

CITY OF SULPHUR SPRINGS, TEXAS

SPECIAL MEETING OF THE

CITY COUNCIL

AUGUST 25, 2017

12:00 P.M.

(Noon)

Mayor John Sellers called the special meeting of the Sulphur Springs City Council to order at 11:32 a.m. Councilman Johnson moved to adjourn into Executive Session in accordance with Texas Government Code, Title 5, Chapter 551.074, Personnel Matters specifically relating to the termination of the position of Fire Chief. Mayor Pro Tem Aguilar seconded and the vote was unanimous.

The following council members were present:

Mayor John Sellers
Mayor Pro Tem Oscar Aguilar
Councilman Craig Johnson
Councilman Clay Walker
Councilman Freddie Taylor
Councilman Dan Froneberger

Absent: Councilwoman Emily Glass

Staff: Marc Maxwell, City Manager
Jim McLeroy, City Attorney
Gale Roberts, City Secretary
Peter Karstens, Finance Director - noon
Lesa Smith, Budget Analyst - noon
Tory Niewiadomski, Community Development Director - noon
Gordon Frazier, Director Human Services

Mayor Sellers reconvened the meeting into open session at 12:02 p.m.

PLEDGE AND INVOCATION

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

CONDUCT A PUBLIC HEARING FOR THE PROPOSED TAX INCREASE

Mayor Sellers opened the public hearing.

There were no cards completed to speak but two people addressed the City Council with questions. Bobbee Bell and Jay Julian spoke against the tax increase.

It was noted that the tax rate remains 44¢ per \$100.

Mayor Sellers closed the public hearing.

DISCUSSION/ACTION ON PUBLIC HEARING ON THE SECOND AND FINAL READING OF ORDINANCE NO. 2711, AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY OF SULPHUR SPRINGS CODE OF ORDINANCE ENTITLED STREETS AND SIDEWALKS BY ARTICLE V ENTITLED RIGHT OF WAY MANAGEMENT AND ARTICLE VI ENTITLED WIRELESS INFRASTRUCTURE MANAGEMENT, REGULATING TO THE PHYSICAL USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUALS AND APPLICABLE CODES FOR INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING CITY PROCEDURES FOR APPLICATIONS FOR PERMITS; ESTABLISHING TIME PERIODS FOR APPROVAL OF PERMIT APPLICATIONS; PROVIDING APPLICATION FEES AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL RATES; PROVIDING RESTRICTIONS ON PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS, RESIDENTIAL AREAS, HISTORIC DISTRICTS AND DESIGN DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING REPEALING AND SAVINGS CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2017

City Attorney McLeroy presented the staff report. The City has enacted a Design Manual for the installation of Network Nodes and Node Support Poles in order to meet its fiduciary duty to the citizens of the city. It will also give assistance and guidance to wireless telecommunications network providers to assist such companies in the timely, efficient, safe and aesthetically pleasing installation of technology competitive equipment. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Aguilar moved to adopt the ordinance on the second and final reading. Councilman Walker seconded the motion and the vote was as follows:

Ayes: Aguilar, Walker, Johnson, Taylor, Froneberger, Sellers
Nays: None.
Abstain: None.

The motion carried.

**DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM REGARDING
TERMINATION OF THE POSITION OF FIRE CHIEF**

Councilman Johnson moved to terminate the position of Fire Chief. Councilman Taylor seconded the motion. There was a lengthy and heated discussion regarding this issue. Julia Gannaway, a labor attorney with Lynn, Ross & Gannaway, LLP, was available to answer any questions. There were very strong feelings for both sides and a great deal of public comment. Mayor Sellers called for a vote after everyone had an opportunity to speak. The vote was as follows:

Ayes: Aguilar, Walker, Johnson, Taylor, Sellers
Nays: Froneberger
Abstain: None

The motion carried.

ADJOURN

With no further business to attend to the meeting was adjourned by Mayor Sellers at 12:50p.m.