

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

At 1600 Fernwood Ave.

October 21, 2019

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, October 21, 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 Engineer, Joshua Ford; Administrative Assistant, Judith A. Ciccone; and Fiscal Officer, Cynthia A. McKay. Visitors were present.

Village Solicitor, Yazan Ashrawi, was excused from the meeting. Thaddeus Boggs was present as acting Village Solicitor.

VISITORS

Mayor Studebaker introduced Robert Meyers, owner of 1600 Dublin Rd. to address the development of the corner parcel at 1600 Dublin Rd. He stated his company will be carving out a 1.92 acre parcel on the corner of 1600 Dublin Rd. for development of a property that will support the businesses and the employees located at 1600 Dublin Rd. He stated they had been considering 31 different offers over the last 18 months and have determined that Northstar Realty has the best option for the benefit of the property, the employers, the employees, and the community.

Mayor Studebaker recognized Glenn Dugger representing Northstar Realty. Mr. Dugger explained the proposed building will be complimentary in architecture to the buildings at 1600 Dublin Rd. The building will house up to four small retailers that will offer food and services options for the employees in the immediate area.

Tom Brigdon, principal of Northstar Realty, asked Council for feedback regarding the general idea of the proposed development before moving forward.

Mr. Voelker asked if the property will be sold to Northstar Realty or would they be leasing the property and building. Mr. Dugger stated the parcel will be sold to Northstar Realty for construction and management of the proposed building. Ms. Hoag asked if he developer plans to complete a traffic study. Mr. Dugger stated a no traffic study has been completed, but they have gathered general traffic counts for the intersection. Mr. Dugger confirmed that no additional curb cuts are planned for the property from Dublin rd. or W. fifth Ave. and that the entrance and exit for the property would be through the western curb cut on the W. Fifth Ave. side of the property.

Ms. Taylor asked if viable tenants have been identified or is the building being constructed on speculation. Mr. Brigdon confirmed viable tenants have been identified and discussions are ongoing.

Mr. Jolson asked if the developer is aware of the plans by AEP to remove the two office buildings across the street and replace them with a power facility. Mr. Dugger confirmed they are aware of the proposal from AEP and are not concerned that, if the proposal comes to fruition, their project will be negatively affected. Mr. Meyers commented that he is very concerned about the negative impact of the expansion of the AEP facility and the elimination of the two existing office buildings.

Mr. Cincione noted the intersection of Dublin Rd. and Fifth Ave. is the gateway to the Village. He commented that he hoped the architecture would reflect the importance of the location relative to the Village. He also suggested there might be the opportunity for a "Marble Cliff" sign and more green space at the corner. He also commented that he is generally OK with the proposed project. Mr. Voelker concurred with Mr. Cincione's comments and suggested that the development be accesible to walkers and bikers using the multi-purpose trail.

Mr. Brigdon explained that the next step for them is to put a packet together for formal consideration. Mr. Brigdon stated they would like to have the project well underway by early spring.

Mayor Studebaker stated staff will be working with the developers to determine necessary variances and/or legislative action to move the project forward for Council approval.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, September 2019
- 2) Receive - Police Report, September 2019
- 3) Receive - Fire Report, September 2019
- 4) Receive - Building permits issued in September, 2019
- 5) Approval - Minutes of the regular, scheduled meeting of September 16, 2019
- 6) Approval - Financial Statements for September, 2019
- 7) Receive - Village Income Tax Report August 2019 - \$110,191.24
- 8) Receive - Village Income Tax Report September 2019 - \$112,251.33
- 9) Summary of staff actions Sept. 15 to Oct. 18, 2019

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

MAYOR'S REPORT

Mayor Studebaker reported he participated in the Chamber's Economic Development Download. The featured speaker was a representative of the Wagenbrenner Company. He presented the new metro park and residential development of the old quarry on the west side of the river north of Trabue Rd. Mayor Studebaker stated the park and residential area is approximately 600 acres which will be developed in three phases. The Wagenbrenners are also developing the property at Route 33 and Grandview Ave. which will include retail, office and up to one thousand residential units.

Mayor Studebaker reported he spoke with Matthew Mnich regarding his property at 1450 Dublin Rd. Mr. Mnich reported he has leased the property to Integrated Systems which outgrew its location in Grandview Heights. Mayor Studebaker stated a conditional use variance will probably be necessary for the business relocation. The staff will work with Mr. Mnich to bring the necessary request to Council.

Mayor Studebaker reported he has scheduled a meeting with Brad DeHays to discuss plans to move offices of Connect Realty to Mr. DeHays' newly developed property downtown at the former electric plant on Spring St.

Mayor Studebaker reported Mr. Mnich, Mr. DeHays and a representative of Spectrum, which maintains offices at 1600 Dublin Rd., have all expressed their concerns regarding the AEP purchase of 2200 / 2300 W. Fifth Ave.

Mayor Studebaker reported the Village has received official communication from AEP stating that there is very little the municipality can do to oppose their plans for an expanded electrical facility at the corner of W. Fifth Ave. and Dublin Rd. Mayor Studebaker noted his disagreement with AEP's position that the development does not harm the community. Mayor Studebaker noted that a loss of 10% of the Village's income tax revenue is harmful to the Village.

Mr. Voelker asked if the Village's hardship will be considered by the Power Siting Board. Mr. Boggs said there are several tracks the Power Siting Board can take when considering the request from AEP. Mr. Boggs stated the Village's concerns will be considered.

Mr. Voelker asked if the Village can suggest other possible locations for the facility. Ms. McKay noted that the utility has stated they have extensively researched other options and determined there are no other options. The utility has stated that it is more cost effective for them to expand a facility than to build a new facility. Mr. Voelker suggested the new metro park property might be a more appropriate location. Mayor Studebaker has alerted Upper Arlington to the potential impact on First Community Village and south Upper Arlington.

Ms. McKay reported AEP wants to hold a community meeting to convince the residents of the need and benefit of the proposed development. Council instructed staff to make arrangements for the public meeting.

Council discussed options for presenting the Village's best argument for the Siting Board to deny AEP's request. Mayor Studebaker also noted that AEP must relocate the main 30-inch sewer line which runs across the property. Mr. Ford has sent AEP's engineers options for relocation of the sewer line.

Mr. Jolson stated the Village may want to consider retaining additional legal counsel to challenge AEP. Mr. Cincione suggested the Village may want to hire a PR firm to represent the Village's position.

Ms. Hoag asked if the Grandview Heights Police Department plans to expand in light of the growth of Grandview Yard. Mayor Studebaker stated that he is not aware of any plans for expansion. Mayor Studebaker stated that the upcoming election of a new Grandview Heights mayor may have the most significant impact of departments within Grandview Heights

ENGINEER'S REPORT

Mr. Ford reported the project to "lift and grind" sidewalks in the Village will begin in the next few weeks.

Mr. Ford left the meeting at this point.

SOLICITOR'S REPORT

Mr. Boggs had no report for Council.

ADMINISTRATIVE ASSISTANT REPORT

Ms. Ciccone reported she is working with Ahlum and Arbor to replace several tree lawn trees. She stated that the Village plans to diversify the types of trees in the tree lawns to improve the overall health of the Village's urban forest. Mr. Jolson asked if the Village is moving away from the pear trees on Cambridge Blvd. Ms. Ciccone stated that options will be considered under the recommendation of the arborist.

APPROVAL OF BILLS

Ms. Troiano moved approval of the October 2019 bills totaling \$89,258.38.

Ms. Taylor seconded. The motion passed unanimously.

Mr. Voelker moved approval of the amended September 2019 bills totaling \$159,021.94. Mr. Jolson seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Ms. McKay presented Prescription Drug Disposal Kits which are available through the Franklin County Alcohol, Drug and Mental Health Board. She stated that kits are available through the Grandview Heights Police Department and will soon be available at Village Hall.

Ms. McKay presented the Investment Policy for Council review.

Mr. Cincione moved approval of the amended Investment Policy. Ms. Troiano seconded. The motion passed unanimously.

Mayor Studebaker introduced the third 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.

Mr. Jolson moved the adoption of O-2609-19. Mr. Cincione seconded. The motion passed unanimously.

Ms. McKay reported plans are being finalized for the electrical vehicle charging stations at Village Hall. Ms. McKay stated she believes the stations will be operational by the end of the year.

Mayor Studebaker introduced the first reading O-2614-19, 2020 Annual Appropriation Ordinance.

Ms. McKay pointed out that supporting financial documents were included in the Council packets. She stated she will provide five-year financial plan and capital plan will be available for the November Council meeting.

No action was taken.

Ms. McKay reported Mr. Cincione forwarded a request from a Grandview family for permission to plant a tree or install a bench in Tarpy Woods in memory of a young man who died recently in an automobile accident. Ms. McKay asked for Council direction in addressing such requests. Mayor Studebaker stated there are memorial trees on Cambridge Island and a memorial bench in Falco Park. He also noted there is a tree on Cambridge Island in honor of Curt Gantz's service to the Village.

Mayor Studebaker suggested Council may want to develop a plan that allows the Village to control and direct the memorials in accordance with an overall plan. Mayor Studebaker asked Council to consider options and bring the topic back to a future meeting for discussion.

COUNCIL MEMBER REPORTS

Mr. Cincione reviewed the agenda for the upcoming Wildlife Seminar sponsored by the Ohio Department of Natural Resources. Council determined not to send a representative to the seminar.

OLD BUSINESS

Mayor Studebaker introduced the seventh 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.

Mayor Studebaker noted that the school board's attorney responded to the request for a 100% abatement on the development at 2015 W. Fifth Ave. property. The response was for a 55% abatement along with a number of PILOT payments to the school over the term of the tax abatement.

After consideration of the school's counter offer, the developer has proposed a 50% tax abatement which will not require approval by the school. The request for the 50% tax abatement requires notification to the school system. The necessary notification from the Village to the School Board will be sent as required at least 14 days prior to the meeting during which the Village Council may act on the modified request.

Mayor Studebaker stated that if the property sells for 1.2 million dollars the school may immediately ask for revaluation for tax purposes which, if successful, will significantly increase the base on which the abatements would be set. Even with the 50% abatement the schools will see an annual increase in tax revenue from the property. Mayor Studebaker also reported the developers plan the units will be condominiums from the offset.

If the Council determines to move forward with the requested 50% abatement, Ordinance O-2602-19 will be amended at the November Council meeting.

Mayor Studebaker introduced the second reading of O-2613-19, An Ordinance accepting a quote for the Village Hall and North Street lights solar panel project and declaring an emergency.

Ms. McKay reported she spoke with the Mayor of Bexley, Ohio regarding their decision to install solar panels at various municipal owned locations in Bexley. Ms. McKay stated Bexley is very pleased with the solar panel installation and are considering additional installations.

Mr. Jolson moved to suspend the rules. Ms. Taylor seconded. The motion passed unanimously. Mr. Voelker moved the adoption of O-2613-19. Ms. Troiano seconded. The motion passed unanimously. Mr. Voelker moved Ordinance O-2613-19 be passed as an emergency so the project can move forward during the current construction season. 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.

NEW BUSINESS

Mayor Studebaker introduced the first reading of O-2615-19, An Ordinance adding section 154.065 – Solar Panels – to the Code of Ordinances of the Village of Marble Cliff, Ohio.

Ms. McKay introduced language to regulate the installation of solar panels. She stated the language is similar to language adopted by the City of Bexley. She also noted that Grandview Heights recently approved solar panels for the front of a house on W. First Ave.

Council asked staff to revise the proposed language to reflect the roll of Council in determining the appropriateness of requests for solar panels on the front side of a property.

Mayor Studebaker introduced the first reading of O-2618-19, An Ordinance authorizing the expenditure of \$4,000.00 for the 2019 Village Holiday Party and \$9,000.00 for holiday decoration of the Village green spaces.

Ms. Taylor agreed to chair the event. Ms. McKay reviewed the lighting plan submitted by Ahlum and Arbor.

Mr. Jolson moved to suspend the rules. Ms. Taylor seconded. The motion passed unanimously. Ms. Hoag moved the adoption of O-2618-19 Ms. Troiano seconded. The motion passed unanimously.

Mayor Studebaker introduced the first reading of O-2616-19, An Ordinance authorizing an agreement with Charles Kelsey to provide Mayor's Court Magistrate Services for a one-year period from January 1, 2020 Through December 31, 2020.

No action was taken

Mayor Studebaker introduced the first reading of R-2617-19, A Resolution adopting the Franklin County Natural Hazards Mitigation Plan.

No action was taken

ADJOURN

Mr. Voelker moved to adjourn the meeting. Ms. Hoag seconded. The motion passed unanimously. Mayor Studebaker adjourned the meeting at 9:20 P.M.

Approved by:

Submitted by:

Matthew P. Cincione
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer