

Minutes
Regular Session
Breckenridge City Commission

August 5, 2013 – 6:30 P.M.
Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

Those Present: Jimmy McKay, Mayor; Kody Knight, Mayor Pro-Tem; Scott Carter, Commissioner; Sherry Strickland, Commissioner; Andy McCuiston, City Manager; Heather Robertson, City Secretary; Malcolm Bufkin, Fire Chief; Stacy Harrison, Public Service Director; Sharon Mendoza, Breckenridge Chamber of Commerce; Rob Durham, Breckenridge American; Pastor Greg Porterfield.

1. Call to Order

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

2. Invocation led by Pastor Greg Porterfield, First Christian Church

3. Pledge of Allegiance

Commissioner Carter led the Pledge of Allegiance

4. Consider approval of minutes of the July 1, 2013 City Commission Meetings

Commissioner Knight made a motion, seconded by Commissioner Carter, for approval of minutes of the July 1, 2013 City Commission Meetings. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley

5. Citizens Presentations

Rob Durham stated that he wanted to thank the City park employees for providing them with extra picnic tables and for all of the accommodations that they provided for a family picnic this past weekend.

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.

6. Request to approve Departmental Reports

- 7. Request to approve City of Breckenridge Investment Plan**
- 8. Request to approve the Breckenridge Chamber of Commerce City Hotel Motel Tax Audit**
- 9. Request to approve Hotel/Motel Quarterly Financial Statements – Second Quarter 2013**
- 10. Request to approve City Funds Quarterly Investment Report – Third Quarter 2012-2013 Fiscal Year**
- 11. Request to change the date of the September 2013 Commission Meeting**

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

INDIVIDUAL CONSIDERATION

- 12. Request to consider approval of a Resolution Approving 2013 Appraisal Roll**

City Manager McCuiston stated that this relates to the budget.

Commissioner Carter asked if this means that the appraisal district made the values of residential homes go up, to what City Manager McCuiston responded by saying that was correct.

City Manager McCuiston stated that increased valuations impacted the effective and roll back rates. The recently adopted ¼% cent sales tax rate impacted the effective and roll back rates as well.

Commissioner Carter made a motion, seconded by Commissioner Strickland, to approve the request to consider approval of a Resolution Approving 2013 Appraisal Roll. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

- 13. Request to consider approval of Calculations of the 2013 Effective Tax Rate**

City Manager McCuiston stated that this was discussed last Thursday at the Budget Workshop. The effective tax rate is \$.8564, roll back tax is \$.9307 and the rate that is being recommended is in between these two at \$.8900. This would be a tax rate increase of \$.0336 this is higher than the effective rate.

Commissioner Knight made a motion, seconded by Commissioner Carter, to approve the request to consider approval of Calculations of the 2013 Effective Tax Rate. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

14. Request to consider discussing Tax Rate, Take a Record Vote and Schedule Two Public Hearings

Mayor McKay stated “I make a motion to approve the 2013 effective tax rate calculations, consider a proposed tax rate of \$.8900 which will exceed the effective tax rate by \$.0336 and set public hearings on August 19th and 26th, at City Offices, to consider the proposed tax rate”

Commissioner McKay made a motion, seconded by Commissioner Strickland, to approve the request to consider discussing Tax Rate, Take a Record Vote and Schedule Two Public Hearings. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

15. Request to authorize City Manager to Speak with County Officials on Funding For Fire Department and Dispatch

City Manager McCuiston stated that this issue was discussed last year. This year he has suggested that there be some consequences on the Fire Fighting side. City Manager McCuiston suggested letting the County pay the additional \$50,000 incrementally each year until the full amount can be paid annually. The County tax base declined significantly this year which may make it difficult for the County to comply. The City has continued to pay more than its fair share for the services to the County.

Mayor McKay stated that when this issue was brought up last year, he sat in at a meeting with the County Commissioners. At the meeting the Hospital asked to borrow an additional \$600,000. He thinks that this is a good way to handle the situation since they will be given options. City Manager McCuiston stated that they will continue to provide mutual aid but will not be first responders in the County.

Mayor McKay asked Fire Chief Bufkin that based on the good relationship he with we the County, if he thought that the County would try to work with the City. Fire Chief Bufkin stated that he asked the County for light bars valued at \$1,800 for the County Fire Truck since they have little visibility on the highway. The County’s response was that they couldn’t do it.

Commissioner Strickland asked if the County would provide mutual aid to the City with equipment. Fire Chief Bufkin responded that the City has enough equipment to take care of the City; however, there is one vehicle that is owned by both the County and the City.

Commissioner Carter asked if the City has enough equipment to fight fires, Fire Chief Bufkin responded that they have the equipment to fight structure fires, but it might want to get a one ton truck with a 400 gallon tank.

Fire Chief Bufkin stated that it would be a good idea for the City to get a grass truck. City Manager McCuiston stated that the Texas Forest Service has programs that can help get brush trucks. Public Service Director Harrison stated that it is not really the City’s problem as far as the County volunteer department. The North part of the County does not have fire volunteers and if they call Murray or Woodson which are also volunteer departments, Breckenridge Fire Department could get to a fire faster than the other firevolunteer departments.

Fire Chief Bufkin stated that the biggest problem would be car wrecks and structure fires, the grass fires not so much. But if you are out at the lake or near Caddo it would take a long time before first responders get there with the jaws. This is going to put the pressure on Stephens County as the Breckenridge Fire Department is here 24/7, and can get to certain places faster.

Commissioner Carter stated that the County Commissioners do not view the City residents as residents of Stephens County. City Manager McCuistion stated that the State does not require that the County provide firefighting in the counties. The best option generally is an ESD (Emergency Service Districts) like the hospital district which is a taxing entity. Commissioner Strickland asked if this is something that needs to be initiated by the County, to which City Manager McCuistion responded that if it does not get the County Commissioners support it would be harder to establish an ESD.

Commissioner Strickland asked how the County Commissioners were going to be approached with this issue. City Manager McCuistion stated that he had written a letter. He also needs to talk to them regarding the 8 homes that have been taken back on tax roll and about the generator at the hospital that the City might be interested in buying. Mayor McKay asked where the generator would go. City Manager McCuistion responded that one was needed at the Wastewater Treatment Plant. Mayor McKay asked if it would be more suitable to move the generator from the Water Plant to the Wastewater Treatment Plant and then get a newer one for the Water Plant. City Manager McCuistion responded that he was not sure the size or how old the generator at the Water Plant was but if it works properly they could possibly use it. Commissioner Knight asked if the generator was needed for emergency. City Manager McCuistion responded that this would be used for backup in case of a power outage.

Commissioner Carter made a motion, seconded by Commissioner Strickland, to approve the request to authorize the City Manager to Speak with County Officials on funding for the Fire Department and Dispatch . When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

16. Request to approve Zoning Ordinance

City Manager McCuistion stated the copy of the Zoning Ordinance is the same that was provided to them when Brad Young from Bickerstaff was here. This had to be approved by Planning and Zoning Commission before it could come to the City Commission, which met July 25th and recommended approval to City Commission.

Commissioner Strickland asked if any changes were made, Fire Chief Bufkin responded that no changes were made but better defining was done on certain issues. They added Home Occupations and Agricultural Development. All the rules and regulations are defined in this new ordinance.

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

17. Request to approve Budget Adjustment to Re-Allocate Capital Improvements Funding For Additional Electrical Service in Breckenridge Park

City Manager McCuistion stated that in the current budget they had excess Hotel/Motel tax money that was budgeted to be spent on entrance signage. Once they looked into this, they found that the City does not own the signs or the land. They have talked to Sharon Mendoza from the Breckenridge Chamber of Commerce regarding Frontier Days, and there is not enough electricity at the park for the vendors or other events that take place there. This is an effort to improve and develop areas where vendors can locate. Mayor McKay asked what the price for this was. Public Service Director Harrison stated that they are still waiting on a quote from Oncor on the 200 amp service.

Commissioner McKay made a motion, seconded by Commissioner Carter, to defer the request to approve Budget Adjustment to Re-Allocate Capital Improvements Funding For Additional Electrical Service in Breckenridge Park. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

18. Request to approve new Water and Sewer Connection Charges

City Manager McCuistion stated that this is recommended by the Public Works Director. The current ordinance states that the City will only get reimbursed for materials used. The staff is asking that the City Commission authorize changes to this ordinance so that the customer can cover the cost of the water and sewer taps.

Commissioner Knight made a motion, seconded by Commissioner Strickland, to approve the request to approve new Water and Sewer Connection Charges. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

19. Request to approve a Resolution of the City of Breckenridge agreeing to provide funds for services and facilities relating to a complex owned and operated by the Breckenridge Library and Fine Arts Foundation

City Manager McCuistion stated that this is an annual contract that will cost the City \$16,100 for the Fine Arts Center and \$13,900 for the Library

Commissioner Strickland made a motion, seconded by Commissioner McKay, to approve the request to approve a Resolution of the City of Breckenridge agreeing to provide funds for services and facilities relating to a complex owned and operated by the Breckenridge Library and Fine Arts Foundation . When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

20. Request to Award Management Agreement on CDBG Grant

City Manager McCuistion stated that they had sent 5 proposals to companies, only received 2 bids back one of them declining to bid. TFGA was the only responsive bid.

Commissioner Knight made a motion, seconded by Commissioner Strickland, to approve the request to Award Management Agreement on CDBG Grant. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

21. Request authorizing City Manager to Negotiate and Sign Contract on Electrical Services

City Manager McCuiston stated that the electric contract is up in September. He has used Bill Carter as a consultant when he was in the City of Palestine and the City of Canton. Bill Carter will bid to all of the major electric providers.

Commissioner Strickland stated that the last time they did this, they got more than one bid. City Manager McCuiston stated that multiple bids will be coming in August 7th.

Commissioner Knight made a motion, seconded by Commissioner Strickland, to approve the request authorizing the City Manager to Negotiate and Sign Contract on Electrical Services. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

22. Request to approve Engineering Services Work Order for 2013 Drought Management Strategies Reports (PH 2)

City Manager McCuiston stated that the work order for on-going projects, which Sage and Keith from EHT presented at the last commission meeting, related to Lake Daniel and the additional grants.

Commissioner Carter made a motion, seconded by Commissioner Knight, to approve the Engineering Services Work Order for 2013 Drought Management Strategies Reports (PH 2). When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Carter, Strickland. Nays: None. Absent: Wimberley.

23. City Manager Reports

- a. **AT&T Update-** City Manager McCuiston stated that both he and City Secretary Robertson have tried to contact Randy Teakell without any response.
- b. **City Clean up-** Fire Chief Bufkin stated that they are still working on Batch 5 of Junk Vehicles with 64 out of 73 in compliance and just received 3 orders of abatement. Will start working on Batch 6 of Junk Vehicles. This week 20 letters have been sent out on Phase 3 Substandard Structures. They have 15 days to request a hearing, and that hearing will be held during the next City Commission meeting. Commissioner Strickland asked if the cases were going to be handled during the regular meeting, she was wondering if they could possibly schedule meetings like the Appraisal Tax District since that could be more manageable. Fire Chief Bufkin responded that this is a new process, but that is a good idea. Commissioner Knight asked what the letter stated. Fire Chief Bufkin responded that the letters state that the building is dangerous and they need to come in compliance whether it is by tearing it down or by fixing the structure. The City Commission will be provided with updated pictures of the homes and a copy of the New Ordinance. Commissioner Knight stated that this should be added to the agenda as an

agenda item or set a date for a special meeting. Mayor McKay stated that he thinks they should set aside a date and go through the process that way. Fire Chief Bufkin stated that Phase 2 trash and debris still has 45 homes that have not come into compliance. The next step will be to request a hearing with the City Judge.

24. Items from the City Commission not requiring formal action

None

25. Adjourn

Commissioner Carter 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, Strickland. Nays: None. Absent: Wimberley

Meeting adjourned at 7:58 P.M

SEAL

Jimmy McKay, Mayor

Heather Robertson, City Secretary