



CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING MAY 3, 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 May 3, 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 – April 19, 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. Continue from April 5 PUBLIC HEARING: *City Council will reconvene a Public Hearing to hear an 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 4th Street, Block 29, Lot 1 of the Luhr Addition as requested by Greg and Cheryl Kubacak.*

B. State of the City Presentation – Kim Lenoir

7. INDIVIDUAL CONCERNS

A. Discussion, consideration and possible action regarding Greg and Cheryl Kubacak's appeal of 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 4th Street, Block 29, Lot 1 of the Luhr Addition as requested by Greg and Cheryl Kubacak.

- B. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1194** revising Animal Control Ordinance Sections 2.103 Noise; 2.105 Treatment of Animals; 2.106 Abandoning; 2.107 Report of Animals at Large; 2.110 Animals Registered to be Vaccinated; 2.111 Notice of Impoundment; 2.112 Right to Redeem Impounded Dog; 2.115 Disposition of Unredeemed Dogs; 2.117 Destruction of Sick or Injured Impounded Animals After 120 or 72 Hour Period; 2.118 Destruction Impounded Animals Prior to 120 or 72 Hour Period; 2.121 Vicious Animals to be Confined; Section 2.124 Keeping Animals in Front Yard Prohibited; 2.403 Restrictions on Keeping Horses; and 2.501 Requirements for Owners of Dangerous Dog
- C. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1193** granting a Non-Exclusive Franchise to Brady Communication, LLC for the installation of a Fiber Optic Communications System.
- D. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1195** establishing for no overhead power lines, communication lines of similar improvements parallel and along the US 377 N ROW including the downtown square for maintaining a controlled appearance.
- E. Discussion, consideration and possible action on Resolution 2016-025 authorizing the Mayor as the signature authority for all Texas Department of Transportation (TXDOT) documents pertaining and relating to the planned improvements of US377N and the downtown square including a Contract Agreement to Contribute Funds (Fixed Price \$297,280).
- F. Discussion, consideration and possible action regarding Resolution 2016-026 for the temporary use of designated streets in Brady for the purpose of the Brady Elementary School Parent Teacher Organization 5 mile and 5K runs on May 22, 2016.
- G. Discussion, consideration and possible action regarding Resolution 2016-027 for the 90th Annual July Jubilee Street Parade on July 2nd from 10:00 a.m. to 11:00 a.m. and the 43rd Annual World Championship Goat Cook-off Dance on Saturday, September 3rd road closures, TXDOT permit, and noise variances from 8:00 p.m. to 1:00 a.m. on Sunday September 4, 2016
- H. Discussion, consideration and possible action regarding a long-term lease proposal submitted by John Boone and Roy Garza for the G Rollie White Complex.
- I. Discussion, consideration and possible action to appointments to fill vacancies and alternates on City Boards – ZBA, Charter Commission, P&Z, if needed.
- J. Discussion, consideration and possible action regarding real property for a future Multi-use Activity Center (Senior Center), if needed.

8. STAFF REPORTS

- A. Upcoming Special Events:
 - May 20-21 – 6th Annual Air Forces Day Fly-in at Curtis Field Airport
 - May 27-30 – Memorial Weekend Golf Tourney
 - May 27-28 - Annual Iron Horse Motorcycle Rally at Richards Park, will be playing music on Friday night, until 1:00am on Saturday morning and on Sat. until 1:00am on Sun. morning, noise variance approved.
- B. May 7 - Election Day, 7am to 7pm

- C. May 17 – Canvass Election, Seat newly elected Council Members
- D. May 19 – Texas Midwest Community Network (TMCN) Annual Legislative Luncheon - Coleman
- E. May 24 – 9am, City Council FY17 Budget Goals Work Session at Brady Housing Authority
- F. May 30 – Memorial Day – City Offices Closed
- G. Monday 30, 31, Jun 1 - Holiday Trash Schedule – Monday to Tuesday, Tuesday to Wednesday.

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

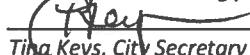
The City Council of the City of Brady will adjourn into Executive Session for the following:

- 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 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.

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 4/29/16 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.

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.

