

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

SEPTEMBER 5, 2006

7:00 p.m.

Mayor Freddie Taylor called the regular meeting of the Sulphur Springs City Council to order at 6:35 p.m. Councilman Powers moved to adjourn to executive session in accordance with Texas Government Code 551.072, deliberations regarding real property. Councilman Walker seconded the motion. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

Mayor Freddie Taylor
Mayor Pro Tem Yolanda Williams
Councilman Clay Walker
Councilman Oscar Aguilar
Councilman Larry Powers
Councilman Chris Brown

Absent: Councilman Garry Jordan

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Peter Karstens, Finance Director
Johnny Vance, Dir. Community Development
Craig Vaughn, Director of Utilities
Gordon Frazier, Director Human Resources
Gerry Cleaver, Fire Chief
Jim Bayuk, Police Chief
Roger Feagley, EDC Director

OPEN SESSION

Mayor Taylor reconvened the meeting in open session at 7:07 p.m.

PLEDGE AND INVOCATION

Mayor Taylor led in the pledge to the flag and Councilman Walker led the invocation.

MANAGER'S REPORT:

WATER MAIN RUPTURES – We have seen some recent improvement in the number of water main ruptures that we are experiencing each day. We are currently experiencing 3 to 5 ruptures per day. Last month I reported 8 to 9 ruptures per day.

GLOVER STREET - This water/sewer/street reconstruction project is completed. The Capital Construction Division has installed 850' of water main and 850' of sewer main and reconstructed 850' of street in reinforced concrete. The project was budgeted at \$188,400. It looks like we'll come in at \$200,000 which isn't bad since we originally intended to replace only 350' of water main.

CHURCH STREET SEWER – The Church Street Sewer project is about to get underway. The project will replace 3,500' of deteriorating sewer main behind homes on North Church Street at an estimated cost of \$91,000.

FINANCIAL REPORT - Finance Director, Peter Karstens will present a year-to-date summary of revenues and expenditures.

CLAIMS AND ACCIDENTS – We did not have any Worker's Compensation claims nor liability claims in August.

MISCELLANEOUS – Elsewhere around the City, employees:

- Answered 741 emergency 911 calls and 6,972 non-emergency police calls.
- Dispatched officers to 1,042 calls for service.
- Made 129 arrests, wrote 497 traffic citations, recorded 95 offenses, and worked 35 accidents.
- Responded to 110 fire/rescue calls including 3 structure fires.
- Conducted 47 fire inspections.
- Replaced 8 street signs.
- Attended 68 hours of continuing fire education.
- Repaired Jet-A fuel truck.
- Continued development of airport marketing plan and airport website.
- Developed promotional materials for travel information center located in Langtry, Texas.
- Prepared fields for fall baseball.
- Closed the swimming pool.
- Treated 218 million gallons of drinking water.
- Checked out 4,840 books, tapes, etc.
- Issued 177 library cards.
- Distributed 2,705 meals to senior citizens.

- Produced various senior citizen programs with a total attendance of 1,466.
- Loaned the use of the Senior Citizen building for club activities with a total attendance of 186.
- Processed a total of 598 citations through the Municipal Court.
- Special Crimes Unit made 5 drug related felony arrests and 3 misdemeanor arrests, and seized 11 grams of methamphetamine, 41 grams of prescription narcotics and 5 ounces of marijuana.
- Responded to 287 animal control calls.
- Picked up or received 30 dogs and cats, releasing 14 to their owners and releasing 5 to adoptive homes.
- Received a \$248,923 grant for the Special Crimes Unit.
- Seized 12 pounds of marijuana and 200 grams of “crack” cocaine resulting in 4 felony arrests.
- Began writing a community preparedness plan for pandemic influenza.
- Installed 2 sewer taps.
- Installed 2 manholes.
- Replaced one manhole.
- Repaired 12 sewer mains.
- Unstopped 38 sewer mains.
- Repaired 136 water main ruptures (\$51,000).
- Replaced 2 fire hydrants.
- Replaced 13 water meters.
- Performed preventative maintenance at water treatment plant and wastewater treatment plant.
- Performed preventative maintenance on pumps at Cooper Lake pump station.
- Measured depth in intake channel at Cooper Lake.
- Flushed 44 dead-end water mains.
- Attended drinking water treatment training.
- Set new “Stop” signs on Westbrook and Camp.
- Conducted 39 building inspections, 39 electrical inspections, 45 plumbing inspections, 23 mechanical inspections, and issued 16 building permits.
- Conducted 7 public nuisance inspections.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of August 1, 2006, the special City Council minutes of August 8, 17, 21, 28, and 31, 2006, the Planning and Zoning Commission minutes of August 21, 2006, Zoning Board of Adjustment meeting minutes of August 22, 2006, the Downtown Revitalization Board meeting minutes of August 22, 2006, the Economic Development Corporation meeting minutes of July 24 and August 7, 2006 and a request

for use of amplified equipment during the Fall Festival. Councilman Brown moved to approve the consent agenda as presented. Councilman Walker seconded the motion and the vote was unanimous.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2446 REZONING PROPERTY LOCATED ON THE NORTHEAST CORNER OF SPENCE AND FISHER STREETS, BEING FURTHER DESCRIBED AS LOTS 3, 4, AND 5 OF BLOCK 36-3, STARR ADDITION FROM SINGLE FAMILY TO TWO FAMILY

The owner, Layton Carpenter, would like to rezone the property to build duplexes. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance on the second and final reading. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2447 ESTABLISHING A REINVESTMENT ZONE FOR JELD-WEN, INC.

Jeld-Wen, Inc. is in the process of expanding its operation in Sulphur Springs. The current expansion is 11 million dollars and will add 31 new jobs. EDC Director Roger Feagley was available to answer questions. There was no one else to speak to the issue. Councilman Powers moved to approve the ordinance on the second and final reading. Mayor Pro Tem Williams seconded and the vote was unanimous.

DISCUSSION/ACTION ON RESOLUTION NO. 927 FOR TAX ABATEMENT FOR JELD-WEN, INC.

Jeld-Wen, Inc.'s current expansion is \$11 million dollars and will add 31 new jobs. The tax abatement contract is in compliance with the current policy. There was no one else to speak to the issue. Councilman Powers moved to approve the resolution as presented. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON FINAL PLAT OF KELTY FARMS ADDITION

Director of Community Development Johnny Vance presented the staff report. Tim Kelty was available to answer questions. There was no one else to speak to the issue. Councilman Powers moved to approve the replat contingent on approval of engineering and the execution of a community facilities contract. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON ASSET FORFEITURE FUND BUDGET

Asset forfeiture money is acquired from cash and liquidation of forfeited property from narcotic related activities. Police Chief Jim Bayuk presented the staff report. There was no one else to speak to the issue. Councilman Brown moved to approve the budget as presented. Councilman Powers seconded and the vote was unanimous.

DISCUSSION/ACTION ON PAYROLL CYCLE CHANGE

Currently the City of Sulphur Springs pays its employees on the 15th and last day of each month. This schedule requires department heads to estimate the last five to seven days of each payroll period followed by reconciling the same five to seven days after the payroll checks have been issued. Staff presented three options to change the payroll cycle. The **first option** would change the cycle end dates to seven days prior to the 15th and the end of the month. Each employee would receive a check at the time of the change which will include full pay for the period. When an employee ends their service with the city, their final check would include seven days of compensation which is the week that we are recommending to process the payroll cycle change. The City of Sulphur Springs absorbs the costs when an employee ends their service with the city. The **second option** would change the payroll cycle end dates to seven days prior to the 15th and the end of the month. Each employee would receive a check at the time of the change that will be short a week's pay. Option 2 has no financial impact to the city but each employee would be impacted by having been shorted one week's pay. The third option would change the payroll cycle end dates to seven days prior to the 15th and the end of the month. Each employee would receive a check for the full pay period at the time of change which is reduced by the amount of 1/52nd of their annual salary to be deducted in equal amounts over the next 24 checks of the span of one year. Director of Human Resources Gordon Frazier was available to answer questions. There was no one else to speak to the issue. Councilman Powers moved to approve Option 1 where the City of Sulphur Springs absorbs the costs. Councilman Brown seconded and the vote was as follows:

Ayes: Powers, Brown, Aguilar, Taylor, Williams
Nays: Walker
Abstain: None

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2448
BUDGET AMENDMENT**

Finance Director Peter Karstens presented the staff report. Specific costs such as electricity, Municipal Court fees sent to the state, water line repairs and other issues have put pressure on the budget. This ordinance amends the estimated revenues of the city and the expenses for operation of the remainder of the fiscal year ending September 30, 2006. There was no one else to speak to the issue. Councilman Powers moved to approve this ordinance on first reading. Mayor Pro Tem Williams seconded and the vote was unanimous.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2449, THE APPROPRIATIONS ORDINANCE FOR THE CITY OF SULPHUR SPRINGS FISCAL YEAR 2006-2007

Finance Director Peter Karstens presented the staff report. The budget is the same as was previously presented to the City Council with the exception of an expenditure increase of \$10,000 on the Coleman Tower repainting for a total of \$85,000. The \$10,000 accounts for repair work on a small amount of rust that was found during a recent inspection. There was no one else to speak to the issue. Councilman Powers moved to approve the ordinance on first reading with an amendment to reduce the enterprise fund by \$18,500 for a water study for use of our affluent water. City Manager Marc Maxwell reiterated that the motion deletes \$18,500 from the professional services line item in department 70. At that time Councilman Brown stated that he would like to see an increase in Fire Department manpower. There was a general discussion and several questions were asked of Fire Chief Gerry Cleaver. There was no one else to speak to the issue. Councilman Powers made a motion to amend the original motion to include \$25,000 for increased manpower in the Fire Department within the General Fund and deleting \$18,500 from the Enterprise Fund making the total budget expenditures increase \$6,500. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2450 SETTING THE TAX RATE FOR THE CITY OF SULPHUR SPRINGS FOR 2006

This ordinance sets the property tax rate which remains at 44 cents per \$100 of valuation. The taxes are actually assessed on property as of January 1, 2006 though they are due after the tax rate is set. There was no one else to speak to this issue. Councilman Aguilar moved to approve the ordinance on the first reading. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2451 SETTING THE WATER RATE

This ordinance sets the water rate which increases by 4% due to a 4% increase in the Consumer Price Index (CPI). There was no one to speak to this issue. Councilman Brown moved to approve the ordinance on the first reading. Councilman Powers seconded and the vote was unanimous.

DISCUSSION /ACTION ON FIRST READING OF ORDINANCE NO. 2452 SETTING THE SEWER RATE

This ordinance sets the sewer rate which also increases by 4% due to the 4% increase in the Consumer Price Index (CPI). There was no one else to speak to the issue. Councilman Brown moved to approve the ordinance on the first reading. Councilman Powers seconded and the vote was unanimous.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2453
SETTING THE SANITATION RATE**

This ordinance sets the sanitation rate which also increases by 4% due to the 4% increase in the Consumer Price Index (CPI). There was no one else to speak to the issue. Councilman Aguilar moved to approve the ordinance on the first reading. Councilman Brown seconded and the vote was unanimous.

VISITORS/PUBLIC FORUM

Mr. Jackie Blount addressed the City Council regarding the name change of Radio Road to Bill Bradford Road. He says he has a petition and he is not going away. Mr. Blount wants Bill Bradford Road renamed Radio Road.

City Manager Marc Maxwell explained that since no action can be taken by the City Council the response to public comments is limited to: 1) A statement of fact or policy; 2) Direction to take the issue to a city staff member; 3) An offer to place the item on a future agenda. However, Mr. Maxwell assured Mr. Blount that the name change would remain in force as Bill Bradford Road.

Ms. Tammy Olagne invited the City Council and any other interested parties to attend the Downtown Business Alliance meeting at 6:15 p.m. Monday, September 11, 2006 at Plain and Fancy Sandwich Shoppe.

ADJOURN

With all business complete the meeting adjourned at 7:56 p.m.