

Minutes  
Regular Session  
Breckenridge City Commission

January 7, 2013 – 6:30 P.M.  
Commission Chambers – City Offices  
105 North Rose Avenue

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Those Present: Jimmy McKay, Mayor; Kody Knight, Mayor Pro-Tem; Harvey Green, Commissioner; Sherry Strickland, Commissioner; Scott Carter, Commissioner; Andy McCuiston, City Manager; Heather Robertson, City Secretary; Diane Latham, Assistant City Secretary; Bill Andrews, Joe F High, County Commissioner; Wayne McMullen, Public Works Director; Terry Sullivan, Tax Assessor Collector; Stacy Harrison, Parks Director; Scot Howard, Stella Sanders, Municipal Judge; Larry Mahan, Police Chief; Malcolm Bufkin, Fire Chief; Brenda Roberts, Tommy Wimberley, Sage Diller, EHT.

**1. Call to Order**

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

**2. Invocation:**

Pastor Brenda Rogers led the invocation.

**3. Pledge of Allegiance**

Mayor Jimmy McKay led the Pledge of Allegiance.

**4. Consider approval of minutes of the December 3, 2012 City Commission Meeting**

Commissioner Strickland made a motion, seconded by Commissioner Green, to approve the minutes of the December 3, 2012 City Commission Meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

**5. Citizens Presentations**

Joe High, County Commissioner – Cemetery “ Section B”  
Bill Andrews, City Manager Report- City Clean Up

**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.**

**6. Request to approve Departmental Reports for November 2012.**

- 7. Request to approve a resolution authorizing exemption of certain vehicles from requirements of Chapter 721 of the Texas Transportation Code, Identification of City and County vehicles and heavy equipment.**
- 8. Request to approve an ordinance providing for the appointment of a Judge of the Municipal Court of the City of Breckenridge, Texas, requiring the Oath of Office be taken before entering upon the duties and fixing the term of office for such appointment.**
- 9. Request to approve Cemetery Clean up – News Release.**
- 10. Request to approve a resolution to reappoint two members to the Planning and Zoning Commission.**

Commissioner Green made a motion, seconded by Mayor Pro-Tem Knight, to approve a resolution to reappoint two members to the Planning and Zoning Commission. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

#### **INDIVIDUAL CONSIDERATION**

- 11. Approve resolution to accept Paving Project and Release Retainage.**

City Manager McCuiston advised that Sage Diller from EHT was present and would address the issue to the Commission.

Sage Diller from EHT provided information in regards to the Paving Project. He recommended that the project be accepted.

Mayor Pro-Tem Knight made a motion, seconded by Commissioner Strickland to approve resolution to accept Paving Project and Release Retainage. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

- 12. Request to consider and possible action on a resolution directing publication of a notice of intent to issue the City's Combination Tax and Surplus Revenue Certificates of Obligation, Series 2013 to fund improvements to the City's sewage system, including improvements for the waste water treatment plant.**

City Manager McCuiston advised that this is the beginning of the process for the funding on CWSRF and the wastewater plant. The funds should be in April 2<sup>nd</sup>, 2013.

Move to adopt a resolution directing publication of a notice of intent to issue the City's Tax and Surplus Revenue Certificates of Obligation, Series 2013 to fund improvements to the City's sewage system, including improvements for the waste water treatment plant.

Commissioner Green made a motion, seconded by Commissioner Carter to approve the request to consider and possible action on a resolution directing publication of a notice of intent to issue

the City's Combination Tax and Surplus Revenue Certificates of Obligation, Series 2013 to fund improvements to the City's sewage system, including improvements for the wastewater treatment plant. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

**13. Request to amend Cemetery "Section B" guidelines.**

Joe High, County Commissioner advised that up-right tombstones should be allowed on Cemetery "Section B"

Commissioner Green questioned opening up entire section for up-rights. Parks Director Harrison advised that each section on the cemetery is limited on how many up-rights it can have per section.

City Manager McCuiston advised that he recommended to raise up the prices on the up-rights to \$800 and allow up-rights in spaces 64 through 66 and 78 through 105.

Commissioner Strickland made a motion, seconded by Commissioner Carter to approve request to amend Cemetery "Section B" guidelines. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

**14. Request to approve local non-profit "Our Town" to hold fund raiser at City Park**

No action was taken, move to next meeting.

**15. Request to approve Personnel Policy and Procedures Manual**

City Manager McCuiston advised that changes have been made to the Firearms section of the Personnel Policy and Procedures Manual.

Commissioner Green made a motion, seconded by Commissioner Knight to approve Personnel Policy and Procedures Manual. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

**16. City Management Reports:**

- A. Website-** City Manager McCuiston and City Secretary Robertson showed the home page of the web site. City Secretary advised that City Commissioners and City employees would be receiving new emails in about two weeks.
- B. City Clean up-** Public Works Director McMullen and Fire Chief Bufkin informed on how the City Clean-Up is going. Fire Chief Bufkin advised that they are now working on the 3<sup>rd</sup> batch of letters for the Junk Vehicles. Fire Chief advised that they are working on Phase II with rubbish and debris. The monofill fence should be completed in two weeks.
- C. Wayne retiring-** City Manager McCuiston advised that Public Works Director McMullen's last day is January 18<sup>th</sup>, 2013.

- D. Convenience Station hours-** Public Works Director advised that the hours at the Convenience Station should be changed allowing the Convenience Station to be open for eight hours on Saturdays by reducing weekday hours of opening.
- E. Interlocal Tax Collection Agreement- City** Manager McCuiston advised that the McCrary Law Firm will remain the City's Tax Collector at this time and any future changes will be discussed with McCray and the County Tax-Assessor collector.
- F. Lake Levels-** City Manager McCuiston advised that the lake levels are down to 30% of capacity. We are in Stage 2 in drought restrictions.

**17. Items from the City Commission not requiring formal action:**

- A. The City Commission will enter into Executive Session pursuant to Texas Government Code Section 551.071 for consultation with the City Attorney regarding information requested under the Texas Public Information Act related to events occurring on November 20, 2012 and responded to by the Breckenridge Police Department.

TIME: 7:20 P.M.

City Commissioners, City Manager, City Secretary and Attorney Lois Rockefeller held executive session I closed staff room.

**18. Adjourn**

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

Meeting adjourn at 8:18 P.M.

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas, at 4:00 P.M., Friday.

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Jimmy McKay, Mayor

SEAL

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Heather Robertson, City Secretary