

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE  
CITY COUNCIL**

**SEPTEMBER 3, 2013**

**7:00 p.m.**

Mayor John Sellers 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 John Sellers  
Councilman Craig Johnson  
Councilwoman Kayla Price  
Councilwoman Emily Glass

Absent: Mayor Pro Tem Freddie Taylor  
Councilman Clay Walker  
Councilman Oscar Aguilar

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Jim McLeroy, City Attorney  
Peter Karstens, Finance Director  
Shane Shepard, Community Development Director  
Gordon Frazier, Human Resources Director  
James Bayuk, Police Chief  
Joey Baker, Airport/Tourism Director  
Russell Ham, Water Plant Superintendent  
Mark Hardin, Building Official

**PLEDGE AND INVOCATION**

Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag. Councilwoman Price led in the invocation.

**PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS**

None.

## **MANAGER'S REPORT**

**THE SQUARE** – There is a chance that Farmers' Market will be extended into November or possibly even December. We are waiting on news regarding a grant application.

**THE BATTLE OF THE BOWLS** – As you know, the glass restrooms have been nominated for a national contest for best bathrooms sponsored by Cintas Corporation. Cintas has announced the 10 finalists, and our glass bathrooms made the cut. We will be promoting the contest this month. Cast your vote now at <http://www.bestrestroom.com/us/vote.asp> .

**CLAIMS** – We did not have any Workers' Compensation claims in August. We had one minor liability claim from a motorist seeking \$773.68 in damages to his car's tailpipe. Apparently the motorist thinks we built the street too close to the underside of his car. The claim has been submitted to TML for review.

**WASTEWATER TREATMENT PLANT** - The wastewater treatment plant produced numbers within permit this month, albeit barely. The good news is that Saputo has removed the new aerators (Blue Frog), and they have reinstalled the old aerators. Already we are beginning to see more oxygen in the mix. Within two or three months we should be seeing total suspended solids (TSS) numbers in the low single digits. Our permit allows 12 mg/L. This month we came in at 10.69 mg/L.

**REVENUES AND EXPENDITURES** – Finance Director, Peter Karstens will not present a year-to-date review of revenues and expenditures since he covered the budget previously.

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

- Sold 2,207 Gallons of AvGas and 4,381 gallons of JetA fuel.
- Cleared brush east of approach to Highway 19.
- Began removing dead trees at city parks.
- Aerated athletic fields.
- Shredded around Coleman Lake.
- Sprayed Upper Coleman Lake for American Lotus (lily pads).
- Responded to 37 traffic accidents, made 92 arrests, wrote 370 citations and recorded 72 offences.
- Received police training in overdose/conspiracy investigations, Aryan Brotherhood investigations, drug endangered children, current drug trends and pharmaceutical diversion investigation.
- Responded to 248 animal control calls and achieved a 55% adoption rate.

- Made 17 arrests in the Special Crimes Unit.
- Responded to 109 fire/rescue calls including 3 structure fires.
- Performed preventative maintenance on 81 fire hydrants.
- Performed 47 fire inspections.
- Made 6 preventative sewer repairs resulting from previous sewer camera inspections.
- Repaired 30 water main ruptures.
- Replaced 115 water meters.
- Made 3 water taps.
- Unstopped 12 sewer mains.
- Repaired 7 sewer mains.
- Washed 83,000 feet of sewer mains.
- Replaced 3 manholes.
- Repaired airport lighting.
- Repaired the plaza fountain.
- Treated wastewater effluent to a daily average TSS reading of 10.69 mg/L.
- Repaired #2 wastewater aerator.
- Repaired #1 and #3 wastewater filters.
- Scraped and painted primary pump vault (wastewater).
- Sent annual sludge report to TCEQ.
- Performed preventative maintenance on all emergency generators.
- Flushed all dead-end water mains.
- Installed a new high-service pump at water treatment plant.
- Drained Coleman Water Tower to make a repair, then disinfected and refilled the tower.
- Patched 16 potholes.
- Made 25 street repairs following utility repairs.
- Built stages for multiple events.
- Replaced 2 stop signs and 6 street signs.
- Replaced 550 feet of curb and gutter.
- Repaired soft spots on various streets.
- Shredded airport property and dam.
- Conducted 21 health inspections and 25 nuisance inspections.
- Conducted 43 building inspections, 26 electrical inspections, 28 plumbing inspections, 12 mechanical inspections and issued 16 building permits.

## **CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval the City Council meeting minutes of August 6, 2013; the City Council Special meeting minutes of August 6, 22, and 26, 2013; the Downtown Revitalization Board meeting minutes of August 20, 2013; and the Economic Development Corporation meeting minutes of July 22, 2013. There was no one to speak to the issue. Councilman Johnson moved to approve the consent agenda as presented. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

## **DISCUSSION/ACTION ON PUBLIC HEARING OF THE SECOND AND FINAL READING OF ORDINANCE NO. 2636 ADOPTING THE LATEST VERSION OF THE INTERNATIONAL BUILDING CODES BY AMENDING THE CODE OF ORDINANCES OF THE CITY OF SULPHUR SPRINGS, TEXAS, CHAPTER 6, SECTION 6; CHAPTER 11, SECTION 11-39; CHAPTER 12, SECTION 12-7(b); CHAPTER 15A, SECTION 15A-1; CHAPTER 15B, SECTION 15B-1; CHAPTER 15C, SECTION 15C-1; AND CHAPTER 19, SECTION 19-1 AND SECTION 19-2**

The staff report was presented by City Attorney Jim McLeroy which included an ordinance with additional language for clarification purposes. The proposed ordinance updates the building codes by adopting the latest version of the International Building Codes, in most instances the 2012 version (the most recent edition of the International Electrical Code is the 2011 edition). This change is important for the city in several respects. The updated codes incorporate the latest standards for safety and building integrity in the affected fields. In addition to the benefit of updated and predictable codes, adoption of the latest codes will increase the City's scoring determining the ISO rating which could result in lower insurance rates for city home and property owners. There was a brief discussion. There was no one else to speak to the issue. Councilwoman Price moved to adopt the ordinance on the second and final reading as presented by the City Attorney. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

## **DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2637, THE APPROPRIATIONS ORDINANCE FOR THE CITY OF SULPHUR SPRINGS FISCAL YEAR 2013-2014**

Finance Director Karstens presented the staff report. He explained that a new cover page had been added to comply with new state regulations. He also stated the Fire Department needs emergency extraction equipment and Mr. Karstens requested that \$15,000 be added to the lease purchase budget. Councilman Johnson moved to approve the amended budget adding \$15,000 for the Fire Department plus an additional \$10,000 from the

General Fund to underwrite a possible Rotary festival in the spring of 2014. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2638, SETTING THE TAX RATE FOR THE CITY OF SULPHUR SPRINGS FOR 2013**

Finance Director Karstens presented the staff report. The property tax rate is set at 44¢ per \$100 of valuation. The taxes are actually assessed on the property as of January 1, 2013, though they are due after the tax rate is set. Charles Oxford addressed the City Council stating that property owners in general need some help. There was no one else to speak to the issue. Councilman Johnson moved that the property tax rate be increased by the adoption of a tax rate of \$0.44 per \$100 which is effectively a 1.01% increase in the tax rate, further adding this represents the same rate as last year. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2639, SETTING THE WATER RATE FOR THE CITY OF SULPHUR SPRINGS FOR 2013**

Finance Director Karstens presented the staff report. Water rates, as noted in the budget workshop, increase by 1.75% from last year. There was no one to speak to the issue. Councilwoman Price moved to approve the ordinance on the first reading. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2640, SETTING THE SEWER RATE FOR THE CITY OF SULPHUR SPRINGS FOR 2013**

Finance Director Karstens presented the staff report. Sewer rates, as noted in the budget workshop, increase by 1.75% from last year. Mr. Don Mitchell addressed the City Council suggesting a tiered system for water, sewer and sanitation. There was no one to speak to the issue. City Manager Maxwell explained that sewer rates are based on your water usage in winter months. Finance Director Karstens added that a study had been performed about ten years ago to determine rates. Councilwoman moved to approve the ordinance on the first reading. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2641,  
SETTING THE SANITATION RATE FOR THE CITY OF SULPHUR SPRINGS  
FOR 2013**

Finance Director Karstens presented the staff report. Sanitation rates, as noted in the budget workshop, increase by 1.75% from last year. There was no one to speak to the issue. Councilman Johnson moved to approve the ordinance on the first reading. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2642,  
AUTHORIZATION OF UPDATED SERVICE CREDITS**

Finance Director Karstens presented the staff report. Updated Service Credits enhance each retirement account of current employees for inflationary factors above specific thresholds. There was no one to speak to the issue. Councilwoman Glass moved to approve the ordinance on the first reading. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON ASSET FORFEITURE BUDGET**

Police Chief Jim Bayuk presented the Police Department Asset Forfeiture Budget to the City Council. Asset Forfeiture money is acquired from cash and liquidation of forfeited property from narcotic related activities. There was no one else to speak to the issue. Councilwoman Price moved to approve the budget as presented. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON THE ECONOMIC DEVELOPMENT  
CORPORATION BUDGET**

Roger Feagley, Executive Director of the Economic Development Corporation, presented the staff report to the City Council. Councilman Johnson said the EDC is doing a great job. There was no one else to speak to the issue. Councilman Johnson moved to approve the Economic Development Corporation budget as presented. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON APPOINTING A FIVE-MEMBER COMMITTEE UNTIL FISCAL YEAR 2015 TO THE CITY OF SULPHUR SPRINGS REVOLVING LOAN FUND**

In accordance with the USDA Rural Business Enterprise Grant (“RBEG”), the City Council shall appoint a five-member committee for the Revolving Loan Fund (“RLF”). The RBEG program provides grants for rural projects that finance and facilitate development of small and emerging rural businesses help fund distance learning networks, and help fund employment related adult education programs. The resolution was approved at the August 6, 2013, meeting but it was the City Council’s desire to wait a month to appoint members to this committee. Councilman Johnson suggested G. V. Hughes and Mayor Sellers, Councilwoman Price suggested Jeff Fisher and Councilman Johnson, and Mayor Sellers suggested City Manager Maxwell. There was no one else to speak to the issue. Councilwoman Price moved to appoint G. V. Hughes, Jeff Fisher, John Sellers, Craig Johnson, and Marc Maxwell as the five-member committee. Councilwoman Glass seconded and the vote was unanimous.

**The motion carried.**

**VISITORS/PUBLIC FORUM**

Mrs. Betty Jones addressed the City Council wanting to know the names of the people just appointed to the five-member board. She also wanted to know how the sewer rate is figured and if anything could be done about the curb on Church Street at Jefferson Street.

Finance Director Karstens explained how the sewer rate was figured and City Manager Maxwell explained the curb wouldn’t be moved.

**ADJOURN**

With all business complete the meeting was adjourned at 7:54 p.m.