

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

March 20, 2013

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 hateful 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, Robert Resinger, Larry Baughman, Howard Barger and John McClelland. Mayor Charles Minnick was excused. Also present were Chief Carlson, Dick Phillips, Bill Walker and Solicitor Brian Spaid. Barbara Manski was not present.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

VII. COMMISSION/COMMITTEE REPORTS

A. John Dumbleton reported the Planning Commission did not meet.

VIII. STAFF REPORTS

A. Maintenance Foreman:

1. Dick Phillips stated the Maintenance Department is preparing the street sweeper for cleaning the streets. Mr. Phillips stated he purchased a truck from another municipality for his personal business and when he bought the truck he was unaware that there was a snow plow included. The municipality could not use the plow and was including it in the sale. Mr. Phillips could not use it for his personal business, but the Borough could use it. Mr. Phillips provided an estimate of \$8,000 from Walsh Equipment for what that plow would cost and a quote of \$4,000 from PM Paving, his personal company, of what he would sell it to the Borough for. Mr. Baughman and Mr. Spaid suggested tabling the issue so that Mr. Spaid could research the matter further.
2. Motion by Larry Baughman, being duly seconded by John McClelland to table the purchase of the plow from PM Paving. Motion carried unanimously.

B. Police Chief:

1. Chief Carlson stated the new schedule is out, according to the new contract.

C. Administrator/Special Projects:

1. Mr. Sporer suggested moving money from the General Fund to the Reserve Account.
2. Motion by Robert Resinger, being duly seconded by Howard Barger to transfer \$300,000 from the General Fund to the Reserve Account. Motion carried unanimously.
3. Mr. Sporer stated the Borough received a solicitation last year from a group of attorneys in Pittsburgh, offering to review the Borough's Franchise Agreement with Time Warner Cable. Mr. Sporer said the Borough is currently receiving three percent (3%) of the gross revenues, but by law, the Borough is entitled up to five percent (5%) of the gross revenues, but by law, the Borough is entitled up to five percent (5%). He also said over the course of five (5) years, the amount the Borough receives has been consistent each year, even with cable bills increasing. Mr. Sporer said, with Council's approval, he would like to give the agreement to Mr. Spaid to review. The cost of the Franchise Agreement Review would be \$6,900.00.

D. Zoning Officer:

1. Mr. Walker stated he has received an application from Bill Klapec requesting a Variance Hearing.
2. Motion by Robert Resinger, being duly seconded by Larry Baughman to name the Police Chief as the Code Enforcement Officer for Sugarcreek Borough.

3. Solicitor Brain Spaid read the Borough's ruling on the conditional use application submitted by PSC Metals.
 4. Motion by Larry Baughman, being duly seconded by Robert Resinger to grant PSC Metals a Conditional Use Approval as directed in the decision by the Borough Solicitor. Motion carried unanimously.
- E. CDBG Administrator:
1. No report.
- F. Solicitor:
1. Mr. Spaid stated the Borough is in the final stages of negotiations with the Police contract.

IX. COUNCIL REPORT

- A. Mr. Baughman said he saw a legal notice in the newspaper from Klapec Blasting Mining Operation and questioned what it was in regards to.
- B. Mr. Resinger stated the Maintenance Department did a wonderful job with the plowing. He also asked if there was something the Borough could do to have the City of Franklin maintain the grounds at the old hospital. Chief Carlson stated as of April 1, the Police Department will take over all the codes. Mr. Resinger also said there was a lot of shooting in the woods off of Warren Road over the weekend.

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

- A. Ron Huff said the Maintenance Department has done a very good job keeping the roads cleared. But, he had a large amount of pea gravel (anti-skid) in his yard and they have plowed it very close to a large curb.
- B. John Dumbleton stated the Planning Commission is in need of new members. Mr. Goughler stated the Council will get the names from Officer Deeter and will try to get new people appointed at the next meeting.
- C. Mike Garbacz thanked Dick Phillips and the Maintenance Department for putting up the new stop sign at 7th and Walnut Street, in Reno.

XI. APPROVAL OF MINUTES

- A. Motion by Larry Baughman, being duly seconded by John McClelland to approve the minutes of the March 6, 2013 Council Meeting and Public Hearing. 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

XVII. EXECUTIVE SESSION

Council recessed at 7:40 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 8:00 pm.

XVIII. NEW BUSINESS (Con't)

XIX. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:00 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President