

Minutes  
Regular Session  
Breckenridge City Commission

September 9, 2013 – 6:30 P.M.  
Breckenridge City Offices Commission Chambers  
105 North Rose Avenue  
Breckenridge, Texas 76424

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**Those Present:** Jimmy McKay, Mayor; Kody Knight, Mayor Pro-Tem; Scott Carter, Commissioner; David Wimberley, Commissioner; Sherry Strickland, Commissioner; Andy McCuiston, City Manager; Heather Robertson, City Secretary; Malcolm Bufkin, Fire Chief; Stacy Harrison, Public Service Director; Sharon Mendoza, Virgil Moore, Pastor Don Bearden, Rob Durham, Calvin Chaney, Assistant Fire Chief.

**1. Call to Order**

Mayor Jimmy McKay at 6:30 P.M. a quorum was established.

**2. Invocation Led By: Pastor Don Bearden, Bethany Baptist Church**

**3. Pledge of Allegiance**

Mayor McKay led the Pledge of Allegiance

**4. Consider approval of minutes of the August 1, 2013 – Budget Workshop, August 5, 2013 – Commission Meeting, August 19, 2013 and August 26, 2013 – Public Hearings/Commission Meetings**

Commissioner Wimberley made a motion, seconded by Commissioner Knight, for approval of minutes of the August 1, 2013 – Budget Workshop, August 5, 2013 – Commission Meeting, August 19, 2013 and August 26, 2013 – Public Hearings/Commission Meetings. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None

**5. Public Hearing to receive comments concerning the budget for the City of Breckenridge for the fiscal year 2013-2014**

None

**6. Citizens Presentations**

None

**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 REQUEST, 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 Appointment of Members to the Board of Directors of the Housing Authority – Andrew J. Channer, Audrey Brown and Joyce Toland
9. Request to approve Appointment of Members to the Flood Hazard Board of Review – Gary Trammel, Bill Heatley, Rob Arnot and Paul Prater
10. Request to approve Appointment of Two Members to the Plumbing Board of Appeals – Scott Waller and Justin Read
11. Request to approve Appointment of Members to the Stephens County Housing Finance Corporation Board of Directors – Mike Thornton, Virgil Moore and David Duggan
12. Request to approve Economic Contract between the Chamber of Commerce and the Breckenridge Economic Development Corporation
13. Request to approve Breckenridge Economic Development Corporation Budget for fiscal year October 1, 2013 through September 30, 2014
14. Request to approve Appointment of Members to the Board of Directors of the Breckenridge Economic Development Corporation
15. Request to approve Assistance for October Fest as Requested by the Breckenridge Chamber of Commerce
16. Request to approve a Resolution to enter into an Agreement with the State of Texas through the Texas Department of Transportation for the Temporary Closure of State Highway 180 for a Parade Associated with the Breckenridge Chamber of Commerce (Christmas Parade)
17. Request to approve an Ordinance to Amend Ordinance No. 12-08, Adopting the Budget and Appropriate Resources for the Budget Year beginning on October 1, 2012 and ending September 30, 2013 for the Purpose of Adjusting Certain Resource Funds and Appropriations

Commissioner Strickland made a motion, seconded by Commissioner Knight, to approve the consent agenda. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

#### **INDIVIDUAL CONSIDERATION**

18. Request to approve a Three Way Stop at the Intersection of North Miller and West First

City Manager McCuiston stated that Public Works Director Rodriguez has worked with the School District on this issue. City Manager McCuiston advised that both the Superintendent and the Administration Elected Officials support this. City Manager McCuiston stated that the City will do the stripping, the speed humps and the stop signs. Commissioner Strickland stated that she drove by this area and she could see how this can be a dangerous situation.

Commissioner Wimberley made a motion, seconded by Commissioner Carter, to approve the request to approve a Three Way Stop at the Intersection of North Miller and West First. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

**19. Request to Ratify the Property Tax Revenue Reflected in the 2013-2014 Budget**

City Manager McCuiston stated that this is part of the budget process.

Commissioner Knight stated “The property tax rate will decrease by the adoption of a tax rate of \$0.89, which is effectively an 11.8 percent decrease in the tax rate. This would be a debt service rate of \$0.2618 and maintenance and operations rate of the \$0.6282”

Commissioner Knight made a motion, seconded by Mayor McKay, to approve the request to Ratify the Property Tax Revenue Reflected in the 2013-2014 Budget. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland, Wimberley. Nays: None. Absent: None.

**20. Request to approve an Ordinance Adopting the Budget and Appropriated Resources for the Budget Year Beginning on October 1, 2013 and ending September 30, 2014**

City Manager McCuiston advised that the Commission had been provided with a copy of the Budget, which was put together after several meetings and feedback from the Commission. This Budget is different from the budget that was presented at the workshop, due to a change in health insurance and an electrical contract among other things. Commissioner Wimberley asked if all of the changes that were discussed in the Budget Workshop had been added, City Manager stated that all those changes were made.

Commissioner Carter made a motion, seconded by Commissioner Knight, to approve the request to approve an Ordinance Adopting the Budget and Appropriated Resources for the Budget Year Beginning on October 1, 2013 and ending September 30, 2014. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

**21. Request to approve and Ordinance Levying a Maintenance and Operating Tax Rate and a Debt Service Tax Rate for the City of Breckenridge, Texas, for the Tax Year 2013**

City Manager McCuiston stated that this is an Ordinance that will set the tax rate for the City of Breckenridge.

Commissioner Strickland made a motion, seconded by Commissioner Wimberley, to approve and Ordinance Levying a Maintenance and Operating Tax Rate and a Debt Service Tax Rate for the City of Breckenridge, Texas, for the Tax Year 2013. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

**22. Request to review Bid Calls 13-01 for the Water Treatment Plant Sludge Hauling and Approve the Award of Bid to Texas Tank Trucks**

City Manager McCuiston stated that this was the only bid that they received. The rates will remain like those of the previous year.

Commissioner Carter made a motion, seconded by Commissioner Knight, to approve the request to review Bid Calls 13-01 for the Water Treatment Plant Sludge Hauling and Approve the Award of Bid to Texas Tank Trucks. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

**23. Request to approve awarding the Electrical Contract to Add Electrical Provisions at the City Park to J & J Electric**

City Manager McCuiston stated that they received three bids, the bid that is being recommended is the higher bid. City Manager McCuiston advised that based on the information provided to the Commission, J & J has the most detailed information. City McCuiston stated that he had an electrician review the bids, the electrician recommended the bid from J & J.

Commissioner Knight asked if this is for the soccer fields to the south, City Manager McCuiston responded that this was correct. Commissioner Knight asked if any upgrades were going to be made to the Pavilion area, City Manager McCuiston responded that the Chamber of Commerce was working on that.

Commissioner Wimberley made a motion, seconded by Commissioner Carter, to approve the request to approve awarding the Electrical Contract to Add Electrical Provisions at the City Park to J & J Electric. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

**24. Request to approve Resolution to Enter Into a Reimbursement for Bad Debts Agreement with Stephens Memorial Hospital District**

City Manager McCuiston stated that the contract that the Commission has been presented with is the same as the one received last year, except for the item regarding the City paying for half of the ambulance, this was taken out. City Manager McCuiston stated that the County Judge has indicated to him that they are going to leave that item in their contract.

Commissioner Strickland asked that if a circumstance arises where the County needed a new ambulance, could they look at the budget and then make a decision, City Manager McCuiston

responded that they could. Mayor McKay stated that after talking to Gary Fuller he believes that they should look into the contract again last year.

Commissioner Carter stated that they pay taxes to three entities and these taxes are used to purchase an ambulance, the taxes being City taxes, County taxes and Hospital District taxes. Mayor McKay stated that the Hospital District tax is not used for the purchase of an ambulance. Commissioner Carter asked who the ambulance belongs too. Mayor McKay stated that he thinks that it belongs to County. City Manager McCuiston stated that this is another reason why they need to look into this contract next year. Commissioner Carter stated that as a resident of the City of Breckenridge they have to pay taxes to help with the ambulance twice, that being City taxes and County Taxes. Commissioner Carter stated that County Residents only pay County taxes. Commissioner Strickland stated that as long as she has been in the Commission she has noticed that the Ambulance report shows how they have a deficit almost every month.

Commissioner Wimberley made a motion, seconded by Commissioner Carter, to approve the request to approve Resolution to Enter into a Reimbursement for Bad Debts Agreement with Stephens Memorial Hospital District. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

#### **25. Request to approve TML Liability/Property Insurance Renewal**

City Secretary Robertson stated that all of the information regarding this issue was provided to them in the memo. There is a decrease to workers compensation and an increase to liability/property. Increase is a direct result of a complete Inventory that was conducted on all vehicles equipment and property. Numerous items in all 3 areas were not on previous insured.

Commissioner Knight made a motion, seconded by Commissioner Carter, to approve the request to approve TML Liability/Property Insurance Renewal. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

#### **26. Request to approve TML Health Insurance**

City Secretary Robertson stated that the City will save a considerable amount of money per employee per month. City Secretary stated that TML provides additional benefits that employees were not receiving with Blue Cross Blue Shield. Mayor McKay stated that he visited with TML representative Richard Walker. Mayor McKay stated that TML health insurance will save the City and employees money. City Secretary Robertson stated that the added benefits to employees is substantial.

Commissioner Carter made a motion, seconded by Commissioner Strickland, to approve the request to approve TML Health Insurance. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

## **27. Request approval to Transfer Deed for Hospital District Land**

City Manager stated that Gary Trammel found out that the City had given the County the property that the hospital sits on in 1949. City Manager McCuiston stated that this property was originally intended to be used as a cemetery. City Manager McCuiston stated that Gary Trammel has provided the City with the deed, as Gary Trammel is trying to transfer the assets of the Hospital from the County to the Hospital District.

Commissioner Strickland made a motion, seconded by Commissioner Wimberley, to approve the request for approval to Transfer Deed for Hospital District Land. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None.

## **28. City Manager Reports**

- a. AT&T Update** - City Manager McCuiston stated that both he and City Secretary Robertson have tried to contact somebody that would be over Randy Teakell. City Secretary Robertson stated that she talked to an AT&T representative that gave her contact information. City Secretary Robertson stated that the AT&T representative will look into trying to find who the regional representative for the Breckenridge area is.
- b. City Clean up** - Fire Chief Bufkin stated that they are currently working on the last batch of junk vehicles. Batch 1 of junk vehicles has 48 out of 48 in compliance, batch 2 of junk vehicles has 38 out of 38 in compliance, batch 3 of junk vehicles has 64 out of 64 in compliance, batch 4 of junk vehicles has 59 out of 59 in compliance, batch 5 of junk vehicles has 71 out of 73 in compliance and batch 6 of junk vehicles has 49 and it is due October 7<sup>th</sup>. Chief Bufkin stated that they have sent 20 letters on substandard structures, 9 hearings have been scheduled for September 23. Fire Chief Bufkin stated that 11 of the property owners are either going to clean the houses or demolish the properties. Fire Chief Bufkin stated that a total of 246 houses have been identified, they will be done in batches of 20. City Manager McCuiston stated that in addition to the houses that Fire Chief Bufkin talked about they have another 8 houses to which the City Attorney is working on the deeds.

## **29. Items from the City Commission not requiring formal action**

None

## **30. Adjourn**

Commissioner Wimberley made a motion, seconded by Commissioner Knight, to adjourn the meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Wimberley, Strickland. Nays: None. Absent: None

Meeting adjourned at 7:11 P.M

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Jimmy McKay, Mayor

SEAL

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Heather Robertson, City Secretary