

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, March 19, 2019 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 Jane Huffman, Jim Griffin, Rey Garza, Missi Davis, and Jeffrey Sutton. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steve Miller, Community Services Director Dennis Jobe, Police Chief Steve Thomas, Fire Chief Lloyd Perrin, Municipal Court Judge JT Owens, and City Secretary Tina Keys. Also in attendance were Michele Derrick, Don Miller, Danny Neal, Jay May, Lynn Farris, Lisa Dodd, and James Stewart

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

Mayor Groves called the meeting to order at 6:01 p.m. Council quorum was certified. Rey Garza entered the meeting after a quorum was certified.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Griffin gave the invocation and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

Lisa Dodd would like to be on the next agenda to discuss 901 Bombay and distributed a letter to Council.

**4. CONSENT AGENDA**

- A. Approval of Minutes for Regular Meeting on March 5, 2019 and Special Meeting on March 12, 2018.

Council Member Sutton moved to approve the Consent Agenda. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

**5. PRESENTATIONS: None Scheduled**

Fire / EMS Department Annual Report for 2019 – Chief Lloyd Perrin presented

**6. PUBLIC HEARINGS:**

There were no public hearings

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding approval of the Type B EDC request to apply for a USDA Revolving Business Loan Grant Project for \$50,000 with an EDC cash match of \$50,000 (Res 2019-B1 approved by Type B EDC March 6, 2019). Kim Lenoir presented. Council Member Griffin moved to approve the Type B EDC request. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- B. Discussion, consideration, and possible action regarding first reading of Ordinance 1268 of the City of Brady, Texas to amend Type A and Type B EDC FY2019 Budgets and creating a new additional fund budget for Type B as requested by Type A and B EDCs on March 6, 2019. Kim Lenoir presented. Council Member Griffin moved to approve the first reading of Ordinance 1268. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.

- C. Discussion, consideration, and possible action regarding approval of **Resolution 2019-015** approving the execution of the Bill of Sale Agreement with Type A EDC for Hangar E at Curtis Field Airport to the City (book value \$219,537). Kim Lenoir presented. Council Member Huffman moved to approve Resolution 2019-015. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- D. Discussion, consideration, and possible action regarding approval of **Resolution 2019-016** approving the execution of a special warranty deed conveying the vacant land at 502 W. 10<sup>th</sup> Street from Type A EDC to the City and from the City to Type B EDC. Kim Lenoir presented. Council Member Sutton moved to accept deed from EDC Type A. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay" Motion passed with a 5 – 0 voted. Council Member Davis moved to approve Resolution 2019-016. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- E. Discussion, consideration, and possible action regarding approval of **Resolution 2019-017** approving the execution of a special warranty deed conveying Lots 7 and 8 of Block 8 in the Jones Addition and assigning the lease (Old Dodge Crossing/Capco land and building) from Type A EDC to the City and from the City to Type B EDC. Kim Lenoir presented. Council Member Griffin moved to accept deed from EDC Type A. Seconded by Council Member Davis. All council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote. Council Member Davis moved to approve Resolution 2019-017. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- F. Discussion, consideration, and possible action authorizing the Mayor to sign the Assignment of Deed of Trust for dba Thomas Developments from Type A EDC to Type B EDC. Kim Lenoir presented. Council Member Davis moved to authorize Mayor to sign the Assignment of Deed of Trust for Thomas Developments from Type A to Type B EDC. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- G. Discussion, consideration, and possible action regarding approval of **Resolution 2019-019** forgiving further obligations of Type A EDC to fund the remaining debt of the 2009 vote to remodel and expand the Civic Center. Kim Lenoir presented. Council Member Davis moved to approve Resolution 2019-019. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- H. Discussion, consideration, and possible action regarding approval of **Resolution 2019-020** approving a Performance Agreement with Type B EDC to pay remaining debt of the 2009 vote to remodel and expand the Civic Center (remaining amount \$743,066 payable with ¼ of the sales tax receipts each year). Kim Lenoir presented. Council Member Davis moved to approve Resolution 2019-020. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- I. Discussion, consideration, and possible action regarding approval of **Resolution 2019-021** approving a Chapter 380 Agreement with Type B EDC for the remaining Type A EDC final cash balance. Kim Lenoir presented. Council Member Sutton moved to approve Resolution 2019-021. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.

- J. Discussion, consideration, and possible action regarding approving a 5-year lease agreement with Redeemer Church for the old K-Life (Boy Scout) Building to conduct a community Youth Program. Kim Lenoir presented. Mayor mentioned changes were needed in Sections 6.05 and 6.09 from "Boy Scouts" to "Redeemer Church." After further review with staff, those sections were meant to be for the "Boy Scouts," not "Redeemer Church," so no changes were made. Council Member Huffman moved to approve lease agreement. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- K. Discussion, consideration, and possible action regarding approval of construction improvements in the amount of **\$139,260.56** for "Airport Overhead Powerline" Section 2 and award of *Techline Construction, LLC* (equipment & labor) in the amount of **\$96,863.77**; and *Techline, Inc.* (material) in the amount of **\$42,396.79**. Kim Lenoir presented. Council Member Huffman still feels we should not take the money from this project and move somewhere else. Council Member Sutton moved to approve construction improvements for the Airport Overhead Powerline. There was no second. Motion failed for lack of a second.
- L. Discussion, consideration and possible action regarding **Resolution 2019-013** rescinding Resolution 2010-005 removing the procedure and process for disposal of Surplus Brady Volunteer Fire Department Equipment. Lisa Remini presented. Council Member Huffman moved to approve Resolution 2019-013. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- M. Discussion, consideration and possible action regarding **Resolution 2019-006** adopting a City of Brady Standard Operating Procedure (SOP) Policy for Disposal of Surplus and Salvage (excluding Brady Volunteer Fire Department). Lisa Remini presented. Council Member Griffin moved to approve Resolution 2019-006. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- N. Discussion, consideration, and possible action regarding **first reading of Ordinance 1269** of the City of Brady, Texas to amend FY2019 Budget for Emergency purchase of replacing a Medic Ambulance (\$252,000). Lisa Remini presented. Council Member Sutton moved to approve the first reading of Ordinance 1269. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 voted.
- O. Discussion and summary of City Council action and if procedures and processes worked. There was no discussion.
- P. Discussion of a City improvement recognized by City Council. Council Member Griffin commented on job well done of sewer line replacement by the fire station. Council Member Garza said City crews have really been working hard on potholes on the East side. Mayor Groves said there has been great work done at the parks. There has been a lot of work done to make a better appearance. Council Member Davis had gotten tremendous positive feedback on Dennis Jobe and the great job he is doing, Jane Huffman seconded those comments. City Manager Lenoir said she appreciates the Council's efforts and hard work. Council Member Sutton and Jay May complimented the golf course grounds maintenance.

## 8. STAFF REPORTS

- A. **February Monthly Activity Reports:** Visit Brady Report, Sales Tax Receipts, Fund Balance Report, Utility Reports, Seniors, Golf, BPD, BF/EMS, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities

- B. **Upcoming Special Events/Meetings:**

March – 15<sup>th</sup> – 23<sup>rd</sup> HOT Country Music Festival – 2 weeks

April 6 – 9am to 12:30pm Don't Mess with Brady Trash-off

Week of April 8 – Curbside Bulk Trash Pick-up

April – Bagged Leaf Pick-up Schedule

June 6 – 75<sup>th</sup> Anniversary of D-Day and Earl Rudder Statue Dedication

June 8 – Inaugural Brady Farm to Table Fundraiser Dinner by Chamber of Commerce – Downtown

July 6 – 10 a.m. - 93<sup>rd</sup> July Jubilee Parade – Downtown Square

- C. **Upcoming City Calendar:**

March 27 – Annual Meeting for I-14 Coalition – Austin

April 19 – City Offices Closed for Good Friday Holiday

April 17 and 18 – Holiday Trash Pick-up Schedule Changes – Thurs to Wed; Fri to Thurs

May – Military Exercises – Curtis Field Airport

- D. **Investment Committee Minutes – March 14, 2019**

## 9. ANNOUNCEMENTS

There were no announcements

## 10. EXECUTIVE SESSION

Regular Session was closed at 7:31 p.m. and Council took a break before going into Executive Session. Executive Session was opened at 7:42 p.m. Executive Session was closed at 8:15 p.m.

- A. 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 Kim Lenoir and current policies in relation to employee eligibility for rehire, and Attorney Sarah Griffin duties under the City Charter.
- B. Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: legal opinion(s) regarding Old Brady Hospital, Brady Volunteer Fire Department, G Rollie White Complex, and EDC.
- C. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective business, retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.
- D. 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: Brady Lake

## 11. OPEN SESSION ACTION on any Executive Session Item listed above, if needed

Mayor opened regular session at 8:16 p.m. No action was taken

## 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:16 p.m.

Anthony W. Groves

Mayor Anthony Groves

Attest:

Tina Keys

Tina Keys, City Secretary