

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

DECEMBER 3, 2019

7:00 p.m.

Mayor Norman R. Sanders called the regular meeting of the Sulphur Springs City Council to order at 6:00 p.m. Mayor Pro Tem Armstrong moved to go into an Executive Session in accordance with Texas Government Code, Title 5, Chapter 551.074, Personnel matters specifically relating to the City Manager. Councilman Sanderson seconded and the vote was unanimous. 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
Lesa Smith, Finance Director – 7P
Tory Niewiadomski, Community Development Director – 7P
Gordon Frazier, HR Director – 7P
Jason Ricketson, Chief of Police – 7P

RECONVENE INTO REGULAR SESSION

Mayor Sanders called the meeting to order at 7:29 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 Sellers.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM

No action was taken.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

There was a reminder of the Lions Club Christmas Parade for December 6th and the laying of the Wreaths Across America on December 14th.

MANAGER'S REPORT

WASTEWATER TREATMENT PLANT - The construction on all of the functional elements at the wastewater treatment plant is complete. All that remains is construction of the road. The plant is completely operational.

BELLVIEW STREET – The Bellview project has begun. Installation of sewer mains is ongoing.

CONNALLY STREET – The contractor on this project is nearly finished with the construction of the street itself. They should finish this week. The Capital Construction Division will finish construction of sidewalks, driveway approaches and cross-street connections within 90 days.

CANTEX LIFT STATION – The lift station is complete. Kudos to the utility department for a job well done.

CLAIMS – We had no liability claims in November. We had one workers' compensation claim for a puncture wound to the left hand while unloading brush from a trailer.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will **not** give a year-to-date report of revenues and expenditures as it is the first of the month.

Elsewhere around the city, employees:

- Treated wastewater to a daily average total suspended solids reading of .68 mg/L.
- Repaired 5 water main ruptures.
- Replaced 17 water meters.
- Unstopped 31 sewer mains.
- Repaired 5 sewer mains.
- Washed 75,000 feet of sewer mains.
- Flushed 36 dead end water mains.
- Treated 130 million gallons of potable water.
- Sold 2,804 gallons of AvGas and 15,868 gallons of JetA fuel.
- Checked out 2,616 items from the library plus 754 eBooks.

- Conducted 30 building inspections, 37 electrical inspections, 25 plumbing inspections, 5 mechanical inspections and issued 30 building permits.
- Responded to 151 animal control calls and achieved an adoption rate of 50%.
- Made 3 felony arrests in the Special Crimes Unit.
- Responded to 2,243 police calls, made 49 arrests, recorded 45 offences, wrote 568 citations, and responded to 47 accidents in the Patrol Division.
- Responded to 175 fire/rescue calls including 1 vehicle fire, 4 structure fires, and 14 grass fires.
- Conducted 36 fire inspections and reviewed 36 pre-fire plans.
- Performed preventative maintenance on 76 fire hydrants.
- Trimmed trees at Veteran's Memorial.
- Began winter maintenance on all equipment.
- Cleaned out entire ditch on Reservoir Street.
- Put up Christmas lights and decorations on Plaza.
- Power washed sidewalks in multiple locations.
- Barricades for Veteran's Day parade.
- Made 3 major street repairs following utility repairs.
- Patched 169 potholes.
- Repaired 2 "Stop" signs.
- Repaired part of the driveway at Fire Station 1 that had caved in.
- Repaired bollard behind Pioneer Cafe.
- Hauled crushed concrete and spread to fill in holes and repair the City's part of the road at Century Lake.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of November 5, 2019; the special City Council meeting minutes of November 12, 2019; the Downtown Revitalization Board meeting minutes of August 12, 2019; the Planning and Zoning Commission meeting minutes of August 19, 2019, the Zoning Board of Adjustments and Appeals meeting minutes of September 17, 2019; and the Economic Development Corporation meeting minutes of October 28, 2019. There was no one to speak to the issue. Mayor Pro Tem Armstrong made a motion to approve the minutes as presented. Councilman Sellers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1184 TO DETERMINE THE CITY DOES NOT PROPOSE TO ANNEX PROPERTY OR TERRITORY THAT IS REQUIRED TO BE IN AN ANNEXATION PLAN OR REQUIRED TO OFFER A DEVELOPMENT AGREEMENT

Community Development Director Niewiadomski presented the staff report. One of the first steps to consider while performing an annexation is to determine what procedures are required to be followed. The first step is to determine whether or not the type of annexation would be exempt from the annexation plan requirements which has a completely different process. Given the characteristics of the properties involved (city owned property) as identified in Exhibit A, staff is of the opinion, that the City will follow the exempt procedure for annexation listed in Chapter 43, Subchapter C-1, of the Local Government Code. Another primary consideration is whether or not the City is required to offer a development agreement which is covered in Section 43.016 of the Local Government Code. A city is required to offer a development agreement to any property appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter. The intent of these development agreements is for the City to agree not to annex a property and allow the continuation of that land use for a specified period of time and the landowner agrees to not develop the property or change the land use. In this case, the property is owned by the City and will not have to offer a development agreement. Therefore, staff concludes that for properties listed in Exhibit A shall be subject to the exempt annexation procedures and will not be required to offer development agreements for any of the properties. 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 ON RESOLUTION NO. 1185 TO SET DATE, TIMES, AND A PLACE FOR PUBLIC HEARINGS ON A PROPOSED ANNEXATION OF CERTAIN PROPERTY

Community Development Director Niewiadomski presented the staff report. Staff was directed to bring forth a proposal for council to consider annexation of the newly city owned property that has been gifted by Luminant. The property under consideration is generally referred to as the Thermo Mine or Luminant property and contains 4,892 acres, save and except 15.59 acres for the railroad and 19.217 acres for FM 1870 with a net acreage of 4,857.591. The area under consideration generally runs between FM 1870 and State Highway 11 to where both roadways intersect and adjacent to city limits. Staff recommends adopting the resolution to set the dates, times, and location of the public hearings. The purpose of the public hearings is to provide persons interested in the annexation an opportunity to be heard. All persons attending the hearings must be given the opportunity to express their views regarding the proposed annexation and the service

plan. 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 the motion and the vote unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1186 APPOINTMENT TO THE HOPKINS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

City Secretary Roberts presented the staff report. The City of Sulphur Springs has one member on the Hopkins County Appraisal District Board of Directors and Bill Watts has been our representative since 2010. His current term on the Hopkins County Appraisal District Board of Directors will expire December 31, 2019. There are no term limits. The new term would be from January 1, 2020 through December 31, 2021. Mr. Watts stated the he would serve another term. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Councilman Sanderson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO ALLOW JETTRIBE CORE WATERCRAFT COMPANY TO HOLD A JET SKI WATERCRAFT EXHIBITION EVENT AT COLEMAN LAKE

City Manager Maxwell presented the staff report. JetTribe would like to hold a jet ski exhibition event at Coleman Lake this coming spring. The event would last 4 to 6 hours during a Saturday probably sometime in May or June. City ordinances disallow the use of combustion motors on Coleman Lake unless approved by the Parks and Recreation Board. This board no longer exists, so staff brings this to the City Council for a determination. There were two representatives from JetTribe to answer any questions. There was a brief discussion. There was no one else to speak to the issue. Councilman Sellers moved to approve the event at Coleman Lake. Councilman Sanderson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BOARD APPOINTMENT TO THE PLANNING AND ZONING COMMISSION

Community Development Director Niewiadomski presented the staff report. The Planning and Zoning Commission is in receipt of a letter of resignation from member Kelly Grimes creating a vacancy. There was no one to speak to the issue. Councilman Sellers moved to table this item. Councilman Taylor seconded and the vote to table was unanimous.

The motion was **tabled**.

DISCUSSION ONLY REGARDING DOWNTOWN PARKING

There was a general discussion with audience participation as well as the City Council offering some suggestions about increasing the downtown parking.

VISITORS AND PUBLIC FORUM

Clay Walker, Jay Julian, Brad Johnson, Tyler Law, Kevin Lowell, Gary Spraggins, Tom Sellers, and John Cooper spoke in favor of the city manager and about the accomplishments over the last twenty (20) to thirty (30) years.

Dinky Weeks and Laura Colbie suggested a teen curfew be put in place as there are many teenagers staying downtown very late.

ADJOURN

With all business complete the meeting was adjourned at 8:31 p.m.