

CITY OF SULPHUR SPRINGS, TEXAS

**REGULAR MEETING OF THE
CITY COUNCIL**

JUNE 7, 2011

7:00 p.m.

Mayor Gary Spraggins called the regular meeting of the Sulphur Springs City Council to order at 6:33 p.m. 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
James Litzler, Acting City Attorney
Peter Karstens, Director of Finance
Travis Crump, Building Official
Gordon Frazier, Director of Human Resources
Jim Bayuk, Chief of Police
Phyllis Rogers, Municipal Court Judge
Robert Lee, Assistant Director of Utilities

EXECUTIVE SESSION

Mayor Spraggins called the meeting to order at 6:33 p.m. Mayor Pro Tem Johnson moved to enter into executive session in accordance with Texas Government Code 551.074, Personnel Matters, specifically relating to Utilities Director. Councilwoman Price seconded the motion and the vote was unanimous.

OPEN SESSION

Mayor Spraggins reconvened the meeting in open session at 7:00 p.m.

PLEDGE AND INVOCATION

Mayor Spraggins asked a couple of members of Boy Scout Troup 66 to lead in the pledge of allegiance and Councilman Taylor led in the invocation.

OATHS OF OFFICE WILL BE GIVEN TO COUNCILWOMAN KAYLA PRICE AND COUNCILMAN ELECT JOHN SELLERS

City Secretary Roberts administered the Oath of Office to Councilwoman Kayla Price and Councilman elect John Sellers.

DISCUSSION/ACTION ON SELECTION OF MAYOR

Mayor Spraggins moved to appoint Mayor Pro Tem Johnson as Mayor. Councilman Walker seconded and the vote was unanimous.

Mayor Spraggins added that he thought Mayor Pro Tem Johnson would make an excellent mayor and do a fine job in the position as he has demonstrated his leadership abilities as Councilman Place #1.

The motion carried.

Outgoing Mayor Spraggins stated it had been an honor and a privilege to serve in the capacity as Mayor of the City of Sulphur Springs for the last two years. He stated he would always have fond memories of this special time. He joked that using the gavel had been his favorite part and stated that he was leaving the gavel and the chair in good hands.

Newly appointed Mayor Johnson asked Councilman Spraggins to remain at the podium. Mayor Johnson stated he wasn't big on politicians making promises but he would do his best to be a good mayor and speaking of good mayors, he stated that Gary had been the mayor as long as he had been on the City Council. He said that Gary had been an excellent example that he intends to emulate.

At this time Mayor Johnson presented an engraved gavel to Councilman Spraggins for his two years of service as mayor. Mayor Johnson asked Gary's wife, Deanna, to come to the podium as he thanked her for her support and the sacrifices she has made as Gary fulfilled his duties as mayor. Councilman Spraggins read the inscription to the audience which said "Mayor Gary Spraggins, aka as Mayor Dah, 2009 – 2011". He explained that "Mayor Dah" was the name given to him by his five-year old granddaughter and that City Secretary Roberts often referred to him via correspondence as "Mayor Dah". He added that it had been a pleasure to serve as Mayor "Dah".

DISCUSSION/ACTION ON SELECTION OF MAYOR PRO TEM

Councilman Spraggins moved to select Councilman Taylor as Mayor Pro Tem. Mayor Johnson seconded and the vote was unanimous.

The motion carried.

MANAGER'S REPORT

HOUSTON STREET - Phase 3 is progressing well. The Capital Construction Division has constructed water, sewer and drainage utilities all the way to Church Street. Concrete street construction is nearly to Rosemont Street.

Soon the Capital Construction Division will begin reconstruction of the Church/Houston Intersection. The intersection will become a 4-way stop when it is completed.

SUMMER PAVING PROGRAM – We will undertake a substantial summer paving program this year. Expect the following streets to be paved with asphalt this summer: 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.

CLAIMS - We had one worker's compensation claim for an airport employee who injured his back while sweeping water from the airport terminal's patio. Apparently his broom/squeegee hung in a crack.

We had no liability claims in May.

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

MISCELLANEOUS – Elsewhere around the City, employees:

- Treated 123 million gallons of drinking water.
- Sold 8,920 gallons of jet fuel and 1,651 gallons of AvGas.
- Watered, sodded and seeded areas around new construction.
- Assisted with planning of the Independence Day celebration scheduled for July 2nd.
- Turned on the spray park at Pacific Park.
- Fertilized and aerated all athletic fields at Coleman Park.
- Repaired bathrooms at Pacific Park.
- Replaced the nets on the tennis courts.
- Responded to 136 fire/rescue calls including 4 structure fires.
- Conducted 35 fire inspections.

- Performed preventative maintenance on 122 fire hydrants.
- Replaced 3 street signs.
- Received 64 hours of continuing fire/rescue training.
- Checked out 2,842 items from the library.
- Repaired the Hwy. 11 lift station.
- Repaired the supernatant pump at the wastewater treatment plant.
- Repaired the Raintree lift station.
- Repaired #1 filter at the wastewater treatment plant.
- Began repairs on #4 filter at wastewater treatment plant.
- Began repairs on south primary clarifier at wastewater treatment plant.
- Began planning for utility relocation/undergrounding project at College and Oak.
- Achieved monthly average total suspended solids reading of 9.17 mg/L.
- Responded to 41 accidents, made 101 arrests, wrote 672 traffic citations and recorded 67 offenses.
- Repaired 5 water main ruptures.
- Installed 5 water taps.
- Replaced 16 water meters.
- Unstopped 25 sewer mains.
- Repaired 11 sewer mains.
- Installed 2 sewer taps.
- Cleaned 63,000 feet of sewer mains.
- Repaired 2 manholes.
- Smoke tested segments 8 and 9 and made repairs thereto.
- Patched potholes at 22 locations.
- Made 9 street repairs following utility repairs.
- Replaced driveway approaches and curbs on Georgia.
- Cleaned concrete ditches near Easy Street and Broadway.
- Cleaned ditches on Maxwell, Carter and Jackson.
- Swept 72 streets.
- Conducted 45 building inspections, 36 electrical inspections, 45 plumbing inspections, 33 mechanical inspections, 32 miscellaneous inspections, and issued 15 building permits.
- Conducted 5 health inspections and 25 public nuisance inspections.
- Abated 1 substandard structure bringing the total to 460.
- Flushed 37 dead-end water mains.
- Seized 111 pounds of marijuana and 8 pounds of cocaine.
- Seized an additional 50 pounds of marijuana in the Special Crimes Unit and made 3 arrests.
- Responded to 220 animal control calls, took in 39 dogs and cats at the shelter, returned 12 to their owners and found new homes for 19.

CONSENT AGENDA

The following items on the Consent Agenda were reviewed: Consider for approval the regular City Council meeting minutes of May 3, 2011; Special City Council meeting minutes of May 17, 2011; City Council Retreat minutes of May 17, 2011; and the Economic Development Corporation meeting minutes of April 26, 2011. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to approve the consent agenda as presented. Councilman Sellers seconded the motion and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2593 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR AND ONCOR ELECTRIC DELIVERY COMPANY LLC REGARDING THE COMPANY'S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR'S PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL

The City of Sulphur Springs, along with approximately 160 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company"), is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"). On or about January 7, 2011, Oncor filed with the City an application to increase electric rates.

The Oncor filing sought a \$353 million rate increase. The City worked with the Steering Committee to analyze the schedules and evidence offered by Oncor to support its request to increase rates. The Ordinance and rate and tariffs are the result of negotiations between the Steering Committee and the Company to resolve issues raised by the Steering Committee and other intervenors during the review and evaluation of the filing. The Ordinance resolves the Company's filing by authorizing an increase in the Company's base rate of \$136.7 million. The monthly bill impact for the average residential customer will be a \$2.35 increase (as opposed to the \$5.00 per bill increase as proposed in the Company's filing).

The Executive Committee of the Steering Committee and the Steering Committee's legal counsel recommend that all city members of the Steering Committee adopt the Ordinance implementing the rate change. City Manager Maxwell presented the staff report. Mayor Johnson pointed that this was the portion of the bill that reflects delivery of electrical service. Mayor Pro Tem Taylor added that Oncor also agrees to not file a general base rate case before July 1, 2013. There was a general discussion. There was no one else to speak to the issue. Councilman Spraggins moved to approve the ordinance on the first reading. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON SELECTION OF ARCHITECT FOR THE OLD LIBRARY REDEVELOPMENT PROJECT

On April 8, 2011 the City received five proposals from architectural firms. Three firms were chosen for interviews based on their historical restoration experience. They were graded as per grading categories set forth in the Request For Proposals (RFP). Architexas was selected by a committee comprised of Marc Maxwell, Craig Johnson, and Peter Karstens. The City added several items to the process which, after several rounds of negotiations, increased the price by about \$10,000 with a final set cost of \$208,400. Finance Director Karstens presented the staff report. Craig Melde, representing Architexas, addressed the City Council stating he was looking forward to working with the city and listed some of the familiar structures they had restored including the Hopkins County Courthouse. Billie Ruth Standbridge asked about the preservation process. He explained they would assess the long-term needs of the building and determine how to fit those needs to the restored structure. This is not a pure restoration but a redevelopment for an adaptive use. Councilman Sellers inquired about the use of the elevator and stated it was the first elevator in Sulphur Springs. Mr. Melde said they would certainly take the historic value into consideration. There was no one else to speak to the issue. Councilwoman Price moved to approve the selection of Architexas for the Old Library redevelopment project. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR CHEMICALS FOR THE WATER TREATMENT PLANT

The City advertised for bids on Aluminum Chlorohydrate (ACH), Aluminum Chlorohydrate/Copper Sulfate Blend, Liquid Ammonium Sulfate, Poly/Ortho Phosphate, Chlorine, and Sulfur Dioxide to be used at the Water and Wastewater Plants. Low bids were submitted on May 11, 2011 by the following companies:

			New Price	Old Price
Aluminum Chlorohydrate	GEO Specialty Chemicals		\$0.304/lb	
Aluminum Chlorohydrate/ Copper Sulfate Blend	GEO Specialty Chemicals	3% 5%	\$0.333/lb \$0.348/lb	
Liquid Ammonium Sulfate	Chameleon Ind.		\$0.095/lb	\$0.082/lb
Chlorine	DPC Ind.		\$723/ton	\$698/ton
Sulfur Dioxide			\$723/ton	\$698/ton
Poly/Ortho Phosphate	Southwest Chemicals		\$0.86/lb	

We are conducting a long-term trial to replace aluminum sulfate (alum) and caustic soda with aluminum chlorohydrate and poly/ortho phosphate blend due to problems feeding caustic soda. There was no one to speak to the issue. Councilman Spraggins moved to accept the low bids and award contracts accordingly. Mayor Pro Tem Taylor seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR PROPERTY LOCATED AT 210 WEST ROSS STREET

City Manager Marc Maxwell presented the staff report. Building Official Travis Crump was available to answer any questions. There was no one to speak to the issue. Councilman Spraggins moved to declare this property a public nuisance and order abatement by demolition to be completed within thirty (30) days of this hearing. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR PROPERTY LOCATED AT 602 WOODLAWN STREET

City Manager Marc Maxwell presented the staff report. Building Official Travis Crump was available to answer any questions. There was no one to speak to the issue. Councilman Spraggins moved to declare this property a public nuisance and order abatement by demolition to be completed within thirty (30) days of this hearing. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON ABATEMENT PROCEEDINGS FOR PROPERTY LOCATED AT 623 WOODLAWN STREET

City Manager Marc Maxwell presented the staff report. Building Official Travis Crump was available to answer any questions. Property owner Ed Rosamond addressed the City Council requesting three or four months to demolish the structure. There was no one else to speak to the issue. Mayor Pro Tem Taylor moved to declare this property a public nuisance and order abatement by demolition to be completed within one hundred and twenty (120) days of this hearing. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

Mayor Pro Tem Taylor asked why it took so long for the process to get to the City Council. City Manager Maxwell gave a brief overview of abatement proceedings.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM REGARDING HIRING A UTILITIES DIRECTOR

City Manager Maxwell stated he would like to hire Mr. Johnny Bellamy as the new Utilities Director and would like to have the City Council's permission to do so. There was no one else to speak to the issue. Councilman Sellers moved to approve the appointment of Johnny Bellamy as the new Utilities Director. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

Mayor Johnson introduced Johnny Bellamy as the new Utilities Director. Mr. Bellamy introduced his wife, Stella, and stated he was looking forward to his new appointment and their move to Sulphur Springs from the Houston area. Mayor Johnson welcomed them to the City of Sulphur Springs. He also stated we would roll out the welcome mat and show them what a great place Sulphur Springs is to live.

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) CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS, (8) PLANNING AND ZONING COMMISSION, (9) THE SENIOR CITIZENS ACTIVITY BOARD, (10) ARK-TEX COUNCIL OF GOVERNMENTS, AND (11) DOWNTOWN REVITALIZATION BOARD

There was no one to speak to the issue. Councilman Spraggins moved to approve the board appointments as discussed. Councilwoman Price seconded and the vote was unanimous.

Mayor Johnson read the list of appointments for the record.

ECONOMIC DEVELOPMENT

CLAY WALKER
TOM SELLERS
BUCK BOOKER

ZONING BOARD OF ADJUSTMENT

JONATHAN COOPER
GLEN HALL
RUSTY HARDEN

ALTERNATES: SUZANNE THOMAS BANKSTON
LYNN TURNER

AIRPORT ADVISORY BOARD

MARK MCCLENDON
DAVID POSKEY

SULPHUR RIVER MUNICIPAL WATER DISTRICT

SAM JOHNSON

LIBRARY BOARD

JULI LONG
CONNIE JOHNSON

BOARD OF TOURISM AND PROMOTION

MAX BRADFORD
TRACY DENNIS

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

RICKEY PAYNE
JOHN COOPER
JEFF REDDING

PLANNING AND ZONING COMMISSION

CODY STEWART
CHUCK SICKLES

SENIOR CITIZEN ACTIVITY BOARD

L. B. JORDAN
BILLIE RUTH STANDBRIDGE
FRED DIAL

ARK-TEX COUNCIL OF GOVERNMENTS

CRAIG JOHNSON

KAYLA PRICE

JOHN SELLERS

DOWNTOWN REVITALIZATION BOARD

JILL MCKEAVER

LONNIE FOX

MARKEDA FISHER

The motion carried.

DISCUSSION/ACTION ON APPOINTMENT OF MUNICIPAL COURT JUDGE

State law requires that municipal judges be appointed for a term of two years and this year Municipal Court Judge Phyllis Rogers' term has expired. There was no one to speak to the issue. Mayor Pro Tem Taylor moved to reappoint Phyllis Rogers as Municipal Court Judge. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPROVAL OF HOPKINS COUNTY HOTEL/MOTEL TAX BUDGET

City Manager Maxwell presented the staff report. The Honorable Judge Brown was present to answer any questions. Our policy states that revenue sharing grants above \$10,000 a year with any public entity requires a budget presentation and approval by the City Council among other things. In the end, it is in all of our interest to work together as a team in our tourism efforts. There was no one else to speak to the issue. Councilman Spraggins moved to approve the Hopkins County Hotel/Motel Tax budget as presented. Councilwoman Price seconded and the vote was unanimous.

The motion carried.

VISITORS/PUBLIC FORUM

Mayor Pro Tem reminded everyone of the Dairy Festival and to support the young ladies vying for Dairy Festival Queen in their sales of tickets. His daughter, Ay

Harold Nash thanked the City Council for working so well together and for selecting the streets for the summer paving program. He asked that consideration be given to Lamar Street from the Pacific Park baseball diamond to Whitworth Street should there be any leftover materials.

ADJOURN

With all business complete the meeting was adjourned at 7:56 p.m.