

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

March 3, 2020

7:00 p.m.

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 6:30 p.m. Councilman Moore moved to adjourn into an Executive Session in accordance with Texas Government Code, Title 5, Chapter 551.074, Personnel matters specifically relating to the City Secretary. Mayor Pro Tem Taylor seconded and the vote was unanimous. The following council members and staff were present:

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

Absent: None

Staff: Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Lesa Smith, Finance Director – 7P
Tory Niewiadomski, Community Development Director - 7P
Gordon Frazier, HR Director – 7P
Rusty Stillwagoner, P.D., C.I.D., Lieutenant – 7P
David James, Fire Marshal – 7P

RECONVENE

Mayor John A. Sellers reconvened the regular meeting of the Sulphur Springs City Council at 7:00 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 Texas History Month.

WHEREAS, it is imperative that the citizens of the great State of Texas make every effort to preserve, protect, and promote the diversified and cultural history of our state; and

WHEREAS, Monday, March 2, 2020, the State of Texas will celebrate its 184th year since the signing of the Texas Declaration of Independence creating the Republic of Texas; and

WHEREAS, in February 1845 the Republic of Texas approved a resolution to enter the Union and part of that resolution, which came to be known as the Constitution of 1845, stated that Texas would retain its right to divide into four states in addition to the original Texas. The Republic of Texas existed for nine years before joining the Union as the 28th state on December 29, 1845; and

WHEREAS, the Texas Legislature purchased the land and buildings of the Alamo complex in the early part of the 20th century and designated the Alamo chapel as an official Texas State Shrine. Alamo Day is celebrated on March 6th of each year; and

WHEREAS, Texas is known as the Lone Star State and the flag displays a single five-point white star on a field of blue with an upper white horizontal stripe and a lower red horizontal stripe; and

WHEREAS, in 1826 the Texas Rangers, a unique group of lawmen used to track down outlaws, settle feuds, and reconcile land disputes, were established by Stephen F. Austin. In 1935, the Texas Rangers became a branch of the Texas Department of Public Safety and today the organization still works for law and order in the state; and

WHEREAS, Texas is the only state that was a Republic before joining the Union, the second largest state in land mass, and the second largest in population. It occupies about seven percent of the total land and water areas of the United States.

NOW, THEREFORE, I, John A. Sellers, Mayor of the City of Sulphur Springs, Texas, do hereby proclaim the month of March 2020 as

“TEXAS HISTORY MONTH”

and urge all citizens to observe this month with appropriate ceremonies and activities.

It is so proclaimed this the 3rd day of March 2020.

After the proclamation Community Development Director Niewiadomski made a Power Point presentation on Strong Towns. He also displayed a picture comparison of three houses and pointed out how each type effects the city's economy.

MANAGER'S REPORT

WASTEWATER TREATMENT PLANT - We are having problems with the blowers, serious problems. Two of the three blowers developed vibration problems and have now become inoperable. There have been some vibration issues since installation last August. Recently the issues became bad enough to render the units inoperable. One of the units is still operating, but there are signs of vibration with it as well. I have instructed Utilities Director James Jordan to locate a portable blower just in case we need it. I have instructed the City Attorney to file claims on the contractor's (Gracon Construction) surety bonds.

GRAYS' BUILDING – We had an estimator figure the cost of the building. As it is designed the cost will be about \$1,000,000. We are trying to get that down to about \$850,000. We can do the site work ourselves and make a few minor design changes and I think we'll be there. In about 30 days we should be ready to either send it out to bid or to solicit qualifications for a construction manager at risk.

WOODBIDGE – We still need to remove the temporary street, but the drainage/street project is completed.

BELLVIEW STREET – The Capital Construction Division has returned to Bellview, and water main construction is underway.

CONNALLY STREET – The sidewalk on the north side of the street is almost completed. We focused on the north side first because that side is funded by a TxDOT grant and we need to finish soon. We will begin on the south sidewalk next.

S.H. 11 WIDENING (LIFT STATION) - This project is nearly completed. We replaced a lift station and sewer main along S.H. 11. TxDOT paid for almost all of it. The next phase of the S.H. 11 project will require the relocation of a sewer force-main and a water main. The city will bear much of the cost on the next phase.

CLAIMS – A Water and Sewer Division employee was struck by a very high-pressure sewer main cleaning hose causing lacerations to his chest. This had the potential to be quite serious, but fortunately it looks like he will be returning to duty soon. Also, a Parks and Recreation employee backed into another vehicle causing damage to it. The claim has been submitted to TML.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will **not** give a year-to-date report of revenues and expenditures.

Elsewhere around the city, employees:

- Removed a mop head from the Cantex lift station.
- Replaced a chemical controller on the fountain pump.
- Replaced lights at the senior center.
- Passed a TCEQ inspection of the wastewater treatment plant with no findings!
- Repaired 7 water main ruptures.
- Replaced 10 water meters.
- Unstopped 27 sewer mains.
- Repaired 4 sewer mains.
- Washed 80,000 feet of sewer mains.
- Flushed 36 dead end water mains.
- Opened Sulphur Springs Flood Gates 12 times due to rain.
- Treated 124 million gallons of potable water.
- Responded to 167 fire/rescue calls including 0 structure fires 4 grass fires, and 1 vehicle fire.
- Performed 34 fire inspections.
- Performed preventative maintenance on 78 fire hydrants.
- Began removing outfield fence at Pacific Park.
- Mowed Coleman Dam.
- Made 7 major street repairs following utility repairs.
- Repaired 270 potholes.
- Closed Gilmer Street for Kansas City Southern railroad to make a repair.
- Installed 850 feet of water main on Bellview.
- Conducted 15 building inspections, 15 electrical inspections, 23 plumbing inspections, 2 mechanical inspections and issued 20 building permits.
- Sold 2,727 gallons of AvGas and 6,566 gallons of JetA fuel.
- Checked out 2,754 items from the library and an additional 719 eBooks.
- Responded to 150 animal control calls and achieved a 91% adoption rate.
- Responded to 2,993 calls for police, recorded 55 offences, wrote 540 traffic citations, made 69 arrests and responded to 45 accidents in the patrol division.
- Made 8 felony arrests in the Special Crimes Unit.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of February 4, 2020; the special City Council meeting minutes of January 7 and 9, 2020; the Planning and Zoning Commission meeting minutes of December 14, 2019; the Downtown Revitalization

Board meeting minutes of January 14, 2020; and the Economic Development Corporation meeting minutes of January 27, 2020. There was no one to speak to the issue. Mayor Pro Tem Taylor made a motion to approve the minutes as presented. Councilman Moore seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO APPROVE THE INDEPENDENT AUDIT FOR FISCAL YEAR 2018-2019

Kirk Evans of K. Evans & Associates made the presentation and reviewed the audit for the City Council. Mayor Pro Tem Taylor said it was great to hear publicly how well we are doing. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the audit as presented. Councilman Nash seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON THE 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

Councilman made a motion to remove the item from the table. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion to remove item from table carried.

City Attorney McLeroy presented the staff report. This ordinance now contains a sunset provision allowing the City Council to review the ordinance every two years. There was a lengthy general discussion with many speaking from several points of view including Police Chief Ricketson, Officer Mayberry, Jay Julian, Aimee Huppert, Justin Brown, and Dinky Weeks. There was no one else to speak to the issue. Councilman Moore moved to approve the ordinance on the first reading. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING ON SECOND AND FINAL READING OF ORDINANCE NO. 2763, ANNEXING CITY OWNED PROPERTY FORMERLY REFERRED TO AS THE LUMINANT OR THERMO MINE PROPERTY

Mayor Sellers opened the public hearing at 7:57 p.m. There was no one to speak to the issue. Mayor Sellers closed the public hearing at 7:58 p.m.

Community Development Director Niewiadomski presented the staff report. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to adopt the ordinance on the second and final reading. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING ON SECOND AND FINAL READING OF ORDINANCE NO. 2764, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SULPHUR SPRINGS, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING AN OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

SAMCO Capital representative Andrew Friedman presented the staff report. The lowest bid was from The Baker Group. There was a brief discussion. There was no one else to speak to the issue. Councilman Moore moved to approve the bid and adopt the ordinance on the second and final reading. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING ON SECOND AND FINAL READING OF ORDINANCE NO. 2765, APPROVING AND AUTHORIZING THE FRANCHISE AGREEMENT WITH ATMOS ENERGY CORPORATION WHICH PROVIDES NATURAL GAS TO THE CITY OF SULPHUR SPRINGS, TEXAS

City Attorney McLeroy presented the staff report. There are no changes to the franchise agreement. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to adopt the ordinance on the second and final reading. Councilman Nash seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO APPROVE A NON-MOTORIZED SPORTS CONCESSION AT COLEMAN LAKE

John Ilaoa proposes to operate a paddle boat/canoe/paddle board/kayak concession at Coleman Lake. The Little Egg has an exclusive concession agreement for all the food concessions at the park. Mr. Ilaoa will operate under that concession and any revenue to the city will come to us through that agreement. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the

agreement and authorize the city manager to execute said agreement. Councilman Moore seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO INCREASE CONTRACT PRICING FOR SLUDGE TREATMENT AT THE WASTEWATER TREATMENT PLANT

Utilities Director Jordan presented the staff report. East Texas Compost, LLC, currently accepts all of the sludge generated at the Wastewater Treatment Plant. The owner of the composting facility has contacted the city requesting an increase in the payment rate for processing the sludge. The city currently pays a rate of \$30.63 per ton. The staff has researched the true cost of hauling sludge off-site to the landfill using city owned vehicles operated by city personnel. Additional money will be needed to conduct this service in-house. The original intent of this contract was to pay an amount of money to the contractor that equals the cost the city would otherwise incur to independently dispose of the sludge to the landfill. Given the increase in landfill fees, labor cost, and added maintenance of the daily operations to haul the sludge, we feel that the request for the increase is adequate. Staff recommends increasing the contract price from \$30.63 to \$36.63 per ton. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the price increase. Councilman Nash seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO ACCEPT THE CERTIFICATE OF UNOPPOSED CANDIDATE AND ORDER OF CANCELLATION OF THE GENERAL ELECTION FOR PLACE 6 AND PLACE 7

City Secretary Roberts presented the staff report. The incumbents for the general election, John A. Sellers and Doug Moore, are unopposed and the general election can be cancelled. There was no one to speak to the issue. Councilman Nash moved to accept the Certificate of Unopposed Candidates and the Order of Cancellation of the General Election. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO ACCEPT THE CERTIFICATE OF UNOPPOSED CANDIDATES FOR PLACE 2 AND PLACE 3 AND THE ORDER OF A SPECIAL ELECTION FOR PLACE 1 AND PLACE 5

City Secretary Roberts presented the staff report. Place 2 and Place 3 are unopposed which allows us to accept the Certificate of Unopposed Candidates for these two places and order a special election for Place 1 and Place 5. There was no one to speak to the issue. Mayor Pro

Tem Taylor moved to accept the Certificate of Unopposed Candidates and the Order of a Special Election. Councilman Nash seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM

Councilman Moore moved to approve a salary increase of \$10,000 for City Secretary Roberts. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Billie Ruth Standbridge addressed the juvenile issue stating that parents should be contacted.

ADJOURN

With all business complete the meeting was adjourned at 8:25 p.m.