

**REGULAR MEETING OF THE
CITY COUNCIL**

APRIL 7, 2015

7:00 p.m.

Mayor Freddie Taylor 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:

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

Absent: None

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Shane Shepard, Community Development Director
Gordon Frazier, Director Human Resources

PLEDGE AND INVOCATION

Mayor Taylor led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag as well as the invocation.

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Councilman Sellers reminded everyone of the Sip & See on April 14th at the home of Dr. and Mrs. Bill Bryant.

He also reminded everyone of the History By Foot Tour coming up on April 18th at 9AM and 1045AM.

Mayor Taylor read the proclamation declaring April 7, 2015 as National Service Recognition Day in the City of Sulphur Springs, Texas.

CITY OF SULPHUR SPRINGS, TEXAS

PROCLAMATION

Mayors Day of Recognition for National Service

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and,

WHEREAS, AmeriCorps and Senior Corps address the most pressing challenges facing our cities and nation, from educating students for the jobs of the 21st century and supporting veterans and military families to preserving the environment and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, national service participants serve in more than 70,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and,

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and,

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 7, 2015.

THEREFORE, BE IT RESOLVED that I, Freddie Taylor, Mayor of Sulphur Springs, Texas, do hereby proclaim April 7, 2015, as **National Service Recognition Day**, and encourage residents to recognize

the positive impact of national service in our city, to thank those who serve, and to find ways to give back to our community.

Freddie Taylor, Mayor

MANAGER'S REPORT

STREETS, WATER AND SEWER - The Lamar Street reconstruction project is almost done. In fact, it should be finished tomorrow with a little cooperation from Mother Nature.

The FM 2285 waterline replacement project is underway. We've already installed 1,000 feet of pipe, and a contractor will be on site today to bore under FM 2285. This project will replace 2.5 miles of undersized and dilapidated water main at a cost of \$862,800. The project will begin at S.H. 19 and extend past the Lake Sulphur Springs dam. The existing water main generates more repairs than any other water main in the City.

The Rockdale Road reconstruction project is on deck. You may recall that in the past five years we have replaced two out of four segments of Rockdale Road (on the north side of the interstate). This project will reconstruct the remainder of Rockdale Road.

Expect the Davis Street waterline re-placement project to follow Rockdale Road. This project will replace 1,500 feet of water main on North Davis from Park to Glover. This will clear the way for this street segment to be paved this summer.

CLAIMS – We had 5 workers' compensation claims in March. One was serious enough to result in lost time. A capital construction employee dropped a 12" pipe on his foot on March 25. He returned to work today.

We did not have any liability claims in March.

CITY BUSINESS OFFICE – Reconstruction is rapidly moving along at the old City Hall. Workers are installing sheet rock now, and painting should begin within a week. We have been hoping to move in by late July. That is beginning to look like an easy target.

WASTEWATER TREATMENT PLANT - Total suspended solids (TSS) came in at 5.52 mg/L for March which is well within our permitted limit of 15 mg/L. Next month our permit parameter drops to 12 mg/L and with the increasing temperatures we will have more difficulty meeting those parameters. This is why we are working toward a major upgrade to the wastewater treatment plant.

REVENUES AND EXPENDITURES – Finance Director, Peter Karstens will present the year-to-date summary of revenues and expenditures.

Elsewhere around the city, employees:

- Patched 1,170 potholes.
- Made 12 extensive street repairs following utility repairs.
- Swept 66 streets.
- Replaced 10 “STOP” signs and installed 2 new ones.
- Replaced various other street signs.
- Repaired 5 water mains.
- Replaced 14 water meters.
- Unstopped 47 sewer mains.
- Repaired 9 smaller sewer mains.
- Made a major sewer repair to a 24” sewer main passing under College Street which required a new bore.
- Continued smoke testing sewer mains in areas under or near surface drainage.
- Washed 75,000 feet of sewer mains.
- Flushed 37 dead-end water mains.
- Performed preventative maintenance on the Cooper Lake raw water pumps.
- Checked out 2,793 items from the library.
- Responded to 116 fire rescue calls including 4 structure fires.
- Performed preventative maintenance on 50 fire hydrants.
- Repaired roof leak at library, and adjusted the front door.
- Reinstalled light pole on Main Street.
- Installed another camera at Buford Park.
- Repaired crosswalk lights at the post office.
- Reset school zone lights to daylight savings time.
- Performed preventative maintenance at Cantex lift station.
- Performed preventative maintenance on numerous apparatuses at the wastewater treatment plant and water treatment plant.
- Saw heavy wastewater loading from some of our industrial plants, enough to trigger surcharges on two of them.
- Processed 583 tickets through municipal court.
- Sold 1,203 gallons of AvGas and 7,131 gallons of JetA.
- Conducted 19 health inspections in March and initiated 34 code enforcement investigations.
- Conducted 15 building inspections, 6 plumbing inspections, 15 electrical inspections, 2 mechanical inspections and issued 14 building permits.
- Responded to 33 accidents, made 77 arrests, wrote 587 traffic citations and recorded 75 offenses.
- Responded to 215 animal control calls while achieving an adoption rate of 63%.

- Made 5 felony arrests in the special crimes unit and seized 428 grams of methamphetamine.
- Refurbished bathrooms at Buford Park and readied the concession stands for the new season.
- Installed new bleachers at Sweeties Field.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of March 3, 2015; the Special City Council meeting minutes of March 17, 2015; the Downtown Revitalization Board meeting minutes of March 10, 2015; and the Economic Development Corporation meeting minutes of February 23, 2015. There was no one to speak to the issue. Councilman Sellers moved to approve the consent agenda as presented. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

AT THIS TIME MAYOR TAYLOR MOVED ITEM #12 TO ITEM #5

VISITORS/PUBLIC FORUM

Kim Gregory and Chad Ross spoke on the death of inmate Chance Ross. They believe that there was an unreasonable amount of force used and that Chance Ross was not provided desperately needed medical attention resulting in his death. Ms. Gregory presented a letter as a formal written complaint. City Manager Maxwell assured Ms. Gregory that he would look into the matter as to why the police officers involved in the incident were not placed on administrative leave. Mayor Taylor expressed sincere sympathy for their loss on behalf of the City Council and staff. He further explained that the incident could not be discussed due to the ongoing investigation by the Texas Rangers. Also, the City Council cannot address any item that is not on the agenda.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2664 AUTHORIZING THE ISSUANCE OF ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SULPHUR SPRINGS, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2015, TO PROVIDE FUNDS FOR THE PURPOSE OF REFUNDING OUTSTANDING OBLIGATIONS OF THE CITY ISSUED FOR VARIOUS PUBLIC IMPROVEMENTS AND FOR PAYING COSTS OF ISSUANCE OF THE BONDS; BEARING INTEREST AT THE RATES HEREINAFTER SET FORTH; PRESCRIBING THE FORM OF BOND; LEVYING AD VALOREM TAXES FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BOND; MAKING CERTAIN OTHER COVENANTS OF THE CITY IN REFERENCE TO THE BOND AND THE FUNDS FROM WHICH SAID BOND IS TO BE PAID; AUTHORIZING EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AGREEMENTS FOR MUNICIPAL ADVISORY AND BOND

COUNSEL SERVICES; AWARDING SALE OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING THERETO

Mayor Taylor called the public hearing to order. There was no one to speak. Mayor Taylor closed the public hearing.

Finance Director Karstens presented the staff report and was available to answer any questions. Also, bond attorney Leroy Grawunder was also available to answer any questions. This ordinance authorizes the sale of new bonds to replace (refund) the 2005 bond issue. The interest rate of the Certificates of Obligation ranges between 3.7% and 4.0%. The total amount to be refunded would be \$1,110,000. At the time those were great rates but not so much now. If we get 1.7% interest we will save \$44,000 over the next five years in lower payments. There was a brief discussion. There was no one else to speak to the issue. Councilman Johnson moved to adopt the ordinance on the second and final reading. Mayor Pro tem Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2661 AMENDING THE SULPHUR SPRINGS ZONING ORDINANCE NO. 2050 REGARDING OFF PREMISE SIGNAGE

Councilman Johnson recused himself from this item and abstained from voting.

City Attorney McLeroy presented the staff report. This ordinance limits new billboards to areas along Interstate Highway 30, State Highway 19/Hillcrest Drive, State Highway 154/South Broadway south of the intersection with Interstate Highway 30, Loop 301 or on State highway 11/Wildcat lane/Posey Lane. New billboard signs must be spaced at least 2000 feet from existing billboards. There was no one to speak to the issue. Councilman Sellers moved to adopt the ordinance on the second and final reading. Councilman Walker seconded and the vote was as follows:

Ayes: Walker, Aguilar, Taylor, Glass, Price, Sellers
Nays: none
Abstain: Johnson

The motion carried.

DISCUSSION/ACTION ON REMOVING ORDINANCE NO. 2650 FROM THE TABLE

Councilman Johnson made a motion to move this item from the table. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2650 AMENDING THE CITY OF SULPHUR SPRINGS ZONING ORDINANCE NO. 2050 BY REPLACING IN ITS ENTIRETY SECTION 4.101 ENTITLED SIGNS AND IDENTIFICATION REGULATIONS, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

City Attorney McLeroy presented the staff report. This ordinance, as presented, permits pole signs along the major commercial areas of the city with the exception of Main Street, Jefferson Street, Jackson Street, College Street, League Street/Arbala Road, Business Highway 11/Houston Street and Business highway 154/Church Street. Councilman Johnson moved to adopt the ordinance on the second and final reading. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1084 OPPOSING S.B. 1158

Councilman Johnson moved to approve Resolution No. 1084 opposing S.B. 1158. Councilman Aguilar seconded. County Judge Robert Newsom, County Commissioner Beth Wisenbaker, Charles Oxford, and County Commissioner Wade Bartley spoke in favor of S.B. 1158. City Manager Maxwell presented the staff report which included a power point presentation opposing S.B. 1158. Councilman Walker, Councilman Johnson, and Councilman Sellers also spoke in opposition of S. B. 1158. City Attorney McLeroy read the resolution as a matter of record. There was a lengthy general discussion regarding the issue. There was no one else to speak to the issue. Mayor Taylor called for a vote and it was as follows:

Ayes: Johnson, Walker, Aguilar, Taylor, Glass, Sellers
Nays: Price
Abstain: none

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR FLEX BASE MATERIALS

Finance Director Peter Karstens presented the staff report. We only received one bid and it represents a sizeable increase in cost of aggregate. The staff recommendation is to reject the bid and rebid with additional alternatives after additional research. There was no one to speak to the issue. Councilman Walker moved to reject the bid. Councilman Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ACCEPTING THE CERTIFICATE OF UNOPPOSED CANDIDATE FOR PLACE 1 AND 2

In accordance with Section 2.053(a) of the Texas Election Code the City Council election for Places 1 and 2 will not need to be conducted. The incumbents, Craig Johnson and Clay Walker, are unopposed. Their names will appear on the ballot because of the election for Place 3. There was no one else to speak to the issue. Mayor Pro Tem Price moved to accept the Certificate of Unopposed Candidates for Places 1 and 2. Councilwoman Glass seconded and the vote was unanimous.

The motion carried.

ADJOURN

With all business complete the meeting was adjourned at 8:40 p.m.