

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

OCTOBER 1, 2013

7:00 p.m.

Mayor John Sellers 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 John Sellers
Councilman Craig Johnson
Councilman Clay Walker
Councilman Oscar Aguilar
Councilwoman Kayla Price
Councilwoman Emily Glass

Absent: Mayor Pro Tem Freddie Taylor

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 SSPD
Russell Ham, Water Plant Superintendent
Jay Sanders, Captain SSPD
Jason Ricketson, Lt. SSPD

PLEDGE AND INVOCATION

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

PRESENTATIONS, ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Sellers reminded everyone that Roger Brooks was in town for the Branding Development meetings.

MANAGER'S REPORT

NEW CITY HALL – Progress continues at the new city hall. The pace seems to be picking up a bit. There is a lot of sheet rock work, patching and painting, and floor sanding going on at the moment. The elevator is installed. The old pendant light fixtures in the foyer and the old hanging chandelier at the front entrance are in place. Marble and tile will be installed in the foyer soon. I still think that December is a much more likely completion date than late October.

BRANDING - As you know, Roger Brooks kicked off the branding effort today with a branding presentation this morning. The morning presentation was followed by interviews with representatives from the Chamber of Commerce and hotel/restaurant owners. Roger will continue with more interviews tomorrow. Expect the branding process to last through the end of the year. You may wish to go online and complete a survey regarding the community at bit.ly/ss-branding if you haven't already done so.

CLAIMS – Two employees submitted minor worker's compensation claims in September. Both were minor injuries, and both employees returned to work soon after getting medical treatment. We did not have any liability claims in September.

WASTEWATER TREATMENT PLANT - The good news is that things are improving now that Saputo has returned to their old aeration system. The bad news is that we have come under enforcement action by the TCEQ. We received notification this past week.

The fact that the problems were caused by factors beyond our control, combined with our aggressive measures at the plant will help. The fact that Saputo has already returned to its prior treatment method won't hurt either. Just the same, enforcement action is a big deal, and we will treat it accordingly. I will report more as I learn more.

The plant treated effluent to a daily average total suspended solids (TSS) reading of 8.57 mg/L (preliminary) in September. The September results are within our permit parameter of 12 mg/L, but we are still higher than what the plant is capable of. I would like to see numbers in the 2 to 5 range. Numbers should improve more as the microorganisms that are the backbone of our operation re-propagate. It will also help when we install a new tertiary filter later this year.

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:

- Checked out 2,437 items from the library and issued 96 new library cards.
- Had library programming attendance of 403 people.

- Repaired 46 water main ruptures.
- Replaced 13 water meters.
- Installed 120 feet of 6-inch fire line at new city hall.
- Unstopped 10 sewer mains.
- Repaired 2 sewer mains.
- Repaired sinkhole at 1001 Texas.
- Sold 4,078 gallons of jet fuel and 1,551 gallons of aviation gasoline.
- Began removing dead trees from Coleman Park.
- Aerated soccer fields.
- Mowed Coleman Dam.
- Began hosting local baseball/softball fall leagues.
- Responded to 233 calls for animal control and achieved a 50% adoption rate for dogs and cats at the animal shelter.
- Received police training in the following areas: Patrol procedures, law enforcement liability, vehicle pursuit, understanding mental illness, suicide awareness, effective communication skills, handling difficult people, ethical behavior.
- Patched 72 potholes and made 20 more extensive street repairs following utility repairs.
- Removed 2 trees from the street.
- Replaced 10 street signs.
- Replaced 1,500 feet of curb and gutter on N. Davis Street.
- Built stages for multiple events.
- Conducted 16 health inspections and 33 nuisance inspections.
- Conducted 39 building inspections, 18 electrical inspections, 15 plumbing inspections, 8 mechanical inspections and issued 18 building permits.
- Repaired fountain control system.
- Repaired water wall at veterans' memorial.
- Repaired downtown lighting.
- Made improvements to influent storage basin at the wastewater treatment plant (WWTP).
- Made preparations for the arrival of a new sludge press at the WWTP.
- Made various other repairs at the WWTP.
- Flushed all dead-end water mains.
- Responded to 101 fire/rescue calls including 1 structure fire.
- Conducted 40 fire inspections.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval the City Council meeting minutes of September 3, 2013; the City Council Special meeting minutes of September 24, 2013; the Downtown Revitalization Board meeting minutes of September 17 and 23, 2013; and the Economic Development Corporation meeting minutes of August 19, 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 FIRST READING OF ORDINANCE NO. 2644, AN ORDINANCE OF THE CITY COUNCIL OF SULPHUR SPRINGS, TEXAS, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY'S 2013 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATE TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; PROVIDING A MOST FAVORED NATIONS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL

The staff report was presented by City Manager Maxwell. The Atmos Mid-Tex RRM filing sought a \$22.7 million rate increase system-wide based on an alleged test-year cost of service revenue deficiency of \$25.7 million. This ordinance resolves the Company's RRM filing by authorizing additional revenues to the Company of \$16.6 million system-wide. The settlement is expected to increase the average residential customer's bill by approximately \$0.74 per month. There was no one to speak to the issue. Councilwoman Price moved to approve the ordinance on the first reading as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR FLEX BASE, BEDDING AND ROCK

On September 17, 2013, staff conducted a public bid opening. Publications were placed in the News Telegram and packets were sent to five companies. Only one bid was received from Martin Marietta materials. It was as follows:

Martin Marietta Materials	
Flexible Base	
Red Rock, Type A, Grade 1	\$16.30 TN
Flexible Base	
Limestone, Type A, Grade 2	\$17.00 TN
Aggregate, Grade 1	
¾ minus, type D bedding, Grade 1	\$20.40 TN
Sand	
Washed Sand	\$16.15 TN
Bedding Material	
Crushed Rock	\$20.15 TN
Bedding Material	
Crushed Screenings	\$00.00 TN
Rock, Rip Rap	
12” Down Rip Rap, Coarse	\$30.93 TN
Rock, Filter Rock	
3” x 6” Filter Dam Rock	\$24.75 TN

There was no one to speak to the issue. Councilman Walker moved to accept the bids and award the contract to Martin Marietta Materials. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1058 FOR APPOINTMENT TO THE HOPKINS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

The City of Sulphur Springs has one member on the Hopkins County Appraisal District Board of Directors and Bill Watts has been the city’s representative since January 1, 2010. His current term will expire December 31, 2013. There was no one to speak to the

issue. Councilman Johnson moved to appoint Bill Watts as the City of Sulphur Springs representative on the Hopkins County Appraisal District Board of Directors. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR FIVE (5) POLICE VEHICLES

Councilman Johnson moved to reject all bids and start the process over. There was no one to speak to the issue. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR UTILITY MATERIAL FOR ROGERS AND MULBERRY STREETS CIP PROJECT AND THE DAVIS AND CONNALLY STREETS CDBG PROJECT

Finance Director Karstens presented the staff report. This bid was for all materials needed to do the water and sewer utility replacement for the Rogers and Mulberry Streets (CDBG funded) CIP Project as well as Davis and Connally Streets New City Hall Project. Both projects were combined into a single bid. Four bids were received but the apparent low bidder made a \$6,318.05 math error and when it was corrected became the highest bidder. The final results were as follows:

Morrison	\$44,625.23
Hayes	\$46,255.40
Joe Bob's	\$48,426.25
Underground	\$49,617.78

The low bidder is Morrison Supply. There was no one to speak to the issue. Councilman Walker moved to accept the bids and award the contract to Morrison Supply. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:14 p.m.