

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

June 18, 2014

I. WELCOME AND INTRODUCTIONS

Council President Bogan Goughler opened the meeting at 7:00 pm, welcomed everyone to the meeting and noted there will be no hurtful or harmful speech allowed.

II. PLEDGE OF ALLEGIANCE (American Flag)

Council President Goughler led the Pledge of Allegiance.

III. MOMENT OF SILENCE

A moment of silence was observed.

IV. ESTABLISHMENT OF QUORUM

Present at the meeting were Council members Bogan Goughler, Howard Barger, Robert Resinger, John McClelland and Mayor Charles Minnick. Council Member Larry Baughman was excused. Also present was Chief Carlson, Bill Walker, Barbara Manski and Solicitor Brian Spaid. Dick Phillips was absent.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

VII. COMMISSION/COMMITTEE REPORTS

A. No report.

VIII. STAFF REPORTS

A. Maintenance Foreman:

1. Mr. Sporer updated Council on the status of Keely Road. The Borough did receive an Emergency Permit from DEP. Work is expected to begin within the next few weeks.

B. Police Chief:

1. Chief Carlson presented Council with his written report. Chief also reported the owners of 310 Rocky Grove Avenue have filed an appeal and have requested a hearing in front of Council. Chief recommended scheduling the hearing for Wednesday, August 20, 2014, at 6:00 PM.

C. Administrator/Special Projects:

1. Mr. Sporer presented Council with a request to replace the remaining windows in the Administrative Office and in the Council room. Mr. Sporer also discussed a letter the Borough received from Time Warner Cable in regards to the Borough's Franchise Agreement with Time Warner Cable. The agreement is set to expire in 2017. Mr. Sporer and Mr. Spaid recommended the Borough retain Attorney Dan Cohen to review the Borough's franchise agreement, possibly renegotiate the agreement and the franchise transfer between Time Warner Cable and Comcast.
2. Motion by Robert Resinger, being duly seconded by John McClelland to authorize the Borough Manager to enter into a contract with Cohen Law Group to negotiate a new franchise agreement, assist in the franchise transfer and to perform a franchise fee audit of Time Warner Cable. Motion carried unanimously.
3. Motion by John McClelland, being duly seconded by Robert Resinger to award the window replacement contract to Window World, at a cost of \$1,563.00. Motion carried unanimously.

D. Zoning Officer:

1. Mr. Walker stated there have been several "high grass" complaints for numerous properties. There has been a decrease in the number of zoning permits as of recently.

E. CDBG Administrator:

1. Ms. Manski updated Council on the bids that were sent for the Reno Playground to install concrete steps and two (2) dusk – to – dawn lights. Three (3) bids were received back; Clark Construction - \$24,900, Whalen Contracting - \$15,967 and Landscaping Connection - \$10,700. Bid prices include prevailing wage.

2. Motion by Robert Resinger, being duly seconded by Howard Barger to award the Reno Playground Project as recommended by Barbara Manski, CDBG Administrator, to Landscaping Connection; the lowest bidder. Motion carried unanimously.
- F. Solicitor:
1. Mr. Spaid said he will need to be excused from the July 16, 2014 Council Meeting.

IX. COUNCIL REPORT

X. PUBLIC PARTICIPATION (*limited to 3 minutes each*)

- A. David Marshall asked Council what the status was of the Franktown Store. Chief Carlson stated it is currently in the demolition process. Mr. Marshall asked if the property would be cleaned up as well. Chief said the Borough is only authorized to remove items that are currently touching the building, due to CDBG limitations. Chief stated the owner received the twenty (20) – day notice and the owner did not appeal the notice. The demolition process has now commenced. Mr. Marshall requested that the neighboring properties be notified before the demolition begins.
- B. John Emick said he was in agreement with Mr. Marshall.
- C. Shirley Renninger and Don Rice had questions in regards to Station 2 Fire Station (Sugar creek Village). They requested a new, more energy efficient siren to be installed. As well as more volunteer firemen at that station. Mayor Minnick recommended they discuss their concerns with Rocky Grove V.F.D. since it is a sub – station of Rocky Grove.
- D. Thea Pierce introduced herself to Council as the new treasurer for Rocky Grove V.F.D. She also presented Council with copies of receipts for the money that was donated for years 2013 – 2014 and apologized for the miscommunications from previous years. Also, Rocky Grove V.F.D. will look into and follow – up with the siren at Station 2, as well as other building maintenance issues. The fire department is currently in the process of a fund drive.
- E. Ed Wilson presented Council with a new anti – drug program, Race Against Drugs. The purpose is to get children involved in Go – Cart racing, deter them from drug use and encourage the parents to become involved as well. Mr. Wilson requested a donation from the Borough. They would also raffle off a day – at – the – track for a child, to be given away during the R.G.V.F.D. Fireman's Fair. Races are currently being held in Slippery Rock. Mr. Goughler said the Council will discuss it and be in contact.
- F. Bill Mohr, owner of the Franktown Store, requested Council to rescind the demolition order for the building. Mr. Mohr said he has been negligent of the property, but has a contractor lined up to make the necessary repairs to the roof. Mr. Goughler asked if Mr. Mohr has received letters from the Borough and has he responded to any of them. Mr. Mohr said he did receive letters, but has not responded. Mr. Goughler said the building is beyond repair and Mr. Mohr's time to appeal and/or make repairs has expired. Mr. Resinger stated the building and property is beyond repair and poses a safety hazard to the children that use that site as a bus stop. Mr. Spaid requested Mr. Mohr's cooperation for the demolition process to continue and to allow Borough Officials and contractors access to the building for asbestos testing. Mr. Spaid recommended the Borough shall continue with the demolition process and the Borough will exercise any means necessary to access the building and continue the demolition process. Mr. Mohr said he will cooperate with the Borough. Mr. Spaid informed Mr. Mohr that any other garbage/debris left on the property will be his responsibility to remove and if it is not, Mr. Mohr will be cited for that as well.

XI. APPROVAL OF MINUTES

- A. Motion by Robert Resinger, being duly seconded by John McClelland to approve the minutes of the May 21, 2014 Council Meeting. Motion carried unanimously.

XII. FINANCIAL REPORTS

- A. Motion by Robert Resinger, being duly seconded by Howard Barger to approve the payment of bills/issuance of checks as presented by the Treasurer. Motion carried unanimously.

XIII. OLD BUSINESS

XIV. NEW BUSINESS

XV. CORRESPONDENCE

XVI. BOARD OF APPEALS

- A. Motion by Robert Resinger, being duly seconded by John McClelland to schedule a Board of Appeals hearing for the property located at 310 Rocky Grove Avenue, on Wednesday, August 20, 2014, at 6:00 PM. Motion carried unanimously.

XVII. EXECUTIVE SESSION

Council recessed at 7:49 pm for an executive session to discuss personnel and legal issues which, if conducted in public, would violate a lawful privilege of information or confidentiality protected by the law and any action to follow. The meeting was reconvened at 8:25 pm.

XVIII. NEW BUSINESS (Con't)

- A. Motion by Robert Resinger, being duly seconded by John McClelland to approve up to 16 hours of overtime for the Police Department Lieutenants, during the week of the R.G.V.F.D. Fireman's Fair, as needed at Chief's discretion. Motion carried unanimously.

XIX. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:26 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President