CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL
June 4, 2024
7:00 p.m.

An Executive Session was be held at 6:00 p.m. in accordance with Texas Government Code, Title 5, Chapter 551 - §551.071, Consultation with Attorney; and §551.087 Deliberations Regarding Economic Development: Thermo 2 and Thermo 3.

The following council members and staff were present:
Mayor John A. Sellers
Mayor Pro Tem Harold Nash Sr.
Councilman Jay W. Julian
Councilman Oscar Aguilar
Councilman Tommy Harrison
Councilman Gary Spraggins
Councilman Tyler Law

Staff: City Manager Marc Maxwell
Natalie Burling, City Secretary
Nate Smith, City Attorney
Tory Niewiadomski, Director of Community Development/Asst City Manager 7p
Lesa Smith, Finance Director/Assistant City Manager 7p
Joey Baker, Director of Aviation and Tourism
James Jordan, Director of Utilities
Tony Crouse, SSPD 7p

RECONVENE
Mayor Sellers called to order the regular meeting of the Sulphur Springs City Council at 7:02 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
Natalie Burling, City Secretary, swore in Councilman Jay Julian, Place 1, Mayor Pro Tem Harold Nash, Sr., Place 2 and Councilman Oscar Aguilar Place 3 to serve another term.
DISCUSSION/ACTION ON SELECTION OF MAYOR

Councilman Spraggins made a motion to select Harold Nash Sr. as the Mayor. Councilman Law seconded and the vote was unanimous.

The motion carried.

Councilman Sellers presented Mayor Nash with a silver, City of Sulphur Springs Coin. He said that this is from one Mayor to the next and that it commemorates our heritage and history and is a symbol of greatness. He told Mayor Nash that we look forward to his term as Mayor. Councilman Sellers wanted to say a few words. He said that for six and a half years he has had the privilege to serve as Mayor and served 13 years on the City Council. He expressed thanks to his wife, his daughter-in-law and his son. He relayed that his son is an active member of the Air Force and thanked him for his service. Councilman Spraggins added that Councilman Sellers holds the record for number of years as Mayor. Mayor Nash thanked the citizens for electing him to the council. He also let the community know that we have an excellent council and staff that are dedicated and committed to this city. Manager Maxwell presented outgoing Mayor Sellers with a gift. It is customary to present the outgoing Mayor with a gift as a token of appreciation for their service.

DISCUSSION/ACTION ON SELECTION OF MAYOR PRO TEM

Councilman Spraggins made a motion to select Councilman Oscar Aguilar as Mayor Pro Tem. Councilman Law seconded and the vote was unanimous.

The motion carried.

Mayor Pro Tem Aguilar also addressed the public by saying thank you for re electing him to the council. He said that there is a lot of things going on in Sulphur Springs to brighten everyone's future.

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

Manager Maxwell presented the staff report.

C**LAIMS** – We did not have any workers' compensation claims or liability claims in May.

COMPREHENSIVE PLAN – We have applied for a $250,000 grant from the General Land Office (GLO) to help pay for the plan. They required an amendment to our Financial Management Policy. The amendment was approved at the last meeting. We are still awaiting word from the GLO.

COLLEGE STREET – The street itself is constructed, but the contractor still needs a couple of weeks to finish sidewalks and landscaping repairs. We still have road closed signs at both ends, although you can get through if you are careful.

HOLIDAY DRIVE – Water and sewer lines are completed. The Capital Construction Division has installed about 1/3 of the underground drainage. The recent rains are significantly hampering this project. This is a complete reconstruction project, like College Street. After Holiday Drive we will need to start installing water and sewer at Thermo.

WATER FILTER REHABILITATION – All of the filters have been rehabilitated except filter #6. This $3.2 million project is funded by The American Rescue Plan Act (covid money).

STREET IMPROVEMENT PLAN (SIP) – Following is the list of streets to be repaved in the 2024 Street Improvement Program.

Street	Between	Length
League	Asphalt Repairs	1000
League	Connally to KCS Rail	1200
W.A.	MLK to end	2223
Cranford	Robertson to Beasley	1287
S. Moore	Bellview to Tate	449
Oak	Gilmer to College	3446
Pollard	Mulberry to end	211
N. Davis	Glover to Airport	1728
Kirtley	Bellview to Nicholson	412
Ninth	Woodlawn to VanSickle	845
Carter	Bill Bradford to Whitworth	2000
Henderson	Craig to League	449
Melony	Azalea to end	1215
Jennings	Jefferson to College	929
Beckworth	Whitworth to Beckham	690
Sharon	W. Industrial to W. Pampa	803
Spence	Lemon to Carter	639
Weaver	Jackson to Teer	2877
Shook	Weaver to Jefferson	536
Jacobs	Houston to Bonner	848

		23787

Elsewhere around the city, employees:

- Reset times on school zone lights.
- Continued upgrading lighting at City Hall and the Municipal Library to LED.
- Tested emergency sirens.
- Repaired the water fountain at City Hall.
- Performed preventative maintenance on various items at the wastewater treatment plant and water treatment plant.
- Treated effluent to a daily average total suspended solids reading of 0.48 mg/L
- Repaired 2 water main ruptures.
- Hauled 394 tons of sludge to the landfill.
- Replaced 13 water meters.
- Unstopped 14 sewer mains.
- Washed 83,000 feet of sewer mains.
- Flushed 37 dead-end water mains.
- Operated Cooper Lake pumps on generated power for a few days.
- Sold 3,466 gallons of AvGas and 6,600 gallons of JetA fuel.
- Accommodated 1,569 operations at the airport.
- Accommodated 16 jet aircraft for the annual CJAA training event.
- Trimmed downtown trees.
- Planted seasonal flowers downtown.
- Power washed the pavilion at Buford Park.
- Made several repairs to Kids Kingdom.
- Checked out 4,158 items from the library plus 1,063 eBooks.
- Conducted 78 building inspections, 19 electrical inspections, 12 plumbing inspections, 4 mechanical inspections and issued 32 building permits and 42 trade permits.
- Repaired 374 potholes.
- Made 11 extensive street repairs following utility repairs.
- Demolished and removed 3 dilapidated structures.
- Replaced 7 street signs and 1 stop sign.
- Responded to 184 animal control calls while achieving an adoption rate of 70%.
- Made 9 felony arrests in the Special Crimes Unit.

- Responded to 37 accidents, issued 488 citations, recorded 60 offences, and made 60 arrests in the Patrol Division.
- Responded to 253 fire/rescue calls including 1 structure fire and 2 vehicle fires.
- Conducted 15 fire inspections.
- Performed preventative maintenance on 78 fire hydrants.

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

DISCUSSION/ACTION ON CONSENT AGENDA

City Secretary Burling presented the staff report. Consider for approval the City Council regular meeting minutes of 05/07/2024; City Council Retreat Minutes of 05/15/2024, City Council Special Meeting Minutes of 05/21/2024; EDC regular meeting minutes of 05/06/2024; and changing the 380 Agreement for 109 Rookson St from Resolution No. 1422 (already assigned) to 1424. Councilman Sellers 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. 2857 APPROVING A PROJECT PLAN AND FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER TWO, CITY OF SULPHUR SPRINGS; AND PROVIDING AN EFFECTIVE DATE

Finance Director/Assistant City Manager Smith presented the staff report. Since the creation of the Zone at the April 2, 2024 council meeting, the TIRZ #2 Board of Directors met and approved the Project and Financing Plan attached as EXHIBIT A of this ordinance. The Plan lays out the projects that can be funded through the TIRZ as well as how those projects can be funded. There was no one else to speak to the matter. Councilman Sellers made a motion to approve the ordinance as presented on the second reading. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1428, AMENDING RESOLUTION NO. 1375 AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO A FEDERAL GRANT PROJECT REPRESENTED BY TXDOT AVIATION DIVISION FOR AIRPORT

IMPROVEMENTS AND TO SEND MATCHING LOCAL FUNDS AS REQUIRED

Staff report was presented by Director of Aviation and Tourism Baker. TxDOT's Aviation Division submitted their recommendations to the state's Transportation Commission and the Commission approved funding Capital Improvement Program project at Sulphur Springs Municipal Airport. The scope of this project included Project Design, Midfield Apron Reconstruction, Taxiway Expansion, and other related projects. Drainage Improvements are needed in the hangar development area surrounding the midfield apron area to maximize the lifecycle of the investment in the apron reconstruction and to manage additional runoff created with hangar construction. There was not enough Capital Improvement funding available to include drainage improvements in the apron reconstruction project. In January of 2023, the FAA issued Notice of Funding Opportunity. It was a competitive funding opportunity for an Airport Improvement Program Supplemental Discretionary Grant. We submitted a request for funding for the Drainage Project and were awarded $ 1,350,000.00. The grant is a 90%/10% match grant, as are all AIP grants. The local match is $ 135,000.00. Initially, the total estimated costs for the proposed reconstruction and improvements, without addressing any drainage issue, were $ 4,096,122.00. (90% Federal funds and 10% local funds). The Engineering and Design phase was scheduled to be funded in FY2024 and the Construction and Rehabilitation phase funded in FY2025. Currently, the total estimated costs for the proposed reconstruction and improvements, including drainage improvements, are $ 5,000,000.00 (90% Federal funds and 10% local funds). Without question, the airport has been, and continues to be, a critical component in the economic development and growth of Sulphur Springs and Hopkins County. Historically, the EDC has assisted with local matching funds for CIP projects and had committed assistance with the matching funds for this project. Currently available funds are $ 308,000.00, Requested EDC contribution is $ 192,000.00. The EDC Board will make the final decision on the amount of matching funds they are willing to commit. Continue to utilize our partnership with the EDC to keep the airport a viable component of the local economic development plan. The total local match for the project will be approximately $500,000.00. The total amount of Federal Grant funds will be $ 5,000,000.00. There was a brief discussion. There was no one else to speak to the issue. Councilman Julian made a motion to approve the resolution as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION BID AWARD FOR THERMO ROAD PROJECT- EDA PROJECT# 08-79-05698

Director of Community Development/Assistant City Manager Niewiadomski presented the staff report. Staff placed notices in the newspaper on Wednesday, April 17th and April 24th, 2024 and posted on Civcast. Bids were opened on May 14th. 8 bids were submitted.

The project consists of the reconstruction of approximately 10,600 linear feet of Thermo Road from County Road 2307 to FM 1870. This includes reconstructing the existing gravel roadway to a concrete section consisting of 8” of reinforced concrete with 6” of lime stabilized subgrade and 4’ gravel shoulders on both sides. The project also includes the installation of approximately 355 linear feet of reinforced concrete box culvert crossings. BIDDER TOTAL BID PRICE 5W Contracting LLC $4,089,944.00 True Roads Construction, LLC $4,296,800.00 Richard Drake Construction Company $4,468,241.00 McMahon Contracting LP $4,623,748.22 East Texas Bridge, Inc $4,628,440.00 Grod Construction LLC $4,796,150.00 Tiseo Paving Co $5,150,370.00 Axis Contracting LLC $5,182,229.00 The total grant award amount funded is $2,380,000. ATCOG receives $50,000 for grant administration, Kimley Horn is contracted for $230,000. The lowest qualified bidder is $4,089,944 which includes $500,000 in contingency funds built into the contract. The total amount contracted for the project is $4,369,944. The City will be responsible for $1,989,944 and it is anticipated that the City will issue a Certificate of Obligation in July for this project. There was a brief discussion. Councilman Spraggins made a motion to approve the lowest bidder, 5W Contracting LLC. Councilman Law seconded that the vote was unanimous.

The motion carried.

DISCUSSION/ACTION COMMUNITY FACILITIES CONTRACT FOR STONEWOOD PHASE 1 BEING A REQUEST BY SS COMO STREET DEVELOPMENT, LLC FOR A PLAT CONTAINING 14.834 ACRES OF THE 26.424 ACRES OF LAND CONSISTING OF 130 RESIDENTIAL LOTS OUT OF THE 250 RESIDENTIAL LOTS LOCATED AT THE NW CORNER OF COMO STREET AND VETERANS DRIVE

Director of Community Development/Assistant City Manager Niewiadomski presented the staff report. In April, 2024 the City Council approved the preliminary plat for the Stonewood Addition that consisted of 250 residential lots on 26.424 acres of land. The applicant is moving forward with the first phase of the development which will consist of 130 residential lots on 14.834 acres of land. It has been customary in Sulphur Springs that applicants have skipped the preliminary plat process and have moved straight to the Final Plat procedure to expedite the filing process of plats so that the developer can sell lots once the plat is filed. In this case, we will have the developer provide a complete set of engineering plans, provide inspection fees, and develop the site based on a community facilities contract. Once they are complete with construction of all streets and utilities so that the site is ready for home construction, the applicant will file for Final Plat approval. This process will allow the city to be ready for final acceptance of public infrastructure and then perform the final plat and have it ready to be filed once City Council approves it. In the past, City Council has conditionally approved final plats and authorized the City Manager to execute a Community Facilities Contract which could happen months after approval. Phase 1 of the Stonewood Addition layout is consistent with what was approved during the preliminary plat process. In this case, we have construction plans for the water, sewer, street, and drainage improvements that will work for this lot layout and configuration. The plans have been reviewed by the City Engineer and the contract has been prepared for City Council approval. The plans show: Size Type Location/Note 8" Water On-site looped 6" Sewer On-site 8" Sewer Off-site along Veterans Drive 32' Street 5" concrete 50' ROW, 32' Street, 6" Rollover curb 4' Sidewalk 5' grass strip, 4' sidewalk. Common area put in by developer. Homeowner install during construction of homes Storm Drainage Detention pond provided. Existing site runoff rate is 72.7 cfs during storm event. Proposed site runoff release rate 55.5 cfs. The final plat will need to address maintenance responsibilities of the common areas by a homeowners association. Lot 34X, Block "A" & Lot 9X, Block "C" needs to specified as a common area as HOA maintained and drainage easement. There was a brief discussion. Councilman Sellers made a motion to approve the Community Facilities contract as presented. Councilman Harrison seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON A MOTION TO APPROVE RECLAIMED WATER SYSTEM FEASIBILITY STUDY

Manager Maxwell presented the staff report. Future development at Thermo will require treated effluent for industrial processes and to maintain water levels in the lakes. This feasibility study will begin the process. It will study all the technical issues for our site as well as regulatory requirements. It will also perform some preliminary design for a water delivery system. Allan Plummer & Associates is the company I always turn to for water/wastewater/TCEQ regulatory issues. We will come to you with a budget amendment in the next few months that will cover this expenditure. The financial impact will be $134,065. Councilman Julian asked if bids were required and Manager Maxwell replied that professional services do not require a bid. There was no one else to speak to the issue. Councilman Spraggins made a motion to approve the water feasibility study as presented. Councilman Aguilar seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON APPOINTMENTS TO THE CITY'S BOARDS AND COMMISSIONS: ECONOMIC DEVELOPMENT CORPORATION, ZONING BOARD OF ADJUSTMENTS, AIRPORT ADVISORY BOARD, SULPHUR RIVER MUNICIPAL WATER DISTRICT, LIBRARY BOARD, BOARD OF TOURISM AND PROMOTION, CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS, PLANNING AND ZONING COMMISSION, ARK-TEX COUNCIL OF GOVERNMENTS, DOWNTOWN REVITALIZATION BOARD, AND THE REVOLVING LOAN FUND COMMITTEE

All board members that were willing to serve were discussed to be reappointed to expired seats with the exceptions as follows: Economic Development Board appointing Tyler Law to expired seat, Mark Beggs and Sergio Sellers to the Planning and Zoning Commission, and Jack Crouch to the Zoning Board of Adjustments. Councilman Sellers made a motion to approve all board appointments that had been discussed but to postpone the appointment to the Tourism Board until a qualified candidate was found. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION FOR PURCHASE OF REBUILD OF PARKSON AQUA GUARD SELF-CLEANING BAR SCREEN

Director of Utilities Jordon presented the staff report. As exempted in Section 252.022 in the Texas Local Government Code, bids were not requested as this is recommended to be rebuilt/reconditioned by original manufactured company that it was purchased from. The proposal of the rebuild/reconditioning of the existing Bar/Filter Screen will be conducted by Parkson certified technicians on-site with certified OEM (original equipment manufacturer) parts. The rebuild/reconditioning of the Bar/Filter screen will save $45,445.00, from the cost to purchase a new unit. Parkson, as the original equipment manufacturer, will be servicing/reconditioning its own proprietary equipment. The current unit has reached the end of its useful life. It is completely damaged beyond repair without full overhaul. OEM Bar/Filter Screen shows the equipment being installed/in-service December 1987. $2,200,000.00 is budgeted for new contact chamber and new screen at the Wastewater Treatment Plant, the following will be used from those funds: A Parkson Certified On-site Rebuild with OEM Parts & Technicians. The financial impact will be $89,555.00 USD. There was a brief discussion. Councilman Law made a motion to authorize the purchase as presented. Councilman Spraggins 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 complete the meeting was adjourned at 7:46 p.m.