



CITY OF BRADY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
JULY 7, 2015 AT 6:00 PM

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00pm on July 7, 2015, at the Ed Davenport Civic Center located at 200 Country Club Road, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Tony Groves
Mayor

Latricia Doyal
Mayor Pro Tem

Kathy Gloria
Council Member

Shelly Perkins
Council Member

Marilyn Gendusa
Council Member

Jack Turk
Council Member

Kim Lenoir
City Manager

Raika Rowe
City Attorney

Tina Keys
City Secretary

Platinum
Level



Texas Comptroller
Leadership Circle

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

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. APPROVAL OF AUDIT BOARD

4. APPROVAL OF MINUTES 6-16-15

5. PUBLIC COMMENTS

Public comments are reserved for items NOT listed on the agenda. Please address public comments regarding items ON the agenda under "Individual Concerns" during public comments and discussion of those items. To speak, please fill out notecard and give to City Secretary.

6. JOINT PLANNING & ZONING COMMISSION PUBLIC HEARINGS

- A. Open P&Z Meeting – Call to Order, Roll Call and Certify a Quorum
- B. Staff presentations of the following:
- C. Open Public Hearing to hear comments FOR or AGAINST proposed amendment to Zoning Ordinance 933, Section 28.10 (Zoning Use Chart) to allow Alcoholic Beverage Liquor by the Drink as a Specific Use Provision (SUP) in the Brady Lake Recreational District (BLR), Retail District (R), Central Business District (CBD), and Commercial District (C)
- D. Open Public Hearing to hear comments FOR or AGAINST a zoning change from Single-Family Residential (SF-5) to Industrial District (I) and re-platting as requested by Premier Silica on property located on the East side of Oglebay Norton Drive, 16.62 acres out of the H. & T.C. Railroad Company Survey, Abstract No. 1483 and consisting of all of Blocks 1 to 6 of Dutton's 1st Addition
- E. Open Public Hearing to hear comments FOR or AGAINST a Specific Use Provision (SUP) in the Central Business District (CBD) as requested by Rick Althof for property located at 109 North Church for the purpose of a restaurant/sports bar

- F. Close Public Hearings, recess City Council Meeting for P&Z to Meet and deliberate (approximately 20 minutes)
- G. Reconvene City Council Meeting
- H. Presentation of P&Z Commission Recommendations
- I. P&Z Meeting Adjourns

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration, and possible action regarding first reading of Ordinance 1174 to amend Zoning Ordinance 933, Section 28.10 (Zoning Use Chart) to allow Alcoholic Beverage Liquor by the Drink as a Specific Use Provision (SUP) in the Brady Lake Recreational District (BLR), Retail District (R), Central Business District (CBD), and Commercial District (C).
- B. Discussion, consideration, and possible action regarding re-platting approval of 16.162 acres out of the H. & T.C. Railroad Company Survey, Abstract No. 1483, and consisting of all of Blocks 1 to 6 of Dutton's 1st Addition, requested by Premier Silica for property located on Oglebay Norton Drive.
- C. Discussion, consideration, and possible action regarding Ordinance 1175 to re-zone from Single-Family Residential (SF-5) to Industrial District (I) as requested by Premier Silica on property located on the East side of Oglebay Norton Drive, 16.62 acres out of the H. & T.C. Railroad Company Survey, Abstract No. 1483 and consisting of all of Blocks 1 to 6 of Dutton's 1st Addition.
- D. Discussion, consideration, and possible action regarding first reading of Ordinance 1176 for a Specific Use Provision (SUP) in the Central Business District (CBD) as requested by Rick Althof for property located at 109 North Church for the purpose of a restaurant/sports bar.
- E. Discussion, consideration, and possible action regarding second reading of Ordinance 1173 to rezone Apartment Complex site from Commercial to Multi-family Zoning located at the intersection of West 17th and Nine Road.
- F. Per published public notices for July 7 – Consideration of issuing CO's for the Ed Davenport Civic Center Expansion and Renovation Project. (Due to receipt of 5% citizen petition against issuing CO's, no action proposed).
- G. Discussion, consideration and possible action regarding Resolution 2015-032 authorizing approval and execution of grant agreement with Texas Water Development Board in the amount of \$1,804,000; approval of a related escrow agreement and other matters related thereto.
- H. Discussion, consideration and possible action regarding Resolution 2015-033 authorizing the City Manager to sign an amendment to existing engineering services Agreement with Enprotec / Hibbs & Todd (eHT of Abilene) as it relates

to the Radium reduction project in Brady's groundwater supply. eHT is concluding its preliminary engineering report and in proper project management and planning secured grant funding from the TWDB Economically Distressed Areas Program (EDAP) in the amount of \$1,804,000. Of this amount \$1,623,000 is secured for the final design phase (Amendment) of this project that includes the following:

➤ Design – Water Treatment Systems	\$659,000
➤ Design – Water Transmission/Distribution Systems	\$460,000
➤ Design – Water Storage Systems	<u>\$329,000</u>
Subtotal	\$1,448,000
➤ Services – Surveying / Geotechnical	\$125,000
➤ Services – Project Management	\$25,000
➤ Design – Permitting	<u>\$25,000</u>
Subtotal	\$175,000
Grand Total	<u>\$1,623,000</u>

8. STAFF REPORTS

- A. Draft FY 2016 Budget Available at www.bradytx.us
- B. July 8 and 9 - 4pm Council Budget Work Sessions at Brady Housing Authority
- C. July 13 or 14 – possible special BEDC & Council meeting

9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

10. EXECUTIVE SESSION


The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (Economic Development). Additionally, the following items are anticipated for Executive Session:

- A. Pursuant to 551.072 (Deliberations about Real Property)
- B. Pursuant to Section 551.086 (Deliberations, vote or final action about competitive matters of the public power utility) - Electric Competitive Matters
- C. Pursuant to Section 551.071 (Consultation with Attorney). The City Council will seek and receive advice from the City Attorney on the following matters:
 - a. Pending and/or contemplated litigation
 - b. To seek legal advice regarding the city's authority to regulate water supply and groundwater use within the City Limits
- D. Pursuant to Section 551.087 (Economic Development)
 - a. Discussion of potential economic development projects

11. Open Session Action on Any Executive Session Item listed above, if needed.

12. ADJOURNMENT

I certify that this is a true and correct copy of the City of Brady City Council Meeting Agenda and that this notice as posted on the designated bulletin board at Brady City Hall, 201 E. Main St., Brady, Texas 76825; a place convenient and readily accessible to the public at all times, and said notice was posted on 7-2-15 by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Tina Keys, City Secretary

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City Facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or citysec@bradytx.us.

NOTICE is hereby given of possible quorum: There may be a quorum present of the Brady Economic Development Corporation, Planning and Zoning Commission, Airport Advisory Board, Zoning Board of Adjustments and/or the Charter Review Commission during this meeting, but they will not deliberate on any city business.