

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

DECEMBER 1, 2020

7:00 p.m.

Mayor John A. Sellers 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:

Public link: <https://www.youtube.com/channel/UC8CxjG8pt3Cn8DDMgg0xr8g>

Present: Mayor John A. Sellers
Mayor Pro Tem Freddie Taylor
Councilman Doug Moore
Councilman Harold Nash Sr.
Councilman Oscar Aguilar
Councilman Gary Spraggins

Absent: None

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Lesa Smith, Finance Director
Tory Niewiadomski, Community Development Director
Roger Feagley, Executive Director/Economic Development

CALL TO ORDER

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:00 p.m.

PLEDGE AND INVOCATION

Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Mayor Pro Tem Taylor.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

None.

MANAGER'S REPORT

COVID-19 RESPONSE – The number of active cases in Hopkins County increased 17% in November with a total of 169 active cases as of November 30. The state has tested 2,476 people at the Hopkins County testing site since the November council meeting. We have had 1,577 cumulative recoveries and 52 fatalities in Hopkins County. The hospital has 23 patients in the COVID-19 unit as of today.

As a part of the City's response to Covid-19 the City suspended the practice of cutting off water service for non-payment. Some of the balances are growing quite high. The total arrearage is \$137,000 with 576 accounts (8.6% of all accounts) in arrears. I do not plan on reinstating cut offs until after a vaccine is available. At that point we will have to decide how to bring the delinquent accounts up to a current status. I will likely propose requiring residents to pay their current bill along with 1/6th or 1/12th of their arrearage to avoid being cut off. In this way their accounts would be brought current in either 6 months or 12 months.

GRAYS BUILDING –Hawk Construction began erecting the steel yesterday.



SENIOR CITIZENS BUILDING – Construction drawings are still being prepared by REES Associates. We have hired Tandem Consulting to oversee the construction just like the Grays Building.

BELLVIEW STREET – The street was just paved, and this project is now complete.

MCCANN STREET –Texana Land and Asphalt plans to pave McCann Street late next week.

WOODLAWN STREET –The Capital Construction Division has replaced 75% of the sewer main. When the sewer main is complete, they will replace the water main. After that they will replace portions of curb and gutter. Texana Land and Asphalt will then cement-stabilize the road base and pave the street with asphalt.

CLAIMS – We did not have any workers compensation claims or liability claims in November.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will present a report of revenues and expenditures.

Elsewhere around the city, employees:

- Installed Christmas decorations downtown.

- Swept the streets around town (contractor).
- Cut vegetation around Coleman Lake.
- Repaired sidewalks and parking lot lights at Coleman Park.
- Trimmed trees and undergrowth at Buford Park.
- Made 8 extensive street repairs following utility repairs.
- Repaired 802 potholes.
- Conducted 22 building inspections, 24 electrical inspections, 23 plumbing inspections, 4 mechanical inspections and issued 17 building permits.
- Sold 4,644 gallons of Jet A fuel and 3,066 gallons of AvGas.
- Responded to 221 fire/rescue calls including 1 structure fire, 2 vehicle fires and 5 grass fires.
- Performed preventative maintenance on 72 fire hydrants.
- Performed 5 fire inspections.
- Checked out 2,592 library materials and an additional 625 e-books.
- Responded to 186 calls for animal control, while achieving a 67% adoption rate.
- Made 4 felony arrests on the Special Crimes Unit.
- Responded to 28 accidents, wrote 618 citations, recorded 51 offenses, and made 30 arrests in the patrol division.
- Ordered a generator for the new Grays Building.
- Treated wastewater effluent to a daily average total suspended solids reading of 0.47mg/L.
- Repaired 7 water main ruptures.
- Replaced 11 water meters.
- Unstopped 26 sewer mains.
- Repaired 6 sewer mains.
- Washed 78,000 feet of sewer mains.
- Flushed 36 dead-end water mains.
- Treated 140 million gallons of potable water.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of November 3, 2020; the City Council Special meeting minutes of November 17, 2020; the Downtown Revitalization Board meeting minutes of September 3, 2020; and the Economic Development Corporation meeting minutes of October 26, 2020. There was no one to speak to the issue. Mayor Pro Tem Taylor made a motion to approve the minutes as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2777, ESTABLISHING LOT A39, BLOCK A, VOL. 3 PAGE 60, AS AN INDUSTRIAL REINVESTMENT ZONE

Economic Development Executive Director Feagley presented the staff report. D6 Inc. is a company from Portland, Oregon and they have purchased the old Commercial Services/Coca Cola building. They are adding 25,000 square feet to the building and adding 6 million dollars of investment. One of the incentives that was offered was a tax abatement for their hospital taxes. The hospital district does not have legal authority to create a reinvestment zone and this reinvestment zone will only be used by the hospital for a tax abatement. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to adopt the ordinance on the second and final reading. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPROVAL OF FIVE (5) AGRICULTURAL LICENSE AGREEMENTS AT THE OLD THERMO MINE/LUMINANT PROPERTY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID DOCUMENT

City Manager Maxwell presented the staff report. Prior to the time we gained ownership of the Thermo property, Luminant “licensed” portions to 4 different parties. Staff proposes to continue the license agreements with the same parties, and with virtually the same terms on an annual basis. There is one other individual that had an informal agreement with Luminant, Mark Johnson. He has been performing reclamation for Luminant for years and Luminant allowed him to cut hay on 51.8 acres of the property without charge. Last year the City allowed him to cut hay on the same acreage for \$700. There was no one else to speak to the issue. Mayor Pro Tem Taylor move to approve the leases as presented. Councilman Nash second and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPROVAL OF A CONTRACT BETWEEN THE CITY OF SULPHUR SPRINGS AND MHS PLANNING & DESIGN, LLC, FOR PROFESSIONAL SERVICES FOR DESIGN AND ENGINEERING FOR A TPWD GRANT FOR PACIFIC PARK

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs has worked towards obtaining a grant for Pacific Park dating back to 2019. In December 2019, the City worked with MHS Planning & Design to submit a grant application for a Local Parks Grant with the Texas Parks and Wildlife Department for 50/50 matching grant of \$1.5 million. In August of 2020, TPWD awarded the City the grant of \$750,000 from TPWD funds leveraged with \$750,000 match from the City.

The Local Parks Grant has a line item set aside for design and engineering for the project up to \$125,000. MHS Planning & Design has submitted their fee for performing professional services in the amount of \$98,605.00. The Professional Services Procurement Act states that a city may not use traditional competitive bidding procedures to obtain the services of architects, engineers, or surveyors. Staff recommends award of contract to MHS Planning & Design as it falls within the thresholds for the grant and to authorize the City Manager to execute the contract. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to approve the contract. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1216, A RESOLUTION APPROVING THE SERVICE CONTRACT AGREEMENT WITH THE ECONOMIC DEVELOPMENT CORPORATION FOR SHARING THE COST OF IMPROVEMENTS TO PACIFIC PARK AND THE SULPHUR SPRINGS SENIOR CITIZENS CENTER

Finance Director Smith presented the staff report. The City conducted an election November 5, 2019, in which citizens authorized the EDC to assist the City of Sulphur Springs with making improvements to Pacific Park and the Senior Citizens Center by contributing up to \$200,000 annually for 20 years for the debt payment. The contract forms an agreement between the City and the Economic Development Corporation that the EDC agrees to pay the City of Sulphur Springs for the debt service for the Obligations in the annual amount of \$200,000 each fiscal year, payable each August for a period of 20 years. There was no one to speak to the issue. Councilman Spraggins moved to approve the resolution as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Mayor Sellers welcomed Councilman Spraggins back to the City Council. He reviewed the dates for the runoff election and the canvass. He also stated the next regular meeting will be January 5, 2021. He wished everyone a Merry Christmas and Happy New Year. He hopes for a better 2021 for the City of Sulphur Springs, the Great State of Texas, and the United States of America.

Councilman Aguilar wished everyone a Merry Christmas and Happy New Year.

Councilman Spraggins said it was an honor to be back on the City Council.

City Attorney McLeroy requested that everyone please stay safe.

ADJOURN

With all business complete the meeting was adjourned at 7:38 p.m.