

Minutes
Regular Session
Breckenridge City Commission

December 2, 2013 – 6:30 P.M.
Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

Those Present: Kody Knight, Mayor Pro-Tem; David Wimberley, Commissioner; Scott Carter, Commissioner; Andy McCuiston, City Manager; Heather Robertson, City Secretary; Malcolm Bufkin, Fire Chief; Stacy Harrison, Public Service Director, & Leslie Harrison; Bubba & Ginger Wimberley; Rob Durham, Breckenridge American; Scott Bills; Wesley Duggan; Shanon Herring; Gabriel Rodriguez, Public Works Director; Chris Latham & Diane Latham, Assistant City Secretary; Larry Mahan, Police Chief

Those Absent: Jimmy McKay, Mayor; Sherry Strickland, Commissioner

1. Call to Order

Kody Knight, Mayor Pro-Team, at 6:30pm a quorum was established

2. Invocation Led By: Stacy Harrison, Public Services Director

3. Pledge of Allegiance

Commissioner Wimberley led the Pledge of Allegiance

4. Consider approval of minutes of the November 4th meeting

Commissioner Carter made a motion, seconded by Commissioner Wimberley, for approval of minutes of the November 4th 2013 City Commission Meeting. When the motion was put to vote, it prevailed as follows: Ayes: Knight, Wimberley, Carter. Nays: None. Absent: McKay, Strickland

5. City Service Pin Awards

Andy presented City Service Pin Awards to:

5 years:	Scott Bills, Shanon Herring, Wesley Duggan, Christi Tidrow - Absent
15 years:	Larry Mahan
20 Years:	Stacy Harrison, Malcolm Bufkin
25 years:	Diane Latham
35 Years:	Ginger Wimberley

6. Employee Recognition

Heather Robertson was recognized by Andy for keeping up with her certification for the municipal court clerk program and reaching level II. State of Texas congratulated her because there are only 224 cities in the state that have clerks at this level.

7. 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.

- 8. Request to approve Departmental Reports**
- 9. Request to approve Appointment to the Aging Services Program Committee**
- 10. Request to approve Resolution to Appoint Five Members to the Board of Adjustment**
- 11. Request to approve Annual Investment Report for 2012-2013 Fiscal Year**
- 12. Request to approve Hotel/Motel Tax Resolution and Contract with Chamber of Commerce**
- 13. Request to approve Vote Apportionment for Members to the Central Tax Appraisal Board**
- 14. Request to approve Assistance for the Car Show and Live Entertainment as Requested by the Breckenridge Chamber of Commerce**

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

INDIVIDUAL CONSIDERATION

15. Request to approve Amendment to Contract on Ambulance with Stephens Memorial Hospital District

Andy stated that they added back the new ambulance section of the agreement. The Hospital board, the administrator and county met with Mayor McKay and I, and they felt more comfortable with having this in the contract rather than leaving it out.

Commissioner Wimberley made a motion, seconded by Commissioner Carter, to approve Amendment to Contract on Ambulance with Stephens Memorial Hospital District. When the motion was put to vote, it prevailed as follows: Ayes: Knight, Wimberley, Carter. Nays: None. Absent: McKay, Strickland.

16. Request to approve emergency purchase of Backhoe for Water Distribution Department

Andy stated that we have two backhoes, one is a 2001 Catapillar, the arm on the backhoe broke, the pin and several cylinders. Estimated cost to repair these items and some others they found would be \$25,000, the market value of the backhoe is also \$25,000. There is no use in putting that kind of money into an old machine. They gave us three options; we are requesting the 2nd option of buying a 2012 backhoe rather than a brand new one. We would save \$10,000 and still have some warranty left. We would purchase it using the equipment replacement fund that has unappropriated funds of \$69,000 in it. Gabriel stated the difference between the 2012 and a 2013 is the warranty and the hours put on it. The backhoe will have the same specifications that we need. Andy stated they are willing to give us a trade in value of \$11,000 on the old backhoe. Commissioner Carter asked if \$65,500 is the price with the trade in. Gabriel said yes, that is with the trade in. Commissioner Knight stated the way he read this, and to answer Rob's question, is the one the staff recommends is regularly price as \$76,500 and with the trade in of \$11,000 it will be \$65,500. And with the new one, you would be looking at \$85,000 and with the \$11,000 trade in it will be \$74,000. Andy stated that we could come up with the \$5,000 out of the maintenance account because we spend a significant amount of money just to keep these things going. Commissioner Wimberley stated that he is not one for spending money, but a brand new one with 2 years and extra warranty is good and I think we take pretty good care of equipment; I do not see a problem with it. Commissioner Carter stated for \$8,000 dollars more I just assume we should buy a new one.

Commissioner Carter made a motion, seconded by Commissioner Wimberley, to approve emergency purchase of Backhoe for Water Distribution Department. When the motion was put to vote, it prevailed as follows: Ayes: Knight, Wimberley, Carter. Nays: None. Absent: McKay, Strickland

17. Request to approve Parade Ordinance

Andy stated this item was a result of the last Home Coming Parade, there seemed to be inadequate notice and some confusion, and we are trying to eliminate all of that. We want to set some guidelines and put some teeth in an ordinance that will allow us to control that a little bit better. This Ordinance was modeled after the one in Canton and tweaked to fit our community. Commissioner Knight asked if there was a fee for the permit. Andy answered that there was not a fee. Commissioner Carter stated that there is a penalty. Andy responded by saying that there is a penalty for several things. One of the things these folks keep doing is throwing candy off the floats and the little kids keep running out to pick candy up that dropped on the street. One kid almost got ran over by a tractor. Commissioner Knight asked if you can pass out candy. Andy replied that you can walk on the sides and do that, just cannot throw it out from the road, because little kids run out there, it is a safety issue. Police Chief Mahan stated that the parade would stop in the middle of the street and have a skit. When they stop it at the court house, everyone back behind is coming that way, then when it is time to go again you have to get all those people out of the way. We have that covered in here about not stopping in the middle of a parade. Andy stated that a skit can be done off to the side or somewhere else. We are trying to insure safety and continuity of this whole thing. We have always requested that whoever holds the parade provide insurance coverage. Police Chief Mahan stated that other than us, they also have to deal with the state because it is a US Hwy. With this last event we got it the day before. TXDOT's permit says that if I have a problem with anything they have got listed here, I have to appeal it through TXDOT within ten (10) days prior to the event. I didn't get the paper work till the day before. That's the reason we put the time frame in there to let us know.

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

18. Request to approve Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation

Andy stated this item has to do with the \$2.38 million Water Development Board grant that we have been approved for. This is a part of the process.

Commissioner Wimberley made a motion, seconded by Commissioner Carter, to approve Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation. When the motion was put to vote, it prevailed as follows: Ayes: Knight, Wimberley, Carter. Nays: None. Absent: McKay, Strickland.

19. City Manager Reports

- a. **Open House Christmas Buffet** – Heather stated that the Open House Christmas Buffet is Friday, December 20th. Everyone is invited.
- b. **Website** – Heather stated that Felicia has been working on the website with EDsuite's. We are hoping to go live before Christmas. Heather went over a PowerPoint that highlighted a few areas of the website.
Andy stated that he wanted to purchase a large flat screen to better communicate with the Commissioners and the public at the meetings. Using the projector is not working very well because it is hard to see. He wants to buy a 60 inch flat screen using money from the minor equipment account.
- c. **Clean up** –Malcolm stated the city wide cleanup has been tumultuous. With the Junk Vehicles, last time our total was 306 now we are up to 308. We have some that just came due today that have not been added into the total yet. We are identifying more. Dangerous Buildings, we are in batch 2 right now. We have identified 22 and we have had 19 people respond with either plans or they are going to sign them over to the city. We are going to request a hearing for them. Still waiting on 1st batch that had 4 sign over to us, waiting on Lois to get the warranty deeds to us. Andy stated that Gabriel got the 1st house in the Monofill today. Going to try to get another house in tomorrow and one more in Wednesday, before the weather changes. Malcom stated they were still waiting on Lois and that part is kind of slowing us down. Commissioner Knight asked as far as the warranty deeds, is she just backlogged with work. Andy answered that she hired another attorney that is supposed to help take some of this off of her. He will follow up with her on those this week. Commissioner Knight stated that it should not have taken this long to do it. Malcolm stated that she may have to hunt some of them down. Heather replied that one of the deeds had 5 heirs, but Christi provided her with all the heirs. Commissioner Knight suggested that we have the property owners hire their own attorneys and pay for the warranty deeds being signed over to us. Andy replied that he is not sure that they will be willing to do that. I am not opposed to do that or try to do that. That's why they are willing to sign the houses over, so that they don't have to pay to clean it up. Malcolm stated that they already have 3 on this next batch that will just hand it over to us. Andy stated that we need to have a meeting where we discuss another issue about some folks in this town that don't have the ability to clean up their property. We are going to have to figure out what to do with those folks. Like the folks that live in a house that has no electricity, water, sewer, and gas. We can't just kick them out onto the street.

20. Items from the City Commission not requiring formal action

None

21. Adjourn

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

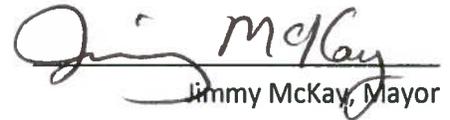
Meeting adjourned at 7:13 P.M.

ATTEST



Heather Robertson, City Secretary

SEAL


Jimmy McKay, Mayor