

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

1600 Fernwood Ave.

September 19, 2022

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, September 19, 2022 at 7:00 pm. in Village Hall, 1600 Fernwood Ave., in the Village of Marble Cliff. Those in attendance were Mayor, Matthew Cincione; Council President, Dow T. Voelker; Council Members: Charlotte B. Hickcox, Matthew R. Jolson, Bridget B. Sarna, and Joanne C. Taylor; Yaz Ashrawi, Village Solicitor; Stephanie Evans, Fiscal Officer; and Peggy Shanahan, Assistant Fiscal Officer. No representatives of the press were present. Visitors were present.

Mayor Cincione called the meeting to order at 7:00pm and asked for a motion to excuse Ms. Troiano.

**Mr. Voelker moved to excuse Ms. Troiano; Ms. Taylor seconded. Motion passed unanimously by the 5 members present.**

## VARIANCES, PERMITS AND VISITORS

Grandview Heights Police Chief Ryan Starns introduced himself and offered to answer questions. Mayor Cincione asked how noise complaints are addressed; Chief Starns stated that officers pay a visit to construction sites to talk with the foreman to try to address the problem before any citations are issued. Mr. Jolson asked about any increases in calls over last year. Chief Starns said there has been a 15-20% increase year-over-year, and that calls have surpassed pre-Covid levels. Narcotics and thefts account for most calls, with unlocked vehicles in parking garages and surface lots making crimes of opportunity more prevalent. Mr. Voelker asked about the number of crashes at Fifth Ave. and Dublin Rd. Chief Starns said that most are due to a failure to yield on left turns onto Fifth Ave. Mayor Cincione asked about the Chief's thoughts on the new building proposal for the City of Grandview Heights. The Chief shared that the firehouse was built in 1944 and is the oldest in central Ohio, and that police were added in 1963. There is no adequate holding space for prisoners and there is not an adequate interrogation room. There is no room for roll call during transition times between shifts because the space is so limited. In addition, confidentiality is compromised because separation isn't possible when multiple calls or cases are being reviewed at the same time. In closing, Chief Starns suggested anyone with questions or concerns should feel free to reach out to him directly through the police department, the city's website or the 311 messaging system.

Mr. Gary Comer was invited to attend the meeting to talk about the deer population in Marble Cliff. Mr. Comer introduced himself and reviewed the responsibilities of ODNR, and stated that while they cannot tell municipalities what to do, they can help provide technical guidance that align with the Village's goals. Mayor Cincione shared that the deer are very prevalent and we need suggestions about how to deal with them. Mr. Comer stated that they are not here because they were driven out of their habitats; they are here because they have everything they need. They have perfect conditions with food availability and no predators. Ms. Hickcox asked for confirmation regarding feeding the deer; Mr. Comer clearly stated that residents should not feed the deer or give them water. Mr. Voelker asked is there is a way to count the deer in Franklin County; Mr. Comer said no, and that it is more a question of how many deer the residents can tolerate, considering property and landscape loss, possible health concerns over tick-borne disease, and how much the municipality wants to do about it. A resident asked how other communities control the populations and if there is a way to cut down on the herd that has frequented her yard all summer. Mr. Comer stated that birth control is not always effective and that some communities use lethal control by professional services. He stated that this is not a consensus issue, that it is emotional, and that there are strong feelings on both sides. Residents can try repellents but they are not always effective and can be expensive, and that they can choose plants for their landscaping that deer don't like. He shared that there is a whole range of efforts used to try to control deer, but the herd cannot be decreased unless aggressive lethal targeting is undertaken. Mr. Comer summed up the deer conversation by suggesting that the first step should be data collection: deer vehicle strikes per year, number of calls to the office each year, etc. Gather hard numbers and then define goals. Mr. Jolson stated that he did an informal survey of Cambridge Boulevard residents and 100% of them said they do not want to kill the deer. Ms. Taylor added that unless the surrounding communities also make efforts to control them, any efforts in Marble Cliff would not be effective. Mr. Comer also talked

some about controlling geese, but ultimately, as with the deer population, the community needs to determine tolerance and set goals. He offered to come back if needed and said he could work with the Village on a plan. He also suggested that someone from the Village attend the November 3<sup>rd</sup> Wildlife Management Conference that is being presented for municipalities.

Mayor Cincione opened the discussion about complaints received from residents of the French Quarter and The Treetop concerning a new business that is adjacent to their properties. Mr. Ashrawi reviewed the process by which the building owner got approval for the use variance for the incoming business. He shared that the variance was approved at the December, 2020, meeting, at which time one resident had spoken up in favor of the project and nobody spoke out against it. Ms. Alexandra Palay Harned stated that residents were taken by surprise and concerned over potential noise, lights, and other disruptions to the nearby residents. Ms. Julie Parich, the business owner, talked about the businesses that will be in the building and asked that if there are ever any noise issues, to please reach out to her. Ms. Palay Harned asked for Council's vision for that area of 5<sup>th</sup> Avenue. The Mayor shared some history of the corridor and stated that it is a busy thoroughfare. Mr. Voelker added that Marble Cliff Council has not generally defined districts or restricted areas for types of developments. Ms. Hickcox referred to past meeting minutes and confirmed that notice went to the French Quarter Home Owner's Association prior the variance approval. Mr. Jolson assured the guests that the request had been vetted and that Council felt this would be a nice addition to the community. Ms. Taylor suggested giving the business time to open and get operations underway and see where things go.

At 8:30pm, Mr. Jolson was excused and left the meeting.

Mayor Cincione introduced Mr. Tim Hawk, of WSA Studio, to talk about the scope of the design services his company could provide for the Village. Mr. Hawk talked about the high quality of Marble Cliff and suggested that he could help facilitate a process that would give a review of all its characteristics. Mr. Hawk's team consists of architects, landscape architects, graphic designers, interior designers and engineers in order to provide comprehensive services. He suggested his team could help with community analysis, defining a vision, goal-setting, designing the sign at the AEP corner as well as other projects, reviewing developments, and design review. They would serve as an objective third-party review team and help create a philosophical standard of excellence for the community that would protect its goals and vision. Ms. Taylor asked whether the islands on Cambridge Boulevard would be within his scope and Mr. Hawk said, yes. Mr. Hawk stated that each individual project would have a its own task order agreement with a fixed fee, scope, and schedule.

#### CONSENT AGENDA

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| <ol style="list-style-type: none"><li>1) Approval – Minutes of the regular, scheduled meeting of August 15, 2022</li><li>2) Received – Fire Report, August 2022</li><li>3) Received – Police Report, August 2022</li><li>4) Received – Permit Report, August, 2022</li><li>5) Received – MORPC Report</li></ol> |
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Mayor Cincione introduced the Consent Agenda and asked if any items need to be pulled out for discussion. No items were pulled out for discussion

**Mr. Voelker moved to approve the Consent Agenda; Ms. Taylor seconded. Motion passed unanimously by the five members present.**

#### MAYOR'S REPORT

Mayor Cincione reported that the radar speed sign needs an additional set of batteries and a new charger. They will be ordered, and Mr. Ford will charge and change the batteries as needed. Mr. Ford added that the sign has a wi-fi feature that records speeds, traffic count, etc. and that he will look into how to gather that information.

#### ENGINEER'S REPORT

Mr. Ford shared an email that was received from a cyclist concerned about the safety on W. 5<sup>th</sup> Avenue. The cyclist's concern was specifically about heading eastbound on Fifth Ave. and turning left onto Arlington Ave. from the center of the street. Mr. Ford reminded council that staying on the bike path keeps cyclists out of traffic all the way to the light, at which point a cyclist can push the button to stop traffic and cross 5<sup>th</sup> Avenue. They can then cross Arlington Ave. to continue north on Arlington Ave. Guest, Mr. Tom Miller, suggested a caution sign be posted or painted on the bike path for westbound 5<sup>th</sup> Ave. to try to slow the bike traffic going that direction.

Mr. Ford left the meeting at this time.

#### SOLICITOR'S REPORT

Mr. Ashrawi reported that he is working with Mr. Ted Foster regarding easements for 2015 W. 5<sup>th</sup> Ave. Mr. Foster is obtaining the storm sewer easement through a private easement. Mr. Ashrawi is working on a sanitary sewer easement because the Village will benefit from a public easement on the adjacent condo property.

#### STAFF REPORT: FISCAL OFFICER'S REPORT

Ms. Evans shared the financial reports for August 2022, including the monthly bank reconciliation, fund summary, and tax receipt report.

**Mr. Voelker moved to approve the August finance reports; Ms. Hickcox seconded. Motion passed unanimously by the four remaining members present.**

**R-2661-22**, 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; First Reading

Audit: Ms. Evans shared that the audit is underway and the auditor is expected back in the office for another day or two this week. Goal is to have it completed by September 30.

#### STAFF REPORT: ASSISTANT FISCAL OFFICER'S REPORT

The pear tree discussion was postponed for the next meeting.

Ms. Shanahan reviewed the EMI Landscape maintenance quote and the scope and cost of its renewal.

**Mr. Voelker moved to approve the landscape maintenance contract for a three-year period; Ms. Hickcox seconded. Motion passed unanimously by the four remaining members.**

Ms. Shanahan asked about council's desire to host the annual holiday party and whether to return to pre-Covid activities, including a potluck dinner. It was agreed that Ms. Shanahan should move ahead with planning the party, including a potluck dinner. The Village will provide chicken and residents will be asked to bring side dishes. Ms. Shanahan will follow up with OLV to reserve the date and start securing vendors. The party will be on Monday, December 5, 2022.

#### COUNCIL MEMBER REPORTS

Ms. Taylor reported that she attended a Parks and Recreation board meeting and that there is a ballot issue in the upcoming election for new police, fire, and municipal buildings in Grandview Heights.

#### OLD BUSINESS

Ms. Shanahan reviewed the proposed agreement from EMI for seasonal leaf collection.

**Mr. Voelker moved to approve the contract for leaf pickup; Ms. Taylor seconded. Motion passed unanimously.**

Mayor Cincione introduced an ordinance for its second reading:

**O-2691-22**, An Ordinance Authorizing the Mayor to enter into an Agreement with WSA Studio for Professional Design Services for the Village of Marble Cliff; Second reading

NEW BUSINESS

There was no new business.

ADJOURN

**Ms. Hickcox moved to adjourn the meeting; Ms. Taylor seconded. Motion passed unanimously. Mayor Cincione adjourned the meeting at 9:15 pm.**

Approved by:



Dow T. Voelker  
Council President

Submitted by:



Stephanie A. Evans  
Fiscal Officer