



**BRADY**  
THE CITY OF  
**TEXAS**

Tony Groves  
Mayor

Kathy Gloria  
Mayor Pro Tem

Shelly Perkins  
Council Member  
Place 2

Marilyn Gendusa  
Council Member  
Place 3

Jane Huffman  
Council Member  
Place 4

Jim Griffin  
Council Member  
Place 5

Kim Lenoir  
City Manager

Shannon Kackley  
City Attorney

Tina Keys  
City Secretary

Platinum  
Level



Texas Comptroller  
Leadership Circle

## CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING JULY 19, 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 July 19, 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.

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

### 2. INVOCATION & PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF AUDIT BOARD

### 4. APPROVAL OF MINUTES – July 5, 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

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.
- B. Public Hearing to receive comments for or against an amendment to the City of Brady Code of Ordinances, Article 3.200, Dangerous Premises.
- 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.
- 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.

### 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.

- 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.
- 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.
- 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.
- 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).
- 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.
- 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/appscq/project\\_tracker/](http://apps.dot.state.tx.us/appscq/project_tracker/), look for *Project ID 012804035* on the gradient table and click to view project details.
- 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.
- I. Discussion regarding City Council meeting procedures and process.

## 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 – 11:30am, HOT Event Center
- F. Upcoming Special Events:
  - Thursdays, 4pm to 6pm – 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 – Joint City Council / P&Z Sign Ordinance Work Session

- I. August 16 – Public Hearing for proposed Tax Rate – Regular City Council Meeting
- J. August 23 – Public Hearing for proposed Tax Rate – Special City Council Meeting

## 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 551.071 (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 public comments under the Texas Open Meetings Act and legal issues with the negotiation of the contract with LCRA concerning the sale of the City's electric substations.
- 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 Item listed above, if needed.

- 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.

## 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 \_\_\_\_\_ 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.

