

Minutes
Regular Session
Breckenridge City Commission

July 5, 2016 – 5:30 P.M.
Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

Those Present: Jimmy McKay, Mayor; Rob Durham, Commissioner; Tom Cyprian, Mayor Pro-Tem; R. Kent Thompson, Commissioner; Andy McCuiston, City Manager; Heather Robertson-Caraway, City Secretary; Stacy Harrison, Public Services Director; Calvin Chaney, Fire Chief; Gabriel Rodriguez, Public Works Director; Tony Pilkington, Breckenridge American; Colden Rich, e-HT; Gordon Drake, Oncor; Steve Whitmire with Breckenridge Girls' Softball Association; Eileen Hayman, Messer, Rockefeller & Fort Municipal Law Firm

Those Absent: David Wimberley, Commissioner

1. **Call to Order:** Mayor McKay, at 5:32pm a quorum was established
2. **Invocation Led By:** Public Services Director Harrison
3. **Pledge of Allegiance:** Commissioner Durham led the Pledge of Allegiance
4. **Consider approval of minutes of the June 7th, 2016 City Commission Meeting**

Commissioner Cyprian made a motion, seconded by Commissioner Durham, for approval of the June 7th, 2016 City Commission Meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

5. **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 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**
7. **Request to approve City of Breckenridge Investment Policy.**

Commissioner Thompson made a motion, seconded by Commissioner Cyprian, to approve the Consent Agenda. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

INDIVIDUAL CONSIDERATION

8. **Request to approve Change Order No. 2 to the construction contract with A&M Construction to rectify final quantities on the TWDB (62603) Water Line Replacement project.**

City Manager McCuiston introduced Colden Rich with e-HT. Colden explained this is the final change order to rectify all quantities. Following execution of the CO there will be \$5,200 remaining in the construction portion of the contract. According to the Water Development Board's record keeping, we should have roughly \$8,000 of extra money that could be used to reimburse the City for the meters that were purchased. Overall, it's up to the Commission on how they want to handle that.

Mayor McKay made a motion, seconded by Commissioner Cyprian, to approve Change Order No. 2 to the construction contract with A&M Construction to rectify final quantities on the TWDB (62603) Water Line Replacement project. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

9. **Request to approve Breckenridge Girls Softball Association Lease Agreement.**

City Manager McCuiston explained the location of the new field and the foregoing contract. Steve Whitmire stated they planned on hauling in base to make a parking area and keep the areas mowed and cleaned up. The BGS Association wants to build a new field north of field #3 along with restrooms they will maintain as long as they have a contract with the City.

Commissioner Durham made a motion, seconded by Commissioner Thompson, to approve Breckenridge Girls Softball Association Lease Agreement. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

10. **Request to approve the Chamber of Commerce Car Show for Saturday, July 16th.**

City Manager McCuiston stated the Car Show was held at Trade barn last year and it worked well. Also, it helps promote Trade Days.

Commissioner Thompson made a motion, seconded by Commissioner Cyprian, to approve the Chamber of Commerce Car Show for Saturday, July 16th. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

11. **Request to approve and authorize the City Manager and/or City Secretary to sign required documentation to renew the Medical, Dental, Vision and Life Insurance coverage for all City Employees with TMLIEBP.**

City Manager McCuiston described the increase as just slightly under 12%.

Commissioner Durham made a motion, seconded by Mayor McKay, to approve and authorize the City Manager and/or City Secretary to sign required documentation to renew the Medical, Dental, Vision and Life Insurance coverage for all City Employees with TMLIEBP. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

12. Request to approve:

- A. Ordinance 16-12 of the City of Breckenridge, Texas Repealing Ordinance No. 10-10 and Deleting Chapter 3 ½, Illegal Smoking Products, from the Code of Ordinances; Repealing Ordinance No. 42, Ordinance No. 134, Ordinance No. 150, Ordinance No. 256, Ordinance No. 291, Ordinance No. 326, Ordinance No. 369, Ordinance No. 413, Ordinance No. 489 and Deleting the Current Chapter 19, Taxicabs, from the Code of Ordinances and Reserving Chapter 19 for Future Use; Providing an Open Meetings Clause; and Establishing an Effective Date.**

Eileen Hayman stated this Ordinance is to clean-up the Code book – let State Law mandate.

Commissioner Thompson made a motion, seconded by Commissioner Durham, to approve Ordinance 16-12. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

- B. Ordinance 16-13 of the City of Breckenridge, Texas Repealing and Replacing Various Ordinances and Amending Various Ordinances; Revising Chapter 9, Fire Protection and Prevention, Chapter 15, Parks and Recreation, Chapter 17, Streets and Sidewalks, Chapter 20, Traffic, and Chapter 21, Water and Sewers, of the Code of Ordinances of the City of Breckenridge, Texas; Removing all Fees Located Therein to the City Fee Schedule; Providing a Penalty Clause; Providing a Severability Clause and an Open Meetings Clause; and Establishing an Effective Date.**

Eileen Hayman stated the effective date is a clause in the Ordinance stating after publication.

Mayor McKay made a motion, seconded by Commissioner Cyprian, to approve Ordinance 16-13. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

- C. Ordinance 16-14 of the City of Breckenridge, Texas Repealing and Replacing Ordinance No. 16-11; Establishing a General Fee Schedule for the City of Breckenridge; Incorporating Existing Water and Sewer Rates and Fees; Providing an Open Meetings Clause; and Establishing an Effective Date.**

This is the first reading

Mayor McKay made a motion, seconded by Commissioner Cyprian, to approve the first reading of Ordinance 16-14. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson. Nays: None. Absent: Wimberley

13. City Manager Reports

- A. **City Picnic & Pool Party** – City Manager McCuiston stated our City Picnic and Pool Party is set for July 18th from 4:00 to 8:00 and City employees and their families are invited.
- B. **Aquatic Center Report** – Public Services Director Harrison stated there are 5 weeks left in the season. Attendance has been down this year. We have 6 pool parties left in July and 1 in August – they usually book-up. Walking Trail inspection showed we have some minor adjustments to complete.
- C. **Trade Days Report** – City Manager McCuiston stated Trade Days looked good going into Friday. The weather was so hot and not much of a breeze, vendors were leaving and shoppers didn't show. Entertainment for the Flood Victims – some vendors stayed for that. We are moving June shows to May for cooler weather.
- D. **Stephens County Appraisal District Proposed Budget** – City Manager McCuiston stated this is just informational for you, reserves are depleting.
- E. **Budget** –
 - i. **Budget to Commission on Friday, July 8th** - City Manager McCuiston stated he will be delivering budgets to the Commission on Friday the 8th. I do not have the certified tax #'s yet, will be getting them at the end of July.
 - ii. **Budget Workshop on Friday, July 29th from 5:30 pm to 8:30 pm.**

EXECUTIVE SESSION

14. The City Commission will enter into Executive Session pursuant to Texas Government Code Chapter 551.071 for Consultation with Attorney and 551.074 to discuss Personnel Matters, which allows the following:

- A. **Consultation with Attorney:** “when the governmental body seeks the advice of its attorney about:
 - i. pending or contemplated litigation; or
 - ii. a settlement offer”
- B. **Personnel Matters:** “to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee”

Time Out: 6:14 pm

Time In: 6:52 pm

15. The City Commission will return to open session in the City Commission Chamber for possible discussion and action as a result of the Executive Session as follows:

- A. **Consultation with Attorney:** “when the governmental body seeks the advice of its attorney about:
 - i. pending or contemplated litigation; or
 - ii. a settlement offer”

B. Personnel Matters: “to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee”

Commissioner Thompson made a motion, seconded by Commissioner Wimberley, to authorize the City Manager to move forward with reduction in force. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Durham, Cyprian, Thompson, Wimberley. Nays: None. Absent: None

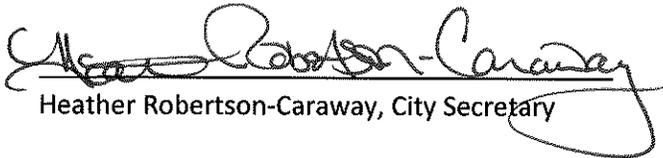
16. **Items from the City Commission not requiring formal action:** None

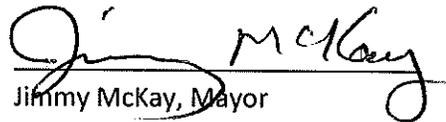
17. Adjourn

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

Adjourned at 6:52 P.M.

ATTEST


Heather Robertson-Caraway, City Secretary


Jimmy McKay, Mayor

