

CITY OF SULPHUR SPRINGS, TEXAS

**SPECIAL MEETING OF THE
CITY COUNCIL**

JULY 10, 2018

7:00 p.m.

Mayor John A. Sellers called the special meeting of the Sulphur Springs City Council to order at 6:30 p.m. Mayor Pro Tem Glass moved to adjourn to executive session in accordance with Texas Government Code, Title 5, Chapter 551.071, Consultation with Attorney regarding pending litigation; and in accordance with Texas Government Code, Title 5, Chapter 551.072, deliberations concerning the acquisition of real property. Councilman Moore second. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

Mayor John A. Sellers
Mayor Pro Tem Emily Glass
Councilwoman Erica Armstrong
Councilman Jimmy D. Lucas
Councilman Norman Sanders
Councilman Freddie Taylor
Councilman Doug Moore

Staff:

Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Tory Niewiadomski, Community Development Director

Lesa Smith, Finance Director -7
Gordon Frazier, HR Director -7
Jason Ricketson, Captain, SS Police Department -7
Robert Lee, Director of Utilities -7
James Jordan, Assistant Director of Utilities -7
Russ Nuss, Director of Public Works -7
Dave Reed, City Engineer -7
Jim Foley, Water & Sewer Distribution Superintendent -7
Mike Allen, Engineering Technician -7
Bryan Craig, Capital Construction -7

The Special City Council meeting was reconvened at 7:05 p.m.

PLEDGE AND INVOCATION

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

Councilman Lucas requested to observe a moment of silence for fallen officer Jarrod Friddle, Cumby, Texas.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

Josh Bray, Sanitations Solutions, Inc. presented a recycling program.

MANAGER’S REPORT

CROSSTOWN TRAIL –The railroad crossing is complete. The Capital Construction Division is now constructing the portion of the trail from the KCS railroad tracks to Coleman Park. When finished, this grant-funded project will connect Buford Park to Coleman Park and the high school/civic center complex. It will also replace the sidewalk on the north side of Connally Street.

CANTEX FORCE MAIN – The materials for this project have been delivered, and are being staged on site. The Capital Construction Division has cleared the easement and has constructed temporary fencing in certain areas. This is the final capital improvement project in the 2013-2017 C.I.P. It replaces 2,400 linear feet of aging sewer force main and 2,900 feet of gravity main. Currently the main passes through the middle of the hospital complex. The new route passes around the hospital complex. One-third of the city’s sewage passes through this line.

SUNSET STREET – We have designed the Sunset Street improvements. The project will include new water mains, new sewer mains and a new concrete street from Connally to Houston. The \$275,000 CDBG grant is matched with \$132,000 of city funding. We have submitted construction drawings for approval. Work will begin in the fall.

WASTEWATER TREATMENT PLANT – Progress at the wastewater treatment plant achieved a milestone on Monday. The three primary clarifier basins have been filled and they are now operational. Now work will begin on the aeration basins. This project is on time and under budget.



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

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

Elsewhere around the city, employees:

- Made 11 extensive street repairs following utility repairs.
- Replaced 6 stop signs and 12 street signs.
- Graded Pipeline Road and Wisenbaker Lane.
- Hauled select fill to 105 Mark Street for H.O.M.E. program.
- Performed set-up and take-down for Independence Day event.
- Sold 2,145 gallons of AvGas and 10,534 gallons of JetA fuel.
- Conducted 36 building inspections, 30 electrical inspections, 17 plumbing inspections, 9 mechanical inspections and issued 28 building permits.
- Replaced lights at Pacific Park and installed new lights at Coleman Lake.
- Repaired Airport Fountain.
- Began transporting sludge to Republic Maloy Landfill because the compost company is behind.
- Achieved a monthly average total suspended solids reading of 5.27 mg/L, well within our limit of 10 mg/L.
- Repaired 14 water ruptured water mains.
- Replaced 31 water meters.
- Unstopped 7 sewer mains.
- Repaired 3 sewer mains.
- Washed 75,000 feet of sewer mains.
- Flushed 35 dead end water mains.
- Treated 170 million gallons of potable water.
- Responded to 189 fire/rescue calls including 4 structure fires.
- Conducted 47 fire inspections and reviewed 47 pre-fire plans.
- Replaced sod on various baseball and soccer fields.
- Responded to 208 animal control calls, achieving a 38% adoption rate.
- Made 5 felony arrests in the Special Crimes Unit.
- Made 69 arrests in the Patrol Division, wrote 672 citations, recorded 47 offenses and responded to 41 accidents.

- Checked out 5,017 items and 513 e-books from the Municipal Library.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the special City Council meeting minutes of June 26, 2018; the Downtown Revitalization Board meeting minutes of May 8, 2018; the Zoning Board of Adjustments meeting minutes of May 22, 2018; the Planning and Zoning Commission meeting minutes of June 18, 2018; and the Economic Development Corporation meeting minutes of May 21, 2018. There was no one to speak to the issue. Councilman Taylor made a motion to approve the minutes as presented. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON THE CAPITAL IMPROVEMENTS PLAN FOR 2019 – 2023

Community Development Director Niewiadomski presented the staff report. At the last meeting there was some discussion about the scope of Bellview Street and whether to extend the project beyond Texas Street from League Street. Six options were presented to the City Council. There was a general discussion. Councilman Taylor moved to approve the CIP with Option #1. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2725, A REZONING REQUEST BY FRANCES MEARS TO REZONE A 0.47 ACRE PARCEL LOCATED AT 601 SOUTH JACKSON STREET, BEING FURTHER DESCRIBED AS LOTS 32 AND 33 OF BLOCK 49, FROM LIGHT INDUSTRIAL TO MULTI-FAMILY

Community Development Director Niewiadomski presented the staff report. Staff sent out 25 certified letters to the surrounding property owners within 200' and received two responses in favor of this request. Staff recommends approval as this request is an appropriate designation in the area considering the surrounding land uses and existing zoning districts in the area. The Planning and Zoning Commission conducted a Public Hearing and recommends approval as well. There was no one to speak to the issue. Councilman Freddie Taylor moved to approve the ordinance on the first reading. Councilwoman Armstrong seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CHEMICALS FOR THE WATER AND WASTE WATER TREATMENT PLANTS

Utilities Director Robert Lee presented the staff report. Staff placed bid notices in the News Telegram. Bids were opened on June 19, 2018. The bids received are as follows:

Alum

Affinity Chemical	\$ 184.50 per dry ton
Chemtrade	\$ 204.00 per dry ton
Chameleon	\$ 209.90 per dry ton
Brenntag	\$ 367.52 per dry ton
Geo Specialties	\$ 380.06 per dry ton

Alum Copper Blend 1%

Chameleon	\$ 325.00 per dry ton
Brenntag	\$ 434.24 per dry ton
Chemtrade	\$ 452.06 per dry ton

Alum Copper Blend 2%

Chameleon	\$ 355.00 per dry ton
Brenntag	\$ 452.85 per dry ton
Chemtrade	\$ 514.80 per dry ton

Chlorine

Brenntag	\$ 720.00 per ton
D.P.C. Industries	\$ 825.00 per ton

Sulphur Dioxide

Brenntag	\$ 702.00 per ton
D.P.C. Industries	\$ 850.00 per ton

Caustic Soda 25%

FSTI	\$ 755.00 per dry ton
D.P.C. Industries	\$ 855.95 per dry ton

Caustic Soda 32%

FSTI	\$ 712.00 per dry ton
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Caustic Soda 50%

Brenntag	\$ 718.00 per dry ton
D.P.C. Industries	\$ 744.64 per dry ton

Liquid Ammonium Sulfate

Chameleon	\$.0880 per liquid pound
Chemtrade	\$.0924 per liquid pound
Brenntag	\$.1175 per liquid pound

Phosphate Ortho/Poly Barrel 55 gallon

Brenntag	\$.4649 per liquid pound
Shannon Chemical	\$.4830 per liquid pound
Sterling	\$.5972 per liquid pound

Phosphate Ortho/Poly Tote 275 gallon

Brenntag	\$.4649 per liquid pound
Shannon Chemical	\$.4830 per liquid pound
Sterling	\$.5922 per liquid pound

Staff recommends the lowest bidder of each chemical. There was no one to speak to the issue. Councilman Moore moved to accept the bids and award the contract to the lowest bidder of each chemical. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1150 AUTHORIZING THE CITY TO ESTABLISH AN ACCOUNT IN ITS NAME WITH TEXPOOL PRIME FOR THE PURPOSE OF INVESTING LOCAL FUNDS

Finance Director Lesa Smith presented the staff report. The City has approximately 12.2 million dollars on deposit with the local government investment pool, TexPool. The City has been a participant of TexPool since 2005. TexPool Prime is another product of TexPool that seeks to preserve principal liquidity, and yield of capital investment consistent with the Texas Public Funds Investment Act. TexPool Prime invests in U.S. government securities, repurchase agreements, AAA- rated money market mutual funds, commercial paper and certificates of deposit to provide a safe, efficient, and liquid investment option. Investing public funds is one way to increase revenue without putting the burden on tax and rate payers. When considering an investment, the City looks at four objectives: safety, liquidity, diversification, and yield. The City's participation in TexPool Prime will offer safety and additional diversification of the portfolio as well as provide the opportunity to seek higher yields while maintaining the liquidity levels needed to meet both daily operations and capital improvement cash flow requirements. Local government investment pools are authorized by the City's investment policy as approved by City Council. However, TexPool's internal policy and the City's investment policy require a resolution to authorize participation in the TexPool Investment Pools and the designation of authorized representatives. There was a brief discussion. Councilman Sanders moved to

approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO AMEND THE CASE MANAGEMENT SOFTWARE CONTRACT WITH GHS

City Manager Maxwell presented the staff report. We presently have a contract with GHS for Municipal Court Case management software and ancillary services. The fee for this contract is currently \$17,500.00 per year. The proposed amendment would reduce the fee to \$0 in exchange for rack space in the City's I.T. room. The additional power usage should be about \$1,100.00 per year. The City has another contract with GHS for collection services. That contract period will be extended to match the termination date of the case management software contract. Both agreements will expire in July 2018. Dave Graves, president of GHS, address the City Council. There was a general discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the contract amendment. Mayor Pro Tem Glass seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON MOTION TO BEGIN THE CHARTER AMENDMENT PROCESS

City Attorney McLeroy presented the staff report. He stated that he had not been through a Charter review at the City of Sulphur Springs, but has participated in two Charter reviews at the City of Commerce. They (Commerce) would appoint a Charter review committee made up of the Mayor, City Manager, City Attorney, a cross-section of the community, 2 or 3 prior serving City Councilmembers, the university, industry and the EDC. The committee had approximately 12 people. They met once every two weeks, dividing the sections into a workable size. They would draft changes, submit a comprehensive list to the City Council in ordinance form. There would be a May Election, etc. Councilman Lucas stated he initially was looking at specifics in the Charter but upon further review thought it should be comprehensively re-evaluated. Mayor Sellers stated the Charter had been reviewed in 1875, 1911, and 1947. City Attorney McLeroy added the years of 1963 and 1983 as well. The Charter is the city's constitution and it is broad with many ordinances. The Charter needs to be updated to address current technologies and issues that were not relevant in 1983 (35 years ago). There was a brief discussion. There was no one else to speak to the issue. Councilwoman Armstrong moved to proceed with the Charter amendment process and appoint a Charter review committee at the next meeting. Councilman Lucas seconded and the vote was unanimous.

The motion carried.

DISCUSSION ONLY ON A POTENTIAL FOOD TRUCK ORDINANCE

Many positive comments were made during this general discussion. There are currently six food trucks permitted by the city and they have to meet the same standards as restaurants. The City received one complaint in the last year and the food truck was gone before staff could review the issue. Councilman Lucas brought up several topics such as specific locations, permission from property owners, safety checks, restrooms, etc. He also stated that citizen safety was his primary concern and doesn't want to affect non-profits such as fundraisers or the stew festival. The City Manager said that we need direction from the City Council and suggestions should be directed to Community Development Director Niewiadomski. Mayor Pro Tem Glass added some cities post the inspection rating on their food trucks and restaurants.

DISCUSSION/ACTION ON EXECUTIVE SESSION REGARDING PENDING LITIGATION/REAL PROPERTY

Councilman Taylor moved to authorize the City Attorney to enter into negotiations discussed in executive session and within the dollar parameters discussed in executive session and to alternatively enter into a contract with Sanders Walsh & Beard, Attorneys of McKinney, Texas, in accordance with the terms of their proposed engagement letter, also presented in executive session. Councilman Sanders seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Raymond Johnson addressed the City Council opposing recycling.

Barbara Palmer addressed the City Council regarding parking downtown.

Charles Oxford addressed the City Council regarding animal control.

ADJOURN

With all business complete the meeting was adjourned at 8:45 p.m.

John A. Seller, Mayor