

December 5, 2023

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

PRESENT

MAYOR
COMMISSIONER, PLACE 1
COMMISSIONER, PLACE 2
COMMISSIONER, PLACE 3
MAYOR PRO TEM, PLACE 4

BOB SIMS
BLAKE HAMILTON
ROB DURHAM
VINCE MOORE
GARY MERCER

CITY MANAGER
CITY SECRETARY
CITY ATTORNEY
PUBLIC SERVICES DIRECTOR
CODE ENFORCEMENT/FIRE CHIEF
PUBLIC WORKS DIRECTOR
POLICE CHIEF

CYNTHIA NORTHROP
JESSICA SUTTER
EILEEN HAYMAN
STACY HARRISON
MALCOLM BUFKIN
TODD HENDERSON
BACEL CANTRELL

CALL TO ORDER

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

Invocation led by Sam Chambers of First Methodist Church

PLEDGE OF ALLEGIANCE

OPEN FORUM

Gary Trammell on behalf of Bethel Baptist Church who is trying to get a clear title to their property. A portion of the property is owned by the City of Breckenridge. Requesting the City to complete a Deed without warranty for that portion of land and allow Bethel Baptist Church to maintain the property.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

1. Presentation of Service Pin Awards

City Manager Cynthia Northrop presented service awards to Stacy Harrison (30 Years), Christi Tidrow (15 Years), Scott Bills (15 Years), Wesly Duggan (15 Years), Shelby Buckhalter (10 Years), Chad Skiles (10 Years), Darrell Smith (5 years).

No Action Taken.

STAFF REPORT

City Manager

2. City Business

Street Maintenance Tax Election

Reschedule the January 2nd Commission meeting to January 9th

Department Head Reports

3. Upcoming Events

12/9 Christmas Parade

12/21 Bulk Pickup

12/25 City Offices closed.

12/26 City Offices closed.

01/01 City Offices closed.

Police Chief

4. Employee of the Month Presentation-Emily Grenko

No Action Taken

CONSENT AGENDA

5. Consider approval of the November 7, 2023, Regular Commission Meeting minutes as recorded.

Commissioner Moore made a motion to approve consent agenda item 5 as presented.
Commissioner Durham seconded the motion. The motion passed 5-0

PUBLIC HEARING ITEMS

Mayor Sims opened the Public Hearing at 5:48 P.M.

6. Public Hearing regarding request to rezone the property at 611 E. Walker (American Legion Building) – East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2 (Community Business District).

No Speakers

Mayor Sims closed the Public Hearing at 5:49 P.M.

ACTION ITEMS

7. Discussion and any necessary action regarding Ordinance 23-21 to rezone the property at 611 E. Walker (American Legion Building) – East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2 (Community Business District).

City Manager Cynthia Northrop explained that the property located at 611 E. Walker, The American Legion building is currently a city-owned property that is zoned as R1, Single Family Dwelling District), The City has accepted a bid to sell the property. The buyer has requested a rezone of the property to the Community Business District. The nearby businesses in the area are zoned comparably. The Planning and Zoning Commission met on Monday, December 4, 2023, and took action to recommend approval of the request.

Commissioner Hamilton moved to approve P&Z recommendation to approve Ordinance 23-21 rezoning for 611 E. Walker from R1 to C2. Commissioner Moore seconded the motion. The motion passed 5-0.

8. Discussion and any necessary action approving BEDC request to improve city property and create a parking lot at the corner of Elm and Court

The property at the corner of Elm and Court is a city-owned property that is the remaining foundation of a building that burned down. The BEDC would like to fund the cost of converting that property into a parking lot by removing debris, adding an entrance off Court Street, and stripping for approximately ten parking spaces.

Commissioner Hamilton moved to approve the BEDC recommendation for improvements and converting the property into a parking lot. Commissioner Durham seconded the motion. The motion passed 5-0.

9. Discussion and any necessary action regarding renewal of contract with Chamber of Commerce for HOT Funds

City Manager Northrop stated the City has contracted with the Chamber of Commerce over the past several years to transfer hotel/motel occupancy funds received to promote tourism. This is a renewal of the current contract.

Commissioner Moore moved to approve the Chamber of Commerce HOT funds contract. Commissioner Hamilton seconded the motion. The motions passed 5-0.

10. Discussion and any necessary action regarding Ordinance 23 – 20; closing Dyer Street between N. Miller and N. Live Oak

City Manager Northrop explained that Dyer Street between North Miller and North Live Oak has not been a through street for over 30 years. When the city advertised 210 N. Smith for sale a survey was completed that shows the 80-foot-right-of-way is still in existence. To complete the sale of the property and correct documentation staff is recommending to close Dyer Street between North Miller and North Live Oak and deed the property over equally to

the abutting property owners; BISD, Shady Tree Apartments, and The City of Breckenridge. The Planning and Zoning Commissioners met on Monday, December 4, 2023, and approved recommending approval.

Commissioner Durham made a motion to approve Ordinance 23-20, closing Dyer between N. Miller and N. Live Oak, and conveyance of the right-of-way to the abutting property owners. Commissioner Moore seconded the motion. The motion passed 5-0.

11. Discussion and any necessary action regarding final reconciliation and acceptance of the FM 3099 Utility Relocation Construction Project.

Sage Diller with Enprotech/Hibbs & Todd, Inc. addressed commissioners stating that this is the final reconciliation of the project. It increases the contract price by \$4,103.00 to a final contract price of \$513,569.00. Both city staff and engineers have done a final walk-through of the project, and they are recommending acceptance of the project contingent on receiving acceptable as-builts.

Commissioner Moore moved to approve final reconciliation, Pay App 5, and acceptance of the FM 3099 Utility Relocation Construction Project contingent upon receiving acceptable as- builts. Commissioner Durham seconded the motion. The motion passed 5-0.

12. Discussion and any necessary action regarding Ordinance 23-22 to remove the requirement that the Planning and Zoning Commission make recommendations regarding streets.

City Manager Northrop explained that our current Ordinances require Planning and Zoning to make recommendations to the City Commission regarding proposed street closures. This is not a requirement in most cities. To streamline the process, staff are recommending updating the City Ordinance that would remove this requirement.

Commissioner Durham moved to approve Ordinance 23-22 as presented. Commissioner Hamilton seconded the motion. The motion passed 5-0.

13. Discussion and any necessary action regarding request from lien holder on previously approved declaration of substandard building and Order to Abate at 213 Pembroke.

This item was discussed during the executive session. After the executive session was concluded and the Commissioners reconvened into open session, Commissioner Moore moved to approve the request of lien holder to extend order to abate to February 6, 2024, and to submit timeline and progress reports to the City Manager. Commissioner Hamilton Seconded the Motion. The motion passed 5-0.

EXECUTIVE SESSION

Sec. 551.071, Consultation with Attorney (to seek the advice of its attorney about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act): 213 Pembroke.

Sec. 551.074, Personnel Matters (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or Employee; or to hear a complaint or charge against an officer or employee) and Sec. 551.071(2), Consultation with Attorney (to see the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act): Chief of Police.

RECONVENE INTO OPEN SESSION

Mayor Sims reconvened into open session at 7:22 P.M.

Commissioner Hamilton moved to accept the resignation of the Chief of Police effective February 1, 2024. Commissioner Moore Seconded the motion. The motion passed 4-1 with Commissioner Durham voting Nay.

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

There were no requests.

ADJOURN

There being no further business, Mayor Sims adjourned the regular session at 7:25 p.m.

Bob Sims, Mayor

Jessica Sutter, City Secretary