Municipal Income Tax) and Section 36.091 (A)(2) (Municipal Income Tax) of the Code of Ordinances of the Village of Marble Cliff, Ohio.

Ms. McKay reported the change was to correct an error in the previously approved income tax ordinance to maintain the Village's requirement for universal tax filing.

Mr. Cincione moved the rules be suspended. Ms. Troiano seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2528-17. Ms. Taylor 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 8:20 PM.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer