

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

1600 Fernwood Ave.

December 18, 2023

The Council of the Village of Marble Cliff held its regular, scheduled meeting on Monday, December 18, 2023 at 7:00 pm. in Village Hall, 1600 Fernwood Ave., in the Village of Marble Cliff. Those in attendance were Mayor, Matthew Cincione; Council Members: President, Dow T. Voelker; Matthew R. Jolson, Bridget B. Sarna via Zoom electronic conferencing, Joanne C. Taylor, Kendy A. Troiano, and Marcia A. Thomas; 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 7:00 pm

## VARIANCES, PERMITS AND VISITORS

Mr. Ian Maclean was sworn in by Mr. Ashrawi, then presented his request for a Fence and Variance request for his residence at 1960 Village Court. Mr. Maclean shared that he would like to replace the existing fence 6' wooden fence with a 6' white vinyl fence, and make it longer than the existing one so that it extends along the entire side of his yard. Mr. Maclean stated that he has a current survey of the property, and that he has talked with his neighbors about it. Village Hall has received no feedback about it from the neighbors.

**Ms. Troiano moved to approve the fence permit and variance; Ms. Taylor seconded. Motion passed unanimously by the five members present.**

Mr. Ryan McAfee was sworn in by Mr. Ashrawi, then presented his request for the installation of solar panels on the roof of his home at 1334 Arlington Ave. Mr. Ashrawi reminded Council of the policy surrounding solar panel requests and Mr. McAfee answered questions from Council members.

**Ms. Troiano moved to approve the request for the solar panel installation; Ms. Taylor seconded. Motion passed unanimously by the five members present.**

## CONSENT AGENDA

- 1) Approval – Minutes of the regular, scheduled meeting, November 20, 2023
- 2) Received – Fire Report, November 2023
- 3) Received -- Police Report, November 2023
- 4) Received – Permit Report, November 2023
- 5) Received – Community Architectural Guidelines, including Sign Guidelines

Mayor Cincione introduced the Consent Agenda and asked if any items need pulled out for discussion. No items were pulled out for discussion.

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

The Mayor shifted the Agenda and moved to the Fiscal's Officer's Report.

## STAFF REPORT: FISCAL OFFICER'S REPORT

Ms. Evans shared the financial report for November 2023, including the monthly bank reconciliation, fund summary, and tax receipt report.

**Ms. Troiano moved to approve the November finance report; Mr. Voelker seconded. Motion passed unanimously by the five members present.**

The Mayor brought forth O-2708-23, 2024 Annual Appropriations Ordinance, 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, 2024, for its third reading.

Ms. Evans reviewed the updates that were made and answered any questions that arose.

**Mr. Voelker moved to approve O-2708-23, the Appropriations Ordinance for 2024; Ms. Troiano seconded. Motion passed unanimously by the five members present.**

Ms. Evans presented the Council meeting schedule for 2024.

**Mr. Voelker moved approval of the 2024 Council meeting schedule; Ms. Troiano seconded. Motion passed unanimously by the five members present.**

Mayor Cincione shifted the Agenda and moved to New Business.

#### NEW BUSINESS

Mayor Cincione introduced two new ordinances for their First Reading:

O-2711-23, An Ordinance to Amend Chapter 36 of the Village's Codified Ordinances. Mr. Ashrawi reviewed the changes being proposed and explained the necessity of its passage in order to maintain compliance with Ohio's latest tax law updates. Mr. Ashrawi answered questions from Council members.

**Mr. Voelker moved to suspend the rules; Ms. Troiano seconded. Motion passed unanimously by the five members present.**

**Mr. Voelker moved approval of O-2711-23, to Amend Chapter 36 of the Village's Codified Ordinances; Ms. Troiano seconded. Motion passed 4-1, with Mr. Jolson opposing.**

O-2712-23, An Ordinance authorizing the Salaries of the Fiscal Officer and Assistant Fiscal Officer for the Fiscal Year 2024.

There was discussion regarding pay increases for staff members starting January 1, 2024. Ms. Troiano shared the most recent data regarding cost-of-living increases in Ohio, and Mayor Cincione confirmed that higher increases were given for 2023 to compensate for the higher cost-of-living costs over the last year. It was resolved that a 3% increase for both staff members is appropriate.

**Ms. Troiano moved to suspend the rules; Mr. Jolson seconded. Motion passed unanimously by the five members present.**

**Ms. Troiano moved approval of O-2712-23, authorizing the Salaries of the Fiscal Officer and Assistant Fiscal Officer for Fiscal Year 2024, and declaring it an emergency; Mr. Voelker seconded. Roll Call Vote: Mr. Voelker – yes; Mr. Jolson – yes; Ms. Taylor – yes; Ms. Troiano – yes; Ms. Thomas – yes. Motion passed.**

Mayor Cincione shifted the Agenda and moved to the Mayor's Report.

#### MAYOR'S REPORT

Mayor Cincione began by summarizing the planning process for the Cambridge Boulevard improvements. Mr. Frank Huffman, a resident, was present to share his concerns regarding the proposed changes. He stated that his neighbor's house is on a spring and it has a history of water in the basement. He is concerned about raising the water table if retention ponds are created. Mr. Ford assured him that there are no water retention ponds or any addition of water involved in the proposed plan. The plan adds green space, not water.

There was discussion about street width, bump-outs, sidewalks and trees. Mayor Cincione answered questions from Council and provided an overview of the plan. Ms. Thomas asked about the reasoning behind the specific placement of the bump-outs and parking; the Mayor and Mr. Ford shared that it is mostly a result of working around the existing driveways. Mr. Ford added that bump-outs will physically prevent people from parking in front of and blocking driveways. There was some additional discussion about parking in general, and the number of available parking spaces. Mr. Voelker commented that there is not as much parking needed now as there once was, and that there is ample parking in this plan – it just may not be directly in front of a resident's house.

Mr. Voelker continued by asking about the process with regard to community awareness.

Ms. Thomas asked about ways for residents on Cambridge Blvd. to see before and after details for their specific property; Mr. Ford suggested an interactive software that would enable people to click on a specific area and see the current and future version of it.

Mayor Cincione and Mr. Ford also talked about the age of the water line on Cambridge Boulevard and suggested that replacing it at the same time as the street improvements may be the best option to prevent a potential break in the line or the need to replace it within a few years. Mr. Ford suggested the cost may be \$1-\$1.5 million but that there are opportunities for funding through OPWC, water-specific grants and loan options.

A couple of Council members asked for a line-item list of costs to compare parts of it. Mr. Ford stated that there is benefit to getting it all done at once rather than drawing it out over years – it's more cost-effective and disruptive for a shorter period of time. He also added that most of the costs involved are to make it safe.

Mayor Cincione added that the entire project is a costly one, and that the Village has money for it because some parts of the project have been delayed for several years. Mr. Voelker agreed that the costs, and the money in the bank, are a result of deferring repairs. Ms. Troiano stated her concerns about potential costs and the need to balance spending to be sure the Village doesn't end up in a difficult situation if the economy takes a downturn.

In wrapping up the discussion, Ms. Thomas commented that she feels that the current plan takes a lot of the community feedback into consideration, and Mr. Voelker stated that he wants to be proactive in making sure that residents see the plan. The Mayor stated that the next step is for Mr. Russo (of Realm) and Mr. Ford to work together on a design implementation plan and a cost analysis. Mr. Ford stated he expects to be able to share some costs in February or March with the goal to have the complete plan ready by Sept. 1, 2024 to meet the deadline for funding applications.

Ms. Taylor left the meeting at this time - 8:00pm.

#### ENGINEER'S REPORT

Mr. Ford added that he is working on the GIS program and keeping an eye on the Packard project.

Mr. Ford left at this time.

#### SOLICITOR'S REPORT

Mr. Ashrawi shared that the current state legislation regarding flavored tobacco is that local municipalities cannot restrict the sale of it. He will continue to follow and provide updates.

#### STAFF REPORT

Ms. Shanahan reported that the Holiday Party went very well, and presented a summary of attendance, cost, and suggestions for next year. Council agreed that it was a great event.

Ms. Evans shared the proposal from Whitespace for a branding and identity project which would create a new logo, colors and standards for the Village.

**Mr. Jolson moved to approve the proposal presented by Whitespace for a total of \$6000; Ms. Troiano seconded. Motion passed unanimously, by the four members present.**

#### COUNCIL MEMBER REPORTS

Mr. Voelker shared that he attended his first ESID meeting via Zoom and that Marble Cliff was a topic of conversation because of the underpaid taxes related to the PACE agreement. It has since been worked out, but ESID is sharing in the legal costs associated with that situation. He also shared that ESID is expanding its footprint beyond Franklin County.

OLD BUSINESS

Mr. Voelker reported that he and Ms. Sarna have met and reviewed the Village code as it applies to zoning and short-term rentals, and that they have suggestions for Council to consider.

With regard to short-term rentals: do not regulate at this time. Not regulating means that people can do it, but there are tax implications, nuisance potential, and zoning laws to follow. If at some point we do decide to regulate it, the staff has to be able to monitor it. Currently, the Village has received no complaints, and there has been only one inquiry from an owner/occupant.

With regard to zoning and carriage houses/second structures (accessory units) on a lot: do not prohibit them, but ensure that there are some restrictions. View them as a nod to the history of carriage houses in the Village, but restrict lot coverage, square footage (should not overshadow primary building), height, etc.

With regard to design guidelines: any secondary building should match the primary building. Guidelines should be included in the Village zoning code so that a checklist of items must be completed to show that a resident has met the guidelines (similar to a demolition permit). Perhaps require an architect to complete the guideline checklist.

Mr. Ashrawi added that the Village could establish a "Residential Overlay District" and Council would be the body to govern it. Since design guidelines are not typically part of zoning, the structure of it will need attention.

With regard to R-1 with Conditional Uses: update the zoning code to identify areas for apartments, etc., so that the zoning code matches what currently exists in certain areas.

Mr. Ashrawi suggested that as an alternative, these uses could be added as conditions.

Mr. Voelker will review these suggestions with Mr. Ashrawi and come back to Council with a more formal memo outlining the options.

There was no discussion regarding flavored tobacco given the current state legislation.

Mayor Cincione presented two Ordinances for their second reading:

O-2709-23, 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, 2024 through January 31, 2025; Second Reading

O-2710-23, An Ordinance amending Section 134.12 (Permitting Noxious Weeds Grass in Excess of Eight Inches in Height to Grow) of the Code of Ordinances of the Village of Marble Cliff, Ohio; Second Reading

ADJOURN

**Ms. Troiano moved to adjourn the meeting; Mr. Jolson seconded. Motion passed unanimously by the four members present. Mayor Cincione adjourned the meeting at 9:07 pm.**

Approved by:



Dow T. Voelker  
Council President

Submitted by:



Stephanie A. Evans  
Fiscal Officer