

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, July 5, 2016, at 6:00pm at the City of Brady Service Center located at 1405 N. Bridge Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, and Police Chief Steve Thomas. Others in attendance were Charlotte and John Harper, Lynn Farris, James Stewart, Trooper Smith and Coby Gee.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. APPROVAL OF AUDIT BOARD**

Council Member Gendusa moved to approve the audit board. Motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

#### **4. APPROVAL OF MINUTES for June 21, 2016**

Council Member Gendusa moved to approve the minutes. Motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

#### **5. PUBLIC COMMENTS**

Shelly Perkins said she was asked by residents to inquire on their behalf about City Lake Lot Leases in Davee and Dodge Heights. She stated citizens are wanting to pay their annual lease payments but were told they can't pay them yet. She requested a status update. City Manager Lenoir replied that the property is being resurveyed. Perkins said the "billing girls are telling people they don't know when they will be billed" and Perkins asked for a deadline. Lenoir reiterated we are waiting on surveyor and the re-platting process, likely another 6 months. Perkins suggested that we notify those citizens of the status.

Charlotte Harper shared that on May 23<sup>rd</sup>, she suffered a major seizure. She expressed gratitude to EMS crew that responded and drove her to San Angelo, as helicopter service were not available due to inclement weather. Chief Daniel met ambulance in Eden and rode to San Angelo. They saved her life. Specifically she thanked Lynne White, Jaron Shahan, David Pegues, Priscilla Campbell, and Lyle Daniel. She recognized and thanked all the caring individuals of the Brady EMS, reminding Brady how blessed we are to have this service.

#### **6. PRESENTATIONS AND PUBLIC HEARINGS**

- A. Wastewater Treatment Plant Replacement Project Plans – Freese and Nichols, Inc. Trooper Smith presented to Council.

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding Resolution 2016-033 authorizing the City Manager to sign the Amendment for Consulting Services with Freese and Nichols, Inc. for Phase II – Preliminary Engineering Design Services, TPDES Permitting and Environmental Assessment for WWTP Replacement Project to include basic services of Permitting, environmental and preliminary engineering design, and special services of surveying and geotechnical investigation. The fee for basic services equals \$721,369.00 and

special services equals \$37,016.00 for a total fee basis of \$758,385.00. Steve Miller presented to Council. After discussion amongst counsel members, Council Member Gloria moved to approve Resolution 2016-033. The motion was seconded by Council Member Perkins. All council members voted "aye" and none "nay". Motion carried in a 5-0.

- B. Discussion, consideration and possible action regarding first reading of Ordinance 1198 of the City of Brady, Texas, establishing a Curfew for Minors (under 17 years of age, 11:00pm until 6:00am Sunday - Thursday and 12:01am to 6:00am Fridays and Saturdays). Council Member Perkins commented on the need to renumber page 1 of 5, add Number 2 and renumber for a total of 10 sections and on page 5 of 5, section 11, "or its caption" – thinks the caption is not sufficient. Mayor Groves stated charter requires you publish the caption or the whole ordinance. Council Member Perkins would like more than the caption published. Mayor Groves clarified you can add more than just the caption. We can direct staff to add other clarification. Council Member Gendusa suggested we put the whole 5 pages on the website and Council Member Gloria would like to inform our citizens in the news media to let the people know why the ordinance is important for our children's safety. Chief Thomas would also like to educate the public and is committed to that. Council Member Gendusa moved to approve the first reading of Ordinance 1198. The motion was seconded by Council Member Griffin. Four Council Members voted "aye" and one "nay" with Council Member Huffman voting against. Motion carried in a 4-1 vote.
- C. Discussion consideration and possible action to fill vacancies, expired terms and alternates on Brady Economic Development Corporation (BEDC), Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Airport Advisory, Charter Commission, and Planning & Zoning Commission (P&Z). Mayor Groves commented there is not an available spot on the board applied for the one candidate and the other candidate is not qualified since he lives in the county but would like to invite Dale Scott to participate in meetings until we look at our handbook and change the rules. Kim Lenoir commented that Dale Scott lives in Mason County, but he does own a business in town. We could change in the Board Handbook, to reflect if a candidate has a business in the city, they would qualify.
- D. Discussion regarding City Council meeting procedures and process. Mayor asked for opinions on how the meeting went – most were thumbs up. Council Member Perkins would like to point out in Ordinance 1126, Section 1.603, E. Public Participation, Item 8 about stopping a citizen who makes a "verbal assault" comment, she would like to see that done by the Mayor, if necessary. Mayor agreed he would be prepared to do so.

## 8. STAFF REPORTS

- A. Quarterly Reports – Clean Water Project, Drinking Water, WWTP Emergency Repair, Grants – Boat Ramps, Brady Creek Trail, Richards Park, Willie Washington Park; Fish House, Stanburn Park, Hazard Mitigation Plan, Brady Lake Dam Breach Analysis; Brady Stormwater Drainage Master Plan
- B. Upcoming Special Events:
  - Thursdays, 4pm to 6pm – Farmers Market – Downtown Square
  - July 9-10 – Couples Golf Tourney
  - July 7- Movies in the Park - The Princess Bride at Mexican Colony Park
  - July 21- Movies in the Park - Finding Nemo at the Swimming Pool
  - July 30 – Couple's Golf Tourney
- C. FY 2017 – Draft Budget Prepared; July 7, 1pm FY17 Budget Work Sessions – DRT Community Room and now moving July 12 meeting to July 13, 9am to 4pm, if available, at Brady Housing Authority
- D. July 12, 5:30pm, P&Z Meeting, Service Center – Public Hearings for Substandard Buildings, In-fill, and Cargo Storage Containers Zoning Ordinance Recommended Changes
- E. July 14, 1-3pm only and July 18, TBD, if needed, FY17 Budget Work Sessions – Brady Housing Authority
- F. July 14, 4:30 to 6:30pm, Service Center – TXDOT 30% Design Review of N. Bridge Street and Downtown

Square, and White Street

- G. July 18, 5:30pm, P&Z – Public Hearing Zoning Changes
- H. July 19, 6:00pm, City Council Meeting – Public Hearings for Substandard Buildings, In-fill, and Cargo Storage Containers Zoning Ordinance Recommended Changes & possible Zoning Changes

#### 9. ANNOUNCEMENTS

Jim Griffin was impressed with the fireworks show & recognized Brady Community Involvement Committee.  
Lynn Farris was impressed with all the City departments turning out for the July Jubilee Parade  
Kathy Gloria has also heard compliments about the fireworks and the City participation in the parade  
Marilyn Gendusa heard compliments as well, Electric Department Trailer was outstanding.

#### 10. EXECUTIVE SESSION

Council closed open session at 8:41 p.m. and took a break before going into Executive Session.

Council reconvened into Executive Session at 8:51 p.m.

- A. Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Evaluation of City Manager duties.
- B. Pursuant to Section 551.071 (Consultation with Attorney). The City Council will seek and receive advice from the City Attorney on the following matters: To seek legal advice about (1) pending or contemplated litigation; or (2) a settlement offer; or (3) on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to wit: legal issues related to responses to public comments under the Texas Open Meetings Act.
- C. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, animal shelter, and other proposed public facilities.
- D. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective cement plant (US Cement), retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.

Executive Session adjourned at 10:00 p.m.

#### 11. Open Session Action on any Executive Session

Mayor reconvened open session at 10:01 p.m. No action was taken as a result of executive session.

#### 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 10:02 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Special Work Session on Thursday, July 7, 2016, at 1:00pm at the DRT Community Room, 113 N. Church Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Fire Chief Lyle Daniel and Asst Chief Dink Nichols. Judge Neal came in after meeting had begun.

### 1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM

Mayor Groves called the meeting to order at 1:05 p.m. Roll was then called for Council and a quorum was certified.

#### 1 Presentations from Staff: Lisa Remini presented

Base Budget Summary (see Appendix A)

Debt Service Requirements (see Appendix I)

5 Year Capital Expenditure Plan (see Appendix B)

#### 2 Discuss: City Manager Kim Lenoir and Finance Director Lisa Remini

Proposed Tax Rates - Property and Cemetery (see Appendix R, X)

Proposed Utility Rate Increases (see Appendix G & H) Council would like staff to check into free dump passes, community clean-ups, and/or general community courtesy dumpsters. Discussed rate increases for landfill, trash rates, water rates, sewer rates and electric rates.

Proposed Expenditure Reductions- Airport (see Budget #2)

Fund Balance - Adequacy

#### 3 Review FY 17 Budgets:

Budget Requests from other Agencies

Danny Neal discussed need and shared information and plans for a new county Library and Jail.

### ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 6:15p.m.

  
Mayor Anthony Groves

Attest:

  
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session and Special Meeting Executive Session on Wednesday, July 13, 2016, at 9:00 a.m. at the Brady Housing Authority located at 405 E. Main Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Police Captain Lupe Carrizales, Fire Chief Lyle Daniel and Asst. Fire Chief Dink Nichols.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 9:06 a.m. Roll was then called for Council and a quorum was certified.

**7. INDIVIDUAL CONCERNS**

**A. Discuss:**

Proposed Tax Rates – Property and Cemetery  
Proposed Utility Rate Increases (see Appendix G & H)  
Proposed Expenditure Reductions – Airport (see budget #2)  
Fund Balance – Adequacy

**B. Review FY 17 Budgets:**

Budget Requests from other Agencies  
Base Budget Requests from Utility Funds  
Base Budget Requests from General Fund  
Supplemental Requests from Utility Funds  
Supplemental Requests from General Fund

**EXECUTIVE SESSION**

Council closed work session at 3:52 p.m. and opened open special session at 3:53pm. Council went into Executive Session at 3:56pm.

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties located in the southern and western sections of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements.

Executive Session adjourned at 4:08 p.m.

**Open Session Action on any Executive Session**

Mayor reconvened open session at 4:09 p.m. No action was taken as a result of executive session.

**ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 4:09 p.m.

  
Mayor Anthony Groves

Attest: \_\_\_\_\_

Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Thursday, July 14, 2016, at 1:00pm at the Brady Housing Authority located at 405 E. Main Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Kathy Gloria, Jane Huffman and James Griffin. Council Member Perkins arrived after a quorum was certified. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Police Captain Lupe Carrizales, Fire Chief Lyle Daniel and Asst. Fire Chief Dink Nichols. Also in attendance were Frank Hyden and Stephanie Cantrell.

#### 1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM

Mayor Groves called the meeting to order at 1:03 p.m. Roll was then called for Council and a quorum was certified.

1. Discuss:

Proposed Tax Rates – Property and Cemetery (see Appendix R, X)

Proposed Utility Rate Increases (see Appendix G & H)

Fund Balance - Adequacy

2. Review FY 17 Budgets:

Budget Requests from other Agencies

Base Budget Requests from Utility Funds

Base Budget Requests from General Fund

Supplemental Requests from Utility Funds

Supplemental Requests from General Fund

3. Review and Discuss:

Fee Schedule (see Appendix K)

Selected Policy Review (see Appendix F)

#### Adjournment

There being no further business, the Mayor adjourned the meeting at 3:50 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Monday, July 18, 2016, at 1:00pm at the Brady Housing Authority located at 405 E. Main Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Shelly Perkins, Marilyn Gendusa, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, Police Captain Lupe Carrizales, Fire Chief Lyle Daniel and Asst. Fire Chief Dink Nichols.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 1:07 p.m. Roll was then called for Council and a quorum was certified.

**1. Review FY 17 Budgets:**

Budget Requests from other Agencies

Base Budget Requests from Utility Funds

Base Budget Requests from General Fund

Supplemental Requests from Utility Funds

Supplemental Requests from General Fund

**2. Review and Discuss:**

Fee Schedule (see Appendix K)

Selected Policy Review (see Appendix F)

**3. Discuss and plan future work session dates and topics - Members agreed that they had completed budget work sessions and did not need the Tuesday, July 19 meeting that was posted, if needed.**

**Staff is to consider scheduling additional work sessions on other topics before or after Tuesday Council Meetings, if Council agenda is light.**

**4. Announcements**

**5. Adjournment**

There being no further business, the Mayor adjourned the meeting at 6:00 p.m.

  
Mayor Anthony Groves

Attest: 

Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, July 19, 2016, at 6:00pm at the City of Brady Service Center located at 1405 N. Bridge Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, and Police Captain Lupe Carrizales. Others in attendance were Jeanette and Carl Tacker, Ed Hernandez, Lynn Farris, Annita Ellison, Mr. and Mrs. Leifeste, Joe and Dee Evridges, Barry Deans, Sondra Turner, and Fred Johnson

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. APPROVAL OF AUDIT BOARD**

Council Member Gloria moved to approve the audit board. Motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

**4. APPROVAL OF MINUTES for July 5, 2016**

Council Member Gendusa moved to approve the minutes. Motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

**5. PUBLIC COMMENTS**

There were no public comments.

**6. PRESENTATIONS AND PUBLIC HEARINGS**

Public Hearings for Zoning Ordinance P&Z Recommended Changes:

- A. Public Hearing to receive comments for or against an amendment to the City of Brady Zoning Ordinance 933 for an Infill Development Ordinance. Mayor opened the public hearing at 6:05 p.m. Peter Lamont presented to Council and announced that Planning and Zoning had voted to approve. There were no comments from council or audience. Closed public hearing on Infill Development Ordinance at 6:07 p.m.
- B. Public Hearing to receive comments for or against an amendment to the City of Brady Code of Ordinances, Article 3.200, Dangerous Premises. Mayor opened public hearing at 6:07 p.m. Peter Lamont presented to Council and announced that Planning & Zoning had voted to recommend. Several council members and some citizens had questions and comments. Closed public hearing on Dangerous Premises at 6:40 p.m.
- C. Public Hearing to receive comments for or against an amendment to the City of Brady Zoning Ordinance 933 for a Cargo/Shipping Container Ordinance. Mayor opened public hearing at 6:40 p.m. Peter Lamont presented to Council. Comments were made by Council and public. Closed public hearing on Cargo/Shipping Container Ordinance at 7:03 p.m.
- D. Public Hearing to receive comments for or against a zoning change from Office (O) District to Commercial (C) District for property located 600 & 606 South Bridge Street, Block 133, Lots 4 & 5 of the Luhr Addition, as requested by Jay May. Mayor opened public hearing at 7:03pm. Peter Lamont presented to Council. Council



Member Perkins questioned the June 29 map and July 11 map and commented that the drawings are not consistent. Lamont clarified that the July 11 map is correct. Closed public hearing on zoning changes at 7:09 p.m.

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration, and possible action regarding first reading of Ordinance 1199 of the City of Brady, Texas, amendment to the City of Brady Zoning Ordinance 933 for an Overlay District for Infill Development Ordinance, as recommended by P&Z Commission on July 12, 2016. Peter Lamont presented to Council. Council Member Gendusa moved to approve first reading of Ordinance 1199. The motion was seconded by Council Member Griffin. All council members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- B. Discussion, consideration and possible action regarding first reading of Ordinance 1200 of the City of Brady, Texas, amendment to the City of Brady Code of Ordinances, Article 3.200, Dangerous Premises on substandard buildings, as recommended by P&Z Commission on July 12, 2016. Peter Lamont presented to Council. Council Member Perkins is concerned that we have no written procedures. Council Member Griffin thinks it needs to be made clear that structures are to be completely uninhabitable for health and safety. Need to change lack of hot water to lack of running water. Mayor Groves affirmed that if a City Official sees something that is unsafe or dangerous, this gives him the authority to do something. Council Member Gloria agrees we have a sense of responsibility to keep our citizens safe, but we need to have something in place to help these people. City Manager Lenoir explained that the City does refer people, on a regular basis, to organizations who can help. Council Member Perkins moved to approve first reading of Ordinance 1200 as amended. There was no second. The motion failed. No action taken.
- C. Discussion, consideration and possible action regarding first reading of Ordinance 1201 of the City of Brady, Texas, amendment to the City of Brady Zoning Ordinance 933 for a Cargo/Shipping Container Ordinance, as recommended by Planning and Zoning Commission on July 18, 2016. Peter Lamont presented to Council. There was no motion. No action taken.
- D. Discussion consideration and possible action regarding first reading of Ordinance 1202 of the City of Brady, Texas, for a zoning change from Office (O) District to Commercial (C) District for property located 600 & 606 South Bridge Street, Block 133, Lots 4 & 5 of the Luhr Addition, as requested by Jay May and as recommended by Planning and Zoning Commission on July 18, 2016. Peter Lamont presented to Council. Council Member Griffin moved to approve first reading of Ordinance 1202. The motion was seconded by Council Member Gendusa. All council members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- E. Discussion consideration and possible action regarding second and final reading of Ordinance 1198 of the City of Brady, Texas, establishing a Curfew for Minors (under 17 years of age, 11:00pm until 6:00am Sunday to Thursday and 12:01am to 6:00am on any Saturday or Sunday). Council Member Gendusa moved to approve second and final reading of Ordinance 1198. The motion was seconded by Council Member Gloria. Four council members voted "aye" and one "nay" with Council Member Huffman opposing. Motion carried in a 4-1 vote.
- F. Discussion, consideration and possible action to fill alternate positions on the Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Planning & Zoning Commission (P&Z) and to fill vacancies on the Airport Advisory Board. There were no new applications for review. No action taken.
- G. Discussion regarding North Bridge Street, Crothers, White Street, and Downtown 30% Design Plans by TXDOT. TXDOT US377N 30% Plans can be viewed on the City's website. Additional information is available

at [http://apps.dot.state.tx.us/appscg/project\\_tracker/](http://apps.dot.state.tx.us/appscg/project_tracker/), look for *Project ID 012804035* on the gradient table and click to view project details. Kim Lenoir presented. Members and visitors present discussed comments they had received concerning downtown and Crothers/White Street intersection plans. Captain Carrizales reported that 8 accidents had been reported in the past two years at White Street and North Bridge Street. Staff will share the concerns with TXDOT. Discussion Only.

- H. Discussion regarding State of Texas Local Government Code Section 504.051(c) concerning appointment, dismissal of EDC Board Members, as requested by Council Member Gendusa. Marilyn Gendusa went over procedures she found regarding removal of BEDC board members. Discussion Only.
- I. Discussion regarding City Council meeting procedures and process. Mayor asked for an opinion of how the meeting went. Most thought it went well. One suggestion was made that the City Council may want to get a motion and second on an item before a great amount of time is spent discussing changes to the item with the City Council. Discussion Only.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for June 2016
- B. Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Code Enforcement, Tourism Funding, Airport
- C. Monthly Reports for Projects - Civic Center, Davee/Dodge Heights Replat & Leases
- D. EPA – Quarterly Report – Drinking Water Project
- E. July 20 – Good News Luncheon – 11:30 a.m., HOT Event Center
- F. Upcoming Special Events:
  - Thursdays, 4 p.m. to 6 p.m. – Farmers Market – Downtown Square
  - July 21- Movies in the Park - Finding Nemo at the Swimming Pool
  - July 30 – Couple’s Golf Tourney
  - August 4 - Movies in the Park - Cars at Brady Lake
  - August 7 – Ladies Golf Tourney
  - August 18 - Movies in the Park - Jaws at Brady Lake
  - August 20 – Day/Night Golf Tourney
- G. August 2 – Proposed FY2017 Budget Presentation - City Council Meeting
- H. August 9 – P&Z Sign Ordinance Work Session
- I. August 16 – Public Hearing for proposed Tax Rate – Regular City Council Meeting; possible 4pm work session
- J. August 23 – Public Hearing for proposed Tax Rate – Special City Council Meeting; possible 4pm work session

## 9. ANNOUNCEMENTS

There were no announcements

## 10. EXECUTIVE SESSION

Council closed open session at 8:56 p.m. and took a break before going into Executive Session.

Council reconvened into Executive Session at 9:12 p.m.

- A. Pursuant to Section 551.071 (Consultation with Attorney). The City Council will seek and receive advice from the City Attorney on the following matters: To seek legal advice about (1) pending or contemplated litigation; or (2) a settlement offer; or (3) on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to wit: legal issues related to responses to public comments under the Texas Open Meetings Act.

- B. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, animal shelter, and other proposed public facilities.
- C. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective cement plant (US Cement), retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.

Executive Session adjourned and council went back into open session at 10:13 p.m.

#### 11. Open Session Action on any Executive Session

- A. Discuss, consider and possible action regarding offering a financial incentive in the form of an ad valorem tax abatement for a Burger King franchise to locate within the City.

Council Member Gloria moved to direct staff to enter into formal negotiations with Burger King. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay. Motion carried in a 5 - 0 vote.

#### 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 10:14 pm.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, August 2, 2016, at 6:00pm at the City of Brady Service Center located at 1405 N. Bridge Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria and James Griffin. Council Member Jane Huffman was absent. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Code Compliance officer Ronnie Roberts and Kim Davee. Others in attendance were John Boone, Annita Ellison, Lynn Farris, James Stewart and Barry Deans.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:01 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. APPROVAL OF AUDIT BOARD**

Council Member Gendusa moved to approve the audit board. Motion was seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.

#### **4. APPROVAL OF MINUTES for July 19, 2016; July 7, 13, 14, 18, 2016**

July 19<sup>th</sup> minutes, Council Member Perkins requested that Fred Johnson be added to attendance sheet. Council Member Gendusa moved to approve minutes of July 19, 2016 as amended. Seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.

July 7, 13, 14 and 18, 2016 minutes, Council Member Gendusa moved to approve. Seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.

#### **5. PUBLIC COMMENTS**

John Boone – regarding holding training facility at GRW.

#### **6. PRESENTATIONS AND PUBLIC HEARINGS**

A. Presentation of Proposed Fiscal Year 2016-2017 Budget. Kim Lenoir presented to Council.

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **second and final reading of Ordinance 1199** of the City of Brady, Texas, amendment to the City of Brady Zoning Ordinance 933 for an Overlay District for Infill Development Ordinance, as recommended by Planning and Zoning Commission on July 12, 2016. Peter Lamont presented. Council Member Griffin moved to approve the second and final reading of Ordinance 1199. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.
- B. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1202** of the City of Brady, Texas, for a zoning change from Office (O) District to Commercial (C) District for property located 600 & 606 South Bridge Street, Block 133, Lots 4 & 5 of the Luhr Addition, as requested by Jay May and as recommended by Planning and Zoning Commission on July 18, 2016. Peter Lamont presented to Council. Council Member Gendusa moved to approve the second and final reading of Ordinance 1202. The motion was seconded by Council Member Perkins. All Council Members voted "aye" and none "nay".

Motion carried in a 4-0 vote.

- C. Discussion consideration and possible action regarding **Resolution 2016-035** authorizing the Mayor to sign a contract to purchase the property, known as South Ward Cafeteria located at 607 W 11<sup>th</sup> Street from the Brady Independent School District, for a future Senior Citizen / Activity Center (\$100,000). Kim Lenoir presented. McCulloch County will fund \$50,000 to assist in the purchase. Documents will be amended to "South Ward vs Southward". Council Member Gloria moved to approve **Resolution 2016-035** as amended. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.
- D. Discussion consideration and possible action regarding **Resolution 2016-036** authorizing the Mayor to sign a contract for professional services with EIKON Consulting Group LLC of Architects and Engineers to develop construction plans and budget for the remodel of the South Ward Cafeteria for a future Senior Citizen / Activity Center (not to exceed \$20,700). Kim Lenoir presented. Council Member Gendusa moved to approve **Resolution 2016-036** as amended. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.
- E. Discussion, consideration, and possible action regarding **Resolution 2016-034** authorizing application and acceptance of a \$13,996 100% grant from Concho Valley Council of Governments (CVCOG) for a Criminal Justice Grant to fund Infrared Thermal Monocular Cameras for police use. Kim Lenoir presented. Chief Thomas answered questions. Council Member Gloria moved to approve **Resolution 2016-034**. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 4-0 vote.
- F. Discuss possible changes to the proposed Cargo/Shipping Container Ordinance for the regulation and permitting of shipping containers in residential areas. Peter Lamont reviewed with Council. Lamont would like some guidance from the Council. Council discussed allowing the containers in all districts if painted and also discussed the need for them to be placed in backyards. James Stewart said they belong on a ship or at a ranch, not in the City, and should not be allowed at all. People will abuse the options if allowed. Council Member Perkins doesn't like them in the city limits, she thinks they are eyesores. Discussion item only.
- G. Discuss possible changes to the proposed Dangerous / Substandard Building Ordinance, authorizing the Zoning Board of Adjustment to authorize removal of dangerous structures. Peter Lamont asked for direction from Council. Mayor brought up that there is a 7 page chapter in our ordinance that deals with dangerous dwellings and thinks council should get a copy and look at it to get an understanding of what changes are being requested. Council requested a workshop with code as well as possibly with Planning & Zoning.
- H. Discuss proposed new sign ordinance, banning additional billboards, and regulating business signage. Peter Lamont discussed with Council and asked the Council to not focus on the draft sign documents just now. Mayor Groves instructed Council to think about if we are going to grandfather existing signs. Council Member Gloria commented about the need to think if the particular sign beautifies the town. Mayor Groves asked Lamont to take pictures at night and bring back to Council. Council Member Perkins would like more input and more information. In her opinion, she thinks we should restrict a lot and suggested another workshop. Council Member Gloria thinks we need to study it and come up with an ordinance to help control the issue. Council Member Griffin stated we need to be careful and doesn't like over regulation. Maybe focus on main highways. Council Member Gendusa doesn't think we should grandfather everything, they should be limited because they are getting out of hand. Council Member Gendusa doesn't have a problem with signs on buildings, but has a problem with the big pole signs. Mayor Groves said we also need to look at visibility restrictions. Council Member Perkins would also like to see banners going across Bridge Street for

City functions. Council Member Griffin doesn't have a problem with them since they are temporary. P&Z will address on Tuesday at 5:30pm. City Council Members are invited to attend, but no joint meeting will be held at this time.

- I. Discussion, consideration and possible action to fill alternate positions on the Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Planning & Zoning Commission (P&Z) and to fill vacancies on the Airport Advisory Board. There were no new applications.
- J. Discussion regarding City Council meeting procedures and process. There were no comments.

## **8. STAFF REPORTS**

- A. Upcoming Special Events:
  - Thursdays, 4 p.m. to 6 p.m. – Farmers Market – Downtown Square
  - August 4 - Movies in the Park - Cars at Brady Lake
  - August 7 – Ladies Golf Tourney
  - August 18 – Last Summer Movies in the Park - Jaws at Brady Lake
  - August 20 – Day/Night Golf Tourney
  - Sept 1 – Annual Employee Picnic – Richards Park
  - Sept 2-3 – Annual World Championship BBQ Goat Cook-off – Richards Park
- B. August 4 – City Council day trip to City of McGregor, reviewing Vision 2030 Plan
- C. August 9, 5:30 p.m. – P&Z Sign Ordinance Work Session
- D. August 12 – TML Small Cities Problem Solving Meeting at City of Andrews
- E. August 16, 6 p.m. – Public Hearing for proposed Tax Rate – Regular City Council Meeting - Cancelled
- F. August 21st - Swimming Pool closes for the Summer
- G. August 23, 6 p.m. – Public Hearing for proposed Tax Rate – Special City Council Meeting
- H. Possible 4 p.m. Work Sessions – August 16 and/or 23 for Civic Center Fees and Charter Review
- I. September 5 – Labor Day Holiday – City Offices Closed – Holiday Trash Schedule

## **9. ANNOUNCEMENTS**

Council Member Griffin commented on new Municipal Court Building and Council Member Gloria commented on new Civic Center.

## **10. EXECUTIVE SESSION**

Council closed open session at 8:15 p.m. and took a break before going into Executive Session.

Council reconvened into Executive Session at 8:31 p.m.

- A. Pursuant to Section 551.071 (Consultation with Attorney). The City Council will seek and receive advice from the City Attorney on the following matters: To seek legal advice about (1) pending or contemplated litigation; or (2) a settlement offer; or (3) on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to wit: legal issues raised by utility easements and the City Charter.
- B. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties located in the southern and western sections of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements.
- C. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial

or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective cement plant (US Cement), retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.

Executive Session adjourned at 9:07 p.m.

**11. Open Session Action on any Executive Session**

Mayor reconvened open session at 9:08 p.m. No action was taken as a result of executive session.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 9:09 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Tuesday, August 16, 2016, at 4:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Attorney Shannon Kackley and City Secretary Tina Keys.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 4:02 p.m. Roll was then called for Council and a quorum was certified.

**2. Discuss any Civic Center Fees**

Staff and Council reviewed Civic Center rules and fees. Staff will come up with a draft for Council's review.

Council took a brief recess at 5:20pm and reconvened at 5:45pm, to further discuss Civic Center rules.

Due to time constraints, Council recessed at 5:59pm to go into Regular Session.

At 7:15pm, City Council reconvened the Work Session.

**3. Discuss financing of Capital Equipment Purchases for FY17**

Staff discussed an option to finance some capital equipment purchases in FY17 so the City Hall roof could be replaced in FY17, with the current proposed budget. Staff will review year end budget FY16 to determine if this should be considered by City Council at a future meeting.

**4. Discuss any City Charter Items**

Staff said this item could wait, so it was not discussed.

**5. ADJOURNMENT**

The Mayor adjourned the meeting at 7:45 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary



STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Session Meeting on Tuesday, August 16, 2016, at 6:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Code Compliance officer Ronnie Roberts and Kim Davee. Others in attendance were Lynn Farris, James Stewart and Eddie Mireles.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:01 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. APPROVAL OF AUDIT BOARD**

Council Member Gendusa moved to approve the audit board. Motion was seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

#### **4. APPROVAL OF MINUTES for August 2, 2016**

Page 2 of the August 2<sup>nd</sup> minutes, regarding Council Member Perkins' commented Item H. regarding banners wants to correct that she was not against banners. Council Member Perkins moved to approve minutes of August 2, 2016 as amended. Seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

#### **5. PUBLIC COMMENTS**

There were no public comments. At the end of the meeting, Eddie Mireles asked about ordinances against storage containers and other ordinances, and offered to help the City with clean-ups.

#### **6. PRESENTATIONS AND PUBLIC HEARINGS**

There were no presentations or public hearings

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **Resolution 2016-037** to adopt a City Vehicle Take-Home Policy in accordance with IRS fringe benefit tax laws. Kim Lenoir presented to Council. Mayor Groves clarified this means no pickups. Council Member Gloria asked how it has been going. Steve Miller said it's going OK. Council Member Gendusa moved to approve Resolution 2016-037. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- B. Discussion, consideration and possible action regarding **Resolution 2016-038** to revise the Fund Balance / Working Capital Administrative Policy, adopted initially in 2013. Kim Lenoir presented. Council Member Griffin moved to approve Resolution 2016-038. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- C. Discussion consideration and possible action regarding **Resolution 2016-039** to revise the Budget Administrative Policy, for additional clarification that was adopted initially in 2015. Kim Lenoir presented to Council. Council Member Gendusa moved to approve Resolution 2016-039. The motion was seconded by

Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

- D. Discussion, consideration and possible action to fill alternate positions on the Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Planning & Zoning Commission (P&Z) and to fill vacancies on the Airport Advisory Board. There was one new application from Richard Lenoir for Airport Advisory Board. All council members voted in favor of adding Lenoir to Airport Board.
- E. Discussion of City of McGregor Vision 2030 field trip. Council Member Griffin presented. No action required.
- F. Discussion regarding City Council meeting procedures and process. Suggestions to room lay-out were made.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for July 2016
- B. Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Code Enforcement, Tourism Funding, Airport
- C. Monthly Reports for Projects - Civic Center, Davee/Dodge Heights Replat & Leases
- D. Upcoming Special Events:
  - Thursdays, 4 p.m. to 6 p.m. – Farmers Market – Downtown Square
  - August 18 – Last Summer Movies in the Park - Jaws at Brady Lake
  - August 20 – Day/Night Golf Tourney
  - August 20, 11:00am to 1pm – Public Safety Appreciation Lunch – Richards Park Pavilion
  - August 20 – County Roping Event – GRW
  - August 26 & 27 – Annual 4H Rodeo at GRW
  - Sept 1 – Annual Employee Picnic – Richards Park
  - Sept 2-3 – Annual World Championship BBQ Goat Cook-off – Richards Park
- E. August 21 - Swimming Pool closes for the Summer
- F. August 23, 6 p.m. – 1<sup>st</sup> Public Hearing for proposed Tax Rate – Special City Council Meeting
- G. September 6, 6 p.m. – 2<sup>nd</sup> Public Hearing for proposed Tax Rate – City Council Meeting
- H. Possible 4 p.m. Work Sessions – August 23 for Charter Review
- I. September 5 – Labor Day Holiday – City Offices Closed – Holiday Trash Schedule

## 9. ANNOUNCEMENTS

There were no announcements.

## 10. EXECUTIVE SESSION

There was no Executive Session.

## 12. ADJOURNMENT

Mayor closed regular session at 7:14 p.m. There being no further business, the Mayor adjourned the regular meeting at 7:15 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Tuesday, August 23, 2016, at 4:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, James Griffin, and Jane Huffman. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Director of Public Works Steven Miller, Director of Community Services Peter Lamont and City Secretary Tina Keys. Dorsey Bustamante, City Purchasing Agent and JoAnne Coffey, Charter Review Commissioner were also in attendance.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 4:00 p.m. Roll was then called for Council and a quorum was certified.

**2. DISCUSS ANY CIVIC CENTER FEES AND POLICIES**

Staff and Council reviewed Civic Center rules, fees and policies.

**3. DISCUSS ANY CHARTER ITEMS**

Kim Lenoir and Council went over possible discussion items for the Charter Review Commission to consider.

**4. STAFF REPORTS ON ANY AGENDA ITEMS ON SPECIAL MEETING AGENDA 8/23/2016**

Lisa Remini and staff went over suggested changes to Purchasing Policy.

**5. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 5:57 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Special Meeting on Tuesday, August 23, 2016, at 6:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, City Secretary Tina Keys, Director of Public Works Steven Miller, Director of Community Services Peter Lamont, Director of Finance Lisa Remini, and Purchasing Agent Dorsey Bustamante. Others in attendance were Ed Hernandez, reporter for San Angelo Live & Annita Ellison.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:01 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. APPROVAL OF MINUTES for August 16, 2016 Regular and Work Sessions**

Approval of minutes were deferred until next meeting.

#### **4. PUBLIC COMMENTS**

There were no public comments

#### **5. PUBLIC HEARING**

First Public Hearing for the proposed 2016 property tax rate for the Fiscal Year 2016-2017 Budget year. Public Hearing opened at 6:03pm, Lisa Remini presented to Council. No public comments. Public Hearing was closed at 6:06pm.

#### **6. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **Resolution 2016-040** to adopt a Purchasing Policy Amendment. Lisa Remini presented to Council and requested to include Exhibit No. 14 a conflicts of interest paragraph. The proposed exhibit was given out to Council. Council Member Perkins moved to approve as amended. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion to approve carried in a 5-0 vote.
- B. Discussion, consideration, and possible action regarding **Resolution 2016-041** to amend the Citizen Advisory Board Handbook, updating the eligibility of members for the Airport Advisory Board. Peter Lamont presented. Council discussed various boards and requirements. Council Member Griffin moved to approve. The motion was seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion to approve carried in a 5-0 vote.
- C. Discussion, consideration and possible action regarding **Resolution 2016-043** to adopt Code Enforcement Standard Operating Procedures. Peter Lamont presented. Council Member Gendusa moved to approve as amended. The motion was seconded by Mayor Pro Tem Gloria. All Council Members voted "aye" and none "nay". Motion to approve carried in a 5-0 vote.
- D. Discussion, consideration and possible action to fill alternate positions on the Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Planning & Zoning Commission (P&Z) and to fill vacancies on the Airport Advisory Board. There were no new applications. No action was taken.

E. Discussion regarding City Council meeting procedures and process was skipped.

## 7. STAFF REPORTS

No Staff Reports were announced.

## 8. ANNOUNCEMENTS

It was the community "Meet the Bulldogs Night" at Bulldog Stadium beginning at 7pm.

## 9. EXECUTIVE SESSION

No Executive Session, was held.

## 10. Open Session Action on any Executive Session

No Executive Session, was held.

## 11. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 6:37 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Special Session on Tuesday, August 30, 2016, at 4:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, James Griffin, and Jane Huffman. City staff present were City Manager Kim Lenoir, Director of Community Services Peter Lamont and City Secretary Tina Keys.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 4:00 p.m. Roll was then called for Council and a quorum was certified.

**2. INDIVIDUAL CONCERNS**

- A. Discussion, consideration and possible action regarding revising Resolution 2016-027.1 to include closing N. Blackburn between E. Lockhart and E. Main for the 43<sup>rd</sup> Annual World Championship Goat Cook-off Street Dance. Council Member Perkins moved to approve Resolution 2016-027.01. The motion was seconded by Council Member Huffman. All council Members voted "aye" and none "nay". Motion to approve carries in a 4-0 vote.

**3. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 4:02 p.m.



Mayor Anthony Groves

Attest:

  
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Tuesday, September 06, 2016, at 4:00pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Kathy Gloria, Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, City Secretary Tina Keys, and Director of Community Services Peter Lamont. Others in attendance were Charlie Kearns, Jim Wilson, Trevor Dickschat, Bass Myers and Kamry Keese.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 4:00 p.m. Roll was then called for Council and a quorum was certified.

**2. DISCUSS A PRELIMINARY SENIOR ACTIVITY CENTER LAY-OUT WITH ARCHITECTS**

Charlie Kearns and Jim Wilson presented to Council the proposed lay-out of the Old South Ward Cafeteria that the City now owns and plans to renovate for a senior Activity Center. Staff explained uses would include the senior program, possible after school and weekend 4-H programs, and possible evening / weekend work-study training. General public rentals would not be designated for this facility since the civic center and other community facilities exist. Next step is to gather cost estimates from local contractors and to determine status of kitchen equipment.

**3. DISCUSS A POSSIBLE DEER MANAGEMENT PROGRAM FOR BRADY LAKE**

Trevor Dickschat, Natural Resource and Ag Agent for McCulloch County, presented a proposal from Jason Skinner to trap and sale axis deer from the Southshore Park site, city property at Brady Lake. He also updated City Council on deer counts and youth hunts for the upcoming season. Bass Myers and Kamry Keese with the 4-H program were introduced and talked about a request to city council for authorizing a fundraiser deer hunt raffle to assist them in attending a National competition in Colorado in January.

**4. STAFF REPORTS AND CITY COUNCIL MEMBER QUESTIONS ON ANY AGENDA ITEMS ON 9/6/16 REGULAR CITY COUNCIL MEETING AGENDA**

There were no comments.

**5. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 5:27 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, September 6, 2016, at 6:00pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, Fire Chief Lyle Daniel and Asst Fire Chief Dink Nichols. Others in attendance were Sondra Turner and James Stewart.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. APPROVAL OF AUDIT BOARD**

Council Member Gloria moved to approve the audit board. Motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

**4. APPROVAL OF MINUTES for August 16, 23 & 30 Regular, Special and Work Sessions, 2016**

Council Member Gendusa moved to approve the minutes. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

**5. PUBLIC COMMENTS**

There were no public comments

**6. PRESENTATIONS AND PUBLIC HEARINGS**

- A. Second Public Hearing was opened at 6:04pm for the proposed 2016 property tax rate for the Fiscal Year 2016-2017 Budget Year. Lisa Remini presented to Council. There were no public comments. Public hearing was closed at 6:05pm
- B. Public Hearing was opened at 6:06pm for the proposed Fiscal Year 2016-2017 Budget. Lisa Remini presented to Council. There were no public comments. Closed at 6:07pm.

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **first reading of Ordinance 1204** of the City of Brady, Texas, to adopt FY2017 Budget. Lisa Remini presented. Council Member Perkins moved to approve the first reading of Ordinance 1204. The motion was seconded by Council Member Gendusa. Motion carries 5-0 with a roll call vote: Perkins – For / Griffin – For / Gloria – For / Gendusa – For / Huffman – For.
- B. Discussion, consideration and possible action regarding **first reading of Ordinance 1205** of the City of Brady, Texas, to adopt 2016 property tax rate. Lisa Remini presented to Council. Council Member Gendusa moved to approve the first reading of Ordinance 1205. Motion seconded by Council Member Perkins. Motion carries 5-0 with a roll call vote: Perkins – For / Griffin – For / Gloria – For / Gendusa – For / Huffman – For.
- C. Discussion consideration and possible action regarding **first reading of Ordinance 1206** of the City of Brady, Texas to adopt October 1, 2017 Schedule of Fees and Charges. Kim Lenoir presented. Chief Daniel further explained the process about the ambulance fees. Council Member Gendusa moved to approve the first reading of Ordinance 1206. The motion was seconded by Council Member Griffin. All Council Members



voted “aye” and none “nay”. Motion carried in a 5-0 vote.

- D. Discussion consideration and possible action regarding **Resolution 2016-045** to enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lanes of State Ranch Road 714, and two-lanes of US Highway 190/and Highway 377 around the Courthouse Square from 6:00 p.m. to 7:00 p.m. on Saturday, December 3, 2016 for the first *Christmas in the Heart Lighted Parade* along with the temporary closure of E. Commerce Street from S. Pecan to S. Blackburn from 5:00 p.m. to 7:00 p.m. for the staging of the parade. Peter Lamont presented. Council Member Griffin moved to approve **Resolution 2016-045**. The motion was seconded by Council Member Gendusa. All Council Members voted “aye” and none “nay”. Motion carried in a 5-0 vote.
- E. Discussion, consideration, and possible action regarding **Resolution 2016-046** approving the Facility Use Permit Agreement between the City of Brady and the McCulloch County Junior Livestock Association for specified facilities at the G. Rollie White Complex. Council Member Huffman moved to approve **Resolution 2016-046**. The motion was seconded by Council Member Gloria. All Council Members voted “aye” and none “nay”. Motion carried in a 5-0 vote.
- F. Discussion, consideration and possible action regarding **Resolution 2016-047** adopting the City’s Investment Policy and appoint a Council Member to the FY17 Investment Committee. Lisa Remini presented. Kathy Gloria is currently serving. Council Member Gloria volunteered to serve again. Council Member Griffin moved to approve **Resolution 2016-047** and appoint Council Member Gloria. The motion was seconded by Council Member Gendusa. All Council Members voted “aye” and none “nay”. Motion carried in a 5-0 vote.
- G. Discussion, consideration and possible action regarding City of Brady’s vote for 2016 Board of Trustee Election for the TML (Texas Municipal League) MultiState Intergovernmental Employee Benefits Pool, by Members of Region 6. All Council Members voted in favor of Stephen Haynes with a vote of 5 – 0.
- H. Discussion, consideration and possible action regarding **Resolution 2016-047** to award annual bid to Vulcan Construction Materials for Uvalde Street Base Material at \$67.74 per ton (\$91,500). Kim Lenoir presented to Council. Council Member Gendusa moved to approve **Resolution 2016-047**. The motion was seconded by Council Member Gloria. All Council Members voted “aye” and none “nay”. Motion carried in a 5-0 vote.
- I. Discussion, consideration and possible action to fill alternate positions on the Board of Adjustments / Zoning Board of Adjustments (BOA/ZBA), Planning & Zoning Commission (P&Z) and to fill vacancies on the Airport Advisory Board. Peter Lamont presented. Dale Scott submitted an application. Lamont recommend re-appointment of Rick Morgan, Kirk Roddie, and Carey Day as they are not City of Brady residents. The Mayor recommended as suggested. All Council Members voted “aye” and none “nay”, appointments in a 5 – 0 vote.
- J. Discussion regarding City Council meeting procedures and process received positive feedback from Council.

## 8. STAFF REPORTS

### A. Upcoming Special Events:

Sept 13 – 6pm Brady Bulldog Homecoming Parade Escort

Sept 17-18 – Tres Amigos Golf Tourney

October 1 to Dec 31 – One Free Residential Dump Pass for Utility Customers

October 8 & 9 – Hogtoberfest – GR White Complex

October 15 – City & County Tire Recycle Event – GR White Complex

- B. September 13 – P&Z Public Hearing Zoning Change at 406 Boston from SF-5 to Manufactured Home District & Cargo/Shipping Container Ordinance
- C. September 20, 4:30pm to 6:30pm, Service Center - 60% TXDOT Plan Review Public Meeting
- D. September 20 – Possible Work Session Drainage Study Presentation
- E. September 20 - Public Hearing City Council Zoning Change & Cargo/Shipping Container Ordinance
- F. September 27 – Possible Work Session and Town Hall Meeting - Council would like no more workshops until after October 15, 2016 and no Town Hall meeting until after January 1<sup>st</sup> of 2017.
- G. October 10 Comments Due to PUC about AEP Heartland Substation Transmission Line Route Map

#### 9. ANNOUNCEMENTS

Council Member Perkins discussed the Historians and Storytellers Project to be held on Sunday, September 19, 2016

#### 10. EXECUTIVE SESSION

There was no Executive Session

#### 11. Open Session Action on any Executive Session

#### 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 7:05 p.m.

  
Mayor Anthony Groves

Attest: \_\_\_\_\_

Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Tuesday, September 20, 2016, at 4:30pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Kathy Gloria, Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, City Secretary Tina Keys, and Director of Community Services Peter Lamont. Others in attendance were Chuck Brown, Louis Alday & Annita Ellison.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 4:33 p.m. Roll call for Council and a quorum was certified.

**2. REVIEW AND DISCUSS BRADY CREEK WATERSHED PROTECTION PLAN, RECENTLY APPROVED BY EPA – UPPER COLORADO RIVER AUTHORITY (UCRA) – CHUCK BROWN, DIRECTOR**

Chuck Brown presented to Council. UCRA would like to continue working with the City of Brady to obtain grants to continue projects to improve water quality of Brady Creek as it flows through the city limits.

**3. REVIEW AND DISCUSS CITY-WIDE STORM WATER DRAINAGE MASTER PLAN AND BRADY LAKE DAM INUNDATION STUDY BY LAN ENGINEERING**

Louis Alday presented. Copies of the written Storm Water Drainage Master Plan was presented to the staff. TCEQ still needs to review and approve the Brady Lake Dam Inundation Study.

**4. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 5:16 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, September 20, 2016, at 6:00pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, Director of Community Services Peter Lamont, City Secretary Tina Keys, Police Chief Steve Thomas, and ACO Kathryn Mitchell. Others in attendance were Jeffrey Sutton, Chris and Teresa Liefeste, Barry Deans, Joe Whitehead, Ray Garza, Chris Calley, Clinton Calley, Robbie Wittkowski, Darla Wittlowski, Sydnie Rankin, Trevor Dickshat, W.B. Smith, J. K. Sutton, Bill Spiller, Amy Greer, George Greer, Lynn Farris, James Stewart, Eddie Mireles, Billy Turner and Angie Turner.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. PUBLIC COMMENTS**

Ray Garza commented that nothing has been done on the baseball fields with the grant money. They are in bad shape. Wants to know when the City is going to do something about it.

Tonya Rankin wanted to know if a survey had been completed of the 1906 City Limit line.

#### **4. CONSENT AGENDA**

- A. Approval of Audit Board for September 20, 2016
- B. Approval of Minutes for September 6 Regular and Work Session Meetings
- C. Action regarding second reading of Ordinance 1204 of the City of Brady, Texas, to adopt FY2017 Budget
- D. Action regarding second reading of Ordinance 1205 of the City of Brady, Texas, to adopt 2016 property tax rate
- E. Action regarding second reading of Ordinance 1206 of the City of Brady, Texas, to adopt October 1, 2017 Schedule of Fees and Charges

Consent Agenda. Items C & D were removed due to requiring a roll-call vote. Council member Perkins requested removal of Item E. Council Member Gendusa moved to approve items A & B from the Consent Agenda. Motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

4 C. Second reading of Ordinance 1204 of the City of Brady, Texas to adopt FY2017 Budget – Council Member Gendusa moved to approve the second reading of Ordinance 1204. The motion was second by Council Member Griffin. Motion carries 5-0 with a roll call vote: Perkins – For / Griffin – For / Gloria – For / Gendusa – For / Huffman – For.

4 D. Second reading of Ordinance 1205 of the City of Brady, Texas to adopt 2016 property tax rate – Council Member Gendusa moved to approve the second reading of Ordinance 1205. The motion was seconded by Council Member Gloria. Motion carries 5 – 0 with a roll call vote: Perkins – For / Griffin – For / Gloria – For / Gendusa – For / Huffman – For.

4 E. Second reading of Ordinance 1206 of the City of Brady, Texas to adopt October 1, 2017 Schedule of Fees and Charges. Council Member Perkins would like to see something that shows the citizens where to go to pay the fees and would like staff to make information available to the citizens of Brady. Council Member Gendusa asked if the ambulance fee for the hospital had been removed. City Manager Lenoir said that will come forth in a future resolution. Council Member Gendusa moved to approve the second reading of Ordinance 1206. The motion was seconded by Council Member Griffin. All Council Members voted “aye” and none “nay”. Motion carried in a 5 – 0 vote.

**5. PRESENTATIONS – presented at 4:30pm during Work Session, no further presentation needed.**

- A. City-Wide Storm Water Drainage Master Plan and Dam Inundation Study by LAN Engineering
- B. Review Brady Creek Watershed Protection Plan, recently approved by EPA – Upper Colorado River Authority (UCRA) – Chuck Brown, Director

**6. PUBLIC HEARINGS:**

Mayor Groves opened the public hearings at 6:17 p.m.

- A. Public Hearing to receive comments for or against a zoning change request from Single-Family Residential to Manufactured Home District on property located at 406 Boston, Block 33 of the Martin Heights Subdivision, Lots 1-4 as requested by Shawna Fields, owner was opened at 6:17 p.m. Peter Lamont presented. P&Z held a public hearing on 9/13 and received no comments and they recommend approval. No comments from the public. Public hearing on zoning change was closed at 6:18pm.
- B. Opened Public Hearing at 6:19pm to receive comments for or against changes made to the proposed Cargo/Shipping Container Ordinance. Peter Lamont presented.
  - 1. Barry Deans stated he has copies of ordinance from Fredericksburg to hand out. He does not believe the number of units should be limited. It's simply another means of storage. Is ok with temporary permits. Restrictions are not fair.
  - 2. Ray Garza disagreed with Mr. Deans and stated he is totally against allowing these storage containers. “We need to try to keep Brady clean.”
  - 3. Chris Calley doesn't understand why we are having this meeting. He thought by not having an ordinance in place, containers were not allowed.
  - 4. Eddie Mireles has a sea container and is willing to paint it. He keeps his yard neat. As long as you're trying to keep it clean, he doesn't see what's wrong with the containers.
  - 5. James Stewart commented that P&Z already gave their recommendations. The containers are not suitable for a residential areas.
  - 6. Angie Turner agreed with James. She believes they have a good purpose. She actually has two of them. She believes people can keep them clean, but others may not keep them clean. She does not believe they belong in the City limits except on a temporary basis.

Public Hearing closed at 6:32pm.

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **first reading of Ordinance 1209** of the City of Brady, Texas to adopt a zoning change from Single-Family Residential to Manufactured Home District on property located at 406 Boston, Block 33 of the Martin Heights Subdivision, Lots 1-4 as requested by Shawna Fields, owner. Peter Lamont presented to Council. P & Z recommended Council approve. Council Member Griffin moved to approve the first reading of Ordinance 1209. The motion was seconded by Council Member Gendusa. All Council Members voted “aye” and none “nay”. Motion carried in a 5-0 vote.
- B. Discussion, consideration and possible action regarding **first reading of Ordinance 1201** of the City of Brady,

Texas amendment to the City of Brady Zoning Ordinance 933 for a Cargo/Shipping Container Ordinance, as recommended by Planning and Zoning Commission on September 13, 2016. Peter Lamont presented to Council. P&Z recommended to allow only in commercial and industrial zones, temporary only for residential areas. Council Member Gloria stated a majority of the citizens she spoke with were against containers in residential areas and would like to go with P&Z's recommendation. Council Member Huffman asked about what will happen to the individuals who currently have them. Lamont said they should have been permitted and none were, so they are already in place illegally. Council will have to decide what to do with them. Council Member Perkins spoke with several people (17) and all were against. Council Member Perkins feels obligated to follow their request. Council Member Huffman has a problem with Council ruling and regulating everything people are doing and disagrees with the way it is written. Council Member Griffin commented that P&Z makes recommendations and have already done so on this one. He would not want to go against their wishes a second time. Council Member Gendusa stated she has also had phone calls and is not willing to go back and review and accepts what P&Z recommends. Mayor Groves said most people he talked to do not want it in residential neighborhoods, but people are confused about what is being proposed. Bill Spiller asked about those who are zoned commercial but in a residential area. He is opposed. Mayor Groves responded that the ZBA would have to rule. Spiller would like it stated that if its zoned both, then we lean towards residential, but the ZBA can review. Council Member Gloria moved to approve the first reading of Ordinance 1201. There was no second. Motion fails.

- C. Discussion consideration and possible action regarding **first reading of Ordinance 1203** of the City of Brady, Texas, to adopt revisions to the Alcoholic Beverage Ordinance. Kim Lenoir presented. Council Member Gendusa moved to approve the first reading of Ordinance 1203. The motion was seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- D. Discussion consideration and possible action regarding **Resolution 2016-049** to authorize McCulloch County Agrilife 4H to host a one-time fundraising Axis Deer Hunt raffle for the north shore of Brady Lake as part of the overall Deer Management Program. Peter Lamont presented. Trevor Dickschat discussed with Council. Council Member Griffin moved to approve **Resolution 2016-049**. The motion was seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- E. Discussion, consideration, and possible action to make annual appointments of City Council Members to Concho Valley Council of Governments Board and to the Hotel Occupancy Tax Funding Committee. Kim Lenoir presented to Council. Council voted all in favor to appoint Shelly Perkins to Concho Valley Council of Governments Board. Council Member Gendusa would like to stay on the Hotel Occupancy Tax Funding Committee. All Council Members voted in favor.
- F. Discussion, consideration and possible action to appoint a temporary chairperson of the Charter Review Commission, to set up first meeting of the 2016-2020 Commission. Council Member Griffin recommends appointing Teresa Liefeste. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- G. Discussion of draft Annexation Plan. Kim Lenoir presented to Council.
- H. Discussion of draft Comprehensive Plan Annual Progress Report. Kim Lenoir presented to Council.

Discussion regarding City Council meeting procedures and process. There were no comments from the Council.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for August 2016

- B. Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Civic Center, Code, Court, Building Permits, Service Orders
- C. Upcoming Special Events:
  - October 1 to Dec 31 – One Free Residential Dump Pass for Utility Customers
  - October 8 & 9 – Hogtoberfest – GR White Complex
  - October 15 – Possible Brady Creek Trail Grand Opening
  - October 15 – 9am City & County Tire Recycle Event – GR White Complex

#### 9. ANNOUNCEMENTS

There were no announcements.

#### 10. EXECUTIVE SESSION

Open Session was closed at 8:10pm to go into Executive Session.

- A. Pursuant to Section 551.071 (Consultation with Attorney). The City Council will seek and receive advice from the City Attorney on the following matters: To seek legal advice about (1) pending or contemplated litigation; or (2) a settlement offer; or (3) on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.
- B. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, animal shelter, and other proposed public facilities.
- C. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive in the form of an ad valorem tax abatement or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective Burger King franchise.

#### 11. Open Session Action on any Executive Session

The City Council returned to open session at 8:36pm. Mayor Groves called for the vote for the City to decline the PAWS/City contract option to purchase the PAWS Animal Shelter, at this time. Vote was approved 4-1 with Mayor Pro Tem Gloria voting nay.

#### 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:37 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, October 4, 2016, at 6:00pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Kathy Gloria, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, City Attorney Shannon Kackley, City Secretary Tina Keys, Police Chief Steve Thomas, Building Official Ronnie Roberts and Kim Davee. Others in attendance were Barry Deans, Joe Whitehead, Annita Ellison, Michele Derrick, Tim Jones, Angie Turner, J. K. Sutton, Lynn Farris, James Stewart, and Eddie Mireles.

#### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

#### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

#### **3. PUBLIC COMMENTS**

No public comments were made.

#### **4. CONSENT AGENDA**

- A. Approval of Audit Board for October 4, 2016
- B. Approval of Minutes for September 20 Regular and Work Session Meetings
- C. Action to approve **Resolution 2016-053** to designate the *Brady Herald-Standard* as City's official newspaper as required by the City Charter Sec 13.02.
- D. Action to engage DarilekButler to audit the City's financial statements and issue a formal report of financial statements and findings of Fiscal Year 2016 as required by City Charter Sec 6.11.
- E. Action regarding **second and final reading of Ordinance 1209** of the City of Brady, Texas to adopt a zoning change from Single-Family Residential to Manufactured Home District on property located at 406 Boston, Block 33 of the Martin Heights Subdivision, Lots 1-4 as requested by Shawna Fields, owner.
- F. Action regarding **second and final reading of Ordinance 1203** the City of Brady, Texas, amending the City of Brady Code of Ordinances Chapter 4 titled Business Regulations by amending Article 4.300 titled Alcoholic Beverages.

Council Member Gendusa moved to approve the consent agenda. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

#### **5. PRESENTATIONS**

There were no presentations

#### **6. PUBLIC HEARINGS:**

There were no public hearings

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding direction to staff concerning the status of existing cargo shipping containers now located in city limits. Kim Lenoir presented to Council. Council would like to see existing residential cargo shipping containers be grandfathered in and be allowed to stay. Council Member Huffman moved to grandfather existing shipping containers now in the City. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.



- B. Discussion, consideration and possible action regarding **first reading of Ordinance 1201** of the City of Brady, Texas amendment to the City of Brady Zoning Ordinance 933 for a Cargo/Shipping Container Ordinance, as recommended by Planning and Zoning Commission on September 13, 2016.

Barry Deans commented he would like the temporary allowance to have the permit periods the same, either 90 days or 6 months. Eddie Mireles thanked the council for their consideration of allowing existing containers to stay. Council Member Huffman would like #6, the fence size, be removed. Mr. Deans agreed with the rights of citizens but if it's not a health and safety issue, it's nobody's business what they have in their yards.

Mayor Groves asked for a motion to amend recommended ordinance to read that both time frames be consistent at 6 months. Council Member Griffin moved. Seconded by Mayor Pro Tem Gloria. All Council Members voted "aye" and none "nay".

Mayor Groves asked for a motion to amend recommended ordinance to remove the fence requirements. Council Member Griffin moved. Seconded by Council Member Gendusa. Motion passed 4-1, with Kathy Gloria voting against.

Mayor Groves then called for a motion to approve the first reading of Ordinance 1201 as amended. Council Member Griffin moved. Seconded by Mayor Pro Tem Gloria. Motion carried in a 4-1 vote, with Council Member Huffman voting "nay".

- C. Discussion, consideration and possible action regarding **first reading of Ordinance 1210** of the City of Brady, Texas, to amend the FY 2017 Budget to reflect projects approved in FY 2016 to be completed in FY 2017, and to reflect recent grant awards for emergency management purchases. Lisa Remini presented to Council. Council Member Griffin moved to approve the first reading of Ordinance 1201. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- D. Discussion, consideration and possible action regarding **Resolution 2016-050** to authorize waiving of FY2017 annual permit and inspection fees for the McCulloch County Hospital District, Heart of Texas Hospital System's Transfer/Ambulance Service. Kim Lenoir presented to Council. Council Member Gendusa would like to change from one to two ambulances fee waivers, since hospital owns two ambulances, yet only permits one currently. Council Member Gendusa moved to amend the fee waiver to read two ambulances, not one. The motion was seconded by Council Member Huffman. All Council Members voted in favor of amending 5-0. Council Member Huffman moved to approve **Resolution 2016-050** as amended. Seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- E. Discussion consideration and possible action regarding **Resolution 2016-051** authorizing the Mayor to sign the Administrative Service Agreement for the International City/County Management Association (ICMA) Retirement Corporation 457 Employee Benefit Program. Kim Lenoir presented to Council. Council Member Gendusa moved to approve **Resolution 2016-051**. The motion was seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- F. Discussion, consideration and possible action regarding **Resolution 2016-052** establishing the Annexation Policy, Maps, and Calendar of Proceedings. Kim Lenoir presented. Mayor Pro Tem Gloria moved to approve **Resolution 2016-052**. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.
- G. Discussion regarding City Council meeting procedures and process. Council Member Perkins commented that documents have improved enormously. Minutes have been great. Community Services Department status updates are appreciated. Documents are very well done.

## 8. STAFF REPORTS

- A. Quarterly Reports for Public Works – WWTP Replacement Project; WWTP Emergency Repair; Radium Reduction Drinking Water Treatment Project
- B. Quarterly Reports for Community Services – Brady Lake Boating Access Grant; BEDC Brady Lake Fish House Construction/Marina Removal Project; Richards Park Improvements Grant; Willie Washington Playground Grant; Stanburn Park Improvements; Brady Creek Trail Grant; Hazard Mitigation Plan (in conjunction with the Texas Colorado River Floodplain Coalition); Brady Lake Dam Breach Inundation Mapping and Brady Drainage Master Plan Grant; Curtis Field Airport Master Plan; Davee-Dodge Heights Replatting and Lease Renewal Project
- C. Upcoming Special Events:
  - October 1 to Dec 31 – One Free Residential Dump Pass for Utility Customers
  - October 8 & 9 – Hogtoberfest and Carnival – GR White Complex
  - October 15 – 7:30am 5K Color Fun Run fundraiser at Brady Creek Trail starting in Richards Park
  - October 15 – 9am City & County Tire Recycle Event – GR White Complex
- D. October 10 – City Offices Closed (Employee Training Day)
- E. Oct 11 and 12 - Holiday Trash Service Schedule – Monday to Tuesday; Tuesday to Wednesday
- F. October 18 – Street Assessment Report by LNV Engineers from San Antonio
- G. Review CGI Communication Videos produced for the new city website

## 9. ANNOUNCEMENTS

Council Member Gendusa announced there will be a benefit for Josh Hudson at 2:00pm on Oct. 22<sup>nd</sup>.

## 10. EXECUTIVE SESSION

Open Session was closed at 7:08pm to go into Executive Session. Executive Session was opened at 7:24pm.

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, animal shelter, and other proposed public facilities.
- B. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive in the form of an ad valorem tax abatement or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective Burger King franchise.

## 11. Open Session Action on any Executive Session

Council closed Executive Session at 7:30pm and went into Open Session at 7:31pm.

Council Member Gendusa moved to approve the purchase of a Utility ROW that includes city water, gas, and sewer lines that is located adjacent/east of the Trails of Brady Apartment Complex project off Nine Road. The motion was seconded by Council Member Huffman. Motion carried in a 5-0 vote.

Open Session was closed at 7:32PM to go back into Executive Session at 7:33pm.

The City Council returned to open session at 8:30pm.

## 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:31 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, October 18, 2016, at 6:00pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. Council Member Kathy Gloria was not present. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steven Miller, Community Services Director Peter Lamont, City Attorney Shannon Kackley, City Secretary Tina Keys and Police Chief Steve Thomas. Others in attendance were James Stewart, Chris Calley, Annita Ellison, Dub Smith, Eddie Mireles, Barry Deans, Jeffrey Sutton, Don Miller, Clinton Calley, Rosalinda Moreno and Michael Whitworth.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

Chris Calley spoke regarding Council's vote regarding Cargo Containers.

**4. CONSENT AGENDA**

- A. Approval of Audit Board for October 18, 2016
- B. Approval of Minutes for October 4, 2016 Regular Meeting
- C. Action regarding **second and final reading of Ordinance 1210** of the City of Brady, Texas to amend the FY 2017 Budget to reflect projects approved in FY 2016 to be completed in FY 2017, and to reflect grand awards for emergency management purchases.
- D. Action regarding **Resolution 2016-054** the City of Brady, Texas, to authorize lease-purchase agreement for Brady Landfill Scraper, as budgeted in FY2017 (\$91,032).

Council Member Gendusa moved to approve the consent agenda. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay." Motion carried in a 4-0 vote.

**5. PRESENTATIONS**

- A. City Street Paving (limited) Assessment Report by LNV Engineers. Byron Sandefer, engineer presented. Estimates for several random streets were reviewed. Next step is to prepare a 7 to 10 year maintenance plan for all city streets.
- B. Discussion regarding Wastewater Treatment Plant (WWTP) Replacement Project size analysis for the new plant design completed (estimated high of \$7.8 million). Steven Miller presented to Council. Staff will proceed with FNI to design a .6 MGD capacity plant with a .95 MGD TCEQ Permit.

**6. PUBLIC HEARINGS:**

None scheduled

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **second and final reading of Ordinance 1201** of the City of Brady, Texas, amendment to the City of Brady Zoning Ordinance 933 for a Cargo/Shipping Container Ordinance, as recommended by Planning and Zoning Commission on September 13, 2016 and amended by

City Council on October 4, 2016. Peter Lamont presented. Council Member Perkins asked about procedures to determine what containers are grandfathered. Council Member Gendusa moved to approve the second and final reading of Ordinance 1201. The motion was seconded by Council Member Griffin. Council Members Griffin and Gendusa voted for. Council Members Huffman and Perkins voted against which resulted in a tie vote. As in the case of a tie, Mayor Groves then cast his vote of being in favor of approving. Motion carried with a 3-2 vote.

- B. Discussion, consideration and possible action regarding **Resolution 2016-055** of the City of Brady, Texas to authorize the economic development 380 agreement with Burger King Franchisee, Landmark & Landmark Group, LLC, for a new facility to be located at 2005 South Bridge Street (estimated \$25,000). Peter Lamont presented. Council Member Gendusa moved to approve. Seconded by Council Member Huffman. All Council Members voted “aye” and none “nay”. Motion carried in a 4-0 vote.
- C. Discussion, consideration and possible action directing the City Manager to prepare a Service Plan(s) that provides for the extension of full municipal services to the areas to be annexed under the City’s Annexation Policy authorized under Resolution 2016-052. Kim Lenoir presented. Council Member Perkins moved to direct City Manager to prepare service plans. Seconded by Council Member Griffin. Three Council Members voted “aye” with one Council Member, Huffman” opposed. Motion carried with a 3-1 vote.

## **8. STAFF REPORTS**

- A. Monthly Financial Reports for September 2016
- B. Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Civic Center, Code Enforcement, HOT Ambulance Runs Recorded
- C. Well 7 Pump Replacement Repair to be bid
- D. Construction for new sewer line at Nine Road and W. 17<sup>th</sup> Street begins October 31
- E. 3<sup>rd</sup> AEP Transmission Line – City responds to PUC
- F. Upcoming Special Events:
  - Oct 22 – 2pm Josh Hudson Benefit, Richards Park
  - Oct 31 – Halloween
  - Nov 5 – 9am to 12 noon, Extended Tire Recycling Event – GRW
  - Nov 9, 10 – Holiday Trash Schedule – Thurs to Wed; Friday to Thursday
  - Nov 11 – Veterans Day – City Offices Closed
  - Nov 19 – Hunters Appreciation Dinner at Family Life Center
  - Nov 23 – Holiday Trash Pick-up for Thursday and Friday
  - Nov – 24 & 25 – Thanksgiving Holidays – City Offices Closed
  - Dec 3 – Christmas in the Heart Night Parade
- G. Wednesday, October 19, 11:30am – Chamber’s Quarterly Good News Luncheon
- H. Monday, October 24, 12noon – Quarterly BEDC Meeting
- I. Thursday, November 3, 5:30pm – ZBA Meeting
- J. Thursday, October 27, 5:30pm – First New Charter Review Commission Meeting
- K. Monday, Nov 14, 6pm – 1<sup>st</sup> Public Hearing for NW Annexation at HOT Event Center
- L. Tuesday, Nov 15, 6pm – 2<sup>nd</sup> Public Hearing for NW Annexation at Municipal Court Building and Public Hearing for Dilapidated Structures
- M. November 17 – 18 TML Economic Development Conference – Scholarship Received for Jim Griffin

## **9. ANNOUNCEMENTS**

Council Member Perkins applauds city and all who participated in tire clean up.

**10. EXECUTIVE SESSION –**

Open Session was closed at 8:11 p.m. to go into Executive Session. Executive Session was opened at 8:26 p.m.

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, animal shelter, and other proposed public facilities.
- B. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive in the form of an ad valorem tax abatement or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective Burger King franchise.

**11. Open Session Action on any Executive Session**

Mayor closed Executive Session at 9:19pm. No action taken.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 9:20 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, November 1, 2016, at 6:00 pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Kathy Gloria, Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steven Miller, Community Services Director Peter Lamont, City Attorney Shannon Kackley, City Secretary Tina Keys, Administrative Assistant Lisa Moreno, and Police Chief Steve Thomas. Others in attendance were Dub Smith, Joe Whitehead, Erin Corbell, Taylor Hoffpauir, Dr. Rick and Nanette Morgan, Kelly Elliott, Kyle Moseley, James Stewart, Ed Hernandez, Lynn Farris, Ann Moseley and Barry Deans.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 pm. Council quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

There were no public comments

**4. CONSENT AGENDA**

- A. Approval of Audit Board for November 1, 2016.
- B. Approval of Minutes for October 18, 2016 Regular Meeting.
- C. Action to amend FY2017 BEDC Budget to carry over incomplete projects from FY2016, as approved by BEDC Board of Directors on October 25, 2016.
- D. Action regarding acceptance of the BEDC Annual Report
- E. Action regarding acceptance of the Brady/McCulloch County Chamber of Commerce Tourism Agreement 2016 Annual Report.

Council Member Gendusa commended Erin Corbell for her thorough report. Council Member Perkins had a question for Item D and asked for Item D removed from consent Agenda.

Council Member Gendusa moved to approve the consent agenda excluding item D. The motion was seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

Item D of Consent Agenda – Council Member Perkins asked about Item 12, Fiscal 2017 goals - #3 says complete construction of fish house. Council Member Perkins would like boat ramp project completed and added to that page. Peter Lamont responded that it cannot be completed at this time with the current lake level and went on to add we are working with Engineers. Lamont reminded Council that the boat ramp is not an EDC project, it's a City project. Council Member Gendusa moved to approve the BEDC Annual Report. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 5-0 vote.

**5. PRESENTATIONS**

- A. Visitor Experience Assessment Report – Peter Lamont, Director of Community Services gave presentation.

## 6. PUBLIC HEARINGS:

There were no public hearings

## 7. INDIVIDUAL CONCERNS

- A. Discussion regarding a proposed new sign ordinance. Peter Lamont presented to Council and asked Council if there are any particular items they would like kept or eliminate on the proposed sign ordinance. Mayor Groves asked regarding page 26, item B2 – who determines what is obscene, indecent or immoral? Lamont answered it used to be up to the community. Attorney Shannon Kackley also commented that Council could make that determination and said there are guidelines to go by. Lamont will add “advertisement flags” to clear-up that we are not regulating US Flag or Texas Flag. Council Member Perkins added it also needs to be added to #11 on page 28 also. Council Member Gloria asked about signs already in place and wanted to know if they be inspected, permitted or what. Lamont said we will have to look at them on an individual basis. Attorney Kackley informed the Council they will determine if they will be grandfathered forever, or a set amount of years or what the parameters will be. Council Member Gendusa would like to see monument signs addressed. Council would like to have a Work Session to review further. Next step is to review a Model Sign Ordinance concerning recent Supreme Court case law, to include if needed.
- B. Discussion, consideration, and possible action regarding revising Resolution 2016-011.R to extend the Billboard Moratorium. Peter Lamont presented. Lamont recommended making it an 18 month moratorium or until August 2, 2017. The dates on the Resolution need to be corrected to match original ordinance date of February 2, 2016. There was discussion on whether to change the wording of new pole signs to include a certain size. Council Member Gendusa would like to leave as “all new pole signs”. Council Member Gendusa moved to approve as amended. Seconded by Council Member Gloria. All Council Members voted “aye” and none “nay”. Motion carried with a 5-0 vote.
- C. Discussion, consideration and possible action regarding Resolution 2016-057 to revise the Hotel-Motel Occupancy Tax Use Policy. Peter Lamont presented. Council Member Huffman thinks there should be a lifetime cap per organization. Mayor Groves didn’t think it should limited to three years. Council Member Perkins would like “attendee survey” changed to “visitor survey” to stay consistent. Dr. Morgan commented about phasing it out, and asked if it’s retroactive from now forward. Peter Lamont responded it would take effect as of the date approved by Council. There was discussion among Council and citizens regarding the difficulties associated with getting the Visitor Survey completed by visitors. Mayor Groves suggested restructuring the survey to include the three priority items at the forefront of the survey, and denoted remaining items as optional. Mayor Groves proposed revisiting the survey at next meeting, due to discussed changes. No action was taken.
- D. Discussion, consideration and possible action regarding 2016 Annual Comprehensive Plan / Capital Improvement Plan (CIP) Status Report of all current projects as required by City Charter Art.5, Sec 4, and publish in the newspaper. Kim Lenoir presented and asked for comments from Council. Council Member Gendusa moved to approve publishing of comprehensive plan as amended. The motion was seconded by Council Member Griffin. All Council Members voted “aye” and none “nay”. Motion carried with a 5-0 vote.
- E. Discussion regarding Eastside Neighborhood Meeting on November 17, 2016 to be located at Mount Moriah Baptist Church to review design ideas for a new Willie Washington Park Playground design and a Public Safety Neighborhood Watch needs. Peter Lamont presented. Council directed staff to proceed with the plan that is in place (note meeting date changed to Nov 22, due to conflicting community event).
- F. Discussion, consideration and possible action regarding Votes and Nominations for McCulloch County

Appraisal District Board of Directors Members. Brent Raybion and Michael Probst are both currently serving on Board of Directors and are willing to serve again. All Council Members are in favor, 5-0 approval.

G. Discussion regarding City Council meeting procedures and process. No comments.

## 8. STAFF REPORTS

### A. Upcoming Special Events:

November 2, 9:30 A.M. to 10:30 A.M. - **State Senator Charles Perry Town Hall Meeting**; Senator Perry will talk about priorities for the upcoming 85th Legislative Session- Municipal Court

Nov 5 – 9am to 12 noon - Final Tire Recycle Event, GRW

Nov 9, 10 – Veterans Holiday Trash Schedule – Thurs to Wed; Friday to Thursday

Nov 11 – Veterans Day – City Offices Closed

Nov 19 – Hunters Appreciation Dinner at the First Baptist Church

Nov 23 – Thanksgiving Holiday Trash Pick-up for Thursday and Friday

Nov – 24 & 25 – Thanksgiving Holidays – City Offices Closed

Dec 3 – Christmas in the Heart Evening Parade

B. Monday, Nov 14, 6pm – 1<sup>st</sup> Public Hearing for NW Annexation at HOT Event Center

C. Tuesday, Nov 15, 6pm – 2<sup>nd</sup> Public Hearing for NW Annexation at Municipal Court Building and Public Hearing for Dilapidated Structures

## 9. ANNOUNCEMENTS

Erin Corbell talked about lunch for Veterans next week at the Middle School.

Kathy Gloria announced that she will be delivering food on Thanksgiving for those who are homebound.

## 10. EXECUTIVE SESSION –

Open Session was closed at 8:07 pm, for a break before Executive Session. Executive Session was opened at 8:20 pm.

A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, annexations and other public facilities.

B. Pursuant to Section 551.071 (Consultation with City Attorney), the City Council will conduct a private consultation with its attorney about contemplated litigation, or a settlement offer, or on a matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar clearly conflicts with the Texas Open Meetings Act.

## 11. Open Session Action on any Executive Session

Mayor closed Executive Session at 9:07 pm. No action taken.

## 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 9:08 pm



Mayor Anthony Groves

Attest:

  
Tina Keys, City Secretary



STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, November 15, 2016, at 6:00 pm at the City of Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Kathy Gloria, Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steven Miller, Community Services Director Peter Lamont, City Attorney Shannon Kackley, City Secretary Tina Keys, Administrative Assistant Lisa Moreno, Building Official Ronnie Roberts, Code Compliance Officer Kim Davee, and Police Chief Steve Thomas. Others in attendance were Eddie Wilson, John Zapata, Anna Zapata, Fernando Nandin, Hazel Hunter, Marjorie Hunter, Alfred Machen, Jason Jacoby, Kelly Elliott, Ken and Elaine Jeffreys, Larissa Nandin, C.J. Camarillo, Dub Smith, Danny Neal, Tonya and Randy Rankin, Tracy Pitcox, Sheryl Whitworth, Michael Whitworth, Gloria Constancia, Barry Deans, Lynn Farris, Angie Turner, Don Taylor, Connie Keith, Chad Keith, Laura Keith, Shane Keith, Roy Ranne, Sheryl Ranne, Larissa McBride, Jerry Kirklin, Ovella Kirlin, Jan Smith, Ed Hernandez, Jeff Coffee, Billy Turner, Robert Cortez and Annita Ellison.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Council quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

Fernando Nandin, speaking on behalf of the Mexican Colony, they do not want the annexation.

Don Taylor – the barber – supports demolition of 1205 N. Walnut – he lives behind this property for 20 years. Has seen so many changes in that property. The house is falling down. It's a bad health problem. It's a bad situation and a fire hazard. Is very concerned about the problem. It is devaluating the property in the area.

Jason Jacoby – regarding annexation. Asking Council to think through decisions that need to be made. Thanked Council for the work they do. Knows it's not an easy job.

County Judge Danny Neal – reminded audience about early 2000 meeting a professional firm came in to bring ordinances up to 2000s from early 70's. He is encouraged the City is considering annexation. Watched small communities grow. Residential development grew around schools, water resources, golf courses. Thought back then that Brady hasn't grown since he left for college. It's going to grow. If you look at some of the things going on, it is going to grow. And annexation is the first step in implementing that growth. Someone from Coleman had mentioned that cities can delay taxation on an annex area until they are better prepared to deliver the services. Asks the public's patience and asking them to look at what the City will look at years down the road.

Tonya Rankin – husband's family has property in area 1. They strongly object to annexation. They have no intentions of subdividing or developing. Doesn't feel there will be any benefit to the City. Feels draft non-annexation agreement mainly benefits the City and would like to develop an agreement that is mutually beneficial.

Mike Whitworth – questioned why certified letters were not sent – clarification was given by the attorney. Also asked how we were informed that the notice of public hearing was on website. City Manager Lenoir said we have written certification. Also questioned the service plan costs. Asked about the availability to view the annexation ordinance and was informed, again, that it will be done in December. Mentioned the charter, article 2, boundaries of

the City, if somebody wants to be annexed.

#### 4. CONSENT AGENDA

- A. Approval of Audit Board for November 14, 2016.
- B. Approval of Minutes for November 1, 2016 Regular Meeting.

Council Member Gendusa moved to approve the Consent Agenda. Seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote.

#### 5. PRESENTATIONS

- A. Staff Presentation of proposed Annexations. Kim Lenoir presented.
- B. Staff Presentation of proposed Service Plans for Annexations 1, 2, 3 and 4 – Steven Miller presented  
Mayor opened 2<sup>nd</sup> Public Hearing for proposed annexations at 7:30pm.
- C. Staff presentation on proposed demolitions – occurred during items 6B-E.

#### 6. PUBLIC HEARINGS:

- A. Public Hearing for comments For or Against Proposed Annexations on the NW and West City Limit "Holes."  
Opened Public Hearing at 7:30pm.

Kelly Elliott – regarding grandfathering in code enforcement, doesn't believe properties will be grandfathered. Also questioned the date of the notice of public hearing, says there are different dates.

Angie Turner – concerned about the sewer and septic system issue. Father can't sell property because there is no sewer. Feels like plan is based on unanswered questions.

Andy Wilson, director of HOT Bible Camp. Opposed to annexation.

Larissa McBride, owner of MK Gas. Against annexation.

Mackey Ranne, Ed Davenport Trucking, areas 2 3 & 4 are not prime areas for development. Is against annexation.

Barry Deans, is not happy with City staff. Feels like they are not getting a straight answer.

Jason Jacoby asked if the additional property being annexed would cause a need for additional emergency service personnel. Answer no. Also asked questions regarding service plan.

Closed public hearing at 8:08pm. Mayor moved to Items 7.E. and 7.K., then back to 6.B.

- B. Public Hearing to determine if the structure located at 1205 North Walnut, Block 61, Lot 6 of the Crothers Addition complies with the standards set out in Chapter 3, Article 3.200 for demolition of a dangerous premises. Opened Public Hearing at 8:29pm. No public comments. Closed at 8:30pm.
- C. Public Hearing to determine if the structure located at 1200 South Hackberry, Block 3, the Northeast section of Lot 4 of the White Addition complies with the standards set out in Chapter 3, Article 3.200 for demolition of a dangerous premises. Opened Public Hearing at 8:35pm. No public comments. Closed at 8:36pm.

- D. Public Hearing to determine if the structure located at 1202 South Hackberry, Block 3, the Southeast section of Lot 4 of the White Addition complies with the standards set out in Chapter 3, Article 3.200 for demolition of a dangerous premises. Opened Public Hearing at 8:40pm. No public comments. Closed at 8:41pm.
- E. Public Hearing to determine if the structure located at 1006 West Broad, Block 11, the South portion of Lots 7-8 of the Crothers Addition complies with the standards set out in Chapter 3, Article 3.200 for demolition of a dangerous premises. Opened Public Hearing at 8:43pm. Margie Hunter stated that it needs to be torn down. Hearing was closed at 8:44pm.

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding **Demolition Order 2016-01** in accordance with City of Brady Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at **1205 North Walnut**, Block 61, Lot 6 of the Crothers Addition. Council Member Huffman noted they are current on property taxes so she has concerns. Since taxes are current, we should be able to contact property owner. Lamont explained we used the contact information from MCCAD and notices were returned undeliverable. Council Member Gendusa moved to approve, seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carries in a 5-0 vote.
- B. Discussion, consideration, and possible action regarding **Demolition Order 2016-02** in accordance with City of Brady Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at **1200 South Hackberry**, Block 3, the Northeast section of Lot 4 of the White Addition. Peter Lamont presented. Council Member Griffin moved to approve Demolition Order 2016-03. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carries in a 4-0 vote. (Council Member Gendusa stepped out of the room and did not vote).
- C. Discussion, consideration and possible action regarding **Demolition Order 2016-03** in accordance with City of Brady Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at **1202 South Hackberry**, Block 3, the Southeast section of Lot 4 of the White Addition. Peter Lamont presented. Council Member Gendusa moved to approve Demolition Order 2016-03. The motion was seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carries in a 5-0 vote.
- D. Discussion, consideration and possible action regarding **Demolition Order 2016-04** in accordance with City of Brady Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at **1006 West Broad**, Block 11, the South portion of Lots 7-8 of the Crothers Addition. Peter Lamont presented. Structure is failing due to a fire. It is unoccupied. Council Member Gendusa moved to approve Demolition Order 2016-04. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carries in a 5-0 vote.
- E. Discussion, consideration and possible action regarding **Resolution 2016-058** approving Non-Annexation Developer Agreement for Kenneth and Elaine Jefferys, 1700 North Park Street. Council Member Huffman moved to approve Resolution 2016-058. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried with a 5-0 vote.
- F. Discussion, consideration and possible action regarding **Resolution 2016-059** approving Non-Annexation Developer Agreement for Ricks Family Trust, 810 San Angelo Highway. Council Member Gendusa moved to approve Resolution 2016-059. The motion was seconded by Council Member Gloria. Four Council Members voted "aye" and one, Council Member Griffin, voted "nay". Motion carried with a 4 -1 vote.

- G. Discussion, consideration and possible action regarding **Resolution 2016-060** approving Non-Annexation Developer Agreement for Sydnie Rankin, 1704 Simpson Street. Agreement not yet available, item will be tabled until December 6, 2016.
- H. Discussion, consideration and possible action regarding **Resolution 2016-061** approving Non-Annexation Developer Agreement for Richard Winters, Jr., 1314 South Wall Street. Kim Lenoir presented to Council. Council Member Gendusa moved to approve Resolution 2016-061. The motion was seconded by Council Member Gloria. Three Council Members voted “aye” and two Council Members, Griffin and Perkins, voted “nay”. Motion carried with a 3-2 vote.
- I. Discussion, consideration and possible action regarding **Resolution 2016-062** approving Non-Annexation Developer Agreement for Rex and Cathy Ewert, 1520 Simpson Street. Council Member Gendusa moved to approve Resolution 2016-062. The motion was seconded by Council Member Gloria. Council Member Huffman commented that they signed it, they have agreed to it and we are giving them what they want. Four Council Members voted “aye” and one, James Griffin, voted “nay”. Motion carried with a 4-1 vote.
- J. Discussion, consideration and possible action regarding **first reading of Ordinance 1212** of the City of Brady, Texas, to authorize continued operations for 5 years for the Mr. W Fireworks operation. Kim Lenoir presented. Council Member Gendusa moved to approve the first reading of Ordinance 1212 as amended. The motion was seconded by Council Member Griffin. All Council Members voted “aye” and none “nay”. Motion carried with a 5-0 vote.
- K. Discussion, consideration and possible action regarding **first reading of Ordinance 1213** of the City of Brady, Texas, to authorize continued operations for 5 years for the American Fireworks operation. Jeff Coffee with American Fireworks spoke with Council. Council Member Gendusa moved to approve the first reading of Ordinance 1213 as amended. The motion was seconded by Council Member Huffman. All Council Members voted “aye” and none “nay”. Motion carried with a 5-0 vote.
- L. Discussion, consideration and possible action regarding rescinding Ordinance 849 Civic Center Rules and Fees from the Code of Ordinances and replace with Civic Center Reservation Policy. All Council Members voted in favor, 5 – 0, to direct staff to proceed with an ordinance to rescind Ordinance 849.
- M. Discussion, consideration and possible action regarding **Resolution 2016-056** to adopt Civic Center Reservation Policies. Changes were suggested to Staff. Staff will bring back with corrections to present at another date. No action was taken.
- N. Discussion, consideration and possible action regarding **Resolution 2016-057** to revise the Hotel-Motel Occupancy Tax Use Policy. Council Member Gendusa moved to approve Resolution 2016-057 as amended. The motion was seconded by Council Member Gloria. All Council Members voted “aye” and none “nay”. Motion carried with a 5-0 vote.
- O. Discussion regarding City Council meeting procedures and process. Mayor did not like jumping around the agenda. Mayor felt he was too lenient on time allowance for the public hearing, many of the same citizens spoke at both public hearings and could have taken less time.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for October 2016 – will
- B. Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Civic Center, Code

Enforcement, HOT Ambulance Runs Recorded

**C. Upcoming Special Events:**

Nov 19 – Hunters Appreciation Dinner at Family Life Center

Nov 22 – 6pm, Eastside Neighborhood Meeting at Mount Moriah Baptist Church

Nov 23 – Trash Pick-up for Thursday and Friday due to Thanksgiving Holiday

Nov 24 & 25 – Thanksgiving Holidays – City Offices Closed

Dec 3 – 3pm Christmas in the Heart Festival and Evening Parade

**9. ANNOUNCEMENTS**

None

**10. EXECUTIVE SESSION –**

Open Session was closed at 9:51pm, for a break before Executive Session. Executive Session was opened at 10:06pm.

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – utility easements, annexations and other public facilities.
- B. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive in the form of an ad valorem tax abatement or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective business.

**11. Open Session Action on any Executive Session**

Mayor closed Executive Session at 10:50pm.

At 10:52pm Mayor Groves opened Public Session Item 5.A. Staff Presentation of Proposed Annexations, to allow Council Members to ask questions and give comments. Jane Huffman stated she was against annexation from the beginning. Jim Griffin would like to stop the process. Marilyn Gendusa felt the process was too fast and should be stopped. Kathy Gloria felt slowing down and cleaning up the 1906 boundary question was needed. Shelly Perkins felt the public had too many questions at this time. Mayor said what he is hearing is that he should not include any annexation ordinances on upcoming agenda for December. City Attorney pointed out that slowing down the process will require starting the process over because of public hearing and action time limit requirements with state law.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 11:10pm.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Special Meeting on Tuesday, November 14, 2016, at 6:00 pm at the Heart of Texas Event Center located at 804 San Angelo Highway, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Kathy Gloria, Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steven Miller, Community Services Director Peter Lamont, City Secretary Tina Keys, and Police Chief Steve Thomas. Others in attendance were Eddie Wilson, Alfred Machen, Hazel Hunter, Marjorie Hunter, Gloria Constancia, Luvin Constancia, John & Anna Zapata, Sydnie Rankin, Tonya Rankin, Bryan McBee, Angie Borrego, Michael Borrego, Ovela Kirklin, Jan Kirklin, Jerry Kirklin, Fernando Nandin, Mary Bradshaw, Elaine Jeffreys, Kenneth Jeffreys, Elbert Boswell, Jason Jacoby, Barry Deans, Michael Whitworth, Sheryl Whitworth, Kenneth Friar, Ray Mackey Ranne, Sheryl Ranne, Shane Keith, Kelly Elliott, Jeff Bedwell, Deanna Byrd, Steve Byrd, Trampus Smith, Maria Elena Solis, Teresa Leifeste, Chris Leifeste, Connie Keith, Chad Keith, Allen Felts, Lauri Smith, Jack Smith Jr., Annita Ellison, Melissa Regeon, Billy Turner, Heath McBride, Zane Brandenberger.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:01 p.m. Roll was then called for Council and a quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

- A. Staff presentation of Proposed Annexations. Kim Lenoir presented to Council and citizens.
- B. Staff presentation of Proposed Service Plans for Annexations 1, 2, 3 and 4. Steven Miller presented.
- C. Public Hearing for comments FOR or AGAINST proposed annexations on the NW and West City Limit "holes" opened at 6:42 p.m.

Al Machen and Eddie Wilson on behalf of HOT Bible Camp, Church of Christ. Not sure where they fall on the boundary line. Lenoir said boundary line cut through their property. Lenoir will recommend to council to NOT cut into their property. The ordinances are adopted by metes and bounds. Staff recommendation will not to include Bible Camp. Mayor Groves asked what the concerns are. Mr. Machen said it's a wilderness camp and would like it to not be in the city limits. There is no taxes generated. The directors voted not to be annexed if possible.

Fernando Nandin on behalf of the Mexican Colony. They have to pay \$60 an hour for police protection during an event. People in the Mexican Colony are concerned about park they paid for and built. They are paying to remove tires, approximately \$6,000 that has been donated. Concern is where will the revenue be used. They do not see they will receive any benefit. They do not wish to be annexed.

Barry Deans owns property that was annexed in 1984. Has been trying to get water to the property since 1984 but the City won't put services out there. People who were annexed years ago are still waiting for services.

Jerry Kirkland family, Tract 1, Fisher Miller Tract, across from First Baptist Church is protesting annexation.

They do agriculture, farming and want to maintain that status. Does not want to fall under City Code regulations. Thinks annexation should be on a case by case basis. They are opposed to annexation.

Tonya Rankin for the Rankin Family objected annexation. Land belongs to her parents and is said to inherit the land where Sydnie lives. They have an ag exemption on the property. They don't feel that annexing that land will help the City grow. Doesn't feel neighbors will want to subdivide either. They hope Council votes against it.

Kelly Elliott believes the City should take care of what they have before taking on more. Feels like the motivation is wrapped around the budget. Has issues with lack of transparency. There are several different stories. Doesn't think boundary lines should have ever been changed. Never received letter. Is concerned about the City having control. Doesn't feel she has been informed of the process.

Shelly Perkins left the meeting at 7:17pm.

Alan Felts doesn't want to have to ask permission to live as he has been living the past 13 years. But the decision has already been made. Believes he is already paying City tax with distribution charges.

Deanna Byrd. Family has property 70-80 years. Only benefit would be having a dog catcher. They didn't vote in Council since they aren't in the City. Has concerns about having to abide by building codes. The Byrds are against annexation.

Jason Jacoby. Asked Council if they have seen service plan. None have. Council doesn't even know what it is going to cost. He hasn't seen service plan and/or a development plan. Was told he would not receive sewer services. Knows there are other means to determine boundary lines. Who is paying for the cost of annexation? Is the city annexing more than 10% of the incorporated area? Answer no. When will we see a service plan? Lenoir answered we have them tonight. Wants to know what paving restrictions are. Would like to see annexation on an as needed basis. Will annexation cause a reduction in emergency services for existing city citizens?

Mackey Ranne with Davenport Trucking. Reasons he believes the City should not annex. Hasn't heard anybody who wants to be annexed. What is the cost of the City to annex Bailey Metals and the tires? You have an obligation to clean up. The City has enough on its plate already taking care of areas that are not under the City's control. Thinks we should concentrate on current commitments. Only things they will get out of annexation is taxation and regulation.

Mike Whitworth owns property off of Peach St. Purchased that property to bring trailers, livestock, etc. Does not have enough property to have agricultural exemption. Section 43.0561 – Section C – publishing of notice in newspaper and on website.

Heath McBride owns property in Area 4. They are opposed to the annexation. It doesn't really make sense. It's not going to fix anything. Nobody wants it.

Marjorie Hunter owns the property on Park Street. House is City, land is in the County. Doesn't have City services. Wants to be left alone.

Kenneth Jeffreys owns most of Area 3. Signed non-annexation development agreement. I asking Council to honor non-annexation agreement.

Jason Jacoby would like to see 43056 and 43053, inventory of service and facilities that are encompassed in the annexation.

Fernando Nandin has a church in the Mexican Colony. He follows the rules and filed for a 501c3. County appraiser does not honor that. It will be an added tax burden to the church.

Zane Brandenburger the property is not in the name of the church it is in Mr Nandin's personal name. That is why he isn't tax exempt. He is in disagreement of the 1906 line and feels he can prove that. He would ask us to go back and use the grey dotted lines on all the maps.

Tonya Rankin said the property lines were changed according to the 1906 survey and there was nothing they could do. Received a letter saying a survey was done but there was no survey done. Would like to know the results of the survey.

Jeff Bedwell you are leaving future city staff to take care of this situation. Thinks we need to focus on what we are doing now.

Mike Whitworth – said the MCCAD can print a map of the City on the historical land.

Gloria Constancia is opposed to annexation.

Closed public hearing at 8:17pm.

#### 4. EXECUTIVE SESSION

There was no executive session

#### 5. Open Session Action on any Executive Session

#### 6. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:17 pm

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary