

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE**

**CITY COUNCIL**

**MAY 1, 2007**

**7:00 p.m.**

Mayor Freddie Taylor called the regular meeting of the Sulphur Springs City Council to order at 7:03 p.m. 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  
Peter Karstens, Finance Director  
Jim Bayuk, Police Chief  
Craig Vaughn, Director of Utilities  
Gordon Frazier, Human Resources Director

**PLEDGE AND INVOCATION**

Mayor Freddie Taylor led in the pledge of allegiance and the invocation.

**MANAGER'S REPORT**

**ROCKDALE ROAD** - The Rockdale Road reconstruction project is completed. The original plan called for the reconstruction of 850' of Rockdale Road beginning at Camp Street. Actual expenditures were coming in a under budget, so we were able to reconstruct 1,200' before depleting the budget. The project had a budget of \$221,448. This project reconstructed only a portion of Rockdale Road between Industrial Drive and Camp Street. Other segments will likely be recommended by staff in future years' Capital Improvements Plan (CIP) staff reports.

**SKATE PARK** - Construction continues on the Skate Park. Progress was slow in April due to rain, and then the spring clean up. The Council authorized \$100,000 for the construction of a

skate park. The City then successfully applied for a \$50,000 grant from Texas Parks and Wildlife. The grant provides for the reconstruction of the basketball courts at Buford Park as well as some playground equipment.

**COMO STREET** - The Capital Construction Division has begun rebuilding a portion of Como Street in the vicinity of Morningstar Foods, Ocean Spray and J.B. Weld. Actually this is an extensive repair. The street is deteriorating in one area as the result of a failed storm drain under the street. This project will repair the street and the drainage system at a budgeted cost of \$91,100.

**CO-OP SEWER PROJECT** - This project is next up. It will replace 3,250 linear feet of sewer main beginning at Jackson Street near the Northeast Texas Farmers Co-op and extend westward. It has a budget of \$186,800 for the project.

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

**CLAIMS AND ACCIDENTS** – No Worker’s Compensation Claims were filed in March.

No liability claims were filed in April. We had two minor worker’s compensation claims, one for poison ivy exposure, and one for scrapes and bruises suffered by a police officer while making an arrest.

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

- Made 17 street repairs as a result of utility repairs.
- Repaired street signs on Camp Street, Hodge Street and Tate Street.
- Placed “No Trucks” signs on Rockdale Road.
- Placed “Children Playing” signs on Foscue and Flemming.
- Swept 30 streets.
- Held Spring Cleanup Week at the usual location.
- Conducted 18 health inspections and 11 public nuisance inspections.
- Conducted 13 building inspections, 16 electrical inspections, 36 plumbing inspections, 5 mechanical inspections and issued 18 building permits.
- Demolished a structure at 106 Able, bringing the total number of abated substandard structures to 354.
- Attended search and seizure training and property and evidence training.
- Took 1<sup>st</sup> and 2<sup>nd</sup> place in U.S.P.C.A. canine narcotics detection competition.
- Seized 4 pounds of marijuana and 1.25 pounds of ecstasy.
- Worked 302 hours in the Volunteers on Patrol (VOP) program.
- Made 5 felony arrests in the special crimes unit and seized marijuana, methamphetamine and prescription drugs.
- Responded to 246 animal control calls.
- Picked up 29 dogs and cats and received 5 more at the shelter. Found homes for 9.
- Responded to 75 fire/rescue calls.

- Conducted 41 fire inspections.
- Tested and maintained 114 fire hydrants.
- Cooked 1700 hot dogs for Kids Safe Saturday.
- Received Fire Inspector/Plans Review certification. Congratulations Capt. Kager.
- Distributed 2,618 meals to seniors.
- Made preparations for the summer reading program.
- Checked out 4,253 books, tapes, etc.
- Repaired lights at the Library.
- Cleaned 56,000 feet of sewer line.
- Unstopped 47 sewer mains.
- Installed 3 new sewer taps and repaired 10 existing sewer taps.
- Repaired 2 sewer mains.
- Repaired 9 water breaks.
- Installed 2 new fire hydrants.
- Installed 10 new water meters.
- Repaired wastewater sludge press and lift station pumps.
- Passed a TCEQ inspection at the Waste Water Treatment plant with flying colors.
- Produced effluent with a daily average TSS reading of 1.93mg/L.
- Repaired turbidity meter at water treatment plant.
- Drained Coleman water tower for repainting.
- Performed preventative maintenance on water treatment clarifiers.
- Flushed 39 dead-end water mains.
- Performed preventative maintenance on Cooper Lake pumps.
- Sold 8,157 gallons of jet fuel, and 3245 gallons of aviation gas.
- Began promoting bluegrass show in conjunction with the Folk Festival.
- Processed 659 tickets through the courts.

### **CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval: regular City Council minutes of April 3, 2007; Planning and Zoning Commission minutes of April 16, 2007; Downtown Revitalization Board Meeting minutes of April 17, 2007; and the Economic Development Corporation meeting minutes of March 19, 2007. 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 FOR SECOND AND FINAL READING OF ORDINANCE NO. 2491, A REQUEST BY OWNER WARREN GAMBLIN TO REZONE PROPERTY LOCATED AT 400 SHANNON ROAD, EAST INSIDE, BEING FURTHER DESCRIBED AS LOT 1-02, BLOCK 219, FROM SINGLE FAMILY TO HEAVY COMMERCIAL**

This is a request by the property owner, Warren Gamblin, to rezone his property located at 400 Shannon Road, further described as Lot 1-02 of Block 219 from Single Family 6,000 (SF-6) to Heavy Commercial (HC). Community Development Director Johnny Vance presented the staff report. There was no one else to speak to the issue. Councilman Powers moved to approve the ordinance on the second and final reading as presented. Councilman Jordan seconded the motion and the vote was unanimous.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2492, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON S.H. 19, BEING FURTHER DESCRIBED AS TRACT 242, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Pilgrims Pride 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2493, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON S.H. 19, BEING FURTHER DESCRIBED AS TRACT 242-01, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Cross Country Cowboy Church 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2494, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF S.H. 19 AND I-30, BEING FURTHER DESCRIBED AS TRACT 273, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by the Waite Family Trust 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2495, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED BETWEEN ROCKDALE ROAD AND S.H. 19, BEING FURTHER DESCRIBED AS TRACT 252, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Debra Tanton Odom 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2496, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON WEST SHANNON ROAD, BEING FURTHER DESCRIBED AS TRACT 92-11, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by the Swan Estate 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2497, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON WEST SHANNON ROAD, BEING FURTHER DESCRIBED AS TRACT 265, FROM AGRICULTURE TO HEAVY COMMERCIAL**

This property is owned by Margaret Morrison 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO, 2498, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON S.H. 19, BEING FURTHER DESCRIBED AS TRACT 250, FORM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Stephen R. & Tara R. Jones 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2499, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON MAJORS STREET, BEING FURTHER DESCRIBED AS TRACT 271, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Charles and Jo Law Morris 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PUBLIC HEARING OF SECOND AND FINAL READING OF ORDINANCE NO. 2500, A CITY INITIATED REZONING REQUEST FO R PROPERTY LOCATED ON MAJORS STREET, BEING FURTHER DESCRIBED AS TRACT 222-22, FROM AGRICULTURE TO**

**SINGLE FAMILY 6,000**

This property is owned by George and Dorothy Hall 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 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 and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2501, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON ARBALA ROAD, BEING FURTHER DESCRIBED AS TRACT 211, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Rose Enix 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 questions. There was no one to speak to the issue. Councilman Walker discussed the map with Mr. Vance. Councilman Brown made a motion to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2502, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Plas Ray Williams Jr. 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 questions. Kathryn Williams addressed the City Council stating that the property should be zoned Heavy Commercial instead of Light Commercial. She and her husband have built a new building for a manufacturing business on the property. There was some general discussion as to whether Heavy Commercial would be the appropriate zoning. There was no one else to speak to the issue. Councilman Powers made a motion to approve the ordinance as presented with the instructions that the City initiate rezoning to Heavy Commercial or Light Industrial for this property. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2503, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-02, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by E. L. and Wanda Alexander 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 questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2504, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-03, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Ronny and Joyce Burchfield 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. Ronnie and Mike Burchfield addressed the City Council requesting a heavier zoning such as Heavy Commercial or Light Industrial to accommodate their business. Director of Community Development Johnny Vance was available to answer questions. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance as presented with the instructions that the City initiate rezoning to Heavy Commercial or Light Industrial for this property. Councilman Brown seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2505, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-04, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Ava Lee Martin 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 questions. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance as presented. Councilman Brown seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2506, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-06, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Jimmy and Cynthia Stovall 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 questions. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance as presented. Councilman Jordan seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2507, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF I-30, BEING FURTHER DESCRIBED AS TRACT 1, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by R. Chris and Scarlett C. Gibbons 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 questions. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance as presented. Councilman Brown seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2508, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF 1-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 3, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by Johnny Dodson 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. Mr. Dodson addressed the City Council stating that he did not receive notice of the annexation and he didn't know if it included all 83 acres. Director of Community Development Johnny Vance was available to answer questions. There was no one to speak to the issue. Councilman Powers moved to table this item until it could be determined if all 83 acres were included in the annexation and if a notice had been sent. Councilman Brown seconded and the vote was unanimous.

The motion carried to table this item.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2509, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF I-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 158, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by McCall Farms 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 questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2510, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF I-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 158-11, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by Billy and Yolanda Cox 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. Ronnie and Mike Burchfield addressed the City Council requesting a heavier zoning such as Heavy Commercial or Light Industrial to accommodate their business. Director of Community Development Johnny Vance was available to answer questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2511, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF I-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 205, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by Michael and Sue Norton 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 questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2512, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED NORTH OF I-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 207, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by Michael and Sue Norton 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 questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2513, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED OF I-30 AND SOUTH OF MAIN STREET, BEING FURTHER DESCRIBED AS TRACT 1, FROM AGRICULTURE TO LIGHT INDUSTRIAL**

This property is owned by Jeffrey and Francis Wiles 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 questions. There was no one to speak to the issue. Councilman Powers moved to approve the ordinance as presented. Councilman Walker seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2514, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-07, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Sam Hollie 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 questions. There was no one to speak to the issue. Councilman Aguilar moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2515, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF S.H. 19, BEING FURTHER DESCRIBED AS TRACT 241-**

**08, FROM AGRICULTURE TO LIGHT COMMERCIAL**

This property is owned by Derald Lynn Millsap 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 questions. There was no one to speak to the issue. Councilman Brown moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2516, A CITY INITIATED REZONING REQUEST FOR PROPERTY LOCATED ON ROCKDALE ROAD, BEING FURTHER DESCRIBED AS TRACT 255, FROM AGRICULTURE TO SINGLE FAMILY 6,000**

This property is owned by Kevin, Shari, Arnold, and Margaret Mohl 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 questions. There was no one to speak to the issue. Councilman Jordan moved to approve the ordinance as presented. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON FINAL PLAT OF HILL ADDITION, A REQUEST TO REPLAT TWO LOTS LOCATED ON THE EAST SIDE OF RESERVOIR STREET, BEING FURTHER DESCRIBED AS LOTS 14B AND 31C OF BLOCK 23-1, INTO ONE LOT**

This is a request by owner Henry Hill to replat this property into one lot. The plat does not comply with subdivision ordinance #2049 and the proper right-of-way has not been dedicated. Mr. Hill has stated that if the plat was approved he did not have a problem with giving the City a 25' right-of-way on the property facing Baker Street if it was ever needed. Director of Community Development Johnny Vance was available to answer questions. There was no one to speak to the issue. Councilman Powers moved to approve the plat as presented. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CONCRETE AND CONCRETE ACCESSORIES FOR THE SKATE PARK**

On April 25, 2007 at 10:00 a.m. staff held two public bids for the Skate Park. Staff sent bid packets for concrete to Transit Mix, TXI, and Bell Concrete. Bids for accessories

were sent to United Rentals, Transit Mix, and Foxworth. Public notices were also placed in the News Telegram. One bid was received for concrete from Transit Mix and two bids for concrete accessories and rebar were received from United Rentals and Foxworth. Staff recommended award of contract for the concrete to Transit Mix, the only bidder, and the contract for accessories and rebar to United Rentals, the lowest bidder.

**Concrete:**

Item 1 – 3000 psi 5 sack mix	\$74.00/CY
Item 2 – 3000 psi 6 sack mix	\$79.00/CY
Item 3 – Curb & Gutter Grout Mix	\$84.00/CY

**Concrete Accessories & Rebar Totals:**

United Rentals	\$5,896.92
Foxworth	\$6,278.76

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 bids and award the contract to Transit Mix for the concrete and United Rentals for the accessories and rebar. Councilman Powers seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON ADOPTION OF RESOLUTION NO. 937 DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION**

This resolution starts the process on the Certificate of Obligations called for in the 2006-2007 budget which called for a combination of three debt issues:

\$2,500,000 for the Water and Sewer CIP	20 years
\$3,500,000 for the Street CIP	10 years
\$ 975,000 for Equipment	10 years

Finance Director Peter Karstens was available to answer any questions. There was no one to speak to the issue. Councilman Powers moved to approve Resolution No. 937 as presented. Councilman Brown seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON CONSIDERATION OF LEGACY TREASURY DIRECT'S RESOLUTION FOR SECURITY TRANSACTIONS – CITY RESOLUTION NO. 938**

This resolution authorizes the City Manager and the Director of Finance to perform any

transaction with the City's Legacy Treasury Direct Account. This gives the City the ability to buy treasuries directly from the U.S. Department of Treasury without having to pay a broker fee. Finance Director Peter Karstens was available to answer any questions. There was no one to speak to the issue. Councilman Powers moved to approve Resolution No. 938 as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON PROPOSAL FOR SULPHUR SPRINGS COUNTRY CLUB USE OF TREATED EFFLUENT**

The Sulphur Springs Country Club (SSCC) would like to be allowed access to and use of the City of Sulphur Springs treated effluent (wastewater). If the City Council approves the agreement with SSCC, they would like to use up to sixty (60) million gallons per year, or about 5% of the total effluent produced by the City of Sulphur Springs. SSCC agrees to assume the costs of accessing and transporting any water it uses and to comply with any and all requirements of the Texas Commission on Environmental Quality and other State and Federal regulatory agencies. The basic provisions of the proposed agreement are set forth in the draft agreement but modifications must be made to accommodate required TCEQ language. There may be some minor modifications that may be required prior to signing the document. There was no one to speak to the issue. Councilman Powers moved to approve to authorize the City Manager to enter into negotiations for a tentative agreement with the Sulphur Springs Country Club and any modifications made within the parameters as defined in the draft agreement. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

**DISCUSSION/ACTION ON THE AMENDMENT OF THE POLICE DEPARTMENT'S ASSET FORFEITURE BUDGET**

The Police Department is requesting to modify their annual Asset Forfeiture budget to purchase additional equipment that was not budgeted prior to this fiscal year. The intended purchase is a modern in-car camera system. This system will be used for audio and video recording of traffic stops of uniformed police officers. This system will replace an obsolete VHS system that is currently being used by the department. The Police Department also intends to update the current networking system including the server, switches, hubs, software, and desktop workstation to a more current networking system. The cost of this update will be \$90,000. Police Chief Jim Bayuk was available to answer any questions. There was no one to speak to the issue. Councilman Powers moved to approve the budget amendment as presented. Mayor Pro Tem Williams seconded and the vote was unanimous.

The motion carried.

**VISITORS AND PUBLIC FORUM**

City Manager Marc Maxwell stated that Councilman Powers is the last remaining member of the City Council that interviewed and hired him. This is Councilman Powers' last City Council meeting after twelve (12) years of service and he will be greatly missed.

**ADJOURN**

With all business complete the meeting was adjourned at 8:00 p.m.