

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 June 6, 2023 at 6:00 p.m. with Mayor Aaron Garcia presiding. Council Members present were Missi Elliston, Larry Land, Gabe Moreno, Jeffrey Sutton and Felix Gomez, Jr. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, City Attorney Sharon Hicks, Police Chief Randy Batten, Airport Manager Lisa Perry and City Secretary Tina Keys. Also in attendance were Lisa Selensky, David Ortiz, Ed Hernandez, Susan Jolliff, DDS, Rich Jolliff, Charles R. Bush, Chris Martin, Tony Groves, James Griffin, Heather Myles, Chad Walters, Tim Walker, Stan Amyett and David Morton.

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

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

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

Council Member Land 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 May 16, 2023.
- B. Discussion, consideration and possible action approving a Noise Variance at Richards Park for Friday and Saturday, June 16 – 17, 2023 until 12:00 midnight both nights as requested for Smoke on the Hill.

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

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

- Airport Advisory Board – Stan Amyett Chairperson for Airport Advisory Board presented to Council. Amyett said his presentation has not been approved by the Board, but all items have been discussed many times at board meetings. Amyett reviewed several improvements he would like to see at the airport.
- Police Department Construction Progress – City Manager Erin Corbell presented to Council
- Fire Department relocation – City Manager Erin Corbell presented to Council

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

Public Hearing to receive comments from the public on a request for a zoning change from Commercial District to Single-Family Residential District for property located at 617 N. Bridge St. in the Fulcher Subdivision, Block 66, Lot no. 13

Public Hearing was opened at 6:41 p.m. There were no comments from the public. Public Hearing was closed at 6:42 p.m.

Public Hearing to receive comments from the public on a request for a zoning change from Single-Family Residential District to Manufactured Home district, for property located at 801 E. 8<sup>th</sup> Street, in the Luhr Subdivision, Block 60, Lot No. 2

Public Hearing was opened at 6:42 p.m. Roy Stanford said he is trying to put a trailer on the lot next to his lot where he lives. He's trying to clean up the neighborhood. Council Member Elliston asked if it's a mobile home. He said yes, it's brand new. Public Hearing was closed at 6:43 p.m.

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding the first reading of Ordinance 1358 of the City of Brady, Texas granting a zoning change from Commercial District to Single-Family Residential District for property located at 617 N. Bridge Street, in the Fulcher Subdivision, Block 66, Lot No. 13. Erin Corbell presented. Council Member Elliston said she has some concerns about the application. The application says the city did something improper and would request that the party resubmit the application. Erin Corbell said Spaeth stated the City improperly changed the zoning in 2016 but it has been Commercial along. Attorney Hicks said he could just mark out that statement and initial it. If he declines, we can put a note on the bottom stating the correct information. Council Member Elliston moved to approve first reading of Ordinance 1358 noting the necessary change be made on the application. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- B. Discussion, consideration and possible action regarding the **first reading of Ordinance 1359** of the City of Brady, Texas to amend the FY2023 Budget for municipal purposes. Lisa McElrath presented and asked Council if they would be interested in transferring monies into the construction fund. McElrath went on to say that fund is a separate fund and it currently only has about \$200,000 established to pay for engineering / architectural fees. We don’t have any other funding established yet. Erin Corbell said for the \$16,000, there is a group of people interested in pickleball. Council Member Moreno asked how many people. Erin said at least 30. Mayor Garcia asked if that money could go to the parks master plan. Erin said yes. Council Member Elliston asked if there were stipulations to receiving the money for the park. Erin said she spoke with a representative of the sand plant who arranged the donation and they are ok with moving the funds. Mayor Garcia said he feels like that money could go to other places. Council Member Elliston asked about the soccer fields. Erin Corbell said council can discuss where to allocate the funds. Lisa said we can leave these funds out of the recommended action. We don’t have to move that money tonight. Mayor Garcia said right now we’re looking at \$5 million for the police and fire facilities and we have \$200,000. Where are we getting the rest of the money? Missi said previous council had discussed using the money from the sale of the city properties, in addition to the annual payments from the county for EMS services. Council Member Elliston said we don’t really have a choice. The existing fire department is in bad shape. Erin Corbell said the funds from the properties sold went into the general fund. This action is moving those funds into the construction fund to take care of the purchase of those properties. Mayor Garcia said we’re hoping we sell more properties to come up with the \$5 million. Erin said with the anticipated appraised value for the 480 acres, we should come close to the amount needed. Council Member Gomez said he thinks the project is very important. Council Member Elliston moved to approve the first reading of Ordinance 1359 excluding moving the \$16,000 to allow for more discussion. Motion is to move the \$1,175,300 from general fund to the construction fund only. Seconded by Council Member Land. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- C. Discussion, consideration and possible action regarding the **first reading of Ordinance 1360** of the City of Brady, Texas granting a zoning change from Single-Family Residential District to Manufactured Home District for property located at 801 E. 8<sup>th</sup> Street in the Luhr Subdivision, Block 60, Lot 2. Erin Corbell presented. Council Member Gomez moved to approve the first reading of Ordinance 1360. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action regarding City board appointments to fill vacancies. Applicants for consideration – Heath Evans, Jane Huffman, Erin Betts. Erin Corbell presented. Lisa Dodd and Heather Myles offered to volunteer for the Tourism Board as did Mayor Garcia. Council Member

Elliston moved to appoint Heath Evans to Charter Review Board and Jane Huffman and Erin Betts to EDC. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

- E. Discussion regarding allowing possession and consumption of an open container in public areas in the **Central Business District** of the City of Brady and allowing temporary use of City sidewalks outside of local businesses and restaurants within the Central Business District. Erin Corbell and Heather Myles presented to Council. Heather said it’s just a small area on Church Street. It’s a designated area with a metal awning. Erin wanted to get a feel from council on what direction to go – if we’re looking at the entire central business district. Council Member Elliston asked, even though there is only one hotel that sells alcohol, could she walk around the east side with a drink. Erin said yes, it’s moving in that direction. Council Member Elliston asked if we approve, would that apply to all businesses or does it have to be done individually on each business. Mayor Garcia said he thinks it seems awesome but asked how it is policed. Police Chief Batten said we would police like we always do. Times would be set, you couldn’t have open container after a certain time, etc. Policing would be the same. He doesn’t think it’s any different from any other bars. Sharon Hicks said Ms. Myles is asking for an outdoor patio. We can set the parameters however we want. Sharon said we have two different requests. Do we want to allow sip and stroll in the downtown area and do we want to allow the outdoor patio. Sharon said she suggests we bring back both options. Heather asked if she has permission to start the permit process so she can start now. Sharon said we can put it on our June 20<sup>th</sup> meeting. Council Member Elliston said we can start the outdoor area as a smoking area. Tim Walker said a lot of retailers give wine, you could also include allowing businesses to give wine away. Erin said we will bring back the two separate issues for council approval.

## 8. STAFF REPORTS

### A. Upcoming Special Events/Meetings:

June 4	Happy Birthday Felix Gomez!!
June 20	Regular City Council Meeting, 6:00
June 22	City Employee Appreciation Pool Party – 6:00 p.m.
July 1	July Jubilee Parade & activities
July 4	Independence Day, City Offices closed, altered trash schedule
July 5	Regular City Council Meeting – WEDNESDAY – due to July 4th Holiday
July 10	Budget Work Session, 10:00 a.m. – 4:00 p.m.
July 13	Budget Work Session, 10:00 a.m. – 4:00 p.m.
July 17	Budget Work Session, 10:00 a.m. – 4:00 p.m. – IF needed
July 18	Regular City Council Meeting, 6:00 p.m.
July 20	Budget Work Session, 10:00 a.m. – 4:00 p.m. – IF needed

## 9. ANNOUNCEMENTS

There were no announcements.

## 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: Police Department / Airport Advisory Board / EMS agreement with McCulloch County

Regular Session was closed at 7:26 p.m. Executive Session was opened at 7:37 p.m. and closed at 9:18 p.m. Regular Session resumed at that time.

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

There was no action as a result of executive session.

**12. ADJOURNMENT**

There being no further business, Mayor Garcia adjourned the meeting at 9:18 p.m.

  
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Aaron Garcia, Mayor

Attest:   
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Tina Keys, City Secretary