

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 May 3, 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 Captain Randy Batten, Police Chief Steve Thomas, and City Secretary Tina Keys. Also in attendance were Gina Hepburn, Jimmy Tindol, Charles Bush, James Griffin, Dick Winters, Terry Virdell, Christy Everett, Stephen Everett, Ingrid McDonald, Patty Pringle and Michael McDonald.

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 April 19, 2022.

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

5. PRESENTATIONS:

There were no presentations

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration, and possible action regarding the **second and final reading of Ordinance 1338** 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 a Municipal Golf Course Student Rate and Seasonal Membership Rate. Erin Corbell presented. Council Member May moved to approve the second and final reading of Ordinance 1338. Seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

- B. Discussion, consideration and possible action approving the purchase of 1,500T Limestone Rock Asphalt, Type 1, Grade D (cold mix) material at \$58.00 per ton or \$87,000. Delivery charge is approximately \$0.2200 per ton/mile at 180 miles or \$59,400.00. Total purchase with delivery equals \$146,400.00. Steven Miller presented. Council Member Sutton moved to approve the purchase of Limestone Rock Asphalt cold Mix, type 1, Grade D material from Vulcan Construction Materials, LLC – San Antonio, Texas for the total purchase price of \$97.60 per ton with delivery in the amount of \$146,400.00. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

C. Discussion, consideration and possible action regarding real property owed by the City of Brady, including possible approval of appraisal proposal. Erin Corbell presented. Dick Winters said he has concerns. He would like to restrict his comments to Brady Lake properties. Mr. Winters said he has been reading what was printed. He asked about the City of Brady disposing of surplus property on the north side of the lake. What makes it surplus and not surplus? Why is that particular property up for potential sale and not other parts of the lake? What zoning laws will be in effect and pertain to those properties? What restrictions might be placed on purchaser? What impact will these subdivision changes that the county is considering have on the potential buyers? What environmental studies have been done if we develop this property? How will the property be sold? Will they be a closed bid or auction? Will the City hire a real estate firm? What kind of commission will be paid? There are serious considerations to be made. In particular, what is and is not being sold. Mr. Winters said his family owned that land and owns land to the south of it, so there a potential to impact them. Mr. Winters said he thinks these things should be given serious consideration and be made public. Michael McDonald said thinks what they're doing is wrong. The City has a diamond in the rough, this land was set aside years ago for the lake. The land around it is like a park and he thinks it's totally wrong to sell it. He didn't even know about the lake house. It's a big asset and would be good for public use and could be used as a rental. Families could have family reunions there. McDonald said the City needs to take a step back and think about it. If it was sold, it would be ag exempt and the city wouldn't get any taxes. You could put a sports complex at Mudualistic. He thinks some can be used for development and leave the rest as park land. Ingred McDonald said the Comp Plan was adopted in 2013. There were good points. Lake recreation is intended to provide parks, conference retreat, etc. Mrs. McDonald said she thinks we need to step back and look at the comprehensive plan and look at how best to use this land. Mayor Groves said we are here today to start the process, to start answering those questions. We're here to figure out what we're doing and look at the concerns. Mayor Groves said the property is zoned recreational, not parkland. Mayor Groves said what makes something surplus and what makes something not surplus is the attorney said this is surplus. Council Member Elliston said Erin Corbell showed Council what was available. Council Member Elliston also said we will not restrict public access to the lake. Mr. Winters said he is looking for clarification. Council Member Huffman said for her, personally, when she looks at all of the land at the lake, the 480 and 100 acres, the 100 acres is not on the water. But we also have the 480 acres that has been sitting there, it's not used for public access. She understands the Comprehensive Plan has big dreams and plans. The reality is, we are at a point where we have to spend a lot of money to make our public safety facilities better. There's only two ways to do it. The citizens pay higher taxes or we have to sell of some stuff we have, or make cuts somewhere. She wants to see parks stay open, golfers want golf course to stay open, people who use airport want it open. There's no way to pay for what needs to be done without coming up with the money somewhere. Most people don't want to pay higher rates or higher property taxes. When we have 580 acres that can be sold off in the peak of our growth to pay with cash something we need, it's hard to not look into it. Michael McDonald asked if Council wants the City to grow. Council Member Huffman said yes, but doesn't really want Brady to grow too much. She wants to live in a small town. She wants to see it prosper. She does think it's going to grow, but it has been going to grow for hundreds of years. It takes money. We can't keep generating new revenue without doing something. 580 acres have no property tax or utility production. The profit from the land is an instant increase in revenue to our community. Nobody wants to see it grow, but we have to be able to make revenue. McDonald said if we develop the land, we will get revenues coming in. Council Member Huffman said she thinks we need to do it strategically. Council Member Sutton said he thinks it's a chance to expand our tax base. If we don't do this, it will sit there and not make a dime. We are trying to discover the best way we should go about it in order to benefit the citizens of McCulloch County and Brady. Mr. Winters said the very best use of this property has to be the only concern on their minds and he knows it is. Mr. Winters said Council Member May has the best guess as to the best use of that property. His input will be very important. Mr. Winters said has faith and confidence in the members of the council and staff of the City, but he is concerned we

are cherry picking properties. He would like council to give consideration as to what is being sold. He doesn't think splitting it out will bring in maximum revenue. Mr. Winters told the audience "we put these people in office because we have faith" but asked Council to let us know what the plan is before we implement it. Mr. Virdell said he is concerned about how the land will be zoned and regulated. He doesn't want to sell 2-acre tracts and let people put junk on it. Mayor Groves said when you go back and look at the history of Brady, it looked like Brady was really going to boom and then it didn't happen. In the nine years he has been mayor, lots of people have come in and wanted to build in Brady and it came down to we don't have the water. We're about to solve that problem. Mayor Groves said he understands how people could see the agenda and think we are going to pass a motion to sell the land and be done with it. We're starting the process. We're finding out what are the possibilities. We do have properties that have tremendous potential. We are having meetings to try to figure out what we're going to do. He said Council does want to hear all the questions and comments. We see great potential and we're looking into the potential. He understands people who live in Simpson Lake Club have concerns. Mayor Groves said one of the council members lives in Simpson Lake Club so he will look out for what's best for them. Mayor Groves said his big pitch is let's not close the door on any opportunity. Council is not here to keep citizens in the dark and get rid of property that they came up with an idea, and then sold it then called a meeting to tell citizens what they did. Council Member Huffman said they've been talking about selling property since she came on council seven years ago. Council Member Elliston said there have been no decisions made at this point; it's all being hashed out right now. Council Member Huffman said there have been no closed door discussions. Council Member Elliston said these are all still strictly discussions. This is the time for citizens to come and talk to them. Council is trying to decide the best way to move forward. A citizen said she is new to Brady, so she has no clue what they're talking about, but asked if this is property people are using. Erin Corbell said it's fenced off and there is no public access. Corbell said there was an attempt to develop an ATV park on that land at one time. Council Member Elliston said most of the land was utilized by citizens as dump land. Council Member May said Simpson Lake Club people have a voice on the board. He said there will not be an RV park out there. Council Member May said property across the road is selling for \$7,000 - \$8,000 an acre. They're not going to be running cattle for that price. He said there is a lot of work the City will need to do before it can be divided and sold. If it's sold to a developer, the developer will make improvements so he can make money. It's not going to be a junk yard. That's not going to happen. The property is in the City limits. The buyers will understand the requirements. Jim Griffin said he thinks the 480 acres need to be master planned. With thought put into it so each parcel is appropriately dealt with. A citizen said she doesn't want another Mudualistic ordeal and doesn't want another trailer park. Council Member Land said the comments are great comments and are appreciated. All the ideas are good ideas. As we go through the process, not everyone is always going to be happy, but we will do the best possible thing for the City of Brady. Another citizen would like to see it developed with some houses out there. There are limited lake lots left, but take the time and slow down and look at what you've got. Council Member Huffman said she would rather put the money in to do the water and electric correctly out there and have it done right. Council Member Huffman said she doesn't like the idea of selling to one person, but have it split up. Mr. McDonalnd said properties that are sold in flood plain, you might have to buy them back some day. McDonald said we own the property, we can decide how it can be developed. Council Member Elliston moved to approve appraisal proposal from Sammons McAnally Appraisal. 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 regarding approval to purchase Body/Fleet Camera Bundles to include peripherals, installation, licenses and warranties from Axon Enterprise, Inc. Lisa McElrath and Captain Randy Batten presented. Council Member Elliston moved to approve the purchase on a 5-year payment plan Body/Fleet Camera Bundles to include peripherals, installation, licenses and warranties from Axon Enterprise, Inc. for \$165,625.01. Seconded by Council Member May. All Council Members

voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

8. STAFF REPORTS

A. Upcoming Special Events/Meetings:

May 16	Budget Work Session, 10:00 a.m.
May 17	Regular City Council Meeting, 6:00
May 26	BISD Early Release – End of school year
May 30	Memorial Day Holiday – City offices closed – Altered Trash Schedule
June 7	Regular City Council Meeting, 6:00
June 16	City Employee Pool Party, 7:00
June 21	Regular City Council Meeting, 6:00

9. ANNOUNCEMENTS

Mayor Groves said there is a music festival on the 5th at the Methodist Church. Council Member May said he won’t be at the meeting on the 17th.

10. EXECUTIVE SESSION

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

- 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
- 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: 204 S. Pecan, 206 S. Pecan and lots 1-4 Block 5, Brooks Subdivision

Regular Session was closed at 7:15 p.m. Executive Session was opened at 7:22 p.m. and closed at 7:24 p.m. and Open Session resumed at 7:25

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

Council Member Elliston moved to approve the purchase of Brady National Bank lots for \$125,000 plus 50% of closing costs. The motion was seconded by Council Member Huffman. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 7:26 p.m.



Mayor Anthony Groves

Attest: 

Tina Keys, City Secretary