

CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE

CITY COUNCIL

OCTOBER 5, 2010

7:00 p.m.

Mayor Spraggins called the regular meeting of the Sulphur Springs City Council to order at 7:02 p.m. The following council members and staff were present:

Mayor Gary Spraggins
Mayor Pro Tem Johnson
Councilman Clay Walker
Councilman Oscar Aguilar
Councilman Chris Brown
Councilman Charles Oxford

Absent: Councilman Freddie Taylor

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Gordon Frazier, Director of Human Resources
Police Chief, Jim Bayuk
Robert Lee, Assistant Director of Utilities

PLEDGE AND INVOCATION

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

MANAGER'S REPORT

HOUSTON STREET - For all intents and purposes, Phase 2 is now complete. The Capital Construction Division is still working on a punch-list of minor items, but the street is now open. Phase 3 is next. It will include everything from Church to Jackson.

MUNICIPAL AIRPORT - The runway reconstruction project is underway. TXDOT recently approved a change order to mill the entire runway, not just those portions that were deemed to be unacceptable. So when the contractor is completed we will have a

new concrete runway on an entirely new base. Austin Road and Bridge is the contractor. This \$3.85 million project is 90% grant funded. Expect the runway to be completed this December.

CONNALLY STREET - All done! The next step downtown will be that tiny portion of Gilmer connecting Connally to the section of Gilmer that we previously rebuilt.

RAW WATER TRANSMISSION LINE - We sprang a leak on the raw water line from Cooper Lake this month forcing us to switch to Lake Sulphur Springs for a few days. This is the second time this section of the line has ruptured. We replaced the pipe section rather than simply repairing it with clamps.

CLAIMS – We had one minor worker’s compensation claim for a sprained knee and one liability claim for a broken ankle. The liability claim has been submitted to TML. I expect it to be denied.

REVENUES AND EXPENDITURES – Finance Director, Peter Karstens will not present a year-to-date of revenues and expenditures as he is out of town, and we just started the new fiscal year.

MISCELLANEOUS – Elsewhere around the City, employees:

- Made major street repairs on McCann at Broadway.
- Made major street repairs on Como at Bill Bradford Road.
- Made 14 street repairs as a result of utility repairs. Patched 29 potholes.
- Replaced “stop” signs at various locations.
- Abated 2 substandard structures this month bringing the total to 450.
- Conducted 10 health inspections and 25 public nuisance inspections.
- Conducted 42 building inspections, 52 electrical inspections, 59 plumbing inspections, 33 mechanical inspections, 14 miscellaneous inspections and issued 12 building permits.
- Treated 153 million gallons of drinking water.
- Processed 596 tickets through municipal court.
- Responded to 88 fire/rescue calls including 1 structure fire.
- Performed preventative maintenance on 96 fire hydrants.
- Replaced 14 street signs.
- Performed 58 fire inspections.
- Helped evacuate water from the hospital.
- Prepared Buford Park for stew cook-off.
- Reviewed airport fuel tanks inventory control system per EPA requirements.
- Completed fuel quality control testing.
- Sold 203 gallons of jet fuel and 893 gallons of AvGas.
- Responded to 53 accidents, made 89 arrests, wrote 563 citations and recorded 90

offenses.

- Responded to 262 animal control calls. Received 70 dogs and cats at the animal shelter. Returned 4 to their owners and found homes for 58 for an adoption rate of 77%.
- Seized 3 pounds of methamphetamine, 4.4 pounds of cocaine and 6 pounds of marijuana.
- Made 10 felony arrests as a result of Special Crimes Unit investigations.
- Installed a backup generator at Colman water tower.
- Repaired 49 water main ruptures, replaced 26 water meters, and 5 meter boxes.
- Unstopped 21 sewer mains, and repaired 9 sewer services and one manhole.
- Washed 75,000 feet of sewer mains.
- Performed preventative maintenance on wastewater sludge press.
- Repaired wastewater filter #1.
- Performed preventative maintenance on water treatment plant clarifiers, drain lines, alum tank, effluent lines and the fluoride bulk tank.
- Opened bids for 2 high service pumps and 3 motors.
- Passed a TCEQ water treatment plant inspection.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval the regular City Council meeting minutes of September 7, 2010; the special City Council meeting minutes for September 10, 2010; the Downtown Revitalization Board meeting minutes of September 21, 2010; the Tourism and Promotion Board meeting minutes of August 11, 2010; and the Economic Development Corporation meeting minutes of August 23, 2010. There was no one to speak to the issue. Councilman Brown moved to approve the consent agenda as presented. Councilman Aguilar seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION ON FIRST READING OF ORDINANCE NO. 2583 PROHIBITING PARKING IN TWO SPACES ON NORTH DAVIS STREET ADJACENT TO THE WEST SIDE OF 229 MAIN STREET, MONDAY THROUGH FRIDAY, FROM 8:00 A.M. UNTIL 10:00 A.M.

This ordinance will create a designated zone for the temporary loading and unloading of vehicles only. The commercial interest in the area designates required access for the purpose of permitting loading and unloading of vehicles. There was no one else to speak to the issue. Councilman Brown moved to approve the ordinance on the first reading. Mayor Pro Tem Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2584 PROHIBITING PARKING ON HOUSTON STREET BETWEEN NORTH LEAGUE STREET AND CHURCH STREET, MONDAY THROUGH FRIDAY, FROM 8:00 A.M. UNTIL 5:00 P.M. EXCEPT FOR HOLIDAYS AND THE DAY PRECEDING AND FOLLOWING THE HOLIDAY

This is a truck route and it would make sure that sufficient room was given to the trucks traveling during business hours and will enhance the safety of homeowners and their guests. Councilman Walker moved to approve the ordinance on the first reading. Councilman Aguilar seconded the motion. Mr. Bill Zahn, speaking on behalf of several businesses, addressed the City Council and distributed a handout. He stated the proposed ordinance would result in traffic congestion and unsafe conditions for school children as well as citizens. Several principal industries use this route daily as it is the major East – West route for truck traffic. He suggested that a total ban on parking would be the best case scenario and at a minimum no parking should be allowed on Houston Street between 6:00 a.m. and 6:00 p.m. There was a general discussion. There was no one else to speak to the issue. Councilman Walker amended his motion directing staff to make the necessary corrections to implement no parking except weekends and holidays. Councilman Aguilar seconded the amended motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPROVAL OF LEASE AGREEMENT WITH B. W. ORGANICS

Texas Microbial Applications (TMA) has approached the City about treating our municipal sludge to a Class-A specification. TMA proposes to treat the sludge at the wastewater treatment plant for a fee. If the technology does not work as expected the City is not out anything because we only pay for Class-A sludge. Staff indicated to TMA that we would not propose a sludge treatment contract to the City Council unless TMA could obtain a permit from the Texas Commission on Environmental Quality (TCEQ). They are pursuing the permit application vigorously and TCEQ is requiring them to produce a lease for the land whereon their equipment will be set before TCEQ approves the permit. This lease will satisfy the requirements of TCEQ and but the lease will not become effective unless and until the City approves a sludge treatment contract with TMA. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Johnson moved to approve the item as submitted. Councilman Oxford seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR THREE 300 HP ELECTRIC MOTORS AND TWO VERTICAL TURBINE HIGH SERVICE PUMPS FOR THE WATER TREATMENT PLANT

The City advertised for bids on high service pumps and motors to replace inefficient equipment that had been in service since the plant opened in 1966. One pump had already been replaced in March of this year due to the cost being greater to repair than replace. Low bids were submitted on September 15, 2010 by the following companies:

	Each	Total Bid
Three (3) 300 hp motors - Electric Motor Service Sulphur Springs	\$19,000	\$57,000
Two (2) Vertical Turbine Pumps – Odessa Pumps Grand Prairie	\$17,000	\$34,000

There was no one else to speak to the issue. Councilman Oxford moved to approve the low bid as submitted. Mayor PRO Tem Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON WATER SERVICE TERRITORY AGREEMENT WITH SHADY GROVE WATER SUPPLY CORPORATION

The City completed a major annexation in November 2006, essentially annexing everything between Interstate 30 and the new Highway 11 bypass. Much of the area annexed by the City is within the Shady Grove Water Supply Corporation service area. The City does not have the legal right to provide water service within this area unless it obtains a Certificate of Convenience and Necessity (CCN). There are two ways for a City to obtain a CCN when it expands into the service area of another water service provider. One is to negotiate a deal with the water supply corporation (WSC) and the other is to petition TCEQ to grant the CCN over the objections of the WSC. The City and Shady Grove have arrived at a negotiated deal and listed below are the points:

- 1) The City and Shady Grove each retain their existing customers. Believe it or not, we have been serving a few customers within Shady Grove’s area and they have been serving a few customers within the city limits for many years.
- 2) Any new construction may connect to either system so long as the water lines they connect to meet the City’s minimum standards.
- 3) The City pays Shady Grove \$20,000 per year for three (3) years.
- 4) The City gives Shady Grove a new wholesale water service agreement. Their prior agreement expired years ago.

This agreement essentially creates a dual service area. The need for a CCN has not been much of an issue since the annexation until the Sulphur Springs Independent School District decided to build a new middle school in the annexed area. They need a rather

large water supply main and the City needs the ability to control development. The approval of this agreement clears the way for the City to provide water to the school. The City Council reviewed the map of the service area and there was a general discussion. A member of the audience, Wilfred Pobursky, asked if he could review the map as well. There was no one else to speak to the issue. Councilman Oxford moved to approve the service territory agreement as submitted. Mayor Pro Tem Johnson seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A WHOLESALE WATER SERVICE AGREEMENT WITH SHADY GROVE WATER SUPPLY CORPORATION

The previous wholesale water service agreement with Shady Grove expired in 2006. The agreement had been in existence for forty (40) years. The new agreement contains a great deal more legalese than the previous agreement but the deal points are still the same. This agreement is needed to make the Water Service Territory agreement effective. There was no one else to speak to the issue. Councilman Brown moved to approve the agreement as submitted. Councilman Oxford seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

City Secretary Roberts reminded the City Council that the next regularly scheduled meeting for November 2 would be delayed until 7:30 p.m. due to the election and City Hall being a polling place.

Don Tiegiser distributed handouts containing pictures of the structure he refurbished at 226 Rogers to the City Council. Mr. Tiegiser had been granted an extension in January 2010 by the City Council to get the work completed at this location. He wanted them to know he honored his word.

ADJOURN

With all business complete the meeting was adjourned at 7:45 p.m.