

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

NOVEMBER 7, 2017

7:00 p.m.

Mayor John Sellers called the regular meeting of the Sulphur Springs City Council to order at 6:30 p.m. Councilman Johnson moved to adjourn to executive session in accordance with Texas Government Code, Title 5, Chapter 551.074, Personnel Matters, specifically relating to the appointment of a Director of Public Safety. Councilwoman Glass seconded. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

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

Absent: None

Staff: Marc Maxwell, City Manager
Jim McLeroy, City Attorney
Peter Karstens, Finance Director
Gordon Frazier, HR Director
Tory Niewiadomski, Community Development Director
Jay Sanders, Police Chief, SSPD
Jason Ricketson, Captain, SSPD
Joey Baker, Director of Tourism and Airport Services

RECONVENE

Mayors Sellers reconvened the City Council meeting in to open session at 7PM.

PLEDGE AND INVOCATION

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

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Sellers read and presented the following proclamation:

WHEREAS, every year more than 1.58 million Americans living with life-limiting illness, and their families, receive care from the nation's hospice programs in communities throughout the United States; and

WHEREAS, hospice and palliative care offer the highest quality of care to patients and families and bring comfort, love and respect to all those they serve; and

WHEREAS, hospice allows people to spend their final months surrounded by family and loved ones at home – wherever home may be; and

WHEREAS, hospice and palliative care professionals—including physicians, nurses, social workers, therapists, counselors, health aides, and clergy—providing comprehensive and compassionate care that make the wishes of each patient and family a priority; and

WHEREAS, more than 468,000 trained volunteers contribute 21 million hours of service to hospice program annually; and

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, patients are able to live as fully as possible through the journey at life's end; and

WHEREAS, the commitment of more than 1,600 hospice providers, NHPCO and the Department of Veterans Affairs have allowed the innovative program, We Honor Veterans, to thrive and ensure that Veterans find the compassion, care and dignity they deserve at the end of life; and

WHEREAS, the provision of quality hospice and palliative care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care.

NOW, THEREFORE I, John A. Sellers, by virtue of authority vested in me as Mayor, and on behalf of the entire City Council of the City of Sulphur Springs, Texas, do hereby proclaim November 2017 as **National Hospice and Palliative Care Month** and encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals.

Mayor Pro Tem Aguilar reminded everyone of the upcoming United Professionals Rodeo Association (UPRA) occurring at the Hopkins County Civic Center this November 17, 18, and 19, 2017. The “Handicapable” Rodeo will be held Friday morning at 9AM on November 17th at the Hopkins County Civic Center as well. The UPRA conducts a huge event and the “Handicapable” Rodeo is such a blessing for the children. He stated there are approximately 310 participants from the area.

MANAGER’S REPORT

MOORE STREET - The project is completed, and the street is open.

PAMPA STREET – The sewer line is finished, and the water line is 75% completed. I expect to make all of the water connections in the next two weeks. After that our contractor Texana Land and Asphalt will cement-stabilize the base and repave the street.

WASTEWATER TREATMENT PLANT – The work at the wastewater treatment plant is on schedule. The three primary clarifier basins have been constructed, and backfilling continues. Other concrete structures adjacent to the clarifiers are under construction.

CLAIMS – We had two workers’ compensation claims from police officers who received minor injuries while conducting an arrest in October. We did not receive any liability claims in October.

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

Elsewhere around the city, employees:

- Repaired 6 water main ruptures and replaced 16 meters.
- Unstopped 11 sewer mains.
- Repaired 9 sewer mains.
- Washed 85,000 feet of sewer mains.
- Flushed 35 dead end water mains.
- Performed preventative maintenance on several items at the water treatment plant as well as the wastewater treatment plant.
- Installed a new water sampling station on Bill Bradford Road.
- Repaired the antenna on the College Street Water tower.
- Treated 149 million gallons of potable water.
- Responded to 158 fire rescue calls with no structure fires.
- Performed preventative maintenance on 70 fire hydrants.
- Conducted 58 fire inspections.

- Achieved a total suspended solids reading of 1.35 mg/L at the wastewater treatment plant.
- Checked out 3,080 items from the library and saw computer usage of 1,274 hours.
- Checked out 462 eBooks.
- Responded to 214 animal control calls and achieved an adoption rate of 30%
- Made 8 felony arrests in the Special Crimes Unit.
- Recorded 66 offenses, wrote 540 traffic citations, made 84 arrests and responded to 33 accidents.
- Sold 2,831 gallons of AvGas and 5,718 gallons of JetA.
- Sprayed athletic fields with pre-emergent herbicide.
- Prepared Buford Park for the stew contest.
- Hosted a 60 team baseball tournament.
- Made 7 street repairs following utility repairs.
- Patched 151 potholes.
- Made 2 more extensive street repairs (soft spots).
- Pruned the roses on Celebration Plaza and changed out all of the banners.
- Conducted 34 building inspections, 27 electrical inspections, 27 plumbing inspections, 10 mechanical inspections and issued 22 building permits.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of September 5, 2017; the special City Council meeting minutes of September 26 and October 10, 2017; the Planning and Zoning Commission meeting minutes of September 18, 2017; the Downtown Revitalization Board meeting minutes of September 18, 2017; and the Economic Development Corporation meeting minutes of August 28, 2017. There was no one to speak to the issue. Councilwoman Glass made a motion to approve the minutes as presented. Mayor Pro Tem Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2719, AN ORDINANCE OF THE CITY OF SULPHUR SPRINGS, TEXAS, SETTING FORTH REGISTRATION REQUIREMENTS AND CREDIT EXTENSION GUIDELINES FOR CREDIT ACCESS BUSINESSES; PROVIDING A PENALTY; PROVIDING A REPEALING AND SAVINGS CLAUSE; PROVING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE

City Manager Maxwell presented the staff report. At the December 6, 2016, City Council meeting two local clergy members requested an ordinance regulating payday lenders and car title lenders. This ordinance was approved at the Special City Council meeting conducted October 10, 2017. There was a general discussion on postponing the

effective date. There were eight individuals to speak in favor of this issue and no one was present to speak against the issue. Many of the City Council members also spoke in favor of the ordinance. There was no one else to speak to the issue. Councilman Johnson moved to adopt the ordinance on the second and final reading with the effective date of January 1, 2018. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SULPHUR SPRINGS AND CHRISTUS TRINITY MOTHER FRANCES COMMITTING THE HOSPITAL TO PROVIDE INDIGENT CARE, COMMITTING THE CITY TO ACCEPT AND ACKNOWLEDGE HOSPITAL'S COMMITMENT TO PROVIDE INDIGENT CARE, AND MAKING CERTAIN REPRESENTATION REGARDING THE HOSPITAL'S CORPORATE VALIDITY AND TAX-EXEMPT STATUS

City Manager Maxwell presented the staff report. The hospital desires to participate in the 340B drug discount program. The 340B Drug Discount Program is a U.S. federal government program created in 1992 that requires drug manufactures to provide outpatient drugs to eligible health care organizations and covered entities at significantly reduced prices. In order for the hospital to qualify they must enter into an agreement with a unit of local government wherein hospitals commit to provide healthcare services to low-income individuals who are neither entitled to benefits under Title XVIII of the Social Security Act, nor eligible for assistance under the State plan of the Title XIX under this Act. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Aguilar moved to approve the agreement as presented. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1134 APPROVING A TAX ABATEMENT WITH BACKSTORY BREWERY

Economic Development Corporation Executive Director Roger Feagley presented the staff report. There was no one else to speak to the issue. Councilman Johnson moved to approve the tax abatement. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1135 APPROVING A TAX ABATEMENT WITH SAPUTO DAIRY FOODS USA, LLC

Economic Development Corporation Executive Director Roger Feagley presented the staff report. Joe Wallace and Kyle Taylor were available to answer any questions. Saputo will be adding two productions lines and an expansion of approximately 60,000

square feet. There will be new infrastructure as well as a new wastewater facility. This expansion should also add about 140 employees and it will take approximately two years to complete the project. There was no one else to speak to the issue. Councilman Taylor moved to approve the tax abatement. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO AMEND THE BYLAWS FOR THE ECONOMIC DEVELOPMENT CORPORATION

Economic Development Corporation Executive Director Roger Feagley presented the staff report. The Economic development Corporation would like to amend the bylaws giving each member a three-year term. There was a brief discussion. There was no one else to speak to the issue. Councilman Johnson moved to approve the amendment to the EDC bylaws. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1136 APPROVING TWO AGREEMENTS WITH KANSAS CITY SOUTHERN RAILROAD, ONE FOR THE ABANDONMENT OF GLADYS ALEXANDER CROSSING AND ONE TO CONSTRUCT A PEDESTRIAN CROSSING SOUTH OF BUFORD PARK

Finance Director Karstens presented the staff report. There was a general discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Mayor Pro Tem Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2720, ABANDONING A PORTION OF GLADYS ALEXANDER STREET

Finance Director Karstens presented the staff report. 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 RESOLUTION NO. 1137, A MUTUAL AID AGREEMENT WITH HOPKINS COUNTY REGARDING THE CROSSTOWN TRAIL

Finance Director Karstens presented the staff report. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the

resolution as presented. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR THREE PATROL CARS

Chief Jay Sanders presented the staff report. On October 16 staff conducted a public bid opening. The following bids were placed:

Texas Country Ford	
2018 Utility Police Interceptor AWD	\$27,643.75
Total for 3 vehicles	\$82,931.25
Brian Toliver Ford-Lincoln-Mercury	
2017 Utility Police Interceptor AWD	\$29,991.00
Total for 3 vehicles	\$89,973.00
Jay Hodge Chevrolet	
2018 Chevrolet Tahoe Police Package	\$33,537.16
Total for 3 vehicles	\$100,611.48

Texas Country Ford submitted the lowest bid but did not meet bid specifications for the engine. Staff recommendation is to accept the bids and award the contract to Brian Toliver Ford. There was no one else to speak to the issue. Councilman Johnson moved to accept the bids and award the contract to Brian Toliver Ford. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1138, A RESOLUTION OF THE CITY OF SULPHUR SPRINGS APPOINTING JAMES (JAY) SANDERS TO THE POSITION OF DIRECTOR OF PUBLIC SAFETY

City Manager Maxwell presented the staff report. Brandon Day addressed the City Council regarding issue suggesting the creation of a committee. Mr. Day currently serves as the secretary/treasurer of the Texas State Association of Firefighters and exchanged business cards with Mr. Maxwell. Councilwoman Glass reiterated this was approved during the budget process and we are not combining departments but creating one director over two departments. 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 was as follows:

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

The motion carried.

DISCUSSION/ACTION ON A MOTION TO APPROVE AN ECONOMIC DEVELOPMENT AGREEMENT (380 AGREEMENT) WITH BILLIE RUTH STANDBRIDGE OFFERING CERTAIN ECONOMIC INCENTIVES TO DEVELOP 216 MAIN STREET

Community Development Director Niewiadomski presented the staff report. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve Resolution No. 1139 as presented. Mayor Pro Tem Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO APPROVE THE TRANSFER OF A GROUND LEASE AT THE AIRPORT FROM DANNY GOGGANS TO CLAY PINSON

Airport Services Director Joey Baker presented the staff report. There was no one else to speak to the issue. Councilman Walker moved to approve the transfer. Mayor Pro Tem seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:53 p.m.