CITY OF SULPHUR SPRINGS, TEXAS

REGULAR MEETING OF THE
CITY COUNCIL

OCTOBER 4, 2011

7:00 p.m.

Mayor Craig Johnson called the regular meeting of the Sulphur Springs City Council to order at 6:34 p.m. Councilman Sellers moved to adjourn to executive session in accordance with Texas Government Code 551.074, personnel matters specifically relating to the position of Community Development Director. Mayor Pro Tem Taylor seconded the motion. There was no one present to speak to the issue. The vote was unanimous. The following council members and staff were present:

Mayor Craig Johnson
Mayor Pro Tem Freddie Taylor
Councilman Clay Walker
Councilman Oscar Aguilar
Councilman Gary Spraggins
Councilwoman Kayla Price
Councilman John Sellers

Absent: None

Staff: Marc Maxwell, City Manager
Gale Roberts, City Secretary
Jim McLeroy, City Attorney
Peter Karstens, Director of Finance
Gordon Frazier, Director of Human Resources
Joey Baker, Director of Tourism/Airport
Phyllis Rogers, Municipal Court Judge

OPEN SESSION
Mayor Johnson reconvened the meeting in open session at 7:04 p.m.

PLEDGE AND INVOCATION
Mayor Johnson led in the pledge of allegiance and Mayor Pro Tem Taylor led in the invocation.
MANAGER’S REPORT

JEFFERSON STREET DIAGONAL – The project is moving rapidly along. I expect to be done by the end of October. Brick layers should be here on the 17th.

SUMMER PAVING PROGRAM – Yet another delay. It now looks like October will be the magic month for our paving contractor, R.K. Hall, to pave a dozen or more streets in Sulphur Springs. Expect the following streets to be paved with asphalt: Park, Brinker from Lee to Industrial, Davis from Hinnant to Kyle, Vaughn, Carter from MLK to Fuller, Fisher from Spence to Kyle, Georgia from Lee to concrete section, Clayton, Dena, Elizabeth, Seventh and Jackson from College to MLK. We will also be able to include a portion of Lamar Street in the program, and possibly Gladys Alexander Drive.

CLAIMS – We had no liability claims in September. We had one very minor worker’s compensation claim in September for a police officer who suffered a minor laceration.

REVENUES AND EXPENDITURES – Finance Director, Peter Karstens will not present a year-to-date summary of revenues and expenditures. Expect a year-end report next month.

MISCELLANEOUS – Elsewhere around the City, employees:

- Treated 182 million gallons of drinking water.
- Flushed 37 dead-end water mains.
- Performed preventative maintenance on #1 raw water pump at Cooper Lake.
- Repaired #3 finished water pump.
- Repaired 59 water main breaks.
- Made 4 water taps and replaced 17 water meters.
- Unstopped 15 sewer mains and repaired 6 sewer mains.
- Washed 63,000 feet of sewer mains.
- Responded to 42 accidents, made 95 arrests, recorded 78 offenses and wrote 703 traffic citations.
- Made 15 felony arrests in the Special Crimes Unit.
- Seized 11 pounds of marijuana.
- Responded to 313 animal control calls, took in 66 dogs and cats, returned 7 to their owners and found homes for 38. That is a 64% adoption rate.
- Sold 2,532 gallons of AvGas and 10,503 gallons of Jet A fuel.
- Processed 697 tickets through Municipal Court.
- Responded to 145 calls for fire/rescue service.
- Performed preventative maintenance on 113 fire hydrants.
- Performed 49 fire inspections.
- Checked out 2,313 materials from the library.
- Converted the Hopkins County courthouse to underground electrical service.
- Repaired tornado warning siren at Austin School.
- Repaired airport lift station.
- Began repairing filters #5 and #6 at the wastewater treatment plant.
- Repaired the Cantex lift station.
- Repaired the Raintree lift station.
- Repaired digested at wastewater treatment plant.
- Calibrated all meters at wastewater treatment plant.
- Pressed and hauled 1,310 cubic yards of sludge.
- Achieved a total suspended solids reading of 8.19 md/L
- Made 65 street repairs due to utility repairs.
- Repaired 46 potholes.
- Repaired 7 street signs and 3 stop signs.
- Shredded at Lake Sulphur Springs.
- Boom-shredded at 2 locations.
- Conducted 39 building inspections, 46 electrical inspections, 59 plumbing inspections, 30 mechanical inspections, 36 miscellaneous inspections and issued 15 building permits.
- Conducted 26 health inspections and 30 public nuisance inspections.
- Demolished 3 homes as a part of the HOME Grant program.

**CONSENT AGENDA**
The following items on the Consent Agenda were reviewed: Consider for approval the regular City Council meeting minutes of September 6, 2011 and the Economic Development Corporation meeting minutes of August 22, 2011. There was no one to speak to the issue. Councilman Spraggins moved to approve the consent agenda as presented. Councilman Sellers seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON SECOND AND FINAL READING OF ORDINANCE NO. 2596, A REQUEST BY OWNERS S. S. SENIORS LLC, TO REZONE PROPERTY LOCATED AT 668 GOSSETT LANE, BEING FURTHER DESCRIBED AS LOT 7-03 OF BLOCK 215, FROM HEAVY COMMERCIAL (HC) TO MULTIPLE FAMILY (MF)**
The owner would like to rezone the property so they would not have to cut down the trees to erect a masonry fence. There was no one else to speak to the issue. Councilman Sellers moved to approve the ordinance on the second and final reading. Councilwoman Price seconded and the vote was unanimous.

**The motion carried.**
DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2603
AMENDING SECTIONS 23-34 OF THE SULPHUR SPRINGS CODE OF
ORDINANCES REGARDING HOTEL OCCUPANCY TAX
This ordinance redistributes the Hotel Tax receipts and alters the composition of the Tourism and Promotion Board. Mayor Johnson made opening remarks and moved to approve the ordinance on the first reading. There was a general discussion with Hopkins County Judge Brown, Councilman Walker, and Councilman Sellers addressing the issue as well. Mayor Pro Tem Taylor seconded the motion. Councilman Sellers moved to table the item. Councilman Walker seconded and the City Council voted unanimously to table the item.

The motion to table this item carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2604
PROVIDING FOR THE ISSUANCE OF CITY OF SULPHUR SPRINGS, TEXAS,
COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF
OBLIGATION, SERIES 2011; BEARING INTEREST AT THE RATES
HEREINAFTER SET FORTH; TO SECURE FUNDS FOR THE PURPOSE OF
PAYING CONTRACTUAL OBLIGATIONS INCURRED FOR ACQUIRING,
CONSTRUCTING, INSTALLING AND EQUIPPING ADDITIONS,
EXTENSIONS AND IMPROVEMENTS TO THE CITY’S WATERWORKS AND
SEWER SYSTEM, ACQUISITION OF EQUIPMENT AND VEHICLES FOR THE
WATERWORKS AND SEWER DEPARTMENT; AND FOR PAYING LEGAL,
FISCAL AND ENGINEERING FEES IN CONNECTION WITH SUCH
PROJECTS; PRESCRIBING THE FORM OF CERTIFICATES OF
OBLIGATION; LEVYING AD VALOREM TAXES AND PLEDGING SURPLUS
NET REVENUES OF THE CITY’S WATERWORKS AND SEWER SYSTEM
FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE
CERTIFICATES OF OBLIGATION; MAKING CERTAIN OTHER
COVENANTS OF THE CITY IN REFERENCE TO THE CERTIFICATES OF
OBLIGATION AND THE FUNDS FROM WHICH SAID CERTIFICATES OF
OBLIGATION ARE TO BE PAID; APPROVING AN OFFICIAL STATEMENT
AND AWARDING SALE OF SAID CERTIFICATES OF OBLIGATION;
PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS
RELATING THERETO
Finance Director Peter Karstens presented the staff report. This ordinance authorizes new Certificates of Obligation to fund the capital projects work as noted in the Enterprise Fund in the FY 2012 budget. The total amount of the issue will be $4.8 million. There was no one else to speak to the issue. Councilman Spragings moved to approve the ordinance on the first reading. Councilwoman Price seconded and the vote was unanimous.
DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2605
ADOPTING THE 2012 INTERNATIONAL EXISTING BUILDING CODE
At the regular City Council meeting conducted September 6, 2011, Rita Edwards and Perry Altenbaumer asked the Council to consider adopting the 2012 IEBC. The code regulates and governs the repair, alteration, change of occupancy, addition and relocation of existing buildings including historic buildings. This ordinance, if adopted, would pertain to all structures built prior to September 3, 2002. There was no one to speak to the issue. Councilman Sellers moved to approve the ordinance on the first reading. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR
SELECTION OF CONTRACTOR FOR ASBESTOS AND LEAD BASED PAINT
ABATEMENT AT THE OLD POST OFFICE/LIBRARY
Finance Director Peter Karstens presented the staff report. Terracon created the plans and specifications for this bid packet. We received four (4) bids and conducted a formal bid opening Wednesday, September 28, 2011. NCM Demolition and Remediation was the low bid with a base bid of $278,800. Terracon recommends NCM with Deduct #1 along with Conditional Change Order #1 which makes the overall contract price $232,800. There was no one to speak to the issue. Councilwoman Price moved to select NCM with the base bid of $278,800 including Deduct #1 for $36,00 as well as Change Order #1 with a deduct of $10,000 for a total contract price of $232,800. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON SPECIFIC USE PERMIT REQUEST FOR 400 EAST
SHANNON ROAD
This is a request for a Specific Use Permit for the purpose of selling alcoholic beverages by the drink. H&H Steak House is located at 400 East Shannon Road and is zoned Heavy Commercial and meets the requirements to apply for a Specific Use Permit. There was no one to speak to the issue. Councilman Aguilar moved to approve the permit. Mayor Johnson seconded and the vote was as follows:

Ayes: Aguilar, Johnson, Walker, Spraggins, Price, Sellers
Nays: Taylor
Abstain: None

The motion carried.
DISCUSSION/ACTION ON SPECIFIC USE PERMIT REQUEST FOR 1495 EAST INDUSTRIAL
This is a request for a Specific Use Permit for the purpose of selling alcoholic beverages by the drink. Texas Cocktail Lounge is located at 1495 East Industrial Drive and is zoned Heavy Commercial and meets the requirements to apply for a Specific Use Permit. Brandy English addressed the City Council and spoke in favor of the request. There was no one else to speak to the issue. Councilman Aguilar moved to approve the permit. Mayor Johnson seconded and the vote was as follows:

Ayes: Aguilar, Spraggins, Johnson, Walker, Price, Sellers
Nays: Taylor
Abstain: None

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM REGARDING THE HIRING OF A COMMUNITY DEVELOPMENT DIRECTOR
City Manager Maxwell stated he would like to hire Mr. Shane Shepard as the new Community Development Director and would like to have the City Council’s permission to do so. There was no one to speak to the issue. Mayor Johnson moved to approve the appointment of Shane Shepard as the new Community Development Director. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM
Wilfred Pobursky stated he was going to seek signatures to make alcohol legalized in Sulphur Springs.

ADJOURN
With all business complete the meeting was adjourned at 7:54 p.m.