

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 September 20, 2022, at 6:00 pm with Mayor Anthony Groves presiding in person. Council Members present were Missi Elliston, Larry Land, Jay May, Jeffrey Sutton and Jane Huffman. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Code Enforcement Officer Connie Echols, EMS Director Jeremy Ramon, Police Chief Steve Thomas, City Attorney Sharon Hicks and City Secretary Tina Keys. Also in attendance were Rhonda Wright, Wayne Wright, Mike Medrano, Melody Wilson Curtis, Joel Curtis, Dugan & Phyllis Sewell, Charles R. Bush, S Bush, Lance Grove, Patrick Lange, Duncan Mechanical, Sabrina Edwards, Linda Medrano, James Griffin, Harley Parker, and BVFD Chief J.T. Owens.

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 September 6, 2022, and Special Meeting on September 13, 2022.
- B. Discussion, consideration and possible action regarding the temporary closure of the 200 block of North Church Street (between W. Main St. and W. Lockhart St.) from 5:00 p.m. to 10:00 p.m. on Saturday, November 19, 2022 for the Church Street Jamboree as requested by Visit Brady and Brady/McCulloch County Chamber of Commerce.

Council Member Elliston 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:

Construction Status Report – Radium Reduction System / Water Treatment Improvement Project – Steven Miller presented.

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding award of contractor service proposal received from Duncan Mechanical Services, Inc. San Angelo, TX in the amount of \$108,161.00 for replacement of City Hall boiler / cooling unit in its entirety with new HVAC units. Lisa McElrath Presented. Mayor Groves said nine years ago when he got a tour of City Hall and they talked about how badly they needed to replace the boiler and air conditioning system. Lisa McElrath said the unit has been in operation since the late 1970s. Council Member Sutton asked if they are anticipating any delay in materials. Duncan Mechanical

representative said they didn't foresee any. Duncan Mechanical rep reviewed the work to be performed. Council Member Huffman moved to award HVAC contractor services for city hall HVAC (heating, ventilation and air conditioning) Replacement 2022 in the amount of \$108,161 to Duncan Mechanical Services, Inc., San Angelo, Texas. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

Council took a break at 6:45 p.m. and reconvened at 6:52 p.m.

- B. Discussion, consideration and possible action regarding the second and final reading of Ordinance 1345 of the City of Brady establishing a Building Standards Commission and providing for appointments to a Building Standards Commission. Erin Corbell presented. Council Member Huffman moved to approve the second and final reading of Ordinance 1345. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- C. Discussion, consideration and possible action regarding the second and final reading of Ordinance 1346 of the City of Brady adopting a zoning change from Commercial District to Multi-Family Residential District for property located at 603 W. Commerce Street, Brady, Texas in the Fulcher Subdivision Block No. 37, Lot Nos 2 – 3 as requested by T. Henderson, H3P, LLC. Erin Corbell presented. It is noted that there is no \$58,000 expenditure associated with the ordinance as stated on the agenda action form. Council Member Sutton moved to approve the second and final reading of Ordinance 1346. Seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action regarding the second and final reading of Ordinance 1347 of the City of Brady, Texas to adopt the FY 2023 Budget. Lisa McElrath presented. Council Member Sutton moved to approve the second and final reading of Ordinance 1347. Seconded by Council Member May. With a roll call vote:

Council Member Huffman – Yes
Council Member Land – Yes
Council Member Elliston – Yes
Council Member Sutton – Yes
Council Member May – Yes

All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

- E. Discussion, consideration and possible action regarding the second and final reading of Ordinance 1348 of the City of Brady, Texas to adopt the 2022 Property Tax Rate. Lisa McElrath presented. Council Member Huffman moved to approve the second and final reading of Ordinance 1348 moving that the property rate be increased by the adoption of the tax rate of 0.374834, which is effectively a 3.5% increase in the tax rate. Seconded by Council Member Elliston. With a roll call vote:

Council Member Huffman – Yes
Council Member Land – Yes
Council Member Elliston – Yes
Council Member Sutton – Yes
Council Member May – Yes

All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

- F. Discussion, consideration and possible action to regarding comments made by Lance Grove for property located at 401 Pine Street, Brady Texas. Connie Echols presented. City Attorney Sharron Hicks said a variance allows you to deviate when there is a hardship on the property. That is not the case in this situation. Sharon said they would have to do a zone change across the board. Council Member Huffman

asked Connie if the fence was already completed when she first spoke with Mr. Grove. Connie said yes. Mayor Groves said the process starts with the planning and zoning commission. Sharon said that was correct. Mr. Grove said there's not an 8' fence going around his property. It's way back from the corner. It only comes out 12 feet from the house. It's a courtyard. Mr. Grove was advised to go before Planning & Zoning. Mayor Groves confirmed it's not appropriate for the council to decide on this issue. Attorney Hicks agreed. Council took no action.

G. Discussion, consideration and possible action regarding appointing David Morton to the Airport Advisory Board to replace Carey Day. Mayor Groves recommended appointing David Morton. Council Member Sutton moved to appoint David Morton to the Airport Advisory Board. Seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5–0 vote.

H. Discussion, consideration and possible action regarding lots at Dodge Heights Subdivision. Erin Corbell presented. A citizen confirmed septic systems can be repaired. Another citizen asked if they can block off the dirt road behind their properties if it becomes their land. Council Member Elliston moved to direct staff to work with property owners, within boundaries of the current laws, to include vacated lots, where possible; issue RFQs identifying an appraiser to determine fair market values of land only; begin process of selling lots, with the first right of refusal going to current lease holders. Seconded by Council Member Huffman. 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:

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| October 4 | Regular City Council Meeting – 5:30 p.m. |
| October 10 | Columbus Day Holiday, City Offices closed, altered trash schedule |
| October 18 | Regular City Council Meeting, 6:00 p.m. |
| November 1 | Regular City Council Meeting, 6:00 p.m. |
| November 11 | Veteran's Day Holiday, City Offices closed, altered trash schedule |
| November 15 | Regular City Council Meeting, 6:00 p.m. |
| November 23 | Happy Birthday Jeffrey Sutton |
| November 24 | Thanksgiving Day Holiday, City Offices closed, altered trash schedule |
| November 25 | Floating Holiday, City Offices closed, altered trash schedule |

9. ANNOUNCEMENTS

Erin Corbell said October 18th is Senior Night at the high school and Erin would like to attend to watch her daughter, but she would miss Council that night. Erin said it would be a short agenda.

Erin also informed Council that Lisa Berglund requested to close a portion of S. College Street between 9th and 10th Streets for National Night Out. The request was submitted without adequate time to get on a Council agenda, so Erin she would approve the request, but future requests must be made a month in advance to allow time to get on a Council agenda for approval.

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 including EMS contract with County

- Pursuant to Section 551.072 (Deliberation about Real Property), the City Council will deliberate the purchase, exchange, lease or value of real properties of the City as deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person – Dodge Heights Lots

Council took a break at 7:44 p.m. Executive Session was opened at 7:56 p.m. and closed at 8:43 p.m. and Open Session was resumed at 8:44 p.m.

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

Council Member May moved to designate Erin Corbell as the Council representative to collect \$213,000. Seconded by Council Member Sutton. 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 8:45 p.m.

Anthony W Groves

Mayor Anthony Groves

Attest: Tina Keys
Tina Keys, City Secretary