

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

**APRIL 7, 2020**

**7:00 p.m.**

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:22 p.m. The following council members and staff were present:

Public link: <https://www.youtube.com/channel/UC8CxjG8pt3Cn8DDMgg0xr8g>

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

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, Police Chief  
David James, Fire Marshal  
Russ Nuss, Public Works Director  
Kevin McCarty, Parks & Recreation Director  
Joey Baker, Airport/Tourism Director  
Hope Cain, Director of Library Services  
James Jordan, Director of Utilities

**CALL TO ORDER**

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:22 p.m. after a few minutes of streaming issues.

**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 Mayor Pro Tem Taylor.

**PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS**

**WHEREAS**, Animal Control Officers provide care and comfort to animals that have been the victim of neglect and abuse, and help keep stray animals safe until the owners are located or a new home is found; and

**WHEREAS**, every day these professionals put themselves in potentially dangerous situations to protect the health and welfare of animals and the public as well as trying to educate the community on animal related matters; and

**WHEREAS**, these professionals work tirelessly to provide shelter and care to abused, mistreated, homeless, or unwanted animals; and

**WHEREAS**, Barbi Blanch and Annie Partridge, Sulphur Springs Animal Control Officers, provide important services that help animals in need and help keep our community safe; and

**WHEREAS**, this week is a time to recognize the important role that Animal Control Officers have in law enforcement and thank them for their hard work.

**NOW, THEREFORE, I, John A. Sellers**, Mayor of the City of Sulphur Springs, Texas, do hereby proclaim the second week of April as

**“ANIMAL CONTROL OFFICER APPRECIATION WEEK”**

in this city of Sulphur Springs, Texas, and call this to the attention of all citizens.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this 7<sup>th</sup> day of April in the year 2020.

John A. Sellers, Mayor

**MANAGER’S REPORT**

**COVID-19 RESPONSE –**

- All City offices are closed to the public except by appointment.
- Much of City staff are alternating workdays.
- Police and Fire have instituted new procedures for dealing with persons suspected of COVID-19.
- Police and Fire have their temperature taken when arriving at work.
- Meetings are conducted virtually when possible.
- Department Heads, the City Manager and the Mayor meet 3 times each week

(virtually) to coordinate our efforts.

- Mayor, City Manager, Police Chief and Fire Chief attend EOC briefings three times per week.

**WASTEWATER TREATMENT PLANT** – The issues I previously reported with the blowers have been resolved. All 3 blowers are operating without issues. We have returned the rented blower. I expect to close out our contract with Gracon this month.

**GRAYS BUILDING** – Specifications are being written for the new Grays building. I expect to advertise for bids in 60 days. In the meantime, we will build up the pad for the building.

**BELLVIEW STREET** – The water main was completed this month. Next up will be cement stabilization of the subgrade and asphalt pavement. Unfortunately, street work can't begin until Atmos has replaced their line. I expect Atmos won't be finished for 90 days.

**MCCANN STREET – HOLIDAY DRIVE** - These streets are up next on our list of capital improvement projects. We have begun doing some investigative work onsite, but we are discussing the possibility of delaying the project until we have a better understanding of the financial impact of the pandemic. We may be scheduling this topic at a future City Council meeting.

**CONNALLY STREET** – The sidewalk on the north side of the street is completed. We will start on the other side of the street soon.

**STREET IMPROVEMENT PROGRAM** – The Capital Construction Division replaced various curb segments for the streets that will be repaved in this year's Street Improvement Program, (S.I.P.). The S.I.P. is funded by a combination of General Fund revenues and the Street Maintenance Fee on the water bill. I expect the contractor, Texana Land and Asphalt to begin as soon as weather permits. The following streets will be repaved this year:

<u>Street</u>	<u>Between</u>	<u>Length</u>
Asphalt Repair	Various soft spot repairs	1000
Barbara	Tate to Camp	649
Cedar Springs	Hollie and Cedar Spring	3364
CMH Rd.	Hwy 67 to I-30	2535
Debord	Park to Cemetery	570
Graham	Gilmer to Oak	338
Harred	Alabama to College	470
Lake Shore	Jill to Lewis	1362

Linda	Fisher to Gilmer	1410
Logion	Middle to Park	1452
Lou and Jonas		2650
Middle	Jackson to Church	1140
Mockingbird	Shannon to Posey	3560
Mindy	Helm to dead-end	898
Nicholson	Locust to Moore	1072
Oak Grove	Jefferson to End	702
Park Cir.	Bill Bradford to all	1563
Plano/Pampa	Texas to Brinker	1362
Rosemont	Jefferson to Houston	1072
Seventh	RR to Park	1584

**S.H. 11 WIDENING (LIFT STATION)** - The lift station is operational. All that remains is a little TxDOT paperwork.

**CLAIMS** – We had 3 minor worker’s compensation claims in March and zero liability claims. We submitted a property claim to the TELL Risk Pool for a police cruiser that was totaled in a pursuit.

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

Elsewhere around the city, employees:

- Conducted 20 building inspections, 23 electrical inspections, 10 plumbing inspections and 7 mechanical inspections and issued 15 building permits.
- Responded to 174 fire/rescue calls including 3 structure fires and 2 vehicle fires.
- Performed preventative maintenance on 20 fire hydrants.
- Performed 15 fire inspections and reviewed 15 pre-fire plans.
- Checked out 2306 items from the library and 755 eBooks.
- Sold 1,640 gallons of AvGas and 5,100 gallons of JetA fuel.
- **Treated wastewater to a daily average total suspended solids count of .54 mg/L.**
- Repaired 3 water main ruptures.
- Replaced 7 water meters.
- Unstopped 32 sewer mains.
- Repaired 4 sewer mains.
- Washed 70,000 feet of sewer mains.
- Flushed 36 dead-end water mains.
- Treated 132 million gallons of potable water.

- Responded to 164 animal control calls while achieving a 93% adoption rate.
- Made 8 felony arrests in the Special Crimes Unit.
- Responded to 42 accidents, wrote 354 traffic citations, recorded 57 offenses and made 51 arrests in the Patrol Division.
- Performed 8 major street repairs following utility repairs.
- Replaced 310 feet of curb and gutter in preparation for Street Improvement Program.
- Patched 422 potholes.
- Installed “No Parking” signs on Connally Street.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the regular City Council meeting minutes of March 3, 2020; the Zoning Board of Adjustments and Appeals meeting minutes of January 21, 2020; the Planning and Zoning Commission meeting minutes of February 17, 2020; the Downtown Revitalization Board meeting minutes of February 18, 2020; and the Economic Development Corporation meeting minutes of February 25, 2020. 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 PUBLIC HEARING FOR THE SECOND AND FINAL 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 contains a sunset provision allowing the City Council to review the ordinance every two years. 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 FIRST READING OF ORDINANCE NO. 2766, AMENDING AND UPDATING PRETREATMENT ORDINANCE NO. 2538**

Utility Director Jordan presented the staff report. The proposed ordinance gives legal authority and outlines the procedures to implement a Revised Industrial Pretreatment Program. It sets sewer discharge parameters and requirements that each industry must meet in order to discharge into the City's sewer system. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve

the ordinance on the first reading. Councilman Nash seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON MOTION TO APPROVE A NEW STEP PLAN FOR THE SULPHUR SPRINGS POLICE DEPARTMENT**

In 2016 the Sulphur Springs Police Department and the Sulphur Springs Fire Department received step plan increases. These increases included an approximate 13% across the board for the Fire Department step plan and an average increase for the Police Department of approximately 7%. The Police Department included an additional fitness stipend of \$3,600.00 annually that could be earned by completing a fitness standard on the Concept 2 Rower Machine, combat fitness test, or by completing the pushup, sit-up, run test (PSR). Due to such a high standard being placed on these fitness requirements, only 8 of 27 certified officers were able to pass this standard in the last six months of testing. Since the fitness stipend was approved, it has caused morale issues in the department. These issues are attributed to the high standards to earn the stipend and it being implemented to take the place of the full step plan increase in which the Fire Department received in 2016. The proposed step plan would use reallocation of current police department budgeted funds to add an additional \$4,000.00 to each step of the officer step plan and is equivalent to a 7% increase on average. In the past three years the police department has had six officers leave and two more are in the hiring process with another agency. There are a number of agencies looking to hire officers in the surrounding communities and it has been a challenge to find qualified applicants. Many officers are applying at other agencies around the Metroplex area that have better pay and more room for advancement. The proposed increase will allow the Police Department to be more competitive and comparable to other agencies, as well as assist in recruiting and retaining officers. With approval, this would eliminate the fitness stipend and utilize the new approved step plan which would become effective May 9, 2020. This increase is only inclusive of certified peace officers within the Police Department (Dept. 22). There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the step plan as presented. Councilman Nash seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON A MOTION TO REJECT ALL BIDS FOR THE WATER TREATMENT PLANT CLEARWELL MODIFICATION AND PH ENHANCEMENT**

Utilities Director Jordan and Finance Director Smith presented the staff report. The City has state mandated parameters that have to be met for water quality at the water treatment plant. During the hot summer months, it is difficult to adjust the PH enough to get the strong disinfectant we need to carry throughout our distribution system. This issue has been identified by the state but there has been no enforcement action. The current issue we are having pertains to the disinfection. This project would allow us to adjust our PH to form a stronger disinfection bond. The water treatment plant currently uses monochloramines, which is affected by temperature and PH. Chloramine is commonly used in low concentrations as a secondary disinfectant in municipal water distribution systems as an alternative to chlorination. This application is increasing, and Chlorine is being displaced by chloramine—to be specific monochloramine—which is much more stable and does not dissipate as rapidly as free chlorine. The City published notices in the newspaper January 25<sup>th</sup>, February 1<sup>st</sup>, and February 8<sup>th</sup> and posted the bid notification and documents on [www.civcastusa.com](http://www.civcastusa.com) where 51 users obtained plan documents designed by Hayter Engineering. The City held bid openings for the two bid packet items on March 18<sup>th</sup> and received one bid for a total of \$233,450. The total FY 2020 budget for this project is \$298,000 which includes the cost of the work to be done by the Utilities Department and then this portion of the work to be done by an outside contractor. We were anticipating bids to come in around \$135,000-\$180,000 for the contractor portion of this project. Staff would like to rebid the project in hopes of getting more competitive bids.

	<b>DN Tanks Inc.</b>
<b>Clearwell Wall Penetration Only</b>	\$153,500
<b>Baffle Curtains Only</b>	\$79,950

The staff recommendation is to reject the bid for the Water Treatment Plant Clearwell modification and PH Enhancement. After consulting with Hayter Engineering, we will re-advertise this project for bidding at a later date. Councilman Nash moved to reject the bid for the Clearwell Modification and the PH Enhancement. Mayor Pro Tem Taylor seconded the motion and the motion carried.

**The motion carried.**

**DISCUSSION/ACTION ON A MOTION TO APPROVE RESOLUTION NO. 1191  
POSTPONING THE SPECIAL ELECTION CALLED FOR MAY 2, 2020, UNTIL  
NOVEMBER 3, 2020**

February 4, 2020 the City Council called for a General Election for City Council Places 6 and 7 and a Special Election for Places 1, 2, 3, and 5 to be held May 2, 2020. March 3, 2020 the City Council accepted the Certificate of Unopposed Candidates for Places 6 and 7 and the Cancellation of the General Election. The City Council also accepted the Certificate of Unopposed Candidates in the Special Election for Places 2 and 3, though the names must remain on the ballot for the Special Election for Places 1 and 5. March 18, 2020 Governor Abbott issued a proclamation authorizing political subdivisions that would otherwise hold their elections on May 2, 2020, to move their general elections to November 3, 2020, due to public health and safety concerns related to the novel coronavirus (COVID-19). Mayor Sellers, City Manager Maxwell, and City Attorney McLeroy spoke in favor of moving the election. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to postpone the election until November 3, 2020. Councilman Nash seconded the motion and the vote was unanimous.

**The motion carried.**

**VISITORS AND PUBLIC FORUM**

No calls were received.

**ADJOURN**

With all business complete the meeting was adjourned at 8:15 p.m.