

**CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL**

**January 3, 2023
7:00 p.m.**

An Executive Session was held at 6:30 p.m. in accordance with Texas Government Code, Title 5, Chapter 551 - §551.071, Consultation with Attorney; and §551.087 Deliberations Regarding Economic Development Ashoka Steel; with Texas Government Code, Title 5, Chapter 551, Section 551.074, Personnel Matters, specifically relating to discussions regarding the position of Public Works Director.

Mayor Douglas Moore called the regular session of the City Council to order at 7:00 p.m. The following council members and staff were present:

Present: Mayor Douglas Moore
Mayor Pro Tem John A. Sellers
Councilman Jay W. Julian
Councilman Harold Nash Sr.
Councilman Oscar Aguilar
Councilman Tommy Harrison
Councilman Gary Spraggins

Absent: None

Staff: Marc Maxwell, City Manager
Natalie Darrow, City Secretary
Nate Smith, City Attorney
Jason Ricketson, Chief of Police
Tory Niewiadomski, Community Development Director/
Assistant City Manager -7
Lesa Smith, Finance Director/Assistant City Manager -7
Gordon Frazier, HR Director/Assistant City Manager -7
Joey Baker, Director of Aviation and Tourism -7
Bryan Craig, Capital Construction – 7
David James, Fire Chief – 7
Hope Cain, Library Director – 7
Jamieson Hawkins, Patrol Police Department -7
Christopher Rosamond, Corporal Police Department -7
Bruce Millard, Fire Department -7
John Lambert, Fire Department -7

RECONVENE

Mayor Moore called to order the open session of the regular meeting of the Sulphur Springs City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG, TEXAS FLAG, AND INVOCATION

Mayor Moore led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Councilman Nash.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

Service pin awards were presented by Mayor Moore to the following employees that were present at the council meeting: 5-years Jamieson Hawkins, Tory Niewiadomski and Chris Rosamond; 10 years Hope Cain and Bruce Millard; 15 years John Lambert; 20 years David James; 25 years Jason Ricketson; and 35 years Gordon Frazier. Manager Maxwell read a message in reference to the late Russ Nuss' 25-year pin from Russ' wife Lori. "I will not be attending the presentation of the service pins. If I were there, this is what I would want to say: In the bible, in the book of Ecclesiastes, it says 'A man can do nothing better than to eat and drink and find satisfaction in his work.' Russ found satisfaction working for the city. He was proud to say he worked here, and he told many people that it was a good place to work. Thank you for a good 25 years."

MANAGER'S REPORT WILL INCLUDE A STATUS REPORT OF CAPITAL IMPROVEMENTS, MUNICIPAL OPERATIONS, ACCIDENTS AND CLAIMS FOR THE MONTH, AND A REVIEW OF EXPENDITURES AND REVENUES

CLAIMS – We had one workers compensation claim in December for a firefighter who fractured his ribs in a fall.

We filed a claim on another driver's insurance who crashed into a trailer at the water treatment plant.

We filed a claim on our own insurance for damages to a police cruiser when the officer struck a light pole in a parking lot.

We received two liability claims in December. One was for damages caused when an employee backed into another vehicle. The other claim is for flooding damages resulting from city crews turning on water to a building with a pre-existing freeze break. The employees mistakenly thought they had turned the valve to the off position.

SENIOR CITIZENS CENTER – I have signed the contract with Hawk Construction, and we will issue a notice to proceed later this month.

PACIFIC PARK – XLNT Construction has ordered the steel frame for the pavilion. The lead time is 4 months. I don't expect to see any more activity at Pacific Park until February. At that time XLNT will construct the building in about 90 days.

When the pavilion is complete, we will demolish the old basketball courts and grade the interior of the park. Then we will install irrigation and sod.

COLLEGE STREET – College Street is open down to Patton Street. We began installing utilities in the second phase of College Street (Patton to Ramsey) today. We have already completed all of the drainage improvements at College and Ramsey. Once we complete

improvements to Ramsey Street, we will continue to Como Street. After that we will pause to turn our attention to Holiday Drive.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will not present the year-end report of revenues and expenditures as she needs a little more time to close out the books.

STREET IMPROVEMENT PROGRAM – The only streets remaining on the Street Improvement Program are Ardis, Como, Commercial Services, Houston, and Fisher. Houston was moved to the next year. Ardis and Como were delayed due to Atmos projects, but the Atmos should be done in the first quarter of 2023. The repairs on Commercial Services are in flux. Staff is considering whether to perform the repairs in house or contract it out. Staff removed Fisher from the list because it is a candidate for a total rebuild due to a water main issue.

2022 SIP		
Street	Between	Length
Jackson	Middle to College	2480
Kasie	Tate to Camp	681
Lee	Davis to League	3099
Fore	Main to Connally	1070
Forrest Ln	Bell to Barbara	1119
Garrison	Main to Connally	940
Glover	Davis to Church	348
Houston	Hillcrest to League (Delayed to 2023)	4800
Commercial Serv.	various repair	442
Como	College to RR	3317
Dabbs	Gilmer to Davis	401
Drexel	Broadway to Mockingbird	1441
Fisher	Spence to Lee	1500
Ardis	Spence to Beckham	1880
Azalea	Hillcrest to Main	3648
Bonner	Church to Davis	539
Brinker	Beasley to dead end	2629
California	Church to Seventh	1520
Charles	College to Lakeshore	998
Lee (2021)	Davis to Broadway	1901
League (2021)	Bellview to Pampa	3131
Total Linear Feet		37,884
Total Miles		7.18
Total Cost		\$ 2,012,318.00
Street Maintenance Fee Cost Estimate		\$ 1,072,668.00
Estimated Street Maintenance Fee Funds Available (Fund Balance Plus Budgeted Revenue)		\$ 1,049,101.81
Red Text indicates streets paid for by the Street Maintenance Fee. All other streets are paid for by a transfer from General Fund to Capital Fund.		

Elsewhere around the city, employees:

- Repaired numerous Christmas light circuits downtown.
- Performed electrical repairs at the library.
- Repaired Highway 11 lift station.
- Installed vacuum at service center gas pumps.
- Replaced 2 lights on the Hopkins County Veterans Memorial wall.
- Repaired the stove at the Grays Building.
- Made repairs on Animal Shelter A/C unit.
- Prepared all municipal building for the freeze.
- Performed preventative maintenance on multiple items at the wastewater treatment plant and water treatment plant.
- Achieved daily average total suspended solids reading of .36 mg/L.
- Repaired 17 water main ruptures.
- Replaced 10 water meters.
- Unstopped 38 sewer mains.
- Washed 75,000 feet of sewer mains.
- Flushed 40 dead-end water mains.
- Repaired SCADA radio at Cooper Lake.
- Checked out 2,398 items from the library plus 653 eBooks.
- Installed Christmas decorations.
- Replanted 200 shrubs and 3 trees after freeze damage of 2021.
- Repainted the soccer concession.
- Removed 5 dead trees in the soccer complex.
- Cleaned around Upper Coleman Lake.
- Power-washed the restrooms at imagination Mountain.
- Conducted 37 building inspections, 19 electrical inspections, 20 plumbing inspections and 3 mechanical inspections. Issued 67 building permits.
- Responded to 272 fire/rescue calls including 1 structure fire, 1 vehicle fire and 8 grass fires.
- Performed preventative maintenance on 78 fire hydrants.
- Conducted 20 fire inspections.
- Sold 1,630 gallons of AvGas and 10,200 gallons of JetA fuel.
- Accommodated 675 operations at the airport.
- Responded to 193 animal control calls while achieving a 92% adoption rate.
- Made 4 felony arrests in the Special Crimes Unit.
- Responded to 2,329 calls for law enforcement.

- Responded to 20 accidents, wrote 452 citations, recorded 44 offences, and made 55 arrests in the Patrol Division.
- Repaired 648 potholes.
- Made 17 extensive street repairs following utility repairs.
- Cleaned storm drain inlets twice.
- Removed 4 fallen trees from city street.

DISCUSSION/ACTION ON CONSENT AGENDA

City Secretary Darrow presented the staff report. Consider for approval the City Council regular meeting minutes of December 6, 2022; and 380 agreements for 506 Sheffield Street and 607 Lamar Street.

Councilman Julian moved to approve the consent agenda as presented. Mayor Pro Tem Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FOR SECOND AND FINAL READING OF ORDINANCE NO. 2815 AMENDING THE SANITATION RATE ORDINANCE SETTING NEW SANITATION RATES

Finance Director/Assistant City Manager Smith presented the staff report. Sanitation rates were previously proposed to be 9.8% in August based upon the CPI at that time. Council postponed the item to a later date so that more accurate rates could be set based on the actual CPI-W that rates will increase at. The landfill sanitation contract increase is based on the CPI-W for October, with the Sanitation Solutions contract based on December's CPI-W but capped at 5%. There is no cap on the landfill contract CPI increase. The CPI-W for October came in at a 7.9% increase over October 2021. Although the December CPI will not be known until January, it is highly unlikely that the CPI percentage increase would fall below the cap of 5%.

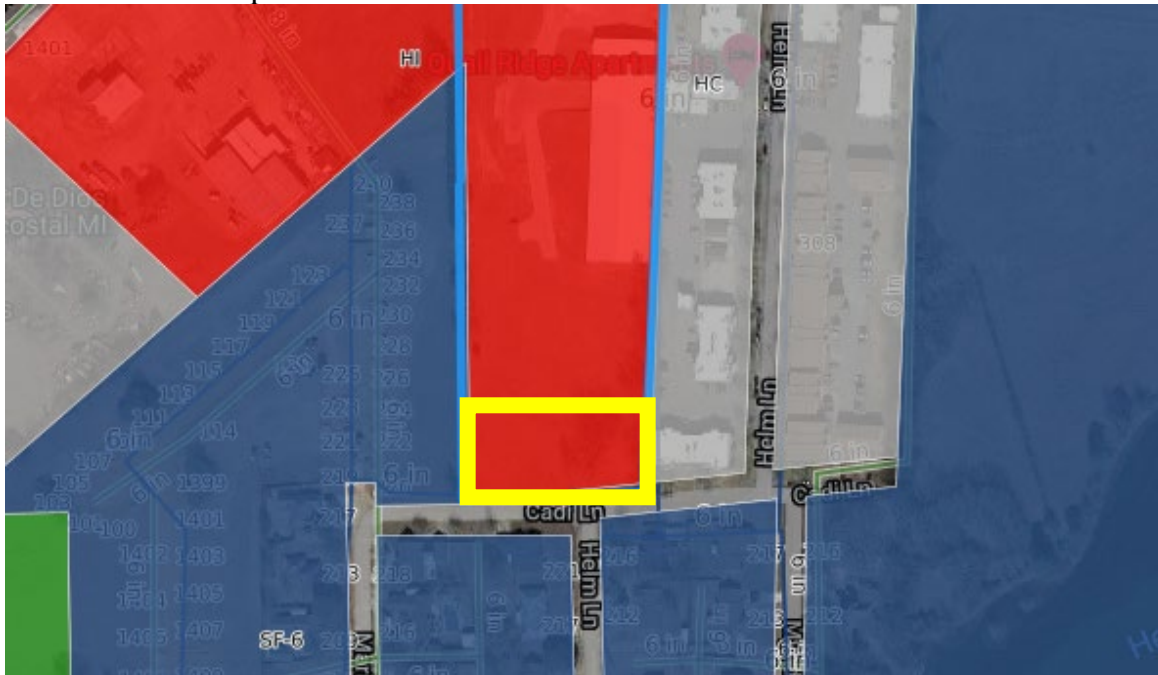
Staff is proposing a 6.16% increase in rates using the weighted average increase for the contracts. The landfill charges comprise around 40% of sanitation expense with a proposed increase in rates of 7.9% and the collection contract comprises around 60% of the cost with a proposed increase of 5%. Using the weighted average of the two contracts, it results in a total 6.16% increase. There was no one else to speak to the issue.

Mayor Pro Tem Sellers moved to approve the ordinance on the second and final reading as presented. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ZC# 221201 FIRST READING OF ORDINANCE #2820 ON A REQUEST BY KENNEDY COMMERCIAL-SHANNON RD LLC TO REZONE A PORTION OF PROPERTY LOCATED AT 1439 E. SHANNON ROAD IDENTIFIED AS LOT 8, BLK: 221, TOWN: SULPHUR SPRINGS CONSISTING OF APPROXIMATELY 0.78 ACRES FROM HEAVY INDUSTRIAL TO MULTIFAMILY AS THE PROPOSED CADI LANE NORTH SUBDIVISION

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. The applicant is proposing to rezone a portion of the property to Multifamily to construct duplexes on the lot. The property is currently zoned as Heavy Industrial which does not permit residential development on it.



Within the HI District, uses that are allowed by right are automobile wrecking yards, lumber mills, junkyards, factories, along with other commercial and retail uses permitted in LI, HC, and LC zoning districts.

Direction	Use	Zoning
North	Warehousing/ Office	Heavy Industrial
East	Apartments	Heavy Commercial
South	Single Family	SF-6
West	Single Family	SF-6

Given the context of the area, downzoning is an appropriate designation to allow duplexes on the property as an appropriate transition from single family, apartments, and Heavy Industrial uses. Staff believes it would be more appropriate than Heavy Industrial uses at this location abutting residential and apartments.

Staff sent 13 certified letters to surrounding property owners within 200 feet.

Below is a response summary:

- In Favor Of: 0
- Opposed To: 4
- Undecided On: 1

The concerns are that there should be more of a buffer from the single-family homes from rental units. The developer of the Woodcreek Subdivision is opposed to having townhomes/duplexes next door as that will affect existing homes from being sold. There was a brief discussion. Councilman Spraggins moved to approve the ordinance as presented on the first reading. Councilman Harrison seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM, IF ANY

Councilman Julian moved to appoint Bryan Craig as the city Public Works Director. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 7:15 p.m.