

**BOROUGH OF SUGARCREEK  
COUNCIL MEETING MINUTES**

March 6, 2024

**I. WELCOME AND INTRODUCTIONS**

Council President James Speth opened the meeting at 7:00 pm, welcomed everyone to the meeting and noted there will be no hurtful or harmful speech allowed. Mr. Speth noted the meeting would be recorded by the newspaper reporter in attendance.

**II. PLEDGE OF ALLEGIANCE (American Flag)**

Council President Speth 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 Alan Heller, Bogan Goughler, Howard Barger, James Speth, Larry Baughman and Mayor Matthew Carlson. Also, present were Maintenance Foreman Doug Freer, Chief Bob Wenner, Attorneys Brian Spaid and Alex Spaid.

**V. DISTRIBUTION OF AGENDA**

**VI. COUNCIL CHANGES TO AGENDA**

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

- A. Gene Winger stated he was glad to see the Borough Council decide to keep the Police Department and he thought the press release was a good article. Mr. Winger asked what the plan was that was submitted by the Chief. He asked what the residents can expect going forward and will the Department be a 24/7 department? Mr. Speth said the Borough has been and continues to search for another full – time officer. He said Chief's plan presented at the previous meeting will take time. Mr. Winger asked if the Council is in favor of Chief's plan. Mr. Speth said the Council will move forward with hiring a fourth full – time officer. Mayor Carlson stated there was a Civil Service earlier in the day and within the next few weeks they will be able to tell what is going with that. Chief Wenner said the potential hire passed the test and they will move on to the next phase of the hiring process. Mr. Winger asked if the department will be 24/7. Mr. Speth said Council will take it one – step at a time and cannot answer with certainty one way or another.
- B. Valerie Zitterbart stated she had similar questions. Ms. Zitterbart said she was under the impression that the reason the fourth full – time position was not filled was because the officer was injured and cannot be replaced under the Family Medical Leave Act. She stated she does not understand why there was an issue with filling the full – time position. And she was also understanding that the Council was going to pursue a 24/7 police department. Mr. Speth said he cannot answer if the department will be a 24/7 department down the road. He said we need to work on hiring the next full – time officer and then move forward. Ms. Zitterbart asked if the Council planned on surveying Borough residents even though residents have been expressing their support for a 24/7 Borough police department. Mr. Speth said the residents are welcome to express their opinions to the Council at any time. Ms. Zitterbart asked Mr. Speth if that means the residents can seek him out. Mr. Speth agreed. Ms. Zitterbart stated it is not the community's job to do that, but she stated she will not tell Mr. Speth how to do his job. However, it is the Council's job to represent the residents. She stated she would like to request the Council to involve the community in discussions.
- C. Jessica Struthers asked for clarification on the financial plan and why the hiring of the fourth full – time officer is not a separate issue and financial planning should be separate from staffing. Mr. Speth said the Borough is currently budgeted for four (4) full – time officers and are focusing on that step. Ms. Struthers feels the Borough needs to do more planning financially that is broader and more down the road than what is currently being done. She also said she does not understand why hiring the next full – time officer is the next step.
- D. Dan Marvin, Reno V.F.D., updated Council on Reno's calls. He stated they are currently at 29 calls for the year; 12 calls since the previous meeting. He stated a majority of the calls are vehicle accidents, medical and fire. He said they did respond to a HAZMAT call, which is an unusual call. He stated he would like to speak with Mr. Sporer about applying for a grant in the

near future. He said the department has begun planning the Car Cruise; it is scheduled for July 6, 2024. There is also a dinner on March 10, 2024.

- E. Mary Jane Allen asked Mr. Spaid if he has received any updates from the P.U.C. in regards to the Reno water situation. Mr. Spaid said he has not received any updates.
- F. Sara Saullo stated that people should be asking why this full – time position has been vacant for two – years and explore those possibilities whether it is the pay or people are not going in to law enforcement, in general. And if the public knew of possible reasons, then people would not feel attacked. Mr. Spaid said there are not many candidates going in to law enforcement across the country and all the local departments, including the State Police are understaffed. And it has been on going since 2020. Chief Wenner said he knew when he came back to the Borough after years away at another department, that the issue of eliminating the police department comes up every few years. He stated it is difficult bringing in a young candidate with the fear of job security. He said the new applicant will have no difficulties passing the next steps of the process, but he was eager to join the Borough’s police department because of the support of the community. Chief said his plan will look at increasing hours from 160 hours per week to 180 hours per week, once the fourth full – time officer is on the schedule. This will allow for the part – time officers to work, as well. He said the Borough could then look at increasing to 200 hours per week next year and as the department continues to grow. Mr. Spaid said there is more to look at and consider than just hiring officers. There is not just an increase in wages, but also an increase in equipment, vehicles and could the building house a department that has doubled in size. Mr. Spaid said there are also stipulations with the grants that Chief wants to apply for. They can be short – term grants that pay a certain amount of an officer’s salary for a period of time and the Borough has to also commit to retaining that position. Mayor Carlson said he has been researching grants, but they are for low – to – moderate income communities and the Borough no longer qualifies for them. Ms. Saullo wanted to thank Mr. Sporer for conversations she has had with him and for Mr. Spaid for answering her questions.
- G. Terri Lowry stated she had previously spoken with Mr. Speth about 24/7 coverage and wanted to know how Mr. Speth arrived at the figures he proposed for 24/7 coverage. She asked if the figures will be placed on the Borough’s website. Mr. Speth said it is not on the website, but it is in the budget and the budget it available to the public. Ms. Lowry said she has a copy of the budget and the figure of \$1,900,000 is not in the budget. Mr. Speth said it is not because that figure is to represent the estimated cost of twelve (12) full - time police officers. Ms. Lowry said she would like Mr. Speth to put it in writing. Mr. Speth explained he took the 2024 budgeted amount of \$475,000 and doubled that figure since the department would have to double the number of officers. Ms. Lowry asked if the current 2024 budgeted number is for four (4) full – time officers and part – time officers. Chief Wenner confirmed it does. Ms. Lowry asked Mr. Speth to clarify that she was under the impression that eight (8) full – time officers would not be enough. Mr. Speth confirmed and stated eight (8) full – time officers would not be enough to provide 24/7 coverage. And the estimated number of officers would be closer to twelve (12) full – time officers, which is what he based the cost estimate of \$1,900,000. Ms. Lowry then asked Mr. Speth if he told another resident that the tax mills would go up. Mr. Speth said that would be true unless funds could be pulled from somewhere else. He said the money would have to come from somewhere. Ms. Lowry asked what the Borough’s current tax rate is and would the mills have to double as well. Mr. Speth said it is currently at 6 mills. Mr. Sporer said he estimated the tax rate increase would be 4.5 – 5 mills. Ms. Lowry asked how much money each mill increase would equate to. Mr. Speth said it varies based on the value of the residence. But, based on a residence valued at \$100,000, six (6) mills generates \$600. Ms. Lowry asked how much of the current budget does the police department make up. Mr. Sporer said the police department accounts for 28% of the budget. Ms. Lowry asked if a tax increase would just be on the police budget or the Borough budget. Mr. Spaid explained that one (1) mill generates \$180,000 in taxes and four (4) mills would equate to \$720,000. Ms. Lowry and Ms. Zitterbart said they have been asking for a breakdown for three (3) meetings and the figures Mr. Speth is presenting are inflated.
- H. Tim Lowry wanted to say he was happy with the newspaper article but felt it made Mr. Speth appear to be in a fairytale. Mr. Lowry asked the Council if any of them have ever been in an accident with an uninsured driver. He said the Borough’s police department has a knack of identifying those drivers. Mr. Lowry said the country is being inundated with illegal immigrants and they are being bused all over and dropped off at city and county parks and what will we do if three (3) charter buses of illegal immigrants are dropped off at Two Mile Run Park. It opens up the residents to the risk of increased crime and the Council needs to seriously consider increasing hours.

- I. Dick Rial is pleased to see the kids using the new playground and he's upset that some kids are vandalizing the equipment and leaving garbage all around. Mr. Rial asked what the maintenance is on the playground. He said the swing area needs some attention and there are chips that need to be raked up and matting needs to be replaced. He asked if the maintenance department could look at it. Mr. Freer said they do not typically go up weekly during the winter, but they will go up and inspect it and address the issues. Mr. Rial said the Maintenance Department is doing a great job and would like to see the playground kept nice. Chief Wenner said there are cameras placed at the Rocky Grove Playground and they are addressing the vandalism and graffiti issues. He also spoke with Mr. Freer about it. Ms. Zitterbart said she has been in regular contact with Mr. Sporer about any issue they have had with the Reno Playground and feels the communication is very good between them and the Borough whenever anything needs done.
- J. Andrew Fish said he presented Council with the revenues from Court at the previous meeting. He stated he can provide them with another copy if necessary. Mr. Fish also wanted to expand on what Mr. Lowry said about stopping vehicles with expired inspections and that it can lead to multiple citations. Chief Wenner said the department does not do it for the revenue, but it's about the safety of the community. He also said it is surprising the number of uninsured motorists there are driving. He also said the department had recently had an issue with a vehicle they stopped that was driven by an illegal immigrant from Honduras.

## VIII. STAFF REPORTS

- A. Maintenance Foreman:
  - 1. Mr. Freer said he has ordered another 200 ton of salt and hopes it is the final order. He said the broom and sweeper are ready for the year once the weather turns nice.
- B. Police Chief:
  - 1. Chief Wenner said he anticipates there being no issues with the new applicant passing all the steps in the hiring process. And when he goes on shift, the department will be maxed out on their hours. Chief said he will ask Council in the near future to increase hours by 20 hours per week. Chief also asked Council to begin looking at increasing the department in a broader sense, not just getting by year – to – year. Chief requested to apply for LSA grants to help cover costs of vehicle replacements. He also introduced the new Police Clerk, Lori Braun to the Council and the public. He said she is very qualified and doing a great job. He is also pleased with the new applicant and the job he did today. He stated the applicant chose to come to the Borough because of the public support despite being told the Council wants to get rid of the department and join with the City of Franklin. Chief Wenner said he knew the Council wanted to get rid of the police department when Charles McDaniel was still Mayor, but he chose not to say anything then. He stated he completed the grant for the new radio system, which closes at the end of the month. He also requested Council make a motion giving him permission to apply for the LSA grant. Then after that, he could further explore the COPS grants, as Mr. Spaid explained. Chief said the COPS grant is \$125,000 over 3 years and he will then develop a retention plan as required for the grant. Chief updated Council on the status of the printers & scanners that are to be installed in the cruisers. They are scheduled to be installed on Saturday and he feels it will make their job easier. Chief thanked the community for their continued support of not only him, but the department as a whole. That is a big reason why he chose to come back to the Borough.
- C. Administrator/Special Projects:
  - 1. Motion by Bogan Goughler, being duly seconded by Howard Barger to approve the Memorandum of Understanding between the General Authority of the City of Franklin and the Borough of Sugar creek in regards to their respective responsibilities with respect to the replacement of the Bell Avenue Main and the Prospect Avenue Main set forth in the Memorandum. Motion carried unanimously.
  - 2. Motion by Larry Baughman, being duly seconded by Larry Baughman, being duly seconded by Alan Heller to approve the 2023 Reno V.F.D. roster list for those volunteers eligible for the tax credit under Act 172. Motion carried unanimously.
  - 3. Mr. Sporer informed Council and the public that this year's Spring Clean – Up Day will be scheduled for Saturday, April 27, 2024, from 7:00 AM – 3:00 PM. Ms. Zitterbart asked what that was; if it was along the lines of a playground clean – up day. Mr. Freer said it is for Borough residents to bring household items or junk to dumpsters provided by the Borough. Ms. Lowry asked what all could or could not be thrown out. Mr. Freer

said no tires, no paint cans with paint, no construction materials, no appliances with FREON and no electronics.

- D. Zoning Officer:
  - 1. No report.
- E. Solicitor:
  - 1. No report.

**IX. COUNCIL REPORT**

- A. Alan Heller wanted to thank Mayor Carlson for working with Chief Wenner on developing a new schedule. Mr. Heller also wants Council and the Police Department to work together to develop more candidates for the department.

**X. APPROVAL OF MINUTES**

- A. Ms. Lowry asked to have a correction made to the February 7, 2024 meeting minutes. Mr. Lowry stated he was quoted incorrectly in the newspaper's article about the February Council meeting. Mr. Sporer said the minutes are recorded and reported from the recordings. Mr. Speth said Council cannot address any concerns with the newspaper's articles. Mr. Spaid recommended the sentence in question by Ms. Lowry be removed and approved.
- B. Motion by Bogan Goughler, being duly seconded by James Speth to approve the minutes of the February 7, 2024 meeting. Motion carried unanimously.

**XI. FINANCIAL REPORTS**

- A. Motion by Alan Heller, being duly seconded by Larry Baughman to approve the payment of bills/issuance of checks as presented by the Treasurer. Motion carried unanimously.

**XII. OLD BUSINESS**

**XIII. NEW BUSINESS**

**XIV. CORRESPONDENCE**

**XV. BOARD OF APPEALS**

**XVI. EXECUTIVE SESSION**

Council recessed at 7:57 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 9:07 pm.

**XVII. NEW BUSINESS CONT.**

- A. Motion by Larry Baughman, being duly seconded by Alan Heller to approve the purchase of a server for the Police Department, at a cost of \$9,595.92, minus sales tax and with a yearly recurring cost of \$1,914.00 from Makenzie Enterprises, LLC. Motion carried unanimously.
  - a. Mr. Baughman expressed his frustration with departments bringing major expenses to Council with little – to – no notice for immediate approval and not factored into the budget. Mr. Baughman said Mr. Freer has significantly backed off of such requests. Mayor Carlson stated he told Chief Wenner this can no longer go on and he did not see any way to bring the motion to Council. Mayor explained that he felt it had to be done sooner rather than later with the increase in cyberattacks on government agencies. Mr. Baughman said the Chief wants the Council to form a 5 – year plan for them, but he wants Chief to plan a 5 – year plan as well. But he understands the concern the Mayor brought up. Mr. Speth asked if Council would consider informing all the departments that no such requests will be approved by Council. Mr. Spaid advised with the exception of an unforeseen emergency. Mayor Carlson said he did not become aware of the server issue until the last week or so and advised Chief to explore other possible options.
- B. Motion by Larry Baughman, being duly seconded by Bogan Goughler to enter into the stipulation and agreement with the Don Confer estate property as discussed in Executive Session. Motion carried unanimously.

**XVIII. ADJOURNMENT**

- A. Motion by Larry Baughman, being duly seconded by James Speth to adjourn the meeting at 9:12 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

James Speth, Council President