

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE  
CITY COUNCIL**

**JUNE 2, 2015**

**7:00 p.m.**

Mayor Freddie Taylor called the regular meeting of the Sulphur Springs City Council to order at 6:30 p.m. Councilman Craig Johnson moved to adjourn to executive session in accordance with Texas Government Code 551.071, consultation with attorney - pending litigation. Mayor Pro Tem Kayla Price seconded the motion. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

Mayor Freddie Taylor  
Mayor Pro Tem Kayla Price  
Councilman Craig Johnson  
Councilman Clay Walker  
Councilman Oscar Aguilar  
Councilwoman Emily Glass  
Councilman John Sellers – 7PM

Absent: None

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Jim McLeroy, City Attorney  
Shane Shepard, Community Development Director – 7P  
Gordon Frazier, Director Human Resources – 7P  
Phyllis Rogers, Municipal Court Judge – 7P

**RECONVENE INTO OPEN SESSION**

Mayor Taylor reconvened the meeting into open session at 7:01 p.m.

**PLEDGE AND INVOCATION**

Mayor Taylor led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag as well as the invocation.

## **PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS**

Mayor Pro Tem Price reminded everyone of the 2015 Independence Day Celebration which will be held Saturday, June 27<sup>th</sup>, with the concert by the Northeast Texas Symphony Orchestra.

Councilman Aguilar thanked those that participated in the UPRA Rodeo by accepting the challenge of either riding a bull or paying a fee. It was a very successful endeavor.

## **OATHS OF OFFICE WILL BE GIVEN TO COUNCILMAN CRAIG JOHNSON, COUNCILMAN CLAY WALKER, AND COUNCILMAN OSCAR AGUILAR**

City Secretary Gale Roberts administered the Oath of Office to Councilman Craig Johnson, Councilman Clay Walker, and Councilman Oscar Aguilar.

## **DISCUSSION/ACTION ON SELECTION OF MAYOR**

Councilman Sellers moved to nominate Kayla Price as Mayor. Councilwoman Glass seconded and the vote was unanimous.

### **The motion carried.**

*Newly appointed Mayor Price presented the outgoing Mayor, Freddie Taylor, with an engraved gavel and striking block in its own walnut presentation box for his hard work and efforts as Mayor of the City of Sulphur Springs, Texas.*

*Freddie Taylor thanked everyone and stated that he enjoys working with the current City Council and looks forward to the first Tuesday of the month. In the interim he enjoys visiting with the public. It has been a pleasure to serve the citizens of Sulphur Springs as their Mayor and he is thankful for the opportunity. He also stated that it is a pleasure to serve with the current, like-minded City Council and will continue to do so as we go forward to do what is best for the City of Sulphur Springs. Councilman Taylor appreciatively recognized the long-term of City Manager Marc Maxwell and his leadership.*

*Incoming Mayor Kayla Price presented Freddie Taylor with a red rose to give to his lovely wife, Rita, for her support during his tenure as mayor. Mayor Price then recognized her boyfriend, Michael Mitchell, and presented him with a red rose.*

## **DISCUSSION/ACTION ON SELECTION OF MAYOR PRO TEM**

Councilman Johnson (addressing Mayor Price as Madame Mayor – wanting to be the first to do so) moved to nominate Councilwoman Emily Glass as Mayor Pro Tem. Councilman Taylor seconded and the vote was unanimous.

### **The motion carried.**

*Mayor Price noted that she had been told by our local historian, John Sellers, and City Secretary, Gale Roberts, this is the first time in Sulphur Springs' history where a woman has served as mayor and mayor pro tem at the same time.*

## **MANAGER'S REPORT**

**STREETS, WATER AND SEWER** - The FM 2285 waterline replacement project is moving slowly. The heavy rains have taken their toll on the project. We've installed 6,500 feet of pipe, and three of four bores have been completed. This project will replace 2.5 miles of undersized and dilapidated water main at a cost of \$862,800. The project begins at S.H. 19 and extends past the Lake Sulphur Springs dam. The old water main generates more repairs than any other water main in the City.

The Rockdale Road reconstruction project is on deck. You may recall that in the past five years we have replaced two out of four segments of Rockdale Road (on the north side of the interstate). This project will reconstruct the remainder of Rockdale Road.

Expect the Davis Street waterline re-placement project to follow Rockdale Road. This project will replace 1,500 feet of water main on North Davis from Park to Glover. This will clear the way for this street segment to be paved this summer.

**STORM CLEANUP** – During the past week city crews manned the spring cleanup site to receive trees and tree limbs that were downed by the recent storms. They also worked through the night after a recent storm to reopen streets where trees had fallen across them. We are compiling the cost of the cleanup effort. We might be able to obtain disaster relief from the state.

**CLAIMS** – We did not have any worker's compensation claims in May.

We did receive 3 liability claims in May, one for damage to a Verizon line, one for a minor vehicle accident, and one for damage allegedly arising from a pothole incident.

The city also submitted a claim to TML for Wind and lightning damage to buildings, mobile equipment and real property at Airport, Service Center, Kids Kingdom and Downtown Plaza.

**CITY BUSINESS OFFICE** – Reconstruction is moving right along at the old City Hall. The walls are painted, and tile flooring is being installed now. We expect to move in sometime in July.

**WASTEWATER TREATMENT PLANT** - Total suspended solids (TSS) came in at 2.97 mg/L, not bad for such a rainy month.

**REVENUES AND EXPENDITURES** – Finance Director, Peter Karstens will present the year-to-date summary of revenues and expenditures.

**Elsewhere around the city, employees:**

- Conducted 8 health inspections, opened 4 code enforcement complaints and pursued 59 ongoing code enforcement investigations.
- Conducted 23 building inspections, 21 electrical inspections, 11 plumbing inspections, 1 mechanical inspection and issued 22 building permits.
- Responded to 140 fire/rescue calls, including 4 structure fires.
- Tested and performed preventative maintenance on 80 fire hydrants.
- Conducted 53 fire safety inspections.
- Made a temporary repair to the airport terminal roof.
- Relocated the radio tower at old city hall.
- Retrofit L.E.D. lights on the flag poles at the Hopkins County Veterans Memorial.
- Repaired the airport fountain.
- Repaired the fountain at Celebration Plaza.
- Repaired the car wash at the service center.
- Performed preventative maintenance and repairs on numerous apparatuses at the wastewater treatment plant and the water treatment plant.
- Repaired 7 water mains and 2 sewer mains.
- Replaced 11 water meters.
- Unstopped 24 sewer mains.
- Washed 78,000 feet of sewer mains.
- Rebuilt gates at College Street water tower.
- Repaired or replaced caps on 47 sewer cleanouts discovered while smoke testing.
- Flushed 36 dead end water mains.
- Opened flood gates at Lake Sulphur Springs for a total of 12 days in May.
- Treated 120 million gallons of Cooper Lake water.
- Made 76 arrests, responded to 43 accidents, recorded 61 offences, and wrote 689 traffic citations.
- Responded to 199 animal control calls and achieved a 24% adoption rate.
- Made 8 felony arrests in the special crimes unit.
- Checked out 3,876 items from the library.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the special City Council meeting minutes of April 30, and May 1, 2015; the regular City Council meeting minutes of May 5, 2015; the Special City Council meeting minutes of May 12, 2015; the City Council Retreat meeting minutes for May 12, 2015; and the Economic Development Corporation meeting minutes of April 27, 2015. There was no one to speak to the issue. Councilman Johnson moved to approve the consent agenda as presented. Councilman Sellers seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON PUBLIC HEARING AS REQUIRED BY CHAPTER 312 OF THE TEXAS TAX CODE, AND FIRST READING OF ORDINANCE NO. 2665 ESTABLISHING A REINVESTMENT ZONE FOR ALUF PLASTICS**

Mayor Price opened the public hearing. There was no one to speak to the issue. The public hearing was closed. Economic Development Executive Director, Roger Feagley, presented the staff report. Aluf Plastics purchased the property located at 1212 Elm Street. This was the old Winzen Film building and more recently Pari Olefins. Aluf Plastics, makers of draw-string trash bags, is in the process of getting their plant running efficiently and bringing on more equipment. This is a request to create a reinvestment zone which establishes geographical boundaries of an area where a taxing entity can offer a tax incentive. If the ordinance is approved and adopted they will request a tax abatement in the near future. There was no one else to speak to the issue. Councilman Sellers moved to approve the ordinance on first reading. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1086 AUTHORIZING THE SUBMISSION OF A REQUEST TO BECOME A RESERVATION SYSTEM PARTICIPANT TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOME FUNDS**

Human Resources Director Gordon Frazier presented the staff report and was available to answer any questions. The HOME program consists of Homeowner Rehabilitation Assistance for housing reconstruction and rehabilitation. Funds are reserved for the city, and we can access those funds (when and if they are available) when we have a qualified homeowner. This is similar to the Reservation System the city recently participated which expired March 28, 2015. There was no one else to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Councilman Aguilar seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1087 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED**

**SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETING ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL**

City Manager Marc Maxwell presented the staff report. There was a brief general discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Mayor Pro Tem Glass seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BOARD APPOINTMENT TO THE (1) ECONOMIC DEVELOPMENT CORPORATION, (2) ZONING BOARD OF ADJUSTMENTS, (3) AIRPORT ADVISORY BOARD, (4) SULPHUR RIVER MUNICIPAL WATER DISTRICT BOARD, (5) LIBRARY BOARD, (6) BOARD OF TOURISM AND PROMOTION, (7) CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS, (8) PLANNING AND ZONING COMMISSION, (9) ARK-TEX COUNCIL OF GOVERNMENTS, AND (10) THE DOWNTOWN REVITALIZATION BOARD**

Councilman Sellers made a motion to accept the list of board and commission recommendations as was discussed and submitted in the City Council packet. Councilman Taylor seconded and the vote was as follows:

**The motion carried.**

Mayor Price read the list for the record:

**2015-2016 BOARD AND COMMISSION RECOMMENDATIONS**

**ECONOMIC DEVELOPMENT**

CLAY WALKER  
TOM SELLERS

**ZONING BOARD OF ADJUSTMENT**

CARRIE NUCKOLLS  
JEFF CARPENTER  
KYLE ROBINSON

**AIRPORT ADVISORY BOARD**

DR. CHARLES JONES

DAVID BAUCOM

**SULPHUR RIVER MUNICIPAL WATER DISTRICT**

SAM JOHNSON

**LIBRARY BOARD**

RITA TAYLOR

LINDA MABE

**BOARD OF TOURISM AND PROMOTION**

DON FAUSETT

PAM SELLERS

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

RICKEY PAYNE

JOHN COOPER

JEFF REDDING

**PLANNING AND ZONING COMMISSION**

DAVE GRAVES

CHUCK SICKLES

BRANDON WILLIAMS

**ARK-TEX COUNCIL OF GOVERNMENTS**

EMILY GLASS

JOHN SELLERS

KAYLA PRICE

**DOWNTOWN REVITALIZATION BOARD**

MIKE ELLIOTT

TIFFANY WALKER

PHYLLIS ROUNDTREE

**DISCUSSION/ACTION ON RESOLUTION NO. 1089 AUTHORIZING THE APPOINTMENT OF A REPRESENTATIVE TO SERVE AS A DIRECTOR ON THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS**

Councilman Sellers moved to appointed Mayor Pro Tem Emily Glass to this board. Councilman Johnson seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON CONSIDERATION OF AMENDMENT #2 WITH GARVER ENGINEERING AUTHORIZING SPECIFIC ENGINEERING TASKS FOR DESIGN, PREPARATION OF CONTRACT AND BID DOCUMENTS AND OTHER ENGINEERING SERVICES FOR IMPROVEMENTS AND REHABILITATION OF THE SULPHUR SPRINGS WASTEWATER TREATMENT PLANT**

Finance Director Peter Karstens presented the staff report. Lance Klements and Scott Botti of Garver Engineering were present to answer any questions. City Manager Maxwell displayed a slide show presentation and explained in great detail about the wastewater treatment plant's operation and the proposed improvements. In November the City Council selected Garver Engineering to prepare a Conceptual Engineering Report detailing the proposed improvements and rehabilitation necessary to bring the wastewater treatment plant into continued compliance with TCEQ and the EPA as well as create a facility which will serve the city's wastewater treatment needs for the next 20 – 40 years. The Conceptual Engineering Report was just completed with the recommended option being Amendment #2 which would cost \$1,282,402.00. There was a general discussion. There was no one else to speak to the issue. Councilman Aguilar moved to approve Amendment #2. Councilman Walker seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON REIMBURSEMENT RESOLUTION NO. 1088**

Finance Director Peter Karstens presented the staff report. As mentioned in the previous agenda item, this resolution would allow the city to include some or all of the wastewater plant design engineering costs in the Texas Water Development Board loan or our own bonds (if it should come to that). This is a process required by the IRS to maintain the tax exempt status of the bonds. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Councilman Johnson seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON APPOINTMENT OF MUNICIPAL COURT JUDGE**

Councilman Sellers moved to reappoint Phyllis Rogers as the Municipal Court Judge. Councilman Taylor seconded and the vote was unanimous.

**The motion carried.**

At this time the Oath of Office was administered to Municipal Court Judge Phyllis Rogers by City Secretary Gale Roberts.



**VISITORS/PUBLIC FORUM**

Charles Oxford addressed the City Council regarding untethered pets in boats and pickup trucks. He believes an ordinance should be created to make pet owners tether their pets.

**ADJOURN**

With all business complete the meeting was adjourned at 7:57 p.m.