

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 17, 2022, at 6:00 pm with Mayor Anthony Groves presiding in person. Council Members present were Jane Huffman, Missi Elliston, 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, Utility Billing Manager Letha Moore, Code Enforcement Officer Connie Echols, Street Superintendent Manny Perez and City Secretary Tina Keys. Also in attendance were Taylor Hoffpaurir, James Stewart, Marilyn Roberts, Randy Hinds, Roberta Hinds, T. Don Dodds, Lisa Dodds, Branden Roberts, Charles Bush, Scott Bush, Isaac Moreno, Joanne Moreno, Jimmy Tindol, James Griffin, and James and Norma Zumwalt.

#### **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**

Those signed up for public comments elected to speak during agenda item

#### **4. CONSENT AGENDA**

- A. Approval of Minutes for Regular Meeting on May 3, 2022.
- B. Discussion, consideration and possible action regarding Resolution 2022-014 to request TxDOT/City street closures for the 95<sup>th</sup> Annual July Jubilee Parade to be held on Saturday, July 2, 2022.
- C. Discussion, consideration and possible action approving a temporary road closure of the 200 block of N. Church Street as requested by the Brady/McCulloch County Chamber of Commerce and the Heart of Texas Community Foundation for their 2<sup>nd</sup> Annual Farm to Table Dinner to be held on June 25, 2022 beginning at 2:00 p.m. through 10:30 p.m.

Council Member Elliston moved to approve the Consent Agenda. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 4 - 0 vote.

#### **5. PRESENTATIONS:**

- April 2022 – Fair Housing Month Proclamation. Council Member Elliston moved to approve the Fair Housing Month Proclamation. The motion was seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 4 - 0 vote.
- Small Diameter Water Main Replacement – Luhr Addition, East – Steven Miller presented to Council.

#### **6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING**

There were no public hearings

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action to approve Resolution 2022-012 to designate authorized signatories for contractual documents for the requesting funds pertaining to the 2021 Texas Community Development Block Grant (TxCDBG) program, grant agreement number CDV21-0068. Steven Miller presented. Council Member Land moved to approve Resolution 2022-012 to approve signatory

assignments. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

- B. Discussion, consideration and possible action to approve Resolution 2022-013 regarding Civic Rights and City of Brady adoption of certain federal procedures and obligations as it pertains to and to extent of the acceptance of funds from Texas Department of Agriculture (TDA) pertaining to the Texas Community Development Block Grant (TxCDBG) agreement number CDV21-0068. Steven Miller presented. Council Member Sutton moved to approve Resolution 2022-013 to acknowledge obligations and duties assigned to certain TxCDBG grant funds from TDA. Seconded by Council Member Elliston. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.
- C. Discussion, consideration and possible action to approve Hotel Occupancy Tax (HOT) Funding Application from The Locker Sports Bar and Grill for the Brady Crawfish and Drag Boat Throwdown to be held June 4, 2022. Taylor Hoffpauir presented to Council and let Council know the request was for \$10,000 but there is only \$1,000 remaining for tourism grants. Council Member Ellison moved to approve awarding \$1,000. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote
- D. Update and discussion on architectural plans for the remodeled Police Department. Erin Corbell presented. Greg Shon presented to Council.
- E. Status update regarding ongoing code issues at 901 Bombay. Erin Corbell presented and asked Connie Echols, Code Enforcement Officer, to give an update. Connie agreed that it has been an ongoing issue. Connie said she got ahold of the owner and met him at his residence. She went in and told him to board the windows up from the inside first so if they get kicked in, that's breaking and entering. She also told the owner he has to clean the outside and replace the roof. The odors were overwhelming. It's unbelievable that people were living there. Echols said they put up no trespass notices. She gave him 10 days to clean up but nothing was done. Echols said she asked Street Department Superintendent Manny Perez to go give a quote for demolition. Manny said when he went over there, and it was clean; nobody had been there, but it's still not safe. Connie said they went back over there this week, and it was back to the same thing, trash everywhere. Connie told the owner to come to Council. Erin Corbell said they asked for a plan on how he would clean it up but never got one. Erin said there were citations issued in 2019 but they were dismissed for compliance. Mr. Dodd said he has seen the owner, Malstrom, there twice. All he has done is load stuff in the truck and drive off. The roof is still caving in. Lisa Dodd said Malstrom pulled the roof off in August and put plastic over the top and now the plastic is all torn away and is in her trees. He put tar paper in October and that's coming off too. It's all over the place. His dogs have charged her and her father. Council Member Land asked if we can legally tear it down. James Stewart said two of the people arrested for the shooting frequent there. City Attorney Sharon Hicks said she's looking at the timeline. Hicks said we can start the demolition now and can put it on the next agenda to hold a public hearing. She needs to look at the timeline, but can bring it back one more time and get it done. Lisa Dodd said he has done just enough to get everybody off his back then it goes right back to how it was. Erin Corbell said if we find we have posted correct notices in the past then we will start demolition right away. If not, the public hearing will be on the next agenda and go from there. Council Member Elliston moved to direct the City Manager to have the property demolished. The motion was seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.
- F. Discussion, consideration and possible action regarding the first reading of Ordinance 1339 of the City of Brady, Texas to deny and disapprove the proposed rate schedules and service regulations filed with the City of Brady by Oncor Electric Delivery Company, LLC as requested by Oncor Electric Delivery Company

LLC. Mayor Groves presented. Council Member Ellison moved to approve the first reading of Ordinance 1339. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

G. Discussion to address citizen's concerns about animal control issues. Erin Corbell said item was added to allow citizens to speak. Council Member Elliston said there are 5 houses in the Irish Addition. They have been terrorized for a while now by animals that are out of control, and they are living in fear. Marilyn Roberts said this has been a problem for over a year. They know animal control number by heart because they've called so many times. Craig Davee has 8 pit bulls and other dogs and he turns them loose and they come to their neighborhood. Recently they went to her grandson's house and one of the dogs attacking the fence was trying to get to the grandson's dogs. They are also concerned for their grandchildren. Davee's dogs have already killed 2 dogs on their on that street. Residents are afraid to come out of their house. They have to look out before going out. They're tired of it. One time she wasn't able to go out her door because of the dogs. Sometimes animal control comes, sometimes they don't. One citizen said her granddaughter lives and plays at her house down the road and she's very worried. She said she told animal control if the dogs get ahold of that little girl, it will be bad. Something needs to be done. The other day two of the dogs were in the citizen's backyard. They called dispatch and the AC officers came down and asked what color the dog was. ACO told her the dogs were tied up. Citizens aid Davee lives behind them. He has no city utilities, no water, no sewer. There are piles of trash that runs into Brady Creek. Nobody is doing anything. She wants something done. She knows there are laws about how many pets someone can have. Council Member Huffman asked if the dogs are fenced in. Lady said no. Another citizen said the dogs are enclosed but he lets them out. Sometimes the dogs are in kennels, sometimes they're tied up. Council Member Sutton asked if the dogs have bit anybody. The citizen said no, but showed Council a picture of her dog that was killed. Council Member Huffman asked what number she is calling. Citizen said dispatch. Council Member Huffman said she pulled the call logs and there were several calls. Letha Moore, Animal Control Supervisor, asked what time of day is this happening. Answer from citizens was "all the time". Another citizen said Davee recently started tying up the dogs. Letha said she is trying to get a timeline. Marilyn Roberts said it's different hours. Council Member Huffman read off some different times on the call logs. Attorney Hicks asked if citizens believe Davee is letting the dogs out of the enclosure or are they getting out. Man said he believes Davee is letting them out. He said aid you can see pipes running from the creek to his house. Erin Corbell said she did send Code Enforcement, but Connie said she didn't see a pump of any kind. Connie said Davee told her he carries buckets down and gets water from the creek. Erin said they are working on the issue with Code Enforcement and have been trying to reach the owner to notify them of the state of the property because it does violate several code issues. A citizen said there have been 3 wild hogs turned loose as well; he catches the hogs and brings them in. Marilyn Roberts said the dogs bark all night and day. Erin Corbell asked when the last time was that they saw the dogs. Erin said they did pick up 3 dogs. Citizen said the dogs have not been loose since they picked up the 3 dogs. A citizen said they are aggressive dogs. Marilyn said Mr. Davee drove up to her house one time. He was acting in a threatening manner. Council Member Huffman asked if it was ever called in as a noise complaint. Somebody said yes, he has called in about the barking. Council Member Huffman asked what address was it called in for. Response was 315 Irish. Call was in June of last year. Council Member Elliston said she determined his mom was calling the 456 number. Dispatch said they would respond but they never showed up. Mr. Roberts said his daughter's dog got out and was fined, so why can't they get these dogs off the street. He wants the dogs gone. Council Member Huffman asked Brandon Roberts if he has his survey and he said they're still working on it. Lady's son said they're working on theirs too. Erin Corbell asked when Connie mailed the letter. Connie said it was right before we picked up the dogs. Within the past 2 weeks. Council Member Elliston said we talked about this issue yesterday and identified some avenues we can take to help fix the situation. Erin is working on some new procedures for animal control. Council Member Huffman agreed

that it's completely unacceptable. Council Member Huffman said they do have new supervisors and since the new supervisors took over, they have picked up dogs and code enforcement has been going over there. One person said it has been better since she took it over. Somebody said the noise is still bad. Council Member Huffman advised citizens to call dispatch if it's after 10:00. Citizen asked about his revving his motorcycle. Chief Thomas said we all have the right to swear out a complaint in front of a magistrate. You don't have to have anybody from code, you are empowered to go and swear out a complaint. You don't have to call PD. If he or an officer goes over there, they may not think the noise is loud. Anybody can go down to Municipal Court and meet with the judge and swear a complaint and that person will have to go to court. Sharon Hicks advised citizens to pick up their phone and record it. Take pictures. She will work with them to swear a citizens complaint. Council Member Elliston said continue to call dispatch. James Stewart said take mace or a stun gun, protect yourself. Erin Corbell asked Sharon about our ordinance deeming animals as dangerous dogs and having these people swear out statements and submit to animal control. Sharon asked for a day or two to strategize. There are several different issues. Number of dogs, if they're chained up, etc. also need to work with the owner to advise him we have several things going on. Sharon will see what she can do and will work to get them some relief. A citizen said animal control is not doing their jobs. Connie said she did talk to Davee and asked who owns the property and he said he did. She told him no, his name isn't on it, and he said he's buying it. Mayor Groves said we're going to do something about it.

## 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:**

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

Erin Corbell told Council that their iPads are under contract which will expire in June and asked if Council would be ok with doing away with the LTE. Council Member Elliston clarified we will still have wi-fi, but will not have cellular.

## 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 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Acting City Manager Erin Corbell

Regular Session was closed at 7:48 p.m. Executive Session was opened at 8:00 p.m. and closed at 8:25 p.m. and Open Session was resumed.

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

No action was taken as a result of executive session.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 8:26 p.m.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary

