



## CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING APRIL 18, 2023 AT 6:00 PM

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at **6:00 p.m. April 18, 2023**, at the City of Brady Municipal Court Building located 207 S. Elm St., Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551. of the Texas Government Code.

Vacant  
Mayor

Larry Land  
Council Member Place 1

Missi Elliston  
Council Member Place 2

Jeffrey Sutton  
Council Member Place 3

Jane Huffman  
Mayor Pro Tem  
Council Member Place 4

Jay May  
Council Member Place 5

Erin Corbell  
City Manager

Tina Keys  
City Secretary

Sharon Hicks  
City Attorney

### **MISSION**

The City of Brady strives to share its history and encourage the development of diverse housing, employment, infrastructure, and opportunity through transparent management and financing for all residents and employees.

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

### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENTS: Reserved for items NOT listed on the agenda**

*Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff to place the item on an agenda for a subsequent meeting.*

### **4. CONSENT AGENDA: Reserved for routine items to save time**

*Any item may be removed from the Consent Agenda at the request of a Council Member and considered separately following the Consent Agenda approval. All items listed on the Consent Agenda are to be with one motion "Move to approve Consent Agenda."*

- A. Approval of Minutes Regular Meeting on April 4, 2023
- B. Discussion, consideration and possible action regarding Resolution 2023-008 to request TxDOT / City street closures for the 96<sup>th</sup> Annual July Jubilee Parade to be held on Saturday, July 1, 2023.

### **5. PRESENTATIONS**

- Second Quarter Financial Report – FY23
- Pinning / Swearing in of Police Chief Randy Batten

### **6. PUBLIC HEARING:**

- A. Public Hearing to receive comments for or against the request for a Bed and Breakfast/Venue as a Specific Use Provision, in a Single-Family Residential District for property located at 900 S. Blackburn Street, in the Luhr Subdivision, Block No. 169, Lot No. 2.
- B. Public Hearing to receive comments for or against the request for a Bed and Breakfast Inn or Facility in a Single-Family Residential District for property located at 901 S. Blackburn Street, in the Luhr Subdivision, Block No. 170, Lot No. 1.

## 7. INDIVIDUAL CONCERNS

*City Council Members are to deliberate the following items. Staff will present the item and are prepared to answer City Council Member questions. The Mayor will recognize Council Members as the council discuss the item so everyone is heard. Once the City Council Members finish discussion, the Mayor will recognize attendees who have comments. Attendees and council members need to direct comments to the Mayor as they are recognized. When all comments are complete, the Mayor will call for a motion.*

- A. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1354** of the City of Brady, Texas to amend the Brady Economic Development Corporation FY23 Budget
- B. Discussion, consideration and possible action regarding the **first reading of Ordinance 1355** of the City of Brady, Texas approving the request for a Bed and Breakfast/Venue as a Specific Use Provision, in a Single-Family Residential District for property located at 900 S. Blackburn Street, in the Luhr Subdivision, Block No. 169, Lot No. 2
- C. Discussion, consideration and possible action regarding the **first reading of Ordinance 1356** of the City of Brady, Texas approving the request for a Bed and Breakfast Inn or Facility as a Specific Use Provision, in a Single-Family Residential District for property located at 901 S. Blackburn Street, in the Luhr Subdivision, Block No. 170, Lot No. 1.
- D. Discussion, consideration and possible action on awarding lowest responsive bid to Bo Simon, Inc., Canyon, Texas the 2023-Small Diameter Water Main Replacement – 8 in. China St. Water Main Improvements from near Commerce St. south to 11<sup>th</sup> St. and including 10-in. Water Main Relocation from near Burns St. south to West China St.
- E. Discussion, consideration possible action on awarding Engineering Agreement Amendment No. 2 to Enprotech/Hibbs & Todd (eHT), Abilene, Texas for construction phase services during and through construction of the 2023-Small Diameter Water Main Replacement – 8-in. China St. Water Main Improvements from near Commerce St. south to 11<sup>th</sup> St. and including 10-in. Water Main Relocation from near Burns St. south to West China St.

## 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, Municipal Court
- C. **Upcoming Special Events/Meetings:**

April 23	Happy Birthday Missi Elliston!
May 2	Regular City Council meeting, 6:00
May 16	Regular City Council meeting, 6:00
May 25	Last day of school, early release
May 29	Memorial Day Holiday, City offices closed, altered trash schedule

## 9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include: Expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

## 10. EXECUTIVE SESSION

The City Council of the City of Brady will adjourn 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 McCulloch County
- 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: Animal Control Shelter

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

Discussion, consideration or possible action as a result of Executive Session, if any

## 12. ADJOURNMENT

*I certify that this is a true and correct copy of the City of Brady City Council Meeting Agenda and that this notice as posted on the designated bulletin board at Brady City Hall, 201 E. Main St., Brady, Texas 76825; a place convenient and readily accessible to the public at all times, and said notice was posted on \_\_\_\_\_ by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.*

\_\_\_\_\_  
*Tina Keys, City Secretary*

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or [tkeys@bradytx.us](mailto:tkeys@bradytx.us)

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding prospective Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), 551.086 (Deliberate, vote or take final action on competitive matters of the public power utility), and 551.087 (Deliberation regarding Economic Development).

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.104(c) and the meeting is conducted by all participants in reliance on this opinion.