

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

NOVEMBER 7, 2006

7:30 p.m.

Mayor Freddie Taylor called the regular meeting of the Sulphur Springs City Council to order at 7:37 p.m. The following council members and staff were present:

Mayor Freddie Taylor
Mayor Pro Tem Yolanda Williams
Councilman Garry Jordan
Councilman Oscar Aguilar
Councilman Larry Powers
Councilman Chris Brown

Absent: Councilman Clay Walker

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
James Litzler, City Attorney
Peter Karstens, Finance Director
Johnny Vance, Dir. Community Development
Craig Vaughn, Director of Utilities
Gerry Cleaver, Fire Chief
Gordon Frazier, Director Human Resources

PLEDGE AND INVOCATION

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

MANAGER'S REPORT:

CHURCH STREET SEWER – The Church Street Sewer project is about 90% completed. We are at the point where we will have to wait until next summer to resume the project unless we have an unusually dry winter. When completed, the project will replace 3,500' of deteriorating sewer main behind homes on North Church Street at an estimated cost of \$91,000.

BRINKER STREET WATER – The project is completed with the exception of street repairs. The project replaced 800’ of 2” water line between Kyle and Beasley with 6” line. It was budgeted at \$63,000.

HOLIDAY DRIVE - The Capital Construction Division constructed 1,700 linear feet of Holiday Drive. They have gone as far as they can on Holiday Drive. They must now wait for the construction of the S.H. 11 bypass before completing the project. This street reconstruction project will replace Holiday Drive from Lowe’s to S.H. 154 in reinforced concrete. The project is funded by a Texas Capital Fund Grant.

COOPER LAKE - I reported in the media last week that the North Texas Municipal Water District stopped pumping from Cooper Lake. I am pleased to report to you at this time that the City of Irving has also stopped pumping. This just leaves us. We will likely stop pumping from Cooper Lake later this month when dredging operations begin.

FINANCIAL REPORT - Finance Director, Peter Karstens, will present a summary of FY 2006 revenues and expenditures.

CLAIMS AND ACCIDENTS – I have no Workers’ Compensation claims to report for the month of October.

A homeowner submitted a claim for damages resulting from a water main rupture under the house. The Texas Municipal League (TML) risk pool denied the claim.

MISCELLANEOUS – Elsewhere around the City, employees:

- Made 28 street repairs.
- Repaired signs at Gilmer & Spence, Ardis & Spence, Austin & Brinker, Texas & Ingram, Pampa & League, Houston & Church, Bellview & League, Jackson & MLK, Carter & MLK, Davis & California, and League & Main.
- Conducted 20 health/food service/pool inspections and 8 public nuisance inspections.
- Conducted 20 building inspections, 24 electrical inspections, 34 plumbing inspections, 7 mechanical inspections, 30 miscellaneous inspections and issued 19 building permits.
- Abated one substandard structure this month, bringing the current total of abated structures to 352.
- Performed concrete repairs at 22 various locations for sidewalks, curbs & gutters, driveways and sub grade for asphalt repairs.
- Worked with Downtown Revitalization Board to develop guidelines for the Downtown District. At present chapters 1-4 have been reviewed by the Board.

- Treated 160 million gallons of drinking water.
- Responded to 120 fire rescue calls including 1 structure fire and 3 vehicle fires.
- Conducted 44 fire inspections.
- Replaced 39 street signs.
- Repaired parking lot lights at the library.
- Repaired runway lights at the airport.
- Installed outdoor lighting at Wastewater Treatment Plant.
- Adjusted timers on flashing school zone lights to compensate for the end of daylight savings time.
- Repaired 14 sewer mains.
- Installed 1 new sewer tap.
- Unstopped 47 sewer mains, and routinely cleaned an additional 39,600' of sewer mains.
- Repaired 62 water breaks.
- Installed 4 new water taps.
- Replaced 11 water meters.
- Performed maintenance on wastewater primary clarifiers, final clarifiers, chlorinators, Sulphur dioxide tanks.
- Achieved a daily average total suspended solids (parts per million) reading of 1.65 mg/L, which is extremely good.
- Performed preventative maintenance at Water Treatment Plant.
- Flushed 39 dead-end water mains.
- Began tracking water diversion data for new Cooper Lake Operating Plan.
- Served 4,270 library patrons.
- Attended pre-design meeting regarding taxiway/runway resurfacing project.
- Repaired AvGas and JetA fuel trucks.
- Worked with downtown merchants, the Hopkins County Historical Society and the East Texas Choral Society regarding the coordination of Christmas Events in late November and early December.
- Replaced mulch at Kids Kingdom.
- Winterized the municipal pool.
- Wrote 543 citations, made 120 arrests, recorded 97 offenses and worked 50 accidents.
- Made 12 Felony arrests within the Special Crimes Unit resulting in the seizure of crack cocaine, marijuana, methamphetamine, ecstasy, and chemicals used in the manufacture of methamphetamine.
- Answered 637 calls for 911 emergency service.
- Dispatched police officers to 884 calls.
- Attended training regarding interrogation.
- Seized 19 pounds of marijuana resulting in 2 felony arrests.

- Recognized at “Officer of the Year” (Communications Division).
- Received new police radars. (Watch that speed)
- Completed training for 21 volunteers on patrol.
- Responded to 245 animal control calls.
- Picked up 18 dogs and cats and received 4 more at the animal shelter.
- Found homes for 8 dogs and cats.
- Distributed 2,623 meals to senior citizens.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of October 3, 2006, the Planning and Zoning Commission minutes of October 16, 2006, Zoning Board of Adjustment meeting minutes of October 17, 2006, and the Downtown Revitalization Board meeting minutes of October 17, 2006. Councilman Brown moved to approve the consent agenda as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

DISCUSSION/ACTION ON SECOND AND FINAL READING OF ORDINANCE NO. 2455 PROPOSING TO ANNEX 1,274.6 ACRES OF LAND WITH APPROXIMATELY 11 FAMILIES RESIDING IN THE PROPOSED ANNEXATION AREAS

This is the second and final reading of the ordinance to annex 1,274.6 acres with approximately 11 families residing in the proposed annexation areas. The properties in the proposed annexation areas are described as Tracts 1, 3, 92-11, 100, 158, 158-11, 160, 202-02, 205, 206, 207, 210, 211, 213, 222-22, 231, 231-01, 233, 234, 234-01, 235, 235-01, 235-02, 236, 239, 241, 241-02, 241-03, 241-04, 241-06, 241-07, 241-08, 242, 244, 246, 246-03, 250, 252, 255, 265, 268, 269, 270, 271, 273, 274, 280, of Abstract 1102, Tract 1 of Abstract 1102-001, Tracts 3-10, 3-20, 22, 45, 45-01, 51-01, 200, 200-01, 202 of Abstract 39, and Tracts 2-40 and 2-50 of Abstract 39-200. This property is contiguous and within the extra territorial jurisdiction of the City of Sulphur Springs, Texas. This ordinance extends the boundaries of said city so as to include the described property within the city limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding future inhabitants by all of the acts and ordinances of the said city. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance on the second and final reading. Councilman Jordan seconded and the vote was unanimous.

DISCUSSION/ACTION ON THE SECOND AND FINAL READING OF ORDINANCE NO. 2454 UPDATING SERVICE CREDITS FOR CITY EMPLOYEES AND RETIREES

The updated service credits keep current employee retirement plans up with inflation, while the annuity increase keeps already retired employees retirement annuities up with

inflation. The updated service credits rate increases by 0.04% making the total cost increase \$2,081 per year. TMRS gives three options on annuity increases for current retirees: 30%, 50%, or 70% of the specific year's CPI increase. This year staff is recommending the 50% increase to keep the City's total match below 13%. Total cost increase is for this option is \$1,040 making the total financial impact \$3,121. 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. 2457 ESTABLISHING CRITERIA FOR DOWNTOWN DEVELOPMENT AND ESTABLISHING A DOWNTOWN HISTORIC DISTRICT

This ordinance establishes a Historic District and the criteria for which a site must meet to be considered. It also establishes authority for the Downtown Revitalization Board to create guidelines for maintenance, preservation, rehabilitation, restoration, renovation, adaptive use, remodeling and infill construction. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance on the second and final reading. Councilman Jordan seconded and the vote was unanimous.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2456 REZONING PROPERTY LOCATED ON GILMER STREET, THE PORTION OF LOT 20A-R BEING COMBINED WITH LOT 4A OF BLOCK 47-2 OF THE GILMER HILL ADDITION FROM HEAVY COMMERCIAL TO LIGHT COMMERCIAL

A plat of Gilmer Hill Addition changes the lot lines on this property giving it two zoning classifications. The owner would like to rezone the property to make the lot entirely Light Commercial. There was no one else to speak to the issue. Councilman Jordan moved to approve the ordinance on the second and final reading. Councilman Powers seconded and the vote was unanimous.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CONCRETE AND CONCRETE ACCESSORIES FOR WOODBRIDGE CROSSING

On October 31, 2006 at 10:00 a.m. staff held two public bids for Woodbridge. The first bid opening was for the supply of concrete to Woodbridge and the second was for concrete accessories and rebar. Director of Community Development Johnny Vance presented the staff report.

CONCRETE

Bidder	Transit Mix
Item 1- 3000psi concrete w/ Fiber	76 \$/CY
Item 2- 3000psi high early w/Fbr	86 \$/CY
Item 3- Curb and Gutter Grout	81 \$/CY

Bidder	TXI
Item 1- 3000psi concrete w/ Fiber	81 \$/CY
Item 2- 3000psi high early w/Fbr	87 \$/CY
Item 3- Curb and Gutter Grout	91 \$/CY

ACCESSORIES & REBAR

Bidder	United Rentals
No. 4 reinforcement bars	.2175 \$/LF*
No. 5 smooth dowels	1.19 \$/ea.
2"x 6"x 16' wood for forms	.563 \$/ea.
Wood stakes 1" x 3" x 2' long	.225 \$/ea.
Concrete chairs 3-1/4" (250 ea/bag)	21.27 \$/bag
City White Cure (water base)	165.00 \$/gal
Wire Ties (pig tails) 4-1/2"	26.95 \$/bundle
TOTAL	\$9,388.55

There was no one else to speak to the issue. Councilman Powers moved to approve accepting the bids and awarding the contract to Transit Mix for the concrete and United Rentals for the concrete accessories and rebar. Councilman Jordan seconded and the vote was unanimous.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CONCRETE AND CONCRETE ACCESSORIES FOR WHITWORTH STREET

On October 31, 2006 at 10:00 a.m. staff held two public bids for Woodbridge. The first bid opening was for the supply of concrete to Whitworth and the second was for concrete accessories and rebar. Director of Community Development Johnny Vance presented the staff report.

CONCRETE

Bidder	Transit Mix
Item 1- 3000psi concrete w/ Fiber	76 \$/CY
Item 2- 3000psi high early w/Fbr	86 \$/CY
Item 3- Curb and Gutter Grout	81 \$/CY

ACCESSORIES & REBAR

Bidder	United Rentals
No. 3 reinforcement bars	.12 \$/LF*
No. 4 smooth dowels	1.19 \$/ea.
2"x 6"x 16' wood for forms	.563 \$/ea.
Wood stakes 1" x 3" x 2' long	.225 \$/ea.
Concrete chairs 3-1/4" (250 ea/bag)	21.27 \$/bag
City White Cure (water base)	165.00 \$/gal
Wire Ties (pig tails) 4-1/2"	26.95 \$/bundle
TOTAL	\$5,836.55

There was no one else to speak to the issue. Councilman Powers moved to approve accepting the bids and awarding the contract to Transit Mix for the concrete and United Rentals for the concrete accessories and rebar. Councilman Jordan seconded and the vote was unanimous.

DISCUSSION/ACTION ON MUTUAL AID FIRE PROTECTION AGREEMENT

This is the same agreement approved by the City Council in November 2000. This mutual aid agreement is for fire services only, upon request, when equipment and services are available. No money changes hands under this agreement. There was no one else to speak to the issue. Councilman Powers moved to approve entering into the agreement again. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON AMENDED CONTRACT WITH BRASHEAR WATER SUPPLY CORPORATION

The City of Sulphur Springs has been asked by the Brashear Water Supply Corporation to amend its contract in order to qualify for a loan with the United States Department of Agriculture. No financial impact is anticipated regarding this contract. Gene George with the Brashear Water Supply Corporation and Utilities Director Craig Vaughn were available to answer questions. There was no one else to speak to the issue. Councilman Jordan moved to approve the amended contract. Councilman Powers seconded and the vote was unanimous.

DISCUSSION/REPORT ON ABATEMENT PROCEEDINGS FOR 1220 TEXAS STREET

Ed Rosamond, the current owner of the property located at 1220 Texas Street, addressed the City Council and had handouts prepared for them to review. Mr. Rosamond would like to rehabilitate the property. Phil Smith, Tina Stout, Madeline Yancy, Robert Stout, and Bobby Yancy spoke in favor of having the property rehabilitated or demolished as soon as possible because it is an eyesore and a public nuisance. They also pointed out that there are safety issues regarding this structure. There was no one else to speak to the issue. Councilman Aguilar suggested the building be secured from vandals by boarding the windows and doors. Councilman Powers move to declare this property a public nuisance and order abatement requiring the owner to submit a plan of action and obtain a permit for rehabilitation before February 6, 2007. Councilman Jordan seconded the motion but Councilman Powers amended his motion. Councilman Powers move to declare this property a public nuisance and order abatement requiring the owner to submit a plan of action and obtain a permit for rehabilitation before February 6, 2007 and in the event the permit expires or is rescinded the building will be immediately scheduled for demolition. Mayor Pro Tem Williams seconded and the vote was unanimous.

DISCUSSION/ACTION ON ABATEMENT PROCEEDING FOR 218 WEST ROSS STREET

Director of Community Development Johnny Vance presented the staff report. There was no one else to speak to this issue. Councilman Brown moved to declare this property a public nuisance and order abatement by demolition to completed within thirty (30) days. Mayor Pro Tem Williams seconded and the vote was unanimous.

DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR 722 SOUTH DAVIS STREET

Director of Community Development Johnny Vance presented the staff report. John Beezley, the current owner of the property located at 722 South Davis Street, addressed the City Council and submitted a list of his expenditures to rehabilitate the property. Mike Miesse addressed the City Council stating this structure has been in a dilapidated state for over two years and he would like to see it rehabilitated or demolished as soon as possible. There was no one else to speak to this issue. Councilman Brown move to declare this property a public nuisance and order abatement requiring the owner to submit a plan of action and obtain a permit for rehabilitation before January 8, 2007 and in the event the permit expires or is rescinded the building will be immediately scheduled for demolition. Councilman Jordan seconded and the vote was unanimous.

VISITORS/PUBLIC FORUM

Mike Miesse thanked the City Council for all of their hard work and for the improvements of the streets in the City of Sulphur Springs.

ADJOURN

With all business complete the meeting adjourned at 8:20 p.m.