

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

MAY 2, 2017

7:00 p.m.

Mayor Emily Glass 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 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
Tory Niewiadomski, Community Development Director
Joey Baker, Airport/Tourism Director
Gordon Frazier, Human Resources Director
Mike Allen, Engineering Technician
Lesa Smith, Budget Analyst
Roger Feagley, Executive Director EDC
Glenda Bassham, Retention Specialist EDC

PLEDGE AND INVOCATION

Mayor Glass led in the pledge of allegiance to the United States Flag, the Pledge to the Texas Flag, and Councilman Taylor led the invocation.

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Glass read the following proclamation:

WHEREAS, an estimated 1.5 million Americans suffer from Lupus, the chronic inflammatory, autoimmune disease that can affect various parts of the body, especially the skin, joints, blood and kidneys; and

WHEREAS, Lupus can be difficult to diagnose because its symptoms are similar to those of many other illnesses, and major gaps exist in understanding the causes and consequences; and

WHEREAS, the Lupus Foundation of America, Lone Star Chapter is part of a national force devoted to solving the cruel mystery of lupus while providing caring support to those who suffer from its brutal impact; and

WHEREAS, the Chapter rallied the City of Sulphur Springs, Texas, to wear the color purple and to further unify the support for those living with the disease; and

WHEREAS, awareness is vital in raising funds for research for those affected by lupus; and it is our responsibility as a community to advocate on their behalf and to further encourage educational programs so everyone affected by lupus can have an improved quality of life.

NOW, THEREFORE, I, Emily Glass, by virtue of the authority vested in me as Mayor of the City of Sulphur Springs, Texas, do hereby proclaim May 19, 2017 as

Put On Purple Day

throughout the City of Sulphur Springs and urge all citizens to support the cause of raising awareness of lupus, so that we can have a world with **NO** lupus.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the corporate seal of the City to be affixed this 2nd day of May 2017.

Mayor Glass also reminded everyone of the weekend events including Cinco de Mayo Celebration, Reds, Whites and Brews, Enchanted Bridal Show, Northeast Texas chorale Society performances, and the Election for City Council Places 6 and 7.

City Manager Maxwell introduced the new Director of Community Development, Tory Niewiadomski.

Councilman Taylor stated he had tickets to sell for his daughter, Imani, for the Dairy Festival. He also stated there would be a fashion show at the VF Outlet from 10A – 6P on May 6th to support autism.

MANAGER'S REPORT

SPRING CLEANUP - The spring cleanup has concluded. We sent 54 40-yard roll off containers to the landfill and accumulated a large pile of green waste which will be burned this summer.

LOCUST STREET – The utility work (water, sewer, gas) is complete. Cement stabilization and concrete work continues to progress from north to south. Cement stabilization is 60% complete, and concrete work is approximately 25% complete.

MOORE STREET - Utility work continues on Moore Street. The Capital Construction Division is currently installing sewer lines while Atmos is replacing the gas main. We have installed 1,200 feet of sewer main, or about half the total distance.

WASTEWATER TREATMENT PLANT - Work continues at the wastewater treatment plant. The contractor is laying the foundation for three large clarifiers and the aeration blowers.

CLAIMS – We did not receive any liability claims or workers compensation claims in April.

WASTEWATER TREATMENT PLANT - Total suspended solids (TSS) came in at 2.49 mg/L, well within the limit of 10 mg/L.

REVENUES AND EXPENDITURES – Budget Analyst, Lesa Smith will present a year-to-date summary of revenues and expenditures

Elsewhere around the city, employees:

- Made 12 extensive street repairs following utility repairs.
- Replaced or reset 8 traffic signs.
- Repaired 78 potholes.
- Installed a concrete pad for a kennel at the animal shelter.
- Cleared 6 fallen trees from the road.
- Sold 1,736 gallons of AvGas and 8,020 gallons of JetA fuel.
- Checked out 2,537 items from the library, plus an additional 441 eBooks.
- Responded to 133 fire/rescue calls including 2 structure fires.
- Performed preventative maintenance on 87 fire hydrants.
- Fertilized athletic fields.
- Removed several dead trees from parks.
- Made repairs at Kids Kingdom.

- Responded to 23 accidents, recorded 65 offences, made 67 arrests and wrote 528 traffic citations.
- Repaired Mockingbird school zone lights.
- Repaired 7 water mains and replaced 10 water meters.
- Unstopped 25 sewer mains.
- Repaired 15 sewer mains.
- Washed 85,000 feet of sewer mains.
- Flushed 35 dead end water mains.
- Reset and restarted water treatment plant after recent storm.
- Treated 121 million gallons of potable water.
- Conducted 27 building inspections, 15 electrical inspections, 11 plumbing inspections, 7 mechanical inspections and issued 19 building permits.

City Manager Marc Maxwell also stated that three (3) sirens were struck by lightning during the recent storm.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the special meeting and workshop City Council meeting minutes of March 28, 2017; the regular City Council meeting minutes of April 4, 2017; the Downtown Revitalization Board meeting minutes of April 11, 2017; the Planning and Zoning Commission meeting minutes of April 17, 2017; the Zoning Board of Adjustments and Appeals meeting minutes of April 18, 2017; and the Economic Development Corporation meeting minutes of March 27, 2017. There was no one to speak to the issue. Councilman Johnson made a motion to approve the minutes as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR THE SECOND AND FINAL READING OF ORDINANCE NO. 2700 AMENDING THE CODE OF ORDINANCES, CHAPTER 13, ARTICLE I, SECTION 13-2 (b)(3), REGULATIONS, PERMITS, AND PREOPERATIONAL INSPECTIONS FOR MOBILE FOOD ESTABLISHMENTS AND HOT TRUCKS; CORRECTING DATES OF PERMIT RENEWAL

City Manager Maxwell presented the staff report. This ordinance amends the dates to actually correspond with the permit requirements. There was no one to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2701, A REZONING REQUEST BY OWNER TIM KELTY TO REZONE PROPERTY LOCATED AT 1513 AND 1527 SOUTH BROADWAY, BEING FURTHER DESCRIBED AS LOTS 8 AND 8-10 OF BLOCK 209, FROM LIGHT COMMERCIAL (LC) TO HEAVY COMMERCIAL (HC)

The property is located north of the intersection of South Broadway and Wildcat Way. It abuts property to the south that is already zoned heavy Commercial (HC) and which is also owned by Mr. Kelty. The property to the west is also zoned Heavy Commercial (HC). The area is shown on the Land Use Plan as Commercial. There was no one else to speak to the issue. Councilman Johnson moved to pass and approve the ordinance on the first reading. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1127 APPROVING THE REFINANCE OF THE OUTSTANDING DEBT FOR THE SULPHUR SPRINGS HOPKINS COUNTY ECONOMIC DEVELOPMENT CORPORATION

Executive Director of the EDC Roger Feagley presented the staff report. The Sulphur Springs Hopkins County EDC has issued two debt instruments with the Governor's Economic Development Bank through the Texas Leverage Fund. These initial loans were to finance the construction of the infrastructure for Pioneer and Heritage Business Parks. The Texas Leverage Fund loans were variable rate loans. As the FED has increased interest rate the board felt that we should seek a fixed rate loan. This refinancing accomplishes the goal of a fixed rate loan. There was no one else to speak to the issue. Councilman Sellers moved to approve the resolution as presented. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ASSIGNMENT OF AIRPORT LEASE FOR LOT 1220-08

Joey Baker, Director of Airport Services, presented the staff report. The original Ground Lease Agreement between the City and Jennifer Jordan was executed on July 16, 2008. Assignment of the ground lease from Jennifer Jordan to Danny Goggans was executed on May 26, 2011. Section 7, Subsection B, of the Ground Lease Agreement consents to Lessee's assignment "*to another party the rights, title, and interest in this Lease, including any improvements on property, for the remaining term hereof.*" Additionally, this section states "*Such purchase or assignment shall be subject to the approval of Lessor.*" Mr. Goggans has entered into an agreement to sell his hangar to South Shores Properties, LP. South Shore Properties owns a single engine turboprop aircraft that will

be housed in the hangar. Staff recommends approval of this lease agreement assignment. There was no one else to speak to the issue. Councilman Johnson moved to approve the lease as presented. Councilwoman Price-Mitchell seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:18 p.m.