

Minutes  
Regular Session of the Breckenridge City Commission  
December 3, 2019 – 5:30 PM  
Breckenridge City Offices Commission Chambers  
105 North Rose Avenue, Breckenridge, Texas 76424

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**Those Present:** Bob Sims, Mayor; Tom Cyprian, Mayor Pro-Tem; Russell Blue, Commissioner; Andy McCuiston, City Manager; Diane Latham, Assistant City Secretary; Houston Satterwhite, Assistant City Manager of Operations; Stacy Harrison, Public Services Director; Calvin Chaney, Fire Chief; Larry Mahan, Police Chief; Justin Read; Jon Jackson; Chad Skiles; Carrie Holson, Chamber of Commerce; Deonna Alford, Breckenridge American; Tony Pilkington, Breck Texan; Phillip Bullard, eH-T; Sage Dillard, eH-T; Melinda Lane; John Trigg; Justin Read; John Butler; John, Jewel, Celyn and Marielle Green; Donnie Ensey; Kim Baggett; Cody Riddle; Kim Armstrong; Kim Armstrong; Shirley McPherson and Jon Jackson

**Those Absent:** Heather Robertson-Caraway, City Secretary; David Wimberley, Commissioner and Rob Durham, Commissioner;

1. **Call to Order:** Bob Sims, Mayor at 5:30 PM
2. **Invocation Led By:** Melinda Lane
3. **Pledge of Allegiance:** Melinda Lane
4. **Consider approval of minutes of the November 5<sup>th</sup>, 2019 City Commission Meeting and November 19<sup>th</sup>, 2019 Special City Commission Meeting**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Blue for approval of minutes of the November 5<sup>th</sup>, 2019 City Commission Meeting and November 19<sup>th</sup>, 2019 Special City Commission Meeting. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue and Sims. Nays: None. Absent: Wimberley and Durham

5. **City Service Pin Awards**

The Department heads presented service pins to their employees listed:

John Trigg – 20 years	John Butler – 5 years
Justin Read – 10 years	Ken Cary – 5 years
Donnie Ensey – 10 years	Jon Jackson – 5 years
Kim Baggett – 5 years	John Green – 5 years
Cody Riddle – 5 years	

6. **Citizens Presentations: None**

**PUBLIC HEARING**

7. **PZ 19-02-Paige Townson, request to close Sullivan Drive from Sunset to Mitchell, between Sullivan Addition, Block 1, Lots 9-16 and West Walker Addition, Blocks 15-18 & 21, in Breckenridge, Texas.**

Open Public Hearing 5:39 pm

Calvin Chaney, Fire Chief explained there has been no opposition on the change and this will only involve the Townson property. Andy McCuistion explained there were plans to develop the property and open a road years ago, but this was never done. Closing the road will make the property more appealing.

Closed Public Hearing 5:40 pm

## **CONSENT AGENDA**

**ALL ITEMS LISTED BELOW ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED WITH ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF ITEMS UNLESS A COMMISSION MEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE.**

- 8. Request to approve Departmental Reports**
- 9. Request to approve Appointment of the Aging Services Program Committee.**
- 10. Request to approve Annual Investment Report for 2018-2019 Fiscal Year.**
- 11. Request to approve George, Morgan, and Sneed Engagement Letter to Conduct Audit on Chamber of Commerce – City Hotel/Motel Tax Funds.**
- 12. Request to approve Hotel/Motel Tax Resolution 19-27 and Contract with Chamber of Commerce**
- 13. Request to approve Resolution 19-28 for Stephens County Appraisal District Board of Directors Nomination Submission**

Andy McCuistion explained all our votes will go toward Tom Cyprian. Commissioner Blue made a motion, seconded by Mayor Pro-Tem Cyprian to approve consent agenda 8-13. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue, and Sims. Nays: None. Absent: Wimberley and Durham

## **INDIVIDUAL CONSIDERATION**

- 14. Request to approve Ordinance 19-17 to close Sullivan Drive from Sunset to Mitchell, between Sullivan Addition, Block 1, Lots 9-16 and West Walker Addition, Blocks 15-18 & 21, in Breckenridge, Texas.**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Blue to approve Ordinance 19-17 to close Sullivan Drive from Sunset to Mitchell, between Sullivan Addition, Block 1, Lots 9-16 and West Walker Addition, Blocks 15-18 & 21, in Breckenridge, Texas. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue, and Sims. Nays: None. Absent: Wimberley and Durham

- 15. Request to approve Change Order #1 with contractor Raydon for the Texas Department of Agriculture CDBG Water Systems Improvement Project.**

Sage Diller, e-HT provided proposed Change Order No. 1. Essentially this project is nearing completion, and this is a quantity rectification change order. There are 13 different items with adjusted quantities resulting in a contract credit of \$2,150. Also provided to you are maps of the project showing where those improvements are located. Project completion is anticipated within the next couple of weeks; we will be

back to finalize and close out the project. At this time, we are recommending the approval of Change Order No. 1 in the amount of a negative \$2,150 with Raydon on the CDBG Project.

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Blue to approve Change Order #1 with contractor Raydon for the Texas Department of Agriculture CDBG Water Systems Improvement Project. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue and Sims. Nays: None. Absent: Wimberley and Durham

**16. Request to approve Construction Contract Change Order No. 1 to the Agreement with Fambro Construction that is to be reimbursable by TxDOT as part of the US 183N Wastewater Utility Relocation project.**

Sage Diller, e-HT explains Change Order No. 1 Agreement with Fambro Construction includes not only a cost increase and decreases, but also an increase in days to extend completion date. Change order shall include various reductions in the current contract which is a negative \$66,122 TxDOT has worked with the City on coordinating a portion of the upcoming wastewater improvements and include that in the current water project. There are \$255,117 in wastewater improvements that are going to be added to this contract and they'll be deducted from the upcoming wastewater improvements contract. TxDOT is the major funding source for this project; they have ultimate approval and must have concurrence on any changes. They have approved the preliminary documents for this change and if the City approves this change order then TxDOT will have final concurrence on the changes. The net change for this change order is \$319,492, that brings the total current contract amount to \$1,704,667. This change order also adds 51 days for substantial completion and 56 days for final payment. That takes substantial completion to the end of January and final payment at the end of February. All that will be in advance of the upcoming major roadway, wastewater and storm drainage contract that is going to occur on 183N.

Andy McCuistion, City Manager states that when we first got into this contract TxDOT said that our 10% cost on this project would be \$155,000 and we paid in 3 installments. We just paid the last installment. Our portion is paid, and the City will not incur any further costs. The City has paid TxDOT for all of the City's portion of the projects and will not owe any further money in 2020 at this point. We had to pay those costs out of our reserves and that is why our reserves are so low.

Commissioner Blue made a motion, seconded by Mayor Pro-Tem Cyprian to approve Change Order #1 to the Agreement with Fambro Construction that is to be reimbursable by TxDOT as part of the US 183N Wastewater Utility Relocation project. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue and Sims. Nays: None. Absent: Wimberley and Durham

**17. Request to approve first reading of Ordinance 19-18 to amend Ordinance 19-15 City Fee Schedule, Article VIII, Chapter 21 – Water and Sewers, Section I – Sewer Service Charges, Items (1) and (2); to include the revised sewer rates that were proposed in the 2019-20 Budget.**

Andy McCuistion explained this change was not on the first Fee Schedule, but the sewer rate changes had already been approved with the Budget.

Commissioner Blue made a motion, seconded by Mayor Pro-Tem Cyprian to approve first reading of Ordinance 19-18 to amend Ordinance 19-15 City Fee Schedule, Article VIII, Chapter 21 – Water and Sewers, Section I – Sewer Service Charges, Items (1) and (2); to include the revised sewer rates that were proposed in the 2019-20 Budget. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Blue and Sims. Nays: None. Absent: Wimberley and Durham

**18. City Manager Reports**

- a. Open House Christmas Buffet, December 12<sup>th</sup>

Andy McCuiston explained we will have food and encourage the Council to attend.

**19. Items from the City Commission not requiring formal action: None**

**20. Adjourn**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Blue, to adjourn the meeting. When the motion was put to vote, it prevailed as follows: Ayes: Blue, Cyprian and Sims. Nays: None. Absent: Wimberley and Durham

Meeting closed at 5:53 PM

ATTEST

  
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Bob Sims, Mayor

  
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Diane Latham, Assistant City Secretary

