



CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING JANUARY 16, 2018 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 January 16, 2018, at the City of Brady Municipal Court Building, located at 207 S. Elm 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

Jim Griffin
Mayor Pro Tem

Rey Garza
Council Member Place 1

Shelly Perkins
Council Member Place 2

Jeffrey Sutton
Council Member Place 3

Jane Huffman
Council Member Place 4

Kim Lenoir
City Manager

Tina Keys
City Secretary

Shannon Kackley
City Attorney

MISSION

The City of Brady strives to share its history and encourage the development of diverse housing, employment, infrastructure, and opportunity through transparent management and financing for all residents and employees.

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

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. 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.

4. CONSENT AGENDA: Reserved for routine items

Consent Agendas are used to save time for the public meeting. Any item may be removed from the Consent Agenda at the request of a Council Member and considered separately following the Consent Agenda approval. All items listed on the Consent Agenda are to be with one motion "Move to approve Consent Agenda."

- A. Approval of Audit Board for January 16, 2018.
- B. Approval of Minutes for Regular Meeting January 2, 2018.

5. PRESENTATION AND QUESTIONS:

Update on City of Brady Radium Reduction Project
by Josh Berryhill, P.E.
Enprotec / Hibbs & Todd, Inc. (eHT)

6. PUBLIC HEARING:

- A. Mayor will close the continued public hearing to receive public comments on a zoning change from Single-Family Residential to Commercial District at 507 Boston as requested by Steven Flora (posted and opened on December 19, 2017). On January 9, 2018, the Planning and Zoning Commission (P&Z) voted to deny the zoning request; therefore, no action needed by City Council.

7. INDIVIDUAL CONCERNS

City Council Members are to deliberate the following items. Staff will present the item and are prepared to answer City Council Member questions. The Mayor will recognize Council Members as the council discussed the item so everyone is heard. Once the City Council Members finish discussion, the Mayor will recognize attendees who have comments. Attendees and council members need to direct comments to the Mayor as they are recognized. When all comments are complete, the Mayor will call for a motion.

- A. Discussion, consideration, and possible action regarding second and final reading of **Ordinance 1243** in accordance of the City of Brady; to add to and revise portions of Chapter 2 Animal Control, Section 2.101 Definitions, and Article 2.400 Keeping Livestock and Exotic Animals.
- B. Discussion, consideration and possible action regarding **Demolition/Abatement Order 2018-023** in accordance with the Code of Ordinances Section 3.207 to authorize demolition of dilapidated structure(s) at 607 East 2nd Street. (Public Hearing held 12/19/17)
- C. Discussion, consideration and possible action regarding **Demolition/Abatement Order 2018-18** in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 301 Boston in the Martin Heights Subdivision, Block 40, Lots 1-2. (Public Hearing held 11/21/17)
- D. Discussion, consideration and possible action regarding **Demolition/Abatement Order 2018-19** in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 401 Boston in the Martin Heights Subdivision, Block 39, Lots 3-4. (Public Hearing held 11/21/17).
- E. Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at 706 South Plum Street per **Demolition Order 2018-14**.
- F. Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at 1308 North College Street per **Demolition Order 2018-15**.
- G. Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at 201 West 6th Street per **Demolition Order 2018-16**.
- H. Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at 300 South Hackberry Street per **Demolition Order 2018-17**.
- I. Discussion, consideration, and possible action regarding the Mayor's appointments to the Planning and Zoning Commission and the Brady Youth Association to fill vacancies and expired terms.
- J. Discussion, consideration, and possible action approving **Resolution 2018-002** to call a Special Election on May 5, 2018 for the abolition of the $\frac{1}{4}$ cent sales and use tax for the Type A Corporation (BEDC) and the adoption of a $\frac{1}{4}$ cent sales and use tax for a B Corporation, as recommended by the Brady Economic Development Corporation.
- K. Discussion and summary of City Council action and if procedures and processes worked.

8. STAFF REPORTS

- A. December Monthly Financial and Utility Reports
- B. December Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Code Enforcement, Brady Lake Deer Management, Chronic Code Complaints & Structures Inhabited without Utilities
- C. Brady Police Department Grant(s) Status Reports and Donations Received
- D. Upcoming Special Events/Meetings:
Hunter Dumpsters now available at Service Center, North Bridge Street
Jan 17 – 11:30am – Quarterly Good News Luncheon – Civic Center
Jan 25 – Brady Chamber of Commerce Annual Banquet – Civic Center
Feb 15 – 10am Upper Colorado River Authority – Brady Creek Project Kick-off Meeting
- E. Upcoming City Calendar:
Annual Free Bagged Leaves Picked Up on Wednesdays – Jan 17 for Tuesday Service Areas, Jan 24 for Thursday Service Areas, and Jan 31 for Friday Service Areas
Jan 17 – 8:30am Municipal Court
Jan 18 – 5:30pm Charter Review Commission Meeting
Jan 23 – 6pm BEDC Quarterly Meeting
Feb 6 – Annual Report Fire / EMS Department

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 City Attorney), the City Council will conduct a private consultation with the City Attorney to seek advice regarding the Old Hospital and TCEQ Lawsuit.
- B. 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: City Manager Lenoir and City Attorney duties under the City Charter.
- 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.

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 _____ 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.