

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

APRIL 6, 2021

7:00 p.m.

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 6:15 p.m. Councilman Moore moved to adjourn to executive session in accordance with Texas Government Code, Title 5, Chapter 551.087, Economic Development, Project Hold Fast and Project Flourish. Councilman Spraggins seconded and the vote was unanimous. There was no one present to speak to the issue.

The following council members and staff were present:

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

Absent: None

Staff: Marc Maxwell, City Manager
Natalie Darrow, Acting City Secretary
Jim McLeroy, City Attorney
Lesa Smith, Finance Director
Tory Niewiadomski, Community Development Director
Jason Ricketson, Chief of Police
James Jordon, Director of Utilities

RECONVENE INTO OPEN SESSION

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:03 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

WHEREAS, Title III of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS, The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, I, JOHN A. SELLERS, Mayor of the City of Sulphur Springs and on behalf of the Sulphur Springs City Council do hereby proclaim the month of April as

Fair Housing Month

in the City of Sulphur Springs and urge all citizens of this locality to become aware of and support the Fair Housing Law.

It is so proclaimed this the 6th day of April 2021.

Mayor Sellers welcomed everyone back to in person meetings. He still suggested us to be cautious, but it is exciting to meet in person again.

MANAGER’S REPORT

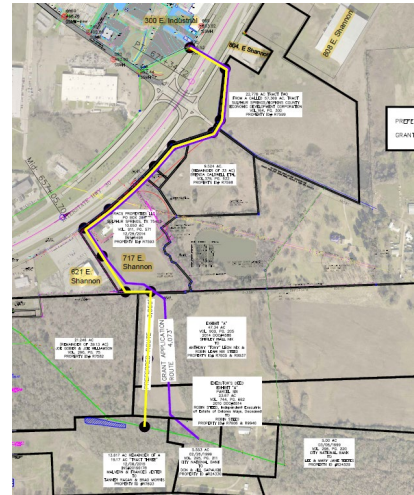
COVID-19 RESPONSE – The number of active cases in Hopkins County decreased since our last meeting with 141 active cases as of April 5th. There are zero patients in the covid unit at the hospital.

GRAYS BUILDING –The framing and the plumbing top-out is finished. Electrical rough-in is complete. HVAC is installed. Insulation and sheetrock are installed. Brick is going up now. The roof is completed on the building, but not the covered area on the north side. Stainless steel furnishings for the kitchen are beginning to arrive. The walls will be painted soon. The Grays building will be open by Juneteenth.

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.

WOODLAWN STREET – Completed.

SAPUTO SEWER MAIN – Construction has finally begun. This \$750,000 sewer project is funded entirely by a grant from the Texas Department of Agriculture. The new main will supplement an older undersized main. The path of the new main begins at Saputo and continues under the interstate. It then continues South for 3,500 feet before connecting to an existing trunk line. The new main has a 15-inch inch diameter. This grant is made possible because of a \$50 million plant upgrade at Saputo and their cooperation with the Texas Department of Agriculture. Without their cooperation this project would not have been possible.



COLLEGE STREET – This will be the next project after the Saputo Sewer Line Project. The concrete crushing operation that will provide much of the road base for College Street is completed. They crushed 15,098 tons of concrete.

CLAIMS – We did not have any liability claims or workers compensation claims in March. We did file a claim on a towing company’s insurer. They were towing our new tow truck when it decoupled causing damage to the truck frame, bed, and body.

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

Elsewhere around the city, employees:

- Responded to 222 fire/rescue calls including 2 structure fires, 5 grass fires and 1 vehicle fire.
- Performed preventative maintenance on 82 fire hydrants.
- Pressure washed sidewalks downtown.
- Cleaned Hopkins County Veterans Memorial waterfall wall.
- Repaired multiple leaks in parks facilities due to the freeze.
- Served 3,658 meals at the Senior Citizens Center.
- Hosted a 53-team baseball tournament.
- Conducted 42 building inspections, 17 electrical inspections, 11 plumbing inspections 2 mechanical inspections and issued 37 building permits.
- Repaired 27 streets following utility repairs.
- Repaired 684 potholes.

- Replaced 1 stop sign and 3 street signs.
- Swept the streets (contractor).
- Repaired a drainage problem on Carter Street.
- Dug out the ditch between Carter and Lamar.
- Installed 840' of drainage pipe in Pacific Park.
- Replaced curb & gutter at WA & Beckham, Weaver & Patton, 211 Beckham, and Beckham & Beckworth in preparation for the Street Improvement Program (Summer Paving Program).
- Cement-stabilized and replaced part of Reservoir Street after the freeze (contractor).
- Ordered a new generator for P.D. (grant funded)
- Designed installation for generator at City Hall.
- Repaired raw water pump at Cooper Lake pump station.
- Repaired scoreboard on field #2 at Coleman Park.
- Installed a fuel pump at the airport.
- Repaired water leak at the Police Department and the animal shelter.
- Performed preventative maintenance on various items at the wastewater treatment plant.
- Treated wastewater to a daily average total suspended solids reading of .51 mg/L.
- Repaired 8 water main ruptures.
- Replaced 21 water meters.
- Unstopped 37 sewer mains.
- Repaired 8 sewer mains.
- Treated 137 million gallons of potable water.
- Flushed 36 dead end water mains.
- Made repairs to 1-million-gallon clearwell.
- Installed a variable frequency drive on the air compressor at the water treatment plant.
- Sold 3,752 gallons of AvGas and 14,436 gallons of JetA fuel.
- Accommodated 1,811 airport operations (landings or takeoffs).
- Responded to 215 animal control calls and achieved an 86% adoption rate.
- Made 4 felony arrests in the Special Crimes Unit.
- Responded to 54 accidents, recorded 51 offences, made 51 arrests, and wrote 576 citations in the patrol division.
- Checked out 2,729 items from the library.



DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of February 2 and March 2, 2021; the special Planning and Zoning Commission meeting minutes of January 19, 2021; the Zoning Board of Adjustments and Appeals meeting minutes of January 19, 2021; and the Economic Development Corporation meeting minutes of January 25, 2021. There was no one to speak to the issue. Councilman Aguilar made a motion to approve the minutes as presented. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON INDEPENDENT AUDIT FOR FISCAL YEAR 2019-2020

Kirk Evans of K. Evans & Associates made the presentation and reviewed the audit for the City Council. Councilman Aguilar complimented Finance Director Smith and her staff for an excellent job. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the audit as presented. Councilman Nash seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1229 APPROVING A 380 AGREEMENT FOR PROPERTY LOCATED AT 207 WEST ROSS STREET

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs considers the use of economic development incentives to promote new development and redevelopment where it can be demonstrated that an increase in tax revenue can be reasonably expected and the overall quality of life of the people who live or work in the City can be improved. The City's policy is to promote projects that can do any one of the following: improve the City's infrastructure, increase ad valorem or sales tax revenue, ensure high quality, well planned developments, and job creation. It appears that the merits of this request meet a number of goals listed in the 380 policy as it is expected to increase ad valorem tax revenue and will provide momentum in revitalization efforts by improving the quality of life in the area. There was a brief discussion. There was no one to speak to the issue. Councilman Aguilar moved to approve the resolution as presented. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1230 APPROVING A 380 AGREEMENT FOR PROPERTY LOCATED AT 209 WEST ROSS STREET

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs considers the use of economic development incentives to promote new development and redevelopment where it can be demonstrated that an increase in tax revenue can be reasonably expected and the overall quality of life of the people who live or work in the City can be improved. The City's policy is to promote projects that can do any one of the following: improve the City's infrastructure, increase ad valorem or sales tax revenue, ensure high quality, well planned developments, and job creation. It appears that the merits of this request meet a number of goals listed in the 380 policy as it is expected to increase ad valorem tax revenue and will provide momentum in revitalization efforts by improving the quality of life in the area. There was a brief discussion. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to approve the resolution as presented. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1231 APPROVING A 380 AGREEMENT FOR PROPERTY LOCATED AT 613 LAMAR STREET

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs considers the use of economic development incentives to promote new development and redevelopment where it can be demonstrated that an increase in tax revenue can be reasonably expected and the overall quality of life of the people who live or work in the City can be improved. The City's policy is to promote projects that can do any one of the following: improve the City's infrastructure, increase ad valorem or sales

tax revenue, ensure high quality, well planned developments, and job creation. It appears that the merits of this request meet a number of goals listed in the 380 policy as it is expected to increase ad valorem tax revenue and will provide momentum in revitalization efforts by improving the quality of life in the area. There was a brief discussion. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to approve the resolution as presented. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1232 APPROVING A 380 AGREEMENT FOR PROPERTY LOCATED AT 202 WEST BECKHAM STREET

Community Development Director Niewiadomski presented the staff report. The City of Sulphur Springs considers the use of economic development incentives to promote new development and redevelopment where it can be demonstrated that an increase in tax revenue can be reasonably expected and the overall quality of life of the people who live or work in the City can be improved. The City's policy is to promote projects that can do any one of the following: improve the City's infrastructure, increase ad valorem or sales tax revenue, ensure high quality, well planned developments, and job creation. It appears that the merits of this request meet a number of goals listed in the 380 policy as it is expected to increase ad valorem tax revenue and will provide momentum in revitalization efforts by improving the quality of life in the area. There was a brief discussion. There was no one to speak to the issue. Harold Nash moved to approve the resolution as presented. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR SEWER LINE BORE FOR CDBG GRANT PROJECT #7218042 (SAPUTO)

Finance Director Smith presented the staff report. Staff published notices in the paper on January 27, 2021, February 3, 2021 and February 27, 2021 and emailed notices to 28 potential bidders. The bid opening was originally scheduled to take place on February 19th but was rescheduled because of the winter storm. Addenda were issued to all known plan holders of the date change. The City held bid openings on March 11, 2021. Five contractors responded to the bid invitation. Staff, along with the grant administrator for the project, Ark-Tex COG, has reviewed the lowest bid submitted by D&D Pipeline of Longview, Texas, and contacted references for the contractor and recommends approval. D&D Pipeline performed the work for the sewer expansion at Saputo that is being used as match for the project. The contractor will be responsible for boring 320 feet of sewer main under I-30 and installing manholes and completing the connections on each side of I-30. This part of the project is one of two items being contracted out, all other work will be

performed by the City’s Capital Construction department. This \$750,000 grant has no out of pocket cost for the City. Saputo’s recent expansion serves as the match for the project.

Consideration:

CDBG Capital Fund Grant - Sewer Line Bore - Bid Tabulation Summary					
	D&D Pipeline	John Wright Construction	Kampco, Inc.	Larrett Inc.	Belt Construction
Sewer Line Bore	\$166,000.00	\$ 174,758.00	\$273,512.80	\$297,230.00	\$ 417,084.00

There was no one to speak to the issue. Councilman Spraggins moved to accept the bids and award the contract to D&D Pipeline. Councilman Julian seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1234 NAMING PATRICIA LANE

The owner of Connally Corners, Pat Chase, would like to name the small alley after his wife, Patricia Chase. The alley currently has no name on the plat. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the resolution as presented. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1235 ESTABLISHING A PAYMENT PLAN FOR UTILITY CUSTOMERS AFFECTED BY THE COVID-19 PANDEMIC

Finance Director Smith presented the staff report. The City has ceased the practice of applying penalties and disconnecting service on utility accounts throughout the COVID-19 pandemic. This resolution resumes the penalty and disconnection process and establishes a payment plan option for those accounts that have fallen behind. Under this resolution, customers will be required to establish a plan before May 7, 2021 and will have to pay 1/12 of their past due balance in addition to their current utility bill each month thereafter. During the month of April, a notice will be mailed out to all customers that have past due balances explaining what their payment options are. As of March 17, 2021, there are over 700 accounts with past due balances with a total of \$181,116 due to the City for utility services provided. There was a lengthy discussion. There was no one else to speak to the issue. Councilman Spraggins moved to amend the resolution up to 1/24th of the past due amount plus the current bill and have until June 7, 2021 to establish

a payment plan agreement with the City of Sulphur Springs. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION AND PUBLIC COMMENT ON RESOLUTION NO. 1236 AUTHORIZING SUBMISSION OF A TEXAS COMMUNITY BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE (CD FUND); AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE

At the January 21, 2021 Special City Council meeting, Council selected KSBR, LLC to provide administrative services for a grant submission for the 2021-2022 TxCDBG Community Development Block Grant. After consulting with KSBR, staff has decided that Randolph St. is the project most likely to qualify for grant finding at this time. If funded, this project will include replacement of water and sewer lines, construction of a concrete street, and drainage rehabilitation. This resolution authorizes the City Manager to execute the grant application before the May 3, 2021 deadline. Maximum grant award is \$350,000 with a 20% match, meaning the City is responsible for funding at least \$87,500 of the project. There was no one to speak to the issue.

Councilman Spraggins moved to approve the Resolution as presented. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ORDINANCE NO. 2778, A ZONING REQUEST BY OWNERS DONNIE AND ALLEN WISENBAKER FOR PROPERTY LOCATED AT NORTHWEST ROCKDALE ROAD AND HIGHWAY 19 FROM SINGLE FAMILY TO HEAVY COMMERCIAL

Community Development Director Tory Niewiadomski presented the staff report. The applicant is proposing to rezone the property to Heavy Commercial to accommodate existing uses and future uses along the Highway 19 corridor and consist of two tracts of land. There was no one to speak to the issue.

Councilman Aguilar moved to approve the Ordinance on the first reading. Mayor Pro Tem seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ACCEPTING A PROPOSAL FOR STREETLIGHT AUDIT SERVICE

Finance Director Smith presented the staff report. The City of Sulphur Springs has at least 1,147 streetlights in the City that we pay electricity on each month. The City pays for the electricity based on the type of light and Oncor is responsible for maintaining each light. This item proposes that we contract with evSolar Energy, LLC to review our street light inventory with services to include a physical field audit, mapping, auditing billings for underbillings or overbillings, and work with the utility to obtain any refunds that may be owed to the City. There is no fee due or payable to the consultant for services rendered if there are no refunds or credits obtained. If the City does obtain a refund or credit, the consultant will receive 45% of that amount. There was a brief discussion. There was no one else to speak to the issue.

Mayor Pro Tem moved to approve the proposal as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ORDINANCE NO. 2779 RESTRICTING PARKING IN THE 200 BLOCK OF TOMLINSON STREET

City Manager Maxwell presented the staff report. We are beginning to experience congestion problems in the 200 block of Tomlinson Street caused by parking. Vehicles are parking in front of a dumpster on the north side of the street near the west end of the street preventing a dumpster from being emptied. Vehicles are also parking on the south side of the street making it difficult for trash trucks to pass. If it is difficult for a trash truck to pass, then it is also difficult for a fire truck to pass. This ordinance addresses both issues. There was no one to speak to the issue.

Councilman Aguilar moved to approve the Ordinance on the first reading. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1237 AGREEING TO GRANT AN EASEMENT TO ONCOR ELECTRIC DELIVER LLC AT COLEMAN PARK

Community Development Director Tory Niewiadomski presented the staff report. Oncor Electric Delivery Company LLC is requesting an easement to upgrade their facilities at the NW Corner of Coleman Park to support development across Main Street (Business 67). This will require setting a new pole and guy wire to connect to the existing Oncor transmission line on the south side of Main Street. It will include a 10' x 60' area along Main Street and a 10' x 20' area perpendicular to Main Street for a guy wire support.

This easement would be on the west side of the parking lot area at Coleman Lake. The City may have existing utilities within the proposed easement area. There was no one to speak to the issue.

Councilman Julian moved to approve the Resolution as presented. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PURCHASE OF A USED DUMP TRUCK FOR THE UTILITIES DEPARTMENT

Director of Utilities Jordon presented the staff report. The City's Collection and Distribution Division of the Utilities Department is requesting permission to purchase a dump truck for the sum of \$59,000. This truck has 370,000 miles and is a 2006 model. There was no one to speak to the issue.

Councilman Julian moved to approve the purchase. Mayor Pro Tem seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1238 APPROVING RULES FOR THE ELECTRONIC RECEIPT OF BIDS AND PROPOSALS

Finance Director Smith presented the staff report. Increasingly over the past few months, we have received requests or inquiries accepting bids and proposals electronically. At this time, we are not able to do so. Establishing rules for the acceptance of bids and proposals electronically, in addition to the procurement of software that abides by those rules, will open up the opportunity to potentially receive more submissions, thus making our bids more competitive. Staff is currently viewing and discussing e-bid software with vendors at this time. Some options are based on an annual subscription and some charge per bid or proposal. These rules have been drafted to meet the requirement of Texas Local Government Code Chapter 252, Section 252.0415(a) which states that "A municipality may receive bids or proposals under this chapter through electronic transmission if the governing body of the municipality adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time." Staff plans to request bids on the pre-engineered structure for the new Senior Citizens Center within the next couple of months. By establishing these rules, and using an e-bid software, staff, along with the Construction Manager Advisor for the project, expects a more competitive bid. There was no one to speak to the issue.

Councilman Moore moved to approve the Resolution as presented. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

ACTION ON EXECUTIVE SESSION ITEM

Councilman Moore moved to authorize the City Manager to proceed in negotiations with Project Flourish and Project Hold Fast. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Patricia Morgan, 400 East Ross, representing the Juneteenth Committee, approached the City Council about using Prince Beachum's name somewhere in Pacific Park.

ADJOURN

With all business complete the meeting was adjourned at 8:16 p.m.