

**CITY OF SULPHUR SPRINGS, TEXAS**

**REGULAR MEETING OF THE**

**CITY COUNCIL**

**DECEMBER 2, 2008**

**7:00 p.m.**

Mayor Oscar Aguilar 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 Oscar Aguilar  
Mayor Pro Tem Gary Spraggins  
Council Garry Jordan  
Councilman Clay Walker  
Councilman Freddie Taylor  
Councilman Chris Brown  
Councilman Charles Oxford

Absent: None.

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
James Litzler, Acting City Attorney  
Johnny Vance, Director of Community Development  
Peter Karstens, Director of Finance  
Craig Vaughn, Director of Utilities  
Gordon Frazier, Human Resources Director

**PLEDGE AND INVOCATION**

Mayor Aguilar led in the pledge of allegiance and Mayor Pro Tem Spraggins led in the invocation.

**MANAGER'S REPORT**

**ROCKDALE ROAD II** - This 880' street reconstruction project is about 75% completed. This is the second of 4 phases. Water and sewer improvements were already constructed earlier in the year. The project has a budget of \$223,700 including water and sewer improvements.

**ROSE HILL WATER LINE** - The capital Construction Division has finished constructing this 1,600' water line to the Rose Hill addition. The new 12" water line is the second feed to the addition. The project had a budget of \$72,700. It looks like we will come well under budget

**HOUSTON STREET** - The City will hold public meeting on December 09, at 6 pm. at the Public Library regarding the proposed plans for Houston Street. Construction drawings will be on display and our engineering firm will be present. Anyone with an interest in the project should attend. We will be reconstructing Houston Street from League to Jackson. This will be a complete reconstruction including water, sewer, concrete street, drainage, sidewalks...everything. The cost is likely to be between \$3.1 Million and 3.5 million depending on how extensive the drainage system is. All property owners on Houston Street should definitely attend.

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

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

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

- Repaired numerous potholes and utility cuts.
- Trimmed trees at various locations for clearance and for visibility at "stop" signs.
- Replaced or repaired various "school zone" "crosswalk" and speed limit signs.
- Swept 74 streets.
- Conducted 30 health inspections, and 33 public nuisance inspections.
- Conducted 50 building inspections, 42 electrical inspections, 46 plumbing inspections, 31 mechanical inspections and issued 11 building permits.
- Abated 1 substandard structure, bringing the total to 410.
- Unstopped 24 sewer lines.
- Cleaned over 51,000 feet of sewer lines.
- Repaired 3 manholes.
- Video inspected 1,200 feet of sewer mains.
- Repaired 21 waterline ruptures.
- Installed 4 water taps and repaired 2 fire hydrants.
- Replaced 33 water meters.
- Replaced sludge pump at wastewater treatment plant.
- Performed preventative maintenance on sludge press.
- Treated wastewater effluent to an average total suspended solids count of 2.27 mg/L.
- Attended haz-mat training.
- Distributed 2,076 meals to seniors.

- Sold 9,000 gallons of jet fuel and 2,068 gallons of aviation gas.
- Made repairs at Kids Kingdom.
- Planted Rye grass on softball fields.
- Winterized concessions at parks.
- Made repairs at senior center.
- Made 104 arrests, recorded 89 offenses, wrote 394 citations and worked 32 accidents.
- Checked out 5,235 books.
- Processed 397 tickets.
- Made 26 felony drug-related arrests in the Special Crimes Unit.
- Responded to 233 animal control calls and found homes for 81% of all dogs and cats that were not claimed by their owners. Excellent Job!
- Responded to 88 fire/rescue calls, including 5 structure fires.
- Performed preventative maintenance on 115 fire hydrants.
- Conducted 45 fire inspections.

**CONSENT AGENDA**

The following items on the Consent Agenda were reviewed: Consider for approval regular City Council meeting minutes of November 4, 2008; the Planning and Zoning meeting minutes of November 17, 2008; the Downtown Revitalization Board meeting minutes of November 18, 2008; and the Zoning Board of Adjustments meeting minutes of November 18, 2008; the Economic Development Corporation meeting minutes of October 27, 2008; and the Economic Development Corporation special meeting minutes of November 4, 2008. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Councilman Jordan seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON REQUEST TO AMEND STIPULATION 1 OF ORDINANCE NO. 2436 TO ALLOW THE BACK OF THE SOLID BRICK WALL OF THE PROPOSED STORAGE UNITS TO SERVE IN PLACE OF REQUIRED 8' MASONRY FENCE**

The owner desires to change the stipulation that an 8' masonry fence be constructed on the north, south, and east boundaries of the property as set forth in Ordinance No. 2436, dated April 4, 2006, and allow the solid brick wall of the proposed storage units to serve in place of the 8' masonry fence. Director of Community Development Johnny Vance presented the staff report. There was no one else to speak to the issue. Mayor Pro Tem Spraggins moved to approve removing stipulation 1 as written in Ordinance No. 2436. Councilman Oxford seconded motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FINAL PLAT OF LAKES REGIONAL MHMR CENTER ADDITION, A REQUEST BY DONALD SMITH, CHIEF FINANCIAL OFFICER, TO REPLAT PROPERTY LOCATED AT THE INTERSECTION OF HIGHWAY 19 AND FM 2285, BEING FURTHER DESCRIBED AS LOT 1 OF BLOCK 423, INTO ONE LOT**

This is a request to replat property into one lot. Direct of Community Development Johnny Vance presented the staff report. This 4.47 acre property is fronted on two sides by State Highways. Water is available on the south side of Airport Road. There is also a North Hopkins WSC water main along the west side (Highway 19). Sewer is not available to this site. There is a 15” sewer outfall line approximately 2000 feet to the east and a 6” sewer serving the houses along Airport Road just east of the property. The 6” sewer has been extended to the Skate Rink immediately east but it is believed to be too shallow to serve this developed property. The developer has proposed a clear water system to service this development. There was no one else to speak to the issue. Councilman Oxford moved to approve the final plat with the clear water system. Councilman Jordan seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FINAL PLAT OF HAMPTON INN ADDITION, A REQUEST BY COX HOSPITALITY TO REPLAT PROPERTY LOCATED ON THE EAST SIDE OF MOCKINGBIRD LANE, NORTH OF I-30, BEING FURTHER DESCRIBED AS LOTS 8, 9, & 10 OF BLOCK 205-3, INTO ONE LOT**

This is a request to replat property into one lot. Direct of Community Development Johnny Vance presented the staff report. This 2.56 acre development on Mockingbird lane is for a proposed Hampton Inn. Water and sewer exist along Mockingbird and a 12” sewer line is available to the east across South Town Branch. The area is partially within a floodway and entirely in the flood zone. The building will have to be elevated to the Base Flood Elevation (BFE) plus one foot per ordinance. There was no one else to speak to the issue. Mayor Pro Tem Spraggins moved to approve the final plat. Councilman Oxford seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FINAL PLAT OF PRIEST ADDITION, A REQUEST BY GARY PRIEST TO REPLAT PROPERTY LOCATED BETWEEN LEAGUE STREET AND MOORE STREET ON THE SOUTH SIDE OF BELLVIEW STREET, BEING FURTHER DESCRIBED AS LOTS 4B, 4C, 8B, AND 8C OF BLOCK 31, INTO ONE LOT**

This is a request to replat property into one lot. Director of Community Development Johnny Vance presented the staff report. This 2.7 acre lot is proposed for the

development of storage buildings. Water and sewer exist along Moore Street. Access will be allowed from League Street. There was no one to speak to the issue. Mayor Pro Tem Spraggins moved to approve the final plat with the stipulations of Ordinance No. 2436 and modification of stipulation 1 to allow a solid brick wall in place of the 8' masonry fence and that the carport is removed. Councilman Oxford seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FINAL PLAT OF GLEASON ADDITION, A REQUEST BY DAN GLEASON TO REPLAT LOTS 4, 5, AND 6 OF BLOCK 410, BEING FURTHER DESCRIBED AS PROPERTY LOCATED ON THE EAST SIDE OF CHURCH STREET AND THE NORTH SIDE OF JACKSON STREET, INTO ONE LOT**

This is a request to replat property into one lot. Director of Community Development Johnny Vance presented the staff report. This property contains 1.595 acres and is zoned Multi-Family. There was no one else to speak to the issue. Councilman Taylor moved to approve the final plat. Councilman Brown seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR 217 MAIN STREET**

Director of Community Development Johnny Vance presented the staff report. Claude Walter addressed the City Council stating that he and his wife should close on the property the following week and will be the new owners. It is Mr. Walter's desire to bring the building into compliance. There was no one else to speak to the issue. Councilman Taylor moved to declare the property a public nuisance, order abatement, and require a submittal with an appropriate plan of action and to obtain a permit for rehabilitation on or before March 2, 2009. Failure to comply with this order can result in a City initiated action on abatement of this property and/or fines up to \$200 per day. Councilman Brown seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR 224 MAIN STREET**

Director of Community Development Johnny Vance presented the staff report. Claude Walter addressed the City Council stating that he and his wife recently purchased the property and are the new owners. It is Mr. Walter's desire to bring the building into compliance. There was no one else to speak to the issue. Councilman Taylor moved to declare the property a public nuisance, order abatement, and require a submittal with an

appropriate plan of action and to obtain a permit for rehabilitation on or before March 2, 2009. Failure to comply with this order can result in a City initiated action on abatement of this property and/or fines up to \$200 per day. Councilman Walker seconded and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR 226 MAIN STREET**

Director of Community Development Johnny Vance presented the staff report. Armando Vasquez addressed the City Council stating that he is the new owner. It is Mr. Vasquez's desire to bring the building into compliance. There was no one else to speak to the issue. Councilman Taylor moved to declare the property a public nuisance, order abatement, and require a submittal with an appropriate plan of action and to obtain a permit for rehabilitation on or before March 2, 2009. Failure to comply with this order can result in a City initiated action on abatement of this property and/or fines up to \$200 per day. Councilman Walker seconded and the vote was unanimous.

**The motion carried.**

**VISITORS AND PUBLIC FORUM**

Mr. Jordan Krause addressed the City Council regarding the negative effects of fluoride in the drinking water. Mr. Krause gave Mayor Pro Tem Spraggins a book to read. He then thanked the City Council for their time.

**ADJOURN**

With all business complete the meeting was adjourned at 7:32 p.m.