

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

**October 4, 2022
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.

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
Tory Niewiadomski, Assistant City Manager/Community Development Director -7
Lesa Smith, Assistant City Manager/Finance Director -7
Gordon Frazier, Assistant City Manager/HR Director-7
Jason Ricketson, Police Chief- 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

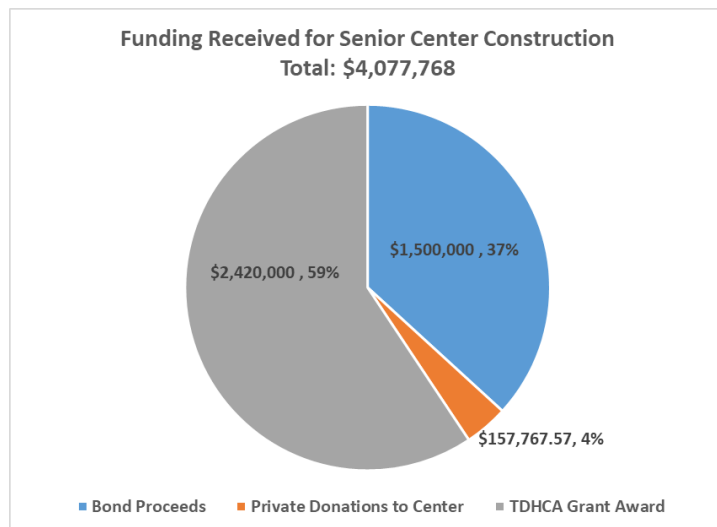
None.

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 2 minor workers compensation claims in September. We did not have any liability claims. We did file one small property claim for theft and vandalism at our warehouse on Middle Street.

SENIOR CITIZENS CENTER

We have been awarded a \$2.4 mil grant from the Texas Department of Housing and Community Affairs (TDHCA). This does not mean that we can get started on the project yet. We must first sign a contract with the TDHCA. Before TDHCA provides a contract for our signature they must finish their environmental clearance process which involves 2 different comment periods. Last month I



reported that the second comment period would conclude September 28th. It was delayed 9 days. The second comment period is ongoing, and it will conclude this Friday, October 7th. We should have a contract to sign by October 14th, and we expect to go out to bid by October 21st.

It is important to note that if we spend any money on the senior citizen center before the contract is signed, that money will NOT be reimbursed by the grant.

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 – This project is slowly progressing eastward. This contractor is very slow.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will not present a report on revenues and expenditures this month. At the November meeting Lesa will present the year-end report of revenues and expenditures.

STREET IMPROVEMENT PROGRAM – Texana Land and Asphalt has resumed paving the streets on our SIP list. The following streets remain to be repaved: Como, Drexel, Fisher, Ardis and Bonner. The various repairs to Commercial Services Drive will be performed in-

house.

2022 SIP		
Street	Between	Length
Jackson	Middle to College	2480
Kasie	Tate to Camp	684
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	3134
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:

- Conducted 41 building inspections, 28 electrical inspections, 12 plumbing inspections, 1 mechanical inspection and issued 29 building permits.
- Performed survey work and utility locates on Holiday Drive and Alabama streets ahead of Capital Improvement Plan projects.
- Repaired 28 potholes.

- Repaired a sink hole in Como Street.
- Cleaned storm drain inlets.
- Removed a fallen tree from the street.
- Hauled Street Sweeper spoils to the landfill.
- Replaced 220 feet of curb and gutter on Carter Street.
- Replaced sewer and water lines on College at Ramsay.
- Began installing storm drainage between College and Jefferson. (Alas, the drainage problem on College will be fixed!)
- Responded to 239 animal control calls while achieving an 89% adoption rate.
- Made 7 felony arrests in the Special Crimes Unit.
- Responded to 37 accidents, issued 601 citations, recorded 33 offenses, and made 46 arrests in the patrol division.
- Completed 5,100 linear feet of sidewalk crack sealing downtown.
- Power washed the Hopkins County Veterans Memorial waterfall.
- Cleaned the water's edge around Upper Coleman Lake.
- Checked out 3,375 items from the library plus 717 eBooks.
- Sold 3,139 gallons of AvGas and 11,146 gallons of JetA fuel.
- Accommodated 821 takeoffs or landings.
- Added lights to Hopkins County Veterans Memorial.
- Repaired the a/c at the animal shelter.
- Treated wastewater to a daily average total suspended solids (tss) reading of .21 mg/L. our limit this time of year is 12 mg/L.
- Repaired 19 water main ruptures.
- Replaced 19 water meters.
- Unstopped 25 sewer mains.
- Treated 165 million gallons of potable water.
- Responded to 225 fire/rescue calls including 1 structure fire, 1 vehicle fire, and 2 grass fires.
- Performed 25 fire inspections.
- Performed preventative maintenance and testing on 78 fire hydrants.

DISCUSSION/ACTION ON CONSENT AGENDA

City Secretary Darrow presented the staff report. Consider for approval the City Council regular meeting minutes of 09/06/2022, the City Council Special meeting minutes of 09/20/2022, the Downtown Revitalization Board meeting minutes of 08/09/2022; the Economic Development Corporation regular meeting minutes of 08/29/2022; and a 380 agreement for 623 Putman Street.

Councilman Spraggins moved to approve the consent agenda as presented. Mayor Pro Tem

Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1314 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED

City Manager Maxwell presented the staff report. On May 13, 2022, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by about \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. The impact of this requested increase on an average residential customer using 1,300 kWh/month would be about \$6.02 per month. In a prior City action, Oncor's rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied. Accordingly, the purpose of the Resolution is to deny the rate change application proposed by Oncor. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's filing (i.e. PUC Docket No. 53601) currently pending at the Commission. All cities with original jurisdiction will need to adopt the Resolution *prior to* October 30, 2022.

Councilman Julian made a motion to approve Resolution No. 1314 as presented. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON AMENDING POLICE DEPARTMENT ASSET FORFEITURE BUDGET 2022-2023

Chief of Police Ricketson presented the staff report. Budget was presented on September 6, 2022, council meeting and was accepted for \$20,000. Since acceptance, the department is looking to upgrade and trade in issued duty pistols. This is to transition from the Glock 22 .40 caliber to the Glock G45 .9mm. These pistols will also have a mounted optic sight (red dot). With the use of this optic sight, it will increase accuracy of officers over traditional iron sights. With this sight technology now available to law enforcement, many agencies are transitioning to this configuration to increase accuracy and officer confidence. The approximate total cost for this transition is roughly \$35,000. Since the acceptance of the previous budget of \$20,000 we are asking to amend the current budget to reflect the \$35,000 to transition to the G45 with mounted optic sights. This would increase the budget from \$20,000 of \$55,000. State law requires Governing body to accept Department Asset Forfeiture Budget. Councilman Nash moved to approve the amended budget as presented. Mayor Pro Tem Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A COMMUNITY FACILITIES CONTRACT FOR TOWN BRANCHLIVING, LLC (RESERVOIR TO CRAIG SEWER EXTENSION)

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. Don Roundtree with Town Branch Living LLC is working with Bulkley Properties LLC to extend approximately 1,050' of 6" sewer main and manholes from Reservoir Street to Craig Street to promote development of currently vacant land in the area. The properties that could benefit from this sewer main extension are zoned multifamily which could allow anything from single family residential development up to apartments. This size sewer main has been deemed adequate by the City Engineer for the area to be developed. Water is currently available along Reservoir, Booker, Craig, and Tate Street. The issue with developing this area has been sewer availability to the highlighted properties. The Community Facilities Contract requires submittal and approval of the engineering plans for sewer improvements including easements. The plans have been reviewed and approved by the City Engineer and a bond or irrevocable letter of credit for the cost of the public improvements is needed along with an inspection fee of 1.75% of those costs. Those have been submitted and approved by the City Engineer. The approved engineering plans, letter of credit or bond, will become part of the contract. Once the community facilities contract is fully executed, the building permit and platting process can proceed.

Councilman Spraggins moved to authorize the city manager to execute a Community Facilities Contract. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM, IF ANY

None.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business completed the meeting was adjourned at 7:12 p.m.