

March 7, 2023

**REGULAR TOWN COMMISSION MEETING OF THE TOWN OF BRECKENRIDGE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT.**

**PRESENT**

MAYOR  
MAYOR PRO TEM, PLACE 2  
COMMISSIONER, PLACE 3  
COMMISSIONER, PLACE 4

BOB SIMS  
ROB DURHAM  
VINCE MOORE  
GARY MERCER

CITY MANAGER  
CITY SECRETARY  
FINANCE DIRECTOR  
STACEY HARRISON  
FIRE CHIEF

CYNTHIA NORTHROP  
JESSICA SUTTER  
DIANE LATHAM  
PUBLIC SERVICES DIRECTOR  
MALCOLM BUFKIN

**NOT PRESENT**

COMMISSIONER, PLACE 1

BLAKE HAMILTON

**CALL TO ORDER**

Mayor called the meeting to order at 5:30 p.m.

Invocation led by Andy Rodgers, Pastor of First Baptist Church.

**OPEN FORUM**

*This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins.*

No speakers.

**STAFF REPORT**

*(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)*

**City Manager**

1. City Business
2. Upcoming Events

March 8      Job Fair, Workforce Development at TSTC, 12 – 3 pm

March 20-24 Brush Chipping

March 28 Strategic Planning Mayor/Commissioners/Community Leaders

No Action Taken.

### CONSENT AGENDA

*Any commission member may request an item on the Consent Agenda to be taken up for individual consideration.*

3. Consider approval of the February 07, 2023 Regular Commission Meeting minutes as recorded.
4. Consider approval of the February 27, 2023 Strategic Planning Community Workshop Meeting minutes as recorded.
5. Discussion and any necessary action regarding Texas Gas Service rate decrease and associated ordinance. (Second Reading)

Commissioner Moore made a motion to approve consent agenda items 3-5 as presented. Commissioner Mercer seconded the motion. The motion passed 4-0

### ACTION ITEMS

6. Discussion and any necessary action regarding annual audit for FY 2021/22

George, Morgan , & Sneed, P.C. representative provided audit overview for the year ended September 30, 2022 to commissioners.

Mayor Pro-tem Durham moved to approve the annual audit for FY 2021/22. Commissioner Moore seconded the motion. The motion passed 4-0.

7. Discussion and any necessary action regarding BEDC recommendation for reimbursement of \$64,500 for site improvements for Subway Development.

Breckenridge Economic Development Corporation director David Miller addressed commissioners request approval of a reimbursement payment to Donie Sechrist for site improvements on the the Subwas Development infront of Wal-Mart.

Commissioner Mercer moved to approve the BEDC recommendation for reimbursement of \$64,500 for site improvements for Subway development. Mayor Pro-Tem Durham seconded the motion. The motion passed 4-0.

8. Discussion and any necessary action regarding adopting a resolution for authorizing the submission of an application for the 23/24/CDBG Program – CD Fund (Streets)

City Manager Cynthia Northrop explained that action items 8-11 are all in regards to the 2023/2024 CDBG cycle for street improvements. Applications are due April 3, 2023 and awards for 2023 will be announced towards the end of 2023. Solicitations were sent out for procuring administration and engineering services for the grant. There was only one proposal received for administrative services from Public Management. Staff received two proposals for Engineering services; Jacob Martin and Enprotech Hibbs & Todd (EHT). Engineering proposals were scored and staff recommendation based on scores is to award engineering contract to EHT.

Mayor Pro Tem Durham moved to approve Resolution 2023-07 authorizing the submission of an application for the 23/24/CDBG Program-CD Fund. Commissioner Moore seconded the motion. The motion passed 4-0.

9. Discussion and any necessary action regarding adopting a resolution for signatories for the 23/24/CDBG Program – CD Fund (Streets)

Commissioner Moore moved to approve Resolution 2023-05 authorizing signatories for the 23/24/CDBG Program-CD fund. Commissioner Mercer seconded the motion. The motion passed 4-0.

10. Discussion and any necessary action regarding awarding a contract for administration services for the 23/24/CDBG Program – CD Fund (Streets)

Commissioner Mercer moved to approve awarding a contract for administration services for the 23/24/CDBG Program-CD Fund to Public Management Service. Mayor Pro Tem Durham seconded the motion. The motion passes 4-0.

11. Discussion and any necessary action regarding awarding a contract for engineering services for the 23/24/CDBG Program – CD Fund (Streets)

Mayor Pro Tem Durham moved to approve awarding a contract for engineering services for the 23/24/CDBG Program-CD Fund to EHT. Commissioner Moore seconded the motion. The motion passed 4-0.

12. Discussion and any necessary action regarding award of General Street Maintenance contract

City Manager Cynthia Northrop stated that in an effort to make headway on critically needed street improvements, in part due to under-staffing in our street department, engineers advertised an RFT for General street maintenance. This will allow the city to utilize the contractor to perform various projects to include base failure repairs, level ups, overlays, et. We received three proposals from Raydon Inc., Platinum Paving, and Blacksmith. Engineers EHT provided a letter of recommendation that the construction contract be awarded to Raydon Inc.

Commissioner Mercer moved to approve awarding general street maintenance contract to Raydon, Inc. Commissioner Moore seconded the motion. The motion passed 4-0.

13. Discussion and any necessary action regarding establishing Contractor Registration and associated fees

City Manager Cynthia Northrop addressed commissioners stating that staff is recommending adopting an ordinance that will require contractors to register on an annual basis so that we know who is performing work and we can ensure that they have the appropriate licenses.

Mayor Pro Tem Durham moved to approve Ordinance 2023-06 establishing contractor registration and associated fees.

14. Discussion and any necessary action regarding sewer stoppages.

City Manager Cynthia Northrop stated that in the past years the city has had an inconsistent approach to addressing sewer stoppages including assuming private property owner's liability for sewer stoppages. This has created a culture of using city resources to trouble-shoot sewer stoppages. Current ordinance is silent on the issue though our cost structure for sewer taps implies the homeowner is responsible for their service line. Most cities assume property owners are financially responsible for maintenance of their service lines to the main. Recommended options for covering the cost of these repairs are to assess the individual property owner based on cost, or to assess a surcharge to all system users. Clean-outs are also a concern. It is estimated that fifty percent of the properties in the city do not have clean-outs. Staff is recommending an update to the ordinance requiring clean-outs be installed at the curb.

Mayor Pro Tem made a motion to table action item number 8 until regular commission meeting in April. There was no second. Motion died.

Commissioner Moore made a motion to table action item 8 until regular commission meeting in May. Mayor Pro Tem Durham seconded the motion. The motion passed 4-0.

15. Discussion and any necessary action regarding re-appointment of Will Thompson's term as Director on the WCTMWD Board

City Manager Cynthia Northrop explained that Will Thompson's term serving as a director on the WCTMWD Board of Directors will expire in May 2023. Recommending reappointment.

Commissioner Moore made a motion to approve Resolution 2023-06 reappointing Will Thompson to the West Central Texas Municipal Water District Board for a term of two years.

16. Discussion and any necessary action regarding approval of Ordinance 2023-05 repealing and replacing Ordinance 2023-01 establishing a general fee schedule for the City of Breckenridge. *(First Reading)*

City Manager Cynthia Northrop stated that this update will include a few fees that were inadvertently left off in the recent update including plumbing, gas, and mechanical permits.

It will also include the addition of contractor registration fee and an increase to gaming machine fees.

Commissioner Mercer moved to approve Ordinance 2023-05 repealing and replacing Ordinance 2023-01 establishing a general fee schedule for the City of Breckenridge.

#### **EXECUTIVE SESSION**

*Pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), City Commission will recess into Executive Session (closed meeting) to discuss the following:*

##### **Real Property**

*§551.072: Deliberate the purchase, exchange, lease, or value of real property:*

17. American Legion

#### **RECONVENE INTO OPEN SESSION**

At 7:07 p.m., the City Commission reconvened into open session.

Commissioner Moore moved to reject all bids received for the American Legion. Commissioner Mercer seconded the motion. The motion passed 4-0.

#### **RECEIVE REQUESTS FROM COMMISSION MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA**

Mayor Pro Tem Durham requested an Ordinance that would require residents to provide cleanouts at the next meeting on March 28, 2023.

#### **ADJOURN**

There being no further business, the Mayor adjourned the regular session at 7:08 p.m.

  
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Jessica Sutter, City Secretary  
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Bob Sims, Mayor