



**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 2<sup>nd</sup> 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 6<sup>th</sup> 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 ¼ cent sales and use tax for the Type A Corporation (BEDC) and the adoption of a ¼ 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](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.

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, January 02, 2018 at 6:00 pm 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 Shelly Perkins, Jeffrey Sutton, and Rey Garza. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Public Works Director Steve Miller, Police Chief Steve Thomas, Fire Chief Brian Meroney, and City Secretary Tina Keys. Also in attendance were Gina Hepburn and John Henry with KSA Engineers.

**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 AND PLEDGE OF ALLEGIANCE**

Mayor Groves 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 January 2, 2018.
- B. Approval of Minutes for Regular and Work Session Meeting December 19, 2017.
- C. Approval of Interlocal Agreement with McCulloch County for labor and equipment sharing to improve/maintain infrastructure of public facilities.

Council Member Perkins asked for item C to be removed.

Council Member Garza moved to approve the Consent Agenda without item C. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion carried in a 3 – 0 vote.

Item 4 C – Council Member Perkins had a question about supervision by The City, Item E. Requested to amend to "City's designated supervisor". Council Member Sutton moved to amend Item C. Seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 3 – 0 vote. Council Member Sutton moved to approve as Amended. Seconded by Garza. All Council Members voted "aye" and none "nay". Motion carried in a 3 – 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 first reading of Ordinance 1243 of the City of Brady to add and revise portions of Chapter 2 Animal Control, Section 2.101 Definitions, and Article 2.400 Keeping Livestock and Exotic Animals. Kim Lenoir presented. Exhibit A 2.1, should be exotic fowl, not fowls; Sec 2.403 clarify grandfathered; 2.404.1 revised "...shall keep swine..."; add "public" in front of "nuisance" in Sec 2.408(a) and (b), 2.411; title Sec 2.411 "Exceptions to Permit Requirements and Exceptions to Restrictions";

remove “and” leave “nor”; Sec 2.412 edit to clarify. Council Member Garza moved to approve the first reading of Ordinance 1243 as amended. Seconded by Council Member Perkins. All Council Members voted “aye” and none “nay”. Motion carried in a 3 - 0 vote.

- B. Discussion, consideration and possible action to award the bid and authorize the city manager to execute an agreement with Dowtech Speciality Contractors, Inc. for contractor services to replace two (2) solids handling pumps at \$84,000. Steve Miller presented. Council Member Sutton moved to approve. Seconded by Council Member Perkins. All council members voted “aye” and none “nay”. Motion carried in a 3 – 0 vote.
- C. 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. Kathy Gloria has resigned from P&Z. Item will be on the next agenda. No action was taken.
- D. Discussion, consideration and possible action approving Resolution 2018-001 to call election on May 5, 2018 for Council Members Place 2 and Place 3. Kim Lenoir presented. Council Member Sutton moved to approve Resolution 2018-001 as amended. Seconded by Council Member Garza. All Council Members voted “aye” and none “nay”. Motion carried in a 3 – 0 vote.
- E. There was no discussion of procedures and processes.

## 8. STAFF REPORTS

- A. **4<sup>th</sup> Quarter Reports for Public Works :** WWTP Replacement Project; Radium Reduction Drinking Water Treatment Project; TCEQ – Old Power Plant Station Site and Judgement; TXDOT North Bridge Street Project
- B. **4<sup>th</sup> Quarter Reports for Community Services:** Brady Lake Boating Access Grant; BEDC Brady Lake Fish House Project; Richards Park Improvements Grant; Willie Washington Park Improvements; Conway (Stanburn) Park Improvements; Brady Creek Trail Project; Brady Lake Dam Breach Inundation Mapping and Brady Drainage Master Plan; Curtis Field Master Plan; Automated Weather Observation System Grant; GRW Steering Committee; Activity Center Renovation Project; Brady Lake Game Management Program
- C. **4<sup>th</sup> Quarter Administration:** Davee-Dodge Heights Project; Brady Lake Boat Dock Permits/ Rules/ Regulations and Billing
- D. **4<sup>th</sup> Quarter Reports for Public Safety:** Grant(s) Status Reports; Animal Control Facility Project
- E. **Upcoming Special Events/Meetings:**  
Hunter Dumpsters now available at Service Center, North Bridge Street  
Jan 5 & 6 – McCulloch County Stock Show – GRW Complex  
Jan 25 – Brady Chamber of Commerce Annual Banquet – Civic Center
- F. **Upcoming City Calendar:**  
Free Christmas tree removal and mulching – call city hall for a pick-up until January 11th  
Annual Free Bagged Leaves Picked Up on Wednesdays – Jan 10 for Monday Service Areas, 17 for Tuesday Service Areas, 24 for Thursday Service Areas, and 31 for Friday Service Areas  
Jan 10 – 5pm GRW Steering Committee  
Jan 15 – City Offices Closed – In-service training day  
Jan 15 and 16 Holiday Trash Schedule - Mon service moves to Tues; Tues service moves to Wed  
Jan 16 – 4pm Council Work Session / 6pm Council Meeting  
Jan 17 – 8:30am Municipal Court

## **9. ANNOUNCEMENTS**

There were no announcements

## **10. EXECUTIVE SESSION**

Regular Session was closed at 7:22 pm and Council took a break before going into Executive Session. Executive Session was opened at 7:30p.m. Executive session was closed at 7:58p.m.

- A. Pursuant to Section 551.071 (Consultation with City Attorney), and 551.074 (Personnel Matters) City Council will meet to discuss legal and personnel issues related to the search and appointment of a Municipal Judge and/or an Assistant Municipal Judge.
- 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**

Mayor opened regular session at 7:59 p.m. No action.

## **12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 7:59 p.m.

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Mayor Anthony Groves

Attest: \_\_\_\_\_  
Tina Keys, City Secretary



# *Status Report*

## Council Presentation City of Brady Radium Reduction Project

October 3, 2017





# Water CIP Summary

- Over 6.4 miles of new water transmission line proposed (varies from 20-inch to 12-inch)
- Over 3 miles of water distribution line replacement (varies from 6-inch to 2-inch)
- 600,000 Gallons of new elevated storage tanks
- New 3 MGD Radionuclide Reduction Groundwater Treatment Plant
- Surface WTP Renovations, 3 MGD
- Groundwater Well Site Renovations
- Over \$26 million in Capital Improvements!

# Current Status

- Radionuclide Reduction Treatment
  - **Process design is complete**, finishing coordination with structural, electrical and architectural design
- Surface WTP
  - **Process design is complete**, finishing coordination with structural, electrical and architectural design
- Water Transmission Lines
  - **Design is 80% complete**, finalizing remaining outstanding easements
- Elevated and Ground Storage
  - **Design is complete**, finishing coordination with FAA for new Airport EST
- Easements
  - **Major easements have been acquired**, finishing last remaining easements near Well 5 to optimize transmission line design
- Environmental
  - Environmental clearance will be updated once outstanding easements have been finalized

# Normal EDAP Funding Process



Legislature  
Approves the  
Issuance of  
EDAP Bonds

Spring 2017

State Issues  
EDAP Bonds

Fall 2017

Applicants  
Close on  
EDAP Funds

January 2018



# What Happened?



- State Legislature did not approve additional EDAP Program Funding
- State Legislature did approve release of the remaining EDAP Funds \$52 million BUT...
- Issuance of the remaining \$52 million must be delayed until the next fiscal year to avoid the State incurring any costs for the upcoming fiscal year



# Delayed EDAP Funding Process



Legislature  
Approves the  
Issuance of  
EDAP Bonds

Spring 2017

State Issues  
EDAP Bonds

Fall 2018

Applicants  
Close on  
EDAP Funds

January 2019

**MINIMUM OF ONE YEAR DELAY**



# Detailed Schedule



ITEM	DATE
DESIGN COMPLETION	MARCH 2018
TCEQ/TWDB APPROVAL OF PS&E	JULY 2018
ENVIRONMENTAL CLEARANCE	JULY 2018
ADVERTISE/BID/AWARD	FALL 2018
CONSTRUCTION START	JANUARY 2019
CONSTRUCTION COMPLETION/COMPLIANCE	SEPTEMBER 2020




- **Is our water safe?**
  - Yes, our water is safe to drink!
  - However, the EPA is concerned about the potential of increasing cancer risks through drinking water with elevated levels of radionuclides over a lifetime, which is why we are working to reduce radionuclide levels in our drinking water.
- **What are radionuclides?**
  - Radionuclides are naturally occurring radioactive materials found underground – not related in any way to nuclear power plants or nuclear weapons!
- **How did EPA come up with its 5 picoCuries per liter (pCi/L) limit for Combined Radium?**
  - The lowest measurable level for Combined Radium was 5 pCi/L in 1976.
  - By 1991, studies showed that a more appropriate limit might be 20-30 pCi/L (in which case the City would be in compliance). Unfortunately, the EPA's Safe Drinking Water Rule has a "non-backsliding" clause, which restricts the EPA's ability to "relax" limits once established.
- **How do you resolve the radionuclide problem?**
  - We can treat the groundwater directly to reduce radionuclides, we can blend with a low radionuclide level supply, or replace the groundwater supply altogether.
  - The City's surface water supply cannot replace the groundwater supply on a continual basis.
- **What efforts has the City made in the past to address radionuclides in the groundwater?**
  - The City has developed additional wells, allowing the City to focus on using wells with the lowest radionuclide levels to meet daily water demands.
  - The City previously completed a blending project, but it was ultimately unsuccessful.
- **What are we doing about the radionuclides now?**
  - The City hired eHT to determine appropriate improvements to regain compliance.
  - Process design for treatment, storage and transmission improvements are complete, we are in the final stages of finalizing structural and electrical component design.
- **When will we start construction?**
  - The City is eligible for up to 85% grant in this project, at a savings of over \$9 million!
  - Start of construction is delayed due to waiting for Economically Distressed Areas Program (EDAP) funding from the Texas Water Development Board (TWDB), release of EDAP funding was delayed by the Texas Legislature during the 2017 legislative session.
- **Even if we reduce radionuclides now, is there risk from radionuclides in the water pipes?**
  - Radionuclides can "drop out" of water when scale forms on the surface of pipes. Similar to concerns in the media regarding lead and copper exposure, one critical method to protect water quality is to ensure that the drinking water produced is "slightly scale forming" to always maintain a protective layer on the surface of the piping. This approach will prevent radionuclides from re-entering the drinking water until sufficient funds are available to replace water piping.



**CITY COUNCIL  
CITY OF BRADY, TEXAS**

**AGENDA ACTION FORM for ORDINANCE**

<b>AGENDA DATE:</b>	1/16/18	<b>AGENDA ITEM</b>	7.A.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding <b>second and final reading of Ordinance 1243</b> 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>PREPARED BY:</b>	K Lenoir	<b>Date Submitted:</b>	1/3/2017
<b>EXHIBITS:</b>	Ordinance Exhibit A – Definitions and 2.400		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

On August 27, Council Member Garza requested a change in the Animal Control Ordinance to restrict livestock (goats, sheep, horses) from the city limits. He had received numerous complaints from citizens about odors, flies and maintenance of the grounds. The City Council discussed concerns with the Animal Control Officer and directed staff to bring a revised ordinance for City Council to consider. Staff and Council Members reviewed and discussed draft changes at a Work Session on September 19. Changes include restricting livestock, establishing fence requirement for all animals, allowance for 4-H and FFA animals to be kept in residential areas, and several grammar corrections.

December 19 Work Session, City Council Members continued the review and adding to the definitions and changed rules for keeping livestock in the city.

January 3, City Council approved the first reading with several amendments.

**RECOMMENDED ACTION:**

**Mayor:** "Do I have a motion to read the full ordinance?"

**If no, Mayor will state:** "A majority of the City Council has dispensed with the full reading of the ordinance."

**Mayor will ask:** "Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter." "Secretary reads preamble"

**Mayor calls for a motion:**

Move to approve the **second and final reading of Ordinance 1243**



**ORDINANCE 1243**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS AMENDING MUNICIPAL CODE OF ORDINANCES ARTICLE 2 ANIMAL CONTROL TO ESTABLISH DEFINITIONS AND CLARIFYING RULES FOR LIVESTOCK AND EXOTICS;**

**WHEREAS**, in review of the Municipal Code of Ordinances, Chapter 2, Animal Control, it has become apparent that the Ordinance should more clearly define issues dealing with all animals within the City limits of the City of Brady; and

**WHEREAS**, changes to the City of Brady Municipal Code of Ordinances must be done by a new Ordinance; and

**WHEREAS**, the City Council of the City of Brady has determined that it is in the best interests of the general public and residents of Brady to approve the proposed changes to the City of Brady Animal Control Ordinance, Section 2.101 Definitions and Article 2.400 Keeping Livestock and Exotic Animals.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, THAT:**

The City Council of the City of Brady, Texas, hereby amends Chapter 2, Animal Control of the Municipal Code of Ordinances, Article 2.400 Keeping Livestock and Exotic Animals and Section 2.101 Definitions; see Exhibit A as attached.

**PASSED AND APPROVED ON FIRST READING** on this 2nd day of January 2018.

**PASSED, APPROVED AND ADOPTED ON SECOND READING** on this 16<sup>th</sup> day of January 2018.

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Anthony Groves, Mayor

ATTEST:

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Tina Keys, City Secretary  
STATE OF TEXAS  
COUNTY OF MCCULLOCH  
CITY OF BRADY

**EXHIBIT A**  
**ARTICLE 2.100 IN GENERAL**

**Sec. 2.101 Definitions**

As used in this chapter the following terms mean:

4-H/FFA Animal. A 4-H/FFA animal is any animal under the control of an authorized 4-H or FFA program.

Animal. Any living creature except human beings, and including (without limiting the generality thereof) animals, birds, reptiles and fish, except the word “animal” shall mean only a mammal when referring specifically to the control of rabies.

Animal Control Authority or Animal Control Officer. The city animal control officer, or his or her designee, with authority over the city limits within which the dog, cat or animal is kept.

Animal Control Center or Center. Facility in which the division of animal and rabies control is housed.

Bite. An abrasion, scratch, puncture, tear or piercing of the skin actually or suspected of being caused by the mouth of any animal.

Breeder. Any person licensed by the city to keep, harbor, breed and/or raise in excess of four (4) dogs or four (4) cats, six (6) months of age or older, on any premises used or zoned for residential purposes and less than two acres in area.

Collar. A band, chain, harness or other suitable device worn around the neck of an animal to which a current rabies vaccination tag can be affixed.

Current Vaccination. Vaccinated and satisfying the following:

- (1) The animal must have been at least three (3) months of age at the time of vaccination.
- (2) At least thirty (30) days have elapsed since the initial vaccination.
- (3) Not more than thirty-six months have elapsed since the most recent vaccination.

Dangerous Dog. A dog that:

- (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or

- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the dog enclosure on its own, and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Department. The police department of the city.

Exotic animal. An exotic animal is any animal that is not indigenous to the state of Texas. Exotic animals include the following: feral hog, Russian boar, aoudad sheep, axis deer, elk, elk hybrids, sika deer, fallow deer, red deer, and blackbuck and nilgai antelope.

Exotic fowl. An exotic fowl is any avian species not indigenous to the state of Texas. Exotic fowl include the following: guineas, peacocks, ratites, emu, ostrich, rhea, and cassowary.

Exposed to Rabies. An animal has been exposed to rabies if it has been bitten by any other animal or if it has been in contact with any animal known to be, or suspected of being infected with rabies.

Euthanize. To cause death of an animal by a method which:

- (1) Rapidly produces unconsciousness and death without visible evidence of pain or distress; or
- (2) Utilizes anesthesia produced by an agent that causes painless loss of consciousness, and death following such loss of consciousness.

Including. The term including is not a term of limitation. It means “including but not limited to.”

Kennel. A place where animals are bred and boarded that has been approved by the animal control officer.

License. A document issued by the officer or any other employee of the city that shows that the owner is entitled to keep an animal as required by this chapter. The term license includes the term permit.

Livestock. Livestock means cattle, horses, mules, asses, sheep, goats, llamas, alpacas, exotic livestock, hogs, and miniature versions of same, unless otherwise defined.

Officer. Any animal warden or animal quarantine investigator employed by the city police department.

Owner. Any person who owns, harbors, handles, keeps or causes or permits to be harbored, handled, or kept, or has in his care, an animal or bird on or about his premises.

Person. The word “person” shall extend and be applied to associations, corporations, firms, partnerships and bodies politic and corporate as well as to individuals.

**Pet Shelter.** A facility that is approved to keep and care for animals by the animal control officer. The facility houses homeless, lost or abandoned animals: primarily a large variety of dogs and cats. The animals are kept at the shelter until they are either reclaimed by an owner, adopted by a new owner, placed with another organization, or if necessary, euthanized.

**Public Nuisance.** Any act, condition, or thing existing, done, or in being within the city, or within the city's extraterritorial jurisdiction, which endangers the public peace, property, health and safety of the citizens of the City. [Sec. 8.101 of Code of Ordinances].

**Secure Enclosure.** A fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of a dog;
- (4) Clearly marked as containing a dangerous dog; and
- (5) In conformance with the requirements for enclosures established by the animal control officer.

**Tag.** A small identifying mark

**Vaccination.** Inoculation of an animal with a vaccine that is licensed by the United States Department of Agriculture, and which is administered by a veterinarian for the purpose of immunizing the animal against rabies.

**Veterinarian.** A doctor of veterinary medicine who holds a valid license to practice his profession.

**Wild animal.** Any animal that is not tame or domesticated.

## **ARTICLE 2.400 KEEPING LIVESTOCK AND EXOTIC ANIMALS**

### **Sec. 2.401 Leaving Stock Unhitched**

It is unlawful for any person to leave standing any livestock on a public street or alley within the city.

### **Sec. 2.402 Hitching Stock on Sidewalks**

It is unlawful for any person to hitch or tie any livestock to a shade tree, fence or house on or along any sidewalk in the city.

### **Sec. 2.403 Restrictions on Keeping Horses**

- (a) No person shall keep a horse on any premises if:
  - (1) the overall area within which the horse is kept is less than one acre for each horse kept,
  - (2) the premises are unsanitary, or
  - (3) the premises where the horses are kept are a public nuisance as determined by a proceeding in Municipal Court initiated by the issuance of a citation or summons.
- (b) The manure and debris incident to the maintenance and care of horses shall be scraped from the floor and raked from pens or areas with such frequency as to prevent the same from serving as breeding places for insects and from emitting noxious odors. The manure and debris scraped or raked, as provided above, shall immediately be collected and either placed and kept in a waterproof and insect proof container until removed from the premises. The inside walls, ceilings, roosts, and floors of the structure in which the horses are housed shall be treated and kept treated with effective material manufactured and sold for the control of flies, mites, and lice and applied according to the manufacturer's directions. (Ordinance 1194 approved 5-3-16)
- (c) Horses on less than one acre for each horse as of January 1, 2018 may receive a grandfathered status on the license with the City by March 1, 2018. No additional horses shall be allowed on less than one acre for each horse.

### **Sec. 2.404.1 Keeping Swine Prohibited**

No person shall keep swine within the city.

### **Sec. 2.404.2 Restrictions on Keeping Goats and Sheep**

No person shall keep goats or sheep on any premises if:

- (1) the overall area within which the goat or sheep is kept is less than one acre for each goat or sheep kept,
- (2) the premises are unsanitary, or

- (3) the premises where the goats or sheep are kept are a public nuisance as determined by a proceeding in Municipal Court initiated by the issuance of a citation or summons.

#### **Sec. 2.404.3    Restriction on Keeping Fowl**

No person shall keep more than six (6) female fowl per acre:

- (1) Fowl shall be kept in a coop behind a solid fenced backyard;
- (2) The premises where the fowl are kept shall not be unsanitary; and
- (3) The premises where the fowl are kept shall not be a public nuisance as determined by a proceeding in Municipal Court initiated by the issuance of a citation or summons.

#### **Sec. 2.404.4    Keeping Roosters Prohibited**

No person shall keep within the city any male chickens/roosters. Male chickens/roosters existing as of January 1, 2018 are grandfathered. No additional male chickens/roosters are allowed to remain within the city.

#### **Sec. 2.405    Permit Required for Exotic Animals**

No person shall keep within the city, any wild animal, exotic animal, or exotic bird, warm-or-cold-blooded (not including caged pet rodents, caged pet birds and animals in aquariums) unless a permit is obtained from the animal control officer in accordance with the provisions in this chapter.

#### **Sec. 2.406    Application to Keep Exotic Animals Fee**

Application for any permit required in Section 2.405 shall be made in writing to the animal control officer, accompanied by payment determined by city council, to pay part of the cost of executing this article and is not to be prorated or refunded. The application shall state the name and residence of the applicant, the location of the premises where the animal or bird is to be kept, the number and kind of such animals or birds, and the kind of enclosure within which they are to be kept.

#### **Sec. 2.407    Renewal, Amendment of Permit to Keep Exotic Animals**

The permit required by Section 2.405 shall be renewed annually by October 31st each year, accompanied by payment of a fee established by City Council. If ownership of the place in which the animal is kept is changed, the permit may be changed accordingly upon written verified application and payment of a fee established by City Council for amending the permit.

#### **Sec. 2.408    Findings Prerequisite to Permit for Exotic Animals**

- (a) The animal control officer shall determine, by inspection or otherwise, whether the keeping of exotic animals as proposed is in violation of any law or ordinance, and whether the keeping of exotic animals will constitute a public nuisance. In making this determination, the animal control officer shall consider the following factors and be guided by the following standards:

- (1) The area of the premises on which the animals are to be kept,
- (2) Whether the keeping of animals will endanger the public health or cause orders or noises offensive to persons of ordinary sensibilities residing in the vicinity, and
- (3) Whether the keeping of such animals considering all the circumstances, is likely to endanger persons or property.

(b) The animal control officer shall verify the information in the application and shall issue or refuse the permit accordingly. The permit may include reasonable conditions determined by the animal control officer to be necessary to prevent a public nuisance, such as the number and kind of animals to be kept thereon. All conditions of a permit are subject to review and revision by the animal control officer.

#### **Sec. 2.409 Suspension, Revocation, Alternation of Permit**

After reasonable notice and opportunity to be heard, the animal control officer may suspend or revoke any permit issued under Section 2.405 for violation of this chapter by the permittee. After issuing a permit, the animal control officer may add conditions or restrictions to the permit if investigation indicates any changes since the original permit was issued.

#### **Sec. 2.410 Sanitation**

(a) All animals and birds (except dogs, cats, caged pet rodents, caged pet birds, fowl and rabbits the keeping of which is otherwise regulated herein) shall be kept in a secure pen or enclosure which shall not be less than one hundred (100) feet from any inhabited dwelling (except that of the owner or person keeping such animals or birds) or any hotel, apartment house, tenement house, hospital, church or school.

(b) Fowl and rabbits shall be kept in a secure pen or enclosure that is at least 30 feet from any inhabited dwelling that is not the owner's dwelling, or any hotel, apartment houses, tenement houses, hospital, church or school; provided, the pen or enclosure may be within 20 feet of such buildings if separated therefrom by a public alley and by a solid fence or wall at least six feet high between the pen or enclosure and the alley; and provided, further, homing pigeons may be released from the pen or enclosure for the purpose of supervised flights.

(c) The word "kept" as used in this section does not prevent the temporary removal of the animal or bird from the pen for any normal use or purpose. In the case of animals for which a permit is issued, the animal control officer may waive the requirements as to distance from dwellings or other buildings if keeping the animal in a dwelling or close by will not endanger the public health or create a public nuisance.

(d) The owner or person in possession of the pen or enclosure must keep it in such a manner as not to give off odors offensive to persons residing in the vicinity, or to breed or attract flies, mosquitoes, or other noxious insects, or in any manner to endanger the public health or create a public nuisance.

(e) All persons keeping such animals and birds must comply with the following regulations.

(1) Manure and droppings must be removed from pens, stables, yards, cages and other enclosures at least twice weekly and handled or disposed of in such a manner as to keep the premises free of any nuisance.

(2) Mound storage of droppings or manure between such removals will only be permitted under such conditions as to protect against the breeding of flies and to prevent migration of fly larvae (maggots) into the surrounding soil.

(3) Feed troughs may be provided for the feeding of vegetables, meat scraps, or garbage and such feeding must be done only in containers or on an impervious platform.

(4) Watering troughs or tanks may be provided that will be equipped with adequate facilities for draining the overflow, as to prevent the breeding of flies, mosquitoes, or other insets.

(5) No rancid material may be allowed to accumulate on the premises, and all such material used as feed that is unconsumed must be removed daily and disposed of by burial or other means approved by the animal control officer.

(f) For the purpose of enforcing this article, the animal control officer must make inspections of all places where animals or birds are kept; and the making of an application for or the issuing of any permit under this article constitutes consent for entry and inspection of the officer or his or her appointed agent(s) at all reasonable times.

#### **Sec. 2.411 Exceptions to Permit Requirements and Exceptions to Restrictions**

The permit requirements of this article do not apply to animals kept for scientific purposes by any educational or scientific institution, nor to animals belonging to a licensed circus or animal shows exhibited in the city temporarily, nor to animals or birds kept by the city for exhibition in a public park or zoo, nor to the animals kept at the G. Rollie White Complex or Veterinary Clinics, nor to animals kept for the purpose of 4-H/FFA youth programs. Such animals or birds, however, shall be kept as not to constitute a public nuisance or a danger to the public health or safety of any person, or group of persons within the city.

#### **Sec. 2.412 Importation of Certain Animals**

(a) The following animals, should not be used as a domestic pet within the city limits:

- (1) Skunk.
- (2) Fox.
- (3) Raccoon.
- (4) Ringtail.
- (5) Coyote.




- (6) Bobcat.
- (7) Marten.

(b) These animals may be imported if they are designed for a research institute or public display as in zoos or organized entertainment units or Independent School Districts.

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1/16/2018	<b>AGENDA ITEM</b>	7B
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>Demolition Order 2018-23</b> in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structure(s) at 607 East 2 <sup>nd</sup> Street.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1/10/18
<b>EXHIBITS:</b>	Demolition Order 2018-23 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$1,350.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	
This property is located on the Northwest side of Brady and has not had utilities connected since March 06, 2003.	
Owners:	Josephine Medrano
Last Known Address:	104 Harbor Drive
Property Taxes:	Current
Amount of Tax Lien:	\$2,030.00
<u>Action taken:</u>	
<b>July 20, 2015</b> – Complaint received regarding high grass and weeds. Carey McBride closed for voluntary compliance.	
<b>June 22, 2016</b> – Complaint received for dilapidated structure and high grass and weeds. There are no notes in the Comcate system. It was closed for Property Background Info.	
<b>December 4, 2017</b> – House posted with letter to owner and “DO NOT ENTER” sign	
<b>December 5, 2017</b> – Letter sent certified mail to owner	
<b>December 6, 2017</b> – Public hearing notice posted in the newspaper	
<b>December 12, 2017</b> – The City Council held a public hearing and continued discussions until January to allow time for repairs to be made.	
<b>The portions of the property that were in violation of the Code of Ordinances have been abated.</b>	

<b>RECOMMENDED ACTION:</b>
It is recommended that City Council allow repairs to continue at 607 East 2 <sup>nd</sup> Street.

## **DEMOLITION ORDER 2018-23**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 607 EAST 2ND, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on December 5, 2017, the City provided the owner of the property located at 607 E. 2nd, Brady, Texas with notice, via certified mail, of a hearing to be held on December 19, 2017; and

**WHEREAS**, on December 19, 2017, the City Council conducted a public hearing concerning the structure located at 607 E. 2nd, Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owner, Josephine Medrano, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

**NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 607 E. 2nd, Brady, Texas, Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous Premises). Specifically, Subsections, (1) The building or structure is liable to partially or fully collapse, (4) The foundation or the vertical or horizontal supporting members are twenty-five percent or more damaged or deteriorated (a portion of the structure only), (7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare, (10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease, (12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Chapter 8 of the city code, of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 607 E. 2nd, Brady, Texas by no later than ninety (90) days from the date of this Order, which is March 18, 2018; and

(4) This property will be inspected for compliance with this order on March 18, 2018. If the owner fails to demolish and remove the building before March 18, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**


\_\_\_\_\_  
Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1/16/18	<b>AGENDA ITEM</b>	7.C.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>Demolition Order 2018-18</b> 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.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1/10/18
<b>EXHIBITS:</b>	Demolition Order 2018-18 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$2,250.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

#### **SUMMARY:**

This property is located on the Northwest side of Brady and has not had utilities connected since January 27, 2014.

Owners:	Maxine Ake Estate/Linda Stewart
Last Known Address:	PO Box 402, Hawley, TX 79525
Property Taxes:	Delinquent \$1,375.58
Amount of Tax Lien:	\$3,610.00

#### Action taken:

**May 20, 2014** - Carey McBride inspected for utilities connection. He informed the owner that a lot of work would need to be done before permanent services were connected. A verbal warning was given for junk, weeds, and junked vehicle. The case was closed on 08/04/2015 for no response after a year.

**December 21, 2016** - A complaint for junk and weeds was received.

**December 28, 2016** - Mrs. Stewart contacted the Code office to say she had talked to a judge to get the squatters evicted off the property.

**January 17, 2017** - Mrs. Stewart asked for more time to clean up. No progress had been made at this point.

**February 10, 2017** - Linda Stewart came and said she was just waiting on PD officers to serve the eviction papers to the squatters on the property then she would begin clean up.

**May 26, 2017** - Case reassigned to Kim Davee

**October 4, 2017** - Inspection of property revealed violations had not been abated and more junk had been added.

**October 23, 2017** - A citation was issued to the owner.

**November 2, 2017** - Public Hearing Notice was sent to the newspaper

**November 3, 2017** - Public Hearing Notice was sent to the property owner and posted on the structure near the door.

**November 21, 2017** – Public hearing was held. City Council continued until January to give the owner time to provide a timeline for repairs and make some progress on the violations.

**December 20, 2017** – The owner was in Municipal Court for junk and unsightly matter violations. The judge gave 30 days to abate the violations and the case will be back on the court docket in January.

**The structures on this property are in violation of the following subsections of Section 3.207 of the Code of Ordinances:**

(2) The building or structure was constructed or maintained in violation of any provision of the city's building code, or any other applicable ordinance or law of the city, county, state, or federal government.

(8) The structure does not have adequate light, ventilation, or sanitation facilities as required by the city.

(9) The structure has inadequate facilities for egress in case of fire or other emergency or has insufficient stairways, elevators, fire escapes or other mean of ingress or egress.

(10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.

(11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").

(12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

**RECOMMENDED ACTION:**

It is recommended that City Council issue Demolition Order 2018-18 for 301 Boston.

## **DEMOLITION ORDER 2018-18**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 301 BOSTON, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on November 3, 2017, the City provided the owner of the property located at 301 Boston, Brady, Texas with notice, via certified mail, of a hearing to be held on November 21, 2017; and

**WHEREAS**, on November 21, 2017, the City Council conducted a public hearing concerning the structure located at 301 Boston, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owner, Linda Stewart, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

### **NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 301 Boston Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous

Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 301 Boston, Brady, Texas by no later than ninety (90) days from the date of this Order, which is February 19, 2018; and

(4) This property will be inspected for compliance with this order on February 19, 2018. If the owner fails to demolish and remove the building before February 19, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**

\_\_\_\_\_  
Anthony Groves, Mayor


Attest: \_\_\_\_\_  
Tina Keys, City Secretary



# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	01/16/2018	<b>AGENDA ITEM</b>	7.D.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>Demolition Order 2018-19</b> 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.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	01/10/2018
<b>EXHIBITS:</b>	Demolition Order 2018-19 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$1,800.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

#### SUMMARY:

This property is located on the Northwest side of Brady and has not had utilities connected since December 11, 2012.

Owners:	The PTM Group
Last Known Address:	PO Box 6783, Cincinnati, OH 45206
Property Taxes:	Delinquent (\$951.41)
Amount of Tax Lien:	\$3,160.00

#### Action taken:

**2014** - Utilities were requested. The real estate company contacted the Code office for inspection. Kim Davee did the inspection and determined that the electrical service was insufficient. The inside was not sufficient for human habitation. A gas pressure test would have to be performed by a licensed plumber. The findings were conveyed to the real estate company and no further action was taken.

**11/02/2017** – Public Hearing Notice was sent to the newspaper for publication in the November 8<sup>th</sup> edition.

**11/03/2017** – Public Hearing Notice was sent via certified mail to the owner and posted on the structure near the door.

**11/21/2017** – A public hearing was held by City Council and was continued to January to allow the owner to provide a timeline for repairs.

**This property is in violation of the following subsections of Section 3.207 of the Code of Ordinances:**

(2) The building or structure was constructed or maintained in violation of any provision of the city's

building code, or any other applicable ordinance or law of the city, county, state, or federal government.

(5) The non-supporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated.

(7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare.

(8) The structure does not have adequate light, ventilation, or sanitation facilities as required by the city.

(10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.

(11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").

(12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

<b>RECOMMENDED ACTION:</b>
It is recommended that City Council issue Demolition Order 2018-19 for 401 Boston.

## **DEMOLITION ORDER 2018-19**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 401 BOSTON, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on November 3, 2017, the City provided the owner of the property located at 401 Boston, Brady, Texas with notice, via certified mail, of a hearing to be held on November 21, 2017; and

**WHEREAS**, on November 21, 2017, the City Council conducted a public hearing concerning the structure located at 401 Boston, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owner, The PTM Group, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

### **NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 401 Boston Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous

Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 401 Boston, Brady, Texas by no later than ninety (90) days from the date of this Order, which is February 19, 2018; and

(4) This property will be inspected for compliance with this order on February 19, 2018. If the owner fails to demolish and remove the building before February 19, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**


\_\_\_\_\_  
Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1/16/18	<b>AGENDA ITEM</b>	7.E.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at <u>706 South Plum Street</u> per Demolition Order 2018-14.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1/10/18
<b>EXHIBITS:</b>	Demolition Order 2018-14 Pictures		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$270.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

#### **SUMMARY:**

706 South Plum is located on the Southeast side of Brady and there are no records of this property ever having utilities.

Owner: Kaye Menefield Estate (c/o Delores R. McDonald)  
Last Known Address: 115 Crothers, Brownwood, TX 76801

Owner: Joyce E. Osburn  
Last Known Address: 3975 Avocado Drive, Dallas, TX

Owner: Nedra G. Teal  
Last Known Address: 3421 Judge Dupree, Dallas, TX 75241

Property Taxes: No taxes owed.

Amount of Tax Lien: \$355.00

#### Action taken:

**September 28, 2017** - The structure was inspected to determine if this was a dangerous premise. Kim Davee, Code Enforcement Officer, has determined the buildings do meet the standards of a dilapidated/dangerous premises. Pictures of the structure and property were taken at this time.

**October 2, 2017** - A public hearing notice was posted in the paper and on a tree in front of the building. Notices of public hearing were sent via certified mail to the property owners' addresses on file with MCAD.

**October 17, 2017**- The City Council held a public hearing and issued Demolition Order 2018-14.

**This premises violates the following subsections of Section 3.207:**

- (1) The building or structure is liable to partially or fully collapse
- (5) The non-supporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated.
- (6) The structure has improperly distributed loads upon the structural members, or the structural members have insufficient strength to be reasonably safe for the purpose used.
- (7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare.
- (10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.
- (11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").
- (12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to an nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

**RECOMMENDED ACTION:**

It is recommended that City Council enforce City abatement of the structure at 706 South Plum as defined in Demolition Order 2018-14.

## **DEMOLITION ORDER 2018-14**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 706 SOUTH PLUM, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on October 3, 2017, the City provided the owner of the property located at 706 South Plum, Brady, Texas with notice, via certified mail, of a hearing to be held on October 17, 2017; and

**WHEREAS**, on October 17, 2017, the City Council conducted a public hearing concerning the structure located at 706 South Plum, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owners, Delores McDonald, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

**NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 706 South Plum, Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 706 South Plum, Brady, Texas by no later than ninety (90) days from the date of this Order, which is January 15, 2018; and

(4) This property will be inspected for compliance with this order on January 15, 2018. If the owner fails to demolish and remove the building before January 15, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**

\_\_\_\_\_  
Anthony Groves, Mayor


Attest: \_\_\_\_\_  
Tina Keys, City Secretary



# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1/16/18	<b>AGENDA ITEM</b>	7.F.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at <u>1308 North College Street</u> per Demolition Order 2018-15.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1/10/18
<b>EXHIBITS:</b>	Demolition Order 2018-15 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$1,800.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	
This property is located on the Northwest side of Brady and has not had utilities connected since June 30, 1998.	
Owners:	Joseph & Annette Berman
Last Known Address:	3509 Haltom Rd., Fort Worth, TX 76117
Property Taxes:	\$158.78
Amount of Tax Lien:	\$2,480.00
<u>Action taken:</u>	
July 09, 2015 - Property was given a violation notice for Weeds and Vegetation and Junked Vehicle. The weeds were abated but the junked vehicle remained.	
May 13, 2016 - Property owner was issued a violation notice for Weeds and Vegetation.	
May 25, 2016 - A citation was issued to the property owner.	
November 30, 2016 - Case was closed for compliance.	
September 28, 2017 - The structure was inspected and pictures were taken to determine if this was a dangerous premise. Kim Davee, Code Enforcement Officer, has determined the building does meet the standards of a dilapidated/dangerous premises.	
October 2, 2017- A public hearing notice was sent via certified mail to the property owner at the address on file with the McCulloch County Appraisal District.	
October 4, 2017- A public hearing notice was published in the newspaper.	
October 17, 2017 – A public hearing was held and time was given to allow the owner to provide a timeline for repairs.	
<b>The structure at this property is in violation of the following subsections of Section 3.207 of the Code of Ordinances:</b>	
(2) The building or structure was constructed or maintained in violation of any provision of the city's building code, or any other applicable ordinance or law of the city, county, state, or federal	

government.

(8) The structure does not have adequate light, ventilation, or sanitation facilities as required by the city.

(10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.

(11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").

(12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

<b>RECOMMENDED ACTION:</b>
It is recommended that City Council allow the owner to continue with repairs.

## **DEMOLITION ORDER 2018-15**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 1308 NORTH COLLEGE, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on October 3, 2017, the City provided the owner of the property located at 1308 North College, Brady, Texas with notice, via certified mail, of a hearing to be held on October 17, 2017; and

**WHEREAS**, on October 17, 2017, the City Council conducted a public hearing concerning the structure located at 1308 North College, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owners, Joseph and Annette Berman, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

**NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 1308 North College Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 1308 North College, Brady, Texas by no later than ninety (90) days from the date of this Order, which is January 15, 2018; and

(4) This property will be inspected for compliance with this order on January 15, 2018. If the owner fails to demolish and remove the building before January 15, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**


\_\_\_\_\_  
Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1/16/18	<b>AGENDA ITEM</b>	7.G.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at <u>201 West 6<sup>th</sup> Street</u> per Demolition Order 2018-16.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1/10/18
<b>EXHIBITS:</b>	Demolition Order 2018-16 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$3,150.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

#### **SUMMARY:**

This property is located on the Southwest side of Brady and has not had utilities connected since February 12, 2013.

Owner: George & Wendy C. Rubio  
 Last Known Address: P.O. Box 210, Voca, TX 76887  
 Property Taxes: \$854.98  
 Amount of Tax Lien: \$5,190.00

#### Action taken:

**October 2, 2017** – The structure was inspected and pictures were taken to determine if this was a dangerous premise. Kim Davee, Code Enforcement Officer, has determined the buildings do meet the standards of a dilapidated/dangerous premises. A “Do not Enter” sign was posted on the property along with the Notice of Public Hearing.

**October 2, 2017** – A public hearing notice was sent via certified mail to the property owner at the address on file with the McCulloch County Appraisal District. A public hearing notice was sent to be published in the newspaper on October 5, 2017 for the public hearing.

**October 17, 2017** – City Council issued Demolition Order 2018-16

**The structure on this property is in violation of the following subsections of Section 3.207 of the Code of Ordinances:**

- (1) The building or structure is liable to partially or fully collapse.
- (2) The building or structure was constructed or maintained in violation of any provision of the city’s building code, or any other applicable ordinance or law of the city, county, state, or federal government.
- (3) Any wall or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle one-third of its base.

- (4) The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
- (5) The non-supporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated.
- (6) The structure has improperly distributed loads upon the structural members, or the structural members have insufficient strength to be reasonably safe for the purpose used.
- (7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare.
- (8) The structure does not have adequate light, ventilation, or sanitation facilities as required by the city.
- (10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.
- (11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").
- (12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

**RECOMMENDED ACTION:**

It is recommended that City Council enforce City abatement of structures at 201 West 6<sup>th</sup> Street as defined in Demolition Order 2018-16.

## **DEMOLITION ORDER 2018-16**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 201 WEST 6<sup>TH</sup> STREET, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on October 3, 2017, the City provided the owner of the property located at 201 West 6<sup>th</sup> Street, Brady, Texas with notice, via certified mail, of a hearing to be held on October 17, 2017; and

**WHEREAS**, on October 17, 2017, the City Council conducted a public hearing concerning the structure located at 201 West 6<sup>th</sup> Street, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owners, George and Wendy Rubio, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

**NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 201 West 6<sup>th</sup> Street, Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 201 West 6<sup>th</sup> Street, Brady, Texas by no later than ninety (90) days from the date of this Order, which is January 15, 2018; and

(4) This property will be inspected for compliance with this order on January 15, 2018. If the owner fails to demolish and remove the building before January 15, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**

\_\_\_\_\_  
Anthony Groves, Mayor


Attest: \_\_\_\_\_  
Tina Keys, City Secretary



# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1-16-18	<b>AGENDA ITEM</b>	7.H.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action to authorize the abatement of dilapidated structures at <u>300 South Hackberry Street</u> per Demolition Order 2018-17.		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	1-10-18
<b>EXHIBITS:</b>	Demolition Order 2018-17 Photos of Property		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$720.00	
	<b>Amount Budgeted:</b>	\$30,000.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

#### **SUMMARY:**

This property is located on the Southeast side of Brady and has not had utilities connected since February 17, 2014.

Owner: Inez Garcia  
 Last Known Address: 206 W 6<sup>th</sup> Street, Brady, TX 76825  
 Property Taxes: \$55.42  
 Amount of Tax Lien: \$1400.00

#### Action taken:

**October 2, 2017** – The structure was inspected and pictures were taken to determine if this was a dangerous premise. Kim Davee, Code Enforcement Officer, has determined the buildings do meet the standards of a dilapidated/dangerous premises. A “Do not Enter” sign was posted on the property along with the Notice of Public Hearing.

**October 2, 2017** – A public hearing notice was sent via certified mail to the property owner at the address on file with the McCulloch County Appraisal District.

**October 2, 2017** – A public hearing notice was sent to be published in the newspaper on October 5, 2017 for the public hearing.

**October 17, 2017** – City Council issued Demolition Order 2018-17.

**The structures at this property violate the following subsections of Section 3.207 of the Code of Ordinances:**

- (1) The building or structure is liable to partially or fully collapse.
- (3) Any wall or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle one-third of its base.
- (4) The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
- (5) The non-supporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated.

- (6) The structure has improperly distributed loads upon the structural members, or the structural members have insufficient strength to be reasonably safe for the purpose used.
- (7) The structure or any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare.
- (8) The structure does not have adequate light, ventilation or sanitation facilities as required by the city.
- (10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.
- (11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").
- (12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

**RECOMMENDED ACTION:**

It is recommended that City Council enforce City abatement of the structure at 300 South Hackberry as defined in Demolition Order 2018-17.

## **DEMOLITION ORDER 2018-17**

### **AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 300 SOUTH HACKBERRY, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES**

**WHEREAS**, on October 3, 2017, the City provided the owner of the property located at 300 South Hackberry, Brady, Texas with notice, via certified mail, of a hearing to be held on October 17, 2017; and

**WHEREAS**, on October 17, 2017, the City Council conducted a public hearing concerning the structure located at 300 South Hackberry, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the City Council finds that all proper notices have been sent as required by City Ordinances; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

**WHEREAS**, the property owners, Inez Garcia and Juanita Gonzalez, did/did not appear at the hearing; and

**WHEREAS**, the City Council finds that the structure is unoccupied; and

**WHEREAS**, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

**WHEREAS**, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

**WHEREAS**, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

**WHEREAS**, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

### **NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:**

(1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

(2) The structure located at 300 South Hackberry, Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of Ordinances (Dangerous Premises). Specifically, Subsections (choose 1 – 12) of Section 3.207 of the Code of Ordinances have been violated. Therefore, the City is authorized to demolish the building under Section 3.210 of the City Code of Ordinances

(3) The owner is hereby ordered to demolish the structure located at 300 South Hackberry, Brady, Texas by no later than ninety (90) days from the date of this Order, which is January 15, 2018; and

(4) This property will be inspected for compliance with this order on January 15, 2018. If the owner fails to demolish and remove the building before January 15, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.


It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

**ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.**

\_\_\_\_\_  
Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

**CITY COUNCIL  
CITY OF BRADY, TEXAS  
AGENDA ACTION FORM**

<b>AGENDA DATE:</b>	1-16-2018	<b>AGENDA ITEM</b>	7.I.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible regarding the Mayor's appointments to the Planning and Zoning Commission and the Brady Youth Association to fill vacancies and expired terms		
<b>PREPARED BY:</b>	Tina Keys	<b>Date Submitted:</b>	1-12-2018
<b>EXHIBITS:</b>	Updated roster of positions to be filled.		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	0	
	<b>Amount Budgeted:</b>	0	
	<b>Appropriation Required:</b>	0	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>
<p>Kathy Gloria resigned from the Planning and Zoning Commission leaving a vacant position.</p> <p>Rey Garza's term on the Brady Youth Association is expiring.</p> <p>According to the city charter, "The Mayor shall recommend to the Council appointees for the boards and commissions."</p>

<b>RECOMMENDED ACTION:</b>
<p>The Mayor shall recommend to the Council appointees for the boards and commissions.</p>

# CITY OF BRADY

## 2018 Boards & Commissions

PLANNING AND ZONING COMMISSION (3 yr term)		
Kim Davee, Staff Liaison 325/597-2244 ext 201 kdavee@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Nick Blyshack, Chair	6/18
2	Ronnie Aston, Vice Chair	6/20
3	Amy Greer	6/20
4	Thomas Flanigan	6/19
5	VACANT	6/19
6	Connie Easterwood	6/19
7	Jeff Bedwell	6/18
* ALT	Cathy Ewert	6/18

Economic Development Corporation - 4A (2 year term)		
Peter Lamont, Staff Liaison 325/597-2152 ext 211 plamont@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Lauren Bedwell, President	6/18
2	Don Miller, VP	6/18
3	Jason Valdez	6/19
4	Michelle Derrick	6/18
5	Erin Betts	6/19

ZONING BOARD OF ADJUSTMENT (ZBA/BOA)		
Charter & Zoning Ord. Sec. 9.1 (2 yr term)		
Kim Davee, Staff Liaison 325/597-2244 ext 201 kdavee@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Chris Green	6/19
2	Rod Young, Vice Chair	6/18
3	Heath McBride, Chair	6/18
4	Holly Groves	6/19
5	James Stewart	6/19
* Alt 1	Lauri Smith	6/19
* Alt 2	open	6/18
* Alt 3	open	6/18
* Alt 4	open	6/18

Airport Advisory Board (Ord 1149 - 2 yr term)		
Peter Lamont, Staff Liaison 325/597-2152 ext 211 plamont@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Bob Rice	6/19
2	Stan Amyett	6/19
3	Richard Lenoir	6/19
4	Richard Jolliff	6/18
5	Kirk Roddie	6/18
6	Dale Scott	6/18
7	Carey Day	6/18

Municipal Court Judges (2yr term)		
Tina Keys, Staff Liaison 325/597-2152 ext 207 citysec@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
Judge	JT Owens	12/19

Brady Youth Association (1yr term)		
Peter Lamont, Staff Liaison 325/597-2152 ext 211 plamont@bradytx.us		
Council	BOARD MEMBER NAME	CURRENT TERM
	Rey Garza	1/18

Concho Valley Council of Governments Annual Board (1yr term)		
Kim Lenoir, Staff Liaison 325/597-2152 ext 209 klenoir@bradytx.us		
Council	BOARD MEMBER NAME	CURRENT TERM
	Jeffrey Sutton	6/18

CHARTER REVIEW COMMISSION (4 year term)		
Kim Lenoir, Staff Liaison 325/597-2152 ext 209 klenoir@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	JoAnn Coffey, Chair	2016-2020
2	Teresa Leifeste, Vice Chair	2016-2020
3	Patsy Cole	2016-2020
4	Bill Derrick	2016-2020
5	Rex Ewert (2017)	2016-2020
6	Kelly Green	2016-2020
7	Chad Blankenship	2016-2020

INVESTMENT COMMITTEE (1 yr term)		
Lisa Remini, Staff Liaison 325/597-2152 ext 204 lremini@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Finance Director	FY 2018
2	City Manager	FY 2018
3	Jane Huffman	FY 2018

CITY COUNCIL (3 yr term)		
Kim Lenoir, Staff Liaison 325/597-2152 ext 209 klenoir@bradytx.us		
PLACE	MEMBER NAME	CURRENT TERM
MAYOR	Anthony Groves	5/20
1	Rey Garza	5/20
2	Shelly Perkins	5/18
3	Jeffrey Sutton	5/18
4	Jane Huffman	5/19
5	James Griffin	5/19

McCulloch County Senior Citizen Association Sunset Center Advisory Board (2 year term)		
Rosie Aguirre, Staff Liaison 325/597-2946 raguirre@bradytx.us		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Wanda Nesbit - President	10/19
2	Evelyn Pitcox - Vice President	10/19
3	Mercy James - Secretary	10/19
4	Janice Crawford - Treasurer	10/19
5	Marcia Arons	10/19
6	Rene Avants	10/19
7	Angelita Torrez	10/19
8	Mary Bradshaw	10/19
9	Alvin Bolton	10/19
10	Fay Lawler	10/19
11	Bill Spiller	10/19
12	Rosie Aguirre	Director
13	Kim Lenoir	City Manager
14	Peter Lamont	Comm Svcs Dir.
15	Danny Neal	County Judge
16	Hazel Maner	Lifetime


Hotel Occupancy Tax Grant Committee (1yr term)		
Peter Lamont, Staff Liaison 325/597-2152 x 211 plamont@bradytx.us		
Director	BOARD MEMBER NAME	CURRENT TERM
	Peter Lamont	FY 2018
Finance	Lisa Remini	FY 2018
City Mgr	Kim Lenoir	FY 2018
Council	Jim Griffin	FY 2018

\* Alternates serve 1 year terms

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1-16-2018	<b>AGENDA ITEM</b>	7.J
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action approving Resolution 2018-002 to call a Special Election on May 5, 2018 for the abolition of the ¼ cent sales and use tax for the Type A Corporation (BEDC) and the adoption of a ¼ cent sales and use tax for a B corporation, as recommended by the Brady Economic Development Corporation.		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	1-9-18
<b>EXHIBITS:</b>	Resolution 2018-002		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	<p>As part of the discussions during the Brady Economic Development Corporation's (BEDC) strategic planning retreat, discussion was had on changing from a Type A EDC to a Type B EDC. The primary differences are in the allowable projects. A Type A EDC is designed to focus on Industrial/Manufacturing projects, workforce development and targeted infrastructure.</p> <p>A Type B EDC can participate in all of the activities a Type A EDC can as well as quality of life (i.e. parks, lake), infrastructure, affordable housing, and retail development. A Type B EDC will also allow the EDC to participate in Façade grants for local business, signage improvements and infrastructure improvements to existing businesses. It will also allow more business which collect the sales tax to participate in EDC programs.</p> <p>At the November 16, 2017 meeting, the BEDC Board of Directors voted unanimously to recommend to the City Council calling an election to transition the Type A EDC to a Type B EDC.</p> <p>City Council received a briefing on the reasons to transition to a Type B EDC at their December 5, 2017 meeting. At that time, Council voted unanimously for staff to prepare ballot language to consider changing from an A to a B, and to provide appropriate information to the citizens to help them understand the implication.</p>
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<b>RECOMMENDED ACTION:</b>	<p>Approve Resolution 2018-002</p>
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**CITY OF BRADY, TEXAS  
RESOLUTION NO. 2018-002**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS CALLING A SPECIAL ELECTION TO BE HELD SATURDAY, MAY 5, 2018, SAID DATE BEING A UNIFORM ELECTION DATE, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS FOR THE ABOLITION OF THE ¼ CENT SALES AND USE TAX FOR THE TYPE A CORPORATION (BEDC) AND THE ADOPTION OF A ¼ CENT SALES AND USE TAX FOR A B CORPORATION, AS RECOMMENDED BY THE BRADY ECONOMIC DEVELOPMENT CORPORATION; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, as part of the during the Brady Economic Development Corporation's (BEDC) strategic planning retreat, discussion was had on changing from a Type A EDC to a Type B EDC; and

**WHEREAS**, A Type A EDC is designed to focus on Industrial/Manufacturing projects, workforce development and targeted infrastructure. A Type B EDC can participate in all of the activities a Type A EDC can as well as quality of life (i.e. parks, lake), infrastructure, affordable housing, and retail development. A Type B EDC will also allow the EDC to participate in façade grants for local businesses, signage improvements and infrastructure improvements to existing businesses. This transition will also allow more business which collect the sales tax to participate in EDC programs; and

**WHEREAS**, At the November 16, 2017 meeting, the BEDC Board of Directors voted unanimously to recommend to the City Council calling an election to transition the Type A EDC to a Type B EDC.

**WHEREAS**, the laws of the State of Texas further provide that Section 3.001 of the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an Order should be passed ordering said election and establishing the procedure to be following in said election, and designating the voting place for said election; and

**WHEREAS**, the City Council of the City of Brady, Texas, finds it in the public interest to order a special election to be held on Saturday, May 5, 2018 for a vote of the electors to abolish the ¼ sales and use tax for the BEDC Type A Corporation and adopt a ¼ cent sales and use tax to be used by a Type B EDC.

**NOW THEREFORE; BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS:**

**SECTION ONE.** The foregoing recitals are incorporated into this resolution by reference as findings of fact as if expressly set forth herein.



**SECTION TWO.** A special election will be held on the 5th day of May 2018 in the City of Brady, Texas. The following special election language shall be submitted to the voters of the City of Brady:

TERMINATION OF THE BRADY ECONOMIC DEVELOPMENT CORPORATION, WHICH INCLUDES THE ABOLITION OF THE ¼ CENT SALES AND USE TAX WITHIN THE CITY OF BRADY FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISED UNDER CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT COCE (TYPE A CORPORATION); AND THE ADOPTION, IN THE PLACE OF THE ABOLISHED TAX, OF A ¼ CENT SALES AND USE TAX FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES AND OTHER LAWFUL PURPOSES PURSUANT TO CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE (TYPE B CORPORATION); ALL OF WHICH WILL RESULT IN NO NET INCREASE IN SALES AND USE TAXES COLLECTED BY THE CITY OF BRADY.

☐ For

☐ Against

**SECTION THREE.** A copy of this Resolution, with such omissions authorized by law, shall serve as the Order required by the Texas Election Code and proper notice of the election. Such notice, including a Spanish translation thereof, shall be posted on the bulletin board used by the City to post notices of meetings and at City Hall not less than twenty-one (21) days prior to the date the election is to be held, and shall remain posted through election day. In addition to the foregoing, this Resolution, including a Spanish translation thereof, shall be (i) posted on election day and during early voting by personal appearance in a prominent location at each polling place; (ii) posted in three (3) public places in the boundaries of the City no later than twenty-one (21) days before the election; and (iii) posted on the City's Internet website during the twenty-one (21) days before the election; and (iii) posted on the City's Internet website during the twenty-one (21) days before the election if the City maintains an Internet website.

Notice of the election, stating in substance the contents of this Resolution and Order, shall be published one time in the English and Spanish languages, in a newspaper published within the City's territory at least ten (10) days and no more than thirty (30) days before the election and as otherwise required by the Texas Election Code and applicable law.

The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

**SECTION FOUR:** Early voting will be April 23, 2018 to May 1, 2018 from 8:00 a.m. until 5:00 p.m. Monday through Friday and extended hours from 7:00 a.m. until 7:00 p.m. on April 24, 2018 and April 26, 2018 at the City of Brady City Hall, 201 E. Main Street, Brady, Texas.

Applications for ballots by mail shall be submitted to Tina Keys, P.O. Box 351, 201 E. Main Street, City of Brady, Texas by April 24, 2018.

**SECTION FIVE:** The election Judges to serve at the polling place of said election shall be and are hereby appointed as follows:

Early Voting Place: City Hall, 201 E. Main St.  
Early Voting Clerk: Tina Keys  
Early Voting Clerk: To Be Determined

Polling Places: City Hall  
Election Judge: Valerie Gonzalez  
Alternative Judge: Kathryn Meroney

**SECTION SIX:** In accordance with Section 32.091 of the Texas Election Code, the clerks shall be paid at a rate of \$11.00 per hour and the election judge shall be paid \$12.50.

**SECTION SEVEN:** There shall be a minimum of two (2) clerks at the polling place, which includes the alternative judge.

**SECTION EIGHT:** In accordance with Section 87.004 of the Texas Election Code, the presiding judge and at least two (2) clerks shall also serve as the Early Voting Ballot Board to count ballots received during the early voting by personal appearance and early voting by mail.

**PASSED AND APPROVED,** on this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Anthony Groves, Mayor  
City of Brady, Texas


ATTTEST:

\_\_\_\_\_  
Tina Keys, City Secretary  
City of Brady, Texas

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	1-16-2018	<b>AGENDA ITEM</b>	8.A
<b>AGENDA SUBJECT:</b>	Monthly Financial Reports		
<b>PREPARED BY:</b>	Lisa Remini	<b>Date Submitted:</b>	1-11-2018
<b>EXHIBITS:</b>	Monthly Financial Report Fund Balance and Cash Reconciliation Investment Activity Operating Cash /Utility Billing History Sales Tax Report Motel Tax Collection and Distribution Report Utility Customer Service Reports Electric Residential Rate Comparison Report		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	<p>Financial Reports for the third fiscal month of FY 18 –December 2017 have been emailed to you for review.</p> <p>Total Sales Tax collections are rebounding compared to last year, and for the month of December 2017 are \$23,062 (26%) more than December 2016 collections.</p> <p>The City Council approved a stipend of \$1,000 per month for an annual total of \$12,000 for the FY 18 to the Brady Volunteer Fire Department. Monthly expenditure data provided by the Volunteer Fire Department is included for your review.</p>
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<b>RECOMMENDED ACTION:</b>	<p>This item is for discussion purposes only.</p> <p>Note:          After each Audit Board and upon Council approval, the check register denoting the checks issued to each Vendor, amount paid, and description of the item paid will be on the City's website for public view. Go to the Finance Department tab and then click on the Check Register tab.</p>
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CITY OF BRADY  
MONTHLY FINANCIAL REPORT  
AS OF: DECEMBER 31ST, 2017

PAGE: 1

25.00% OF FISCAL YEAR

	CURRENT BUDGET	YEAR TO DATE ACTUAL	% TO DATE	YEAR TO DATE PRIOR YEAR
BEGINNING FUND BALANCE & NET WORKING CAPITAL	13,667,019.78	13,667,019.78		14,849,387.31
<u>REVENUES</u>				
10 -GENERAL FUND	7,392,110.00	1,711,915.31	23.16	1,713,451.93
20 -ELECTRIC FUND	7,771,810.00	1,772,888.66	22.81	1,979,178.69
30 -WATER / SEWER FUND	5,232,000.00	3,655,578.17	69.87	453,819.24
40 -GAS FUND	1,125,000.00	257,699.80	22.91	222,874.21
50 -UTILITY SUPPORT FUND	509,700.00	122,639.29	24.06	120,939.97
60 -SOLID WASTE FUND	1,086,000.00	274,548.96	25.28	266,973.62
80 -SPECIAL REVENUE FUND	<u>1,837,640.00</u>	<u>207,907.12</u>	<u>11.31</u>	<u>104,882.01</u>
TOTAL REVENUES	24,954,260.00	8,003,177.31	32.07	4,862,119.67
<u>EXPENDITURES</u>				
10 -GENERAL FUND	8,123,544.00	1,566,135.88	19.28	1,931,751.25
20 -ELECTRIC FUND	10,512,417.00	4,717,975.25	44.88	2,205,784.16
30 -WATER / SEWER FUND	4,470,209.00	615,656.35	13.77	586,426.29
40 -GAS FUND	1,483,703.00	432,620.28	29.16	410,002.75
50 -UTILITY SUPPORT FUND	531,246.00	105,075.19	19.78	138,953.54
60 -SOLID WASTE FUND	1,315,605.00	304,934.25	23.18	258,755.71
80 -SPECIAL REVENUE FUND	<u>2,043,546.00</u>	<u>275,391.52</u>	<u>13.48</u>	<u>172,977.18</u>
TOTAL EXPENDITURES	28,480,270.00	8,017,788.72	28.15	5,704,650.88
REVENUES OVER/(UNDER) EXPENDITURES	( 3,526,010.00)	( 14,611.41)		( 842,531.21)
ENDING FUND BALANCE & NET WORKING CAPITAL	10,141,009.78	13,652,408.37		14,006,856.10

# FUND BALANCE AND CASH RECONCILEMENT

As of: December 31, 2017

		Unrestricted Cash	Restricted Cash	Total Cash	Comments
<b>BRADY NATIONAL BANK</b>					
Operating Account	#100677	\$ 11,380,042.99		12,323,587.88	
Operating Account	#100677	\$	103,408.30		Motel Funds
Operating Account	#100677	\$	65,154.25		Cemetery Funds
Operating Account	#100677	\$	85,563.38		Street Sanitation \$
Operating Account	#100677	\$	469,418.96		Utility Deposit \$
Operating Account	#100677	\$	220,000.00		TWDB covenant
Airport Account	#172791	\$ 37,038.48	-	37,038.48	
CW - WWTP Construction	#103671	\$ -	803.12	803.12	
DW Construction	#104828	\$ -	947.18	947.18	
Sinking Fund 2000	#172890	\$ -	140,635.56	140,635.56	
Sinking Fund 2012 - Refunding	#103069	\$ -	78,617.05	78,617.05	
Sinking Fund 2012 - WWTP	#103663	\$ -	44,391.14	44,391.14	
Sinking Fund 2013 - DW	#105770	\$ -	13,772.10	13,772.10	
Landfill Closure Reserve	#172775	\$ -	439,800.47	439,800.47	
Drug Seizure FDS	#172668	\$ -	20,337.14	20,337.14	
Police Educational	#172700	\$ -	7,325.87	7,325.87	
Court Security	#102533	\$ -	5,853.34	5,853.34	
Court Technology	#102541	\$ -	3,127.87	3,127.87	
Community Development Block	#172627	\$ -	-	-	
Cash on Hand		\$ 1,960.00	-	1,960.00	
Bank Balances - Interest rate 1.52%	Subtotal	\$ 11,419,041.47	1,699,155.73	13,118,197.20	
Certificate of Deposit at CNB		\$ -	244,069.56	244,069.56	Utility Deposit \$
BOTX Escrow Account - CO 2012 CW Project		\$ -	1,145,560.49	1,145,560.49	
BOTX Escrow Account - LF 2012 CW Project		\$ -	22,852.97	22,852.97	
BOTX Escrow Account - EDAP 2015 DW Project		\$ -	327,416.78	327,416.78	
	Subtotal	\$ -	1,739,899.80	1,739,899.80	
<b>TOTAL CASH BALANCES RECONCILED</b>		<b>11,419,041.47</b>	<b>3,439,055.53</b>	<b>14,858,097.00</b>	
<b>12-31-17 GENERAL LEDGER</b>					
Total Current Non-Cash Assets - All Funds				765,773.34	
(Total Current Liabilities - All Funds)				(1,971,461.97)	
Total Fund Balance / Net Working Capital				<b>13,652,408.37</b>	

**CITY OF BRADY**  
**INVESTMENT ACTIVITY**  
**DATE: December 31, 2017**

Certificates of Deposit at	Commercial National Bank:						Interest Earnings Y-T-D
1. #32788	\$244,069.56	at	0.20%	for	180 days	maturity 6/17/2018	<b>\$240.49</b>

**GRAND TOTAL**    **\$244,069.56**    **TOTAL SHORT-TERM CASH INVESTMENTS**

The City investment portfolio is in compliance with the PFIA and the City's investment strategy as outlined in the Council approved Investment Policy dated 9-05-17 by Resolution 2017-031.

\_\_\_\_\_

Lisa Remini, Investment Officer

## Fiscal Year 17-18

Fiscal Year 17-18

**1171 - Brady, City of (General Obligation Debt)**  
**Report - Brady, City of (General Obligation Debt) / Sales Tax Data**

The Charts below contain sales tax revenue allocated each month by the State Comptroller.  
For example, the February allocations reflect December sales, collected in January and allocated in February.  
\*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

- [View Grid Based on Calendar Year](#)
- [View Grid With All Years](#)

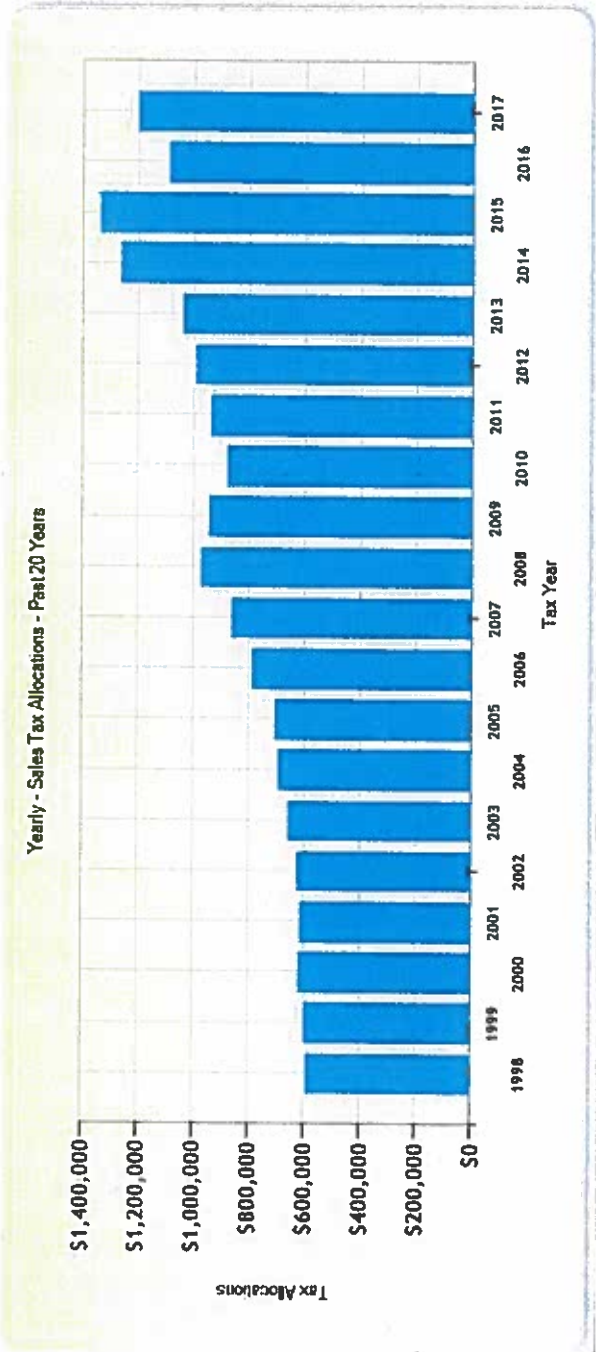
Download to Excel  
Change Fiscal Year    
End

By Fiscal Year 10/01 - 09/30

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2018	\$101,224	\$103,733	\$112,475	\$107,463	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$424,896
2017	\$87,306	\$91,161	\$89,413	\$100,033	\$109,289	\$86,358	\$97,988	\$101,730	\$86,536	\$97,051	\$103,953	\$100,236	\$1,151,056
2016	\$143,834	\$112,101	\$107,933	\$98,515	\$113,278	\$84,869	\$85,238	\$96,257	\$81,982	\$80,944	\$94,673	\$85,349	\$1,184,973
2015	\$113,438	\$115,026	\$128,575	\$118,282	\$127,008	\$90,659	\$99,414	\$119,166	\$107,160	\$99,436	\$107,394	\$106,966	\$1,332,523
2014	\$86,905	\$90,223	\$83,575	\$87,608	\$114,999	\$83,194	\$86,383	\$103,052	\$119,190	\$96,615	\$101,343	\$109,279	\$1,162,366
2013	\$81,575	\$84,095	\$78,857	\$88,594	\$108,399	\$69,954	\$76,038	\$92,661	\$84,448	\$82,176	\$91,353	\$87,852	\$1,026,002
2012	\$76,182	\$79,173	\$73,628	\$81,661	\$100,901	\$64,794	\$79,473	\$88,392	\$76,641	\$60,890	\$87,159	\$105,230	\$974,124
2011	\$78,998	\$93,104	\$65,476	\$83,507	\$93,953	\$70,399	\$72,121	\$81,841	\$76,174	\$71,819	\$84,522	\$71,003	\$942,918
2010	\$70,849	\$72,537	\$66,287	\$69,364	\$86,286	\$70,868	\$54,779	\$73,192	\$69,685	\$64,455	\$93,443	\$58,872	\$850,618
2009	\$79,109	\$125,392	\$86,622	\$79,704	\$95,830	\$73,457	\$68,319	\$79,191	\$78,551	\$96,167	\$89,024	\$73,646	\$1,025,012

1 2 3 4 >





# MOTEL OCCUPANCY TAX

## FY 2018 Quarter Totals

	Total
1st Quarter FY 18 (October - December 2017)	\$0.00
2nd Quarter FY 18 (January - March 2018)	\$0.00
3rd Quarter FY 18 (April - June 2018)	\$0.00
4th Quarter FY 18 (July - September 2018) Due October 31, 2018	\$0.00
	<u>\$0.00</u>

## FY 2018 Summary Collections

	Taxable Receipts	Tax @ 7%	1%Discount - Penalties	Net Tax
Holiday Inn Express - 2320 S Bridge 597-1800	\$0.00	\$0.00	\$0.00	\$0.00
Best Western - 2200 S. Bridge 597-3997	\$0.00	\$0.00	\$0.00	\$0.00
Sunset Inn - 2108 S. Bridge 597-0789	\$0.00	\$0.00	\$0.00	\$0.00
Gold Key Inn - 2021 S Bridge 597-2185	\$0.00	\$0.00	\$0.00	\$0.00
Brady Motel - 603 W. Commerce 597-2442	\$0.00	\$0.00	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

FY 2018 Grants	Commitment	YTD Distributions	Payment Date
Chamber of Commerce	\$165,000.00	\$41,250.00	Monthly thru 12/01/17
YTD Total	<u>\$165,000.00</u>	<u>\$41,250.00</u>	
2018 Budget	\$230,000.00		

## FY 2017 Quarter Totals

	Total
1st Quarter FY 17 (October - December 2016)	\$60,349.68
3rd Quarter FY 16 - Gold Key Inn underpayment	\$1,076.45
2nd Quarter FY 17 (January - March 2017)	\$56,297.42
3rd Quarter FY 17 (April - June 2017)	\$68,455.82
4th Quarter FY 17 (July - September 2017) Due October 31, 2017	\$67,407.03
MuniServices Audit - underpayment collection	\$2,457.73
	<u>\$256,044.13</u>
Chamber of Commerce - signature funds	\$35,000.00
Less: TBWEF refund	(\$6.23)

**Total Collections**  
\$291,037.90

## FY 2017 Summary Collections

	Taxable Receipts	Tax @ 7%	1%Discount - Penalties	Net Tax
Holiday Inn Express - 2320 S Bridge 597-1800	\$1,828,020.61	\$127,961.44	\$1,262.28	\$126,699.17
Best Western - 2200 S. Bridge 597-3997	\$1,022,156.47	\$71,550.95	\$715.50	\$70,835.45
Sunset Inn - 2108 S. Bridge 597-0789	\$386,482.37	\$27,053.77	\$263.34	\$26,790.44
Gold Key Inn - 2021 S Bridge 597-2185	\$408,113.53	\$28,567.94	\$225.41	\$28,342.52
Brady Motel - 603 W. Commerce 597-2442	\$48,723.61	\$3,410.64	\$34.09	\$3,376.55
	<u>\$3,693,496.59</u>	<u>\$250,544.75</u>	<u>\$2,500.63</u>	<u>\$256,044.13</u>

FY 2017 Grants	Commitment	YTD Distributions	Payment Date
MuniServices Fees	\$3,500.00	\$4,036.14	9/30/2017
Chamber of Commerce	\$177,700.00	\$177,700.00	Monthly thru 9/01/17
Chamber of Commerce - Visitor Assessment	\$18,000.00	\$18,000.00	11/8/2016
McCulloch Co Historical Commission	\$3,000.00	\$3,000.00	2/10/2017
Morgan Military Aviation Museum	\$8,500.00	\$8,500.00	2/15/2017
Brady Golf Association	\$3,000.00	\$1,050.00	4/26/2017
Mylestone Media Production	\$7,500.00	\$7,500.00	5/30/2017
YTD Total	<u>\$221,200.00</u>	<u>\$219,786.14</u>	
2017 Budget	\$215,000.00		

## HISTORICAL COLLECTION / PAYOUT HISTORY

	2017	2016	2015	2014
% CHANGE	40.91%	-12.54%	4.17%	19.35%
COLLECTIONS	\$291,037.90	\$206,535.69	\$236,148.85	\$226,685.90
GRANTS	(\$219,786.14)	(\$224,778.00)	(\$185,750.00)	(\$226,685.90)
FUND BALANCE	<u>103,408.30</u>	<u>32,156.54</u>	<u>50,398.85</u>	<u>0.00</u>

**TO: MAYOR AND COUNCIL**

**FROM: FINANCE / UTILITY DEPARTMENTS**

**SUBJECT: MONTHLY CUSTOMER SERVICE REPORT**

**DATE: December 31, 2017**

[illegible]

# SERVICE ORDER REPORT FY 17-18

[illegible][illegible]

## Residential Electric Rate Comparison - DECEMBER 2017

COMPETITOR NAME	Term Contract	500 kWh	1,000 kWh	2,000 kWh	Early Termination Fee	Plan Requirement	Residential usage credit- per billing cycle 500-999 kWh	Residential usage credit- per billing cycle 1000-2000 kWh
*Circular Energy	12 months	14.5¢/kWh	13.2¢/kWh	12.5¢/kWh	\$125	N/A	N/A	N/A
Meter Fees		\$12.95	\$12.95	\$12.95				
*Circular Energy	24 months	14.5¢/kWh	13.2¢/kWh	12.5¢/kWh	\$225	N/A	N/A	N/A
Meter Fees		\$12.95	\$12.95	\$12.95				
*Stream Energy	12 months	12.0¢/kWh	9.4¢/kWh	9.3¢/kWh	\$250	N/A	N/A	N/A
Meter Fees		\$14.44	\$3.49	\$3.49				
*Southwest Energy	12 months	14.9¢/kWh	13.6¢/kWh	12.9¢/kWh	\$175	AUTOPAY	N/A	N/A
Meter Fees		\$13.00	\$13.00	\$13.00				
*Southwest Energy	24 months	16.9¢/kWh	13.9¢/kWh	13.4¢/kWh	\$175	AUTOPAY	N/A	N/A
Meter Fees		\$19.95	\$10.00	\$10.00				
*Yep Energy	12 months	16.4¢/kWh	13.4¢/kWh	12.9¢/kWh	\$175	AUTOPAY	N/A	N/A
Meter Fees		\$19.95	\$10.00	\$10.00				
*Yep Energy	24 months	17.0¢/kWh	14.0¢/kWh	13.5¢/kWh	\$175	AUTOPAY	N/A	N/A
Meter Fees		\$19.95	\$10.00	\$10.00				
*TXU Energy	12 months	16.17¢/kWh	14.7¢/kWh	13.7¢/kWh	\$150	N/A	N/A	N/A
Meter Fees		\$19.95	\$19.95	\$19.95				
*Tempo Energy	12 months	18.2¢/kWh	15.2¢/kWh	14.7¢/kWh	\$175	AUTOPAY	N/A	N/A
Meter Fees		\$19.95	\$10.00	\$10.00				
*Market Average		16.0¢/kWh	13.0¢/kWh	12.8¢/kWh				
Meter Fees		\$17.01	\$11.37	\$11.37				
(Represents sampling out of 98 plans of various terms - all plans are for 24 months or less)								
*City of Brady	N/A	14.7¢/kWh	13.6¢/kWh	13.1¢/kWh	\$0		N/A	N/A
Meter Fees		\$10.25	\$10.25	\$10.25				
Number of Residential Customers		1499	866	151				
* All rates / kWh include the meter fee								

**BNB/Brady VFD Maintenance Fund**[illegible]

SERVICES	FISCAL YEAR 2017-2018												
	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APR	MAY	JUNE	JULY	AUG.	SEPT.	To Date Total
Meals @ Sunset Center	622	557	495										1,674
Meals sent-Helping Hands	205	210	211										626
Home Delivered Meals	855	759	728										2,342
Total Meals	1,682	1,526	1,434	-	-	-	-	-	-	-	-	-	4,642

Closed Oct. 10 for Inservice



SERVICES	FISCAL YEAR 2016-2017												
	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APR	MAY	JUNE	JULY	AUG.	SEPT.	To Date Total
Meals @ Sunset Center	793	686	642	678	667	742	635	728	705	664	735		7,675
Meals sent-Helping Hands	329	366	418	342	315	351	333	341	340	316	282		3,733
Home Delivered Meals	795	769	788	785	763	888	705	864	862	790	971		8,980
Total Meals	1,917	1,821	1,848	1,805	1,745	1,981	1,673	1,933	1,907	1,770	1,988	-	20,388
Medicaid Trips	91	118	115	185	142	104	130	113	136	107	113		1,354

Closed Oct. 10th difference from last year

Closed Jan. 16th difference from last year

Closed Feb. 20th difference from last year

Closed April 14th Good Friday

Closed July 4th Independence Day

**Brady Municipal Golf Course**  
Monthly Report  
FY 18

Item	FY 2016	FY 2017	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Totals
Rounds	1462	2311	49	120	47										216
Green Fees	\$18,369.14	\$16,137.00	\$1,488.00	\$1,765.00	\$664.00										\$3,917.00
Membership Rounds	2625	3678	220	355	148										723
Student Rounds	242	226	0	2	1										3
Total Rounds	4329	6215	269	477	196	0	0	0	0	0	0	0	0	0	942
Trail Fee	360	26	0	0	0	0									0
Trail Fee Revenues	\$208.00	\$104.00	\$0.00	\$0.00	\$0.00	\$0.00									\$0.00
Cart Rentals	943	636	59	50	23										132
Cart Revenue	\$16,670.64	\$10,017.76	\$962.50	\$775.00	\$350.00										\$2,087.50
Cart Shed Rental	\$10,714.53	\$16,165.50	\$11,720.00	\$100.00											\$11,820.00
Vending Revenue	\$16,290.04	\$15,126.94	\$1,106.00	\$698.59	\$170.36										\$1,974.95
Memberships	305	278	48	25	19										92
Membership Fees	\$30,321.10	\$35,825.00	\$12,045.00	\$2,855.00	\$1,025.00										\$15,925.00
Driving Range	298	296	28	28	36										92
Range Revenue	\$1,296.00	\$1,185.00	\$112.00	\$110.00	\$114.00										\$336.00
Misc	\$16,035.37	\$31,109.30	\$9,882.34	\$-18.39											\$9,863.95
Total Revenue	\$109,904.82	\$125,670.50	\$37,315.84	\$6,285.20	\$2,323.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,924.40

None of the above figures included sales tax

Trail fees were eliminated with the increase in cart shed rentals beginning in January. Only charged to individuals who bring their own cart and do not rent a shed at the Golf Course

Joint Funding Agreement with the Brady Golf Association for the irrigation system began Oct 1, 2008. The final payment is due October 1, 2017 and has been made.





Brady Police Department - Monthly Activity Report (FY 2023-2024)													
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Person Crimes	15	22	15										52
Property Crimes	38	50	28										116
Narcotics Crimes	14	6	4										24
Disturbances	49	81	48										178
Felony Arrests	2	5	7										14
Misdemeanor Arrests	13	15	7										35
Suspicious Person/Vehicle	87	99	51										237
Felony Warrant	1	4	4										9
Misdemeanor Warrant	7	2	5										14
D.W.I.	0	1	1										2
Alarms	14	12	13										39
Agency Assist	28	41	31										100
Public Assist	19	18	25										62
Escorts	12	16	9										37
Animal Calls	11	15	7										33
Traffic Direction	12	17	11										40
Close Patrols	134	150	115										399
Civil Matters	28	32	37										97
Juvenile	16	10	6										32
Crash Investigation	12	25	18										55
Welfare Concerns	27	31	22										80
Information	41	71	57										169
Court	3	0	4										7
Citations	50	93	46										189
Warnings	65	93	68										226
Building Checks	211	303	282										796
Misc. Incidents	139	217	130										486
Supplements	12	9	13										34
Follow ups	41	32	21										94
Reports	43	44	43										130
Brady Police Department Abbreviations:													
FV - Family Violence DW - Deadly Weapon PS - Public Servant FI - Financial Instrument CS - Controlled Substance BI - Bodily Injury DOC - Disorderly Conduct													
DWI - Driving While Intoxicated MJ - Marijuana DD - Dangerous Drug DWLI - Driving While License Invalid DWLS - Driving While License Suspended													

**THROUGH: KIM LENOIR, CITY MANAGER**

[illegible]

<u>Group</u>	<u>Amount</u>	<u>Proposed use</u>	<u>Event Date</u>
Approved			
Brady McCulloch County Chamber	\$18,000.00	Tourism Master plan	2nd Year

**Pending**

**City of Brady Curtis Field Airport  
Monthly Aircraft Operations**

<u>Invoice#</u>	<u>Ops Date</u>	<u>Total Sale</u>	<u>Type of A/C</u>	<u>N Number</u>	<u>SE</u>	<u>ME</u>	<u>TURBINE</u>	<u>JET</u>	<u>HELIO</u>	<u>INST APP</u>
312802	11/30/2017	589.28	AH	063					8	
312810	12/1/2017	70.00	Mooney	6716N	2					
312816	12/1/2017	70.00	Hatz	6250	2					
312813	12/1/2017	70.00	CE-182	228CA	2					
312824	12/1/2017	30.00	Truck							
312884	12/1/2017	239.48	R44	688CC					8	
312811	12/1/2017	1700.00	Paint Hangar							
312812	12/1/2017	70.00	Bonanza	261AA	2					
312817	12/1/2017	120.00	Baron	4JA	2					
312820	12/1/2017	140.00	CE-170	4192Y	2					
312818	12/1/2017	70.00	L2A	46587	2					
312819	12/1/2017	70.00	Sierra	6956R	2					
312815	12/1/2017	70.00	Cirrus	926DC	2					
312821	12/1/2017	70.00	CE-182	7563X	2					
312808	12/1/2017	50.00	Comanche	5102P	2					
312822	12/1/2017	70.00	CE-210	4688Q	2					
312814	12/1/2017	70.00	CE-172	4951G	2					
312823	12/1/2017	70.00	Ercoupe	3814H	2					
312809	12/1/2017	30.00	Truck							
312803	12/2/2017	91.38	CE-172	4951G	2					
312804	12/3/2017	192.00	PC-12	9943P			4			
312805	12/4/2017	619.17	KA90	1065			4			
312806	12/4/2017	596.60	KA90	1064			4			
312807	12/5/2017	60.35	Cans							
312825	12/7/2017	327.57	KA	858UP			4			
312827	12/8/2017	124.95	Cirrus	69ZA	2					
312826	12/8/2017	30.00	Truck							
312829	12/10/2017	701.93	KA	881UP			4			
312828	12/10/2017	127.93	CE-172	577CV	2					
312831	12/11/2017	307.20	Jet Ranger	2927W					8	
312830	12/11/2017	164.05	Piper	8686N	2					
312589	12/12/2017	603.50	CE210	75RL/6114	4					
312832	12/13/2017	112.20	Mooney	6716N	2					
312833	12/14/2017	650.25	UH	178					8	
312834	12/14/2017	627.71	UH	619					8	
312835	12/14/2017	685.66	KA	1079			4			
312836	12/14/2017	669.56	KA	1065			4			
312837	12/14/2017	816.00	Citation	605QS						6
312838	12/15/2017	170.65	Bonanza	802EL	2					

<u>Invoice</u>	<u>Ops Date</u>	<u>Total Sale</u>	<u>Type of A/C</u>	<u>N Number</u>	<u>SE</u>	<u>ME</u>	<u>TURBINE</u>	<u>JET</u>	<u>HELIO</u>	<u>INST APP</u>
312839	12/19/2017	436.76	Pilatus	870KC			4			
312840	12/20/2017	351.48	Baron	87CA	2					
312841	12/21/2017	77.99		484AE					8	
312842	12/21/2017	233.75	Truck							
312844	12/29/2017	124.79	KA	450CK			4			
312845	12/30/2017	63.75	Mooney	6718N	2					
312846	12/30/2017	42.50	Cans							
312843		0.00								
<b>Total Operations by type of Aircraft:</b>					<b>48</b>	<b>0</b>	<b>36</b>	<b>6</b>	<b>48</b>	<b>0</b>

**City of Brady Curtis Field Airport  
Monthly Invoice Register**

Invoice No.	Date	Last Name	Type	611.00 Rent	611.01 I Hanger	611.02 Hanger A/B	615.00 REM Income	645.00 Misc.	646.00 100-LL Jet-A	Price per Gallon	947.00 Military	Total Sale	100-LL Jet-A Gall	Jet-A Gall	MIL Jet Gall
312589	12/12/2017	SK Aviation	cc						603.50	0.00	4.250000	0.000000	603.500000	142.0	
312684	12/1/2017	Cobb	cash					107.73	131.75	0.00	4.250000	0.000000	239.480000	31.0	
312802	11/30/2017	7-17C	cc						0.00	0.00	3.002107	549.385581	589.278581		183
312803	12/2/2017	Roy	cc						91.38	0.00	4.250000	0.000000	91.375000	21.5	
312804	12/3/2017	Western Aero	cc						0.00	182.00	4.800000	0.000000	192.000000		40.0
312805	12/4/2017	NASCC	cc						0.00	0.00	3.008880	577.317120	619.173120		192
312806	12/4/2017	NASCC	cc						0.00	0.00	3.008880	556.269100	596.599100		185
312807	12/5/2017	Brady Fire EMS	charge						60.35	0.00	4.250000	0.000000	60.350000	14.2	
312808	12/1/2017	Raudy	charge						0.00	0.00	0.000000	0.000000	50.000000		
312809	12/1/2017	Smaistria	charge			30.00			0.00	0.00	0.000000	0.000000	30.000000		
312810	12/1/2017	Amyett	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312811	12/1/2017	Day Aircraft	charge	1,700.00					0.00	0.00	0.000000	1,700.000000	1,700.000000		
312812	12/1/2017	Kottman	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312813	12/1/2017	Boyles	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312814	12/1/2017	Roy	charge			70.00			0.00	0.00	0.000000	0.000000	70.000000		
312815	12/1/2017	Powell	charge			70.00			0.00	0.00	0.000000	0.000000	70.000000		
312816	12/1/2017	Amyett	charge			120.00			0.00	0.00	0.000000	120.000000	120.000000		
312817	12/1/2017	Kruszku	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312818	12/1/2017	Morgan	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312819	12/1/2017	Morgan	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312820	12/1/2017	Merran	charge		140.00				0.00	0.00	0.000000	140.000000	140.000000		
312821	12/1/2017	Ramsey	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312822	12/1/2017	Rice	charge		70.00				0.00	0.00	0.000000	0.000000	70.000000		
312823	12/1/2017	Scott	charge						0.00	0.00	0.000000	0.000000	30.000000		
312824	12/1/2017	Branch	charge			30.00			0.00	327.57	3.119700	327.568500	105.0		
312825	12/7/2017	Gama Aviation	contract			30.00			0.00	0.00	0.000000	0.000000	30.000000		
312826	12/8/2017	Hammond	charge						0.00	0.00	0.000000	0.000000	0.000000		
312827	12/8/2017	Davis	cc						124.95	0.00	4.250000	0.000000	124.950000	29.4	
312828	12/10/2017	Turner	cc						127.93	0.00	4.250000	0.000000	127.925000	30.1	
312829	12/10/2017	Gama Aviation	contract						0.00	701.93	3.119700	0.000000	701.932500	225.0	
312830	12/11/2017	Ogden	cc						164.05	0.00	4.250000	0.000000	164.050000	38.6	
312831	12/11/2017	Gulf Coast Helo	cc						112.20	0.00	4.250000	0.000000	112.200000	28.4	
312832	12/13/2017	Amyett	cc						0.00	0.00	3.001040	606.210080	650.246080		202
312833	12/14/2017	1st Cav Ft Bliss	cc						0.00	0.00	3.001040	585.202800	627.712800		195
312834	12/14/2017	1st Cav Ft Bliss	cc						0.00	0.00	3.001040	639.221520	685.855520		213
312835	12/14/2017	NASCC	cc						0.00	0.00	3.001040	624.216320	669.580320		208
312836	12/14/2017	NASCC	cc						0.00	816.00	4.800000	0.000000	816.000000	170.0	
312837	12/14/2017	NetJet	cc						0.00						

Invoice No.	Date	Last Name	Type	611.00 Rent	611.01 Hanger I	611.02 Hanger A/B	815.00 REim Income	645.00 Misc.	646.00 100-LL	646.01 Jet-A	Price per Gallon	647.00 Military	Total Sale	100-LL Gals	Jet-A Gals	ML Jet Gals
312838	12/15/2017	Waters	cc						170.85	0.00	4.250000	0.000000	170.850000	40.2		
312839	12/19/2017	KCAC Aviation	contract						0.00	436.76	3.119700	0.000000	436.758000		140.0	
312840	12/20/2017	Higginbotham	cc						351.48	0.00	4.250000	0.000000	351.475000	82.7		
312841	12/21/2017	Air Evac	contract						0.00	77.99	3.119700	0.000000	77.992500		25.0	
312842	12/21/2017	Lindsey	cc						233.75	0.00	4.250000	0.000000	233.750000	55.0		
312843									0.00	0.00		0.000000	0.000000			
312844	12/29/2017	Executive Airshare	contract						0.00	124.79	3.119700	0.000000	124.788000		40.0	
312845	12/30/2017	Anyell	cc						63.75	0.00	4.250000	0.000000	63.750000	15.0		
312846	12/30/2017	Rodin	cc						42.50	0.00	4.250000	0.000000	42.500000	10.0		

Invoice No.	Date	Leal Name	Type	511.00 Rent	511.01 Hangar I	511.02 Hangar A/B	515.00 REM Income	545.00 Misc	545.00 100-LL	545.01 Jet-A	Price per Gallon	647.00 Military	Total Sale	100-LL Gals	Jet-A Gals	Mil Jet Gals
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Monthly Invoicing Totals By General Ledger Number

'511.00 Rent':	1,700.00
'511.01 T Hanger':	770.00
'511.02 Eld Rnt':	350.00
'540.01 Tie Down':	50.00
'545.00 Misc.:	107.73
'545.00 Fuel':	2,278.43
'545.01 Jet-a':	2,884.24
'547.00 Military':	4,137.8225
Total Sale:	12,678.62
Total Gallons 100-LL:	536.1
Total Gallons 'Jet-A':	809.0
Total Gallons Mil Jet:	1,378.0
FET due from IRS:	300.404



[illegible]

## Chronic Code Complaints

**901 Bombay** – Kim Davee has contacted the owner to enforce Section 3.1506(c)(2) of the Code of Ordinances which states “An owner shall provide and maintain in operating condition a toilet connected to a water source and to a public sewer, where available, in each structure intended for human habitation.” A 1<sup>st</sup> Notice of Violation was mailed certified on October 27, 2017. Mr. Malmstrom, owner, made contact to inquire what needs to be done. He was informed that he needs to connect utilities to be in compliance. Kim Davee contacted the owner December 19, 2017. He has been ill but says he has contacted a plumber and as soon as possible he will get started with repairs. No new developments.

**204/206 S Walnut** –A citation was issued on January 2<sup>nd</sup>.

**6<sup>th</sup> and S Blackburn** – Owner cannot be found.

**502 W 2<sup>nd</sup>** –Demolition Order #2016-10 was issued for property owner to demolish on November 7, 2017. City Council will evaluate for compliance on February 20, 2018.

**201 W 6<sup>th</sup>** – Demolition Order 2018-16 was issued for property owner to demolish this property on October 17, 2017. Wendy Rubio has said that they were already planning on demolishing the property but they wanted the wood. She has been informed that if she does not demolish the house by January 15, 2018, the city will demolish.

**1403 S College** – The property owner has made contact with the code office. He says he is planning to get the repairs started the beginning of February.

**1006 Boudinotz** – A citation was issued to the estate owner. Just waiting for appearance in Court.

**801 North Grant** – The owner did not appear in Court for December.

**200 East White** – Two travel trailers have been placed on the property. The owner says they were not given permission to be there. He works out of town but will be back in a few weeks. He will make sure the trailers are gone when he does return. The occupants cannot be contacted to give a citation. A complaint will be filed with the court by code enforcement and the occupants will have to answer to the judge. UPDATE: The owner was issued a citation on January 3, 2018.

**1007 South Mesquite** – Property has been abandoned. A citation has been issued to the homeowner for high weeds and grass but they cannot be found. Mail is returned with no forwarding address.

**612 North High** – Citation was issued. The structure is going on the February demolition list.

**1707 Marlow** – The property has high weeds and grass. The building is falling apart. I did make contact with the owner who said she and her husband would be down here by the end of the year to mow and secure the structure. The structure is going on the February demolition list.

**1701 South Bradley** – The appraisal district is showing returned mail as of November 2014. It has junk and unsightly matter and high weeds and grass. Owner cannot be found.

## Occupied Structures with No Utilities

- a) 504 E 11<sup>th</sup>
- b) 309 Irish
- c) 401 Bee
- d) 507 W 7<sup>th</sup>
- e) 401 W 7<sup>th</sup>
- f) 901 Bombay
- g) 1006 Boudinotz
- h) 702 S Willow
- i) 607 E 5th