

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

**December 7, 2021**

**7:00 p.m.**

Mayor John A. Sellers called the regular session of the City Council to order at 6:35 p.m. Councilman Julian moved to adjourn into executive session. Councilman Spraggins seconded and the vote was unanimous. An executive session was held at 6:36 p.m. in accordance with Texas Government Code, Title 5, Chapter 551, Section 551.087, Economic Development, Project Superman.

The following council members and staff were present:

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

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Jim McLeroy, City Attorney  
Lesa Smith, Assistant City Manager/Finance Director  
Tory Niewiadomski, Assistant City Manager/CD Director  
Gordon Frazier, Assistant City Manager/HR Director  
Jason Ricketson, Chief of Police  
Natalie Darrow, Administrative Assistant  
Roger Feagley, Executive Director of EDC-6 p.m.  
Nate Smith, Smith & Smith Law Firm

**RECONVENE INTO OPEN SESSION**

Mayor Sellers reconvened 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 City Attorney McLeroy.

**ADMINISTER OATH OF OFFICE TO NATE SMITH, CITY ATTORNEY AND NATALIE DARROW, CITY SECRETARY BY GALE ROBERTS, CITY SECRETARY**

City Secretary Gale Roberts administered the Oath of Office of City Attorney to Nate Smith. Mr. McLeroy will be retiring at the end of December 2021. City Secretary Gale Roberts administered the Oath of Office of City Secretary to Natalie Darrow. Mrs. Roberts will be retiring at the end of December 2021.

**PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS**

Councilman Aguilar thanked everyone from the city and county that attended the to the UPRA Finals. It was a great success.

Mayor Sellers publicly thanked our retiring city attorney, Jim McLeroy for his service to the community and advice to the council and wished him well in his endeavors. He publicly thanked the city secretary, Gale Roberts for her service to the city, the council, and the city manager. He wished her well. He further explained to them both that they are always welcome at the city.

City Manager Maxwell added that Jim McLeroy is a very good attorney but is valued beyond the courtroom. He is a counselor and a friend and is really appreciated. He explained behind every man is a good woman and he has two, his wife and Gale Roberts. He has been working with Mrs. Roberts for 17.5 years and she has always picked him up and supported him. She is a most competent city secretary and thanked her.

**MANAGER’S REPORT INCLUDES A STATUS REPORT OF CAPITAL IMPROVEMENTS, MUNICIPAL OPERATIONS, ACCIDENTS AND CLAIMS FOR THE MONTH, AND A REVIEW OF EXPENDITURES AND REVENUES**

**COVID-19 RESPONSE** – The Delta variant wave of Covid-19 declined for several months, but now the trend seems to have turned around. The number of active cases in Hopkins County fell from 122 to 44 in November, but quickly rebounded to 65. The number of Covid cases at the hospital also dropped to 2 in November but then rebounded to 9 as of the writing of this report.

**CLAIMS** – We did not have any liability claims in November. We did incur one minor workers compensation claim. A police officer sustained injuries while trying to pen a bull in the 300 block of League Street.

**SENIOR CITIZENS BUILDING** – We are in the process of applying for a grant to enlarge the building. The Texas Department of Housing and Community Affairs recently announced a grant program called the Texas Community Resiliency Program that will award grants between \$500 thousand and \$5 million for qualifying projects. Senior citizen centers are specifically called out as a qualifying project.

**SAPUTO SEWER MAIN** – Everything is done except the final inspection.

**COLLEGE STREET** – Work has begun on the project. The Capital Construction Division has installed a new sewer main and new water main between Oak and Jackson. Next, they will construct a small drainage component and then the project will progress to the east. We will advertise for bids for construction of the concrete street this winter.

**REVENUES AND EXPENDITURES** – Finance Director Lesa Smith will present a report of year-to-date revenues and expenditures.

**RUNWAY/TAXIWAY REHAB** – This \$1.9 million project is in progress. We are getting close.

**STREET IMPROVEMENT PROGRAM** – Two Street segments remain: More delays from Texana Land and Asphalt. We still lack League and Lee Streets. Woodbridge Crossing is in progress.

2021 SIP		
Street	Segment	Length
Austin	Davis to Brinker	565
Beckham	Oak to Elm	3,379
Duckworth	Mockingbird to Broadway	1,250
Gena	Cul de Sac to end	1,130
League	Bellview to Pampa	3,131
Lee	Davis to Broadway	1,901
N. Davis	Houston to Bonner	675
Patton	College to Weaver	950
Phyllis Ct.	College to Cul de Sac	950
Texas	Tate to Lee	2,772
Texas	Lee to Industrial	1,188
Woodbridge Crossing	Various	500
<b>Total Linear Feet</b>		<b>19,391</b>

<b>Total Miles</b>	<b>3.67</b>
<b>Total Cost</b>	<b>\$1,152,098</b>
<b>Street Maintenance Fee Revenue</b>	<b>\$502,000</b>

Elsewhere around the city, employees:

- Checked out 2,588 items from the library.
- Made lighting system repairs downtown and strung ‘zillions’ of Christmas lights in preparation for the holiday season.
- Repaired runway lights at the airport.
- Cleaned and repaired several apparatuses at the wastewater treatment plant.
- Treated wastewater effluent to a daily average total suspended solids (TSS) count of 0.55 mg/L. Our limit is 12 mg/L.
- Repaired 12 water main ruptures.
- Replaced 13 water meters.
- Unstopped 23 sewer mains.
- Washed 75,000 feet of sewer mains.
- Made 4 new sewer taps.
- Treated 145 million gallons of potable water.
- Flushed 36 dead end water mains.
- Repaired 228 potholes.
- Made 3 major street repairs following utility repairs.
- Demolished a structure at 514 Woodlawn.
- Made preparations to improve drainage system on Hinnant/MLK.
- Responded to 163 animal control calls while achieving an 88% adoption rate.
- Made 3 felony arrests in the Special Crimes Unit.
- Responded to 2,079 calls for police including 39 accidents, wrote 400 citations, recorded 48 offenses, and made 48 arrests in the patrol division.
- Trimmed downtown trees.
- Put up Thanksgiving and Christmas banners.
- Made repairs at Kids Kingdom.
- Hosted 1 baseball tournament.
- Trimmed trees at the soccer complex.
- Pressure washed sidewalks at Coleman Park.
- Installed security lighting at the north parking lot at Coleman Lake.

- Responded to 213 calls for fire/rescue including 1 vehicle fire.
- Performed preventative maintenance on 79 fire hydrants.
- Performed 15 fire inspections.
- Sold 1,751 gallons of AvGas and 7,968 Gallons of JetA fuel.
- Conducted 23 building inspections, 13 electrical inspections, 10 plumbing inspections, 10 mechanical inspections and issued 28 building permits.

Councilman Julian asked if there is anything the council should be concerned with if the inflation rate continues to rise. Assistant City Manager/Finance Director Smith assured the council that they are keeping a close eye on it and considered inflation while compiling the budget. At some point we may have to do a budget amendment or fee increases on the water and sewer side.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the City Council regular meeting minutes of November 2, 2021; the City Council special meeting minutes of November 12, 2021; Downtown Revitalization Board meeting minutes of October 12, 2021; the Economic Development Corporation regular meeting minutes of October 25, 2021; Resolution No. 1276 for a 380 Agreement for property located at 307 West Beckham Street; Resolution No. 1277 for a 380 Agreement for property located at 309 West Beckham Street; Resolution No. 1278 for a 380 Agreement for property located at 311 West Beckham Street; Resolution No. 1279 for a 380 Agreement for property located at 312 West Beckham Street; Resolution No. 1280 for a 380 Agreement for property located at 623 Putman Street; Resolution #1281 for a 380 Agreement for property located at Fuller Street and Como identified as Parcel #R3911; and Resolution #1282 for a 380 Agreement for property located at 207 Calvert Street. Councilman Julian moved to approve the consent agenda except for Resolution No. 1280 and Councilman Taylor Seconded. Mayor Pro Tem Moore made a motion to amend the 380 Agreements to state that the city does not own these properties. Councilman Julian seconded. The vote was unanimous on the amendment to the motion as well as the original motion as amended.

**The motion carried.**

**DISCUSSION/ACTION ON A PUBLIC HEARING FOR THE SECOND AND FINAL READING OF ORDINANCE NO. 2794, ESTABLISHING A NO PARKING ZONE BETWEEN SOUTH BROADWAY AND MOCKINGBIRD LANE ON THE SOUTH SERVICE ROAD**

Chief of Police Ricketson presented the staff report. As the restaurant area continues to expand on East Shannon Road, so have the parking issues. Vehicles are continually parking on the south side of the roadway on East Shannon Road between South Broadway and Mockingbird Lane. Most of these vehicles park between the entrances and

exits of these restaurants. This creates an obstruction of view and safety issue for vehicles leaving these establishments. If passed, this ordinance will be forwarded to the Texas Department of Transportation to have the **No Parking** signs erected at the expense of the city. There was no one else 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.

**Motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1273 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. Please consider appointing Koby Long to the Hopkins County Appraisal District Board of Directors. The term would be January 1, 2022, through December 31, 2023. There was no one to speak to the issue. Councilman Julian moved to approve the resolution as presented. Mayor Sellers seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION #1283 TEXAS OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT PARTICIPATION**

Assistant City Manager/Finance Director Smith presented the staff report. This was discussed during a previous executive session. There was no one else to speak to the issue. Mayor Pro Tem Moore moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON A PLAT REQUEST BY RAMACHANDRA YENNAM FOR PROPERTY LOCATED AT THE END OF LIVE OAK AND CADI LANE AND MARIANNE CIRCLE CONSISTING OF 9.31 ACRES OF LAND INTO 39 SINGLE FAMILY LOTS**

Assistant City Manager/Community Development Director Niewiadomski presented the staff report. The property is located at the end of Live Oak and Cadi Lane and Marianne Circle and includes 9.31 acres of land. The applicant is proposing to subdivide the property into 39 lots for single family residential development along public street extensions of Marianne Circle, Live Oak, and a new street called Rams Drive. The property is zoned SF-6 (single family residential).



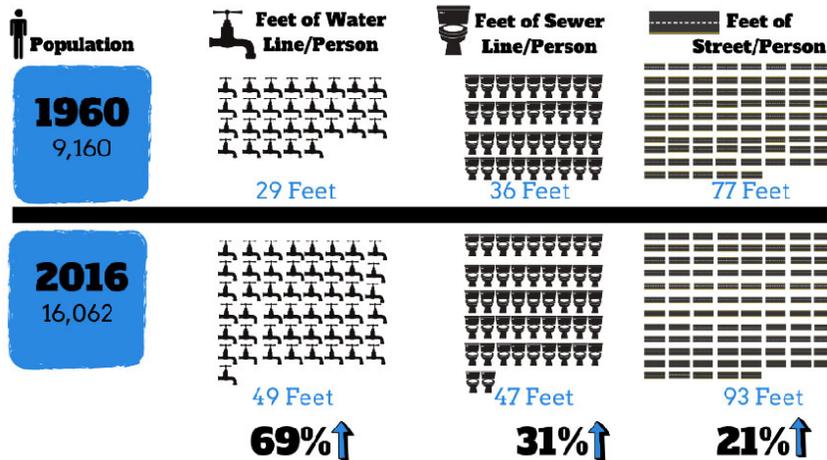
All of the lots meet the minimum dimensional requirements of 6,000 square feet, with 50' of frontage and 90' depth. Lots range from 6,000 square feet to 23,244 square feet. Part of this development includes replatting 4 lots (Lots 4-7, Block 3, A.D. Patterson addition). Although those lots were previously platted, they were never improved with streets or utilities dedicated to the city. This plat replaces or "replats" those lots with the following: (Lots 5R, 6R, 7R, 12R, and partially 13R). The developer will install approximately 1,690 linear feet of a 28' concrete street with laydown curb and standard 50 feet of right-of-way running through the property. There will be approximately 1,520 linear feet of new public water (6") and approximately 1,100 feet sewer main (6") to serve the development within the road right-of-way. The drainage for this project is split into three different areas with two detention ponds to handle stormwater runoff. The City Engineer has reviewed the plans and has found the utilities and drainage for this development to be acceptable. There was no one else to speak to the issue. Councilman Aguilar moved to approve the plat request as presented contingent on the execution of a community facilities contract. Mayor Pro Tem Moore seconded and the vote was unanimous.

**Motion carried.**

**DISCUSSION/ACTION ON RESOLUTION #1274 AMENDING THE 380 POLICY**

Assistant City Manager/Community Development Director Niewiadomski presented the staff report. The Infill Housing Program was initially adopted in August of 2020. To date, 29 agreements have been granted with 7 more pending City Council approval. The program has exceeded staff's expectations and has created a lot more interest from the public in doing projects within the city. Since its adoption, there have been numerous inquiries for projects other than single family homes such as duplexes or even quadplexes (4-unit homes). However, they are not eligible at this time due to the restriction to single family homes through the program. Staff has informed City Council about the

infrastructure and housing challenges over the past couple of years.



The big takeaway is that over the past 50 years, our infrastructure network has significantly expanded, and our population has not expanded at the same rate of infrastructure, which puts a higher burden per capita on maintaining the system today than it did 50 years ago. Due to the success of the housing infill program, staff is proposing to expand the use of the program to include duplexes up to quadplexes for eligibility. The more residents we can have taking advantage of the existing infrastructure means that lots can be put back into productive use and provide more revenue to the city tax base without having to build and maintain new roads while diversifying and adding more housing stock in the city. Staff mentioned in a prior presentation that some of the most financial productive properties to the City are those on smaller lot sizes. An example of this was a quadplex project on 0.4 acres that has a taxable value of nearly \$550,000 which is worth more than \$1.3 million per acre. In addition, that property pays 4 utility bills with street maintenance fees compared to a single-family home on a 0.4-acre lot. There was no one else to speak to the issue. Councilman Spraggins moved to approve the resolution as presented. Mayor Pro Tem Moore seconded and the vote was unanimous.

**Motion carried.**

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT/LICENSE FOR AN AGRICULTURAL LAND LEASE FOR THERMO PROPERTY SITE A AND AUTHORIZING THE CITY MANAGER TO SIGN THE LICENSE AGREEMENT**

Assistant City Manager/Finance Director Smith presented the staff report. At the direction of the City Manager, the lease for the largest portion (1,007 acres) of leasable land at the Thermo Property was opened for the acceptance of sealed bids. The lease had previously been renewed on an annual basis for the past two years. The tenant and cost had remained the same as before the City became the owner of the property. Staff placed bid notices in the News Telegram, posted the bid specification on the website and sent

emails to known prospective bidders. Bids were opened on November 30th in the City Hall Council Chambers. We received 7 bids as follows:

Bidder Name	Legends Cattle Company	Trinity Cattle Company	Chip Brown	Robert M. Self	Koby Ivey	3 Timbers Cattle Company	Jonah Massey
Bid Price Per Acre	\$25.00	\$30.00	\$40.50	\$45.70	\$46.00	\$61.00	\$62.00
Total Annual Lease	\$25,175.00	\$30,210.00	\$40,783.50	\$46,019.90	\$46,322.00	\$61,427.00	\$62,434.00

The current lease was for \$19.00 per acre for a total of \$18,221. This new lease would be an increase in revenue of \$44,213. The term of this license shall be for one (1) year commencing on January 1, 2022 and ending on December 31, 2022. License may be extended on an annual basis with the approval of the City Council of the City of Sulphur Springs. There was a brief discussion. Mayor Pro Tem Moore made a motion to award the contract to Jonah Massey, DBA Stargate Farms and authorize the City Manager to sign an agricultural license agreement. Councilman Julian seconded and the vote was unanimous.

**Motion Carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 1284 APPROVING THE SELECTION OF A FIRM TO PROVIDE APPLICATION PREPARATION AND CONTRACT IMPLEMENTATION SERVICES FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) COMMUNITY RESILIENCY PROGRAM (CRP) GRANT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT**

Mayor Sellers asked to recuse himself from the discussion and vote and left the chambers. Assistant City Manager/Finance Director Smith presented the staff report. TDHCA has announced a \$38 million grant program called the Community Resiliency Program (CRP). Senior citizen centers are specifically identified as eligible projects. The city is preparing to apply for this grant. Applications are due January 19, 2022, and the city will need to hire a grant consultant to provide application preparation and contract implementation services. Proposals were submitted by KSBR, Langford Community Management Services and Taylor & Associates. A committee composed of Mayor Pro Tem Doug Moore, the city manager, and two assistant city managers evaluated the proposals and selected KSBR as the best candidate. The expense of grant administration services will be paid by the grant. City Manager Maxwell explained the funding process and increasing material prices for expanding the size of the building. Councilman Julian had additional questions and concerns in reference to the bid fees and qualifications of the proposals submitted. There was a brief discussion. Councilman Aguilar made a motion to approve the selection of KSBR to provide the grant application preparation and implementation and authorizing the city manager to enter into an agreement. Councilman Julian seconded and the vote was as follows:

**AYES:** Julian, Nash, Aguilar, Taylor, Spraggins, Moore  
**NAYS:** None  
**ABSTAIN:** Sellers

**Motion Carried.**

**DISCUSSION/ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS**

None.

**VISITORS AND PUBLIC FORUM**

Jeannie Perkins wished to announce the Main Street Theater grand reopening on January 14 and 15, 2022 at 6:30 p.m.

**ADJOURN**

With all business complete the meeting was adjourned at 7:48 p.m.