

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

JANUARY 2, 2007

7:00 p.m.

Mayor Freddie Taylor 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:

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

Absent: Councilman Garry Jordan
Councilman Larry Powers

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Johnny Vance, Dir. Community Development
Peter Karstens, Finance Director
Craig Vaughn, Director of Utilities
Gordon Frazier, Human Resources Director

PLEDGE AND INVOCATION

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

MANAGER'S REPORT

WHITWORTH STREET RECONSTRUCTION – The new water main has been completed and work continues on the street reconstruction between Elm and Como. The project has a budget of \$181,035.

WOODBIDGE CROSSING – This year's improvements in the Woodbridge Addition are completed. The Capital Construction Division reconstructed approximately 900 linear feet of street with reinforced concrete. Originally we had planned to reconstruct 800 feet, but the project was coming in a little under budget, so we lengthened the

project. The project had a budget of \$80,000.

COOPER LAKE - The recent rains were enough to lift the elevation of the lake by nearly 4 feet. The lake is presently at 425.8 feet above sea level, which is still 14.2 feet low. The additional 4 feet will make the proposed dredging operation a little less urgent, which is a good thing. The dredging bids came in at \$9.7 million, far more than the original estimate of \$2.5 million. The City of Irving, The North Texas Municipal Water District, and the Sulphur River Regional Water District now have additional time to send the project out for bids again, or to change the scope of the project. Meanwhile, the additional water will give us all another 3 months supply.

FINANCIAL REPORT - We will be unable to give year to date expenditures and revenues, since the month just closed on Sunday.

CLAIMS AND ACCIDENTS – The City had no workers compensation claims in December.

We do, however, have 2 liability claims pending.

An employee was involved in a fleet accident, and the City will likely receive a claim in that matter.

Verizon has filed a suit against the City seeking \$16,034.35 in damages for an incident in June of 2005. Verizon claims that the Capital Construction Division damaged transmission lines and conduits while connecting a water line at Kyle and Gilmer. TML has assigned an attorney, and we will likely be discussing this matter in some future executive session.

MISCELLANEOUS – Elsewhere around the City, employees:

- Made 27 street repairs.
- Set school zone signs on Duckworth.
- Set “Stop” signs at McCann & Broadway, Main & Moore, and Tennessee & Bill Bradford.
- Received a new street sweeper and began using it.
- Wrote 355 citations, made 84 arrests, recorded 72 offenses and responded to 36 accidents.
- Conducted the Blue Santa Toy Drive in cooperation with STAR 95.9.
- Patched streets at 22 locations as a result of water and/or sewer repairs.
- Conducted 11 health inspections and 7 public nuisance inspections.
- Seized 30 pounds of marijuana resulting in 4 arrests.

- Made 15 arrests as result of Special Crimes Unit operations, and seized various quantities of methamphetamine, marijuana, cocaine, methadone, heroine, and marijuana.
- Responded to 75 calls for fire/rescue service, including 2 structure fires.
- Conducted 39 fire inspections.
- Replaced 8 street signs.
- Conducted 31 building inspections, 34 electrical inspections, 50 plumbing inspections, 26 mechanical inspections, 20 miscellaneous inspections and issued 11 building permits.
- Sealed leaky roof at H.W. Grays building.
- Winterized the spray ground at Pacific Park.
- Trimmed trees at Pevine Pinnion Pond.
- Removed dead trees at Buford Park and Coleman Park.
- Removed American Lotus (lily pads) at Coleman Park.
- Welcomed author Bob Bowman to the Library.
- Checked out 3,398 books tapes, etc.
- Repaired 24 water main ruptures.
- Replaced 4 fire hydrants and repaired 6 more.
- Replaced 4 water meters.
- Unstopped 56 sewer mains and repaired 10 sewer mains.
- Installed 1 water tap and 1 sewer tap.
- Performed preventative maintenance on wastewater clarifiers and tertiary filters.
- Produced effluent with a daily average TSS reading of 3.26 mg/L.
- Performed preventative maintenance at water treatment plant.
- Processed 256 citations through the municipal court.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of December 5 2006, Planning and Zoning Commission minutes of December 18, 2006, and the Zoning Board of Adjustments minutes of December 19, 2006. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON INDEPENDENT AUDIT FOR THE CITY OF SULPHUR SPRINGS 2006

Randy Howard of Pingleton, Howard & Company made a presentation of the audit to the City Council. The audit makes comparisons of how we ended financially as compared to the 2006 budget as well as the previous year. The City of Sulphur Springs continues to be in excellent financial condition. The audit becomes the foundation upon which the city staff will start to build the next budget. There was no one to speak to the issue. Councilman Brown moved to accept the audit as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST 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 explained that there are nine such cases before the City Council on this agenda and there will be as many each month until around August when all tracts that were annexed are properly rezoned. The zoning encompasses the entire tract until the owner or developer subdivides the tract at which time they may wish to rezone the subdivided property.

Mr. Tim Kelty addressed the City Council stating that it should be a matter of record that this is just a starting point for the zoning and that eventually owners and developers will come in to request rezoning in the future. Mr. Kelty owns some of the properties annexed but not this particular tract.

Linda Hagar requested information regarding any fees associated with rezoning property. Mr. Vance explained that there is a fee for rezoning property.

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. 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. 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. 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. 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. 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. There was no one to speak to the issue. Councilman Aguilar 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. 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. 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. 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. 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 FIRST 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. There was no one to speak to the issue. Councilman Aguilar 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. 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. 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 FIRST 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. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON REVISED REPLAT OF COLEMAN PARK ESTATES PHASE I

Developer David Watson has requested a revised plat of Coleman Park Estates Phase I. The City Council previously approved a different Phase I of the addition pending the execution of a Community Facilities Contract (CFC). The CFC was never executed and the plat was not filed. The developer has reconsidered the order in which to develop this land and has submitted a revised Phase I. This plat is for the first phase of a multi-phase subdivision with a total of 81 lots. There was no one to speak to the issue. Councilman Brown moved to approve the revised replat pending the execution of the Community Facilities Contract. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FINAL PLAT OF COLEMAN PARK ESTATES PHASE II

Developer David Watson has requested a final plat of Coleman Park Estates Phase II. The developer has proposed to develop Phase II following Phase I and has submitted a Phase II plat along with engineering plans for consideration. There was no one to speak to the issue. Councilman Brown moved to approve the final plat pending the execution of a Community Facilities Contract and the completion of Phase I. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON INVESTMENT POLICY RESOLUTION NO. 928

These policies are mandated by state law which also outlines their contents. State law calls for an annual review and adoption by the City Council. The only change is to the length of time for the depository contract with a bank to bring it in line with state law, which is a maximum of five years (three years with a possible two-year extension). It had been three years with a possible three-year extension. The City of Sulphur Springs current depository contract is in line with this change. Finance Director Peter Karstens presented the staff report. There was no one to speak to the issue. Councilman Aguilar moved to approve Resolution No. 928 as presented. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 929 AUTHORIZING THE CONTINUED PARTICIPATION IN THE LOCAL GOVERNMENT PURCHASING COOPERATIVE COMMONLY KNOWN AS BUY BOARD

This resolution authorizes the City Manager to execute the Interlocal Participation Agreement with the Local Government Purchasing Cooperative commonly known as BuyBoard allowing us to continue using their services. Finance Director Peter Karstens was available to answer questions. There was no one else to speak to the issue. Councilman Walker moved to approve Resolution No.929 as presented. Councilman Aguilar seconded and the vote was unanimous.

DISCUSSION/ACTION ON RESOLUTION NO. 930 RESCINDING RESOLUTION NO. 380 THAT MADE PATTON AND LUNDY STREETS ONE-WAY STREETS

The Sulphur Springs Independent School District, through its Superintendent Patsy Bolton, has requested the Sulphur Springs City Council make Lundy and Patton Streets “Two-Way” streets again since the Houston School is no longer utilized as a school for children. Resolution No. 380, which was passed November 2, 1976, made Lundy and Patton Streets “One-Way” from Jefferson Street to College Street. Resolution No. 930 will rescind Resolution No. 380 and revert Lundy and Patton Streets back to “Two-Way” traffic. There was no one else to speak to the issue. Councilman Aguilar moved to approve Resolution No.930 as presented. Councilman Brown seconded and the vote was unanimous.

DISCUSSION/ACTION ON RESOLUTION NO. 931 SUPPORTING THE CREATION OF THE NETMOB REGIONAL MOBILITY AUTHORITY

This resolution supports the Hopkins County Judge and Commissioners’ Court in their petition for the creation of a regional mobility (RMA). There was no one else to speak to the issue. Councilman Brown moved to approve Resolution No. 931 as presented. Mayor Pro Tem Williams seconded the motion and the vote was unanimous.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR THE COLEMAN PARK WATER TOWER TO BE REPAIRED AND PAINTED

The city advertised for bids to clean, repaint the exterior and logo, repair and repaint the rust spots and blistering paint on the interior and prepare to return to service the Coleman Park Water Tower. Utility Service Company located in Houston, Texas submitted the low bids. The bids were as follows:

	<u>Interior</u>	<u>Exterior</u>	<u>Total</u>
Utility Service Co	\$8,500	\$84,000	\$92,500
N G Painting	\$10,000	\$120,000	\$130,000
Maguire Iron, Inc.	\$27,000	\$138,000	\$165,000

Director of Utilities Craig Vaughn was available to answer questions. There was no one else to speak to the issue. Councilman Brown moved to approve the low bids submitted by Utility Service Company for the work to be performed on the Coleman Park Water Tower. Councilman Walker seconded and the vote was unanimous.

VISITORS/PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting adjourned at 7:50 p.m.