

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE**

**CITY COUNCIL**

**FEBRUARY 6, 2007**

**7:00 p.m.**

Mayor Freddie Taylor called the regular meeting of the Sulphur Springs City Council to order at 6:33 p.m. Councilman Walker moved to adjourn to executive session in accordance with Texas Government Code 551.072, deliberations regarding real property. Councilman Garry Jordan 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 Garry Jordan  
Councilman Clay Walker  
Councilman Oscar Aguilar  
Councilman Larry Powers  
Councilman Chris Brown

Staff:

Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
James Litzler, Acting City Attorney  
Johnny Vance, Dir. Community Development – 7PM  
Peter Karstens, Finance Director – 7PM  
Craig Vaughn, Director of Utilities – 7PM  
Gordon Frazier, Human Resources Director – 7PM

**OPEN SESSION**

Mayor Taylor reconvened the meeting in open session at 7:05 p.m.

**PLEDGE AND INVOCATION**

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

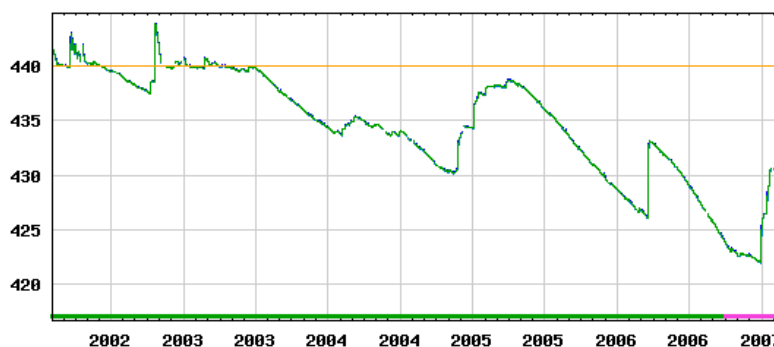
## **MANAGER'S REPORT**

**WHITWORTH STREET** – This street reconstruction project is completed. The project reconstructed 850 feet of water mains, and 800 feet of Whitworth in reinforced concrete. The budget for the project was \$181,035. The invoices are still coming in, but it looks like the project will finish a little under budget.



**ROCKDALE ROAD** - The Rockdale Road reconstruction project is underway. The Capital Construction Division is reconstructing 850 feet of Rockdale Road with reinforced concrete, and they are installing water mains and sewer mains along that street segment as well. The budgeted cost is \$221,488. The water line main has been installed, and the sewer main is being installed now. When the sewer main is completed, work on the street will begin. Rockdale Road will be a road to avoid for a couple of months.

**COOPER LAKE** - The lake level has risen approximately 5 feet since our last meeting. The current elevation is 430.48 feet above mean sea level, which is 9.52 feet low. We still need significant rains this spring to prepare us for the summer.



**FINANCIAL REPORT** - Finance Director, Peter Karstens will give a review of revenues and expenditures year-to-date.

**CLAIMS AND ACCIDENTS** – No liability claims were filed in January.

One Worker's Compensation Claim was filed in January. A Water Treatment Plant employee was sprayed with caustic soda while another employee was conducting repairs. The injuries were fairly serious; however, the employee has returned to work. He will continue to be treated for his burns.

**MISCELLANEOUS** – Elsewhere around the City, employees:

- Responded to 66 fire/rescue calls.
- Conducted 43 fire inspections.
- Took delivery of new fire truck.

- Put new brush truck into service (grant funded).
- Hired one new firefighter.
- Made 88 arrests, recorded 71 offenses, wrote 460 citations, and responded to 47 accidents.
- Hired a new police officer.
- Received Martin Luther King award for Law Enforcement and the City.
- Seized 110 pounds of marijuana, 30 grams of crack cocaine.
- Added 4 new members to the volunteers on patrol program.
- Volunteers on patrol put in 251 personnel hours.
- Received 153 animal control calls.
- Picked up 20 dogs and cats, received 14 more at the shelter, released 9 to their owners, and found homes for 6.
- Made 8 felony drug related arrests in the Special Crimes Unit.
- Removed dead trees at Coleman Park.
- Replaced parking lot light bulbs at Coleman Park.
- Treated 125 million gallons of drinking water.
- Processed 432 tickets through Municipal Court.
- Purchased new bilingual materials for library collection.
- Checked out 4,949 books tapes, etc.
- Distributed 2,470 meals to senior citizens.
- Remodeled 2 offices at City Hall.
- Sent Coleman Lake pump out for repair.
- Unstopped 57 sewer mains.
- Cleaned 25,000 feet of sewer mains.
- Repaired 4 sewer mains.
- Replaced 1 fire hydrant.
- Repaired 4 low flow water service problems.
- Replaced 2 water meters and set 3 new water meters.
- Repaired 20 water main breaks.
- Sent 6 employees to wastewater certification school.
- Performed preventative maintenance at wastewater treatment plant on sludge pumps, clarifiers, and aerators.
- Treated wastewater to a daily average total suspended solids reading of 2.40 mg/L.
- Installed new safety signs on all tanks and piping at water treatment plant.
- Performed annual inspection of Carter Street water tower and clear wells and performed preventative maintenance on both.
- Performed preventative maintenance on Lake Sulphur Springs intake.
- Flushed 39 dead end water mains.
- Made 18 street repairs.
- Removed “One Way” signs on Patton and Lundy Streets.
- Set stop signs at Bellview & Brinker.
- Conducted 31 health inspections.
- Tied in new concrete section of Whitworth to existing asphalt section.

- Patched Brinker Street after new water main installation.
- Conducted 19 building inspections, 23 electrical inspections, 33 plumbing inspections, 13 mechanical inspections, 12 miscellaneous inspections and issued 9 building permits.
- Made preparations to begin a water main replacement project on Industrial Drive in front of Ocean Spray and Morningstar.
- Made preparations to construct new grant-funded t-hangars at the airport.
- Repaired jet fuel pump.
- Repaired AvGas truck.
- Sold 7993 gallons of Jet fuel, and 1489 gallons of AvGas.
- Continued redesign of Airport website and tourism website.

### **CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of January 2, 2007; Planning and Zoning Commission minutes of January 22, 2007; Downtown Revitalization Board Meeting minutes of January 16, 2007; Tourism and Promotion minutes from July 12, August 23, September 20, November 8, November 15, and December 13, 2006, and the Economic Development Corporation meeting minutes of October 23, November 27, and December 18, 2006. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

### **DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2458, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON EAST SHANNON ROAD AND SEWELL LANE, DESCRIBED AS TRACT 3-20, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by the Economic Development Corporation and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one else to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2459, A CITY INITIATED REZONING FOR PROPERTY LOCATED OFF SOUTHLAND STREET, DESCRIBED AS TRACT 200, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Frank and Carolyn Caldwell and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2460, A CITY INITIATED REZONING FOR PROPERTY LOCATED AT 1873 SOUTH BROADWAY, DESCRIBED AS LOT 13, BLOCK 208 AND LOTS 2-50 AND 2-40, BLOCK 209-200, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by M.R. Kelty and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2461, A CITY INITIATED REZONING FOR PROPERTY LOCATED BEHIND LOT 12-01, WEST SIDE OF HOLIDAY DRIVE, DESCRIBED AS TRACT 200-01, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Frank and Carolyn Caldwell and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2462, A CITY INITIATED REZONING FOR PROPERTY LOCATED BEHIND LOT 11, BLOCK 208-2, WEST SIDE OF HOLIDAY DRIVE, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Ken Goggins and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2463, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE EAST SIDE OF HOLIDAY DRIVE, DESCRIBED AS TRACT 2-40, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by M. R. Kelty and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2464, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE EAST SIDE OF TEXAS STREET, SOUTH OF INTERSTATE 30, DESCRIBED AS TRACT 45, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Wayne Cooper and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Aguilar moved to approve the ordinance as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2465, A CITY INITIATED REZONING FOR PROPERTY LOCATED BETWEEN HOLIDAY DRIVE AND ARBALA ROAD, DESCRIBED AS TRACT 22, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by M. R. Kelty and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2466, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE EAST SIDE OF TEXAS STREET, SOUTH OF INTERSTATE 30, DESCRIBED AS TRACT 45-01, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by the City of Sulphur Springs and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2467, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF ARBALA ROAD, BEING FURTHER DESCRIBED AS TRACT 100, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Jessie Miller and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2468, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF ARBALA ROAD, BEING FURTHER DESCRIBED AS TRACT 236, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Otis and Brenda Caldwell and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2469, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF ARBALA ROAD AND EAST OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 210, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Eldon and Wilma White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2470, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED SOUTH OF I-30, EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 235, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by Eldon and Wilma White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Walker seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2471, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 206, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Gerald and Pamela White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2472, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 234, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Gerald and Pamela White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2473, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 234-01, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Gerald and Pamela White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2474, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 235-01, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Gerald and Pamela White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Aguilar moved to approve the ordinance as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2475, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, BEING FURTHER DESCRIBED AS TRACT 235-02, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by Gerald and Pamela White and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2476, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE NORTH SIDE OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 274, FROM AGRICULTURE TO HEAVY INDUSTRIAL**

This property is owned by the Hopkins County Development Corporation and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2477, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED EAST OF SHANNON ROAD AND NORTH OF BILL BRADFORD ROAD, BEING FURTHER DESCRIBED AS TRACT 3-10, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by the Hopkins County Development Corporation and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. David Owens, a representative of We Pack, spoke in favor of the zone change but wanted a public record stating that We Pack wants to maintain usage of the railroad. There was no one else to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2478, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF SEWELL LANE, EAST OF SHANNON ROAD, BEING FURTHER DESCRIBED AS TRACT 51-01, FROM AGRICULTURE TO SINGLE FAMILY**

This property is owned by the Hopkins County Development Corporation and was annexed into the city limits on November 7, 2006. All property annexed must be zoned Agriculture initially and later rezoned to accommodate the future proposed use within one year. Director of Community Development Johnny Vance was available to answer any questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR WATER PIPE FOR INDUSTRIAL DRIVE**

The City opened bids for water pipe for Industrial Drive on January 9, 2007 at 10:00 a.m. Bid requests were sent to three (3) suppliers, Underground Utility Supply, Coburn's, and H.D. Supply. The City received the following bids:

	12" PVC DR18, AWWA C900 water pipe	12"PVC DR18 AWWA C909 water pipe Alternate Bid
Underground Utility Supply	\$22,980.00	\$22,460.00
Coburn's	\$22,380.00	No Bid

Staff recommends awarding the contract to Coburn's. Johnny Vance, Director of Community Development, was available to answer any questions regarding the bids. There was no one to speak to the issue. Councilman Brown moved to approve the bids and award the contract to Coburn's. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR CONDEMNED STRUCTURE LOCATED AT 1116 CHURCH STREET**

Director of Community Development Johnny Vance presented the staff report and changed his recommendation from 30 days to 60 days after a consultation with the owner. There was no one else to speak to this issue. Councilman Jordan moved to declare this property a public nuisance and order abatement by demolition to be completed within sixty (60) days. Councilman Walker seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR CONDEMNED STRUCTURE LOCATED AT 106 ABLE 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 be completed within thirty (30) days. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR CONDEMNED STRUCTURE LOCATED AT 858 PUTMAN STREET**

Director of Community Development Johnny Vance presented the staff report. Anita Golden spoke on behalf of Kayte Ford stating that Ms. Ford intends to have the house torn down. Ms. Golden wanted to know the time constraints. There was no one else to speak to this issue. Councilman Aguilar moved to declare this property a public nuisance and order abatement by demolition to be completed within thirty (30) days. Councilman Walker seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON CONDUCTING A PUBLIC HEARING TO CONSIDER A PROPOSED AMENDMENT TO THE APPROVED TEXAS CAPITAL GRANT FUND PROGRAM (TCF) CONTRACT WITH THE DEPARTMENT OF AGRICULTURE BE DELETING WATER IMPROVEMENTS AND MOVING THE BUDGETED FUNDS INTO THE ACQUISITION BUDGET AND RESOLUTION NO. 932 SUPPORTING THE AMENDMENT**

Mayor Taylor opened the public hearing. There was no one present to speak to the issue. Mayor Taylor closed the public hearing.

The proposed resolution asks the Texas Department of Agriculture, Texas Capital Grant Fund Division, to amend the grant such that the \$186,200 allocated for the water line is transferred to the right-of-way acquisition line item. If approved, this would provide a total of \$459,200 to acquire the right-of-way adjacent to Lowe's. There was no one to speak to the issue. Councilman Jordan moved to approve Resolution No.932 as presented. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PROPOSED AMENDED INTERLOCAL AGREEMENT BETWEEN HOPKINS COUNTY AND THE CITY OF SULPHUR SPRINGS CONFIRMING AGREEMENT TO ASSIST IN DEVELOPMENT OF STATE HIGHWAY 11**

In March 2003 the City of Sulphur Springs and Hopkins County entered into an interlocal agreement that delineated financial responsibility for certain components of the State Highway 11 bypass project. Under the terms of the agreement, the City would reimburse the County \$500,000 for right-of-way acquisition, and the County would, in turn, reimburse the City \$25,000 per year for 20 years.

Seven months after the City signed the agreement, the City obtained a Texas Capital Fund Infrastructure grant from the Texas Department of Agriculture. Under the terms of the grant, \$273,000 was allocated for right-of-way acquisition. Earlier on this agenda the Council approved Resolution No. 932 which will provide an additional \$186,200 for right-of-way acquisition.

The proposed agreement would amend the original agreement between the City and the County, such that the County's obligation to reimburse the City at the rate of \$25,000 per year for 20 years is reduced by the amount of the grant that is actually applied to the right-of-way acquisition. In other words, if the grant amendment is approved and we use the \$459,200 to acquire the right-of-way, then the City would also reimburse the County for an additional \$40,800 of right-of-way acquisition, nothing more. The County would, in turn, reimburse the City \$25,000 one year after the acquisition is completed and \$15,800 the second year after the acquisition is completed. The County would have no additional obligation to reimburse the City. There was no one to speak to the issue. Councilman Jordan moved to approve the amended agreement. Councilman Walker seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON RESOLUTION NO. 934 APPROVING THE PROPOSED SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF SULPHUR SPRINGS, HOPKINS COUNTY, AND THE TEXAS DEPARTMENT OF TRANSPORTATION**

This resolution approves the proposed supplemental agreement between the City of Sulphur Springs, Hopkins County, and the Texas Department of Transportation. There was no one to speak to the issue. Councilman Brown moved to approve Resolution No. 934 as presented. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON RESOLUTION NO. 935 APPROVING THE CONTRACT BETWEEN THE SULPHUR SPRINGS/HOPKINS COUNTY EDC AND WAYNE COOPER CONSTRUCTION FOR THE CONSTRUCTION OF A NEW OFFICE BUILDING**

Acting City Attorney James Litzler distributed a new contract to the City Council that is much more substantial than the original 2-page document. The new contract is an AIA document that is a standard form of agreement between the owner and the construction manager. The City Council requested information regarding the location of the proposed EDC facility. EDC Director Roger Feagley stated the facility would be located by Net Data. Mr. Feagley stated the change in the location is due to multiple reasons including visibility, easy access, and the facility will be less costly at this location. He believes the

EDC needs its own identity as opposed to being located at the Chamber of Commerce or Municipal Airport. Mr. Feagley also spoke about the memorandum of understanding the EDC has with eight other agencies around the State of Texas and the desire to nurture, support, and train future entrepreneurial endeavors. There was some discussion about governmental changes in the future to Economic Development Corporations. There was no one else to speak to the issue. Councilman Aguilar moved to approve the amended contract and Resolution No. 935. Councilman Brown seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON APPROVAL OF A PARTNERSHIP WITH MARKETING FIRM, CGI COMMUNICATIONS, INC., TO PROVIDE STREAMING VIDEO SERVICE**

The Texas Municipal League has partnered with an image marketing firm to provide Texas cities various multimedia promotional opportunities. The products and services are provided by CGI Communications to TML members at no cost; however, they plan to market sponsorship programs to local businesses to recover the cost of the services they provide for the city for free. CGI currently has contracts with 82 Texas communities. CGI will customize the program to meet the City of Sulphur Springs specific needs. The city will get 5 streaming videos which will allow for expansion of the web presence to inform citizens, the business community, and visitors as well as market the community and showcase various points of interest. Director of Aviation and Tourism, Joey Baker, made a presentation and was available to answer any questions regarding the usefulness of this product. There was no one else to speak to the issue. Councilman Jordan moved to approve the partnership with CGI Communications, Inc. Councilman Walker seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON RESOLUTION NO. 933 CALLING FOR ELECTION OF PLACES 4 and 5, NAMING ELECTIONS JUDGES AND SETTING DATES FOR EARLY VOTING**

This resolution calls for a City Council election for places 4 and 5 to be held Saturday, May 12, 2007. The resolution also sets the dates for making application for a place on the ballot, for early voting and for mail ballot deadlines as well as naming the Early Voting Election clerk and voting judge. There was no one to speak to the issue. Councilman Jordan moved to approve the resolution as presented. Mayor Pro Tem Taylor seconded the motion and the vote was unanimous.

The motion carried.

### **VISITORS/PUBLIC FORUM**

Mayor Taylor read a proclamation, for the record, declaring February as Black History Month.

Gary Steed, Emory, Texas, is a member of the Better Life Group that meets regularly at the Classic Lanes bowling alley in Sulphur Springs. At the end of February they will no longer be allowed to meet at this location and they are looking for a new place to conduct their meetings. Mr. Steed wanted to know if the City of Sulphur Springs knew of a place they could meet. City Manager Marc Maxwell told Mr. Steed to give him a call and they would set up a time to meet to discuss this issue.

### **ADJOURN**

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