

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

December 3, 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, John McClelland, Larry Baughman and Mayor Charles Minnick. Also present were Barbara Manski and Solicitor Brian Spaid. Chief Carlson, Bill Walker and Dick Phillips were absent.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

VII. COMMISSION/COMMITTEE REPORTS

A. No report.

VIII. STAFF REPORTS

A. Maintenance Foreman:

1. No report.

B. Police Chief:

1. No report.

C. Administrator/Special Projects:

1. Motion by Robert Resinger, being duly seconded by John McClelland to approve the advertisement of Ordinance No. 278 of 2014, which fixes expenditures for Fiscal Year 2015 at \$2,841,325 with a tax rate of 5.0 mills and a tax rate of 0.55 cents on each front foot assessment for street lights in Rocky Grove and Reno. Motion carried unanimously.

D. Zoning Officer:

1. No report.

E. CDBG Administrator:

1. Motion by Robert Resinger, being duly seconded by Howard Barger to approve Resolution No. 5 of 2014, Resolution of Approval FFY 2014 Community Development Block Grant (CDBG) Program. Motion carried unanimously.

F. Solicitor:

1. Mr. Spaid stated he will not be at the December 17, 2014 Council Meeting. Mr. Spaid said if someone is needed to attend, to please contact him so arrangements may be made.

IX. COUNCIL REPORT

A. Mr. Baughman asked what the status was of the stop sign ordinance, in regards to the new stop signs along Fox Street. Mr. Spaid said the ordinance will be ready for one of the January meetings.

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

A. Mike Garbacz wanted to thank the Maintenance Department for filling pot holes in Reno. Mr. Garbacz questioned how much money was in the Borough's Reserve Account. Mr. Sporer stated there is around \$700,000 in the Reserve Account. Mr. Garbacz asked if Rocky Grove was eligible to receive CDBG funds. Ms. Manski stated Rocky Grove is not eligible.

B. Brian Bowen presented Council with a complaint in regards to a neighbor digging a ditch on his (the neighbor's) property. Mr. Bowen stated the Borough's Zoning Officer has repeatedly told Mr. Bowen it is a civil issue and this has caused an escalation of tension between the Bowens and the neighbor. Mr. Bowen said he had received a call from Chief

Carlson that Mr. Bowen would be cited for zoning violations for work being done in their driveway. Chief Carlson contacted the County Conservation District and they went and observed the issues/complaints and stated it was a civil issue as well. Mr. Bowen stated he and his wife feel they are being harassed by the Borough Administrative Staff and Zoning Officer. Mr. Goughler questioned what do they want the Council to do? Mr. Bowen stated there is a violation of the Stormwater Management Ordinance and they are being harassed by employees of the Borough. Mr. Goughler stated it is a civil issue and the Borough will not get involved. And they are to seek counsel from their respective lawyers.

- C. Jan Bowen said she wanted to follow up with the garbage bin the neighbor had placed at the end of his driveway. Mr. Sporer asked which right – of – way they are complaining about. Ms. Bowen said she is complaining about the Borough's right – of – way and the neighbor's. Mr. Sporer stated the bin is not on the Borough's right – of – way. Ms. Bowen questioned why Mr. Walker gave the neighbor permission to place the bin there. Mr. Sporer stated the Borough cannot prove what was said if it is not in writing. Mr. Sporer stated if the neighbor's garbage bin is in the Borough's right – of – way, then their railroad ties/planters are in the Borough's right – of – way as well.

XI. APPROVAL OF MINUTES

- A. Motion by Larry Baughman, being duly seconded by John McClelland to approve the minutes of the November 19, 2014 Council Meeting. Motion carried unanimously.

XII. FINANCIAL REPORTS

- A. Motion by Howard Barger, being duly seconded by John McClelland 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

XVII. EXECUTIVE SESSION

Council recessed at 7:13 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 7:37 pm.

XVIII. NEW BUSINESS (Con't)

- A. Motion by Larry Baughman, being duly seconded by Robert Resinger to approve the hire of Michael Chase, pending background check for the CDBG Assistant, at 20 hrs./week, 4 hrs./day, at no cost to the Borough's General Fund, with a start date of Monday, December 15, 2014. Motion carried unanimously.

XIX. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:40 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President