

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

JANUARY 3, 2017

7:00 p.m.

Mayor Emily Glass called the regular meeting of the Sulphur Springs City Council to order at 6:32 p.m. Councilman Walker moved to adjourn to executive session in accordance with Texas Government Code, Title 5, Chapter 551.071, Consultation with Attorney regarding Pending Litigation. Councilman Johnson seconded. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

Mayor Emily Glass
Mayor Pro Tem Clay Walker
Councilman Craig Johnson
Councilman Oscar Aguilar
Councilman Freddie Taylor
Councilwoman Kayla Price-Mitchell
Councilman John Sellers

Absent: None

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Peter Karstens, Finance Director – 7P
Gordon Frazier, Director Human Resources – 7P
Russ Nuss, Director of Public Works – 7P
Joey Baker, Airport/Tourism Director – 7P

RECONVENE

Mayor Glass reconvened the meeting into open session at 7:05 p.m.

PLEDGE AND INVOCATION

Mayor Glass led in the pledge of allegiance to the United States Flag, the Pledge to the Texas Flag, and Councilwoman Price-Mitchell led the invocation.

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Dave Graves, GHS, Ltd., presented an analysis of the statistics generated between 10/06/14 – 10/05/15 when the city was using for collection MVBA/InCode and 10/06/15 – 10/05/16 collecting with GHS/Net Data. GHS is happy to announce that the Municipal Court has increased revenue by more than \$296,000 since migrating to GHS/Net Data services. He reviewed the caseload, delinquent collections, gross and net profit, and thanked the City of Sulphur Springs for their support and business. He hopes this is only the beginning of a long and extremely effective partnership.

City Attorney Jim McLeroy reminded everyone of the Law Enforcement Appreciation dinner at the Civic Center January 12, 2017 beginning.

Mayor Emily Glass reminded everyone that Guaranty Bank will have an open house for Dr. Ray Keck next Monday from noon until 1P. Dr. Keck is the new president of A & M Commerce.

Councilman Taylor stated the Martin Luther King Jr. Awards ceremonies will be conducted at Morning Chapel Baptist Church this coming Monday beginning at 7P with Dr. Kenneth “Rock” Clinton as the guest speaker.

MANAGER’S REPORT

BILL BRADFORD ROAD - Now that the holiday season is over, we have closed Bill Bradford Road from Carter Street eastward. The pace of progress should pick up once again.

DAVIS/TOMLINSON PARKING LOT – The parking lot is finished.

LOCUST STREET - The Capital Construction Division is about 50% done replacing the water main from Bellview Street to the KCS railroad tracks. The sewer main has already been replaced. We recently hired a contractor to bore under the railroad for water and sewer improvements, and we expect that to happen this month. Atmos is currently replacing the gas main.

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

WASTEWATER TREATMENT PLANT - Total suspended solids (TSS) came in at 3.14 mg/L, well within the limit of 15 mg/L.

REVENUES AND EXPENDITURES – Finance Director Peter Karstens will not present a year-to-date summary of revenues and expenditures this month since this is the first workday of the month and we don’t have any numbers to share yet.

Elsewhere around the city, employees:

- Sold 980 gallons of AvGas and 6,000 gallons of JetA fuel.
- Checked out 2,243 items from the library.
- Responded to 142 fire/rescue calls including 3 structure fires.
- Performed preventative maintenance on 84 fire hydrants.
- Replaced 14 street signs.
- Responded to 136 animal control calls, achieving an adoption rate of 34%.
- Made 2 arrests in the special crimes unit.
- Recorded 68 offences, made 51 arrests, wrote 568 citations and responded to 39 accidents.
- Performed preventative maintenance/repairs on several items at the water treatment plant and wastewater treatment plant.
- Repaired 16 water main ruptures.
- Replaced 10 water meters.
- Unstopped 38 sewer mains.
- Repaired 13 sewer mains.
- Washed 75,000 feet of sewer mains.
- Smoke-tested 3 segments of sewer mains.
- Flushed 36 dead-end water mains.
- Inspected water towers and clear wells.
- Replaced motors on #2, #3, and #5 Lake Sulphur Springs water pumps.
- Continued to pump from Lake Sulphur Springs rather than Cooper Lake while divers clean out the intake structure.
- Conducted 22 building inspections, 12 electrical inspections, 20 plumbing inspections and issued 14 building permits.
- Patched 157 potholes.
- Replaced 3 stop signs.
- Held Christmas festivities on Celebration Plaza.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of December 6, 2016; the Downtown Revitalization Board meeting minutes of December 13, 2016; and the Planning and Zoning Commission meeting minutes of December 19, 2016. There was no one to speak to the issue. Councilman Johnson made a motion to approve the minutes as presented. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2694, A REQUEST TO REZONE PROPERTY LOCATED AT THE MUNICIPAL AIRPORT

Over the years the City has purchased several lots around the Municipal Airport. The City is requesting to rezone these properties to Light Industrial which is the same zoning as the Airport property. This is in preparation to replat the properties into a single Municipal Airport boundary. There was no one to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Mayor Pro Tem Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2695, AN ORDINANCE PROVIDING FOR THE ONCOR FRANCHISE AGREEMENT WITH THE CITY OF SULPHUR SPRINGS, TEXAS

City Attorney McLeroy presented the staff report and was available to answer any questions as well as ONCOR representative, Larry Willis. This agreement is similar in form with the agreements used in almost all other ONCOR cities. It represents a continuance of the current operating regime, and is in force for twenty (20) years. There was no one to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2696, ONCOR UNDERGROUNDING, NOTICE OF INTENT FOR TOMLINSON STREET

City Manager Maxwell presented the staff report. This ordinance would require ONCOR to place electric utilities underground on the 300 block of Tomlinson Street. ONCOR would recover the cost by charging electric customers in Sulphur Springs a monthly fee. There was no one else to speak to the issue. Councilman Sellers moved to adopt the ordinance on the second and final reading. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2697, AN ORDINANCE AUTHORIZING THE EXECUTION OF THAT SPECIAL WARRANTY DEED CONVEYING CERTAIN PROPERTY OF THE CITY OF SULPHUR SPRINGS, TEXAS, TO BERNARD B. BEERS

City Attorney McLeroy presented the staff report. The City Council previously approved ordinance Nos. 2684 and 2685 which approved the conveyance of the same property for a value of \$7,000.00 per parcel. However, the purchasers' objected to the valuation as being far more than the appraised value of adjacent property. On re-evaluation, the tax appraisal office agreed that the lower value of \$3,000.00 per parcel was more appropriate. The City is required to receive fair market value for the property. Based on the reconsideration of the value of the abandoned alley, staff now believes that \$3,000.00 per tract fairly represents the value of the property. There was no one else to speak to the issue. Mayor Pro Tem Walker moved to adopt the ordinance on the second and final reading. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2698, AN ORDINANCE AUTHORIZING THE EXECUTION OF THAT SPECIAL WARRANTY DEED CONVEYING CERTAIN PROPERTY OF THE CITY OF SULPHUR SPRINGS, TEXAS, TO CLAY PRICE

City Attorney McLeroy presented the staff report. The City Council previously approved ordinance Nos. 2684 and 2685 which approved the conveyance of the same property for a value of \$7,000.00 per parcel. However, the purchasers objected to the valuation as being far more than the appraised value of adjacent property. On re-evaluation, the tax appraisal office agreed that the lower value of \$3,000.00 per parcel was more appropriate. The City is required to receive fair market value for the property. Based on the reconsideration of the value of the abandoned alley, staff now believes that \$3,000.00 per tract fairly represents the value of the property. There was no one else to speak to the issue. Mayor Pro Tem Walker moved to adopt the ordinance on the second and final reading. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR ONE TRACTOR

Public Works Director Russ Nuss presented the staff report. Staff advertised for bids to purchase one Ag Tractor. Bids were opened on December 13, 2016. There were four bids and they are as follows:

| | | |
|-------------------|-------------|---|
| Farm Country Inc. | \$69,500.00 | Did not meet PTO horse power minimum spec |
| Farm Country Inc. | \$73,510.00 | |
| Holt Agribusiness | \$81,341.39 | Did not meet rear bar axle spec |
| Ag-Power Inc. | \$96,679.10 | Did not meet rear bar axle spec |

The staff recommendation is purchasing the Ag Tractor from Farm Country Inc. for \$73,510.00 since it was the only one to meet all the specifications. There was a brief discussion. Councilman Sellers moved to accept the bids and award the contract to Farm Country Inc. in the amount of \$73,510.00. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR TWO BACKHOES

Public Works Director Russ Nuss presented the staff report. Staff advertised for bids to purchase two backhoes. Bids were opened on December 13, 2016. There were three bids and they are as follows:

| | | |
|--------------------------------|------------------------|------------------|
| Doggett Machinery (John Deere) | Tyler, Texas | \$83,000.00 each |
| Asco (Case) | Tyler, Texas | \$87,150.00 each |
| Holt (Cat) | Sulphur Springs, Texas | \$89,500.00 each |

All the bidders met the specifications but Doggett did not provide warranty information as directed by the bid specifications. Staff spoke with Doggett and their warranty is for two years or 2000 hours, with a trip/mileage charge calculated to \$610.00. Doggett said they would waive the trip charges for the first year but they have yet to submit that in writing.

Asco warranty is three years or 3000 hours. The Case backhoe we purchased in 2011 has had multiple fuel line issues which causes total shut down of the machine to the point of not being able to remove it from the jobsite for repairs. We now keep in stock \$300 worth of fuel lines for emergencies to assist with this issue. The salesman said we wouldn't have this problem with a new machine. However, Department 60 had a demonstration of a new Case backhoe for three days and then it broke down. It took three weeks for the repairs to be completed before Department 75 was able to demo.

Holt Cat's warranty is for one year with unlimited hours. The Cat backhoe purchased in 2011 has had no issues.

The staff recommendation is to reject all bids. Finance Director Peter Karstens stated we needed to start over. There was a brief discussion. Mayor Pro Tem Walker moved to reject all bids. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO CLOSE A PORTION OF TEXAS STREET

Hopkins County Judge Robert Newsom and Hopkins County Fire Chief Andy Endsley addressed the City Council with their concerns about the emergency vehicles exiting from the Hopkins County Fire Station. Many people go extremely fast at the curve and closing that portion of Texas Street would make it easier for the emergency vehicles to exit for fire calls and respond to emergency situations. This suggested closure would be beneficial to all parties concerned. There was a brief discussion. City Attorney Jim McLeroy wants the City to have a resolution in place for the street closure. There was no one else to speak to the issue. Councilman Johnson moved to postpone to February 7, 2017 for the resolution. Councilman Taylor seconded and the vote was unanimous.

The motion to postpone carried.

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

One of the members of the Planning and Zoning Commission has moved outside the city limits and the extraterritorial jurisdiction (ETJ). Residential requirements are living inside the city limits or its ETJ. Terms are for two years and this person's term would have expired June 2017. There was a brief discussion. There was no one to speak to the issue. Councilman Sellers moved to postpone until February 7, 2017. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion to postpone carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1120 AUTHORIZING SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT

Finance Director Peter Karstens presented the staff report. Every three or four years the City has an increased chance to obtain Community Development Block Grant (CDBG) funds as a result of scoring application points for not having received grant funds for several grant cycles. The proposed project for this application will include rehabilitation of the street as well as the water and sewer line infrastructure of the block or blocks selected. After looking at different possible potential locations for funding including conducting door-to-door surveys on specific socio-economic criteria mandated by this grant, two blocks or 1,166 linear feet of Sunset between Connally and Houston were selected by staff as having the both the highest possibility of being selected as well as greatest impact to the specific neighborhood should the project be funded. The water and sewer lines are in excess of fifty years old, the street has no curbs and the street asphalt overlay is in poor shape. The old water line is only two inches. If approved the street would be redone in concrete with curbs. There was a brief discussion. There was no one

else to speak to the issue. Councilman Johnson moved to approve Resolution No. 1120. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:51 p.m.