

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Rescheduled Regular Meeting on Wednesday, July 10, 2024 at 12:00 noon with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, Terry Phillips and Gabe Moreno. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Randy Batten, and City Secretary Tina Keys. Also in attendance were Aaron Garcia, Charles Bush and Crystal Springer. Attorney Hicks joined in the meeting for Executive Session via telephone.

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

Mayor Groves called the meeting to order at 12:00 p.m. Council quorum was certified.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Sutton gave the invocation, and the Pledge of Allegiance was recited

3. PUBLIC COMMENTS

Shiela Hemphill – said she is recording and asked why we can't live stream the meetings. Mrs. Hemphill asked about a noon meeting and said there was an ordinance that said meetings are at 6:00 and asked if a special meeting can be called. Erin Corbell said it can. Mrs. Hemphill said at town hall meeting she brought up concerns about the landfill. At one time she was directed to pit 1 pit to dump her construction materials. Type 4 pit wasn't taking construction items it was being used for tires. She is hoping the city will have a better explanation regarding the notices that went out and would like the item placed on a future agenda with a thorough explanation regarding tires. Additionally, she heard there was going to be a Planning and Zoning meeting about the old hospital block. She had notices survey markers going up, 6 markers on each side. She was told the property was sold to an Austin investment group. She said she has opinions about what happens on that property given it's a historical community and keeping integrity of size of lots, north of that property there are 4 houses and thinks that should be continued. Mrs. Hemphill said the P&Z agenda was not posted. Mrs. Hemphill Letha has been great and appreciates everything she has done. Mrs. Hemphill asked if she has to do a public information request. Mayor Groves said we will put it on a future agenda.

4. CONSENT AGENDA

A. Approval of Minutes for Regular Meeting on June 18 2024

Council Member Sutton moved to approve the Consent Agenda. Seconded by Council Member Phillips. 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 CONCERNS ON PUBLIC HEARING

There were no public hearings

EXECUTIVE SESSION - Mayor Groves said due to availability of city attorney, executive session was going to be moved in front of individual concerns then regular meeting will resume.

Regular Session was adjourned at 12:12 p.m. Executive Session was opened at 12:13 and closed at 12:42. Regular session was opened at 12:42

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action to approve Resolution 2024-012 authorizing publication of notice of intent to issue City of Brady, Texas combination tax and surplus waterworks and sewer system revenue certificates of obligation 2024 in the amount not to exceed \$680,000. Lisa McElrath presented. Council Member Moreno confirmed there will be no tax increase to pay this debt. Lisa said we already have the money set aside in our bank account because we knew in prior years that we would have to spend a lot of money to bring up water system revenue to pay debt service for radium reduction water project. We were able to accumulate some extra funds. Council Member Moreno thanked Steven Miller for his work in getting the grant. Council Member Sutton moved to approve Resolution 2024-012 authorizing publication of notice of intent to issue Combination Tax and Surplus Waterworks and Sewer System Revenue Certificates of Obligation, Series 2024, the total not to exceed \$680,000. 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 approving interlocal agreement with McCulloch County for EMS services. Erin Corbell presented and said this is an updated version of the agreement we reached with the county last year. This is bringing brought to council for a formal agreement. The council could accept the same fee as last year or could agree to cancel the service. Missi said we did tell them about the increase at the workshop. If the parties don't agree, we will have to stand firm and demand payment or cancel services. EC said services will continue through September when contract expires. Missi said they will disagree and carry this forward for months into years so there is never an agreement. Missi said they did not pay for two years. Missi said we need to be proactive in educating citizens. Tony said their constant effort is to get a 3 way agreement with the hospital and transfer fees would lower their share of fees. We have no control over the hospital and the hospital has no interest in getting involved. They make money doing transfers. AG said he was at the commissioners meeting where they expressed their desire to get in a 3 way discussion and the costs be shared equally. We need to tell them what we want and if they chose not to pay for it, we stop service in the county. Gabe said let's make the emotion to accept the contract that we currently have. Jeff asked if there is any language anywhere that says we can't run a transfer service. Gabe thinks there are some things we can do. We need to discuss with fire chief. He thinks a lot of things we're not doing is because they're not willing to do it. Missi said our citizens should have the option to be transferred to San Angelo if they chose rather than be sent to the hospital then transferred with their service. Missi again said we need to educate the citizens so they understand. Gabe said there has been false information out there stating we did not want to meet with them. Last year we requested to meet with the hospital board but they did not want to meet. Missi said we have had multiple meetings for years with the county. Council Member Moreno moved to approve interlocal agreement with McCulloch County. Seconded by Council Member Gomez. Four Council Members voted "aye" and one, Council Member Sutton, voting "nay". Motion passed with a 4 - 1 vote.

8. STAFF REPORTS**A. Upcoming Special Events/Meetings:**

July 4	Independence Day Holiday, City offices closed, altered trash schedule
July 9	Budget Work Session
July 11	Budget Work Session
July 16	Budget Work Session
July 16	Regular City Council Meeting, 6:00 p.m.
July 18	Budget Work Session – IF needed
July 23	Employee Pool Party, 6:00 p.m.
August 6	Regular City Council Meeting, 6:00 p.m.
August 20	Regular City Council Meeting, 6:00 p.m.
August 20	Happy Birthday Terry Phillips
August 21	Happy Birthday Tony Groves

9. ANNOUNCEMENTS

Erin Corbell said Good News Luncheon is next Wednesday and to let us know if council members want to attend so we can RSVP and pool party is the 23rd. Also, budget session starts next week. Work Sessions are 16th, 18th, 23rd and 25th.

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: Fire Station / 480 acres at Brady Lake / 357 2293 Fisher & Miller

Regular Session was recessed again at 1:08 p.m. Executive Session opened at 1:09 p.m. and closed at 1:55 p.m. Regular Session resumed at 1:55.

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

Council Member Moreno moved to give the city manager authority to make a counter offer on the property near the substation. The motion was seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

Council Member Elliston moved to give the City Manager the authority to close the deal that was structured in executive session with the buyer for the 480 acres lake property. Seconded by Council Member Moreno. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

12. ADJOURNMENT

There being no further business, Mayor Groves adjourned the meeting at 1:57 p.m.

Anthony W. Groves
Anthony Groves, Mayor

Attest: Tiha Keys
Tiha Keys, City Secretary