



## CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING APRIL 5, 2016 AT 6:00 PM

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00pm on April 5, 2016, at the City of Brady Service Center, located at 1405 N. Bridge Street, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551. of the Texas Government Code.

Tony Groves  
Mayor

Latricia Doyal  
Mayor Pro Tem, Place 5

Kathy Gloria  
Council Member, Place 1

Shelly Perkins  
Council Member, Place 2

Marilyn Gendusa  
Council Member, Place 3

Jack Turk  
Council Member, Place 4

Kim Lenoir  
City Manager

Shannon Kackley  
City Attorney

Tina Keys  
City Secretary

Platinum  
Level



Texas Comptroller  
Leadership Circle

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

### 2. INVOCATION & PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF AUDIT BOARD

### 4. APPROVAL OF MINUTES – March 8, 8 Special Meeting and 15, 2016

### 5. PUBLIC COMMENTS: Reserved for items NOT listed on the agenda

Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff to place the item on an agenda for a subsequent meeting.

### 6. PRESENTATIONS AND PUBLIC HEARING

- A. April Autism Awareness Month Proclamation, Center for Life Resources
- B. Annual FY2015 Audit Presentation
- C. Report on Brady Lake Hunting Program – Trevor Dickschat, Extension Agent
- D. Presentation from Operation Orphans an Award of Appreciation to City of Brady / Brady Lake for the 2015-16 Youth Hunt (*for unselfishly providing the key that will help unlock the door of opportunity for a deserving youngster*).

- E. **PUBLIC HEARING will be opened and delayed to May 3 as requested by clients:** City Council will hold a Public Hearing to hear appeal requested by Greg and Cheryl Kubacak and to receive public comments for/against the appeal regarding the decision made by the Planning and Zoning Commission on January 19, 2016 to deny the application for a zoning change from Single Family Residential to Industrial District on property located at 1000 East 4<sup>th</sup> Street, Block 29, Lot 1 of the Luhr Addition as requested by Greg and Cheryl Kubacak. **NO PUBLIC COMMENTS WILL BE TAKEN AT THIS MEETING.**

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding naming Brady Civic Center.
- B. Discussion, consideration and possible action regarding first reading of **Ordinance 1193** granting a Non-Exclusive Franchise to Brady Communication, LLC for the installation of a Fiber Optic Communications System.
- C. Discussion, consideration and possible action authorizing **Resolution 2016-021** requesting support from our state leaders and the 85<sup>th</sup> Legislature (opens January 2017) to approve the issuance of the remaining \$50 million to the Texas Water Development Board's EDAP (economically distressed areas program) assistance AND to place a constitutional amendment before the voters of Texas in November 2017 to consider approval of the issuance of another \$250 million in general obligation bonds to continue to assist economically distressed areas to obtain adequate water and wastewater services.
- D. Discussion, consideration and possible action regarding **Resolution 2016-022** approving a noise variance request by Michelle Duque for a benefit BBQ and dance for her husband, Alfredo Duque who has been diagnosed with cancer. The benefit will be held at Bernal's Dance Hall, 1105 E. 6<sup>th</sup> Street on Saturday, April 9, 2016 from 8:00 p.m. to 12:00 a.m.
- E. Discussion, consideration, and possible action regarding **Resolution 2016-023** to finance a capital purchase of a heart monitor with accessories (Not to exceed \$31,000.00).
- F. Discussion, consideration, and possible action regarding **Resolution 2016-024** approving temporary use of designated streets in Brady for the purpose of the Miles for Smiles, 5K Run Event from 7:00 a.m. until 11:00 a.m. on April 23, 2016, requested by the Brady High School Interact Club to benefit the Mission of Mercy.
- G. Discussion, consideration and possible action to appointments to fill vacancies and alternates on City Boards – ZBA, Charter Commission, P&Z.
- H. Discussion, consideration and possible action regarding approval of BEDC action of offering a Small Business Loan, if needed.

## 8. STAFF REPORTS

- A. Quarterly Reports CIP Reports – Public Works - CW Project, DW Project, Emergency WWTP Project; Community Services Department – Richards Park, Willie Washington Park, Stanburn Park, Brady Creek Trail, Boating Access Grant and Marina (Fish House) Project, Airport Projects, Hazard Mitigation Plan, Storm Water and Dam Inundation Study
- B. Quarterly Update on Administration Projects, including Surveying and Re-platting of city-owned Davee and Dodge Heights Subdivisions
- C. Upcoming Special Events:
  - April 8 & 9 – MCHC Early Days II at Richards Park;
  - April 14 & 15 – 9am *Coffee with a Cop*, Reno's On The Square
  - April 16 – Rochelle Project Graduation Fun Run at Richards Park;
  - April 16 – 10am to 1pm, *Connecting Volunteers*, Richards Memorial Library
  - April 30 – BGA Duffers Golf Tourney at Brady Municipal Golf Course
- D. April 7, 5pm, Called ZBA/BOA Meeting at Service Center
- E. April 12, 5:30pm, Regular P&Z Meeting at Service Center

- F. April 20, 8:30am – Monthly Municipal & Code Court – Judge Spiller
- G. April 25 to May 3 - Early Voting for City Council and BISD School Board - Begins at City Hall, 8am to 5pm (7am to 7pm April 26 & May 3)
- H. April 26, 6:00pm - Quarterly BEDC Meeting, Service Center
- I. May 3 - Public Hearing for appeal by Greg and Cheryl Kubacak for Industrial District Zoning request at 1000 East 4<sup>th</sup> Street
- J. May 7 - Election Day, 7am to 7pm
- K. Noise Variance Times approved for the Annual Iron Horse Rally at Richards Park, who will be playing music on Friday night, May 27 until 1:00am on Saturday morning and on Saturday, May 28 until 1:00am on Sunday morning.

## 9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include: Expressions of thanks, congratulations, or condolence; An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and Announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

## 10. EXECUTIVE SESSION

The City Council of the City of Brady will adjourn into Executive Session for the following:

- 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 northern 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 - sites for future Public Safety Facility and Multi-use Activity Center (Senior Citizen) Facility.
- B. 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.
- C. Pursuant to Section 552.074 (Personnel), the City Council will deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – City Secretary Tina Keys and Council Members Latricia Doyal and Jack Turk.

## 11. Open Session Action on Any Executive Session Item listed above, if needed.

## 12. ADJOURNMENT

I certify that this is a true and correct copy of the City of Brady City Council Meeting Agenda and that this notice as posted on the designated bulletin board at Brady City Hall, 201 E. Main St., Brady, Texas 76825; a place convenient and readily accessible to the public at all times, and said notice was posted on 4/1/2016 by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

  
Tina Keys, City Secretary

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City Facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or [citysec@bradytx.us](mailto:citysec@bradytx.us).

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (Economic Development).

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.114(c) and the meeting is conducted by all participants in reliance on this opinion.

