

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 November 21, 2023 at 6:00 p.m. with Mayor Aaron Garcia presiding. Council Members present were Missi Elliston, Gabe Moreno, Larry Land, Jeffrey Sutton and Felix Gomez, Jr. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Randy Batten, Solid Waste Superintendent Jim Kidd, Airport Manager Lisa Perry, Airport Lead Lineman Scott Griffin and City Secretary Tina Keys. Also in attendance were Daniel Mendoza, James Griffin, Charles Bush, Shiela Hemphill, Jamey West, Elaine Quinn, John Quinn, Terry Phillips, and Amanda and Fred Nuncio.

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

Mayor Garcia called the meeting to order at 6:12 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**

Shiela Hemphill thanked council. She has seen mayors come and go and one of the biggest obstacles has been not allowing public to speak so she appreciated the mayor for giving opportunity to speak. She handed out a consolidated debt of political subdivisions. She was not prepared for it to equate to \$66,000,000 for McCulloch county. She was shocked by that number. She was expecting the city number to be high with the water projects. She would ask the council to put a moratorium on spending with the uncertainty of our nation. She is very concerned that we don't know what we will be looking at.

Elaine Quinn regarding new police building. She agrees with Sheila. We are so far in debt it's like we are following the nation with 73 trillion in debt with no way to pay and our city seems to be going down the same road. People can't pay their water and utility bills. She doesn't know how the fire and police department thinks adding another 6 million in debt is going to help our city. She would like to balance our budget. We have exploded our spending in years past, let's not add to it.

### **4. CONSENT AGENDA**

- A. Approval of Minutes for Regular Meeting on November 7, 2023

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

### **5. PRESENTATIONS:**

Warren CAT representative Jamey West presentation of heavy equipment sales & services supporting city landfill – Steven Miller introduced Jamey West with Warren CAT who 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 approving Resolution 2023-021 authorizing the city manager to execute an equipment lease extension with Caterpillar Financial Services Corporation for the existing

816K Compactor at the city land. Lisa McElrath presented and said we normally do a 5 year capital lease and at the end of that period, there is a balloon payment and Warren CAT buys that back. There is not a compactor readily available, so we need to extend the current lease with the current compactor. We made the last payment of the current lease in October. We would need to make 11 more payments in this fiscal year. It is in our budget. If a compactor is acquired prior to lease expiring, we will be able to return that machinery to Warren Cat. We will not likely go the full two years. We need to extend the lease to keep our compactor at the landfill. Jamey West said you gain equity with each payment. These machines are constantly being used in a rough environment. Council Member Sutton moved to approve Resolution 2023-021 authorizing the city manager to enter into a lease agreement with Caterpillar Financial Services Corporation in the amount not to exceed \$146,904.36. Seconded by Council Member Elliston. 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 sign a sales quote with Warren CAT, San Angelo, TX, an action committing City Council to a future lease/purchase agreement with Caterpillar Financial Services Corporation for an 816K Compactor for city landfill operations. Steven Miller presented. Miller said we have to get this material pushed down into the ground. Council Member Sutton moved to have city manager enter into a sales quote with Warren CAT – San Angelo. Seconded by Council Member Elliston. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- C. Discussion, consideration and possible action to approve the **second and final reading of Ordinance 1372** amending the average monthly payment agreement billing program for the payment of water, sewer, gas, electric and/or trash services. Lisa McElrath presented. Council Member Moreno moved to approve the second and final reading of Ordinance 1372. 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 1369** of the City of Brady, Texas to adopt Minimum Standards for Commercial Operators and Airport Tenants at the Curtis field Airport in Brady Texas and repealing Ordinance 840. Erin Corbell presented. Council Member Elliston moved to approve the second and final reading of Ordinance 1369. Seconded by Council Member Gomez. 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 1370** of the City of Brady, Texas providing Rules and Regulations for the efficient and safe operation of the Curtis Field Municipal Airport and repealing Ordinance 841. Erin Corbell presented. Council Member Elliston moved to approve the second and final reading of Ordinance 1370. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- F. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1371** of the City of Brady, Texas amending Ordinance 1366, a Schedule of Fees for the Administration of Utility Rates, Programs, Regulations and other Operations of the City; adding a Ramp/Landing Fee for Curtis Field Municipal Airport. Erin Corbell presented. Council Member Elliston moved to approve the second and final reading of Ordinance 1371. Seconded by Council Member Gomez. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- G. Discussion, consideration and possible action regarding City board appointments to fill vacancies. Applicants for consideration – Lisa Moreno. Council Member Elliston moved to appoint Lisa Moreno to the Tourism Advisory Board. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

**H. REMOVE FROM THE TABLE:**

Discussion, consideration and possible action awarding bid for remodel of 607 W. 11<sup>th</sup> to house Brady Police Department. Mayor Garcia asked for a motion to remove from the table – there was no motion. Motion failed. No action was taken

**8. STAFF REPORTS**

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

November 23	HAPPY BIRTHDAY JEFFREY SUTTON
Nov. 23, 24	Thanksgiving Holiday, City offices closed, altered trash schedule
December 5	City Council Work Session – Personnel Policy Manual review
December 5	Regular City Council Meeting, 6:00 / Work Session, 5:00 p.m.
December 13	City Employee Christmas Party, 6:00, Civic Center
December 15	Joint City Council / Charter Review Committee meeting with C. Zech
December 19	Regular City Council Meeting, 6:00
Dec. 25-26	Christmas Holiday, City offices closed, altered trash schedule
Jan 1, 2024	New Year's Day Holiday, City offices closed, altered trash schedule

**9. ANNOUNCEMENTS**

Erin said she put in a vacation request for December 27, 28, 29<sup>th</sup> but she will be in town and available. The first 2 meetings of 2024 follow after holidays. Staff would like to request to move those meetings to January 9 and 23<sup>rd</sup>. Council Member Sutton asked who they will contact while Erin is off. Erin said they could contact her, but Mayor Garcia said he would rather they not contact Erin unless it's something catastrophic. Mayor Garcia thanked staff for their work for the employee luncheon. Council Member Moreno thanked the citizens for attending and speaking up. James Griffin commended staff for recognizing all the City departments on Facebook.

**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 551.072 (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: Police Station / Fire Station

Regular session was recessed at 7:00 p.m. Executive Session was opened at 7:11 p.m. and closed at 7:50 p.m.

**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 7:51 p.m.

  
Aaron Garcia, Mayor

Attest:   
Tina Keys, City Secretary