

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 16, 2021 at 6:00 pm with Mayor Anthony Groves presiding in person. Council Members present were Jane Huffman, Jay May, Larry Land, Jeffrey Sutton and Missi Elliston. City staff present were Acting City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Steve Thomas, and City Secretary Tina Keys. Also in attendance were Tim Walker, Eddie Sayles, Sheila Hemphill, Zach Jones, Irene Welsh. Brenda Beall, James Griffin, Ingrid McDonald, Michael McDonald and Angie Turner.

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 May gave the invocation, and the Pledge of Allegiance was recited.

3. PUBLIC COMMENTS

Eddie Sayles said he has been involved with the fire department for 40 years. He believes the building that is behind the police station is inadequate. He has some connections with other fire departments. He thinks there is a way the City can save a lot of money with the help of the volunteer fire department. They can get a lot of grants that the City can't get. He would like to address that there are some other ways. He said the facility behind the police department is a horrible location. There is a lot of street traffic, a lot of elderly people, and water comes rushing down the street. Brady is growing to the south. Sayles said he has plans from a fire dept that's not far from here. It's about 6,000 sq ft of living quarters. He thinks we need to add another 1500 square feet to make it work for us. All we need is a good functioning building. The BVFD has too many apparatuses. We need a good bay for EMS and fire. He said he has plans that would work, so we don't need an architect draw it up. Sayles said it should be built by local contractors.

4. CONSENT AGENDA

- A. Approval of Minutes for Regular Meeting on November 16, 2021

Agenda item was posted incorrectly. Should have been approval of minutes for 11/2/2021. Item will be brought back for approval on next agenda. No action was taken.

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 approval of Resolution 2021-026 to enter into a finance contract with Government Capital Corporation for the purpose of procuring 2 zero turn mowers and 6 self-contained breathing apparatus (SCBA) (\$73,875). Lisa McElrath presented. Council Member Huffman asked if the items were approved as part of the base budget and Lisa said yes. Council Member Huffman said she is having problems with financing the mowers. She would rather pay cash and we should find out a way to not finance them. Huffman said the next item on the agenda is a mower that we are replacing. That mower only lasted 6 years and we are financing

for 7 years. Council Member Elliston said she agreed and would rather just pay cash for the mowers. There may be bigger priced items that we need to finance later down the road. Mayor Groves asked if we budgeted to finance the items and McElrath said yes and went on to say that we don't have in the budget to pay the full \$30,000 to purchase. We would have to do a budget amendment. Council Member Huffman said that's fine, we can do a budget amendment and said she knows there is excess cash. She doesn't think it's a good financial decision to finance lawn mowers. Mayor Groves said the budget was set and everybody agreed to that budget under the premise that this would be financed. Council Member Land moved to approve Resolution 2021-026. Seconded by Council Member May. Three Council Members voted "aye" and two council members, Huffman and Elliston voted "nay". Motion passed with a 3 – 2 vote.

- B. Discussion, consideration and possible action regarding providing supplemental funding to the Brady Golf Association to purchase a greens mower for Brady Municipal Golf Course. Erin Corbell presented and said the mower is approximately 6 years old. Erin asked what the cost of the new mower is and Tim Walker said \$35,000. Erin said staff recommends that the City actually purchase the mower rather than the BGA. Tim Walker said his understanding was that the mower was a 2004 mower. The Toro rep says the blades can no longer be sharpened. If it's only a 6 year old mower, the BGA would have to reconsider. Council Member May said greens mowers are not like other mowers. They cut it down really really low. The sand erodes the blade as it cuts. Erin Corbell said the Golf Course staff need to let us know going into budgeting what they need so we can start planning, then we can go to the BGA and see if they are willing to help contribute to the cost. Tim Walker said he's being told the mower is an 2004. Erin said she was told the oldest one was purchased in 2018 and is a 2016 model. Council Member May said we've sharpened those blades so many times, they're gone. Council Member Huffman asked if there is a mower on hold for us and Tim Walker said yes. Council Member Huffman said if we voted on it, we can still go back and talk to the BGA and if they want to stick with this, you won't lose it. Tim Walker said BGA is ok with City buying it and BGA chipping in. Erin Corbell said in that case, we're back to doing a budget amendment. It's not in the budget. Tim Walker said the BGA has been around for a long time. He has no problem, as the president of BGA, signing a lease agreement. Council Member Land said he thinks it's a great idea and we have a great association with the BGA. Erin said she thinks we can do a line item transfer rather than a budget amendment. Lisa McElrath said if it is being financed, so we would have to go to Government Capital. Council Member Huffman asked if the BGA can buy it and us rent it from them. Lisa McElrath said the maintenance would need to be addressed in the rental agreement. Zach Jones asked if it's not in the budget does that mean it simply wasn't written in the budget or there's no cash. Lisa explained that a budget amendment would have to be done since it wasn't in the budget. Erin Corbell also mentioned that if the city purchases, we have to go out for bid. Tim Walker agreed the simplest would be for BGA to buy it. Council Member May moved to direct staff enter into a rental agreement with BGA for rental of the mower that BGA owns. Details will be discussed at the next meeting. The motion was seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- C. Discussion, consideration and possible action to approve Resolution 2021-027 voting for McCulloch County Appraisal Board of Directors for 2022-2023 term. Council Member May moved to give all 201 votes to Reed Williams. Seconded by Council Member Land. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action regarding City Manager updates on Fire and Police facility upgrade and Animal Control. Erin Corbell presented. Eddie Sayles talked about allowing the volunteer department to do what they can do to help. Council Member Elliston said her concern is

the fire dept, animal control and senior center have all been kicked down the road while they continue to delapidate. Council Member Elliston asked if we can legally pay for a station for the volunteer department; can we use city funds. Council Member Huffman said this would be a City fire station. Council Member Huffman said she would have a hard time wrapping her head around leasing from the volunteers. Eddie Sayles doesn't want to throw money at something that's not going to last but 20 years. Council Member Land said we've talked to the fire chief several times with possible locations and asked where Eddie would recommend. Eddie said old hospital location would be perfect. It's more centrally located. Eddie said he thinks there is a more financially responsible way to look at it. He would like to see something new that will be there for many generations. Council Member Land said what we're looking at is basically new. Council Member May said part of the old hospital that burned was pushed into the basement and filled in. It isn't stable. Council Member May said he's not against what Sayles is saying. He would rather use local and not use architects and engineers, but compacting the soil and all that needs to be done is going to add a lot of money. Council Member Huffman asked if TML would even allow us to do something like renting from the volunteer fire department since it would house our employees and equipment. Council Member Sutton said he would like to get with the attorney and see if there is anything we can do.

Discussion moved on to Animal Control. Erin Corbell reviewed status. Council Member Elliston said there is a problem with noise. Erin said we are planning on putting up rolling doors which will help. Council Member Huffman said we need to revisit animal control as a whole; overall, we need something much smaller. Erin agreed and discussed the San Saba animal control facility that was visited. Council Member Elliston said when she was young, the animal control facility was at the dump facility on Oglebay Norton and asked if it was possible to relocate animal control to the landfill. Erin Corbell said we looked into outsourcing euthanasia and it can probably be done more efficiently. Erin said at the last meeting, she was instructed to look into hiring a part time kennel tech but in speaking with animal control staff, they said it would be more beneficial to get them another vehicle. Corbell went on to say that there is a rescue in Dallas that can take the animals, but they can't drive all the way here on a regular basis. Council Member Huffman said we need to figure out what our goals are with animal control. Corbell asked if it needs to be in a workshop and Council Member Huffman said "probably". Council Member Elliston said it would have to be after 6:00 or on a Saturday – or at like 2:00 in the afternoon. Shiela Hemphill said it's 2 minutes and 10 seconds from this facility to the old hospital driving the speed limit. Angie Turner said she lives 725 yards from the facility and there is nothing between her house and the current animal control facility. She can't even sit on her porch and enjoy a cup of coffee. Turner said she also thinks we are holding the animals too long. Turner asked "why would you want the animal control facility in the middle of an area that's up coming for events and things. You're going to hear them." She would like to see it maybe being moved out to the dump ground. Erin Corbell said she also thought about the possibility of moving the facility out behind the gun range at the lake. Angie Turner said the Richardsons bought Derryberry's place and he's extremely unhappy as well. Stray dogs are hearing the dogs at animal control and they're all barking. Council Member Elliston said the intent for the facility isn't what it actually is. Council Member Huffman said many of these animals should not be put back on the street. Council Member Land agreed we should have a workshop before committing funds.

- E. Discussion, consideration and possible action regarding vaccine mandates. Council Member Elliston said she has had a lot of concerns with mandates coming down from the federal government. She thinks it should be a choice and would never be in support of anybody being forced to be vaccinated and would be against businesses requiring people to show a vaccination card to enter. Council Member Huffman talked about the article from Big Spring and would love to see our community do something like that. She would be the first to fight against any vaccine mandate. Council Member

Huffman said the City needs to make sure our staff knows we cannot release any personal medical information on any of our employees to anybody. Mayor Groves said the HIPPA law is already a law in place. It's a federal law that you cannot release medical information. Council Member Huffman thinks this is something we should look at doing. Mayor Groves said the governor said there would be no mandates, but if the city wants to pass a resolution, we can, but we have no authority to do an executive order. Mayor Groves said we can't tell a business that they can or can't mandate vaccines. If an employer decides they will have a mandate, that's the employer's decision. We can say the city will not require our employees to mandate vaccines, but he thinks the governor already said that. Council Member Huffman likes the idea of doing a resolution saying the employees will not be mandated to receive a vaccine and that staff will not release any medical information. Council Member Land said the policy now is we do not release any information and Erin Corbell agreed. Mayor Groves said we can direct staff to draw up a resolution that says the city will not mandate that its employees be vaccinated and emphasize rules associated with HIPPA and severe repercussions for releasing personal information. Shiela Hephill handed Council a resolution passed in Edwards County and said it is being shared as a template for other cities and counties asking the governor to codify the executive order GA-39 and pass legislation for a comprehensive ban on vaccine mandates. Angie Turner said she works for USDA and is a federal employee and has been through hell. She thinks everyone has the right to choose. She doesn't have that right. She is being told she will be fired if she doesn't take the vaccine. She had a survey she had to fill out that asked if she was vaccinated or not. If she didn't fill out that survey, she would be suspended for 5 days. She could talk for days about what is being done to them in their little office. Fight it at every single little level. Their goal is to filter it down. And what is next? If they do it with this, what else will they do it with. Ingrid McDonald said their daughter is a student at Hardin Simmons and is being told if she wants to do rotations, she will have to take the vaccine.

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, Chronic Code Complaints, and Structures Inhabited without Utilities, Municipal Court

C. Upcoming Special Events/Meetings:

November 25	Thanksgiving – City offices closed / altered trash schedule
November 16	Thanksgiving Holiday – City Offices Closed / altered trash schedule
December 7	Regular City Council Meeting – 6:00 p.m.
December 10	Employee Christmas Party, 6:00 p.m., Civic Center
December 13	Happy Birthday Larry Land!!!
December 21	Regular City Council Meeting – 6:00 p.m.
December 24	Christmas Holiday – City offices closed – altered trash schedule
December 27	Christmas Holiday – City offices closed – altered trash schedule

9. ANNOUNCEMENTS

There were no announcements

10. EXECUTIVE SESSION

The City Council of the City of Brady adjourned into Executive Session to discuss the following:

- a. 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:

Acting City Manager Erin Corbell

Regular Session was adjourned at 8:01 p.m. and Executive Session was opened at 8:14 p.m. Executive Session was closed at 8:32 p.m. and Regular Session was reconvened at 8:32 p.m.

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

No action was taken as a result of Executive Session

12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:33 p.m.



Mayor Anthony Groves

Attest: 

Tina Keys, City Secretary