

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE**

**CITY COUNCIL**

**FEBRUARY 3, 2009**

**7:00 p.m.**

Mayor Oscar Aguilar called the regular meeting of the Sulphur Springs City Council to order at 7:01 p.m. The following council members and staff were present:

Mayor Oscar Aguilar  
Mayor Pro Tem Gary Spraggins  
Councilman Clay Walker  
Councilman Freddie Taylor (7:06PM)  
Councilman Chris Brown  
Councilman Charles Oxford

Absent: Councilman Garry Jordan

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

**PLEDGE AND INVOCATION**

Mayor Aguilar led in the pledge of allegiance and Councilman Oxford led in the invocation.

**PRESENTATION OF PROCLAMATION TO BOY SCOUT TROOP NO. 66**

Mayor Aguilar read the proclamation and then presented it to Scout Master Bernie Beers. The proclamation encouraged everyone to join in recognizing the valuable contributions made by Boy Scout Troop No. 66, Scout Master Bernie Beers, and their unflagging sponsors.

## **MANAGER'S REPORT**

**HOUSTON STREET** - I'm still waiting for final construction drawings on Houston Street. We're getting close.

**CONNALLY STREET** – AECOM Engineering is working on the construction drawings for Connally Street and that portion of Gilmer Street which passes between Alliance Bank and City National Bank. They're coordinating with both banks to make sure everything ties in. President Obama's economic stimulus bill didn't contain as much money for infrastructure improvements as I had hoped, so I am not going to hold my breath for any federal assistance on Connally or Houston Streets.

**CLAIMS** – We did not have any worker's compensation claims or liability claims in January.

**REVENUES AND EXPENDITURES** – Finance Director, Peter Karstens, will present the year-to-date summary of revenues and expenditures.

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

- Responded to 181 animal control calls, received 36 dogs and cats at the animal shelter, returned 3 to their owners and found homes for 32. That is a 97% adoption rate!
- Demolished 3 substandard structures, bringing the total to 416 since the program began.
- Helped with set-up and take-down for the Wildcat celebration.
- Removed Christmas lights from Main Street and the square.
- Repaired 22 potholes and 19 utility cuts.
- Repaired or replaced street signs at Vansickle & Locust, Vansickle & Easy, Eaton & Industrial, Woodside & Red Oak, N. Davis & Airport Rd., and Sharon Lane & W. Industrial.
- Conducted 20 health inspections and 45 public nuisance inspections.
- Conducted 46 building inspections, 48 electrical inspections, 61 plumbing inspections, 28 mechanical inspections, 6 miscellaneous inspections and issued 10 building permits.
- Replaced an 8-inch sewer line on Hodge Street between Davis and Brinker.
- Received police training on the following subjects: firearms, family violence, sexual assault, child abuse, crime scene investigation, Taser certification, dispatch response to an "active shooter" call.
- Made 2 felony arrests in the special crimes unit.
- Responded to 47 accidents, made 83 arrests, recorded 60 offenses and wrote 493 citations.
- Sold 10,762 gallons of jet fuel and 1,709 gallons of AvGas.
- Performed preventative maintenance on fuel trucks.
- Treated 120 million gallons of drinking water.
- Processed 501 tickets through Municipal Court.
- Removed dead trees in Coleman Park and picked up limbs in all parks.
- Mulched leaves.
- Responded to 90 fire/rescue calls.

- Conducted 33 fire inspections.
- Performed preventative maintenance on 98 fire hydrants.
- Hired master electrician Mike Bentley!
- Repaired lights at city hall and wastewater treatment plant, a variable frequency drive at the water treatment plant and a switch on the wastewater sludge press.
- Repaired 14 water breaks, replaced 25 water meters and repaired 10 water valve stands.
- Unstopped 23 sewer mains, repaired 2 sewer mains, and cleaned 50, 283 feet of sewer mains.
- Performed preventative maintenance on wastewater lift stations, filters, clarifiers, and sludge press.
- Treated wastewater to a daily average total suspended solids rating of 2.45 mg/L.
- Checked out 4,101 books from the library.

### **CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval regular City Council meeting minutes of January 6, 2009; the Planning and Zoning Commission meeting minutes of January 20, 2009; the Downtown Revitalization Board meeting minutes of January 20, 2009; and the Economic Development Corporation meeting minutes of December 22, 2008. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Councilman Oxford seconded the motion and the vote was unanimous.

**The motion carried.**

### **DISCUSSION/ACTION ON FINAL PLAT OF GUARANTY BOND BANK ADDITION, A REQUEST BY GUARANTY BOND BANK/CRAIG ROBERTS TO REPLAT PROPERTY LOCATED ON THE WEST SIDE OF GILMER BETWEEN HODGE, SPENCE, AND FISHER STREETS, BEING FURTHER DESCRIBED AS LOTS 22-C, 27-B, 17, 21, 28, 18, AND 31 OF BLOCK 36-2 AND LOT 2 OF BLOCK 36 2-2**

This plat combines 8 lots owned by the bank into 2 lots. The Director of Community Development, Johnny Vance, presented the staff report. The Planning and Zoning commission conducted a public hearing and recommended approval with the requirement that a masonry wall be constructed between Heavy Commercial and Residential zoning at the time of development. There was no one to speak to the issue. Councilman Taylor moved to approve the plat as presented. Councilman Walker seconded and the vote was unanimous.

**The motion carried.**

### **DISCUSSION/ACTION 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. The Act requires that the City of Sulphur Springs Police Department compile data related to traffic stops and arrests resulting from those stops. The data in this report is for the City Police Department calendar year 2008. Police Chief Jim Bayuk was available to answer any questions and present the staff report. There was no one else to speak to the issue. Councilman Taylor moved to approve the report as presented. Councilman Brown seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON RESOLUTION NO. 970 CALLING FOR ELECTION FOR PLACES 1, 2, AND 3, NAMING ELECTION JUDGES, AND SETTING DATES FOR EARLY VOTING**

**(La discusión/acción en la Resolución el numero 970 pidiendo la elección coloca 1, 2, y 3, llamando a jueces de elección, y poniendo fechas para la votación temprana.)**

Resolution No. 970 calls for a City Council election for places 1, 2, and 3 to be held Saturday, May 9, 2009. The resolution also sets the dates for making application for 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 else to speak to the issue. Councilman Spraggins moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

Resolución el numero 970 ordeno para una elección de ayuntamiento para sitios 1, 2, y 3 ser sostenida el sábado el día 9 de Mayo 2009. La resolución tambien pone las fechas para hacer la aplicación para el lugar en las votación, para la votación temprana, y durante fecha limites de votación de correo así como nombramiento del oficinista de elección de votación temprano y el juez de votación. No había más para hablar a la cuestión. El concejal Spraggins se movino para aprobar la resolución como presentado. El concejal Taylor estuvo de acuerdo y el voto era unánime.

**The motion carried.**

### **VISITORS/PUBLIC FORUM**

Mr. Jordan Krause distributed information to the City Council regarding fluoridation and offered the book to any member of the City Council. He also commented that in 2006 the ADA recommended that infant formula not be prepared with water containing fluoride.

Scout Master Bernie Beers thanked the City Council for the honor that they had bestowed upon the Boy Scouts and thank them for the privilege of serving. They feel honored about Sulphur Springs and would like to comment that the services the city offers are great. They would also like to thank the Sulphur Springs Police Department and offer to serve again should the need arise.

### **ADJOURN**

With all business complete the meeting was adjourned at 7:24 p.m.