

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

1600 Fernwood Ave.

November 21, 2022

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, November 21, 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, Bridget B. Sarna, Kendy A. Troiano, and Joanne C. Taylor; MacKenzie Newberry on behalf of Yaz Ashrawi, Village Solicitor; Joshua Ford, Village Engineer; 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.

**Ms. Troiano moved to excuse Mr. Matthew Jolson from the meeting. Ms. Taylor seconded. Motion passed.**

## VARIANCES, PERMITS AND VISITORS

Mr. Marc Carucci of Icon Solar Power introduced himself and spoke on behalf of the owners of 1321 Arlington Avenue, who have made an application to place solar panels on their garage. Ms. Evans confirmed that notification was made to the neighbors and that no comments were received for or against the application. Mr. Carucci stated that the only place to put the panels is on the front of the garage, but noted that the only place you would see them is from the driveway.

**Ms. Troiano moved approval of the solar panel installation as outlined in the application; Ms. Taylor seconded. Motion passed unanimously by the five members present.**

Mayor Cincione opened the Public Hearing for the lot split application for 2041 W. Third Avenue, and swore in visitors who intended to testify. Ms. Connie Klema made a presentation on behalf of the owners of the property, Mr. and Mrs. Chuck Evans, and indicated they are asking for three variances: two of them would bring the existing single lot into compliance with Village code by addressing the porch and garage setbacks, and one would allow for a lot split where the new lot would be smaller than code allows. She also shared a map of the nearby homes and their lot sizes, pointing out that there are others in the area of similar size to the proposed new lot. A number of residents voiced their opinions about the potential split, stating concerns over construction traffic, the smaller lot size, and changing the feel of the neighborhood. One mentioned that the garage may have historical value, and is concerned about the possibility of it being torn down. One resident supported the split, stating that it was reasonable and well thought through. Ms. Newberry clarified that only testimony is allowed to be considered by Council; Ms. Klema stated that residents' opinions cannot play into the decision, and that only testimony as it relates to Village code can be considered. Ms. Troiano stated that while opinions may not be considered in the vote, it is important for Council to hear and respect community feedback. Ms. Hickcox asked if the plan is to sell the lot; Mr. Evans said, yes, at some point. Mayor Cincione talked about the conditions placed on previous lot splits and said he would like to know more about the potential home that would be built on the new lot. A resident agreed, saying the hardest part is not knowing what might be built there, and suggested that the owners team up with a designer to provide a vision for what could be built there. Ms. Troiano pointed out that the smaller lots on the map provided by Ms. Klema were grandfathered in. Ms. Taylor asked if the applicants have talked to the neighbors and encouraged neighborly interactions. Ms. Newberry reminded everyone again of differences between public comment and testimony regarding the application. Mr. Tim Hawk of WSA spoke about the variance needed for the garage, reiterating that it is for the clearance to the corner. He added that if the garage is demolished, the proposed new lot could not support a house and a garage, and that more variances may be needed than what is currently on the table. The Mayor suggested addressing all these issues now so that future buyers and future Councils are not hamstrung by the decisions being made. The Mayor concluded the hearing at 8pm and suggested coming back to the conversation at the December meeting.

CONSENT AGENDA

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| <ol style="list-style-type: none"><li>1) Approval – Minutes of the regular, scheduled meeting October 17, 2022</li><li>2) Received – Fire Report, October 2022</li><li>3) Received -- Police Report, October 2022</li><li>4) Received – Permit Report, October 2022</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.

**Ms. Troiano moved to approve the Consent Agenda; Ms. Hickcox seconded. Motion passed unanimously.**

MAYOR'S REPORT

Mayor Cincione reported that a number of improvements have taken place at Tarpy Woods: the entrance has been cleaned up and seeded with grass, crushed stone gravel has been added to the path, a trough has been added, the meadow has been trimmed, a mound has been built, and two cypress trees have been planted at the entrance.

The Mayor also reported that the holiday lights are up and trees have been trimmed in the right-of-way along the streets.

Ms. Taylor agreed to being reappointed to her position on the Grandview Parks and Recreation Advisory Board, and the Mayor shared that there will be an Executive Session on the December meeting agenda to discuss compensation for Village personnel.

Mayor Cincione also shared that Mr. Tim Hawk is on board and provided information for the lot split hearing, but his first project for the Village will involve a community review/survey.

ENGINEER'S REPORT

Mr. Ford reported that there have been (12) Right-of-Way construction permit applications this year, up from typically 4-5 applications. He also shared that AEP has put ponds in at the substation site but he is requiring them to line the sewers to manage the water. Also, the curb is now repaired in front of 1600 Dublin Rd. but the northwest corner of that intersection may need fixed, too.

Mr. Ford left the meeting at this time.

SOLICITOR'S REPORT

Ms. Newberry reported on behalf of Yaz Ashrawi that their office is working on an internal administrative policy for ordinances vs. resolutions vs. motions.

STAFF REPORT: FISCAL OFFICER'S REPORT

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

**Ms. Troiano moved to approve the October finance reports; Ms. Hickcox seconded. Motion passed unanimously.**

Ms. Evans shared the need for a major organization project to get files in order and discussed the extra time needed for such an undertaking. Council asked for an estimate of time and cost associated with the project to review at the December meeting.

STAFF REPORT: ASSISTANT FISCAL OFFICER'S REPORT

Ms. Shanahan gave an update on the Holiday Party and reminded everyone of the date, December 5<sup>th</sup>, 6-8pm. Mayor Cincione asked that a few additional people be added to the guest list; Ms. Shanahan will follow up with invitations.

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COUNCIL MEMBER REPORTS

Ms. Taylor reported that the bond issue in Grandview passed and that they are working to figure out next steps for their new facilities.

OLD BUSINESS

Mayor Cincione reviewed an ordinance for its second reading:

O-2692-22, An Ordinance to make Appropriations for Current Expenses and Other Expenditures of The Village of Marble Cliff, State of Ohio, during the Fiscal Year ending December 31, 2023; Second Reading

NEW BUSINESS

Mayor Cincione introduced an ordinance for its first reading:

O-2694-22, 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, 2023 through January 31, 2024; First Reading

ADJOURN

**Ms. Troiano moved to adjourn the meeting; Ms. Hickcox seconded. Motion passed unanimously. Mayor Cincione adjourned the meeting at 8:38 pm.**

Approved by:



Dow T. Voelker  
Council President

Submitted by:



Stephanie A. Evans  
Fiscal Officer