

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

OCTOBER 6, 2020

7:00 p.m.

Mayor John A. Sellers 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:

Public link: <https://www.youtube.com/channel/UC8CxjG8pt3Cn8DDMgg0xr8g>

Present: Mayor John A. Sellers
Mayor Pro Tem Freddie Taylor
Councilman Doug Moore
Councilman Harold Nash Sr.

Absent: Councilman Oscar Aguilar

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Lesa Smith, Finance Director
Tory Niewiadomski, Community Development Director
Roger Feagley, Executive Director/Economic Development
Karen Neola, Pack Lead of My Perfect Pet Inc.

CALL TO ORDER

Mayor John A. Sellers called 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 Councilman Nash.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

None.

MANAGER'S REPORT

COVID-19 RESPONSE – The number of active cases in Hopkins County maintains a range of 30 to 90 cases and was at 74 active cases as of October 5th. The state tested 398 people in its most recent round of testing. We have had 314 recoveries in Hopkins County.

As a part of the City's response to Covid-19 the City suspended the practice of cutting of water service for non-payment. Some of the balances are growing quite high. The total arrearage is \$86,000 with 423 accounts (6.3% of all accounts) in arrears. 143 accounts are more than 90 days in arrears. I have not planned on reinstating cut offs until after a vaccine is available. At that point we will have to decide how to bring the delinquent accounts up to a current status. I will likely propose requiring residents to pay their current bill along with 1/6th or 1/12th of their arrearage to avoid being cut off. In this way their accounts would be brought current in either 6 months or 12 months. I just wanted to put this out there so that you would have plenty of time to consider a fair and reasonable path forward.

GRAYS BUILDING – The piers for the building have been poured to a depth of 18 feet. The Capital Construction Division is installing the below grade plumbing. We are extremely fortunate to have such a capable Public Works Department with Russ Nuss at its head. Among all of his other talents, Russ is also a master plumber. He and his staff are doing an excellent job on the plumbing. After the plumbing is roughed in the City's master electrician will install the below grade conduit for electrical circuits. We are also very fortunate to have John Smith on staff as our master electrician. Once he is finished installing the below grade electrical conduits Potts Concrete Construction will finish constructing the concrete foundation.

SENIOR CITIZENS BUILDING – Construction drawings are being prepared by REES Associates. We are planning to hire Don Roundtree to manage the construction under the same arrangement that we have on the Grays Building.

BELLVIEW STREET – Atmos is finally finished replacing the gas line. We will rebuild the intersection with Texas Street next.

MCCANN STREET – The sewer main and water main have both been replaced. We will now begin replacing curb and gutter, and then the street will be repaved at the same time as Bellview Street.

CLAIMS – We had two minor workers compensation claims in the Police Department in September and one liability claim from a motorist who drove through a pothole on an Atmos trench line on Kyle Street. We also submitted our own property claim for damage to a new police cruiser caused by an officer backing into an I-beam.

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

Elsewhere around the city, employees:

- Treated wastewater to a monthly average total suspended solids count of .20 mg/L.
- Repaired 22 water main leaks/ruptures.
- Replaced 9 water meters.
- Unstopped 31 sewer mains.
- Washed 80,000 feet of sewer mains.
- Flushed 36 dead end water mains.
- Treated 161 million gallons of potable water.
- Conducted 35 building inspections, 13 electrical inspections, 17 plumbing inspections, 1 mechanical inspection, and issued 21 building permits.
- Responded to 208 calls for fire/rescue including 4 structure fires.
- Performed preventative maintenance on 81 fire hydrants.
- Conducted 11 fire inspections and reviewed associated pre-fire plans.
- Responded to 197 calls for animal control, achieving a 72% adoption rate.
- Made 37 arrests, wrote 552 citations, recorded 59 offenses, and responded to 22 accidents in the Patrol Division.
- Made 13 felony arrests in the Special Crimes Unit.
- Made 19 major street repairs following utility repairs.
- Repaired 103 potholes.
- Poured a concrete slab for additional storage at the animal shelter.
- Line-trimmed South Town Branch.
- Checked out 2,794 items from the Municipal Library.
- Sold 1,764 gallons of AvGas and 7,900 gallons of JetA fuel.
- Boom shredded upper and lower lakes at Coleman Park.
- Prepared soccer fields and baseball/softball fields for youth play.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the regular City Council meeting minutes of September 1, 2020; the City Council Special meeting minutes of September 22, 2020; the Planning and Zoning Commission meeting minutes of July 20, 2020; the Zoning Board of Adjustments and Appeals meeting minutes of June 16, 2020; the minutes of the Public Works EDA grant public hearing conducted September 28, 2020; and the Economic Development Corporation meeting minutes of August 24, 2020. There was no one to speak to the issue. Mayor Pro Tem Taylor made a motion to approve the minutes as presented. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2774, ESTABLISHING LOT 6 OF THE PIONEER BUSINESS PARK AS AN INDUSTRIAL REINVESTMENT ZONE

Economic Development Executive Director Feagley presented the staff report. My Perfect Pet has completed a 19,000 square-foot facility to USDA standards for the production of human grade dog food. This project has produced an investment of \$2.5 million dollars. One of the incentives that we offered was a tax abatement for their hospital taxes. The hospital district does not have the legal authority to create a reinvestment zone. This ordinance establishes the geographical boundaries of an area where a taxing entity can offer a tax incentive. Karen Neola, My Perfect Pet and Roger Feagley were available to answer any questions. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the ordinance on the first reading. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1212, APPROVING THE 380 AGREEMENT WITH MY PERFECT PET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO SAID AGREEMENT FOR AN ECONOMIC DEVELOPMENT PROJECT

Economic Development Executive Director Feagley presented the staff report. My Perfect Pet is in the process of relocating its operation to Sulphur Springs. The new facility is 19,000 square feet and 2.5 million dollars. One of the incentives to them was a 380 agreement between the City of Sulphur Springs and My Perfect Pet. This contract is in compliance with the current policy. Karen Neola spoke of how she started this company in her kitchen in Southern California. Thirteen years ago, there was no such thing as cooked/frozen pet food, it just did not exist. The first production will be October 7th and she stated she was exciting to be growing and thriving in Sulphur Springs, Texas. There was no one else to speak to the issue. Councilman Moore moved to approve the resolution as presented. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2775, A REZONING REQUEST BY THE CITY OF SULPHUR SPRINGS TO REZONE PROPERTY ANNEXED (GENERALLY REFERRED TO AS THE LUMINANT OR THERMO MINE PROPERTY) TO HEAVY INDUSTRIAL

Community Development Director Niewiadomski presented the staff report. This area was annexed March 3, 2020 and is owned and controlled by the City of Sulphur Springs. When the property was annexed, it was not brought in with a zoning designation and the next step is to provide it with a proper zoning designation. From staff's perspective, the

site has historically been utilized as a heavy industrial use on the property while it was a coal mine operation dating back to the 1970's. The property has potential to be utilized for industrial purposes again in the future with the Class 1 KCS railroad along with two 7,000-foot railroad spurs on and through the property. The Heavy Industrial zoning designation provides the most flexibility in development opportunity for the site should opportunities arise. This designation can allow the EDC to make investments into the property and help attract major employers and industry to portions of the site that are suitable for development to help increase the tax base to the City of Sulphur Springs. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the ordinance on the first reading. Councilman Moore seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2776, A REZONING REQUEST FOR PROPERTY LOCATED AT THE CORNER OF SPENCE AND FISHER STREETS FROM HEAVY COMMERCIAL TO SINGLE FAMILY ATTACHED

Community Development Director Niewiadomski presented the staff report. The applicant is proposing to downzone the property from Heavy Commercial to Single Family Attached housing which will limit the intensity of uses on the property to residential development only. The property is surrounded by a mix of zoning designations from Heavy Commercial to the east, Light Commercial to the south, Single Family and Multi-Family to the west, and Single Family and Two Family to the north. Single Family Attached zoning provides transition between Multi-Family and Single-Family development. Given the context of the area, Single Family Attached zoning is an appropriate transition zone for this area. The applicant has expressed a desire for duplex style housing on this property and the Single Family Attached zoning designation permits that use. There was a brief discussion. There was no one else to speak to the issue. Councilman Moore moved to approve the ordinance on the first reading. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTON BIDS AND AWARD OF CONTRACTS FOR THE GRAYS BUILDING ROOFING, SIDING, AND GUTTERS

Finance Director Smith presented the staff report. City staff and Tandem Consulting published notices in the paper on September 9, 2020 and September 16, 2020 and sent out notices to over 40 potential bidders for Roofing, Gutters and Siding for the Grays Building. The City held bid openings for the bid packet items on September 24, 2020. We received a total of 4 responses.

H.W. Grays Building Roofing Bid Tabulation	
Griffith Roofing	\$83,795.00
Diamond B Roofing (\$83,582.75+\$2700 add on required)	\$86,282.75
Inman A+ Gutters	\$151,341.00
Hefner Roofing	\$178,100.00

Staff recommendation is to award the bid to Griffith Roofing. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to accept the bids and award the contract to Griffith Roofing. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PURCHASE OF THREE (3) COMPACT TRACK LOADERS (SKID LOADERS)

Finance Director Smith presented the staff report regarding the purchase of three skid loaders for \$64,128.44 each. The three skid loaders will replace the two currently used on the concrete and pipe crews in the Capital Construction Department. There have been multiple repairs made to the old skid loaders, we have spent approximately 26,000 dollars in the last three years. The plan is to go through BuyBoard and pay \$62,677.00 as the City Manager negotiated a better price which is a savings of approximately \$4353.00. Councilman Moore move to approve the purchase of the three skid loaders. Councilman Nash second and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON CONTRACT FOR ELECTION SERVICES WITH HOPKINS COUNTY

City Secretary Roberts presented the staff report. Due to COVID-19 and Governor Abbott's proclamation the May election was moved to November. Consequently, the city's election will be contracted with Hopkins County and conducted along with the presidential, federal, state, and county elections. Tammy Calhoun, Hopkins County Election Officer, has assisted the City Secretary with conducting the City of Sulphur Springs elections for several years. Also, this is not the first time we have had to contract with the county. It is, however, a plan to continue to contract with Hopkins County in the future. The City Secretary will still be responsible for signing up the candidates, accepting financial reports, drawing for places on the ballot and submitting a draft ballot for the county. Tammy Calhoun is a true asset and is well versed in election law. Elections are truly her passion.

City Manager Maxwell interjected that City Secretary Roberts plans to retire in approximately 15 months and it is to the city's advantage as well as the future city secretary to have someone that can provide election services. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the contract with Hopkins County. Councilman Moore seconded and the vote was unanimous

The motion carried.

VISITORS AND PUBLIC FORUM

Jay W. Julian called to suggest the City Council develop a youth council. He had brought this to the Council's attention earlier in the year but was overshadowed by COVID-19. A youth council would allow our youth to broaden their knowledge and increase their civic pride. Our future leaders are the youth of today and it would behoove the City Council to begin such a program.

ADJOURN

With all business complete the meeting was adjourned at 7:46 p.m.