

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

OCTOBER 6, 2015

7:00 p.m.

Mayor Kayla Price called the regular meeting of the Sulphur Springs City Council to order at 6:34 p.m. Councilman Taylor moved to adjourn to executive session in accordance with Texas Government Code 551.071, consultation with attorney - pending litigation. Councilman Sellers 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 Kayla Price
Mayor Pro Tem Emily Glass
Councilman Craig Johnson
Councilman Clay Walker
Councilman Oscar Aguilar
Councilman Freddie Taylor
Councilman John Sellers

Absent:

Staff:

Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Peter Karstens, Finance Director – 7P
Russell Ham, Water Plant Superintendent – 7P
Jay Sanders, Police Chief – 7P
Joey Baker, Director Airport/Tourism – 7P
Lesa Smith, Budget Analyst – 7P
Shane Shepard, Director Community Development – 7P

PLEDGE AND INVOCATION

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

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

There were none.

MANAGER’S REPORT

STREETS, WATER AND SEWER - The Davis Street waterline replacement project is completed. This project replaces 1,500 feet of water main on North Davis from Park to Glover. The street was also paved as a part of the summer paving program.

The annual summer paving program is in full swing. Waco, South Davis and Finney have been paved. The contractor, Texana Land and Asphalt, will begin paving the remaining streets on Thursday, October 8th.

Live Oak	Helm to Dead-end	\$91,779
Waco	Industrial to Lee	24,600
Vonda	Mockingbird to Wright	35,042
League	Main to Bellview	78,272
Carter	College to Fuller	17,057
S. Davis	Kyle to Lee	82,529
Woodlawn	Locust to Mulberry	57,601
West/Joyce	Shannon to McCann	41,435
Jill	College to dead-end	52,721
S. Moore	Tate to Barbara	54,909
Finney	League to Sunset	25,325
TOTAL		\$561,270

The Rockdale Road reconstruction project is underway. The water line installation is complete. The roadbed excavation will be completed by Friday. After that, the street will be reconstructed with reinforced concrete. We have advertised two bid packets, one for labor to construct the street, and the other for materials.

Bill Bradford Road is on-deck. At an estimated cost of \$1.4 million, this is a major project. It will include a new water main, a new sewer main, drainage improvements and a new asphalt street. Atmos is in the process of locating their lines so engineering can continue.

Plano Street is also on deck.

CLAIMS – We did not have any worker’s compensation claims in September.

We had several liability claims in September. Two were from Verizon for damage to a phone line in the vicinity of our FM 2285 waterline replacement project. We received

multiple claims related to a utility street cut in Houston Street. One employee was in a vehicle accident and the other driver received minor injuries in the incident. One driver submitted a claim for damage to the front bumper cover when he backed out of a parking space on the square. Apparently one of the rebar pegs that holds the curb stop in place was protruding about ¼ inch, just enough to snag the bumper cover. All claims were submitted to the TML risk pool.

CITY BUSINESS OFFICE – The Finance Department has moved in, and work has begun on the Police Department.

WASTEWATER TREATMENT PLANT - Total suspended solids (TSS) came in at 3.80 mg/L, well within the limit of 12 mg/L.

REVENUES AND EXPENDITURES – Finance Director, Peter Karstens, will not present the usual year-to-date summary of revenues and expenditures. At our next meeting, he will present a summary of our year-end revenues and expenditures.

Elsewhere around the city, employees:

- Finished landscaping at the old city hall.
- Finished electrical finish-out at old city hall.
- Repaired the Cantex lift station.
- Changed out lights at the wastewater treatment plant.
- Repaired lighting on the I-30 billboard.
- Repaired two lighting circuits on the plaza.
- Performed preventative maintenance on filters at wastewater treatment plant.
- Repaired 20 water main ruptures.
- Installed 2 water taps.
- Replaced 15 water meters.
- Unstopped 17 sewer mains.
- Repaired 3 sewer mains.
- Washed 75,000 feet of sewer mains.
- Repaired 1 manhole.
- Inspected wastewater segment 36 via camera and smoke testing.
- Flushed 36 dead-end water mains.
- Replaced motor on Cooper Lake #2 raw water pump.
- Treated 159 million gallons of potable water.
- Shredded around Coleman Lake.
- Hosted a FASA softball tournament with 18 teams.
- Responded to 110 fire/rescue calls including 3 structure fires.
- Performed preventative maintenance on 90 fire hydrants.

- Issued 61 code compliance notices regarding weeds and dead trees and issued 14 citations.
- Patched 653 potholes and repaired 29 street utility cuts, 4 from Atmos.
- Replaced section of curb and gutter and driveway approaches in preparation of the summer paving program.
- Trimmed shrubs and roses on the plaza.
- Over seeded the Plaza with Rye grass.
- Initiated 25 new code enforcement investigations.
- Sold 1,446 gallons of AvGas and 5,197 gallons of JetA fuel.
- Checked out 2,849 items from the library.
- Responded to 218 animal control calls and achieved a 39% adoption rate.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of September 1, 2015; Special City Council meeting minutes of September 29, 2015; the Planning and Zoning Commission meeting minutes of September 21, 2015; the amended Zoning Board of Adjustments meeting minutes of August 18, 2015; and the Economic Development Corporation meeting minutes of August 24, 2015. There was no one to speak to the issue. Councilman Taylor made a motion to approve the minutes as presented. Mayor Pro Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2671, A REQUEST BY HOPKINS COUNTY MEMORIAL HOSPITAL TO REZONE PROPERTY LOCATED AT 100 THROUGH 120 AIRPORT ROAD AND THE ADJACENT LOT TO THE SOUTH FROM SINGLE FAMILY (SF) TO LIGHT COMMERCIAL (LC)

Community Development Director Shepard presented the staff report. The Hopkins County Memorial hospital has purchased the lots in the described area and has plans for development. The area will be platted into one lot and the development site will require a wooden fence adjacent to the residential property. There was no one to speak to the issue. Councilman Sellers moved to adopt the ordinance on the second and final reading. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON THE SECOND AND FINAL READING OF ORDINANCE NO. 2672, A REZONING REQUEST BY OWNER TIM KELTY FOR PROPERTY LOCATED 810 GILMER STREET, BEING FURTHER

DESCRIBED AS LOT 18 OF BLOCK 47-002, HEAVY COMMERCIAL (HC) TO LIGHT COMMERCIAL (LC)

Community Development Director Shepard presented the staff report. This property is part of two lots of two different zonings. Part of Lot 18 is currently Heavy Commercial which will be zoned to Light Commercial to match the current zoning of Lot 4-10. There was no one to speak to the issue. Councilman Taylor moved to adopt the ordinance on second and final reading. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON WATER SUPPLY CONTRACT (WSC) WITH SHADY GROVE #2

Water Plant Superintendent Russell Ham presented the staff report. City Manager Maxwell also reported on the agenda item. This contract would increase the maximum volume of gallons of water per day to 216,000. Currently, according to Section 2.1 of the existing contract the volume is at 180,000 gallons of water per day. Increased volume in the wholesale contract is needed in order to enter into a service agreement with Shady Grove #2 to provide water and pressure to affected customers located on Rockdale Road that are experiencing low pressure spikes as identified by Texas Commission on Environmental Quality (TCEQ). As a side note, it must be said that entering into this agreement will delay the construction of the Capital Improvements Project to increase pressure until future development can be identified in the affected area. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the contract as presented. Councilman Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR POLICE CRUISERS

Police Chief Jay Sanders presented the staff report to the City Council. On September 29, 2015, staff conducted a public bid opening for police patrol vehicles. The bid opening was for three (3) sedan police vehicles. Publications for bids were printed in the Sulphur Springs News Telegram on September 14th and 21st 2015. The following bids were received:

Sulphur Springs Dodge

2016 Dodge Charger Police Pursuit V6	\$23,000
Total for three vehicles	\$69,000

Brian Toliver Ford-Lincoln-Mercury

2016 Ford Taurus Police Interceptor

\$30,701

Total for three vehicles

\$92,103

Staff recommendation is to accept the bid from Sulphur Springs Dodge. There was a brief discussion. There was no one else to speak to the issue. Councilman Johnson moved to accept the bids and award the contract to Sulphur Springs Dodge. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR SANITATION SERVICES

Finance Director Peter Karstens presented the staff report. During the month of September staff has submitted for proposals for the Sanitation Hauling contract. The proposals were due and opened Tuesday, September 29, 2015. We received three proposals from (1) Republic Services, the incumbent, (2) Progressive, which used to be IESI, and (3) Sanitation Solutions, which are headquartered in Paris, Texas. To compare the proposals we used the proposed rates and estimated what a year would cost the city at those rates. We asked for two proposals on residential service: Proposal 1, continue the twice a week hand collect and Proposal 2, once a week 95 gallon poly cart. Of the three proposals received, Sanitation Solutions proposed the rates which would give the city the lowest total annual cost on both Proposal 1 and 2.

Sanitation Solutions had the lowest proposed hand collect residential rate (\$4.92 per month per customer). In fact, Sanitation Solutions proposed continuing all rates, both residential and commercial, as they are currently. In other words, there would be no increase in any of the sanitation rates if we chose Sanitation Solutions Proposal 1.

Here are the residential rates proposed:

	Proposal 1	Proposal 2
Sanitation Solutions	\$4.92/mo.	\$5.50/mo.
Republic Services	\$5.00/mo.	\$5.25/mo.
Progressive	\$11.52/mo.	\$8.20/mo.
Current rate	\$4.92/mo.	

On Commercial Rates, Sanitation Solutions proposed to keep the rates the same as now just as they did on the residential rates. Republic Services proposed an overall rate increase for commercial customers of 10%. Progressive actually proposed to decrease some of the commercial rates by up to 20% while other commercial rates (multiple

weekly container dumps) show an increase by up to 12%, shifting the cost of sanitation to the residential customer. The decreases in some of the commercial rates, however, do not compensate for their very high residential rates when we look at the overall annual cost.

Comparative estimated annual costs for recurring customer:

	Proposal 1	Proposal 2
Sanitation Solutions	\$1,166,502	\$1,201,734
Republic Services	\$1,258,143	\$1,273,329
Progressive	\$1,500,500	\$1,274,203
Current rate	\$1,166,502	

First, staff recommends the City Council continue with its existing system of hand collect two times per week. Second, staff recommends the City Council accept the proposal of Sanitation Solutions for Proposal 1 which is the lowest proposal submitted.

Staff also asked for street sweeping services as a possible added service since one of the proposers, Sanitation Solutions, also provides that service. Staff believes the proposal is priced at a good value. We would like to pursue this as an attached agreement to the Sanitation Contract, with, however, language added to give both parties the necessary flexibility to give this service every chance to succeed, language which we will need to work out.

Bobby Joe Griner spoke on behalf of the Republic Services employees that work in Sulphur Springs.

Rick Bernas, Republic Services, stated they had been here for many years and are willing to negotiate their rate as well as the landfill rate. He also thanked the City Council for the opportunity to serve the Sulphur Springs community.

Josh Bray, Sanitation Solutions, said he has been in business for 10 years, serves 52 cities as far away as Whitewright and there will be a location here. He added that staff had done their due diligence and he looks forward to working with the City of Sulphur Springs.

After a lengthy discussion, there was no one else to speak to the issue. Councilman Taylor moved to accept the proposals and award the bid to Sanitation Solutions. Mayor Pro Tem Glass seconded. There was a brief discussion. Councilman Taylor amended his motion to include the street sweeping services. Mayor Pro Tem Glass amended her second to include the street sweeping services and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR FUEL FARM

Airport Direct Joey baker presented the staff report. Several companies were interested in the project but only two (2) bids were submitted. The low bid exceeded the engineers estimate by \$78,509.70 and there is a difference of \$261,182.90 between the two bids submitted.

Engineers Estimate \$263,970.00

Bids

- 1. Seneca Corp \$342,479.70
- 2. UST \$603,662.60

Staff recommends that we reject both bids and consider other options for the project. Staff also recommends that we divide the project into 4 categories for bidding so we can attract local contractors. There was a brief discussion. There was no one else to speak to the issue. Councilman Johnson moved to reject all bids. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2673, A REQUEST BY SHAWN CARPENTER TO REZONE PROPERTY LOCATED AT 607 TEXAS STREET, BEING FURTHER DESCRIBED AS LOTS 14C & 14 OF BLOCK 30 3, FROM SINGLE FAMILY TO MULTI-FAMILY

Community Development Director Shepard presented the staff report. Staff recommends approval. The Planning and Zoning conducted a public hearing and they recommended approval of the zone change. Shawn Carpenter was available to answer any questions. The street name appeared on the agenda as “Church” instead of “Texas” but all the rest of the information was correct. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the ordinance on the first reading. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2674, A REQUEST BY LE GIA VAN AND PHUONG THI PHAM TO REZONE PROPERTY LOCATED AT 607 TEXAS STREET, BEING FURTHER DESCRIBED AS LOT 8 OF BLOCK 200 3 7., FROM LIGHT COMMERCIAL TO MULTI-FAMILY

Community Development Director Shepard presented the staff report. Staff recommends approval. The Planning and Zoning conducted a public hearing and they recommended

approval of the zone change. Mr. Shepard explained that duplexes cannot be built in Light Commercial zoning. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the ordinance on the first reading. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PROPERTY EXCHANGE AT THE SULPHUR SPRINGS MUNICIPAL AIRPORT EXCHANGING CERTAIN REAL PROPERTY WITH ADJACENT PROPERTY OWNERS

City Attorney McLeroy presented the staff report. This is a cleanup maneuver to even up a property line with the Flippin Family and the Sulphur Springs Municipal Airport. Federal and state agencies supporting airport operations have been advised of this airport boundary change and have approved the same. As additional consideration, the City will install landscaping on the adjoining property owners side of the fence and will maintain same for a period of two years, after which maintenance will be provided by the adjoining property owners. The City Attorney added that he would be bringing an ordinance to the City Council to go with Resolution No. 1092 which authorizes the City Manager to enter into said agreements. 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.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2575, VACATING AND ABANDONING A STREET AND AN ALLEY, BEING THAT PORTION OF PLANO STREET THAT LIES BETWEEN BRINKER AND GEORGIA STREETS

City Attorney McLeroy presented the staff report. This property has no present or future use. The property owners abutting this portion of Plano Street have requested this abandonment. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the ordinance on the first reading. Councilman Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM, PENDING LITIGATION

Councilman Johnson moved to settle with two defendants in a lawsuit and give authority to the City Manager to negotiate division of fees and penalties as well as sign documents pertaining to the lawsuit with the terms discussed in Executive Session. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:51 p.m.