

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

JANUARY 5, 2010

7:00 p.m.

Mayor Spraggins 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 Gary Spraggins
Mayor Pro Tem Chris Brown
Councilman Craig Johnson
Councilman Oscar Aguilar
Councilman Freddie Taylor
Councilman Charles Oxford

Absent: Councilman Clay Walker

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Gordon Frazier, Director of Human Resources

PLEDGE AND INVOCATION

Mayor Spraggins led in the pledge of allegiance and the invocation.

MANAGER'S REPORT

HOUSTON STREET - Phase II of the Houston Street project continues. The Capital Construction Division is pouring all of the sidewalk and driveway approaches between 7th Street and Locust Street.

When the sidewalks and driveway approaches are complete, we will begin working westward toward Sunset Street. Drainage and utilities will be first followed by the street, and then sidewalks and driveway approaches. Expect the intersection at Locust and Houston to take quite a while. We will be constructing extensive drainage improvements at this location.

CONNALLY STREET - Expect a late January/early February start date for Connally Street. The Gilmer Street project between Alliance Bank and City National Bank needs to be completed first, and the weather has been either too wet or too cold to pour concrete.

We are working closely with Alliance Bank's contractor to coordinate our efforts since we are both working in the same location at the same time. Once the concrete for the street and the bank's plaza area are poured, a contractor will lay the bricks for both. After that we will open Gilmer Street and close Connally Street.

CLAIMS – We received two minor liability claims in December. One was for a sewer stoppage, and the other was for damage allegedly resulting from a pothole. Both claims have been submitted to TML.

We received no workers' compensation claims in December.

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

MISCELLANEOUS – Elsewhere around the City, employees:

- Treated 113 million gallons of drinking water.
- Checked out 3,671 books.
- Processed 495 tickets through municipal court.
- Trimmed the bushes around the old library building.
- Prepared the square and Buford Park for the Christmas Parade.
- Winterized park bathrooms.
- Made repairs at Grays Building and Senior Citizens Building.
- Removed dead trees at Buford Park.
- Responded to 125 fire/rescue calls including 5 structure fires.
- Conducted 34 fire inspections.
- Performed preventative maintenance on 60 fire hydrants.
- Seized 24.5 pounds of marijuana.
- Responded to 48 accidents, made 67 arrests, recorded 62 offences and wrote 386 tickets.
- Made 10 felony arrests in the Special Crimes Unit.
- Responded to 194 animal control calls.
- Received 21 animals at the animal shelter, returned 1 to its owner and found homes for 9 others.
- Repaired high-service pump at water treatment plant.
- Repaired pumps on Coleman Lake waterfall.
- Repaired tertiary filter at wastewater treatment plant.

- Repaired 15 water main ruptures.
- Replaced 22 water meters and installed 3 new water taps.
- Unstopped 36 sewer lines.
- Cleaned 79,000 feet of sewer lines.
- Performed preventative maintenance on various pumps at wastewater treatment plant.
- Inspected chlorine apparatus at wastewater treatment plant.
- Treated wastewater to a daily average total suspended solids reading of 3.97mg/L.
- Sold 6,625 gallons of jet fuel.
- Sold 1,052 gallons of aviation gas.
- Organized Christmas activities downtown.
- Repaired 33 potholes.
- Made 12 major street repairs resulting from utility repairs.
- Swept 54 streets.
- Conducted 24 health inspections and 107 public nuisance inspections.
- Conducted 32 building inspections, 36 electrical inspections, 36 plumbing inspections, 22 mechanical inspections, 12 miscellaneous inspections and issued 15 building permits.
- Abated 5 substandard structures, bring the total to 437 since the program's inception.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval the regular City Council meeting minutes of December 1, 2009; the Downtown Revitalization Board meeting minutes of December 15, 2009; and the Tourism and Promotion Board meeting minutes of October 14, 2009. There was no one to speak to the issue. Mayor Pro Tem Brown moved to approve the consent agenda as presented. Councilman Taylor seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON INDEPENDENT AUDIT FOR THE CITY OF SULPHUR SPRINGS 2009

Randy Howard of Pingleton, Howard & Company made a presentation of the audit to the City Council. The audit makes comparisons of how we ended financially as compared to the 2009 budget as well as the previous year. The City of Sulphur Springs continues to be in excellent financial condition. The audit becomes the foundation upon which the city staff will start to build the next budget. There were a couple of questions of the auditor and then no one else to speak to the issue. Councilman Johnson moved to accept the audit as presented. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 988 FOR BOARD APPOINTMENT TO THE HOPKINS COUNTY APPRAISAL DISTRICT

This item was previously tabled until December 1, 2009 and then until the January 5, 2010 for the City Council agenda. The City of Sulphur Springs is required to appoint one member to the Hopkins County Appraisal District Board of Directors. Mike Barrett has been the City's representative since 2000. His current term on the Hopkins County Appraisal District Board of Directors expired December 31, 2009. There was no one to speak to the issue. Mayor Pro Tem Brown moved to appoint Bill Watts to the board and approve Resolution No.988 with Bill Watts' name inserted. Councilman Oxford seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 989 DECLARING SUPPORT FOR THE SULPHUR SPRINGS PIONEER CROSSING FOR SENIORS DEVELOPMENT

The City of Sulphur Springs has been requested to declare support for the Sulphur Springs Pioneer Crossing for Seniors, a seniors' development of up to eighty (80) units located at Gossett Lane, a joint housing tax credit and home investment partnership program application to the Texas Department of Housing and Community Affairs in the year 2010 by SS Seniors, LLC. Mr. Noor Jooma addressed the City Council in favor of this application. There was a general discussion and then no one else to speak to the issue. Councilman Taylor moved to approve Resolution No. 989 supporting the application. Councilman Johnson seconded and the vote was as follows:

Ayes: Johnson, Aguilar, Taylor, Spraggins, Oxford
Nays: None
Abstain: Brown

The motion carried.

DISCUSSION/ACTION ON EXTENSION OF REHABILITATION/ABATEMENT PROCESS FOR STRUCTURE LOCATED AT 226 ROGERS STREET

This property was ordered for demolition on December 3, 2009. Don Tiegiser has acquired the property and has asked that this property be brought back before the City Council for consideration to allow him to rehabilitate the property. Mr. Tiegiser addressed the City Council stating that he had not closed on the property and in the event he doesn't complete the purchasing process, he will contact Community Development to continue with the demolition. He believes he can rehabilitate the property and would like for the extension to be granted. There was a general discussion regarding this issue and then no one else to speak to the issue. Councilman Taylor moved to allow Mr. Tiegiser (180 days) until July 5, 2010 to rehabilitate the property or the abatement by demolition

will be carried out as authorized. Councilman Oxford seconded and the vote was as follows:

Ayes: Johnson, Aguilar, Taylor, Spraggins, Oxford
Nays: None
Abstain: Brown

The motion carried.

DISCUSSION/ACTION ON ENTERING INTO AN AGREEMENT WITH FREESE & NICHOLS FOR PROFESSIONAL ENGINEERING SERVICES FOR COLEMAN LAKE AND LAKE SULPHUR SPRINGS DAMS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS PERTAINING TO THE AGREEMENT

The Texas Commission on Environmental Quality (TCEQ) adopted new rules requiring owners of all significant hazard dams to prepare emergency action plans (EAP). Such a plan is to be used to warn affected downstream residents. The City owns Lake Sulphur Springs Dam and Coleman Lake Dam for which EAPs will need to be submitted in the next twelve months. Staff received three qualified proposals and selected Freese & Nichols as the most qualified. The scope and fee for assistance in developing an EAP for the two dams totals \$25,700. Director of Community Development Johnny Vance presented the staff report. There was no one else to speak to the issue. Councilman Taylor moved to enter into the agreement with Freese & Nichols authorizing the City Manager to execute agreement documents. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON TRAFFIC STUDY AND MODEL PERFORMED BY AECOM FOR THE DOWNTOWN AREA

City Manager Maxwell presented the staff report and Community Development Director Vance presented a visual presentation of the two-way traffic study conducted by the engineers at AECOM USA Group Inc. The report identifies no adverse conditions in converting the traffic on the Square to two-way. There was a general discussion among the Council and staff. Perry Altenbaumer stated that the general consensus of the Downtown Business Alliance was for the City to pursue two-way traffic. City Manager Maxwell stated that staff is asking for a general direction from the City Council. There was no one else to speak to the issue. Councilman Johnson moved to adopt the two-way traffic as a design concept subject to the other aspects of the plan and that we use the two-way traffic as a basis for the designers to continue planning and developing the downtown area. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON CONTINUATION OF CONTRACT WITH THE HOPKINS COUNTY APPRAISAL DISTRICT

This contract sets forth the provisions and services for tax assessment responsibilities. There are no changes to this contract from the previous contract. The contract term is for four years. There was no one to speak to the issue. Councilman Aguilar moved to approve the contract as presented. Councilman Taylor seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

Councilman Oxford approached the podium to address the City Council regarding his serious concerns about the safety and effectiveness of artificial fluoridation of the City of Sulphur Springs' drinking water supply. He supplied the City Council with handouts proposing further information be obtained and a study on the dental health of Sulphur Springs school children with lifetime exposure to water fluoridation.

Wilford Pobursky addressed the City Council regarding drainage issues at Jackson and College Streets and also at Jefferson at Jackson Streets.

Councilman Oxford announced that he was extremely pleased to see the sexually oriented business billboard has been replaced by a sign by the Sulphur Springs churches.

ADJOURN

With all business complete the meeting was adjourned at 8:16 p.m.