

**CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL**

January 7, 2020

7:00 p.m.

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:04 p.m. The following council members and staff were present:

Mayor John A. Sellers
Mayor Pro Tem Freddie Taylor
Councilman Doug Moore
Councilman Harold Nash

Absent: None

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Lesa Smith, Finance Director
Tory Niewiadomski, Community Development Director
Gordon Frazier, HR Director
Jason Ricketson, Chief of Police

RECONVENE INTO REGULAR SESSION

Mayor Sellers called the meeting to order at 7:04 p.m.

PLEDGE AND INVOCATION

Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Councilman Nash.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

Mayor Sellers had a proclamation for School Choice Week.

WHEREAS, all children in the City of Sulphur Springs should have access to the highest quality education possible; and

WHEREAS, the City of Sulphur Springs recognizes the important role that an effective education plays in preparing all students in the City of Sulphur Springs to be successful adults; and

WHEREAS, quality education is critically important to the economic vitality of the City of Sulphur Springs; and

WHEREAS, the City of Sulphur Springs is home to a multitude of excellent education options from which parents can choose for their children; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

WHEREAS, the City of Sulphur Springs has many high-quality teaching professionals who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

NOW, THEREFORE I, JOHN A. SELLERS, by virtue of the authority vested in me as Mayor, and on behalf of the City Council of the City of Sulphur Springs, Texas, do hereby proclaim the week of January 26 – February 1, 2020 as

“SCHOOL CHOICE WEEK”

in the City of Sulphur Springs and urge all citizens to join with me in recognizing this observance.

MANAGER’S REPORT

WASTEWATER TREATMENT PLANT - Construction is complete with the exception of sowing grass seed which is ongoing. For all intents and purposes this project is complete. Budget for the project was \$18,800,000. We expect total expenditures on the project to come in at \$18,400,000. This project is finishing on-time and under-budget.

GRAY’S BUILDING – We have a set of plans for the Gray’s building. We will now have a professional estimator produce a probable cost for the project.

Activity	Date
Application Submitted for TPWD Grant	December 04, 2019
RFP for Gray's Construction Opens	January 28, 2020
Authorize Notice of Intent for CO Issuance	January 07, 2020
Approve Reimbursement Resolution for Projects	N/A
RFP for Gray's Construction Closes	February 24, 2020
First Reading of Ordinance authorizing CO	February 04, 2020
Bid awarded for Gray's Building Construction	March 03, 2020
Receive Bids for CO	March 03, 2020
Authorize Second Reading of Ordinance	March 03, 2020
Funds wired to City's depository	March 31, 2020
Work with MHS on Construction Docs	April 01, 2020
Construction Begins on Gray's Building	May 01, 2020
Notification provided to Grant Recipients	June 01, 2020
Authorization of release of funds if awarded grant	September 01, 2020
Gray's Building Construction Complete	May 01, 2021
Furnishing/ Final Touches Complete	June 30, 2021
Grand Opening of Building	July 04, 2021
All Park improvements completed	March 31, 2023

WOODBIDGE – The Capital Construction Division is currently repairing a drainage/street issue in the Woodbridge addition. The Woodbridge Homeowners association is paying \$46,125 to replace the drainage structure between the two ponds. Reconstruction of the concrete street between the two ponds is the city’s responsibility. That should cost approximately \$55,000 including construction of the temporary road. We may also do some additional reconstruction in Woodbridge while we have the benefit of a temporary road.

BELLVIEW STREET – The Bellview project has begun. Installation of sewer mains is complete. Installation of water mains will not begin until we finish at Woodbridge.

CONNALLY STREET – The actual street is completed, and open to the public. The Capital Construction Division will finish construction of sidewalks, driveway approaches and cross-street connections within 60 days.

CLAIMS – We received one liability claim in December for damages to a vehicle allegedly caused by a pothole. We submitted a claim to TML and the claim was denied. We had two workers compensation claims in December. One was fairly serious. A wastewater treatment plant employee was injured when a sealed bucket containing chlorine and wastewater exploded in his face. He suffered burns and scratches to his eyes and was transported by air to the Parkland burn unit. Thankfully none of the injuries were permanent and the employee returned to full duty after 11 days. I have directed the Utilities Director to increase safety training.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will give a year-to-date report of revenues and expenditures.

Elsewhere around the city, employees:

- Responded to 178 calls for Animal Control.
- Achieved an adoption rate of 59% at the Animal Shelter.
- Made 4 felony arrests in the Special Crimes Unit.
- Responded to 55 accidents, recorded 51 offenses, wrote 559 citations, and made 64 arrests on the Patrol Division.
- Removed underbrush in Coleman Park along Reservoir Street.
- Removed leaves from athletic fields at Coleman Park.
- Checked out 2,328 items from the Municipal Library and an additional 750 eBooks.
- Assisted 831 computer users at the library.
- Installed crosswalk lighting at the post office and Alliance Bank.
- **Achieved a monthly average total suspended solids reading of .51 mg/L at the wastewater treatment plant, our lowest reading ever!**
- Repaired 15 water main ruptures.
- Replaced 14 water meters.
- Repaired 2 out-of-service fire hydrants and installed a new one.
- Unstopped 29 sewer mains.
- Repaired 2 sewer mains.
- Shut down Cooper Lake raw water pumps while the North Texas Municipal Water District tested their electrical controls.
- Flushed 36 dead end water mains.
- Treated 132 million gallons of potable water.
- Made 4 street repairs following utility repairs.
- Installed speed limit signs on Connally Street.
- Placed and removed barriers for the Lions Club Christmas Parade.
- Hauled street sweeper spoils to the landfill.

- Responded to 187 fire/rescue calls including 4 structure fires, 2 vehicle fires and 13 grass fires.
- Conducted 40 fire inspections and reviewed 40 pre-fire plans.
- Performed preventative maintenance on 70 fire hydrants.
- Conducted 36 building inspections, 26 electrical inspections, 23 plumbing inspections, 5 mechanical inspections and issued 19 building permits.
- Sold 2,277 gallons of AvGas and 10,813 Gallons of JetA.
- Assisted local organizations with planning the Lions Club Christmas Parade and the Main Street Christmas Market.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of December 3, 2019; the special City Council meeting minutes of December 13, 2019; the Planning and Zoning Commission meeting minutes of November 18, 2019; and the Zoning Board of Adjustments and Appeals meeting minutes of November 19, 2019. There was no one to speak to the issue. Councilman Moore made a motion to approve the minutes as presented. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2762, AN ORDINANCE AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES BY ADDING ARTICLE VII, ENTITLED CURFEW HOURS FOR MINORS

City Attorney McLeroy Presented the staff report. This ordinance has been requested by some of the downtown merchants. There was a brief discussion. There was no one else to speak to the issue. Councilman Moore moved to postpone the ordinance. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried to postpone until the February agenda.

DISCUSSION/ACTION ON RESOLUTION NO. 1187, A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

Finance Director Smith presented the staff report. Andrew Friedman with SAMCO was also available to answer any questions. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the resolution as presented. Councilman Nash seconded the motion and the vote unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1188 AMENDING AUTHORIZED REPRESENTATIVES OF THE CITY'S INVESTMENT ACCOUNT WITH TEXPOOL

Finance Director Smith presented the staff report. The City currently invests public funds with TexPool. Due to a retirement in the Finance Department, we need to add an additional authorized representative to our TexPool account. This resolution adds Oscar Aguayo to the account as an authorized representative. Mr. Aguayo currently serves as the Accounting/Payroll Specialist in the department. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to approve the resolution as presented. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPROVAL OF LAND LEASE AGREEMENTS AT THE THERMO MINE/LUMINANT PROPERTY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID DOCUMENTS

City Manager Maxwell presented the staff report. Prior to the time we gained ownership of the Thermo property, Luminant leased portions to 4 different parties. Staff proposes to continue the leases with the same parties, and with virtually the same terms on an annual basis. We have removed language allowing the leases the right to renew each year. Staff prefers for the City Council to review these leases annually. There was a brief discussion. There was no one else to speak to the issue. Councilman Moore moved to approve the leases at this time and to authorize the City Manager to execute said leases. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BOARD APPOINTMENT TO THE PLANNING AND ZONING COMMISSION

This item was tabled at the December 3, 2019 City Council meeting. Councilman Moore moved to remove the item from the table. Mayor Pro Tem Taylor seconded and the vote to remove the item from the table was unanimous.

The motion to remove the item from the table carried.

Community Development Director Niewiadomski presented the staff report. The Planning and Zoning Commission is in receipt of a letter of resignation from members Kelly Grimes and Mike Horn, creating two vacancies. Mr. Niewiadomski received a couple of names as potential candidates to serve on the Commission, Pat Chase and Matt Mattison. There was a brief discussion. There was no one to speak to the issue. Councilman Moore move to approve Pat Chase and Matt Mattison being appointed to fulfill the vacancies. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION REGARDING PERSONNEL RELATED SPECIFICALLY TO MATTERS AFFECTING THE OFFICE OF THE CITY MANAGER INCLUDING PERFORMANCE REVIEW, EMPLOYMENT TERMS AND OTHER ISSUES. THE CITY COUNCIL MAY ADJOURN INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE ANN. § 571.074 FOR DELIBERATIONS REGARDING THIS AGENDA ITEM

Councilman Moore moved to adjourn into Executive Session at 730 p.m. Mayor Pro Tem Taylor seconded and the vote was unanimous.

Mayor Sellers reconvened the meeting into Open Session at 756 p.m.

There were several cards turned in to the Mayor for people that would like to speak to this issue. Dr. Robert Lennington, Clay Walker, Tim Kelty, Brad Johnson, David Niergarth, and John Heilman spoke in favor and in support of City Manager Marc Maxwell.

There was no one else to speak to the issue. Councilman Moore moved to approve a 5-year contract with a 1-year buy out and annual performance reviews. Councilman Nash seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Bryan Slaton is running for office and wanted to introduce himself.

Amiee Huppert would like to see signs on Glover Street stating “Dead End” and/or “Children at Play” and would like to see a teen center for teens instead of a curfew.

ADJOURN

With all business complete the meeting was adjourned at 8:17 p.m.