

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

At 1600 Fernwood Ave.

September 16, 2019

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, September 16, 2019 in the Village Hall at 1600 Fernwood Ave. at 7:00 pm. Those in attendance were Council Members: Matthew P. Cincione, Marnie Hoag, Matthew R. Jolson, Joanne Taylor, Kendy A. Troiano, and Dow T. Voelker; Mayor, Kent E. Studebaker; Village Solicitor, Yazan Ashrawi; Village Engineer, Joshua Ford; Administrative Assistant, Judith A. Ciccone; and Fiscal Officer, Cynthia A. McKay. Visitors were present.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, August 2019
- 2) Receive – Police Report, August 2019
- 3) Receive – Fire Report, August 2019
- 4) Receive – Building permits issued in August, 2019
- 5) Approval - Minutes of the regular, scheduled meeting of August 17, 2019
- 6) Approval - Financial Statements for August, 2019

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

MAYOR'S REPORT

Mayor Studebaker reported he participated in a meeting with the Chamber's Economic Development Committee. He stated Upper Arlington, Grandview Heights and Marble Cliff shared development activities and opportunities. Mayor Studebaker stated the other communities were impressed that the Village is considering EV chargers, solar panels and curbside composting. He said the other communities are looking forward to receiving information on the various initiatives.

Mayor Studebaker stated the Chamber's Economic Download would take place on October 9, 2019. Representatives of The Wagenbrenner Company will be the speakers.

Mayor Studebaker stated the 2015 West Fifth Ave. proposal is still in the hands of the school board. Mr. Ashrawi has reached out to the board's attorney in an attempt to move the process along.

Mayor Studebaker reported he and the Fiscal Officer have met with representatives of American Electric Power regarding AEP's purchase of 2200 / 2300 W. Fifth Ave. to expand their existing substation into a major utility facility. The project will include the removal of the two existing office buildings on the property.

Mayor Studebaker confirmed the Village will lose approximately 10% of its income tax revenue and reported he has expressed his dissatisfaction, disappointment and displeasure with the loss of income, the poor aesthetics of a utility station at the gateway to the Village, and negative impact on the Village overall. Mayor Studebaker confirmed that the current zoning would not permit the expanded power station. However, the ability of the Village to enforce zoning may be limited. The change will affect property taxes for the Village and the school district.

Mayor Studebaker reported AEP is developing plans and will schedule a meeting with residents to review their plans.

Mayor Studebaker stated the Village has received notices from Costal Ridge Realty (approximately 68 employees) and PDS Planners (approximately 25 employees) stating those companies' intentions to relocate from the Village due to growth and business opportunities. Comp Drug (approximately 35 employees) is the remaining major tenant facing displacement from the 2200 / 2300 W. Fifth Ave. buildings. Mayor Studebaker reported he met with Bob Meyers, owner of 1600 Dublin Rd. and stated the buildings at 1600 Dublin are almost 100% occupied, leaving little opportunity for growth or expansion. Mayor Studebaker also reported Mr. Meyers is extremely unhappy with AEP's plans and is investigating options to oppose the plans for expansion by AEP.

Council briefly discussed the potential negative impact on Marble Cliff and Upper Arlington. Council also questioned if the Marble Cliff location is the best option versus a less residential location further to the west. Council asked about proposed time table for AEP moving forward. Council agreed that an early step is application from AEP for a demolition permit. Mayor Studebaker stated his understanding that AEP will not offer a

renewal on current leases and AEP may be willing to incentivize early moves by the remaining tenants.

Ms. McKay stated she is working to collect repayment with interest of the loan issued by the Village, under the mutual agreement with the property owner, for the elevator added to the 2300 W. Fifth Ave. building.

Mayor Studebaker stated the Village's first opportunity to address the proposed changes by AEP would be a hearing at the Power Siting Board. Mayor Studebaker also confirmed that AEP would have to receive an approved demolition permit from Village Council prior to moving forward on any development.

Mayor Studebaker stated the local historical society's Tour of Homes will take place on October 4, 2019. Two Marble Cliff homes will be featured on the tour.

ENGINEER'S REPORT

Mayor Studebaker introduced the first reading of O-2611-19, An Ordinance accepting a Change Order for the 2019 Storm and Sanitary Sewer Improvements Project, authorizing final payment and declaring an emergency.

Mr. Ford reviewed the changes to the original contract for the sewer improvements and pointed out that even with the changes the overall cost for the project is under the original bid.

Mr. Jolson moved to suspend the rules. Ms. Taylor seconded. The motion passed unanimously. Ms. Hoag moved the adoption of O-2611-19. Ms. Taylor seconded. The motion passed unanimously. Ms. Hoag moved Ordinance O-2611-19 be passed as an emergency so the project can be closed. Ms. Taylor seconded. Roll Call: Mr. Cincione, yes; Ms. Hoag, yes; Mr. Jolson, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

Mr. Ford reported he and Ms. Ciccone worked with the Ohio EPA to complete an audit of the Village's activities related to the MS4 Storm Water Permit. The Village was found to be in full compliance of the requirements for maintaining the permit.

Mr. Cincione reported the sidewalk at 1553 Cambridge Blvd. is in need of repair. Mr. Ford stated the work will be done as part of the lifting and grinding scheduled for this fall.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Ashrawi had no report for Council.

Mr. Voelker reported pending legislation that could affect the Village. One is HB 20 that regulates restrictions on residential solar panels. Mr. Ashrawi stated the bill does not affect municipalities. Mr. Voelker also asked about HB124 regarding small livestock regulations by municipalities. Mr. Ashrawi stated he will look into the legislation.

ADMINISTRATIVE ASSISTANT REPORT

Ms. Ciccone presented a proposal for fall leaf pick-up from Environmental Management Inc. The proposal increases the hourly rate by \$5 over previous years. The 2019-2020 rate will be \$140 per hour

Mr. Jolson moved approval of the proposal from Environmental Management Inc. for leaf pick-up during the 2019-2020 season. Ms. Taylor seconded. The motion passed unanimously.

Ms. Ciccone presented a proposal from Ahlum and Arbor for replacement of trees in Village green spaces. The trees were removed over the past years or damaged and removed during a recent storm. The proposed cost is \$2,475.

Mr. Jolson moved approval of a proposal from Ahlum and Arbor to replace trees in Village green spaces. Ms. Troiano seconded. The motion passed unanimously.

Ms. Ciccone reported she is finalizing a proposal for holiday lighting.

APPROVAL OF BILLS

Ms. Troiano moved approval of the September 2019 bills totaling \$79,597.44.

Ms. Hoag seconded. The motion passed unanimously.

Ms. Troiano moved approval of the amended August 2019 bills totaling \$117,244.79.

Ms. Taylor seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Ms. McKay reviewed a new form for Council information and action. Several Council members stated they found it helpful and suggested it be used going forward.

Ms. McKay presented a review of the Village's Investment and Depository Policy. The report included proposed modifications to the existing policy that has not been reviewed or updated since its establishment in 1996. The changes include changing references to "Clerk Treasurer", removing a reference to "FSLIC" and adding a member of Council as a Treasury Investment Board member.

Ms. McKay also reviewed all current investments and the Ohio Revised Code requirements and restrictions for investments by municipalities. Ms. McKay explained that the request for a depository agreement with First Federal Bank would provide an additional investment opportunity for the Village.

Mayor Studebaker recommended Council review the proposals and be prepared to act on the proposed changes at the October Council meeting.

Mayor Studebaker introduced the second reading of O-2609-19, An Ordinance authorizing the Fiscal Officer to execute a depository agreement for active, interim and/or inactive public funds with First Federal Bank for the Village of Marble Cliff.

No action was taken.

Ms. McKay reported AEP has approved the plans for the installation of the EV charging stations. The installation will take place any time in the next 10 weeks.

Mayor Studebaker introduced the first reading of R-2612-19, 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.

Ms. McKay reported the resolution is a routine approval of the amounts approved by the Budget Commission based on the budget submitted by the Village in July of each year.

Mr. Voelker moved to suspend the rules. Ms. Hoag seconded. The motion passed unanimously. Mr. Voelker moved the adoption of R-2612-19. Ms. Troiano seconded. Roll Call: Mr. Cincione, yes; Ms. Hoag, yes; Mr. Jolson, yes; Ms. Taylor, yes; Ms. Troiano, yes; Mr. Voelker, yes. The motion passed unanimously.

COUNCIL MEMBER REPORTS

Ms. Troiano presented plans for improvements at Wallace Gardens and McKinley Park in the City of Grandview Heights. Ms. Troiano reported the initial estimate is \$180,000. The proposal includes improvements to the shelter house, the removal of current playground equipment and replacing the playground with an all-natural play area. The plans are very preliminary at this time.

OLD BUSINESS

Mayor Studebaker introduced the sixth reading of O-2602-19, An Ordinance authorizing the Mayor to execute the Community Reinvestment Area Agreement between the Village of Marble Cliff and F2 Companies.

No action was taken

Mayor Studebaker introduced the first reading of O-2610-19, An Ordinance authorizing the Fiscal Officer to make a payment of \$1,500.00 to the Tri-Village Chamber Partnership to support the Business Inspires Podcast.

Mr. Voelker moved to suspend the rules. Ms. Troiano seconded. The motion passed unanimously. Ms. Hoag moved the adoption of O-2610-19. Ms. Taylor seconded. The motion passed unanimously.

Mayor Studebaker introduced the first reading of O-2613-19, An Ordinance accepting a quote for the Village Hall and north streetlights solar panel project and declaring an emergency

Ms. McKay presented a comparison of the three proposals for solar panel installation at the Village Hall that would power the Village Hall and the streetlights in the north side of the Village. Ms. McKay stated she is still contacting other municipalities for comment on solar power use in their communities.

Council endorsed the proposal from Ecohouse Solar but agreed to wait to take action until the Fiscal Officer receives comments from other municipalities.

No action was taken.

NEW BUSINESS

Ms. McKay presented copies of the current sign ordinances along with the application for a permanent sign permit and a temporary sign permit. Council discussed the code along with standard policies and procedures for applying the sign code.

Council discussed recent concerns raised by residents regarding a temporary sign at First Community Church property on Cambridge Blvd.

Council determined there was no additional information required and agreed the current policies and procedures are appropriate.

Ms. Taylor reported there will be a Village potluck picnic on Sunday, September 22, 2019.

Ms. Taylor asked if the Village can address the overgrown property on Arlington Ave. Mayor Studebaker said the Village can address the issue if the right-of-way is overgrown, there are noxious weeds, overgrown grass, or if there is a problem with rodent or critter control

ADJOURN

Ms. Troiano moved to adjourn the meeting. Mr. Jolson seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 8:55 P.M.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer