

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

NOVEMBER 3, 2015

7:00 p.m.

Mayor Kayla Price 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 Kayla Price
Mayor Pro Tem Emily Glass
Councilman Craig Johnson
Councilman Oscar Aguilar
Councilman Freddie Taylor
Councilman John Sellers

Absent: Councilman Clay Walker

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Peter Karstens, Finance Director
Robert Lee, Utilities Director
Eric Hill, Fire Chief
Gordon Frazier, Human Resources Director
Russ Nuss, Public Works Director
Mike Allen, Engineering Technician
Roger Feagley, Executive EDC Director
Glenda Bassham, EDC Retention Specialist
Chuck Sickles, P & Z Commission Member

PLEDGE AND INVOCATION

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

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Executive Economic Development Corporation Director Roger Feagley presented a (two minute and nineteen seconds) promotional video. The video is a marketing tool used by

the EDC in efforts to encourage businesses to locate or relocate in our city and/or county. The video is also available for viewing on their website at www.ss-edc.com.

Councilman Aguilar told everyone about the upcoming 59th annual United Finals Rodeo in conjunction with the United Professionals Rodeo Association (UPRA) occurring for the 36th year in a row at the Hopkins County Civic Center this November 20, 21, and 22, 2015. There will 135 top contestants from a five-state area with the “Handicapable” Rodeo being held at 9AM on November 20th at the Hopkins County Civic Center as well. The UPRA finals are a huge event and the “Handicapable” Rodeo is such a blessing for the children and to all that participate.

MANAGER’S REPORT

STREETS, WATER AND SEWER - The annual summer paving program is completed. Waco, South Davis and Finney have been paved. The following streets were paved:

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	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	<u>25,325</u>
TOTAL		\$561,270

The Rockdale Road reconstruction project is underway. We have two related action items on tonight’s agenda. One to award a contract for concrete, and the other to award the contract for labor to pour the concrete.

Plano Street is underway. This \$268,000 project is a complete reconstruction of Plano Street from Texas Street westward to the cul-de-sac. It includes new water main, new sewer main and a new street.

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. We are nearly done with design.

CLAIMS – We did not have any workers’ compensation claims, liability claims or property claims in October.

POLICE DEPARTMENT REMODEL – Demolition is complete. Asbestos floor tiles have been removed. Construction has begun.

WASTEWATER TREATMENT PLANT - Total suspended solids (TSS) came in at 1.59 mg/L, well within the limit of 15 mg/L.

REVENUES AND EXPENDITURES – Finance Director, Peter Karstens will present a year-end summary of revenues and expenditures.

Elsewhere around the city, employees:

- Treated 160 million gallons of potable water.
- Began preparing downtown for the holiday season.
- Performed preventative maintenance and repairs on several items at the wastewater treatment plant.
- Repaired 51 water main ruptures.
- Replaced 14 water meters.
- Unstopped 6 sewer mains and repaired 1 sewer main.
- Washed 78,000 feet of sewer mains.
- Flushed 36 dead end water mains.
- Patched 276 potholes.
- Made 34 street repairs following utility repairs.
- Cleaned storm drains and catch basins.
- Fertilized trees downtown, trimmed roses and shrubs, and over-seeded the lawn with rye.
- Cleaned out the fountain wet vault and power washed the Veterans Memorial fountain.
- Responded to 125 fire rescue calls including 3 structure fires.
- Performed preventative maintenance and testing on 80 fire hydrants.
- Lectured 2,000 children about fire safety.
- Made 76 arrests, recorded 75 offences, responded to 36 accidents and wrote 536 traffic citations.
- Made 14 felony arrests in the Special Crimes Unit.
- Checked out 3,904 items from the library.
- Initiated 37 code enforcement investigations.
- Conducted 33 building inspections, 11 electrical inspections, 12 plumbing inspections, 3 mechanical inspections and issued 26 building permits.
- Prepared Buford Park for the World Champion Hopkins County Stew Contest
- Performed preventative maintenance on Kids Kingdom.

Finance Director Peter Karstens presented the unaudited (as of September 30, 2015) fiscal year 2015 budget variance report to the City Council.

City Manager Maxwell also told the City Council the City of Sulphur Springs is the recipient of a Crosstown Trail Grant from TxDOT in the amount of \$700,000.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of October 6, 2015; the Construction Board of Adjustments meeting minutes of October 13, 2015; the Downtown Revitalization Board meeting minutes of October 13, 2015; the Planning and Zoning Commission meeting minutes of October 19, 2015; and the Economic Development Corporation meeting minutes of September 24, 2015. There was no one to speak to the issue. Councilman Johnson made a motion to approve the minutes as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

At this time, Councilman Johnson asked Madame Mayor Price if he could make a request to move Item #15 to this point in the agenda as recognition of all the hard work they do at the EDC. Madame Mayor Price agreed.

DISCUSSION/ACTION ON RESOLUTION NO. 1094 APPROVING A SECOND AMENDMENT TO THE TAX ABATEMENT AGREEMENT WITH BEF FOODS, INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AMENDMENT TO THE TAX ABATEMENT ON BEHALF OF THE CITY

Executive Economic Development Corporation Director Roger Feagley presented the staff report. BEF Foods, Inc. currently has tax abatement agreements with the City of Sulphur Springs, Hopkins County, and Hopkins County Memorial Hospital District. These abatements run through 2021 or 6 more years. It is the intent of BEF Foods to sell their building and equipment to an investor and lease the property back. This is a very common practice in the real estate community. The lease they are signing is a triple net lease, meaning BEF Foods will be responsible for the taxes, maintenance, and insurance. The term of the lease is for fifteen years with two ten year options. Our tax abatement agreement allows for this assignment. There was a brief discussion. There was no one else to speak to the issue. Councilman Johnson moved to approve the resolution as presented. Councilman Taylor seconded and the vote unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2673, A REQUEST BY SHAWN CARPENTER TO REZONE PROPERTY LOCATED AT 607 TEXAS STREET, BEING

FURTHER DESCRIBED AS LOTS 14 AND 14C OF BLOCK 30 3, FROM SINGLE FAMILY (SF) TO MULTI FAMILY (MF)

Engineering Technician Mike Allen was available to answer any questions as was property owner Shawn Carpenter. There was no one to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON THE SECOND AND FINAL READING OF ORDINANCE NO. 2674, A REQUEST BY LE GIA VAN AND PHUONG THI PHAM TO REZONE PROPERTY LOCATED 1229 TEXAS STREET, BEING FURTHER DESCRIBED AS LOT 8 OF BLOCK 200 3 7, FROM LIGHT COMMERCIAL (LC) TO MULTI FAMILY (MF)

Engineering Technician Mike Allen was available to answer any questions. There was no one to speak to the issue. Councilman Johnson 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. 2675, A REQUEST BY THE CITY OF SULPHUR SPRINGS TO ABANDON AND VACATE THAT PORTION OF PLANO STREET THAT LIES BETWEEN BRINKER AND GEORGIA STREETS

City Manager Maxwell presented the staff report. Engineering Technician Mike Allen was available to answer any questions. There was no one to speak to the issue. Councilman Aguilar 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 HOPKINS COUNTY APPRAISAL DISTRICT'S 2016 BUDGET

Cathy Singleton, Chief Appraiser of the Hopkins County Appraisal District, was available to answer any questions and presented their calendar of scheduled events for their budget. Councilman Johnson thanked Ms. Singleton for answering his questions. Councilman Sellers reiterated that the budget did not eliminate a position. After a brief discussion there was no one else to speak to the issue. Mayor Pro Tem Glass moved to approve the budget as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2676, AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN REAL PROPERTY BETWEEN THE SULPHUR SPRINGS MUNICIPAL AIRPORT AND THE ADJACENT PROPERTY OWNER(S)

In October the City Council passed Resolution No. 1092 approving a property exchange between the Sulphur Springs Municipal Airport and the adjacent property owners. 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. In order to convey property, Texas Local Government Code, Section 253.001(c) requires that the city adopt an ordinance directing the city's mayor or city manager to execute the conveyance. This ordinance meets that requirement. There was no one to speak to the issue. Councilman Sellers moved to approve the ordinance on the first reading. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR VEHICLE EXHAUST REMOVAL SYSTEMS FOR FIRE STATIONS

Fire Chief Eric Hill presented the staff report. This system prevents exhaust from going back into the living quarters which can cause cancer and exacerbate other illnesses. On July 21, 2015 staff conducted a public bid opening for the Sulphur Springs Fire Department Vehicle Exhaust Removal System. Two bids were received and they are as follows:

MagneGrip/Clean Air Concepts	\$53,158
Air Cleaning Technologies, Inc.	\$54,325

The amount is 95% paid for with a FEMA grant and the city's match would be \$2,658 based on awarding the contract to the lowest bidder. 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 MagneGrip/Clean Air Concepts. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CONCRETE FOR ROCKDALE ROAD

City Manager Maxwell said we received one bid, but it was a good one from Bell

Concrete. It is as follows:

Materials	Unit Price	Est. Qty.
Item 1: 3000 psi (5 sack mix)	\$90/cy	850 cy
Item 2: 4400 psi (6 sack mix)	\$95/cy	100 cy
Item 3: Curb & Gutter Grout Mix	\$95/cy	100 cy

Public Works Director Russ Nuss was available to answer any questions. There was a brief discussion. There was no one else to speak to the issue. Mayor Price moved to accept the bid and award the contract to Bell Concrete. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR LABOR FOR ROCKDALE ROAD

City Manager Maxwell said we received two bids. They are as follows:

5W Contracting	Total bid	\$ 77,616
Richard Drake	Total bid	\$237,600

Public Works Director Russ Nuss was available to answer any questions. 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 5W Contracting. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON REQUEST BY OWNER TIM MERRELL TO PLAT PROPERTY LOCATED AT 1017 GILMER STREET, BEING FURTHER DESCRIBED AS LOT 19A OF BLOCK 36 2

This is a previously unplatted lot which is proposed for new development. Staff recommends approval of the plat with the execution of a Community Facilities Contract. Engineering Technician Mike Allen was available to answer any questions. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the plat with the execution of the Community Facilities Contract. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON CONSIDERATION OF ADOPTION OF RESOLUTION NO. 1093 AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; DESIGNATING CERTAIN CONSULTANTS; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

Finance Director Karstens presented the staff report. Last Spring we requested consideration for funding from the Texas Water Development Board (TWDB) for the redevelopment of the Wastewater Treatment Plant. The TWDB has requested that we submit an application which we are preparing. The loan is structured essentially as a certificate of Obligation and will require both the processes that are normally associated with bonding as well as those processes which involve getting funds from a government agency. As a result we are including in the process our bond team which includes mark McLiney, Financial Advisor, and Leroy Grawunder Jr., our bond attorney. Jeff Sober of Garver Engineering is our Engineer. This resolution is required for the city to submit the application. There was a brief discussion. There was no one 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 RESOLUTION NO. 1095 FOR APPOINTMENT TO THE HOPKINS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

The City of Sulphur Springs has one member on the Hopkins County Appraisal District Board of Directors and Bill Watts has been the city's representative since January 1, 2010. His current term will expire December 31, 2015. There was no one to speak to the issue. Councilman Taylor moved to reappoint Bill Watts as the City of Sulphur Springs representative on the Hopkins County Appraisal District Board of Directors. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:37 p.m.