

Minutes  
Regular Session of the Breckenridge City Commission  
August 6, 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; Rob Durham, Commissioner; Andy McCuiston, City Manager; Heather Robertson-Caraway, City Secretary; Houston Satterwhite, Assistant City Manager of Operations; Stacy Harrison, Public Services Director; Calvin Chaney, Fire Chief; Pastor Andy Rodgers; Dorothy Offield; Denny and Melinda Lane; Debbie Arellano; Rudy Newcomb; Shirley Taylor; Levi and Katrina Adams; Jeff and Ky Kanady; Brittani Tucker; Erik and Darlene Hill; Lynda and Lonnie Hinson; Julia and Dacota Graves; Neil Fambro; Anna Shortes; Virgil Moore; Pat Ditzel; Brant Thurmond; Martha Noggle; Brionna Luther; Darren Mathis; James Norman, Breckenridge American; Tony Pilkington, Breck Texan

**Those Absent:** Russell Blue, Commissioner and David Wimberley, Commissioner

1. **Call to Order:** Bob Sims, Mayor at 5:30 PM
2. **Invocation Led By:** Pastor Andy Rodgers
3. **Pledge of Allegiance:** Pastor Andy Rodgers
4. **Consider approval of minutes of the July 2<sup>nd</sup>, 2019 City Commission Meeting and the July 25<sup>th</sup>, 2019 Budget Workshop**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham for approval of minutes of the July 2<sup>nd</sup>, 2019 City Commission Meeting and the July 25<sup>th</sup>, 2019 Budget Workshop. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

5. **Citizens Presentations: None**

### **PUBLIC HEARING**

Mayor Sims Opened Public Hearing at 5:34 PM

6. **PZ 19-01 - Melinda Lane, on behalf of Covenant Tabernacle, request zone change from R-1 to R-3 with Specific Use Permit 6-402(C) at 305-315 S. Miller, Original Addition, Block 26, Lot E/50 X 150 of NE/4, Lot N/50 of 150 of SE/4, Lot S/100 X 110 of SE/4, to allow Day Care Services (commercial) in Breckenridge, Texas**

Melinda Lane spoke about the benefits to the community, additional job opportunity, more childcare facilities available and tax revenue. The new owners have been in business for over 20 years and are licensed and prepared to make any changes to the facility that are needed to comply with State Regulations. Erik Hill spoke about Darlene's experience, qualifications and passion for the children. This new facility will help her grow and be able to care for more children. She is aware of the requirements and is prepared for these changes. Several hours have already been put in to get prepared for the changes. Debbie Arellano is a neighbor and is in full support of the daycare. Bob Sims asked about the timeline to get this in place. Erik Hill reviewed a poster board with upgrades and changes and stated he is hoping to have this in place in the next 45 days or less. Darlene Hill stated an application was filed and she

is waiting for the approval and inspection. Rob Durham agreed this is a great deal. His only question was about the Daycares that were Grandfathered in few months ago. Eileen, City Attorney stated, Darlene was outside the City limits at that time and the specific use permit is just for them. Melinda Lane stated there are no deed restrictions on this property. Calvin Chaney, Fire Chief reviews what occurred at the Planning and Zoning meeting and that there was no opposition; Planning and Zoning voted unanimously to pass the zone change with Specific Use Permit.

Mayor Sims Closed Public Hearing at 5:50 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.**

- 7. Request to approve Departmental Reports**
- 8. Request to approve Quarterly Investment Report**
- 9. Request to approve the Agreement between the City of Breckenridge and the Breckenridge Library and Fine Arts Foundation**
- 10. Request to approve Breckenridge Chamber of Commerce Hotel/Motel Quarterly Financial Statements – Second Quarter**
- 11. Request to approve the Breckenridge Chamber of Commerce City Hotel/Motel Tax Audit**
- 12. Request to approve the Meet the Buck event held by Mothers of Buckaroos (MOB)**
- 13. Request to approve Memorandum of Understanding (MOU) on Financial Support with Stephens County and the Fire Department**

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian to approve consent agenda 7-13. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham, and Sims. Nays: None. Absent: Blue and Wimberley

### **INDIVIDUAL CONSIDERATION**

- 14. Request to approve Planning and Zoning Commission recommendations:**
  - a. P & Z 19-01 - Melinda Lane, on behalf of Covenant Tabernacle, request zone change from R-1 to R-3 with Specific Use Permit 6-402(C) at 305-315 S. Miller, Original Addition, Block 26, Lot E/50 X 150 of NE/4, Lot N/50 of 150 of SE/4, Lot S/100 X 110 of SE/4, to allow Day Care Services (commercial) in Breckenridge, Texas**

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian to approve P & Z 19-01 - Melinda Lane, on behalf of Covenant Tabernacle, request zone change from R-1 to R-3 with Specific Use Permit 6-402(C) at 305-315 S. Miller, Original Addition, Block 26, Lot E/50 X 150 of NE/4, Lot N/50 of 150 of SE/4, Lot S/100 X 110 of SE/4, to allow Day Care Services (commercial) in Breckenridge, Texas. When the

motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham, and Sims. Nays: None. Absent: Blue and Wimberley

**15. Request to approve the 1<sup>st</sup> reading of Resolution 19-15 for expenditures by the Breckenridge Economic Development Corporation (BEDC) of \$45,000.00**

Neil Fambro spoke about trying to get the Rodeo arena redone and stated they recently had a Ranch Rodeo that brought in \$37,000. The Arena needs to be widened and new pens are needed. These changes will bring in more people and more money into Breckenridge. Virgil Moore stated he believes this is a good project and will bring revenue into the City. Rob Durham stated he has spoken to people that are interested in rodeo events and believes this will be an asset to the City.

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian to approve the 1<sup>st</sup> reading of Resolution 19-15 for expenditures by the Breckenridge Economic Development Corporation (BEDC) of \$45,000.00. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**16. Request to consider Budget Amendment to Equipment Replacement Fund to purchase Asphalt Zipper**

Andy McCuiston, City Manager stated this equipment can be purchased out of the Equipment Replacement Fund. This equipment will improve our ability to repair potholes more efficiently for a longer fix.

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham to approve Budget Amendment to Equipment Replacement Fund to purchase Asphalt Zipper. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**17. Request to consider Awarding Contract on Community Development Block Grant (CDBG) Water Line Project**

City Manager stated 4 bids were submitted and Raydon was the lowest bid. Bid was broken into base bid and 3 alternates.

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham to approve Awarding Contract on Community Development Block Grant (CDBG) Water Line Project. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**18. Request to consider approval of Resolution 19-16 approving 2019 Appraisal Roll**

City Manager stated the corrected 2019 Certified Tax Value from Stephens County Appraisal District (SCAD) is \$193,485,972.

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham to approve Resolution 19-16 approving 2019 Appraisal Roll. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**19. Request to consider approval of calculations of the 2019 Effective Tax Rate**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham to approve the 2019 Effective Tax Rate calculations, consider a proposed tax rate of \$1.07000 which will exceed the effective

tax rate by \$.06468 and set public hearings on August 20<sup>th</sup> and 27<sup>th</sup> at City Offices, to consider the proposed tax rate. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**20. Request to consider discussing tax rate, take a record vote and schedule two Public Hearings**

City Manager stated the tax rate is higher due to three things, Oil Field decline, State legislature targeting Cities Revenue Capabilities and additional monies going to the Stephens Memorial Hospital for Ambulance Contract. The tax rate must be higher in order to cover all costs. City Manager believes the City should not pay as much as expected for the ambulance. The City residents are paying 3 times through taxes – they pay City, County and Hospital District taxes. He is still trying to negotiate something that would be more cost effective for the City.

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian to consider discussing tax rate, take a record vote and schedule two Public Hearings August 20<sup>th</sup> @ 5:30pm and August 27<sup>th</sup> @ 5:30pm. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Durham and Sims. Nays: None. Absent: Blue and Wimberley

**21. City Manager McCuiston Reports**

- a. Stephens County Appraisal District Annual Financial Report
- b. Stephens County Appraisal District Amended 2019 Budget
- c. Stephens County Appraisal District Proposed 2020 Budget

City Manager stated all the information for these are included in the Commission packet, it talks about the financial report, amended budget for current year and proposed budget for next year.

**EXECUTIVE SESSION**

Break for Commissioners: 6:18 PM

Returned from break: 6:22 PM

Mayor Sims Opened Executive Session at 6:22 PM

**22. City Commission will enter Executive Session pursuant to Texas Government Code Section 551.071 to discuss Pending Litigation, which allows the following:**

“A governmental body may not conduct a private consultation with its attorney except:

(1) when the governmental body seeks the advice of its attorney about:

(A) pending or contemplated litigation; or

(B) a settlement offer; or

(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.”

No action taken

Mayor Sims Closed Executive Session at 6:43 PM

**23. Items from the City Commission not requiring formal action.**

None

**24. Adjourn**

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

Meeting closed at 6:44 PM

ATTEST

  
Heather Robertson-Caraway, City Secretary

  
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Bob Sims, Mayor

