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

November 7, 2023
7:00 p.m.

The following council members and staff were present:

Mayor John A. Sellers
Mayor Pro Tem Harold Nash Sr.
Councilman Jay W. Julian
Councilman Tommy Harrison
Councilman Tyler Law

Absent: Councilman Oscar Aguilar
Councilman Gary Spraggins
City Manager Marc Maxwell

Staff: Natalie Burling, City Secretary
Nate Smith, City Attorney
Tory Niewiadomski, Director of Community Development/ Assistant City Manager
Lesa Smith, Finance Director/Assistant City Manager
Gordon Frazier, HR /Assistant City Manager
Jason Ricketson, Chief of Police
Roger Feagley, Director of EDC
Chris Brown, incoming Director of EDC

CALL TO ORDER
Mayor Sellers called to order the regular meeting of the Sulphur Springs City Council at 7:00 p.m.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG, TEXAS FLAG, AND INVOCATION
Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Mayor Pro Tem Nash.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS
Mayor Sellers welcomed the Adult Leadership Class to the council meeting.

MANAGER'S REPORT INCLUDES 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 minor workers' compensation claim in October. We did not have any liability claims in October.

SENIOR CITIZENS CENTER – Vertical construction continues. Exterior sheeting is in place.

COLLEGE STREET – The Capital Construction Division installed sewer mains all the way to Como Street, and they are within 100 feet of Como with the water main. Expect the Como intersection to be closed for a week. The interconnection with existing water mains on Como is especially tricky. After that the Capital Construction Division will move to Holiday Drive to begin on that project.

The concrete contractor, 5W Contracting has poured concrete all the way past Rookson. He has now paused and is tying-in all the intersections between Lundy and Rookson. Then he will continue east from Rookson where he will have another 1,950 feet until Como Street. The project ends at Como. A second concrete crew is following behind the street crew. They are constructing sidewalks and driveway approaches. At the present rate the project should be finished by July.

PACIFIC PARK – This project is nearing completion. The Capital Construction Division has finished all of the concrete work on site.

The Parks and Recreation Department finished installing irrigation. They will sow rye grass seed to get us through winter. Then they will lay Tif Bermuda sod around all of the facilities and sow common Bermuda in the open area in the middle of the park.

WATER FILTER REHABILITATION – This $3.2 million project will rehabilitate all 6 filters at the water treatment plant. Work has begun on the most problematic filter first. So far we are very impressed with the quality of work.

STREET IMPROVEMENT PLAN (SIP) – Following is a list of streets to be repaved in 2023. Completed streets are highlighted in yellow. Spence and Woodcrest will be first because they both need cement stabilization. I expect that to begin mid-November.

Street	Between	Length
League	soft spot repairs	500
Woodcrest	Azalea to Cul de Sac	898
Mulberry	Woodlawn to RR	530
Lemon	Bill Bradford to Spence	1199

Milligan	Church to Davis	549
Rockdale	Shannon to Hillcrest	3749
Robertson	Davis to Texas	1199
Houston	Hillcrest to League	4800
Putman	Jackson to Carter	1400
Texas	Shannon to Arbala	1901
Spence	Fisher to Davis	476
Spence	Gilmer to Ardis-end	850
Spring	Gilmer to Magnolia	808
Peach	Texas to Brinker	570
Craig	Booker to Main	2170
		21599

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will present the usual report of revenues and expenditures.

Elsewhere around the city, employees:

- Repaired the Coleman Park waterfalls.
- Repaired/Replaced various runway lights.
- Replaced fluorescent lights with LED lights at the service center.
- Repaired a tornado siren.
- Performed preventative maintenance on various items at the wastewater treatment plant.
- Treated wastewater effluent to a monthly average total suspended solids reading of .50mg/L.
- Hauled 716 tons of sludge to the landfill.
- Repaired 20 water main ruptures.
- Replaced 60 water meters.
- Installed 23 new water taps.
- Unstopped 19 sewer mains.
- Flushed 38 dead end water mains.
- Repaired Basin #2 at the water treatment plant.
- Conducted 78 building inspections, 39 electrical inspections, 14 plumbing inspections, and 5 mechanical inspections.
- Issued 35 building permits and 37 trade permits.
- Checked out 3,440 items from the library plus 963 eBooks.

- Responded to 237 fire/rescue calls.
- Conducted 50 fire inspections.
- Performed preventative maintenance on 78 fire hydrants.
- Responded to 3 structure fires, 2 vehicle fires and 14 grass fires.
- Sold 3,318 gallons of AvGas and 11,508 gallons of JetA fuel.
- Trimmed trees on Main and Connally.
- Planted winter flowers downtown.
- Prepped Buford Park for the stew cookoff.
- Rented the Grays Building 13 times.
- Hosted 3 sports tournaments.
- Made Repairs to Kids Kingdom Playground.
- Hauled street sweeper spoils to the landfill.
- Repaired 285 potholes.
- Cleared storm drain catch basins twice.
- Responded to 190 animal control calls while achieving a 91% adoption rate.
- Made 5 felony arrests in the Special Crimes Unit.
- Responded to 22 accidents, wrote 445 traffic citations, recorded 42 offences, and made 45 arrests in the Patrol Division.
- Responded to 1,961 calls for law enforcement.

Finance Director/Assistant City Manager Smith presented the end of the year financial report.

DISCUSSION/ACTION ON CONSENT AGENDA

City Secretary Burling presented the staff report. Consider for approval the City Council regular meeting minutes of 10/03/2023; the Economic Development Corporation meeting minutes of 09/25/2023; Planning and Zoning meeting minutes 09/18/2023; the Downtown Revitalization Board meeting minutes of 7/11/2023; and 380 agreements 222 Middle Street, 704 Jefferson Street, 302 Beckham Street, 618 Putman Street, and 309 S. League Street. Councilman Julian made a motion to approve the consent agenda as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 2844 ESTABLISHING A REINVESTMENT ZONE FOR SIGNATURE SOLAR

Director of EDC Feagley presented the staff report. Signature Solar is in the process of expanding its operation in Sulphur Springs. The current expansion is 5 million dollars. One of the incentives that we offered to them was a tax abatement. What you have before you is an ordinance to establish a Reinvestment Zone. This is nothing more than establishing the geographical boundaries of an area where a taxing entity can offer a tax incentive. You are not issuing a tax abatement by the creation of the reinvestment zone. Mayor Sellers opened the public hearing and 7:11 p.m. There was no one else to speak to the issue. Mayor Sellers closed the public hearing at 7:12 p.m. Mayor Pro Tem Nash made a motion to approve the ordinance on the first reading as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

<u>DISCUSSION/ACTION ON THE RESOLUTION NO. 1385 AUTHORIZING THE CITY MANAGER TO SIGN THE TAX ABATEMENT FOR SIGNATURE SOLAR</u>

Director of EDC Feagley presented the staff report. Signature Solar is in the process of expanding its operation in Sulphur Springs. The current expansion is 5 million dollars. One of the incentives that we offered to them was a tax abatement. What you have before you is the approval of the tax abatement. The percentages and employment levels are aligned with current tax abatement policy. There was a brief discussion. There was no one else to speak to the issue. Councilman Harrison made a motion to approve the resolution as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

<u>DISCUSSION/ACTION ON PURCHASE OF DISPATCH CONSOLE FOR THE SULPHUR SPRINGS POLICE / FIRE DEPARTMENT UTILIZING TIPS CONTRACT NO. 210303</u>

Chief of Police Ricketson presented the staff report. The Police / Fire Department current dispatch console is over ten years old and is no longer supported by the manufacturer. Over the last several years the system continues to lose key parts. Many of these replacement parts are obsolete and require the purchase of used or refurbished parts with little to no warranty. This dispatch console is used every minute by the police / fire department to dispatch personnel where needed to protect and assist citizens. This console is also used to activate outdoor warning sirens in the city. This new console will have the same features as the existing console and is expandable for any future radio needs. There was a brief discussion. There was no one else to speak to the issue. Councilman Julian made a motion to approve the purchase of the dispatch console as presented. Mayor Pro Tem Nash seconded and the vote was unanimous.

The motion carried.

<u>DISCUSSION/ACTION FOR PURCHASE OF A NEW UTILITY CAB TRACTOR</u>

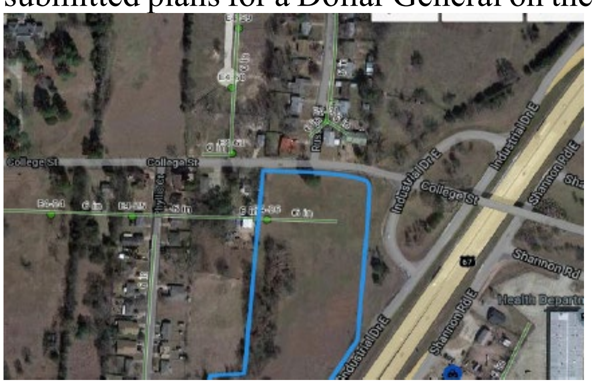
Finance Director/Assistant City Manager Smith presented the staff report. Bids were not requested as this is recommended to be purchased using BuyBoard Contract 706-23.

BuyBoard is a national purchasing cooperative that streamlines the procurement process by developing RFP's and IFB's for national, competitive solicitations that meet or exceed local requirements. The city will save approximately $13,584.00 by purchasing with BuyBoard contract instead of directly off the quote of the vender. The city occasionally utilizes purchasing cooperatives in lieu of requesting sealed bids. Chapter 271 of the Local Government Code authorizes cities to enter into cooperatives for the purpose of procuring goods and services. There was a brief discussion. Councilman Law made a motion to approve the purchase as presented. Councilman Harrison seconded and the vote was unanimous.

The motion carried.

<u>DISCUSSION/ACTION ON A FINAL PLAT OF THE DOLLAR GENERAL ADDITION LOCATED AT 1300 COLLEGE STREET</u>

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. This property contains 1.814 acres as part of 10.54 acre tract. The Owner has submitted plans for a Dollar General on the property which has been vacant for many years.



This developer proposed the tie onto existing sewer at the west side and extend the sewer across the front of the property. P&Z MEETING 10/16/23 This will be located on the northwest corner where Russell Drive meets College St. This came before the Board because of the existing sewer line across the property, which is where the building site will be located. That sewer line is in bad shape so they will re-lay it along the property and across the frontage to stub it out to the remaining 10 acres. The Developer for the Dollar General will install the sewer line at their cost. The Owner dedicated additional Right of Way on College St. and is putting in a new sidewalk along with the sewer extension and doing a drainage easement across the back of the 10 acres. This Dollar General is new with a new location and a new owner. Board Member Garrett Glass made a motion to accept the Staff's recommendation as presented. Board Member Twila Gill seconded the motion. Motion carried, all voting aye.

There was a brief discussion. Councilman Julian made a motion to approve the plat as presented. Mayor Pro Tem Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION PLAT CASE PL#231002 BEING A REQUEST THE ECONOMIC DEVELOPMENT CORP. TO PLAT 50.26 ACRES OF LAND INTO 2 INDUSTRIAL LOTS CALLED ASSURANCE BUSINESS PARK LOCATED ON WEST MAIN STREET (HWY 67)

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. The property is located at west of the Hwy 19 on the north side of Hwy 67 just east of Clayton Mobile Homes. The applicant is proposing to subdivide the property for a future industry including a new Street with water and sewer extensions. The property is zoned HI(Heavy Industrial). The developer(EDC) will install approximately 650 feet 40' wide concrete street and Cul de Sac within the standard 60 feet of right-of-way. There will be approximately 640 feet of sewer installed into the site and 2830 feet of (12") water main. The Water Main along Main Street will be upsized to a 12" and will include off-site extensions and Fire Hydrants. The City Engineer has reviewed the plans and has found the roadway design, utilities and drainage for this development to be acceptable. There was a brief discussion. There was no one else to speak to the issue. Councilman Law made a motion to approve the plat as presented. Councilman Julian seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NUMBER 2 IN THE AMOUNT OF $80,485 TO A CONSTRUCTION CONTRACT WITH HAWK BUILDERS, LLC FOR THE TDHCA CDBG-CV SENIOR CENTER PROJECT FOR A REVISED CONTRACT AMOUNT OF $4,655,514

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. On December 6, 2022 the City Council authorized execution of a contract with Hawk Builders, LLC for $4,575,029 for the construction of the Senior Activity Center. The contract with Hawk Builders, LLC does not contain any of the kitchen equipment or furnishings for the center. After numerous discussions between the City, Contractor and Architect regarding the purchase and installation of a walk-in cooler and freezer for the Senior Citizen Center, staff believes it is in the City's best interest to allow Hawk Builders, LLC to take on the task of the purchase and installation. This change order increases the contract amount by $80,485. The funding is already available since the City was planning to procure these items separately from the construction contract. Instead of the City taking on that task, the contractor will make the purchase and the City will pay the contractor. The following table summarizes previous contract action and change orders:

Construction Contract	Date	Amount	Notes

Original Contract	12/6/2022	$4,575,029.00	-
Change Order No. 1	4/11/2023	$0.00	This CO did not increase time or money. It increased the retainage withheld from contractor's payment from 5% to 10%.
Change Order No. 2	Pending	$80,485.00	Walk-In Cooler and Freezer
Revised Contract Amount	-	$4,655,514.00	-

This project is part of the TDHCA grant. The grant will pay up to $2,200,000 for the construction of the facility and the City must cover anything over that amount. Furnishings cannot be paid for with grants funds. The City has previously agreed to a cost share with TDHCA and agrees to include the $80,485 increase into the City's portion of the NON-CDBG share so that the prime contractor may successfully purchase and install a walk-in cooler and freezer at the Senior Citizen Center. There is an increase of $80,485 for a total contract of $4,655,514. Funding is budgeted in the FY 2024 budget for furnishings for the center. There was a brief discussion. Councilman Law made a motion to approve the change order as presented. Mayor Pro Tem Nash seconded and the vote was unanimous.

The motion carried.

VISITORS AND PUBLIC FORUM

Mayor Seller announced that it was election night and again welcomed the Adult Leadership Class. Mayor Pro Tem Nash informed the attendees that it was his birthday. Mayor Sellers suggested we sing "Happy Birthday" to Mayor Pro Tem Nash and so it was done.

ADJOURN

With all business complete the meeting was adjourned at 7:25 p.m.