

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

**OCTOBER 1, 2019**

**7:00 p.m.**

Mayor Norman R. Sanders 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 Norman R. Sanders  
Councilwoman Erica Armstrong  
Councilman Jimmy D. Lucas  
Councilman Freddie Taylor  
Councilman Jeff Sanderson  
Councilman Doug Moore  
Councilman John A. Sellers

Absent: None

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Jim McLeroy, City Attorney  
Tory Niewiadomski, Community Development Director  
Gordon Frazier, HR Director  
Jason Ricketson, Captain SSPD  
Lesa Smith, Finance Director

**CALL TO ORDER**

Mayor Sanders called the meeting to order at 7:00 p.m.

**PLEDGE AND INVOCATION**

Mayor Sanders 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 Moore.

**PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS**

There was a presentation by Community Development Director Niewiadomski regarding housing and infrastructure.

City Manager Maxwell reminded everyone of the Rudy Bruner Award presentation Saturday, October 5, at 5:00 p.m.

**CONDUCT A PUBLIC HEARING REGARDING PLANS TO SUBMIT AN APPLICATION FOR A GRANT FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO IMPROVE PACIFIC PARK**

Mayor Sanders opened the public hearing at 7:34 p.m.

There was no one to speak to the issue.

Mayor Sanders closed the public hearing at 7:35 p.m.

**MANAGER’S REPORT**

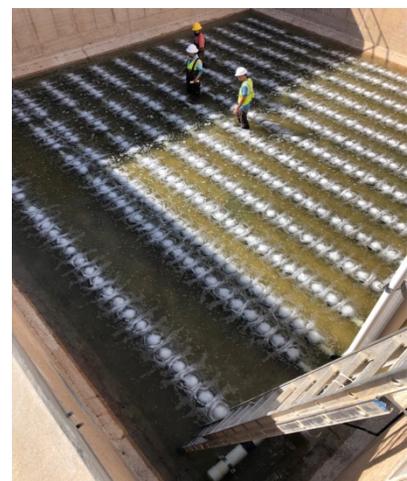
**SUNSET STREET** – This project is nearing completion. The Capital Construction Division is on the last segment of this street. You can see them setting forms for curb & gutter in the photo to the right. I expect them to finish in 3 weeks, as we will still need to tie-in some driveways.



**CONNALLY STREET** – The contractor, 5W Contracting, has finished about 1/3 of their work on Connally Street. At this rate they should finish in December. The Capital Construction Division will construct the intersections, while 5W will construct the street segments in between. After the street is done, the Capital Construction Division will construct sidewalks on both sides of the street. The sidewalk on the north side of the street is funded by a grant from TxDOT.



**WASTEWATER TREATMENT PLANT** – The new aerators are working very well at the wastewater treatment plant. The contractor, Gracon, has refitted half of the old aerator basins with the new diffused-aeration systems. They will refit the remaining basins this month. Afterwards all that remains is the reconstruction of the road, a few sidewalks and other miscellaneous items. This project will be finished in January. We are already seeing fantastic numbers out of the plant.



**CLAIMS** – We did not have any liability claims in September, but we did have one workers’ compensation claim for a broken finger. The water treatment plant employee was treated and released to work.

**REVENUES AND EXPENDITURES** – Finance Director Lesa Smith will not give a year-to-date report of revenues and expenditures since this is only the first day of the month, but she will present a variance report for the full year at the next regularly scheduled city council meeting.

Elsewhere around the city, employees:

- Repaired Raintree lift station.
- Repaired the chlorine feed at the wastewater treatment plant.
- Repaired the fountain pump at the airport.
- Repaired the plaza fountain.
- Repaired one a/c unit at city hall.
- Received bids for roofs at the airport (storm damage).
- Shredded the easement for the sewer outfall line.
- Placed rip rap at treated sewer discharge in Rock Creek to prevent further washout.
- Treated wastewater to a daily average total suspended solids reading of .45 mg/L.
- Repaired 14 water main ruptures.
- Replaced 27 water meters.
- Unstopped 6 sewer mains.
- Repaired 2 sewer mains.
- Washed 78,000 feet of sewer mains.
- Flushed 36 dead end water mains.
- Treated 156 million gallons of potable water.
- Sold 2,395 gallons of AvGas and 7,577 gallons of JetA fuel.
- Checked out 3,215 items from the library plus 807 eBooks.
- Conducted 35 building inspections, 23 electrical inspections, 16 plumbing inspections, 7 mechanical inspections and issued 24 building permits.
- Responded to 198 animal control calls and achieved an adoption rate of 60%.
- Made 5 felony arrests in the Special Crimes Unit.
- Responded to 2,698 police calls, made 81 arrests, recorded 85 offences, wrote 494 citations, and responded to 29 accidents in the Patrol Division.
- Responded to 212 fire/rescue calls including 1 structure fire and 6 grass fires.

- Conducted 50 fire inspections and reviewed 50 pre-fire plans.
- Performed preventative maintenance on 68 fire hydrants.
- Treated athletic fields for army worms.
- Prepared soccer fields for the season.
- Hosted a 36-team baseball tournament.
- Made 13 major street repairs following utility repairs.
- Patched 15 potholes.
- Installed signs at Mel Haven cemetery.
- Ordered pipe and parts for Bellview Street.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the regular City Council meeting minutes of September 3, 2019; the Planning and Zoning Commission meeting minutes of June 17, 2019; the Zoning Board of Adjustments and Appeals meeting minutes of August 20, 2019; and the Economic Development Corporation meeting minutes of August 26, 2019. There was no one to speak to the issue. Councilman Sellers made a motion to approve the minutes as presented. Mayor Pro Tem Armstrong seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2759, AMENDING CHAPTER 25 OF THE SULPHUR SPRINGS MUNICIPAL CODE OF ORDINANCES TO INCLUDE SECTION 25-82.1 WHICH PROHIBITS CURBSIDE PARKING WITHIN 30' OF ANY INTERSECTION INSIDE THE CITY LIMITS**

City Attorney McLeroy presented the staff report. This ordinance was requested to limit curbside parking within 30' of intersections within the City which may impede the ability of drivers approaching such intersection to safely determine crossing traffic. The ordinance is calculated to reduce risk of accidental collision between motorist meeting at such intersections by increasing visibility for drivers. There was no one to speak to the issue. Councilman Moore made a motion to adopt the ordinance on second and final reading. Councilman Sanderson seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2760, AMENDING CHAPTER 25, ARTICLE VI, CHANGING THE TITLE OF SAID CODE TO "BICYCLES, SCOOTERS, AND OTHER WHEELED CONVEYANCES WHICH EXPANDS THE COVERAGE TO PROHIBIT SKATEBOARDS, SCOOTERS, ROLLERBLADES,**

**AND OTHER SIMILAR DEVICES ON SIDEWALKS IN COMMERCIALY ZONED AREAS**

City Attorney McLeroy presented the staff report. This ordinance is necessary to address the use of sidewalks in **commercial districts** in the City, specifically in the downtown area, by bicyclists, skaters, skateboarders and other similar devices. Such use creates hazards to downtown pedestrian traffic due to the limited space available on sidewalks and in the areas occupied by sidewalk cafes, etc. This ordinance will expand the current prohibition on such non-compatible uses. There was a brief discussion which resulted in and the outcome was that signs needed to be in place and there needs to be an announcement that this ordinance applies only in Commercially zoned areas. There was no one else to speak to the issue. Councilman Moore moved to adopt the amended ordinance on the second and final reading. Mayor Pro Tem Armstrong seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON A MOTION TO APPROVE TRANSFER OF SOLID WASTE HAULING CONTRACT FROM SANITATION SOLUTIONS TO WASTE CONNECTIONS**

CITY Manager Maxwell presented the staff report. Sanitation Solutions has sold to Waste Connections. Per our contract with Sanitation Solutions the contract cannot be transferred without the approval of the City Council. Under the terms of the buyout, Josh Bray the owner of Sanitation Solutions will continue to manage the operation. Sanitation Solutions has provided good service, and they have been very responsive to requests and complaints. Josh Bray addressed the City Council stating it had been a privilege to provide services to the City of Sulphur Springs and even though the company has sold, he and Mr. Brantley would continue to manage the team, and everything will stay the same. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the transfer of Sanitation Solutions to Waste Connections. Councilman Lucas seconded the motion and the vote unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1179 ADOPTING THE PARKS AND OPEN SPACE MASTER PLAN**

Mark Spencer with MHS Planning presented the staff report. The City of Sulphur Springs hired MHS Planning to create a new Parks, Recreation and Open Space Master Plan to be able to apply for grants for future park improvements. A series of charrettes were conducted regarding each major park in the City (Buford, Coleman, Pacific) as well as one for trails throughout the City identify priorities and needs of each park. In addition, online citizen surveys were collected to provide input into creation of the plan with over 580 surveys collected. The plan identifies goals and objectives, performs an

inventory of existing facilities, outlines citizen input, establishes needs and priorities and provides implementation schedule. Having a plan is a critical step for implementing projects and to be competitive with grant related projects. There was a lengthy discussion. There was no one else to speak to the issue. Councilman Sellers moved to approve the resolution and plan as presented. Councilman Taylor seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1180 AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY IN THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENT LOCAL GRANT PROGRAM**

The passage of this resolution will give staff adequate time to prepare and submit the application before the December 4, 2019 deadline. In September, TPWD opened the application period for several parks grants throughout the state. The City wishes to submit an application for the Non-Urban Outdoor Grant. This grant would match eligible expenses 50% on a reimbursement basis. The maximum grant amount is \$750,000 and would require a contribution of the same amount from the City. City Staff and staff at MHS have not determined the amount we will request at this time. As part of the application process, a public hearing must be held, and a resolution must be passed prior to the grant deadline of December 4, 2019. The submission of the grant application is contingent upon the results of the November 5, 2019 election in which citizens are being asked to vote on the use of EDC sales tax funds for parks department improvements. If Proposition A passes, and the City applies for the grant, it would be used to make improvements to Pacific Park as outlined in the Parks, Recreation and Open Space Master Plan. The bond proceeds received for the park improvements would be used as matching funds for this grant. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Councilman Sellers seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION RESOLUTION NO. 1181, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADVANCED FUNDING AGREEMENT OR OTHER SIMILAR AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING FM 1870 OVERPASS BRIDGE**

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs has a development agreement with Luminant regarding the Thermo Mine to close out conditions for the transfer of property to the City. The last condition before the transfer can occur is for Luminant to be released of all liabilities and

obligations regarding the FM 1870 overpass with TxDOT. In order to accomplish this, the City has been working with TxDOT to fully integrate the bridge onto their system and leave the bridge in place. TxDOT has indicated \$100,000 in repairs would be adequate for them to perform maintenance and take it onto their system and be responsible for future maintenance. The City will need to execute agreement(s) with TxDOT and pay \$100,000 to remove the liability and obligations regarding the FM 1870 overpass. Once this agreement(s) are finalized by TxDOT and executed, the City can close out conditions with Luminant and take possession of the property. There was a brief discussion. There was no one else to speak to the issue. Councilman Sellers moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

**The motion carried.**

### **VISITORS AND PUBLIC FORUM**

Councilman Taylor said there had been a clean-up day at Melhaven Cemetery and thanked Sanitation Solutions for their participation. The next clean up will be conducted on October 12, 2019. He stated this truly is a community project.

### **ADJOURN**

With all business complete the meeting was adjourned at 8:20 p.m.