

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 7, 2023 at 6:00 p.m. with Mayor Pro Tem Huffman presiding. 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, Electric Superintendent Joe Solis, Acting Police Chief Randy Batten, City Attorney Sharon Hicks and City Secretary Tina Keys. Also in attendance were Paden Behrens, James Griffin, Felix Gomez Jr., James Stewart, Michael Olson and David Ortiz.

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

Mayor Pro Tem Huffman called the meeting to order at 6:00 p.m. Council quorum was certified.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Paden Behrens 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 Work Session and Regular Meeting on February 21 2023 and Special Meeting on March 2, 2023.

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:**

There were no presentations

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

There were no public hearings

**7. INDIVIDUAL CONCERN**

- A. Discussion, consideration and possible action to approve the first reading of Ordinance 1353 of the City of Brady, Texas to amend the FY 2023 budget for municipal purposes. Lisa McElrath presented. Council Member Elliston moved to approve the first reading of Ordinance 1353. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- B. Discussion, consideration and possible action authorizing the City Manager to send a letter of engagement to Halfmann Appraisals for appraisal services for the Dodge Heights addition lots. Erin Corbell presented to Council. Council Member Elliston moved to authorize the City Manager to send a letter of engagement to Halfmann Appraisals to begin appraisal work on the Dodge Heights lake lots. Seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote.
- C. Discussion, consideration and possible action authorizing the City Manager to sign an updated contract with Bureau Veritas for building inspection services. Erin Corbell presented. Michael Olson with Bureau Veritas said the City has had a contract with them for a while. They don't cancel contracts. The only change really is that you can no longer charge residential permit fees based on the value. Plan review is included with the inspection. They are guaranteed to have somebody here the next day if they are called

before 4:00 p.m. Sharon Hicks, City Attorney, said we need to make sure to get plans in digital format. Erin Corbell said there will still be some inspections that staff will still be doing. Council Member Elliston moved to authorize the City Manager to sign an updated contract with Bureau Veritas for building inspection services. Seconded by Council Member Land. Council Member May said there are people who buy a house and want to fix it up, but the inspectors in the past have caused issues. It has been a nightmare bringing in people in from out of town. Michael Olson said he guarantees somebody will be there the next day. There may be some times when inspections have to be done by face time. Three Council Members voted "aye" with two Council Members, May and Sutton voting "nay". Motion carried with a 3 – 2 vote.

- D. Discussion, consideration and possible action selecting two council members to serve on the Community Development Board, representing City of Brady Tourism Board. Council Members Elliston and Huffman volunteered. Council Member Elliston moved to select Council Members Elliston and Huffman to serve on the Community Development Board. Seconded by Council Member Land. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote.
- E. Discussion, consideration and possible action regarding review of City policies concerning holidays and overtime pay. Council Member Huffman said there have been concerns that if you have a holiday in a week and employees get 8 hours of holiday pay, then they get called out, they're not getting paid overtime. Council Member Elliston thinks Holiday pay should not be touched. They shouldn't be punished for having a holiday. They should be paid overtime if they work a holiday. Council Member Elliston asked why would we punish our staff who got a holiday then get called out? Erin Corbell said there are only a few departments it would apply to. Council Member Elliston feels like we are cheating them out of their holiday pay. Erin said we are working on a new policy manual. We can modify that line. Sharon Hicks said you modify the policy. Council Member Huffman said there is also an issue with how employees like police and fire departments, who part of their shift falls on a holiday, if we want to change how they are paid on a holiday. Erin said they do accrue vacation and sick leave at a different rate. Council Member Huffman said shift employees are working 12 or 24 hour shifts so we would not be able to pay them overtime for 12 or 24 hours but we could pay them overtime for 8 hours holiday pay. Council Member Elliston thinks that is fair. Council Member May asked about call outs, do they get paid for like 3 hours. Council Member Huffman said no, it's one hour even if they only work 15 minutes. Council Member Elliston moved to approve (1) paying straight time employees time and a-half (1½) for the hours exceeding forty (40) hours on a week that includes a holiday if the employee is called out to work later in the week following the holiday, and the employee's total hours exceed forty (40) hours for that week, including the holiday and (2) for alternative shift workers, generally police and fire to be paid 8 hours at time and a half (1 ½ ) for the holiday shift when the employee works on a holiday. These changes are effective with the next full pay period. The motion was seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote.
- F. Discussion, consideration and possible action regarding City board appointments to fill vacancies. Erin Corbell presented. Council Member Huffman said the two currently on the Building Standards board are both not tradesman or construction people. Council Member Elliston said she appreciates that Cameron Turk wants to serve, but there is no experience. Council Member Elliston said she visited today with a licensed plumber who is interested in being on the board and has an application. Council Member Elliston said Cameron could be on another board, but Erin Corbell said she doesn't live in the City limits. Council Member Elliston moved to accept Michael Cook to EDC board. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote. For the Building Standards board, Council Member Elliston moved accept Tony Bucholz and Chad Walters. The motion was seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried with a 5 – 0 vote.

**A. Upcoming Special Events/Meetings:**

March 13 – 17	BISD Spring Break
March 21	Regular City Council Meeting, 6:00 p.m.
April 4	Regular City Council Meeting, 6:00 p.m.
April 7	Good Friday Holiday, City Offices Closed, Altered trash schedule
April 18	Regular City Council Meeting, 6:00 p.m.
April 23	Happy Birthday Missi Elliston !

**9. ANNOUNCEMENTS**

Council Member Elliston said the 8<sup>th</sup> Annual Heart of Texas Car Show is April 15, 2023 and they are looking for sponsors. All money goes directly to the McCulloch County Child Welfare Board.

**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: EMS Agreement with County
- 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: Employee Evaluations – City Manager / City Secretary; Police Chief position
- Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange, lease or value of real property of the City as the deliberation in an open meeting will have the detrimental effect of the position of the City in negotiations with a third person: Animal Control Shelter

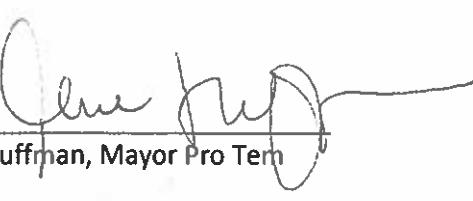
Regular Session was closed at 6:50 p.m. Executive Session was opened at 6:55 p.m. and closed at 7:58 p.m. Regular Session resumed at that time.

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

City Council had applications for Police Chief. In a workshop, the Council unanimously narrowed down the application process to three candidates to move forward to the interview process. Two of the three candidates declined to be interviewed. Council felt that there were no other candidates they wanted to consider and did not desire to reopen the process and proceeded with the hiring of Acting Police Chief Randy Batten. As the City Manager had not participated in the review of Acting Chief Batten and had abstained from all discussion regarding him. Council Member Elliston moved to hire Acting Chief Randy Batten to fill open Police Chief position at the salary budgeted for Police Chief salary which was the Acting salary. The motion was seconded by Council Member May. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

**12. ADJOURNMENT**

There being no further business, Mayor Pro Tem Huffman adjourned the meeting at 8:00 p.m.

  
Jane Huffman, Mayor Pro Tem

Attest:   
Tina Keys, City Secretary