

June 6, 2023

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

PRESENT

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

BOB SIMS
BLAKE HAMILTON
ROB DURHAM
VINCE MOORE
GARY MERCER

CITY MANAGER
CITY SECRETARY
CITY ATTORNEY
PUBLIC WORKS DIRECTOR
FINANCE DIRECTOR
PUBLIC SERVICES DIRECTOR
FIRE CHIEF

CYNTHIA NORTHROP
JESSICA SUTTER
EILEEN HAYMAN
TODD HENDERSON
DIANE LATHAM
STACY HARRISON
MALCOLM BUFKIN

CALL TO ORDER

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

Invocation led by Trey McDuff of New Destination Church.

OPEN FORUM

Jason Castillo, 308 S. McCamis has tried to get water turned on at this address since April 20, 2022. Would like assistance getting this completed.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

1. Administration of Statement of Elected Officer, Oath of Office, and Issuance of Certificate of Election for City Commissioner Places 3 and 4.

STAFF REPORT

City Manager

City Manager

2. City Business

City Manager Northrop updated commissioners on the status of the TxCDBG Downtown Revitalization Grant, Planning Grant, new regulations from EPA and TCEQ requiring lead service lines to be inventoried and replaced, and postponing July Commission meeting to Tuesday, July 11th due to City offices being closed on July 4th.

3. Upcoming Events

June 15	Bulk pickup
July 1	Boomfest
July 4	City office Closed for Independence Day

Chamber of Commerce

4. Presentation by Yuri Huntington Executive Director of the Breckenridge Chamber of Commerce

CONSENT AGENDA

5. Consider approval of the May 2, 2023 Regular Commission Meeting minutes as recorded.
6. Consider approval of the May 16, 2023 Special Commission Meeting minutes as recorded.
7. Consider approval of the Chamber of Commerce Quarterly Report

Commissioner Hamilton made a motion to approve consent agenda items 5-7 as presented. Mayor Pro Tem Durham seconded the motion. The motion passed 5-0

PUBLIC HEARING ITEMS

Mayor opened the public hearing at 5:50 p.m.

8. Public Hearing regarding whether the buildings on the following properties are dangerous buildings pursuant to Chapter 5, Article 1 of the Breckenridge Code of Ordinances
115 S. Parks
907 N. Shelton
513 S. Stoker

919 N. Breckenridge Ave.
110 W 3rd
109 W. 7th
1303 W 1st

The following individuals spoke regarding properties located at 907 N. Shelton, 110 W. 3rd, 109 W 7th, and 1303 W. 1st:

Jim Pickler, 907 N. Shelton, stated he has been using the residence as storage for several years. He doesn't believe he should have to comply with the same standards as a residence and would like to know what deems it substandard.

Josue Duran, 110 W. 3rd, attempted to get a permit to repair the property on March 20, 2023. Was denied permit due to FEMA regulation not allowing investment of more than half of the current appraised property value of \$2,000.00. Asking for a variance.

Jonnie Graves 109 W. 7th, wishes to surrender the property to the City of Breckenridge.

Jose Pallacios, 1303 W. 1st, would like a permit to work on the property.

ACTION ITEMS

9. Discussion and any necessary action regarding whether the buildings on the seven properties are dangerous buildings pursuant to Chapter 5, Article I of the Breckenridge Code of Ordinances and, if so, discussion and any necessary action regarding issuing orders to abate the dangerous buildings or accepting conveyance of property (ies) from owners

City Manager Cynthia Northrop explained that each property would be discussed individually, and commissioners will take action on each item individually.

115 S. Parks:

Mayor Pro Tem Durham made a motion to declare 115 S. Parks a dangerous building and order that the owner demolish the building within 30 days. Commissioner Mercer seconded the motion. The motion passed unanimously.

907 N. Shelton

City Attorney Eileen Hayman reviewed the list of violations of minimum standards that deem this property substandard. Mayor Pro tem Durham questioned if the owner plans to have this property be used as a residence. The property owner, Jim Pickler, stated he plans to only use as storage. City Manager Cynthia Northrop stated that this is a residence regardless of the use or if anyone is living in the property. It is not an accessory structure and according to City Ordinances, it is required to be brought up to standards, City Attorney confirmed.

Commissioner Moore moved to Declare the building located at 907 N. Shelton a dangerous building and ordered that the building be repaired within 90 days. If the Building is not repaired within 90 days, City declares the building dangerous and it will start the demolition procedure. Mayor Pro Tem Durham seconded the motion. The motion passed unanimously.

513 S. Stoker

Commissioner Mercer made a motion to declare 513 S. Stoker a dangerous building and order that the owner demolish the building within 30 days. Commissioner Moore seconded the motion. The motion passed unanimously.

919 N. Breckenridge Ave.

Mayor Pro Tem Durham made a motion to accept voluntary conveyance of the property located at 919 N. Breckenridge Ave. from the property owner and authorize the City Manager to execute a release and conveyance agreement. Commissioner Mercer seconded the motion. The motion passed unanimously.

110 W. 3rd

City Manager Cynthia Northrop stated that this property is in the flood zone. Fed/State mandates flood zones and regardless of if a flood has occurred within a certain timeframe, it has already been defined by federal law and is not up for discretion. Based on Federal standards substantial improvements cannot be made over fifty percent of the current market value of the structure. If a variance is possible the base floor level of the home would have to be raised one foot above the flood zone. Permits cannot be issued based on the current conditions. City Attorney Eileen Hayman advised of a previous case of having a property replatted to be designated a drainage easement in order to have FEMA change the designation on the property. Property Owner Josue Duran requested additional time to contact FEMA and determine if there are any additional options.

Commissioner Mercer Moved to table this item for 90 days. Commissioner Moore seconded the motion. The motion passed unanimously.

109 W. 7th

Commissioner Hamilton made a motion to accept voluntary conveyance of the property located at 109 W. 7th. from the property owner and authorize the City Manager to execute a release and conveyance agreement. Commissioner Moore seconded the motion. The motion passed unanimously.

10. Discussion and any necessary action regarding allowing a Mobile Food Unit to conduct business on City Property.

Benito Escobedo, the owner of El Patio De Luna, requested to set up his mobile food unit at the city soccer fields during the 2023 soccer season on Saturdays. The current Ordinances require Commission approval. City Manager also discussed updating the ordinance to include criteria to be met that staff would then administer so these types of requests don't have to go to Commissioners. Commissioners directed City Manager to bring recommended updates back to them for review.

Commissioner Moore made a motion to approve Mr. Escobedo's request to set up mobile food unit and conduct business on city soccer fields on Saturdays during the 2023 soccer season. Mayor Pro Tem Durham seconded the motion. The motion passed unanimously.

11. Discussion and any necessary action regarding adoption of Final Strategic Plan; including Vision, Mission, Core Values, Goals and Objectives.

City Manager Cynthia Northrop reviewed the final strategic plan with commissioners reviewing the Strategic Planning process and resulting vision, mission, core values and goals that were developed during the previous planning sessions as well as staff-developed objectives under each goal which would in turn help guide the budget process going forward.

Commissioner Moore moved to approve the adoption of a final strategic plan; including vision, mission, core values, goals & objectives. Commissioner Mercer seconded the motion. The motion passed unanimously.

12. Discussion and any necessary action regarding Resolution 2023 –14 Directing Publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation of the City of Breckenridge; and resolving other matters related to the subject

City Manager Northrop stated that the city intends to issue certificates of obligation to fund needed capital improvement projects including streets, parks, and facilities. The first step is the publication of the Notice of Intention to issue Certificates of Obligation, which includes a not-to-exceed amount of \$9.1 million dollars (final actual amount to be determined in August based on current interest rates and certified values from Appraisal District).

Commissioner Hamilton moved to approve Resolution 2023-14 directing publication of notice of intention to issue combination tax and revenue certificates of obligation with not-to-exceed-amount of \$9.1 million, of the City of Breckenridge; and resolving other matters related to the subject. Mayor Pro Tem Durham seconded the motion. The motion passed unanimously.

13. Discussion and any necessary action regarding Ordinance No. 23-09, an ordinance of the City of Breckenridge, Texas, amending Appendix A, "Fee Schedule", "Sewer Service Charges" of the Breckenridge Code of Ordinances to increase the base monthly rate; Providing Repealer and Severability Clauses; and Providing and Effective Date. (Second Reading)

City Manager Northrop explained that this ordinance will codify the previously approved amendment to the fee schedule to increase the sewer charge by \$5.00 per user to cover the cost of maintenance from an owner's clean-out to the city main.

Commissioner Moore moved to approve second reading of Ordinance 23-09 an ordinance of the City of Breckenridge, Texas, amending Appendix A, "Fee Schedule", "Sewer Service Charges" of the Breckenridge Code of Ordinances to increase the base monthly rate; Providing Repealer and Severability Clauses; and Providing and Effective Date. Commissioner Mercer seconded the motion. The motion passed unanimously.

14. Discussion and any necessary action regarding Resolution 2023-13 appointing a commissioner to serve as Mayor Pro-Tem

City Secretary Jessica Sutter explained that at the first meeting of each new City Commission election, one of the commission members needs to be elected as Mayor Pro Tem. Commissioners discussed who they would like to elect as Mayor Pro Tem.

Commissioner Moore moved to approve Resolution 2023-13 appointing Gary Mercer to serve as Mayor Pro Tem. Commissioner Hamilton seconded the motion. The motions passed unanimously.

EXECUTIVE SESSION

Real Property

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

15. American Legion

RECONVENE INTO OPEN SESSION

At 7:06 p.m., the City Commission reconvened into open session with no action taken.

ADJOURN

There being no further business, the Mayor adjourned the regular session at 7:07 p.m.

Bob Sims, Mayor

Jessica Sutter, City Secretary