

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, September 16, 2025 at 6:00 p.m. with Mayor Anthony Groves presiding. Council Members present were Gabe Moreno, Terry Phillips, Aaron Garcia, and Curtis Owens. City staff present were Finance Director Lisa McElrath, Public Works Director Steven Miller, Police Chief Randy Batten, and City Secretary Tina Keys. Also in attendance were Charles Bush, Charles Hodges, Vickie Roddie, Marlinda Davis, Zach Dorries, Jerry Haflin and James Griffin.

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. PUBLIC COMMENTS

Marlinda Davis said she will wait for paintball agenda item.

4. CONSENT AGENDA

- A. Approval of Minutes for Regular Session meeting on September 2, 2025
- B. Approval of Noise Variance for wedding and reception on September 20, 2025, from 5:00 p.m. – 1:00 a.m. at Sanctuary in the Heart located at 900 S. Blackburn as requested by Tamara Nuncio.
- C. Approval of Noise Variance for Brady Revive dinner and dance fundraiser to be held at Richards Park Show Barn on October 25, 2025, from 6:30 p.m. to 11:00 p.m.

Council Member Garcia moved to approve the Consent Agenda. Seconded by Council Member Phillips. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

5. PRESENTATIONS:

There were no presentations

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings.

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding the second and final reading of Ordinance 1399 of the City of Brady, Texas, to adopt the FY 2026 Budget as posted on www.bradytx.us. Lisa McElrath presented. Council Member Garcia moved to approve the second and final reading of Ordinance 1399. Seconded by Council Member Phillips Roll Call Vote:

Council Member Phillips - yes

Council Member Garcia - yes

Council Member Owens - yes

Council Member Moreno - yes

All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

B. Discussion, consideration, and possible action regarding the **second and final reading of Ordinance 1400** of the City of Brady, Texas, to adopt the 2025 Property Tax Rate. Lisa McElrath presented. Council Member Phillips moved that the property tax rate be increased by the adoption of a tax rate of \$0.337476 which is effectively a 6.78% increase in the tax rate by approving the second and final reading of Ordinance 1400. Seconded by Council Member Moreno Roll Call Vote:

Council Member Phillips - yes
Council Member Garcia - aye
Council Member Owens - yes
Council Member Moreno - aye
All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

C. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1401** of the City of Brady, Texas, adopting the Utility Rates and Fee Schedule for City Services. James Stewart presented. Council Member Moreno moved to approve the second and final reading of Ordinance 1401. Seconded by Council Member Owens. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

D. Discussion, consideration and possible action authorizing Mayor to execute the Closing Agreement documenting the sale of the City of Brady Natural Gas Utility Distribution System to West Texas Gas Utility LLC, Midland, Texas. Steven Miller presented. Council Member Garcia moved to authorize Mayor to execute Closing Agreement at closing appointment of October 1, 2025, 9:0 a.m. Seconded by Council Member Phillips. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

E. Discussion, consideration and possible action authorizing Mayor to execute the **ASSIGNMENT, DEED AND BILL OF SALE**, which has been mutually agreed to with West Texas Gas Utility LLC, Midland, TX and set forth through description of the assets, gas system and lands as established by the sale of the City of Brady Natural Gas Utility Distribution System. Steven Miller presented. Council Member Garcia moved to authorize Mayor to execute the Assignment, Deed and Bill of Sale at closing appointment of October 1, 2025, 9:00 a.m. Seconded by Council Member Moreno. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

F. Discussion, consideration and possible action regarding approval of Resolution 2025-022 to order a Special Election to be held on November 4, 2025 for the purpose of filling City of Brady City Council Place 4 unexpired term. Council Member Phillips moved to approve Resolution 2025-022. Seconded by Council Member Moreno. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

G. Discussion, consideration of the City's Investments and possible action approving a council member as the representative to the City's Investment Committee for FY 26. Lisa McElrath presented. Council Member Moreno said he does not care to serve this year said he nominated Council Member Phillips. Council Member Phillips said he would accept. Council Member Owens moved to appoint Council Member Phillips to serve on the Investment Committee for the FY 26 term. Seconded by Council Member Garcia. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

H. Discussion, consideration and possible action for a motion regarding possibly amending Ordinance 1087, adopted on 9/6/2011, Discharge of Firearms, to allow for paintball and airsoft mechanisms. Mayor Groves presented and said there is a request for special use space inside city limits to have a paintball field. The hangup is you can't approve the use of a paintball gun because there is an ordinance that says discharge of

firearms, a firearm is defined as a device that expels a projectile through a barrel from energy created by an explosion, burning substance, compressed air or a spring. Mayor Groves said it is his opinion that that's focused on BB guns and metal projectile and said he is asking if council will consider modifying the ordinance. For right now we are talking about if paintballs are ok. Council Member Owens asked if we can be specific about a certain location or club. Mayor Groves said all we're asking about is allowing paintball. Council Member Owens said he would rather allow in a certain place rather than change the whole ordinance. Council Member Owens said there was a time when the high school students had a game they played where they started out at the high school and had to get to Richards Park without getting hit by a paintball. The problem is, not everyone shooting paintballs is accurate. Council Member Phillips said it should be constricted to a certain area. Mayor Groves said we can say paintballs are only allowed in a certain facility. Marlinda Davis' son said there are already exceptions to the rule. The definition already says expel through a barrel which a bottle rocket is the same thing. People can shoot at the gun range. Council Member Garcia said he doesn't think we need to change the ordinance. They can come to council and look for a special use permit. Marlinda said she wants to open a private facility. Under the definition, nerf guns would not be allowed. She's trying to find something for the children in Brady. There are different types of paintball levels. Attorney Hicks reviewed the zoning ordinance for shooting ranges. Mayor Groves said the council is willing to make it work. We will convey to the P&Z that the council is willing to sort it out to make it ok. Council Member Moreno said he thinks it's a great idea. No action was taken.

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:**

September 20	HAPPY BIRTHDAY GABE MORENO
October 7	Regular City Council Meeting, 6:00 p.m.
October 7	National Night Out
October 13	Columbus Day Holiday, City Offices Closed, Altered Trash Schedule – Mon. 10/13 picked up Tues. 10/14 and Tues. 10/14 picked up Wed. 10/15
October 21	Regular City Council Meeting, 6:00 p.m.
November 4	Regular City Council Meeting, 6:00 p.m.
November 11	Veteran's Day Holiday, City Offices Closed, Altered Trash Schedule – Tues 11/11 picked up Wed. 11/12
November 18	Regular City Council Meeting, 6:00 p.m.
November 27	Thanksgiving Day Holiday, City Offices Closed, Altered Trash Schedule – see below
November 28	Day After Thanksgiving Holiday, City Offices Closed, Altered Trash Schedule – Thursday & Friday 11/27 & 11/28 picked up on Wednesday 11/26

9. ANNOUNCEMENTS

Charlie Bush said the City needs to go look at our website at staff names and salaries and update it. James Stewart asked Mr. Bush to show him where he is looking so it can be changed. Lisa McErath said we do not have one dedicated to the web page.

10. COMMENTS ON FUTURE ITEMS FOR CONSIDERATION

There were no comments.

11. 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 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager contract & duties
- 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 / G. Rollie White.

Open session recessed at 7:03 p.m. Executive Session was opened at 7:15 p.m. and closed at 8:16 p.m. Regular Session resumed at 8:6.

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

No action was taken as a result of Executive Session.

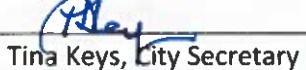
13. ADJOURNMENT

There being no further business, Council Member Owens moved to adjourn the meeting at 8:17 p.m.



Anthony W. Groves, Mayor

Attest:


Tina Keys, City Secretary