

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE  
CITY COUNCIL**

**JUNE 5, 2018**

**7:00 p.m.**

Mayor Pro Tem Emily Glass 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 Pro Tem Emily Glass  
Councilwoman Erica Armstrong  
Councilman Jimmy D. Lucas  
Councilman Norman Sanders  
Councilman Freddie Taylor  
Councilman Doug Moore

Absent: Mayor John A. Sellers

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
James Litzler, Acting City Attorney  
Lesa Smith, Finance Director  
Gordon Frazier, HR Director  
Tory Niewiadomski, Community Development Director  
Jason Ricketson, Captain, SS Police Department  
Robert Lee, Director of Utilities  
Russ Nuss, Director of Public Works  
Joey Baker, Airport/Tourism Director  
Dave Reed, City Engineer  
Jim Foley, Water & Sewer Distribution Superintendent  
Mike Allen, Engineering Technician  
Bryan Craig, Capital Construction  
Wade Taylor, Water & Sewer Distribution  
Tim Green, City Building Official

**PLEDGE AND INVOCATION**

Mayor Pro Tem Emily Glass led in the pledge of allegiance to the United States Flag, the Pledge to the Texas Flag, and Councilman Freddie Taylor led the invocation.

**OATHS OF OFFICE WILL BE GIVEN TO COUNCILWOMAN ELECT ERICA ARMSTRONG, COUNCILMAN ELECT JIMMY D. LUCAS, COUNCILMAN ELECT NORMAN SANDERS, AND APPOINTED COUNCILMAN DOUG MOORE**

City Secretary Gale Roberts administered the Oath of Office to Councilwoman Erica Armstrong, Councilman Jimmy D. Lucas, Councilman Norman Sanders, and Councilman Doug Moore.

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

Councilman Doug Moore moved to appoint Emily Glass as Mayor Pro Tem. There were no other nominations. Councilman Freddie Taylor seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON SELECTION OF MAYOR**

Councilman Jimmy D. Lucas moved to appoint John A. Sellers as Mayor. There were no other nominations. Councilman Doug Moore seconded and the vote was unanimous.

**The motion carried.**

**PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS**

**Proclamation**

**WHEREAS**, healthy kidneys are essential for regulating our bodies by removing fluids, waste and toxins. Kidneys release hormones that help regulate blood pressure, produce red blood cells and strengthen our bones; and

**WHEREAS**, the precise cause of kidney cancer is unknown, however the two main causes of kidney failure are diabetes and high blood pressure, which are responsible for more than seventy percent of all kidney failure cases. Therefore, kidney failure and disease can often be delayed or prevented; and

**WHEREAS**, the advances in diagnosis and procedures such as radiation and chemotherapy create opportunity for kidney cancer patients to live longer; and

**WHEREAS**, during Kidney Health and Cancer Awareness Week, we ask the residents of Sulphur Springs to raise awareness and encourage all patients with diabetes and hypertension to be screened regularly for kidney disease. If detected and caught early, the treatment is likely to be more effective.

**NOW, THEREFORE**, I, John A. Sellers, by virtue of the authority vested in me as Mayor of the City of Sulphur Springs, Texas, do hereby proclaim June 4 – 8, 2018 as

**Kidney Health and Cancer Awareness**

throughout the City of Sulphur Springs and urge all citizens to support the cause of raising awareness of kidney health and cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the corporate seal of the City to be affixed this 5<sup>th</sup> day of June 2018.

**Announcements**

City Manager Marc Maxwell announced that the City Attorney, Jim McLeroy, would have a presentation on recycling at the next Rotary International meeting to be held June 14, 2018 at noon at the First United Methodist Church.

Mayor Pro Tem Emily Glass announced there would be a ribbon cutting on the downtown plaza to kick-off the Dairy Festival on Friday, June 8, at noon.

**MANAGER’S REPORT**

**SUNSET STREET** – We have designed the Sunset Street improvements. The project will include new water mains, new sewer mains and a new concrete street from Connally to Houston. The \$275,000 CDBG grant is matched with \$132,000 of city funding. We have submitted construction drawings for approval. Work will begin in the fall.

**CANTEX FORCE MAIN** – The bid for materials on this project is later on the agenda. This will be the final capital improvement project in the 2013-2017 C.I.P. It will replace 2,400 linear feet of aging sewer force main and 2,900 feet of gravity main. Currently the main passes through the middle of the hospital complex. This would be a nightmare if the main ever ruptures. The proposed route would go around the hospital complex rather than through it. One-third of the city’s sewage passes through this line.

**WASTEWATER TREATMENT PLANT** – The work at the wastewater treatment plant is on schedule. The three primary clarifier basins have been constructed, and the effluent troughs are now finished as well. Other concrete structures adjacent to the clarifiers are finished. Now all of the pumps and associated pipe works and wiring are being constructed. I expect to bring the clarifiers online in early July, weather permitting.

**CROSSTOWN TRAIL** –The Capital Construction Division is constructing the approaches to the railroad crossing on the south end of Buford Park. KCS will construct the actual crossing later this month. This grant-funded project will connect Buford Park

to Coleman Park as well as the high school/civic center complex with a concrete path. It will also replace the sidewalk on the north side of Connally Street.

**CLAIMS** – We did not have any workers compensation claims in May; however, one liability claim was submitted. An Atmos contractor struck and ruptured a water line in the 1300 block of Mockingbird Lane. As a result, debris entered the water service of a local restaurant causing \$9,750 in damages. TML denied the claim since the damage was not caused by the city.

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

Elsewhere around the city, employees:

- Began top dressing the soccer fields (140 yards of dirt so far).
- Installed a drain on Soccer field #5.
- Began Adult softball league (Monday nights).
- Made repairs at Pacific Park restrooms.
- Turned off school zone lighting.
- Replaced library lighting with L.E.D. lighting.
- Passed a TCEQ inspection of the wastewater treatment plant with zero violations.
- Produced treated wastewater effluent to a daily average total suspended solids rating on 2.1 mg/L, our limit this time of year is 10 mg/L.
- Repaired air conditioners at city hall.
- Cleaned filters and final clarifiers at wastewater treatment plant.
- **Repaired 3 water main breaks.**
- Replaced 21 water meters.
- Unstopped 7 sewer mains.
- Repaired 15 sewer mains.
- Washed 80,000 feet of sewer mains.
- Made sewer taps for Saputo, Loves, and Back Story Brewery.
- Flushed 35 dead-end water mains.
- Repaired pump controls at Lake Sulphur Springs.
- Treated 150 million gallons of potable water.
- Conducted 43 building inspections, 22 electrical inspections, 31 plumbing inspections, 8 mechanical inspections and issued 20 building permits.
- Responded to 41 accidents, recorded 62 offences, made 69 arrests and wrote 462 citations.
- Made 7 felony arrests in the patrol division.
- Checked out 3,169 items from the library, plus 466 eBooks.
- Sold 2,275 gallons of AvGas and 11,630 gallons of JetA fuel.
- Responded to 178 fire/rescue calls including 1 structure fire.
- Performed preventative maintenance on 83 fire hydrants and reviewed/updated 54 pre-fire plans.

- Sent 41 weed notices (not tickets).
- Made 4 fire safety lectures to a combined audience of 1,900 people.
- Made 15 extensive street repairs following utility repairs.
- Repaired 3 drainage issues.
- Patched 374 potholes.
- Replaced 8 stop signs.
- Graded Pipeline Road and Wisenbaker Lane twice.
- Repaired the plaza fountain.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the regular City Council meeting minutes of May 1, 2018; the Special City Council meeting minutes of May 10, 2018; the City Council retreat meeting minutes of May 10, 2018; and the Economic Development Corporation meeting minutes of April 23, 2018. There was no one to speak to the issue. Councilman Norman Sanders made a motion to approve the minutes as presented. Councilman Freddie Taylor seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON PUBLIC HEARING FOR THE SECOND AND FINAL READING OF ORDINANCE NO. 2724 FOR A REZONING REQUEST BY THE HOPKINS COUNTY HOSPITAL DISTRICT TO REZONE LOTS 3, 4, AND 5 OF BLOCK 409-1 FROM MULTI-FAMILY (MF) TO PROFESSIONAL OFFICE (PO)**

Community Development Director Niewiadomski presented the staff report. The properties are located at the northwest corner of Medical Circle and Church Street. Adjacent properties are currently zoned Multi-Family/Heavy Commercial to the north, Professional Office to the south and west, and Multi-Family/Heavy Commercial to the east. The uses of property are primarily part of the Hospital District and related office type uses. The Land use Plan identifies the area as public/semi-public which is consistent with this request. This appears to be a more consistent request with the surrounding land uses and part of the hospital campus utilization. There was no one to speak to the issue. Councilman Freddie Taylor moved to adopt the ordinance on the second and final reading. Councilman Jimmy D. Lucas seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON THE CAPITAL IMPROVEMENTS PLAN FOR 2019 – 2023**

City Manager Marc Maxwell requested that we all introduce ourselves to the City Council after he gave a brief introduction to the CIP. Community Development Director

Niewiadomski presented the staff report and made a slide show presentation. The CIP Committee has been working for the past several months on the development of capital projects to include over the next 5 years. The committee is made up of 8 members of staff from public works, utilities, and community development. The CIP identify needs and funding sources for public infrastructure improvements such as sewer, water, street, and drainage replacement projects. The Capital Improvements Plan differs from the City's operating budget due to its multi-year nature, which means that projects can span more than one fiscal year and its budget is active until the projects are finished. The CIP committee was provided an estimated budget of \$3.5 million in sewer, \$3.5 million in water, and \$5.5 million in street/drainage based on estimated revenues from the Finance Department. From those estimates, the committee put together an anticipated 5 year plan for the Council's review and consideration. Also provided in the CIP is a list of potential projects for our summer paving or Street Improvement Program (SIP) that is adopted annually by city council dependent upon availability of funds and shifts in priorities. A draft CIP was provided earlier in May to the City Council. The document has changed from that version as the drainage funds were not accounted for when totaling the street projects and budgets. Therefore, the approximate \$550,000 in drainage expenditures has been updated to reduce the number of street projects in the SIP. Those reflected changes have also affected exhibits that are now updated. There was a general discussion. Councilman Norman Sanders moved to table the item and conduct a workshop in the evening. Councilman Jimmy D. Lucas seconded and the vote to **table** was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR PIPING AND FITTINGS FOR THE CANTEX CAPITAL IMPROVEMENT PROJECT**

Public Works Director Russ Nuss presented the staff report. The project relocates 2400' of new force main and 2900' of new gravity sewer main to reroute the flow of wastewater around the hospital complex rather than through it. Publications were placed in the News telegram and staff conducted a bid opening May 21 at 10:25 a.m. We received six bids and they are as follows:

Morrison Supply Company	\$156,179.03
Winwater	\$156,849.25
Core and Main LP	\$157,113.04
Underground Utility Supply	\$158,488.48
Hayes Pipe Supply	\$160,052.52
Ferguson	\$161,867.67

Staff recommends awarding the contract to the lowest bidder, Morrison Supply Company. There was no one to speak to the issue. Councilman Freddie Taylor moved to

accept the bids and award the contract to Morrison Supply Company. Councilwoman Erica Armstrong seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR BORING AT HIGHWAY 11 EAST AND CANTEX**

Community Development Director Niewiadomski presented the staff report. Staff placed bid notices in the News Telegram. Certified emails were also sent to prospective bidders. Bids were opened on May 21 at 10:15 a.m. We received three bids and they are as follows:

John Wright Construction Inc. Henderson, TX	\$77,080.00
Kampco, Inc. Texarkana, AR	\$79,776.80
Sisk Boring and Tunneling Emory, TX	\$87,580.00

These bids are for making bores near the hospital under Church, Davis, and Airport Road, plus a bore under Highway 11 East for a total of 350 feet. The contractor will only be responsible for performing the bore and installing the casing. Staff recommends the lowest bidder, John Wright Construction, Inc. This contractor has won the last two previous bids for boring work. There was no one to speak to the issue. Councilman Taylor moved to accept the bids and award the contract to the lowest bidder, John Wright Construction, Inc. Councilman Doug Moore seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1150 AUTHORIZING THE CITY TO ESTABLISH AN ACCOUNT IN ITS NAME WITH TEXPOOL PRIME FOR THE PURPOSE OF INVESTING LOCAL FUNDS**

Finance Director Lesa Smith presented the staff report. The City has approximately 14 million dollars on deposit with the local government investment pool, TexPool. The City has been a participant of TexPool since 2005. TexPool Prime is another product of TexPool that seeks to preserve principal liquidity, and yield of capital investment consistent with the Texas Public Funds Investment Act. TexPool Prime invests in U.S. government securities, repurchase agreements, AAA- rated money market mutual funds, commercial paper and certificates of deposit to provide a safe, efficient, and liquid investment option. Investing public funds is one way to increase revenue without putting

the burden on tax and rate payers. When considering an investment, the City looks at four objectives: safety, liquidity, diversification, and yield. The City's participation in TexPool Prime will offer safety and additional diversification of the portfolio as well as provide the opportunity to seek higher yields while maintaining the liquidity levels needed to meet both daily operations and capital improvement cash flow requirements. Local government investment pools are authorized by the City's investment policy as approved by City Council. However, TexPool's internal policy and the City's investment policy require a resolution to authorize participation in the TexPool Investment Pools and the designation of authorized representatives. Councilman Doug Moore noted an inconsistency in the wording of the resolution. There was a brief discussion. Councilman Doug Moore moved to **table** the item for further research. Councilman Norman Sanders seconded and the vote to table was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1151 AMENDING RESOLUTION NO. 1147 SUPPORTING THE TEXAS CAPITAL GRANT FUND APPLICATION**

Community Development Director Niewiadomski presented the staff report. At the March City Council meeting Resolution No. 1147 was approved to authorize the submission of a Texas Capital Fund Grant application in the amount of \$750,000. The application was submitted by Ark-Tex Council of Governments as the administrator of the grant on behalf of the City in April. It was the City's intent and understanding that the total grant amount was for \$750,000 with \$50,000 of the funds utilized for grant administration. The application was reviewed by the Texas Department of Agriculture and they have requested that Section 1 of the resolution be modified to clarify the requested amount to be awarded in the grant in the amount of \$700,000 for infrastructure and \$50,000 for grant administration. Texas Department of Agriculture also requested that Section 4 be modified to designate the City Manager as the City's authorized representative rather than Ark-Tex Council of Governments to act in matters in connection with the application. Ark-Tex Council of Governments will still be administering the grant on the City's behalf. Executive Director Chris Brown of the ARK-TEX Council of Governments was available to answer questions and speak to the issue. There was no one else to speak to the issue. Councilman Freddie Taylor moved to approve the resolution as presented. Councilwoman Erica Armstrong seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BOARD AND COMMISSION APPOINTMENTS FOR 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, (10) REVOLVING LOAN FUND COMMITTEE, AND (11) THE DOWNTOWN REVITALIZATION BOARD**

City Secretary Gale Roberts stated the list with the names that were discussed is attached but the City Council would also need to appoint a replacement on the Downtown Revitalization Board due to Dr. McDearmont's resignation. There was a brief discussion. Councilman Norman Sanders moved to approve the list as presented and postpone the appointment to replace Dr. McDearmont to the next city council meeting. Councilman Freddie Taylor seconded and the motion failed.

Councilwoman Erica Armstrong moved to approve the list as presented and appoint Zane Darling to the Downtown Revitalization Board. Councilman Jimmy D Lucas seconded and the vote was unanimous.

**The motion carried.**

**2016-2017 BOARD AND COMMISSION RECOMMENDATIONS**

**ECONOMIC DEVELOPMENT**

DOUG MOORE

**ZONING BOARD OF ADJUSTMENT**

MATT JOHNSON

BRAD BURGIN

**AIRPORT ADVISORY BOARD**

MARK MEADOWS

JERRY BREWER

KURT SEHNERT

**SULPHUR RIVER MUNICIPAL WATER DISTRICT**

LINDA GALLIGHER

**LIBRARY BOARD**

SHARON BURNEY

KIM ROBERTS

**BOARD OF TOURISM AND PROMOTION**

LUCY McCORKLE

HARRY SINGH  
BRADLEY EDGE

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

WAYNE COOPER  
GARY STRIBLING

**ALTERNATES:** ZACK KING  
CHARLES WESTBROOK

**PLANNING AND ZONING COMMISSION**

MIKE HORN  
KELLY GRIMES  
CRAIG ENGLISH

**ARK-TEX COUNCIL OF GOVERNMENTS**

EMILY GLASS  
JOHN SELLERS  
ERICA ARMSTRONG

**DOWNTOWN REVITALIZATION BOARD**

PHYLLIS ROUNDTREE  
ROBIN PATRICK  
HELENA MARTINEZ  
ZANE DARLING

**REVOLVING LOAN FUND COMMITTEE**

JEFF FISHER  
EMILY GLASS  
JIMMY D. LUCAS  
JOHN SELLERS  
MARC MAXWELL

**DISCUSSION/ACTION ON CHANGES TO PERSONNEL POLICY  
REGARDING THE POLICE DEPARTMENT**

Human Resources Director Gordon Frazier presented the staff report. The Police Patrol Division has unanimously signed a waiver that allows Police Officers to waive their rights under Section 142.0015(f) of the Texas Local Government Code. This allows for scheduling longer work shifts which may result in officers being required to work more hours during a calendar week than the number of hours in the normal work week of the

majority of the employees of the City of Sulphur Springs other than firefighters and police officers. With this waiver, officers understand that they will be entitled to overtime only if working more than 80 hours in a 14-day work period. There was a brief discussion. There was no one else to speak to the issue. Councilman Freddie Taylor moved to approve the changes to the personnel policy regarding police officers. Councilman Norman Sanders seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON MOVING THE CITY COUNCIL MEETING SCHEDULED FOR JULY 3<sup>RD</sup> TO JULY 10<sup>TH</sup>**

City Secretary Gale Roberts presented the staff report. The City of Sulphur Springs has their regularly scheduled City Council meetings the first Tuesday of every month. However, July 3, 2018 is the day before an observed holiday, Independence Day/4<sup>th</sup> of July, at the City of Sulphur Springs. The City Council can cancel the regular and call a special meeting to held the following Tuesday, July 10, 2018 if they so desire. There was no one to speak to the issue. Councilman Taylor moved to cancel the July 3<sup>rd</sup> regular city council meeting and call a special meeting on July 10, 2018. Councilwoman Erica Armstrong seconded and the vote was unanimous.

**The motion carried.**

**VISITORS AND PUBLIC FORUM**

Jeannie Perkins addressed the City Council.

**ADJOURN**

With all business complete the meeting was adjourned at 8:48 p.m.

These minutes were approved June 26, 2018 at the Special Meeting of the City Council.

---

Gale Roberts, City Secretary