

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

MARCH 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 Clay Walker moved to adjourn to executive session in accordance with Texas Government Code 551.071, consultation with attorney regarding pending litigation. 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
Jim McLeroy, City Attorney
Jim Bayuk, Police Chief
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 7:00 p.m.

PLEDGE AND INVOCATION

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

MANAGER'S REPORT

FRIENDS OF THE LIBRARY GALA & FUNDRAISER - The Friends of the Library Gala is this week. The event kicked off with a book sale on Monday. The book sale will continue through Wednesday. Thursday evening will be a special evening with author Jim Ainsworth. The week will conclude with a luncheon on Friday. Author Annette Smith will be the guest speaker at the luncheon.

ROCKDALE ROAD - The Rockdale Road reconstruction project is progressing well. The Capital Construction Division has finished the installation of water and sewer mains. We have begun reconstructing the road with reinforced concrete. Remember, we are not reconstructing the entire road this year, just the first 850 feet starting at Camp Street. The project has a budget of \$221, 448.

INDUSTRIAL DRIVE WATER MAIN - The Capital Construction Division has nearly completed a water main replacement project in front of Ocean Spray and Morningstar Foods. The new water main extends from Coca Cola Drive to Bill Bradford Road. The main is being replaced at the request of Morningstar and Ocean Spray. Both companies complained of water reliability problems. This project is being performed as a joint venture between the City of Sulphur Springs and the Sulphur Springs/Hopkins County Economic Development Corporation (EDC). The EDC is paying for the materials, while the City's Capital Construction Division is performing the installation. The budgeted cost for materials is approximately \$86,000. It looks like expenditures will be about \$10,000 less than budgeted.

SPRING CLEAN-UP - The annual spring clean-up is scheduled for April 16th - 21st. City residents can drop off all of their rubbish, green waste, and plain old junk at the same location as usual, ¼ mile east of Flowserve on the frontage road. We will not accept household hazardous waste. No chemicals, paint, batteries, tires, or appliances which use refrigerant. Proof of City residence will be required to dump at the site. A water bill, or valid ID will be acceptable.

This year the County will also conduct a spring clean-up concurrent with the City's effort.

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

CLAIMS AND ACCIDENTS – We had one worker's compensation claimed in February. A Capital Construction employee sprained his ankle and was out for one week.

Two local residents filed liability claims for damages resulting from sewer stoppages. Both claims have been filed with the City's risk pool, TML.

The service center suffered some fairly serious wind damage in February. We filed a claim with our risk pool, TML.

MISCELLANEOUS – Elsewhere around the City, employees:

- Sold 6,871 gallons of jet fuel and 1,366 gallons of AvGas.
- Reviewed proposals from 5 engineering firms in relation to the proposed runway/taxiway resurfacing project.
- Repaired lights on Coleman Park water tower.
- Repaired lights on Fields #1 and #6 at Coleman Park.
- Re-installed waterfall pump at Coleman Park.
- Repaired 2 sewer mains.
- Repaired 15 water mains.
- Replaced 6 water meters.
- Cleaned 52,688 feet of sewer mains.
- Repaired 8 low-flow water services.
- Attended Supervisory skills development school.
- Repaired wastewater sludge press.
- Performed preventative maintenance on #2 wastewater final clarifier.
- Produced wastewater with a daily average total suspended solids count of 2.42 mg/L.
- Treated 108 million gallons of drinking water.
- Passed TCEQ's annual inspection of the water treatment plant with flying colors.
- Installed new PH meters and chlorine monitors at water treatment plant.
- Submitted annual water report to the State of Texas.
- Flushed 39 dead-end mains.
- Responded to 569 emergency 911 calls, 4,975 non emergency police calls, and dispatched officers to 741 calls.
- Made 101 arrests, wrote 452 citations, recorded 71 offenses and worked 43 accidents.
- Made 20 special crimes unit arrests and seized 33.5 grams of hydrocodone and 47 grams of methamphetamine.
- Attended training on vehicle theft recognition, pandemic influenza, and domestic violence.
- Conducted SWAT training.
- Seized 40 pounds of marijuana and 2 ounces of methamphetamine.
- Taught handicap parking class to Volunteers on Patrol (VOP).
- Responded to 258 animal control calls.

- Picked up 19 dogs and cats and received 2 more at the shelter; found homes for 5.
- Responded to 102 fire/rescue calls, including 4 structure fires.
- Conducted 39 fire inspections.
- Replaced 6 street signs.
- Made 27 street repairs.
- Repaired traffic signs on Tomlinson, Phyllis Court and Elizabeth Lane.
- Conducted 23 health inspections and 7 public nuisance inspections.
- Conducted 25 building inspections, 24 electrical inspections, 42 plumbing inspections, 17 mechanical inspections, and issued 16 building permits.
- Poured bench pads at Pacific Park.
- Refurbished #1 field dugout at Buford Park.
- Cleaned around Peavine Pinion Lake for kids fishing day.
- Removed dead trees from Coleman Park and Buford Park.
- Made preparations for Friends Gala and Fundraiser.
- Added 264 new items to the Library shelves.
- Checked out 4,615 books tapes, etc.
- Processed 480 tickets through the municipal Court.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of February 6, 2007; Planning and Zoning Commission minutes of February 19, 2007; Downtown Revitalization Board Meeting minutes of February 27, 2007; and the Economic Development Corporation meeting minutes of January 22, 2007. Councilman Brown asked Director of Community Development Johnny Vance about detailed plan information in the Downtown Revitalization plan. There was no one else 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 PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2467, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE EAST SIDE OF ARBALA ROAD, 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 Powers moved to approve the ordinance

on the second and final reading. 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. 2468, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE WEST SIDE OF ARBALA ROAD, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2469, A CITY INITIATED REZONING FOR PROPERTY LOCATED ON THE WEST SIDE OF ARBALA ROAD AND EAST OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2470, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED SOUTH OF I-30, EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2471, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on second and final reading. 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. 2472, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2473, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2474, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. 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. 2475, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1103, 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 Powers moved to approve the ordinance on the second and final reading. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AD FINAL READING OF ORDINANCE NO. 2476, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE NORTH SIDE OF WEST MAIN STREET, DESCRIBED AS TRACT 274, FROM AGRICULTURE TO HEAVY INDUSTRIAL

This item was pulled from the agenda and the will be on the April 3, 2007 agenda.

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

This item was pulled from the agenda and will be on the April 3, 2007 agenda.

DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2478, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF SEWELL LANE, EAST OF SHANNON ROAD, 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 Powers moved to approve the ordinance on the second and final reading. Councilman Brown seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2479, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF ROCKDALE ROAD AND VAUGHN DRIVE, DESCRIBED AS TRACT 246, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Jeff and Sue Orwosky 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2480, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF VAUGHN DRIVE, DESCRIBED AS TRACT 246-03, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Jeff and Sue Orwosky 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2481, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF ROCKDALE ROAD AND VAUGHN DRIVE, DESCRIBED AS TRACT 268, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by T. F. Mosely 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2482, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF MAJORS DRIVE AND VAUGHN DRIVE, DESCRIBED AS TRACT 269, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by T. F. Mosely 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2483, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF MAJORS DRIVE AND VAUGHN DRIVE, DESCRIBED AS TRACT 270, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by T. F. Mosely 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2484, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED SOUTH OF MAJORS DRIVE, DESCRIBED AS TRACT 231-01, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Billy Wayne Gregory 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2485, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF ARBALA ROAD, DESCRIBED AS TRACT 160, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Charles and Donna Gayle Edgar 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 to the City Council that this request was presented to the Planning and Zoning Commission to change the zoning to Heavy Commercial from Agriculture. However, staff and the Planning Zoning Commission recommend the zoning be changed from Agriculture to Single Family 6,000. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented with the staff recommendation to Single Family 6,000. Councilman Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2486, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED SOUTH OF MAJORS DRIVE, DESCRIBED AS TRACT 244, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Billy Wayne Gregory and Donna Gregory Edgar 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 Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2487, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED WEST OF ARBALA ROAD, DESCRIBED AS TRACT 213, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Charles and Donna Gayle Edgar 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 to the City Council that this request was presented to the Planning and Zoning Commission to change the zoning to Heavy Commercial from Agriculture. However, staff and the Planning Zoning Commission recommend the zoning be changed from Agriculture to Single Family 6,000. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented with the staff recommendation to Single Family 6,000. Councilman Powers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2488, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF MAJORS DRIVE AND VAUGHN DRIVE, DESCRIBED AS TRACT 231, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Abbie Gail Wisenbaker Rucker 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. 2489, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED BETWEEN VAUGHN DRIVE AND HIGHWAY 19, DESCRIBED AS TRACT 233, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Wisenbaker Properties, LTD 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 to the City Council that this request was presented to the Planning and Zoning Commission to change the zoning to Light Commercial from Agriculture. However, the Planning Zoning Commission, by a vote of two to one, recommends the zoning be changed from Agriculture to Single Family 6,000 and staff recommends Single Family 6,000. There was no one to speak to the issue. Councilman Walker moved to approve the ordinance as presented with the staff recommendation to Single Family 6,000. Councilman Jordan seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2490, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF ROCKDALE ROAD AND HIGHWAY 19, DESCRIBED AS TRACT 280, FROM AGRICULTURE TO SINGLE FAMILY

This property is owned by Wisenbaker Properties, LTD 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 BIDS AND AWARD OF CONTRACT FOR CONCRETE FOR THE ROCKDALE ROAD DEVELOPMENT OF STATE HIGHWAY 11

On February 11, 2007 staff conducted a public bid opening for concrete for Rockdale Road. The following bid was placed:

Transit Mix

3000 5 sack mix w/FBR	\$ 79.00
3000 5 sack mix high early w/FBR	\$ 90.00
Curb and Gutter Grout Mix	\$ 84.00

Staff sent bid packets to TXI, Transit Mix, and Bell Concrete. The publications were placed in the News Telegram on January 27, 2007 and February 3, 2007. Staff recommends contracting with Transit Mix. Director of Community Development Johnny Vance was available to answer questions. There was no one to speak to the issue. Councilman Jordan moved to approve the bid and awarding the contract to Transit Mix. Councilman Powers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ANNUAL REPORT REGARDING TRAFFIC STOPS AND ARRESTS

Articles 2.131 through 2.138 of the Texas Code of Criminal Procedures (the “Act”) require each law enforcement agency in the State of Texas to enact policies prohibiting their officers from engaging in racial profiling.

In an effort to fully comply with the law, each Sulphur Springs police officer has undergone specialized training designed to educate officers in the issues related to racial profiling. Additionally, the department has equipped vehicles used regularly by officers to make traffic and pedestrian stops with video and audio equipment. This equipment assists with officer safety as well as ensuring compliance with departmental policy and state law regarding racial profiling.

It is a state requirement for this report to be given to the City Council each year for their review. City Attorney Jim McLeroy and Police Chief Jim Bayuk were available to answer questions. The report was reviewed by the City Council. Councilman Jordan moved to approve the report as presented. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON INTERLOCAL AGREEMENT BETWEEN THE BOYS AND GIRLS CLUB AND THE CITY OF SULPHUR SPRINGS

The Boys and Girls Club received a grant in 2005 to operate a satellite program and they have been using the H. W. Gray’s building at Pacific Park per the interlocal agreement we signed in February 2005. They have continued their usage even though the original agreement expired in 2006. This agreement is a continuation of the original. There was

no one to speak to the issue. Councilman Powers moved to approve the agreement as presented. Councilman Jordan seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 936 AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH HOPKINS COUNTY FOR THE PURPOSE OF LEASING STATE MANDATED ELECTRONIC VOTING EQUIPMENT FOR EARLY VOTING AND ELECTION DAY

The City of Sulphur Springs must use DRE equipment in our election to comply with state mandates. This resolution allows the City Manager to enter into a lease agreement with Hopkins County to lease equipment. The maximum amount of the lease agreement will be \$1,680 for one entity, \$840 if two entities participate and \$560 if all three entities participate. There was no one else to speak to the issue. Councilman Jordan moved to approve the resolution. Councilman Powers seconded the motion and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

Mayor Taylor noted that last month, during Black History Month, there were five benches dedicated at Pacific Park representing five individuals from the community and he wanted to thank Marc Maxwell and Johnny Vance for their assistance.

ADJOURN

With all business complete the meeting adjourned at 7:38 p.m.