

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, January 19, 2016 at 6:00p.m. at the City of Brady Service Center, 1405 N. Bridge Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Latricia Doyal, Kathy Gloria, Jack Turk and Shelly Perkins. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Public Works Director Steve Miller, Finance Director Lisa Remini, City Attorney Shannon Kackley, Police Chief Steve Thomas, City Secretary Tina Keys, Administrative Assistant Kim Davee, and Andrew Williams. Also present were JoAnn Coffey, Amy Greer, Joanna Cros, Eddie Wilson, Patsy Cole, Farris Moreno, Lynn Parker, Scott Parker, Taylor Hoffpauir, Damon McBee, Terry R. Norman, Silvia B. Campos, Hank Lee, Larissa Nandin, Dorothy Crawford, Robert Hubert, Lou Alexander, Lynn Farris, Anita Ellison, Jannelle Williams, Linda Lott and Martha Jones.

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

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

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

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

### **3. APPROVAL OF AUDIT BOARD**

Council Member Perkins made a motion to approve the audit board. Seconded by Council Member Gendusa. All Council Members voted "aye" and none "no". Motion carried.

### **4. APPROVAL OF MINUTES for January 5, 2016**

Council Member Perkins requested Item 7 regarding Ordinance 1187 be changed to read "customer distributed generation". Council Member Gendusa made a motion to accept minutes as amended. Seconded by Council Member Doyal as amended. All Council Members voted "aye" and none "no". Motion carried.

### **5. PUBLIC COMMENTS**

Tonya Rankin commented on city boundaries. Believes the metes and bounds will show her property line would not be drawn into city limits.

Terry Norman also city boundaries. It is his conclusion, based on field notes, that inclusion west of Simpson street is not supported by metes and bounds in 1906 ordinance. Does not believe there has been an "on the ground boundary."

### **6. JOINT PUBLIC HEARING with Special P & Z Commission meeting called to order at 6:15 p.m.**

- A. **Joint Public Hearing** to receive comments from the public for/against a zoning request made by Scott and Lynn Parker for an SUP (Special Use Provision) for property located at 1710 S. Bridge for the purpose of selling alcohol. Peter Lamont presented to Council and addressed questions. No public comments for or against.
- B. **Joint Public Hearing** to receive comments from the public for/against a zoning change from Single-Family Residential (SF-5) to Industrial District (I) as requested by Greg and Cheryl Kubacak for property located at 1000 E. 4<sup>th</sup> St. for the purpose of equipment storage. Peter Lamont presented to Council and addressed

questions.

Citizen Comments: Patsy Cole stated she is the representative for a group who have been fighting against this for many years. People work hard to maintain the neighborhood and keep it safe. But on A.L. Reed Street, only one car can pass at a time due to equipment parked there. It looks like a junk yard. They are objecting to the re-zoning. Big John Campbell stated the Kubacaks bought more property on A.L. Reed Street and pushed up brush that has been sitting there for years and has done nothing with it. It's a mess. Robert Hubert's mom lives adjacent to that area and he commented that the P&Z Commission doesn't live there, they haven't even been there. There is a need to survey the whole city first before you allow somebody to come and put junk. Mr. Kubacak should not be allowed to come in and do whatever he wants to. Linda Lott stated A.L. Reed Street used to be residential. None of the neighbors were aware that it was changed. Nobody was asked if they wanted this industrial equipment. They shouldn't have to walk out their door and look at junk. If it was residential, why was it allowed? One citizen asked what SF5 zoning is, why can they have that stuff there? Mayor Groves discussed the municipal court system as it relates to code violations. Janetta Williams would like Council to consider not allowing the re-zoning and to take into consideration if it was next to you or your loved ones. It's there illegally in the first place.

Kubacak representative: Joanna Cross works for Kubacaks. In order to get a privacy fence around the property, it needs to be properly zoned. Since it is zone residential, they can't get a fence. That's what they are trying to do is to get it zoned properly so they can get the fence up.

Close Public Hearings, recess City Council Meeting for P&Z to meet and deliberate at 7:02pm. Reconvene City Council Meeting at 7:10 pm.

Presentation of P&Z Commission recommends to City Council 7.A. to approve; 7.B. to deny. P&Z Meeting Adjourned.

## 7. INDIVIDUAL CONCERNS

- A. Discussion, consideration, and possible action regarding first reading of Ordinance 1191 a zoning request made by Scott and Lynn Parker for a SUP for property located at 1710 S. Bridge for the purpose of selling alcohol and P&Z Commission's recommendation. Peter Lamont presented to Council. P&Z voted unanimously to approve. **Mayor: "Do I have a motion to read the full ordinance?" No motion was made, Mayor stated in accordance with City Charter: "A majority of the City Council has dispensed with the full reading of the ordinance." Mayor asked: "Madam City Secretary to read the Ordinance Preamble for the record in accordance with the City Charter." City Secretary read the preamble. Mayor called for a motion: Council Member Gloria moved to approve first reading of Ordinance 1191. Seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried 5-0.**
- B. Discussion, consideration and possible action on first reading of Ordinance 1192 a zoning change from Single-Family Residential (SF-5) to Industrial District (I) as requested by Greg and Cheryl Kubacak for the property located at 1000 E. 4<sup>th</sup> St. for the purpose of equipment storage and P&Z Commission's recommendation. Peter Lamont presented to Council. P&Z voted unanimously to deny the request. **Mayor: "Do I have a motion to read the full ordinance?" No motion was made, Mayor stated in accordance with City Charter: "A majority of the City Council has dispensed with the full reading of the ordinance." Mayor asked: "Madam City Secretary to read the Ordinance Preamble for the record in accordance with the City Charter." City Secretary read the preamble. Council Member Doyal asked if**

we don't have a motion, does it die? There was further discussion. **Mayor called for a motion:** Council Member Gendusa moved to **deny zoning change requested by Greg and Cheryl Kubacak**. Seconded by Council Member Gloria. All Council Members voted "aye" and none "nay." Motion to approved 5-0.

- C. Discussion, consideration and possible action regarding Resolution 2016-005 authorizing posting signage for prohibiting concealed and open carry handguns into areas that house open public meetings and Municipal Court. Peter Lamont presented to council. Council Member Gendusa moved to approve Resolution 2016-005. Seconded by Council Member Turk. All Council Members voted "aye" and none "nay." Motion carried 5 - 0.
- D. Discussion consideration, and possible action regarding Resolution 2016-006 to close City Offices to the public on Federal Holidays of Martin Luther King's Birthday, President's Day and Columbus Day for in-service training work days for City Employees. Per Mayor, resolution needs to be changed to reflect "Martin Luther King Day." Peter Lamont presented to Council. Council Member Doyal moved to approve Resolution 2016-006. Seconded by Council Member Gendusa All Council Members voted "aye" and none "nay." Motion carried 5 - 0.
- E. Discussion, consideration, and possible action regarding appointments of Board vacancies to Charter Review Commission, Airport, P&Z and ZBA. There were no applications. Staff needs to see if people on last board would like to continue serving.
- F. Discussion of possible six month moratorium on all new pole signs to allow time to develop and update sign regulations (comprehensive plan recommendation). Peter Lamont presented to council requesting to start working on a sign ordinance and declare a moratorium. Council members directed to staff to return with an action item for a six (6) month moratorium.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for December
- B. Monthly Activity Reports – Seniors; Golf; BPD; Civic Center; HOT Events
- C. Quarterly Reports – Community Services Department
- D. Bagged Leaf Curbside Pick-up Schedule –Thurs Trash – Jan 20; Fri – Jan 27
- E. May 7 City Election calendar – Council Positions Place 4 and Place 5 – Candidates file for election by Place - January 20 to February 19 by 5:00 p.m.
- F. January 25, 1:30pm - Work Session for PAWS 7 month review and Animal Control Ordinances changes
- G. January 26, 6pm, Quarterly BEDC Meeting
- H. Thursday, January 28, Chamber of Commerce Annual Banquet at Airport  
2017 Budget Calendar and proposed City Council Work Sessions

## 9. ANNOUNCEMENTS

Latricia Doyal – impressed with Police turnout at MLK walk

## 10. ADJOURNMENT

There being no further business the Mayor adjourned the meeting at 7:56 pm.

  
Mayor Anthony Groves

Attest:   
Tina Keys, City Secretary