

**CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL
February 4, 2025
7:00 p.m.**

The following council members and staff were present:

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

Absent: None

Staff: Marc Maxwell, City Manager
Natalie Burling, City Secretary
Nate Smith, City Attorney
Tory Niewiadomski, Director of Community Development/Asst City Manager
Lesa Smith, Finance Director/Assistant City Manager
Jason Ricketson, Chief of Police
Chris Brown, Director of EDC

RECONVENE

Mayor Nash called to order the regular meeting of the Sulphur Springs City Council at 7:03 p.m.

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

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

PRESENTATIONS PROCLAMATIONS AND ANNOUNCEMENTS

BLACK HISTORY MONTH PROCLAMATION

WHEREAS, Black History Month is an annual celebration of the achievements, contributions, and rich history of African Americans; and

WHEREAS, 2025 marks the 99th annual celebration of Black History since Carter G. Woodson, a noted scholar and historian instituted Negro History Week in 1926. He chose the second week of February to coincide with the birthdays of President Abraham Lincoln and the Black 19th century abolitionist Frederick Douglass; and

WHEREAS, this month serves as an opportunity to recognize the struggles and triumphs of the African American community, highlighting the significant impact they have made on the cultural, social, and economic fabric of our nation; and

WHEREAS, the theme for Black History Month 2025 is “African Americans and Labor” which focusses on the significant contributions of Black people to the workforce across various industries and the role labor has played in shaping their experiences throughout history; and

WHEREAS, the City of Sulphur Springs recognizes the need for continued efforts to promote diversity, equality, and inclusion within our community, fostering an environment of understanding and appreciation for all residents; and

NOW, THEREFORE, I, Harold Nash Sr., Mayor of the City of Sulphur Springs, Texas, and on behalf of the City Council, do hereby proclaim the month of February 2025 as

BLACK HISTORY MONTH

and call upon all residents to join in celebrating the diverse heritage and contributions of African Americans throughout our history.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Sulphur Springs to be affixed this 4th day of February 2025.

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.

CLAIMS – We did not have any workers compensation claims or liability claims in January.

ALABAMA STREET – In January, the Capital Construction Division extended the water and sewer mains further westward to get out of the Como intersection. We will now pause this project to install water and sewer mains at Thermo. After that we will return to Alabama for the Como to Jefferson segment.

COMPREHENSIVE PLAN – We have an executed agreement with Kimley Horn, and I expect to announce a kickoff date soon.

MIRACLE LEAGUE FIELD – Kimley Horn is doing a bit of redesign on the parking. We are going to construct head-in parking on the street.

THERMO ROAD – This \$4.4 million project is partially funded by a \$2.4 million grant from the Economic Development Administration (EDA). The project is 85% complete. Last month TXDOT opened bids to connect the road to F.M. 1870.



COLEMAN BALLFIELD LIGHT UPGRADE – We received a \$250,000 grant from the State Energy Conservation Office (SECO) to upgrade the lights to LED. We were waiting for the executed contract from SECO. SECO indicated that they would sign the contract in December. That did not happen. Recently President Trump suspended payments for green initiatives. I think we can kiss this project goodbye.

MIDFIELD APRON – This concrete pavement/drainage improvement is approximately 60% complete. All the concrete is poured for phase 1. Demolition is complete and lime stabilization has begun on Phase 2. This project includes drainage improvements as well as repaving the midfield apron in concrete. Total project cost is \$5.28 million, of which 90% is funded by a grant through TXDOT.

WASTEWATER CHLORINE CONTACT CHAMBER – Hayter Engineering is presently designing the new chlorine contact chamber.

This \$2.2 million project will repurpose a former (abandoned) sand filter turning it into a chlorine contact chamber. Chlorine contact time is a bottleneck at the wastewater treatment plant (WWTP). The WWTP has a rated capacity of 5.4 MGD. Staff believes we can increase the capacity to 10 MGD when the project is completed. The increase will require

TCEQ approval, but staff thinks it is feasible. The project is being funded from the Enterprise Fund balance.

STREET IMPROVEMENT PLAN (SIP) – Following is a list of projects for the 2025 SIP.

2025 Street Improvement Program		
Street	From/To	Length
Hodge	Davis to Fisher and Texas to Brinker	925
South Davis	Lee to Industrial	1047
Debbie/Kayla/Price	Camp thru Cul de sac	961
Foscue	Jefferson to Weaver	808
Middle	Church to Mulberry	918
Turtle Creek	Main to end	702
Village	Linda to End	301
Ponder	Connally to Van Sickle	702
Sunset	Houston to RR	1193
Sprite	End to End	1109
Stacy/Beckton/C P Alley	Fuller to College	1244
Tate	Texas to Brinker	570
Michel	College to Gena	850
McGrede	Sprite to Lemon	1660
Lilly/Bird Cir.	MLK to Cul de sac	570
Ponder	Van Sickle to Houston	449
Levi/Cottonwood	End to End	988

Ingram	Texas to Locust	359
Locust	Tate to Bellview	449
Asphalt/Concrete repairs	Various	1000
Coleman Parking	Expansion	250 x 190

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

Elsewhere around the city, employees:

- Checked out 3,809 items from the library plus 1,016 eBooks.
- Removed Christmas decor and installed Valentine banners downtown.
- Repaired fences on ballfields.
- Made repairs to Kids Kingdom.
- Rented the Grays Building 21 times.
- Painted Coleman Park restrooms.
- Held 92 activities for seniors.
- Conducted 49 building inspections, 22 electrical inspections, 18 plumbing inspections, and 2 mechanical inspections.
- Issued 15 building permits and 47 trade permits.
- Repaired 357 potholes.
- Made extensive street repairs following 2 utility repairs.
- Cleaned out storm catch basins 4 times.
- Replace 13 street signs.
- Cast several loads of sand/salt during recent storms.
- Removed trash that had been dumped out by the shooting range.
- Sold 1,959 gallons of AvGas and 3,610 gallons of JetA fuel.
- Accommodated 1,135 takeoffs/landings.
- Responded to 221 animal control calls and achieved an adoption rate of 93%.
- Made 5 felony arrests in the Special Crimes Unit.
- Responded to 40 accidents, 475 citations, recorded 51 offences made 45 arrests in the Patrol Division.

- Made numerous repairs at the wastewater treatment plant.
- Treated effluent to a daily average suspended solids reading of 0.71mg/L.
- Hauled 433 tons of sludge to the landfill.
- Repaired 7 water main breaks.
- Replaced 9 water meters.
- Unstopped 26 sewer mains.
- Washed 80,000 feet of sewer mains.
- Flushed 40 dead-end water mains.
- Repaired/maintained several items at the water treatment plant.
- Responded to 218 fire/rescue calls including 8 structure fires.
- Performed 54 fire inspections.
- Performed preventative maintenance on 76 fire hydrants.

Councilman Julian asked about the process for creating the SIP list. Manager Maxwell responded that a committee of staff look into street quality, sub base, extent of life and the condition of the utilities in the street.

Finance Director/ Assistant City Manager Smith presented the monthly 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 01/07/2025; Downtown Revitalization Board meeting of 12/17/2024; and Zoning Board of Adjustment meeting minutes of 12/17/2024; Economic Development Corporation meeting minutes of 01/27/2025; and a 380's for 928, 930, 932, 936 College Street and 707 Fuller Street.

The following 380's are not recommended for approval: 417 MLK Street and 1045 North Jackson Street.

Councilman Julian made a motion to approve the consent agenda as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1459 APPROVING THE SUBMISSION OF A GRANT APPLICATION AND RESOLUTION TO OFFICE OF THE GOVERNOR TO PURCHASE BODY CAMERAS TO BE USED BY THE PATROL DIVISION.

Chief Ricketson presented the staff report. This resolution was originally approved on February 6, 2024 City Council meeting. We have since been awarded this grant but the current resolution on file does not have all the correct language required. This updated

resolution has all the required language and will allow us to submit for reimbursement when these funds are used. There was a brief discussion. Councilman Law Made a motion to approve the Resolution as presented. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1460 APPROVING THE SUBMISSION OF A GRANT APPLICATION TO OFFICE OF THE GOVERNOR - HOMELAND SECURITY DIVISION TO PURCHASE SEVEN (7) NIGHT VISION MONOCULAR SYSTEMS TO BE USED BY THE SPECIAL RESPONSE TEAM

Chief Ricketson presented the staff report. A resolution of the City of Sulphur Springs, Texas, approving the submission of a grant application to the Office of the Governor - Homeland Security Division for “Night Vision Monoculars”. There was a brief discussion. Councilman Law made a motion to approve the Resolution as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1461 CALLING FOR A GENERAL ELECTION FOR CITY COUNCIL PLACES 4 AND 5, NAMING ELECTION JUDGES, AND SETTING DATES FOR EARLY VOTING. (LA DISCUSIÓN/ACCIÓN EN LA RESOLUCIÓN EL NUMERO 1461(S) PIDIENDO LA ELECCIÓN COLOCA 4 Y 5, LLAMANDO A JUECES DE ELECCIÓN, Y PONIENDO FECHAS PARA LA VOTACIÓN TEMPRANA.)

City Secretary Burling presented the staff report. Resolution No. 1461 calls for a City Council election for Places 4 and 5 to be held Saturday, May 3, 2025. The resolution also sets the dates for making application for place on ballot, for early voting and for mail ballot deadlines, as well as naming the Early Voting Election clerk and voting judge. There was no one else to speak to the issue. Councilman Law made a motion to approve the Resolution as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1469 TO DETERMINE THAT THE CITY WILL FOLLOW CHAPTER 43, SUBCHAPTER C-3 OF THE LOCAL GOVERNMENT CODE FOR A PROPOSED ANNEXATION REQUEST

Community Development/Assistant City Manager Niewiadomski presented the staff report. One of the first steps to consider while performing an annexation is to determine what procedures are required to be followed. The city has received a request from a

property owner to be annexed into the City limits. Numerous changes to the annexation laws have occurred over the past decade. For petitions by a landowner, the state law indicates that Subchapter C-3 process will be followed. Since there is only 1 property owner in this request, C-3 alone will be required. Another primary consideration is whether or not the City is required to offer a development agreement which is covered in Section 43.016 of the Local Government Code. A city is required to offer a development agreement to any property appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter. The intent of these development agreements are for the City to agree not to annex a property and allow the continuation of that land use for a specified period of time and the landowner agrees to not develop the property or change the land use. The property does currently hold an agricultural exemption, however, the applicant does intend to build a school which will negate the need for agricultural use in the future. However, this will be required to ensure compliance with state law. The city will be required to offer a development agreement. Therefore, staff concludes that for property listed in Exhibit A shall be subject to the C-3 Consent annexation procedures and will be required to offer a development agreement. There was a brief discussion. Councilman Julian made a motion to approve the Resolution as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1470 TO SET DATES, TIMES, AND A PLACE FOR A PUBLIC HEARING ON A PROPOSED ANNEXATION OF CERTAIN PROPERTY

Community Development/Assistant City Manager Niewiadomski presented the staff report. Staff received an annexation request from the SSISD for property located adjacent to the Lake Highlands Addition along College Street (FM 1870). The property under consideration is owned by the Sulphur Springs Independent School District and contains approximately 19.5 acres of land. The area under consideration is directly east of the Lake Highlands Addition and abuts the city limits. The City has water and sewer services stubbed to the property in question. In order to annex these properties, the City may follow an consent annexation process (see memo for resolution #1469). When considering annexation, there are three questions the City should consider. 1. Why does the city want to annex? a. Most cities annex either to control development and/or to allow citizens to benefit economically from surrounding growth. In this case, it is property adjacent to city limits. 2. Does the city have the authority to annex? a. Section 37 of the City Charter authorizes the City to annex property in accordance with state laws. The proposed properties are located within the City's ETJ. 3. What annexation procedures must a city follow? a. The City follows the procedures of Subchapter C-3 (Annexation of Area on Request of Owners). Below are the steps necessary to proceed with state timelines and noticing requirements. Chapter C-3 requires a public hearing prior to consideration of an

annexation which is completed by adoption of an ordinance. There are strict timelines of noticing procedures prior to the public hearings, time frame between the public hearings and 1st reading of the ordinance, and time frame of adoption of the ordinance once 1st reading occurs which is why there is a schedule of activities. NEXT STEPS: STEPS TOWARDS ANNEXATION (C-3 PROCEDURE) 1. FEBRUARY 4TH adopt resolution that the City intends to follow C-3 procedure. 2. FEBRUARY 4TH adopt resolution to set hearing date and time. a. March 4th, 2025 @ 7 pm City Council Chambers 3. FEBRUARY 14TH send out notices to school and other public entities notifying of hearing date on March 4th. (Required between 11-20 days before hearing). 18 day timeline. 4. FEBRUARY 15TH post in the paper and website. (Required between 11-20 days before hearing). 17 day timeline. 5. FEBRUARY 28TH post per Open Meetings Act. (4 days out from hearing) 6. MARCH 4TH (Public Hearing) 7. MARCH 4TH (Consider 1st Reading of Ordinance) 8. APRIL 1ST (2nd Reading of Ordinance). 9. APRIL 2ND-MAY 2ND file ordinance with County. 10. UPDATE ETJ IMMEDIATELY AFTER ADOPTION OF ORDINANCE. Staff recommends adopting the resolution to set the date, time, and location of the public hearing. The purpose of the public hearing is to provide persons interested in the annexation an opportunity to be heard. All persons attending the hearings must be given the opportunity to express their views regarding the proposed annexation and the service plan. Property Owner will be required to extend any public utilities into the development consistent with development policies if they develop the property. Otherwise, all facilities are available to the property. There was a brief discussion. Councilman Sellers made a motion to approve the Resolution as presented. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RACIAL PROFILING REPORT SUBMISSION TO THE TEXAS COMMISSION ON LAW ENFORCEMENT

Chief Ricketson presented the staff report. Annual submission of statistical information to TCOLE for Racial Profiling Report. There was a brief discussion. Councilman Law made a motion to accept the report as presented. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON PROPOSALS AND AWARD OF CONTRACT FOR CONCESSION SERVICES AT DESIGNATED CITY PARK FACILITIES

Finance Director/Assistant City Manager Smith presented the staff report. For the past 14 years, the City has contracted with various individuals or businesses to provide concession services to patrons at the four concession stands located in City parks. Our most recent contract ended in December 2024. The City published notices in the newspaper, and on the website requesting concession service proposals. We received one proposal from The Little

Egg. The new contract will be for one term through December 31, 2027 with an option to extend the contract for three additional one-year terms upon mutual agreement between the City Manager and Concessionaire. The proposal submitted by The Little Egg meets all of the RFP requirements. The concessionaire will pay the City a monthly rental amount. Since 2018, The Little Egg has provided quality concession services to the City of Sulphur Springs. Staff recommends awarding the contract for concession services to The Little Egg for 1 term beginning on March 1, 2025 through December 31, 2027 with the option to extend the contract for three additional one-year terms upon mutual agreement by the City Manager and Concessionaire. There was a brief discussion. Councilman Spraggins made a motion to award the concessions contract to The Little Egg. Councilman Law seconded and the vote was unanimous.

DISCUSSION/ACTION ON BID AWARD FOR SIP 2025

Community Development/Assistant City Manager Niewiadomski presented the staff report. Staff placed bid notices on Civcast. Bids were opened on January 23rd. 6 bids were submitted. The work consists of furnishing all labor, materials, and equipment necessary for full depth milling and inlay, hot mix asphaltic concrete (HMAC), and cement treatment of the sub grade (CTS) including mixing, removing concrete patches and excess base, adding cement, watering, compaction, final grading, and coating.

BIDDER	TOTAL BID PRICE
Area Wide Paving	\$1,499,416.00
Texana Land & Asphalt	\$1,673,920.00
Larry Young Paving LLC	\$1,865,190.00
Richard Drake Construction	\$1,968,300.00
Drake Paving LLC	\$2,016,088.00
JLC Excavation LLC	\$2,214,300.00

Upon mutual agreement between the City and Bidder, the contract may be extended for up to one year. Quantities may vary between year 1 and 2 of contract. In addition, this work is to be completed prior to September 30, 2025 in order to follow the fiscal year for budgeting purposes. Included in this scope of work is the back parking lot at Coleman Park. A budget of \$135,000 for that project is contained in the park CIP budget for FY 2025. These estimates are within our anticipated budget for the proposed 2025 street list. Councilman Sellers made a motion to award the bid to Area Wide Paving, the lowest qualified bidder. Councilman Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM, IF ANY

Councilman Law made a motion to authorize the City Manager to send notices discussed in executive session during consultation with attorney. Councilman Sellers seconded and the vote was as follows:

AYE: Aguilar, Nash, Harrison, Spraggins, Law, Sellers

NOES: None
ABSTAIN: Julian

The motion carried.

VISITORS AND PUBLIC FORUM

Pat Chase of College Street proposed naming the unnamed alley behind his home Bill Watts Way. Bill Watts served on the Sulphur Springs City Council from 1997 to 2003. He was elected Mayor Pro Tem in 1998 and Mayor in 2000.

Councilman Law made a motion to adjourn into executive session. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

Councilman Law made a motion to adjourn into open session. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

ADJOURN

With all business complete the meeting was adjourned at 7:46 p.m.