CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL
May 5, 2026
7:00 p.m.

The following council members and staff were present:

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

Absent: None

Staff: Marc Maxwell, City Manager
Natalie Burling, City Secretary
Daniel Ray, Interim City Attorney
Tory Niewiadomski, Director of Community Development/Asst City Manager
Lesa Smith, Finance Director/Assistant City Manager
Jason Ricketson, Chief of Police
David James, Fire Chief
Joey Baker, Director of Tourism and Aviation

Mayor Law announced an Executive Session to be held at 6:00 p.m. in accordance with Texas Government Code, Title 5, Chapter 551 - §551.071 – consultation with attorney regarding pending or contemplated litigation - *City of Sulphur Springs v. Luminant Mining Company, LLC, Luminant Generation Company, LLC, and Vistra Corp.*; §551.071 – consultation with attorney regarding pending or contemplated litigation – *Jack Curtis v. City of Sulphur Springs, Marc Maxwell, Tyler Law, Oscar Aguilar, Jay W. Julian, Harold Nash, Sr., Tommy Harrison, Gary Spraggins, and John A. Sellers;* §551.074 Personnel Matters specifically in regard to City Attorney; and §551.087 Discussion and Deliberations Regarding Economic Development Status and negotiations-Thermo. Councilman Spraggins moved to go into executive session. Councilman Law seconded and the vote was unanimous. The motion carried. At 7:06 pm Councilman Sellers moved to close executive session. Councilman Aguilar seconded and the vote was unanimous. The motion carried.

RECONVENE

Mayor Law called to order the regular meeting of the Sulphur Springs City Council at 7:06

p.m.

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

Mayor Law led in the pledge of allegiance to the United States Flag and the Texas Flag, and Councilman Spraggins led the invocation.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS

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

Manager Maxwell presented the staff report.

Claims

There was one workers' compensation claim in March involving a Capital Construction employee who struck his foot with a sledgehammer while driving a concrete form stake, resulting in a crush injury. The employee was treated and returned to limited duty.

A liability claim related to Frontier facilities near Rose Lane and Highway 11 was denied by TMLIRP and referred to the contractor. The City also filed a supplemental claim for a first responder wage gap. One property claim was filed involving damage resulting from a minor motor vehicle accident.

Thermo

18" Water Line - BAC-T testing has been completed and passed. Concrete pads were installed at all valve locations, markers were installed, and the line is now fully in service. Crews also completed grading and cleanup along the alignment.

21″ Sewer Line - crews continued clearing and mulching the alignment in preparation for installation. The bore contractor completed a pilot hole but is currently addressing equipment issues before proceeding. Additional work included staging pipe, installing spacers, and evaluating fill times for future manhole installation to ensure system capacity.

Street Improvement Program (SIP) – 2026

There wasn't much progress on the SIP in March. The contractor, Area Wide Paving expects to get busy in April and complete all of the work by the end of May.

Street	Between	Length
Asphalt/Conc. Repair	various soft spot repairs	1000
Hodge	League to Barbara	1130
Colorado	Longino to Jackson	401
Fleming	Church to Rosemont	428
Putman	Carter to Como	2360
Mulberry	Park to Glover	1299
League	Connally to Houston + curve	1316
Moore	Main to Connally	1193
Gaines	Fuller to Putman	422
Raintree	Loop 301 to Loop 301	2978
N. Lake Rd. and ramp	Peerless Hwy to ramp	3200
Towne	Hinnant to Robertson	412
Lemon	Bill Bradford-McGrede to Sprite	1088
Able and Ava	Putman to Fuller	820
Davis St.	South Davis from RR to Kyle	2149
Southland	Davidson to end	898
Simms	Freeman to end	400
Cranford	Austin to Hodge	891
Total Feet		**22385**
Total Miles		**4.24**

Departmental Activity

Public Works

• Repaired 173 potholes and cleaned storm drains two times.

• Repaired streets following 10 water or sewer repairs.

• Began curb installation on South Davis Street and completed curb and gutter work on Hodge Street for the SIP program.

• Repaired or replaced 8 stop signs and 17 street signs and consolidated signage at 36 locations.

• Performed drainage maintenance, mulching, and cleanup work at the airport and lake areas.

• Completed demolition of 962 College Street and performed miscellaneous drainage and roadway repairs.

Utilities — Water

• Water breaks repaired: ¾″–1; 1.5″–1; 2″–2; 3″–1; 4″–1; 6″–1; 8″–1.

• Replaced 19 (¾″), 2 (1″), and 1 (2″) meters and 3 meter boxes.

• Located over 4,500 feet of water mains and installed new services and one meter set.

• Repaired one fire hydrant.

Utilities — Sewer Lines
• Responded to 20 city sewer calls.
• Repaired two 4-inch and one 6-inch sewer lines.
• Washed over 80,000 feet of sewer mains.
• Installed six new 4-inch sewer taps and located over 4,500 feet of mains.
Wastewater Treatment Plant
• Monthly average effluent TSS was 1.4 mg/L.
• Hauled 347.43 tons of sludge to the Republic-Maloy landfill.
• Completed major maintenance including installation of a new drive unit on sludge holding basin and electrical repairs.
Community Development
• Conducted 113 building inspections, 24 electrical inspections, 21 plumbing inspections, and 11 mechanical inspections.
• Issued 23 building permits and 54 trade permits.
• Reviewed zoning cases and development inquiries and continued planning for City Hall addition and SIP coordination.
Fire Department
• Responded to 177 calls, conducted 38 inspections, maintained 76 hydrants, and completed 178 training hours.
• Incident activity included 3 vehicle fires, 10 alarms, and 5 non-structure fires.
Police Department
• Responded to 1,938 calls, investigated 34 accidents (8 injuries, 2 fatalities), issued 554 citations, recorded 50 offenses, and made 52 arrests.
Animal Control
• Responded to 137 calls, picked up 22 animals, and accepted 5 owner drop-offs.
• Completed 6 adoptions with a 94% adoption rate and returned 9 animals to owners.
• Issued 7 citations and responded to 4 bite reports.
Library
• Recorded 5,406 visitors, 3,625 checkouts, and 306 computer sessions.
• Served 200 eBook users with 838 checkouts.
• Continued community programming including AARP tax services and youth programs.

Parks & Recreation

Staff continued routine maintenance across downtown and park facilities while preparing for increased spring activity. Downtown work included seasonal banner changes, landscaping treatments, and continued plaza upkeep.
At Coleman and Buford Parks, crews performed field preparation, weed control, tree trimming, and general maintenance improvements. Additional work included rebuilding picnic tables and preparing facilities for upcoming events and rentals.
Grays Building was prepared for 16 rentals during the month. Senior Center staff facilitated 107 activities and hosted community events supporting ongoing participation and engagement.

Airport & Tourism

• Sold 3,956 gallons of AvGas and 12,711 gallons of Jet-A fuel.
• Recorded 1,998 aircraft operations.
• Continued tourism outreach and event support.

Out-of-State Travel - None

Finance Director/ACM Smith presented the finance report.

DISCUSSION/ACTION ON CONSENT AGENDA

City Secretary Burling presented the staff report. Consider for approval the City Council Regular meeting minutes of 04/07/2026; the Planning and Zoning Meeting Minutes of 03/16/2026; the Economic Development Corporation Meeting Minutes of 03/02/2026, a request to release tracts of land from the ETJ by Martin Marietta Texas Ready-Mis, LLC for parcels located at 3338 Interstate Highway 30, Sulphur Springs, Texas (Hopkins County Property ID's: R13811, R12388); and a 380 agreements for 125 and 125 Randoph Street.
Councilman Sellers made a motion to approve the consent agenda. Councilman Spraggins seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2898 FOR A ZONING ORDINANCE AMENDMENT REGARDING PERMITTED ZONING DISTRICTS FOR "TATTOO AND BODY PIERCING PARLORS" AND AMENDING RESIDENTIAL PARKING STANDARDS

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. Members of the public have addressed City Council regarding the need for expansion of permitted locations for tattoo/body piercing parlors which has prompted this proposed amendment. In addition, staff has identified a recent trend of lower quality attached housing units being added without attached garage spaces that has led to cluttered parking arrangements as well as on-street parking. This trend has been occurring in traditionally residentially developed areas and has started to overcrowd the streets with cars creating visual clutter. The proposed ordinance amendment is designed to meet minimum parking needs and increase the quality of dwelling units being constructed by requiring at least one attached garage per housing unit for detached and attached single family developments. The Planning and Zoning Commission held a Public Hearing and recommended sending to the City Council to consider for approval.

Mayor Law questioned the definition of garage and Councilman Julian expressed concern with the differences in this ordinance and the one approved by Planning and Zoning. There was a lengthy discussion.

Councilman Spraggins moved to approve the portions referencing the tattoo and piercing zoning and to strike and kickback the remaining portions of the ordinance. Councilman Sellers seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2899 FOR A ZONING ORDINANCE AMENDMENT FOR "MOBILE FOOD UNITS AND MOBILE FOOD VENDOR COURTS" TO REGULATE THE LOCATION AND SITE DEVELOPMENT STANDARDS WITHIN CERTAIN AREAS OR ZONING DISTRICTS CONSISTENT WITH STATE LAW

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. City staff is recommending a zoning ordinance amendment to establish regulations governing the location and site development of Mobile Food Units (MFUs), commonly known as food trucks. The amendment defines MFUs as a land use and allows them by right in Heavy Commercial (HC) zoning districts, with additional provisions for Mobile Food Vendor Courts (food truck parks). MFUs are permitted in the Central Commercial (CC) District only as part of city-approved special events. The ordinance also establishes site standards addressing parking, access, circulation, waste management, and fire safety.

Recent changes in state law, specifically House Bill 2844, limit the City's authority to regulate mobile food vendors through licensing, inspections, or operational requirements. These functions are now administered at the state level by the Texas Department of State Health Services (DSHS). HB 2844 will go into effect on July 1, 2026. As a result, this amendment focuses strictly on land use, zoning, and site-related impacts, which remain within the City's authority. The amendment is structured to avoid conflict with state law while maintaining the City's ability to manage compatibility, traffic, and infrastructure impacts. Without zoning standards in place, mobile food units will be able to operate anywhere in the city starting July 1, 2026. The ordinance provides a legally defensible framework that aligns with state law while allowing for reasonable regulation of land use impacts and supporting economic development opportunities. The Planning and Zoning Commission held a Public Hearing and recommended sending to the City Council to consider for approval. There was a brief discussion.

Councilman Julian made a motion to approve the ordinance as presented on the first reading. Councilman Nash seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION FOR FIRST READING OF ORDINANCE NO. 2900 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SULPHUR SPRINGS, TEXAS, AMENDING ORDINANCE NO. 2885, THE 2025-2026 ANNUAL BUDGET ORDINANCE

Finance Director/Assistant City Manager Smith presented the staff report. This budget amendment addresses changes that have occurred during the fiscal year resulting from action by the City Council since the adoption of the budget in September. An explanation of amendments to expenditure and source of funds is included as Exhibit A of the Ordinance. This budget amendment increases the overall expenditure limit by $1,668,000. The budget amendment also recognizes the use of $1,200,000 of available fund balance in the General Fund and $468,000 of the Enterprise Fund's available cash balance.
Jaime Mitchell of Country Club Road spoke in opposition to the budget amendment as did Tina Stout of Plano Street. Alyssa Douglas of Airport Road spoke in opposition to the data centers. Councilman Spraggins explained why councilman should not speak in Public Forum but wanted to express his support for the data center in this agenda item. There was a lengthy discussion.
Councilman Julian explained that the Council should have held a meeting to review the current budget for possible reductions to offset the increases and asked how staff arrived at the $1.2 million attorney estimate. Director Smith explained that the figure was projected through September using average costs.
Councilman Spraggins made a motion to approve the ordinance as presented. Councilman Harrison seconded and the vote was as follows:

AYES: NASH, AGUILAR, HARRISON, SPRAGGINS, LAW
NOES: JULIAN, SELLERS

The motion carried.

DISCUSSION/ACTION ON FINAL CANVASS OF THE MAY 2ND CITY COUNCIL ELECTION

City Secretary Burling presented the staff report. Canvass dates, according to the Secretary of State, are to take place between May 5 and May 13, 2026. There were a few ballots by mail that required deficiencies to be corrected. Forms were mailed to the citizens and we are required to wait until the May 8 deadline for these corrections so the votes can count in the election. Item removed to be added to the next council meeting.

No action taken.

DISCUSSION/ACTION ON RESOLUTION NO. 1524 ORDER AND NOTICE FOR A RUN-OFF ELECTION FOR PLACE 6 AND/OR PLACE 7, NAMING ELECTION JUDGES AND SETTING DATES FOR EARLY VOTING, IF NEEDED. DISCUSIÓN/ACCIÓN SOBRE LA RESOLUCIÓN NO. 1524 CONVOCANDO A UNA ELECCIÓN DE SEGUNDA VUELTA PARA EL LUGAR 6 Y/O LUGAR 7, NOMBRANDO JUECES ELECTORALES Y FIJANDO FECHAS PARA LA VOTACIÓN ANTICIPADA

City Secretary Burling presented the staff report. The canvass was removed to be added to the next council meeting. The call and order for a runoff will take place after the canvass at the next council meeting.

No action taken.

DISCUSSION/ACTION ON RESOLUTION NO. 1525 APPROVING GRANT APPLICATION FEMA SAFER GRANT (STAFFING OF ADEQUATE FIRE & EMERGENCY RESPONSE)

Fire Chief James presented the staff report. The Sulphur Springs Fire Department is seeking approval to apply for FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant to fund the hiring of three full-time firefighters. This grant provides federal funding, offsetting a significant portion of salaries and benefits, through a cost sharing structure over a three-year period as follows:

- Year 1: 75% covered by FEMA ($213,905.91) 25% covered by City ($71,301.97)
- Year 2: 75% covered by FEMA ($213,905.91) 25% covered by City ($71,301.97)
- Year 3: 35% covered by FEMA ($99,822.76) 65% covered by City ($185,385.19)

The total grant request is $855,623.63 to support these positions over the three-year period. Upon completion of the grant term, beginning in Year 4, the City of Sulphur Springs will assume 100% of the salaries and benefits for these positions and will be required to retain and maintain the positions moving forward. Currently, the Fire Department faces staffing limitations that prevent consistent compliance with the “2-in, 2-out” safety standard on all incidents. Addressing this issue will enable a more effective firefighting response. To compensate, the department relies on part-time personnel to maintain a minimum staffing level of six personnel per shift. This approach has proven to be unsustainable, resulting in excessive overtime costs and inefficiencies. The addition of three full-time firefighters - one per shift - would eliminate the need for the current part-time staffing program, stabilize daily staffing levels, and improve compliance with safety standards. The anticipated savings from reducing part-time staffing and associated overtime - approximately $30,000 annually in overtime and $80,031 in part-time costs, for a total annual savings of $110,031 - are expected to significantly offset the City’s financial obligation once the grant funding ends. This grant represents a strategic opportunity to enhance public safety services while leveraging federal funding to reduce near-term personnel costs, ultimately providing long-term operational and financial benefits to the citizens of Sulphur Springs. Years 1–3: The City’s required match for the SAFER grant

totals $327,989.06 over the three year period. This cost is offset by anticipated annual savings of approximately $30,000 in overtime and $80,031 in part-time staffing (totaling $110,031 per year, or $330,093 over three years), effectively neutralizing the City's financial obligation during the grant period. Year 4: Upon expiration of the grant, the City will assume 100% of the personnel cost, estimated at $311,970.43 annually. After accounting for continued operational savings of approximately $110,031, the projected net annual cost to the City is $201,939.43. There was a brief discussion.
Councilman Spraggins made a motion to approve the resolution as presented. Councilman Julian seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1526 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND

Councilman Harrison recused himself and had previously filled out a possible conflicts of interest statement. Finance Director/Assistant City Manager Smith presented the staff report. The City received notice in mid-February for an invitation to move onto the 2nd phase of TDA's two-phase process of project selection for the TxCDBG program. TDA is reserving $750,000 for our 2026 CDV grant application. As part of the approval process, an update is needed for the match commitment for the grant. The match amount previously authorized by City Council in Resolution No. 1446 was $112,500 and that amount remains the same for this resolution. Now that the project scope has been narrowed, this resolution specifies in Section 4 that the funds will be used to construct water and sewer lines and that funding is available for the completion of the project. If awarded the grant, the City will commit $112,500 in Enterprise funds and/or force account labor for water and sewer line construction on Putman St. There was a brief discussion.
Councilman Spraggins made a moved to approve the resolution as presented. Councilman Aguilar seconded and the vote was unanimous.
The motion carried.

DISCUSSION/ACTION ON APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC

Manager Maxwell removed the item from the agenda as the contract is still in the attorney's review stage. There was a brief discussion.

No action taken.

DISCUSSION/ACTION ON FINAL REPLAT CASE PL#260401 BEING A

REQUEST BY OAK NATIONAL DEVELOPMENT LLC FOR APPROVAL OF A FINAL REPLAT OF LOT 1X OF ORIGINAL STONE CREEK PHASE 1A SINGLE FAMILY RESIDENTIAL SUBDIVISION INTO TWO SEPARATE LOTS FOR MODEL HOMES

Community Development Director/Assistant City Manager Niewiadomski presented the staff report. The property is located just west of the Stonebriar neighborhood and includes 0.561 acres of land. The applicant is proposing to subdivide the property into 2 lots for single-family homes. The property is zoned SF-6 (single family residential). All of the lots are consistent with the approved preliminary plat. At the April 2026, City Council meeting the developer was authorized to install the public improvements with a community facilities contract. At this time, they have installed all improvements and are performing testing on the installation of sewer to ensure it meets city requirements. Upon acceptance, the City Engineer will issue a substantial completion and the developer will be required to provide a 10% maintenance bond for a one-year time period.
Staff recommends approval of the final plat with
the following conditions:
1. Developer establishes HOA for this phase and all subsequent phases as they
are completed.
2. Developer complies with approved construction plans and City policies during
construction of this phase.
3. The Developer provides the required maintenance bond per the community
facilities contract upon public acceptance by the City Engineer.
The Planning and Zoning Commission recommends approval of the preliminary plat.
Councilman Spraggins made a motion to approve the replat with staff recommendations. Mayor Law seconded and the vote was unanimous.

The motion carried.

DISCUSSION/ACTION ON EXECUTIVE SESSION ITEM, IF ANY

None.

VISITORS AND PUBLIC FORUM

Clarrissa Plumly of Doris Drive addressed the need for and AED for the Senior Citizens Center.
Tina Stout of Plano Street posed several questions about the data center project. Manager Maxwell left the council chambers.
Dr. Fatima Muse of Commerce, Tx spoke of the negative aspects of data centers.
Cale McClure of County Road 3341 relayed that he believes council can speak on agenda items according to law.
Terry Bolton of Charles Street wants to have more of a voice in city government.

ADJOURN
With all business concluded, Mayor Law closed the meeting at 8:07 p.m.