

**BOROUGH OF SUGARCREEK  
COUNCIL MEETING MINUTES**

May 3, 2023

**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.

**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 Larry Baughman, Alan Heller, Bogan Goughler, Matthew Carlson, James Speth and Mayor Charles McDaniel. Also, present were Maintenance Foreman Doug Freer, Chief Bob Wenner and Attorney Brian Spaid.

**V. DISTRIBUTION OF AGENDA**

**VI. COUNCIL CHANGES TO AGENDA**

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

A. Dan Marvin, Reno V.F.D., wanted to inform Council and the public that there will be a Fire Prevention Presentation, Saturday, May 13, 2023, from 4:00 PM – 6:00 PM, at Mac's Snax. There is a Car Cruise – In scheduled for July 8, 2023, from 2:00 PM – 6:00 PM. Mr. Baughman requested that he coordinate the cruise – in with the Police Department. Mr. Marvin also said he is currently working on a grant for the department.

**VIII. STAFF REPORTS**

A. Maintenance Foreman:

1. Mr. Freer presented Council with the recommended bids for the Liquid Fuels bids, as recommended by him. The bids presented were: 1,000 ft. plastic smooth bore interior pipe, 15" diameter, 20' joints with bell & spigot type joint (delivered) awarded to Interstate Pipe at \$8.20/ft, total cost of \$8,200.00. 500 ft. plastic smooth bore interior pipe, 18" diameter, 20' joints with bell & spigot type joint (delivered) awarded to Key Precast at \$12.26/ft, total cost of \$6,130.00. Ten (10) catch basins with cast iron drop – in grate (delivered) awarded to Key Precast at \$438.00/each, total cost of \$4,380.00. 500 tons 2A Limestone (delivered) awarded to IA Construction at \$28.65/ton, at a total cost of \$14,325.00. 3,000 tons Type 3B Antiskid (AS1) (picked up and delivered) awarded to Cooperstown Sand & Gravel at pick – up price of \$9.00/ton, total cost of \$27,000.00 and delivered price of \$10.50/ton, total cost of \$31,500.00. 1,500 tons 2A Crushed Gravel (picked up and delivered) awarded to Cooperstown Sand & Gravel at pick – up price of \$9.50/ton, total cost of \$14,250.00 and delivered price of \$11.50/ton, total cost of \$17,250.00. 3,000 tons 1B Type C Aggregate (picked up and delivered) awarded to Cooperstown Sand & Gravel at pick – up price of \$11.50/ton, total cost of \$34,500.00 and delivered price of \$13.50/ton, total cost of \$40,500.00. 1,500 tons 9.5 MM Superpave Wearing Course (picked up) awarded to IA Construction at \$76.00/tons, total cost of \$114,000.00. 500 tons 19 MM Superpave Binder Course (picked up) awarded to IA Construction at \$67.00/ton, total cost of \$33,500.00. 500 tons 25 MM Superpave Base Course (picked up) awarded to IA Construction at \$62.00/ton, total cost of \$31,000. 84,042 square yards single bituminous seal coat (delivered) awarded to Martuccio Asphalt & Paving at \$1.662/SY, total cost of \$139,677.80. Tree trimming of McCleery Road, from Rt. 322 to Buttermilk Hill Road awarded to Cline Energy, total cost \$25,856.16. Mr. Baughman asked if there was a total for all the bids. Mr. Sporer said there is no total due to the fact that all the materials may or may not be used, but the Borough had to bid what they may use. Mr. Speth asked if the prices are close to what they were predicting. Mr. Freer said the pipe was less this year than last. Mr. Sporer said catch basins increased slightly, the asphalts were close to last year's prices and the tree trimming came in lower than expected.

- a. Motion by Larry Baughman, being duly seconded by Matthew Carlson to award the Liquid Fuels bids as recommended by the Maintenance Foreman. Motion carried unanimously.
- B. Police Chief:
  1. Chief Wenner requested to have the 2007 Chevy Tahoe placed on Municibid, to sell it. Mr. Speth asked how the speed issue has been on Shaffer Run Road since the new speed limit signs have been placed up. Chief said residents have been calling in, in favor of the new signs.
    - a. Motion by James Speth, being duly seconded by Larry Baughman to sell the 2007 Chevy Tahoe on Municibid, as recommended by the Police Chief. A roll call was taken. Mr. Carlson and Mr. Heller opposed the motion. Mr. Baughman, Mr. Speth and Mr. Goughler voted in favor of the motion. Motion carried.
- C. Administrator/Special Projects:
  1. Mr. Sporer said the Borough received a request from the Franklin YMCA to use the Front Street Ballfield, from June – July. Mr. Heller asked if those requesting use of the fields have to supply their own insurance. Mr. Sporer said they do and the Borough typically receives a copy of it.
    - a. Motion by Larry Baughman, being duly seconded by James Speth to approve the request from the Franklin YMCA, for use of the Front Street Ballfield, from June – July 2023. Motion carried unanimously.
  2. Motion by Bogan Goughler, being duly seconded by Matthew Carlson to approve Resolution No. 1 of 2023, which is the Second Amendment to the Borough of Sugarcreek Maintenance Employees' Pension Plan. Motion carried unanimously.
  3. Motion by Bogan Goughler, being duly seconded by Larry Baughman to approve Resolution No. 2 of 2023, which is the Third Amendment to the Borough of Sugarcreek Administrative Employees' Pension Plan. Motion carried unanimously.
  4. Motion by Alan Heller, being duly seconded by Bogan Goughler to make an appropriation to amend the 2023 budget to move \$15,000 from regular Police hours to a new appropriation for Police scheduled overtime hours. Motion carried unanimously.
    - a. Chief Wenner wanted to clarify that "scheduled overtime" may not be on the monthly schedule. Mr. Spaid said he and Council understood that. And he understood an example of that may be when a full – time officer is brought on to work with a part – time officer.
- D. Zoning Officer:
  1. Mr. Goughler asked if the Zoning Hearing Board approved the proposed storage units in Reno. Mr. Sporer said it was approved.
- E. Solicitor:
  1. Mr. Spaid said there was a request for a Zoning Map change, in Sugarcreek Village. He said he will work with Mr. Moyer and go through the process for that. It will have to go before the Planning Commission first. Mayor McDaniel is requesting to have the parcels that his tax office is located on amended from Residential to Commercial. Mr. Carlson said there may be another zoning map change request coming from another resident in Sugarcreek Village.

## IX. COUNCIL REPORT

- A. Mayor McDaniel said he is currently working on a project to get bleachers installed at the Rocky Grove V.F.D., for the demolition derby in June 2023. He wanted to thank the Maintenance Department for the good job they have been doing. He also wanted to thank his fellow Council Members for the work they have been doing as well.

## X. APPROVAL OF MINUTES

- A. Motion by Alan Heller, being duly seconded by Bogan Goughler to approve the minutes of the April 5, 2023 Council Meeting. Motion carried unanimously.

## XI. FINANCIAL REPORTS

- A. Motion by Larry Baughman, being duly seconded by James Speth 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 7:23 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 7:54 pm.

**XVII. NEW BUSINESS CON'T.**

- A. Motion by Larry Baughman, being duly seconded by Alan Heller to approve the hiring of Amber Everett as the new Police Clerk/Dispatcher as recommended by the Police Chief, effective May 8, 2023, at a rate of \$12.50/hr. for 90 – days, then at a rate of \$13.00/hour. Motion carried unanimously.
- B. Motion by Larry Baughman, being duly seconded by Matthew Carlson to approve the purchase of 3/5 of the First Avenue property from Shirley Hays, at a price of \$9,000.00. Motion carried unanimously.
- C. Motion by Larry Baughman, being duly seconded by Bogan Goughler to ratify the Sugarcreek Borough Maintenance contract as presented in Executive Session by the Borough Manager. Motion carried unanimously.

**XVIII. ADJOURNMENT**

- A. Motion by James Speth to adjourn the meeting at 7:57PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

James Speth, Council President