

**NOVEMBER 1, 2021**

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

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

BOB SIMS  
VINCE MOORE  
ROB DURHAM  
GARY MERCER

CITY MANAGER  
CITY ATTORNEY  
ASSISTANT CITY SECRETARY  
PUBLIC WORKS DIRECTOR  
FIRE CHIEF  
PARKS DIRECTOR

ERIKA MCCOMIS  
EILEEN HAYMAN  
DIANE LATHAM  
HOUSTON SATTERWHITE  
CALVIN CHANEY  
STACY HARRISON

**ABSENT**

COMMISSIONER PLACE 1

RUSSELL BLUE

**CALL MEETING TO ORDER**

Mayor Sims called the regular meeting to order at 5:31 p.m.

**OPEN FORUM**

This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings.

No speakers

**STAFF REPORT**

**City Manager**

1. 2021 4<sup>TH</sup> Quarter Financials  
Mrs. McComis briefly went over the balances for the 4<sup>th</sup> Quarter Financials.
2. Upcoming City Events  
Mrs. McComis briefly went over the upcoming city events. November 11<sup>th</sup> is a city holiday; November 19<sup>th</sup> Mingle & Jingle ; December 4<sup>th</sup> Chamber Banquet; December 7<sup>th</sup> City Commission Meeting; December 8<sup>th</sup> Christmas Parade; December 16<sup>th</sup> Potluck Meal at City Offices.

**CONSENT AGENDA**

3. Consider approval of the October 5, 2021, Regular Commission meeting minutes as recorded.

4. Consider approval of the City's financials through September 30, 2021, including the quarterly investment reports.
5. Consider approval of a Water Purchase Contract with Tommy Wimberley, DBA High Mesa Water Company for a period of five years and authorize the Mayor to sign all related documents on behalf of the City.
6. Consider approval of Resolution 21-28 designating the official newspaper of the City of Breckenridge.
7. Consider approval of Resolution 21-29 to appoint members to the Breckenridge Economic Development Board for a period of two years.
8. Consider approving Resolution 21-30 to appoint Commissioner Place 2 Rob Durham, to fill a vacated spot to the Stephens County Appraisal District Board of Directors and appoint him for a new two-year term beginning January 1, 2022.
9. Consider approval of Resolution 21-31 to appoint Leslie Howk, Turner Baugh, Bo Asher, and Mark Reyes to the Zoning Board of Adjustment.
10. Consider approval of Resolution 21-33 approving amendments to the City of Breckenridge Personnel Policy and Procedure Manual.

Mayor Pro Tem Moore moved to approve the consent agenda as presented. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

#### **PUBLIC HEARING ITEMS**

11. Public hearing and consider approval of Ordinance 21-13 to authorize the closing, vacating, and abandoning the portion of an alley between lots 5-10 and lots 11-16 of block N of the Breckenridge East Addition; providing for conveyance of said abandoned alley property and authorizing the Mayor to execute all related documents.

Presenter: Chief Chaney and City Manager McComis

Mayor Sims opened the public hearing at 5:40 p.m.

City Manager McComis informed the Commission the sewer Line has been moved. She explained this has gone to the Planning and Zoning commission and was recommended for approval with the condition that all utilities be moved prior to Commission and a replat filed with adjoining property in the alleyway. Chief Chaney advised the City has received no opposition from the neighboring property owners. An applicant representative, Greg Penman (YesWay), Regional Director of Acquisitions representing Allsup's, informed the Commission they are ready to get the project started and will be closing on the property that Wednesday. City Manager McComis advised the replat could be filed prior to the certificate of occupancy being issued.

No other comments from those in attendance.

Mayor Sims closed the public hearing at 5:44 p.m.

Commissioner Durham moved to approve Ordinance 21-13 as presented with the condition that an amended plat be filed with the City prior to a certificate of occupancy being issued. Mayor Pro Tem Moore seconded the motion. **The motion passed 4-0.**

## ACTION ITEMS

12. Consider approval of a demolition incentive program to provide a roll-off dumpster to qualified property owners.

City Manager McComis stated the program has been successful thus far; therefore, staff recommends it be continued for Fiscal Year 2021-2022. The applicant will need to fill out an application, and approval will be given to those that intend on building a residential or commercial building to replace that which is being torn down. The applicant will then be required to file for a building permit within six months, or they will be required to pay the City back for the roll-off dumpster.

Commissioner Mercer made a motion to approve the demolition incentive program to provide a roll-off dumpster to qualified property owners. Mayor Pro Tem Moore seconded the motion. **The motion passed 4-0.**

13. Consider approval of resolutions authorizing a professional service provider selection for Coronavirus Local Fiscal Recovery Fund Programs through the American Rescue Plan Act of 2021 and authorizing the City Manager to execute necessary documents.

Mayor Pro Tem Moore made a motion to *reject* all bids and rebid the engineering contract for the 2021 American Rescue Plan grant. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

Mayor Pro Tem Moore made a motion to award an administration contract to Public Management, Inc. for the 2021 American Rescue Plan Grant. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

14. Consider authorizing the city manager to purchase park playground equipment in an amount not to exceed \$118,859.22.

Commissioner Durham made a motion to deny purchase of playground equipment through Gametime in an amount not to exceed \$118,859.22. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

15. Consider approval of Resolution 21-32 approving a finance contract with Government Capital Corporation for the purpose of procuring playground equipment and authorizing the City Manager to execute necessary documents on behalf of the City.

This item was not eligible for approval due to the denial of item 14.

16. Consider approval of Ordinance 21-12 amending the Code of Ordinances by amending Article 2 "Administration," establishing Section 1-30 'Claims Against City'.

Mayor Pro Tem Moore made a motion to adopt Ordinance 21-12 amending the Code of Ordinances by amending Article 2 "Administration," establishing Section 1-30-1-34 'Claims Against City'. Commissioner Durham seconded the motion. **The motion passed 4-0.**

17. Consider approval of an administrative policy creating an incentive program for employees who receive a COVID-19 vaccine.

Ms. McComis informed the Commission that at the direction of a commission member, she brought forward a discussion during the October meeting related to incentives that may be given to fully vaccinated employees. The Commission at that time asked staff to put together a policy for the Commission to review at the next meeting. The proposed policy discussed by Commission allows for flex time to be given to employees who seek full vaccination.

Mayor Pro Tem Moore made a motion to approve an administrative policy creating an incentive program for employees who receive a COVID-19 vaccine. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

18. Consider approving the funding of New Benefit Solutions, a telehealth service, for all full-time and regular part-time employees for Fiscal Year 2022.

Commissioner Durham made a motion to approve the funding of New Benefit Solutions for all full-time and regular part-time employees. Mayor Pro Tem Moore seconded the motion. **The motion passed 4-0.**

#### **EXECUTIVE SESSION**

At 6:07 p.m., the City Commission adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

##### **Consultation with Attorney**

*§551.071(1),(2): Consultation with attorney regarding pending or anticipated 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 this chapter:*

19. Municipal Court
20. Employee Salaries

## **Economic Development**

*§551.087: Economic Development negotiations (to discuss or deliberate commercial or financial information from a business prospect or to deliberate the offer of a financial or other incentives to a business prospect):*

21. 810 E. Walker Street

## **RECONVENE INTO OPEN SESSION**

At 6:58 p.m., the City Commission reconvened into open session.

Item Number 20

Commissioner Mercer made a motion for Employee Salaries of Interim City Manager to revert to the regular pay effective January 1, 2022. Commissioner Durham seconded the motion. **The motion passed 4-0.**

Item Number 21

Mayor Pro Tem Moore made a motion to approve the City to reimburse the Breckenridge Economic Development Corporation one-third of the invoiced amount for the sewer line relocation at 810 E. Walker Street. Commissioner Durham seconded the motion. **The motion passed 4-0.**

## **ADJOURN**

There being no further business, Mayor Pro Tem Moore adjourned the regular session at 6:59 p.m.

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Bob Sims, Mayor

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Diane Latham, Assistant City Secretary