

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 18, 2022 at 6:00 pm with Mayor Anthony Groves presiding in person. Council Members present were Jane Huffman, Missi Elliston, Jay May, Larry Land, and Jeffrey Sutton. City staff present were Acting City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Steve Thomas, Gas Superintendent Danny Galindo and City Secretary Tina Keys. Also in attendance were Russell Pehl, Elizabeth Olalde, Antonio Olalde, Michael Probst and James Griffin.

**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**

Council Member May gave the invocation, and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

There were no public comments

**4. CONSENT AGENDA**

- A. Approval of Minutes for Regular Meeting on January 4, 2022.
- B. Discussion, consideration and possible action approving a noise variance for the annual Smoke on the Hill cooking competition to be held at Richards Park on June 17 and 18, 2022 until 11:00 p.m. as requested by Brentt Raybion

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

**5. PRESENTATIONS:**

- Gas Division update emergency contractor services – D. Galindo & S. Miller presented
- First Quarter Financial Report – FY 22 – Lisa McElrath presented

**6. PUBLIC HEARINGS AND INDIVIDUAL CONCERN ON PUBLIC HEARING**

- A. Public Hearing to receive comments for or against a zoning change from Industrial District to Single Family Residential for property located at 1107 East 11<sup>th</sup> St in the Luhr Subdivision, Block No. 82, Lot Nos. 8-14 as requested by David Riley Thorpe.  
Public Hearing was opened at 6:20. There were no comments. Public Hearing was closed at 6:21
- B. Public hearing to receive comments for or against a zoning change from Single Family Residential to Manufactured Home District for property located at 500 S. Plum Street in the Luhr Subdivision, Block 30, Lot 2 as requested by Randall D. Morgan.  
Public Hearing was opened at 6:22. There were no comments. Public Hearing was closed at 6:23.
- C. Public Hearing to receive comments for or against a zoning change from Single Family Residential to Manufactured Home District for property located at 701 Grace Ave. in the Jendale Subdivision, Block 9, lots 7-10 as requested by Elizabeth Pena Olalde.  
Public Hearing was opened at 6:23. There were no comments. Public Hearing was closed at 6:24

Regular Session resumed at 6:24

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding the **first reading of Ordinance 1332** of the City of Brady adopting a zoning change from Industrial District to Single Family Residential for property located at 1107 E. 11<sup>th</sup> St. in the Luhr Subdivision, Block No. 82, Lot Nos. 8-14 as requested by David Riley Thorpe. Erin Corbell presented and said the only person to speak at the Planning & Zoning meeting was a representative from PW Gillibrand and he said there is concern that the property is adjacent to their property. Mr. Thorpe went to second meeting and said he is aware of where property is located and what is across the street. He won't be in town regularly, so he's not concerned about what he sees across the street. Council Member May moved to approve the first reading of Ordinance 1332. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- B. Discussion, consideration and possible action regarding the **first reading of Ordinance 1333** of the City of Brady adopting a zoning change from Single Family Residential to Manufactured Home District for property located at 500 S. Plum Street in the Luhr Subdivision, Block 30, Lot 2 as requested by Randall D. Morgan. Erin Corbell presented and said no one spoke for or against zoning change at the Planning & Zoning meeting. P&Z did recommend to approve. Council Member Huffman asked if there are any single-family homes in the area and Corbell said to the south there is. Erin Corbell said it would be a new Manufactured Home on the property. Council Member Elliston moved to approve the first reading of Ordinance 1333. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- C. Discussion, consideration and possible action regarding the **first reading of Ordinance 1334** of the City of Brady adopting a zoning change from Single Family Residential to Manufactured Home District for property located at 701 Grace Ave. in the Jendale Subdivision, Block 9, Lots 7-10 as requested by Elizabeth Pena Olalde. Erin Corbell presented and said there is near proximity to both single family and manufactured homes. Council Member Huffman asked if it was going to be one manufactured home since there are several lots. Elizabeth Olalde said yes, only one home; she has already paid the down payment on one new manufactured home. Council Member Elliston moved to approve the first reading of Ordinance 1334. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action to award the sales bid offered for a 2007 3,000-gallon Jet A Refueler to Omega Aviation Services, Inc., Houston Texas at a purchase price of \$103,750. Lisa McElrath presented. Council Member Elliston moved to award the sales bid offer option 1 for a 2007- 3,000-gallon Jet A Refuler to Omega Aviation Services, Inc., Houston, Texas at a purchase price of \$103,750 with an additional transport fee of \$2,250. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- E. Discussion, consideration and possible action awarding certain Brady Lake survey services to Searchers Surveying & Engineering LLC, Mason, TX. Erin Corbell presented. Corbell said during budget process, there was discussion about potentially selling certain property around Brady Lake. Steven Miller said a portion of the land on the North side is a part of our Water project and we can't use it. Miller said there might be a portion we can release but we can't release the pond, but there is potential. He will have to check with engineer. Council Member Huffman said she thought there was potential to lease the land at one time. Corbell said it hadn't been thoroughly reviewed at that time. Council Member Huffman asked if the Lake house is to be included and Corbell said yes. Erin Corbell

said this also includes the old Mudualistic area but a lot of it will depend on the elevation. Mayor Groves mentioned the shoreline moves significantly. Corbell said it is recommended to move funds from Community Services since it was not budgeted. Council Member May said a good portion of the land will be in the flood plain, but he is all for it. Council Member Sutton said he is also. Council Member May said some of that land is really rough, but some of it can be built on. Council Member Huffman asked if it would be on the market and Corbell said yes. Corbell said another option would be sealed bids. Mayor Groves said we can talk to the lawyer to see what the best move would be. Council Member Huffman asked about taking the funds from the Community Services Director salary; asked if we are using any of the future salary and benefits, or what we haven't spent so far. Erin said it is what has not already been used. Council Member Huffman said it makes sense to do it now. Council Member Land asked if you can build on lakefront property. Council Member May answered and said you have to be 4 feet above the spillway. Council Member Elliston moved to approve the Surveying Services Agreement presented by Searchers Surveying & Engineering, LLC. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

- F. Discussion, consideration and possible action regarding the **first reading of Ordinance 1335** of the City of Brady, Texas amending Ordinance 1328, a Schedule of Fees for the Administration of Utility Rates, Programs, Regulations and Other Operations of the City, adding an additional maximum number of days allowed to camp overnight in City parks. Erin Corbell presented. Mayor Groves asked if we should do away with the 10 days and simply put 20 days allowed. Council Member Elliston moved to approve the first reading of Ordinance 1335. Seconded by Council Member Land. Four Council Members voted "aye" with one Council Member, Sutton, voting "nay". Motion passed with a 4 - 1 vote.
- G. Discussion regarding update on Lease/Letter of Intent to Lease for Friends of G. Rollie White. Erin Corbell presented and referred Council to the Letter of Intent provided by legal counsel. Mayor Groves said he would like staff to spend time filling in blanks and bringing back. Council Member Huffman asked about utilities; she said she thinks a dual certified zone. She said the lease needs to specify that it is required that electricity is purchased from the City. Mayor Groves said we can write it in. Steven Miller said we would need to review the PUC rule in a dual certified area. Council Member Huffman said we can negotiate an agreement. Council Member Elliston said she doesn't think it should be allowed to put a lien on our property. Council Member Huffman said she doesn't think they can get loans without it. Michael Probst said they will take the letter of intent to their board to discuss. Mayor Groves said staff will work on the LOI with the attorney and with the Friends of G. Rollie White and there will be a lease agreement to be approved. Council Member Elliston said she would like there to be a specified time frame to get it done. Erin said we should be able to do mid-March at the latest. Probst said we're getting to the time of the year where we can schedule events and they need to be on the calendar, so the quicker, the better. Erin said she feels comfortable with allowing them to hold events. Probst said they can't ask for grants yet until they get something definitive in writing. Erin said we would shoot for March 15<sup>th</sup>.

Council took a break at 7:25 and resumed at 7:36.

- H. Discussion regarding update on Dodge Heights replat project. Erin Corbell presented and handed out a memo that gives a little bit of the history. We've reached out asking if there would be grandfathering so we don't have to replat and hasn't gotten an answer. She is familiarizing herself with the lessees and the leases and which lots are vacant, utilities, structures.

- I. Discussion, consideration and possible action approving the purchase of four 2021 Dodge Charger Patrol cars, in lieu of four 2022 Dodge Chargers. Erin Corbell presented. Council Member Elliston moved to approve the purchase of four 2021 Dodge Chargers from Grapevine Dodge in an amount not to exceed \$130,600. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

## 8. STAFF REPORTS

- A. **Monthly Financial / Utility Reports:**
- B. **Monthly Activity Reports:** Seniors, Golf, BPD, Fire-EMS Calls, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without utilities, Municipal Court

### C. Upcoming Special Events/Meetings:

January 18	Regular City Council Meeting – 6:00 p.m.
January 19	Good News Luncheon, 11:30 a.m. – Civic Center
February 1	Regular City Council Meeting – 6:00 p.m.
February 15	Regular City Council Meeting – 6:00 p.m.
February 12	President's Day Holiday – City Offices closed – altered trash schedule

## 9. ANNOUNCEMENTS

There were no announcements.

## 10. EXECUTIVE SESSION

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

- a. Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney about pending or contemplated litigation or 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

Council did not go into Executive Session. Item will be brought back at next meeting

## 11. OPEN SESSION ACTION ON ANY ITEMS COMING OUT OF EXECUTIVE SESSION

n/a

## 12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 7:49 p.m.



Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary