

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

JUNE 3, 2008

7:00 p.m.

Mayor Pro Tem Oscar Aguilar called the regular meeting of the Sulphur Springs City Council to order at 7:07 p.m. The following council members and staff were present:

Mayor Oscar Aguilar
Mayor Pro Tem Gary Spraggins
Councilman Clay Walker
Councilman Freddie Taylor
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, Dir. Community Development
Craig Vaughn, Director of Utilities
Gordon Frazier, Human Resources Director
Robert Lee, Assistant Director of Utilities
Roger Feagley, EDC Director

PLEDGE AND INVOCATION

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

**PRESENTATION OF PLAQUE TO OUTGOING COUNCILMEMBER
YOLANDA WILLIAMS**

Ms. Williams was not present at the meeting.

OATHS OF OFFICE WILL BE GIVEN TO COUNCILMAN CHRIS BROWN AND COUNCILMAN ELECT CHARLES OXFORD

City Secretary Gale Roberts gave Oaths of Office to Councilman Chris Brown and councilman elect Charles Oxford.

DISCUSSION/ACTION ON SELECTION OF MAYOR

Councilman Taylor made a motion to nominate Oscar Aguilar as Mayor. Councilman Spraggins seconded the motion and the vote was unanimous.

The motion carried.

Mayor Aguilar thanked his mom for moving the family to Sulphur Springs in 1969 to raise the family in this community. Mayor Aguilar extended his thanks to his parents, his brothers and sisters, and each of and every one for their support in the past and in the year to come.

DISCUSSION/ACTION ON SELECTION OF MAYOR PRO TEM

Councilman Brown made a motion to nominate Gary Spraggins as Mayor Pro Tem. Councilman Walker seconded and the vote was unanimous.

The motion carried.

Mayor Pro Tem Spraggins stated that we are going to have a great year and he is excited about all the good things going on in Sulphur Springs.

MANAGER'S REPORT

COLLEGE STREET - It's fixed...\$100,000. Expect to see a few more streets receive a plant-mix or asphalt overlay later this summer.

S.H. 11 UTILITY RELOCATES – This project is still progressing very slowly. The combination of sandy soils and wet conditions have proved to be very difficult. At this point, we have relocated the utilities along Arbala Road and Holiday Drive. We must still relocate the utilities along S.H. 19, and we must also relocate a sewer line in the middle of a pasture. We are about 50% done. The project has a budget of \$389,050.

HOUSTON STREET - Garver Engineering is presently engineering the project. Water, sewer and storm water improvements will proceed later this year; street improvements will proceed next year.

MAIN STREET - Work on Main Street is progressing well. The road has been excavated and the Capital Construction Division is firming up the sub-base. Expect to see quite a bit of dirt work for the next few weeks.

ROCKDALE ROAD II - The second phase of the Rockdale Road project is still on hold while the Capital Construction Division performs the S.H. 11 utility relocations.

CLAIMS – We had 1 Worker’s Compensation claim in May. A Water and Sewer Distribution employee injured his foot and returned to work after 5 days.

We received 2 liability claims in May; both were for damages resulting from sewer blockages. Both claims are pending at the TML risk pool.

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

MISCELLANEOUS – Elsewhere around the City, employees:

- Conducted 60 public nuisance inspections.
- Made 12 street repairs as a result of utility repairs.
- Helped erect the sound stage at Heritage Park.
- Helped with flea market on the square.
- Swept 40 streets.
- Erected various “Children Playing” signs, speed limit signs, and “No Parking” signs.
- Conducted 4 health inspections.
- Conducted 50 building inspections, 51 electrical inspections, 55 plumbing inspections, 32 mechanical inspections, and 23 miscellaneous inspections.
- Issued 27 building permits.
- Abated 1 substandard structure, bringing to total to 400.
- Aerated and fertilized athletic fields.
- Shredded areas around Coleman Lake.
- Removed dead trees from Coleman Park.
- Opened Municipal pool for the summer. 350 people attended for splash day.
- Checked out 4,807 books, tapes, etc.
- Began the Summer Reading Program.
- Treated 127 million gallons of drinking water.
- Repaired water clearwell #1.
- Flushed 40 dead-end water mains.
- Performed preventative maintenance to water treatment filters.
- Repaired fluoride feed pump.
- Ran water treatment plant on emergency power for 11 hours while Oncor replaced

a transformer.

- Prepared Consumer Confidence Water Report.
- Sold 14,950 gallons of jet fuel and 2,321 gallons of AvGas.
- Helped the Hopkins County Historical Society produce the 2008 Folk Festival and Bluegrass Music Show.
- Developed and placed advertising for 3 magazines, Festivals of Texas, County Line, and Texas Events Calendar.
- Responded to 261 animal control calls.
- Received 67 dogs and/or cats at the shelter; returned 7 to their owners and found homes for 49 more. That is an 82% adoption rate!!! Unheard of in the business.
- Processed 648 tickets through the Municipal Court.
- Wrote 609 citations through the Police Department.
- Worked 40 accidents, made 102 arrests, and recorded 69 offenses.
- Made 6 felony arrests in the Special Crimes Unit, seized 34 pounds of marijuana and 7 ounces of cocaine.
- Responded to 91 fire/rescue calls.
- Made 34 fire inspections.
- Performed preventative maintenance on 112 fire hydrants.
- Received 247 hours of continuing fire education.
- Wrote 9 unsightly vegetation tickets.
- Replaced the windshield on Fire Engine 1.
- Repaired a variable frequency drive at the water plant.
- Unstopped 24 sewer mains.
- Installed 4 new sewer taps.
- Installed 3 new manholes.
- Repaired 12-inch sewer casing on East Industrial.
- Repaired 7 water breaks.
- Installed 26 water meters.
- Repaired 3 water taps.
- Cleaned and performed preventative maintenance on sludge press.
- Repaired wastewater aerators, filters and clarifiers.
- Treated wastewater to a daily average total suspended solids count of 3.15 mg/L.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval regular City Council meeting minutes of May 6, 2008; Special City Council meeting minutes of May 15, 2008; City Council Retreat minutes of May 15, 2008; Tourism and Promotion meeting minutes of March 12, 2008; Planning & Zoning meeting minutes of May 19, 2008; the Zoning Board of Adjustment meeting minutes of May 20, 2008; the Downtown Revitalization board meeting minutes of May 20, 2008; and the Economic

Development Corporation meeting minutes of April 28, 2008. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Councilman Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION /PRESENTATION OF VETERAN’S MEMORIAL MODEL

Don Roundtree and the Veterans’ Memorial group brought a model of the memorial, built by local artist Jerry Lee, for the City Council to preview. This will be a living memorial for veterans of Hopkins County and it is anticipated there will be thousands of names inscribed on the memorial. Mr. Roundtree described how the memorial would utilize native materials that would be in harmony with the courthouse and stated there are plans for an interactive computer kiosk at both entrances. Dramatic lighting at night will set the proper tone for evening viewing and comfort as well as safety. A sunscreen grillage will run behind the circular wall to protect viewers from the hot Texas sun. The model will be on display at the local banks and various other businesses in the near future for public viewing.

Mayor Aguilar stated that Jerry Lee should be commended for building the model and believes it will have a positive impact on the fundraising.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2542 ESTABLISHING A REINVESTMENT ZONE FOR OCEAN SPRAY

Ocean Spray is in the process of expanding its operation in Sulphur Springs. The current expansion is 5 million dollars. One of the incentives that is offered to all industries that expand is a tax abatement. This ordinance establishes a Reinvestment Zone, the geographical boundaries of an area where a taxing entity can offer a tax incentive. This ordinance creates the Reinvestment Zone but does not issue a tax abatement. EDC Director Roger Feagley and Craig Miller of Ocean Spray were available to answer any questions. There was no one to speak to this issue. Mayor Pro Tem Spraggins moved to approve the ordinance on the second and final reading. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 959 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OCEAN SPRAY FOR A TAX ABATEMENT

This resolution authorizes the City manager to enter into a contract agreement with Ocean Spray for a tax abatement. EDC Director Roger Feagley and Craig Miller of Ocean Spray were available to answer any questions. There was no one to speak to this

issue. Councilman Brown moved to approve the resolution. Mayor Pro Tem Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2543 AMENDING THE CITY OF SULPHUR SPRINGS FRANCHISE AGREEMENT WITH ATMOS ENERGY, MID-TEXAS DIVISION

This ordinance amends the existing gas franchise between the City of Sulphur Springs and Atmos Energy Corporation to provide for a different consideration; providing for an effective date; providing for acceptance by Atmos Energy Corporation; and finding and determining that the meeting at which this ordinance is passed is open to the public as required by law. There was no one to speak to the issue. Mayor Pro Tem Spraggins made a motion to approve the ordinance on the second and final reading. Councilman Walker seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FAÇADE GRANT SUMMARY AND APPLICATION PROCESS FOR MAIN STREET

The Façade Grant Program is designed to help property owners who need assistance in making improvements to their property. City Manager Marc Maxwell presented the staff report. This grant summary and application process have been reviewed and recommended by the Downtown Revitalization Board. There was a general discussion among the City Council. Mayor Pro Tem Spraggins made a motion to approve the façade grant summary and application. Councilman Taylor seconded.

Councilman Oxford requested to make a statement before the vote. Mr. Oxford said *“I am opposed to this plan as it stands but I met for two hours this afternoon with Messrs. Maxwell, Karstens, and Vance. The response to most of my questions were acceptable and a few minor changes were agreed to. But there are a couple of items I am not pleased with but will not reveal those specifics in order to avoid giving a clue to someone as to a way to abuse the system or the plan. Bottom line, I will support the plan but if a single component is abused, even once, I will request an immediate remedy. Thank you.”*

City Manager Maxwell said the changes agreed to need to be made to the document. The changes include adding “and acceptance” at the end of the sentence in Section 10E, the words “business improvement” are to be removed from Section 12D, and on the first page of the guidelines and criteria at the bottom of the page, the last answer will include the words “and acceptance” after the words “upon completion”.

The changes were made to the document. There was no one else to speak to the issue. Mayor Pro Tem Spraggins made a motion to approve the façade grant summary and application with the recommended changes. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FINAL PLAT OF SHANNON OAKS ADDITION, A REQUEST BY SHANNON OAKS CHURCH AND WAYNE CALDWELL TO REARRANGE THE LOT LINES FOR 78.88 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF SHANNON ROAD AND THE NORTH SIDE OF SEWELL LANE, BEING FURTHER DESCRIBED AS LOTS 2 AND 3 OF BLOCK 220 INTO LOTS 1 AND 2

The church is replatting the property to sell the southern half that is adjacent to Sewell Lane. Director of Community Development Johnny Vance presented the staff report and was available to answer any questions. There was no one else to speak to the issue. Councilman Taylor moved to approve the replat. Councilman Brown seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FINAL PLAT OF ALPHA OMEGA ENERGY ADDITION, A REQUEST BY OWNER JEFFREY CHESTER TO REPLAT PROPERTY LOCATED ON THE EAST SIDE OF MULBERRY STREET (J. V. ALLEY) AND THE SOUTH SIDE OF CONNALLY STREET, BEING FURTHER DESCRIBED AS LOTS 2-01 AND 11-B OF BLOCK 10 INTO ONE LOT

This is a request by owner Jeffrey Chester to replat two lots into one lot. Director of Community Development Johnny Vance presented the staff report and was available to answer any questions. There was no one else to speak to the issue. Mayor Pro Tem Spraggins moved to approve the final plat. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FINAL PLAT OF TRAVIS SCHOOL ADDITION, A REQUEST BY THE SULPHUR SPRINGS INDEPENDENT SCHOOL DISTRICT TO REPLAT PROPERTY LOCATED ON THE NORTH SIDE OF MAIN STREET AND THE EAST SIDE OF GARRISON STREET, BEING FURTHER DESCRIBED AS LOTS 5-A, 3-B, 6, 8, 11-C, AND 11-D OF BLOCK 18 INTO ONE SINGLE LOT

The Sulphur Springs Independent School District would like to replat all of these lots into one lot. Director of Community Development Johnny Vance presented the staff report

and was available to answer any questions. There was no one else to speak to the issue. Councilman Taylor moved to approve the replat. Councilman Walker seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BOARD APPOINTMENTS TO THE (1) ECONOMIC DEVELOPMENT CORPORATION, (2) ZONING BOARD OF ADJUSTMENT, (3) AIRPORT ADVISORY BOARD, (4) SULPHUR RIVER MUNICIPAL WATER DISTRICT BOARD, (5) LIBRARY BOARD, (6) BOARD OF TOURISM AND PROMOTION, (7) PARKS AND RECREATION COMMISSION, (8) CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS, (9) PLANNING AND ZONING COMMISSION, (10) DOWNTOWN REVITALIZATION BOARD, (11) SOUTH SULPHUR REGIONAL DEVELOPMENT BOARD, (12) ARK-TEX COUNCIL OF GOVERNMENTS, AND (13) THE SENIOR CITIZENS ACTIVITY BOARD

There will be one more board appointment next month to fulfill a vacancy on the Downtown Revitalization Board. There was no one else to speak to the issue. Councilman Brown moved to approve the board appointments as discussed (see below). Councilman Taylor seconded the motion and the vote unanimous.

Mayor Aguilar read the list of appointments for the record.

ECONOMIC DEVELOPMENT

GENE WATSON
CARL BRYAN
BOBBY GILLIS

ZONING BOARD OF ADJUSTMENT

JONATHAN COOPER
DAVID WATSON
JOEL SHEFFIELD
GAIL NIERGARTH - ALTERNATE
KRISTI BREWER - ALTERNATE

AIRPORT ADVISORY BOARD

MARK MEADOWS
JERRY BREWER
KURT SEHNERT

SULPHUR RIVER MUNICIPAL WATER DISTRICT

BOB WEAVER

LIBRARY BOARD

DOT PELTON
MONICA HASLEY
TINA LAZARUS

BOARD OF TOURISM AND PROMOTION

LUCY MCCORKLE
SANDI WALLACE
HARRY SINGH

PARKS AND RECREATION COMMISSION

LONNIE FOX
BRYAN VAUGHN
DAVID MCCAIG
ISRAEL LEWIS

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

WAYNE COOPER
SCOTT TUBB
JIM FRY - ALTERNATE
BERNARD VAUGHN - ALTERNATE

PLANNING AND ZONING COMMISSION

CRAIG JOHNSON
BRYAN BAIER
CLAUDE WALTERS

SENIOR CITIZEN ACTIVITY BOARD

BILLIE RUTH STANDBRIDGE
DOROTHY JO THOMAS
CLAYTON MCGRAW

SOUTH SULPHUR REGIONAL DEVELOPMENT ASSOCIATION

DEBORAH WRIGHT

ARK-TEX COUNCIL OF GOVERNMENTS

CHRIS BROWN
FREDDIE TAYLOR
OSCAR AGUILAR

DOWNTOWN REVITALIZATION BOARD

G. V. HUGHES – 2/YR. TERM
SARA GIBSON – 2/YR. TERM
ROY PELTON – 2/YR. TERM
JOY WILSON – 1/YR. TERM

The motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:48 p.m.