

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE  
CITY COUNCIL**

**JUNE 4, 2013**

**7:00 p.m.**

Mayor Craig Johnson called the regular meeting of the Sulphur Springs City Council to order at 6:31 p.m. Councilwoman Price moved to adjourn to executive session in accordance with Texas Government Code 551.072, deliberations regarding real property. Councilman Walker 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 Craig Johnson  
Mayor Pro Tem John Sellers  
Councilman Clay Walker  
Councilman Oscar Aguilar  
Councilman Freddie Taylor  
Councilwoman Kayla Price  
Councilwoman Elect, Emily Glass  
Councilman Gary Spraggins – 7PM

Absent:

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Jim McLeroy, City Attorney  
Peter Karstens, Director of Finance  
Shane Shepard, Director Community Development - 7P  
Phyllis Rogers, Municipal Court Judge – 7P  
Joey Baker, Airport/Tourism Director – 7P  
Russell Ham, Water Plant Supt. – 7P

**RECONVENE INTO OPEN SESSION**

Mayor Johnson reconvened the meeting into open session at 7:00 p.m.

## **PLEDGE AND INVOCATION**

Mayor Johnson led in the pledge of allegiance and Mayor Pro Tem Taylor led in the invocation.

## **OATHS OF OFFICE WILL BE GIVEN TO COUNCILMAN FREDDIE TAYLOR AND COUNCILWOMAN EMILY GLASS**

City Secretary Roberts administered the Oath of Office to Councilman Freddie Taylor and newly elected Councilwoman Emily Glass.

## **PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS**

Mayor Johnson thanked outgoing Councilman Gary Spraggins for his six years of service including two terms as Mayor. Mayor Johnson presented him with a plaque and he presented Gary's wife, Deanna, with an arrangement of a dozen roses. The Mayor recognized Gary's individual efforts on brokering an agreement with the Veterans for the Memorial and brokering an agreement with Hopkins County for the TIF District.

Outgoing Councilman Spraggins stated it had been an honor to serve the citizens and he thoroughly enjoyed being Mayor. He asked Councilwoman Glass to "carry on" Place 5 and congratulated her. He said it had been an honor to serve with all the City Councilmembers. He recognized a few members of staff for their outstanding service including City Manager Maxwell, Finance Director Karstens, City Secretary Roberts, Airport/Tourism Director Baker, Community Development Director Shepard, and City Attorney McLeroy. He said it had been fun but he was going to do as his granddaughter Sally had suggested and spend more time with his family. He reminded everyone to keep up the progressive good work that is in process even though Sulphur Springs is already the best place to live.

## **DISCUSSION/ACTION ON SELECTION OF MAYOR**

Councilwoman Price moved to appoint John Sellers as Mayor. Councilman Taylor seconded and the vote was unanimous.

### **The motion carried.**

Outgoing Mayor Craig Johnson said he had modeled his mayoral term after Gary and it had been an honor and a privilege to serve. He stated he was humbled by the opportunity to serve as mayor for the last two terms.

Incoming Mayor John Sellers presented outgoing Mayor Craig Johnson with an engraved gavel and thanked him for his dedicated service. Mayor Sellers reminded Craig that he will continue to be a very valuable member of the City Council.

## **DISCUSSION/ACTION ON SELECTION OF MAYOR PRO TEM**

Councilman Johnson moved to select Councilman Taylor as Mayor Pro Tem. Councilman Walker seconded and the vote was unanimous.

**The motion carried.**

## **MANAGER'S REPORT**

**THE SQUARE** – Work on Jefferson Street is nearing completion. The brick layers are on site, and they should be completed by Friday. Expect to have this street open to traffic by the following Friday. We won't begin construction on the Church/Jefferson intersection until after the Independence Day celebration on June 29.

**NEW CITY HALL** – Progress is beginning to show on the addition to the main building. Wall framing should begin tomorrow. On the main building limestone blocks have just arrived, and will be placed around the base where broken stones have been removed. Work continues on the interior of the new building. Currently KBL restoration is sanding the wooden floors.



**CLAIMS** – The City had no Workers' Compensation claims in May. We received one claim from Verizon claiming damages to a 100 pair phone cable on FM 2285. The claim was denied by the City and by the TML risk pool. We also submitted four claims to various insurance carriers. Two claims were submitted resulting from vehicle accidents. We submitted one claim regarding the tractor trailer light pole incident, and another as a result of wind damage to one of our buildings on Middle Street.

**PEAVINE PINION POND** - The project is completed with the exception of a little clean-up. Walkers can begin using the walking path immediately. Swimming is prohibited. Diving and jumping off the boardwalk is also prohibited. We should learn our fate on the transportation enhancement grant later this month. The transportation enhancement grant would pay for a walking path connecting Peavine Pinion all the way to Coleman Park and the Azalea Lane subdivision.

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

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

- Said their last “goodbye” to our friend and Fire Chief, Gerry Cleaver.
- Responded to 124 fire/rescue calls including 4 structure fires.
- Performed preventative maintenance and testing on 92 Fire Hydrants.
- Conducted 42 fire inspections.
- Processed 2 new H.O.M.E. grant applications for Wanda Elliott and Fanny Berry.

- Sold 1,114 gallons of AvGas and 4,600 gallons of JetA fuel.
- Passed underground storage tank inspection at the airport.
- Treated 130 million gallons of drinking water.
- Processed 665 tickets through municipal court.
- Made 76 arrests, recorded 74 offences, responded to 46 accidents and wrote 658 traffic tickets.
- Said “farewell” to retiring Records Manager, Janie Perkins.
- Received police training in the areas of tactical command, crime scene search, critical incident response, crowd control, litigation procedures, managing traffic stops, risk management, homeland security, S.W.A.T, and use of force.
- Made 30 felony arrests in the Special Crimes Unit.
- Responded to 267 animal control calls and achieved an adoption rate of 89%
- Repaired 11 water main ruptures and replaced 16 water meters.
- Unstopped 20 sewer mains and made 3 new sewer taps.
- Washed 70,000 feet of sewer mains.
- Made 8 sewer main repairs resulting from sewer camera inspections.
- Flushed 37 dead-end water mains.
- Performed preventative maintenance on spillway gates at Lake Sulphur Springs.
- Replaced ventilation fan in fluoride building.
- Patched 237 potholes.
- Made 29 street repairs following utility repairs.
- Removed 11 trees from the street.
- Replaced 6 stop signs and 26 street signs.
- Swept 108 streets.
- Made 4 health inspections and 78 code violation inspections.
- Conducted 68 building inspections, 6 electrical inspections, 8 plumbing inspections, 15 mechanical inspections and issued 14 building permits.

### **CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval the City Council meeting minutes of May 7, 2013; Special City Council minutes of May 14, 2013; City Council Retreat minutes of May 14, 2013; the Downtown Revitalization Board meeting minutes of May 21, 2013; and the Economic Development Corporation meeting minutes of April 22, 2013. There was no one to speak to the issue. Councilwoman Prices moved to approve the consent agenda as presented. Mayor Pro Tem Taylor seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2634 APPROVING AND ADOPTING RATE SCHEDULE RRM – RATE REVIEW MECHANISM FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION, TO BE IN FORCE IN THE CITY FOR A PERIOD OF TIME AS SPECIFIED IN THE RATE SCHEDULE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND ACSC LEGAL COUNSEL**

ACSC and Atmos renewed discussions to develop revisions to the RRM tariff, and have reached a tentative agreement on the form of the RRM to be in effect for a four-year period from 2013 – 2017. If the RRM process is to continue to function as a substitute for the GRIP process, cities that exercise original jurisdiction must adopt a tariff that authorizes the process. City Manager Maxwell presented the staff report. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to approve the ordinance on the first reading. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON AMENDMENT TO FAÇADE GRANT PROGRAM** An amendment to the Façade Grant Program was submitted to the City Council by staff. Councilman Johnson moved to table the item until the City Council had time to conduct a workshop to review the item and perhaps reach a consensus. Councilwoman Price seconded the motion. There was a general discussion. Councilman Walker said he is proud of the downtown plaza and believes it is imperative to lead in a manner that sustains the growth. He stated we must find a way to promote retail so what we have accomplished does not collapse. Councilwoman Price stated we needed to have a mix and have a one-hundred percent beautiful downtown. There was no one else to speak to the issue. Mayor Sellers called for a vote to table the item and the vote was unanimous.

**The motion to table carried.**

**DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT FOR REAL PROPERTY**

Councilman Johnson made a motion to authorize the City Manager to enter into an agreement to purchase real property. Councilwoman Price seconded and the vote was unanimous. There was no one to speak to the issue.

**The motion carried.**

**DISCUSSION/ACTION ON BOARD APPOINTMENT TO THE (1) ECONOMIC DEVELOPMENT CORPORATION, (2) ZONING BOARD OF ADJUSTMENTS, (3) AIRPORT ADVISORY BOARD, (4) SULPHUR RIVER MUNICIPAL WATER DISTRICT BOARD, (5) LIBRARY BOARD, (6) BOARD OF TOURISM AND PROMOTION, (7) CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS, (8) PLANNING AND ZONING COMMISSION, (9) ARK-TEX COUNCIL OF GOVERNMENTS, AND (10) THE DOWNTOWN REVITALIZATION BOARD**

Councilwoman Price made a motion to accept the list of board and commission recommendations as submitted. Councilman Aguilar seconded and the vote was as follows:

Ayes: Johnson, Walker, Aguilar, Glass, Price, Sellers  
Nays: None  
Abstain: Taylor

**The motion carried.**

Mayor Sellers read the list for the record.

**2013-2014 BOARD AND COMMISSION RECOMMENDATIONS**

**ECONOMIC DEVELOPMENT**

CLAY WALKER  
TOM SELLERS

**ZONING BOARD OF ADJUSTMENT**

CARRIE NUCKOLLS  
JEFF CARPENTER  
RUSTY HARDEN

**ALTERNATES:** PHIL JACKSON  
LYNN TURNER

**AIRPORT ADVISORY BOARD**

DR. CHARLES JONES  
DAVID BAUCOM

**SULPHUR RIVER MUNICIPAL WATER DISTRICT**

SAM JOHNSON

**LIBRARY BOARD**

RITA TAYLOR

LINDA MABE

**BOARD OF TOURISM AND PROMOTION**

DON FAUSETT  
PAM SELLERS

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

RICKEY PAYNE  
JOHN COOPER  
JEFF REDDING

**PLANNING AND ZONING COMMISSION**

DAVE GRAVES  
CHUCK SICKLES

**ARK-TEX COUNCIL OF GOVERNMENTS**

CRAIG JOHNSON  
JOHN SELLERS  
KAYLA PRICE

**DOWNTOWN REVITALIZATION BOARD**

LONNIE FOX  
MIKE ELLIOTT

**DISCUSSION/ACTION ON APPOINTMENT OF MUNICIPAL COURT JUDGE**

Councilwoman Price moved to appoint Phyllis Rogers as the Municipal Court Judge. Councilman Aguilar seconded and the vote was unanimous. Councilman Johnson said she was very deserving of her reappointment.

**The motion carried.**

**VISITORS/PUBLIC FORUM**

None.

**ADJOURN**

With all business complete the meeting was adjourned at 7:36 p.m.