

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

VIA ZOOM

November 16, 2020

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, November 16, 2020 at 7:00 pm. via Zoom electronic meeting software. Those in attendance were Council President, Dow T. Voelker; Council Members: Marnie Hoag, Matthew R. Jolson, Jeffrey Smith, Joanne Taylor, and Kendy A. Troiano; Mayor, Matthew P. Cincione; Yazan S. Ashrawi, Village Solicitor; Joshua Ford, Village Engineer; Administrative Assistant, Judith Ciccone, and Fiscal Officer, Cynthia A. McKay. No representatives of the press were present. Visitors were present

VARIANCES, PERMITS AND VISITORS

Mayor Cincione introduced a request for a front yard structure variance for the property at 1430 Arlington Ave.

Mr. Ashrawi asked all in attendance who intended to offer testimony on the variance and demolition permit 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 hearing will be the truth and the whole truth and nothing but the truth?”** Those standing responded **“Yes.”**

Mayor Cincione recognized Steven Dempsy from Dave Fox Design Build, representing the owners of 1430 Arlington Ave. The design plan is to add a covering over an existing front door for protection for individuals visiting the home and packages delivered to the home. The new structure will be shingled to match the roof on the existing home.

Ms. McKay confirmed the Village has received no comments in favor of or opposition to the variance or garage demolition.

Council agreed that the proposed design changes will enhance the property.

Mr. Voelker moved approval of front yard structure variance for the property at 1430 Arlington Ave. Ms. Hoag seconded. Council unanimously approved the variance request.

CONSENT AGENDA

- 1) Receive - Mayor's Court Report, October, 2020
- 2) Receive – Police Report, October, 2020
- 3) Receive – Fire Report, October, 2020
- 4) Receive – Building Permits Issued, October 2020
- 5) Approval - Minutes of the regular, scheduled meeting of October 19, 2020
- 6) Approval - Financial Statements for October, 2020
- 7) Receive – Tax Reports

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

MAYOR'S REPORT

Mayor Cincione suggested Council might want to consider staff salary increases as well compensation for Council and Mayor. Mayor Cincione said that he would discuss specifics with Ms. Troiano and Mr. Voelker and bring a recommendation to Council.

Mayor Cincione reported a new business has moved into a vacant building on W. Fifth Ave.

Mayor Cincione reported he met with Mike Shaddock, Columbus Mayor Ginther's suburban liaison, to discuss issues specific to the Village and the first tier northwest suburbs.

Mayor Cincione asked Council to take note that when the bills are approved, the Village's final payment for Tarpy Woods Park will be processed and the Village will own the property outright.

ENGINEER'S REPORT

Mr. Ford reported the removal of the traffic light at Cambridge Blvd and Third Ave. is complete. Mayor Cincione stated his opinion that the appearance of intersection is improved. Members of Council confirmed they had not received any additional comments from residents.

Mr. Voelker asked how long the fire hydrant at Third Ave. and Roxbury Rd. will be out of service. Ms. McKay stated there are two out of service and Central Ohio Hydrant is working on both repairs. Ms. McKay did not have a time line for completion of the work. Mr. Ford stated the hydrant at W. Third Ave. and Roxbury Rd required the City of Columbus to replace a watch valve to the unit

Ms. McKay stated the streetlights in the south side of the Village are remaining on all day because a bush is covering the sensor. The bush will be cut down.

SOLICITOR'S REPORT

Mr. Ashrawi reported the state Supreme Court handed down a ruling on the municipalities challenge of the state's action to administer net profit tax collections. The court upheld the state's centralized collection. However, the court struck down the state's charging a fee to the jurisdiction for the administration. The case was remanded back to a lower court. One of the issues to be addressed is refunding the fees collected to date.

Mr. Smith asked if the state legislature has acted on legislation to determine where income taxes will be collected for employees working from home rather the employer's business location. Mr. Ashrawi reported there is some legal action pending on the issue of work from home as well as legislation under consideration.

ADMINISTRATIVE ASSISTANT REPORT

Ms. Ciconne reported the sign for the play equipment in Falco Park is under production.

Ms. Ciccione reported ongoing issues with a dog whose owners live on Village Court. The case has been continued.

Ms. Ciccione stated Ahlum and Arbor plan to finalize planting plans for Tarp Wood and planting will take place in the spring. Final design will be brought to Council for approval. Ahluum and Arbor are also performing tree maintenance on Roxbury Rd.

Mayor Cincione reported he would like to discuss naming options for Tarp Woods with Mr. Voelker. He suggested that there could be a formal naming and dedication ceremony in the sprint.

Ms. Ciconne reported leaf pick-up in the Village is ongoing.

Ms. Ciccione reported Ahlum and Arbor is beginning the work to install holiday lighting throughout the Village.

APPROVAL OF BILLS

Ms. Troiano moved approval of the November 2020 bills totaling \$136,751.97.

Ms. Taylor seconded. The motion passed unanimously.

Mr. Voelke moved approval of the amended October 2020 bills totaling \$236,704.76.

Mr. Smith seconded. The motion passed unanimously.

FISCAL OFFICER'S REPORT

Ms. McKay reported she is continuing to work with the state Auditor's office to complete the required audit of the years 2018 and 2019.

Ms. McKay reviewed information received from the state's Department of Commerce regarding opportunities for the Village to object to the renewal of any liquor permits issued for businesses located in the Village. Council determined no action was required.

COUNCIL MEMER REPORTS

No Council Members offered reports.

OLD BUSINESS

Council had a brief discussion regarding a Village holiday event. Council determined, in light of the increasing cases of COVID-19, no holiday event will be sponsored by the Village in 2020.

Mayor Cincione introduced the second reading of O-2646-20, 2021 Annual Appropriation Ordinance.

Mayor Cincione stated the appropriation would need to be amended if Council decides increase staff compensation. Mayor Cincione asked if Council would like to consider increasing compensation for elected officials. Ms. Troiano noted that elected officials cannot give themselves an “in-term” increase in compensation, so any discussion of or action on salary increases for elected officials would not require modification of the 2021 Appropriation Ordinance.

Council discussed the various options for staff and elected officials compensation. Council agreed to consider staff compensation, but determined not to consider compensation changes for elected officials.

No action was taken

Mayor Cincione introduced the second reading of O-2647-20, An Ordinance authorizing an agreement with Charles Kelsey to provide Mayor’s Court Magistrate Services for a one-year period from January 1, 2021 Through December 31, 2021.

No action was taken.

NEW BUSINESS

Mayor Cincione introduced the first reading of O-2648-20, An Ordinance authorizing the Mayor and Fiscal Officer to enter into a contract for professional legal services with Frost Brown Todd LLC for a one-year period from February 1, 2021 through January 31, 2022.

Mr. Ashrawi reviewed the firms request to increase the standard cost per hour by \$10. Mayor’s Court fees would remain unchanged.

No action was taken.

Ms. McKay introduced recent updates to Grandview Heights Code of Ordinances regarding “Peddlers and Solicitors”. Staff suggested options for bringing the Marble Cliff Code of Ordinances in line with Grandview Heights. Staff will bring an action to Council for consideration.

Mayor Cincione introduced the first reading of O-2649-20, An Ordinance authorizing the Fiscal Officer to make a payment of \$500.00 to the Tri-Village Chamber Partnership to support the Business Inspires Podcast.

Council discussed the Village’s past support for the podcast. Mayor Cincione reported Grandview Heights and Upper Arlington have agreed this year to support the cost of the podcast. Therefore, the request from the Tri-Village Partnership is for \$500 rather than the \$1,500 requested in prior years.

Ms. Hoag moved to suspend the rules. Ms. Taylot seconded. The motion passed unanimously. Ms. Troiano moved the adoption of O-2649-20. Mr. Voelker seconded. The motion passed unanimously.

ADJOURN

Ms. Troiano moved to adjourn the meeting. Ms. Hoag seconded. The motion passed unanimously. Mayor Cincione adjourned the meeting at 8:22 P.M.

Approved by:

Submitted by:

Dow T. Voelker
Council President Pro Tem

Cynthia A. McKay
Fiscal Officer