

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

**FEBRUARY 5, 2019**

**7:00 p.m.**

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:00 p.m. The following council members and staff were present:

Mayor John A. Sellers  
Mayor Pro Tem Emily Glass  
Councilwoman Erica Armstrong  
Councilman Jimmy D. Lucas  
Councilman Freddie Taylor  
Councilman Doug Moore

Absent: Councilman Norman Sanders

Staff: Marc Maxwell, City Manager  
Tory Niewiadomski, Community Development Director  
Lesa Smith, Finance Director  
Gordon Frazier, HR Director  
Jay Sanders, Director of Public Safety

**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 Taylor.

**PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS**  
**CITY OF SULPHUR SPRINGS, TEXAS**

**PROCLAMATION**

**WHEREAS**, 2019 marks the 93<sup>rd</sup> annual celebration of Black History since Carter G. Woodson, a noted scholar and historian instituted Negro History Week in 1926. He chose the second week of February to coincide with the birthdays of President Abraham Lincoln and the Black 19<sup>th</sup> century abolitionist Frederick Douglass; and

**WHEREAS**, the first official Black History Month was announced in 1976 by President Gerald R. Ford, who urged Americans to “seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history;” and

**WHEREAS**, Black History Month affords the special opportunity to become more knowledgeable about Black heritage, and to honor the many Black leaders who have contributed to the progress of our nation; and

**WHEREAS**, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continued struggle against racial discrimination.

**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 month of February as

**“BLACK HISTORY MONTH”**

and urge all residents to join together in making this a period of rededication to the principles of justice and equality for all people.

Signed and sealed this 5<sup>th</sup> day of February 2019.

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John A. Sellers, Mayor

**MANAGER’S REPORT**

**CROSSTOWN TRAIL** - Construction continues on the Hopkins County Civic Center grounds and Peavine Pinion Pond. In January the Capital Construction Division poured more concrete, installed bike racks and trash cans, laid sod to prevent erosion, installed a water fountain and planted trees.

**SUNSET STREET** – Work should begin on this street next week. Sunset is funded by a grant from the Texas Department of Agriculture. The project will include a new concrete street including curb & gutter, a new sewer main and a new water main.

**WASTEWATER TREATMENT PLANT** - Phase 2 is well under way. All of the concrete has been poured for the two new aeration basins. Next, they will be fitted with all of the diffused air piping and then connected to 3 massive blowers that have already been installed. Once these basins are operational, the existing basins will be taken offline

and they will be refitted with diffused aeration just like basins 1 & 2. Once all of this is completed our aeration capacity will be greatly enhanced. This is the heart of our wastewater treatment process.

**CONNALLY STREET** - Work began on Connally Street this month. The Capital Construction Division Installed 307' of sewer main including 2 manholes and 5 service lines. This project will take 9 months to a year to complete.

**SUBSTANDARD STRUCTURES** - The owner of the building at 200 Gilmer Street previously complied with the city council's order to abate the dangerous condition of the east wall. She has decided to repair the wall, and she has hired RBC Construction to perform the work. RBC expects to begin in a month. We have given the owner until March 13 to obtain a building permit and until May 01 to finish the job to avoid future council action.

**CLAIMS** – We did not have any workers' compensation claims or liability claims in January.

**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 an unusually high number of fire/rescue calls...215.
- Conducted 48 fire inspections and reviewed 48 pre-fire plans.
- Responded to 1 structure fire, 1 vehicle fire and 3 grass fires.
- Performed preventative maintenance on 60 fire hydrants.
- Made 4 extensive street repairs following utility repairs.
- Repaired 747 potholes.
- Replaced 47 stop signs, 17 no parking signs, 8 speed limit signs, 9 one-way signs, 6 school zone signs and 1 no thru truck sign.
- Removed Christmas decorations downtown.
- Replaced 130' of curb and gutter on Elm Street.
- Replaced 165' of curb and gutter on Pipeline Road.
- Checked out 2,964 items and an additional 788 e-books at the library.
- Placed 200 cubic yards of mulch at Kids Kingdom.
- Painted the caboose.
- Refurbished all of the wooden picnic tables in the parks.
- Conducted 26 building inspections, 36 electrical inspections, 31 plumbing inspections, 9 mechanical inspections, and issued 23 building permits.
- Added lighting to Coleman Park batting cages.
- Replaced lighting at the airport and the animal shelter and performed preventative maintenance on the generator at Coleman Park.

- Replaced chlorine feed lines at the wastewater treatment plant.
- Achieved a daily average total suspended solids count of 1.31 mg/L at the wastewater treatment plant.
- Repaired 2 water main breaks and replaced 10 water meters.
- Unstopped 42 sewer mains.
- Repaired 15 sewer mains.
- Washed 70,000' of sewer mains.
- Opened the Lake Sulphur Springs flood gates due to heavy rainfall.
- Flushed 35 dead-end water mains.
- Treated 125 million gallons of potable water.
- Responded to 179 animal control calls while achieving an adoption rate of 24%
- Made 15 felony arrests in the Special Crimes Unit.
- Made 98 arrests, recorded 63 offenses, responded to 30 accidents and wrote 404 citations in the Patrol Division.
- Updated the Emergency Preparedness Plan.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the special City Council meeting minutes of January 8, 9, and 22, 2018; the Downtown Revitalization Board meeting minutes of August 28, 2018; and the Economic Development Corporation meeting minutes of November 26, 2018. There was no one to speak to the issue. Mayor Pro Tem Glass made a motion to approve the minutes as presented. Councilman Taylor seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON APPROVAL OF THE ANNUAL AUDIT OF FISCAL YEAR 2017-2018**

Kirk Evans of Evans & Knauth, PLLC, presented the 2017-2018 audit to the City Council. The City of Sulphur Springs continues to be in excellent financial condition. There was no one else to speak to the issue. Councilman Taylor moved to accept the audit as presented. Mayor Pro Tem Glass seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON PUBLIC HEARING FOR THE SECOND AND FINAL READING OF ORDINANCE NO. 2739, AN ORDINANCE OF THE CITY OF SULPHUR SPRINGS, TEXAS, ADOPTING THE RECOMMENDATIONS OF THE 2018 CHARTER REVIEW COMMITTEE, APPROVING PROPOSED**

**AMENDMENTS TO THE CITY OF SULPHUR SPRINGS, MAKING RECOMMENDATIONS FOR INCLUSION OF THE PROPOSED CHANGES TO THE OFFICIAL BALLOT OF THE UPCOMING MUNICIPAL ELECTION, MAKING FINDINGS IN SUPPORT THEREOF, AND OVERRULING ANY ORDINANCE IN CONFLICT HEREWITH**

Mr. McLeroy was available to answer any questions. There was a brief discussion regarding this issue. There was no one else to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Councilman Moore seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2740 FOR ANNEXATION OF AREA 1, PIONEER BUSINESS PARKD AND ADJACENT PROPERTIES**

Community Director Niewiadomski presented the staff report. There was no one to speak to the issue. Councilman Taylor made a motion to approve the ordinance on the first reading. Mayor Pro Tem Glass seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2741 FOR ANNEXATION OF AREA 2, HERITAGE BUSINESS PARKD AND ADJACENT PROPERTIES**

Community Director Niewiadomski presented the staff report. There was no one to speak to the issue. Councilwoman Armstrong made a motion to approve the ordinance on the first reading. Councilman Taylor seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2742, A BUDGET AMENDMENT FOR ORDINANCE NO. 2727, THE 2018 – 2019 ANNUAL BUDGET ORDINANCE**

Finance Director Smith presented the staff report. There was a brief discussion. There was no one to speak to the issue. Councilman Moore made a motion to approve the ordinance on the first reading. Councilman Taylor seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION ON REPORT REGARDING TRAFFIC STOPS AND ARRESTS**

Public Safety Director Sanders presented the report. This is the annual submission to the Texas Commission on Law Enforcement. We are a Tier 2 Non-Exempt entity. In accordance with Article 2.132(b) of the Texas Code of Criminal Procedures Law Enforcement Policy agencies must submit information collected to the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

**DISCUSSION/ACTION ON RESOLUTION NO. 1160 AMENDING AN EXISTING 380 AGREEMENT FOR PROPERTY LOCATED AT 216 MAIN STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDED 380 AGREEMENT**

Ms. Standbridge experienced some delays into the design of the project last year. Staff is of the opinion that Ms. Standbridge is working to get the project going and would recommend that we extend the timeframe to complete the project with a deadline of March 1, 2020. The amended 380 agreement is essentially the same as the original agreement outside of setting a new deadline and including BRS Marketing LLC as the owner of the property which is still Ms. Standbridge. Ms. Standbridge is still going to construct 5 apartment units' upstairs and commercial suites downstairs in the building. The city has a final set of building plans that are ready to be issued for construction to proceed. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to amend the agreement. Mayor Pro Tem Glass seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1161 APPROVING A HOMELAND SECURITY GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR AND DESIGNATING THE MAYOR AS THE OFFICIAL SIGNATORY**

Public Safety Director Sanders presented the staff report. These funds will be used to purchase a firearms training simulator. The simulator provides video-based scenario situations that officers encounter every day. The funds will be combined with Hopkins County Homeland Security grant funds to purchase the equipment. SSPD will be the grant writer and administrator of the grant. The request is for \$56,845.00 with no local match. There was a brief discussion. There was no one else to speak to the issue. Councilwoman Armstrong moved to approve the resolution. Mayor Pro Tem Glass seconded the motion and the vote unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON ASSIGNMENT OF AIRPORT GROUND LEASE FOR LOT 120-17**

City Attorney McLeroy presented the staff report. The original lease agreement between the City of Sulphur Springs and Mickey Eddins, et al, was executed in May 1986. In 2002, Mr. Eddins sold the improvements (hangar) to Carl Bryan and a new lease agreement was created and executed October 5, 2002. Mr. Bryan has entered into an agreement to sell the improvements covered under this lease agreement to Jeff Orwosky. Section 7 of the existing lease agreement states that the Lessee “may sell, lease, or otherwise assign to another party, his rights, title, and interest in the lease, including any improvements on the property, for the remaining term hereof. The current lease terminates December 2022. This lease may, at lessee’s option, be extended for three (3) consecutive option periods of five (5) years each. There was a brief discussion. There was no one else to address the issue. Councilman Taylor moved to approve the agreement. Mayor Pro Tem Glass seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR SOLAR LED LIGHTING AND POLES FOR THE CROSTOWN TRAIL PROJECT**

Finance Director Smith presented the staff report. The City of Sulphur Springs has a contract agreement with TxDOT for a Transportation Alternatives Project Grant for a trail connecting Coleman Park to Buford Park and continuing along the north side of Connally St. The project is currently around 50% complete. Soon after the City began constructing the trail from Coleman Park across Main St. and behind Peavine Pinion, staff noticed a need for lighting along that portion of the trail. Staff finds the use of solar LED lighting to be the best choice for lighting along to path for its ease of installation as well as cost savings over time. TxDOT has approved the City’s request to use grant funds for the lighting. After bids are awarded and materials are received, City staff will install the lighting. The City published notices in the paper and sent out notices to 8 potential bidders. The City held bid openings for the bid packet items on February 1st.

<b>Crosstown Solar Lights Bid Tabulation</b>			
	<b>JEC</b>	<b>Energy Light Inc.</b>	<b>Sulta Mfg.</b>
<b>36 LED Solar Lights</b>	<b>\$39,960.00</b>	No Bid	No Bid
<b>36 Steel Poles</b>	<b>\$22,680.00</b>	<b>\$13,986.00</b>	<b>\$16,000.00</b>

There was a brief discussion. There was no one else to address the issue. Councilman Taylor moved to approve awarding the bid to JEC for LED solar lights and to award the bid to Energy Light Inc. for the steel poles. Councilwoman Armstrong seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1162 CALLING FOR A GENERAL ELECTION FOR CITY COUNCIL PLACES 4 AND 5, NAMING ELECTION JUDGES, AND SETTING DATES FOR EARLY VOTING**

City Manager Maxwell presented the staff report. This resolution calls for a City Council Election for Places 4 and 5 to be conducted May 4, 2019. The resolution also sets the dates and times for Early Voting and for mail ballot deadlines, as well as naming judges and alternates. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Mayor Pro Tem Glass seconded the motion and the votes was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1163 CALLING FOR A SPECIAL ELECTION TO COMPLETE THE TERM OF PLACE 6, NAMING ELECTION JUDGES, AND SETTING DATES FOR EARLY VOTING**

City Manager Maxwell presented the staff report. This resolution calls for a special City Council Election to complete the term for Places 6 to be conducted May 4, 2019. The resolution also sets the dates and times for Early Voting and for mail ballot deadlines, as well as naming judges and alternates. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Mayor Pro Tem Glass seconded the motion and the votes was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1164 CALLING FOR A SPECIAL ELECTION TO AMEND THE CHARTER OF THE CITY OF SULPHUR SPRINGS, TEXAS, NAMING ELECTION JUDGES, AND SETTING DATES FOR EARLY VOTING**

City Manager Maxwell presented the staff report. This resolution calls for a special City Council Election to amend the Charter of the City of Sulphur Springs, to be conducted May 4, 2019. The resolution also sets the dates and times for Early Voting and for mail ballot deadlines, as well as naming judges and alternates. There was no one to speak to the issue. Councilwoman Armstrong moved to approve the resolution as presented. Councilman Moore seconded the motion and the votes was unanimous.

**The motion carried.**

**DICUSSION/ACTION ON PURCHASE OF ELECTION EQUIPMENTMENT**

City Manager Maxwell presented the staff report. The City Council approved the purchase of new election equipment in the amount of \$65,000 when they approved the budget September 2018. Staff has obtained approval from the Texas Secretary of State’s office, as required by law. The equipment is consistent with Hopkins County which enables each entity to aid the other should an unlikely equipment crisis occur. There was no one to speak to the issue. Councilman Taylor moved to approve the purchase of election equipment. Councilwoman Armstrong seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1165 EXPRESSING SUPPORT FOR THE PROPOSED RENOVATION OF THE TRINITY OAKS APARTMENTS LOCATED AT 600 WOODLAWN STREET AND THEIR APPLICATION REQUEST FOR HOUSING TAX CREDITS, WAIVING \$250 IN FEES FOR THE PROJECT AND AUTHORIZING MAYOR JOHN A. SELLERS TO SIGN THIS RESOLUTIONB**

This item was removed from the agenda at the request of Dan Allgeier.

**DICUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR HIGHWAY 11 WEST LIFT STATION RELOCATION**

Community Development Director Niewiadomski presented the staff report. Staff placed bid notices in the News Telegram on January 12<sup>th</sup> and January 19<sup>th</sup>. The project was also advertised on [www.CivCastUSA.com](http://www.CivCastUSA.com) and over 70 companies downloaded the plans for the project. Bids were opened on January 30<sup>th</sup> and the City received 6 sealed bids. The work consists of furnishing all labor, materials, and equipment necessary to provide and construct one (1) new lift station adjacent to the Highway 11 right-of-way, and demolish one (1) existing lift station located in the proposed Highway 11 right-of-way. Also included in the work is bypass pumping, installation of 10-in force main and 16-inch gravity sanitary sewer line and rerouting of an existing 8-inch water line by open cut.

Below are the overall bid prices received.

Highway 11 Lift Station Relocation Bids 2019	
Contractor	Overall Bid Price
7H Construction Company Inc	\$ 466,900.00
AAA Sanitation Inc	\$ 497,283.00
JDR Contracting LP	\$ 457,157.00
Patterson Professional Services	\$ 348,945.50

Pittard Construction Co	\$ 775,000.00
RBIS, LLC	\$ 558,294.00

Garver Engineering, the Design Engineer on the project, checked references and determined Patterson Professional Services to be the lowest qualified bidder. It is anticipated this will 100% reimbursable by TxDOT due to highway widening. There was a brief discussion. There was no one else to speak to the issue. Councilwoman Armstrong moved to accept the bids and award the contract to Patterson Professional Services. Councilman Moore Second the motion and the vote was unanimous.

**The motion carried.**

**VISITORS AND PUBLIC FORUM**

None.

**ADJOURN**

With all business complete the meeting was adjourned at 7:49 p.m.

