

Minutes
Regular Session of the Breckenridge City Commission
April 7, 2020 – 5:30 PM
Breckenridge City Offices Commission Chambers
105 North Rose Avenue, Breckenridge, Texas 76424

Those Present: Bob Sims, Mayor; Tom Cyprian, Mayor Pro-Tem; David Wimberley; Rob Durham; Andy McCuiston, City Manager; Heather Robertson- Caraway; Stacy Harrison, Public Services Director; Calvin Chaney, Fire Chief; Bacel Cantrell, Police Chief; Houston Satterwhite, Assistant City Manager of Operations; Felicia Anthony; Michael Stanley; Tony Pilkington, Breck Texan; Anfernee Chachera, Breckenridge American; Gary Fambro; Sherry Strickland; Jimmy McKay

Those Absent: Russell Blue, Commissioner

1. **Call to Order:** Bob Sims, Mayor at 5:30 PM
2. **Invocation Led By:** Tom Cyprian, Mayor Pro-Tem
3. **Pledge of Allegiance:** Tom Cyprian, Mayor Pro-Tem
4. **Consider approval of minutes of the March 3rd, 2020 and March 23rd, 2020 City Commission Meeting**

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Durham for approval of minutes of the March 3rd, 2020 and March 23rd, 2020 City Commission Meetings. When the motion was put to vote, it prevailed as follows: Ayes: Durham, Wimberley, Cyprian and Sims. Nays: None. Absent: Blue

5. **Award Presentation by Mayor**

Mayor Sims awarded employee Michael Stanley with Fire Safety Certificate, Calvin Chaney, Fire Chief stated he contacted 911 and assisted getting the lady in her 90's out of her house. Michael's quick response to 911 and his action to check to see if home was occupied made the outcome better - it could have been a tragedy.

6. **Citizens Presentations:**

Dr. Gary Fambro stated he was not complaining but explaining. He was unsure how his water bill on a house that was vacant for 6 months was \$783.00. He had plumbers out and they found no leaks. He came in to pay bill and ask about an adjustment. The amount was adjusted leaving his bill at \$551.00. He was very upset about the amount. Mayor wants us to check this to make sure it is correct. Fambro explained he wasn't asking for anything, he just thought something wasn't right about it. Andy McCuiston, City Manager stated he will review with staff.

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.

7. **Request to approve Departmental Reports**

- 8. Request to approve Resolution 20-06 appointing Will Thompson and Scott Harris to the West Central Texas Municipal Water District (WCTMWD) Board**
- 9. Request to approve corrected Racial Profiling Report from Police Department**

Commissioner Durham made a motion, seconded by Commissioner Wimberley to approve consent agenda items 7-9. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Sims, Durham and Wimberley. Nays: None. Absent: Blue

INDIVIDUAL CONSIDERATION

- 10. Request to discuss and possibly take action on Aquatic Center Operations for 2020.**

Andy McCuision, City Manager stated we are shutting down any operations where people gather. We need to make the decision on closing the pool for the summer. With Coronavirus and the restrictions in place we will not be able to gather the required staff in time. We need 16 to 20 employees to run the pool. Discussion continued with regard to repairs needed, costs involved, chemicals needed, etc.

Commissioner Wimberley made a motion to table taking action on Aquatic Center Operations for 2020 until we get more information on Coronavirus; but proceed with getting names and numbers of potential staff, continue with repairs, maintenance and chemical purchase, seconded by Commissioner Durham. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

- 11. Request to approve Resolution 20-07 to Amend Personnel Policy & Procedure Manual Policy #906 – Bereavement.**

Heather Robertson-Caraway, City Secretary stated that the current bereavement policy definition of immediate family is somewhat outdated with the worlds currently existing family unit's makeup. She reviewed the changes to add Aunt, Uncle, Step-Grandchild, Step-Grandparents and 1st Cousins.

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian, to approve Resolution 20-07 to Amend Personnel Policy & Procedure Manual Policy #906 – Bereavement. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

- 12. Request to approve Resolution 20-08 – Apply for Criminal Justice Division Grant for NIBRS FY20.**

Bacel Cantrell, Police Chief stated we have applied for a NIBRS grant, which would be around \$88,000 dollars. This grant will update a lot of outdated equipment, will be more accurate and make tracking activity easier. If we get approved for this grant it will make it easier for both dispatch and police officers. This grant will include equipment training for the officers.

Commissioner Wimberley made a motion, seconded by Mayor Pro-Tem Cyprian to approve Resolution 20-08 – Apply for Criminal Justice Division Grant for NIBRS FY20. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

- 13. Request to approve Resolution 20-10 – FFCRA – Excluding First Responders.**

Andy McCuision, City Manager spoke about President Trump's law for Family First Coronavirus Response Act (FFCRA). This allows employees to take off under emergency leave and family medical leave easier

during the COVID-19 health event. It also allows for an exemption for Emergency personnel and First Responders. This will allow us to exempt our employees to be able to stay staffed during this event.

Commissioner Wimberley made a motion, seconded by Commissioner Durham to approve Resolution 20-10 – FFCRA – Excluding First Responders. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

14. Request to discuss and possibly take action on Contract with SRSUD.

Andy McCuiston, City Manager explained to the commission they have been provided a copy of the contract. The City was providing water to them before they put in the new plant, since then they have had some problems with the plant and are asking to purchase water if needed. We have the ability and excess water to provide them. This would be beneficial for both SRSUD and the City. This will be a 50-year contract.

Commissioner Durham made a motion, seconded by Mayor Pro-Tem Cyprian to take action on Contract with SRSUD. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

15. Request to approve Ordinance 20-05 – Canceling General and Special Elections in accordance with Secretary of State.

Heather Robertson-Caraway, City Secretary stated at the beginning of the Coronavirus we Secretary of State (SOS) gave the option to postpone to the entities. Last week SOS took that option away and is requiring May elections be postponed until November 3rd. We will work out the details with the County to run our election with theirs in November.

Commissioner Wimberley made a motion, seconded by Mayor Pro-Tem Cyprian to approve Ordinance 20-05 – Canceling General and Special Elections in accordance with Secretary of State. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

16. City Manager Reports

a. 2020 CPI Adjustment for Telecommunications ROW Access Lines

City Manager stated this is for information only, utility companies are wanting to make rate increases. This is something we must look at yearly.

b. Republic Services has suspended Bulk Pick-up during the Coronavirus Outbreak

City Manager stated a letter was sent to us stating the bulk pickup was canceled due to COVID-19. They later sent another letter stating they will continue bulk pickup every month, the first letter was an error. We just want the public to know that bulk pickup will continue.

c. Community Clean-up Report

Calvin Chaney, Fire Chief stated some brush pickup has been done by City and County. The County has taken 53 loads of bulk brush. The City has taken 6 loads of chipping. May 18th -23rd Community Cleanup will begin. Roll off's will be available at the Convenience Station to take bulk trash for City Residents only. On Saturday May 23rd residents of the County and City will be able to

take 6 tires per household to the Convenience station. Houston received a trailer from COG to take tires.

d. Coronavirus – COVID19

City Manager stated we have 1 confirmed case of COVID-19 as of last Friday. The Mayor and City Manager will meet with the County Judge on Wednesday for more updates. On Monday the City Office doors were locked to the public. Utility Payments can be made online, by mail or put in the drop box. Some Cities are going to video conferencing for Commission Meetings. The Commission agreed to continue as we are for now.

EXECUTIVE SESSION

Mayor Sims Opened Executive Session at 6:07 pm

Those Present: Bob Sims, Mayor; Andy McCuiston, City Manager; Heather Robertson-Caraway, City Secretary; Tom Cyprian, Mayor Pro- Tem; David Wimberley, Commissioner, Rob Durham, Commissioner; Jimmy McKay, Former Mayor; and Sherry Strickland, Former Mayor Pro-Tem (Jimmy and Sherry are on the City Manager Hiring Committee). Absent: Russell Blue

17. City Commission will enter into Executive Session pursuant to Texas Government Code Section 551.074 to discuss Personnel Matters, which allows the following:

- a. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Discuss evaluation, continued employment and employment contract with the City Manager **Position**.
- ~~b. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Discuss organizational chart.~~

18. 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. Discussion and action as a result of the Executive Session deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Discuss evaluation, continued employment and employment contract with the City Manager **Position**.
- ~~b. Discussion and action as a result of the Executive Session deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Discuss organizational chart.~~

Mayor Sims Closed Executive Session at 6:56 pm

Commissioner Wimberley made a motion, seconded by Commissioner Durham to authorize Andy McCuiston, City Manager to contact prospective candidate for City Manager to make an offer of employment. When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims. Nays: None. Absent: Blue

Commissioner Wimberley made a motion, seconded by Commissioner Durham to approve 1/3 sick leave pay out for Andy McCuiston and to approve Andy McCuiston to transfer his city cell phone into his name.

When the motion was put to vote, it prevailed as follows: Ayes: Wimberley, Durham, Cyprian and Sims.
Nays: None. Absent: Blue

19. Items from the City Commission not requiring formal action

None

20. Adjourn

Mayor Pro-Tem Cyprian made a motion, seconded by Commissioner Wimberley, to adjourn the meeting. When the motion was put to vote, it prevailed as follows: Ayes: Cyprian, Sims, Wimberley and Durham.
Nays: None. Absent: Blue

Meeting closed at 6:59 PM

ATTEST



Bob Sims,
Mayor



Heather Robertson- Caraway, CCCII, TRMC
City Secretary

