

CITY OF COOPER
 CITY COUNCIL MEETING – REGULAR MEETING
 MAY 13, 2019 – 5:10 PM

COUNCIL MEMBERS PRESENT: DARREN BRADY; MAYOR, DAVID PHILLIPS, ALLEN FOSTER, DONNA THOMASON AND WILLIE “BEAR” WILKINS.

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE, DRUANN HAUSSER, JOE ADAMS, HARMON KEECH, AMANDA L’ESPERANCE, PATRICIA CROUCH, SHERRY CROUCH, CAROL CROUCH, JIM MAURER, KAREN ATKINS, KEN APPLGATE, WYATT L’ESPERANCE, BRENDA DONALDSON, JIM BUTLER, PATRICK WILLIAMS, JESSICA TINGLE, CHARLES EDWARDS, DENNIS SAWYER AND SON, WILL ANDERTON, JENNIFER DWYER, BETH PINSON AND KIM COX.

AGENDA ITEM #1

Mayor Darren Braddy called the meeting to order and Darren also voiced the prayer.

AGENDA ITEM #2

Emily Howse, City Secretary, canvassed the May 4, 2019 election totals as follows:

POSITION	CANDIDATE NAME	MAIL	EARLY VOTING	ELECTION DAY	PROVISIONAL	TOTAL
MAYOR						
	EFTON GEARY	0	16	9	0	25
	DARREN BRADY	2	82	33	0	117
COUNCIL						
	ALLEN FOSTER	1	72	32	0	105
	BOBBY SMITH	0	18	3	0	21
	E. J. CATES	2	23	14	0	39
	JOHN KISIC	0	21	9	0	30
	AMANDA L’ESPERANCE	1	32	16	0	49
	JAYMI MORRIS	0	13	6	0	19
TOTAL VOTERS		2	194	85		281

Donna Thomason made the motion to approve the May 4, 2019 election totals as presented. Willie “Bear” Wilkins seconded. Vote unanimous.

AGENDA ITEM #3

Jay Garrett, City Attorney, gave the statement of officer to incumbent Mayor Darren Braddy and incumbent Councilman Allen Foster and newly elected Councilwoman Amanda L’Esperance.

AGENDA ITEM #4

Jay Garrett, City Attorney, gave the Oath of Office to Mayor Darren Braddy, City Councilman Allen Foster and Councilwoman Amanda L'Esperance.

AGENDA ITEM #5

Willie "Bear" Wilkins made the motion to re-appoint David Phillips as Mayor Pro-Tem. Allen Foster seconded. David Phillips abstained. Vote carried.

AGENDA ITEM #6

Donna Thomason made the motion to approve the April 8, 2019 regular meeting minutes and the April 23, 2019 work-session minutes as presented. David Phillips seconded. Amanda L'Esperance abstained. Vote carried.

AGENDA ITEM #7

Resolution #01-05-19 authorizing the submission of an application to the Texas Department of Agriculture for the FAST Fund Grant was on the table for discussion. As stated in the public hearing this is a \$500,000.00 grant with a 1% match of \$5,000.00. This grant will aid in the purchase of a new emergency apparatus and equipment for the Cooper VFD and the Delta County ESD.

Allen Foster made the motion to read resolution #01-05-19 by caption. David Phillips seconded. Vote unanimous.

City Attorney Jay Garrett read:

RESOLUTION 01-05-19

A RESOLUTION OF THE CITY COUNCIL OF COOPER, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE FIRE, AMBULANCE AND SERVICES TRUCK FUND; AND AUTHORIZING THE CITY MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Willie "Bear" Wilkins made the motion to approve resolution #01-05-19 authorizing the submission of an application to the Texas Department of Agriculture for the FAST Fund Grant in the amount of \$500,000.00 with a 1% match of \$5,000.00. Donna Thomason seconded. Vote unanimous.

AGENDA ITEM #8

Ordinance #01-05-19 denial for application of Oncor Electric Delivery company LLC for distribution cost recovery factor pursuant to TEX. Admin code 23.243 being filed with the Public Utility Commission of Texas was on the table for discussion.

Mayor Braddy stated that this denial would turn the rate increase decision back to the Public Utility Commission.

Allen Foster made the motion to read ordinance #01-05-19 by caption. Amanda L'Esperance seconded. Vote unanimous.

City Attorney Jay Garrett read:

ORDINANCE NO. 01-05-19

AN ORDINANCE DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY LLC, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW, AND DECLARING AN EFFECTIVE DATE OF THIS ORDINANCE.

David Phillips made the motion to approve ordinance #01-05-19 denying the proposed change in rates of Oncor Electric Delivery Company LLC. Willie "Bear" Wilkins seconded. Vote unanimous.

AGENDA ITEM #9

The item of appointing a new member to the Sulphur River Municipal Water District board for a two-year term was on the table for discussion. Mayor Braddy stated that long time member, Delbert Horton had submitted his resignation letter. Mr. Horton was moving out of the city and could no longer serve on this board. Mayor Braddy stated that only one person had approached him to volunteer for this position. He stated that his wife, Denise Braddy, was interested in this seat. Mayor Braddy asked the council if they knew of any other individual that would like to fill this seat. City Attorney, Jay Garrett, interjected that this is a volunteer position. Mayor Braddy stated that the appointee must live in the city limits, own property, and not be an employee or elected official of the city. City Attorney, Jay Garrett, determined that Mayor Braddy's wife, Denise Braddy, would not be a conflict of interest. He stated that this is an autonomous position not under the direction of Mayor Braddy.

Willie "Bear" Wilkins made the motion to appoint Denise Braddy to the Sulphur River Municipal Water District Board for a two-year term. David Phillips seconded. Vote unanimous.

AGENDA ITEM #10

Ordinance # 02-05-19 amending mobile home ordinance # 1503/05-11-04 was on the table for discussion. City Attorney Jay Garrett prepared the amendment at hand. The amendment clarifies the definition of a mobile home and provisions regarding issuance of permits for mobile homes located outside of the mobile home park and the conversion from mobile home to a permanent structure. This ordinance will give the permittee a chance to appeal to the city council for approval to get a permit if all signatures required can not be obtained. Mayor Braddy stated that this ordinance needed to be adjusted to also state that the mobile home must have smart panel siding, sturdy underpinning and disallow any single wide mobile home.

Druann Hausser presented to the council that in her opinion a mobile home would devalue her property. She stated that she did not sign the petition to allow a mobile home to be placed next to her. She asked the council to allow her a grandfather status for her stance on this matter if this mobile home amendment passed. Jay Garrett stated that, in this case, Druann Hausser should attend the council meeting when the appeal took place and state her position at that time. City Attorney, Jay Garrett, also stated that a mobile home that is currently in place can be replaced with a new mobile home without any citizen or council approval. Donna Thomason made the motion to read ordinance #02-05-19 by caption. Allen Foster seconded. Vote unanimous. City Attorney Jay Garrett read:

ORDINANCE NO. 02-05-19

AN ORDINANCE OF THE CITY OF COOPER, TEXAS, AMENDING ORDINANCE NO. 1503 REGULATING MOBILE HOMES TO CLARIFY THE DEFINITION OF MOBILE HOME; TO CLARIFY PROVISIONS REGARDING ISSUANCE OF PERMITS FOR MOBILE HOMES LOCATED OUTSIDE MOBILE HOME PARKS; PROVIDING FOR REQUIREMENT FOR CONVERSION FROM MOBILE HOME TO PERMANENT STRUCTURE AND ELECTION AS REAL PROPERTY WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND SETTING AN EFFECTIVE DATE.

Donna Thomason made the motion to approve ordinance #02-05-19 clarifying the definition of mobile homes and provisions regarding the issuance of permits and providing for requirement for conversion from mobile home to permanent structure as written and implement the requirement of smart panel siding, sturdy underpinning, and disallow single wide mobile homes. Allen Foster seconded. Vote unanimous.

AGENDA ITEM #11

Ordinance # 03-05-19 allowing a set back variance for a structure located at 1351 Miller Lane was on the table for discussion. Mayor Braddy stated that it was the consensus of the Zoning Commission at a meeting held on May 6, 2019 to allow this variance.

Allen Foster made the motion to read ordinance #03-05-19 by caption. Willie "Bear" Wilkins seconded. Vote unanimous. City Attorney Jay Garrett read:

ORDINANCE NO 03-05-19

AN ORDINANCE GRANTING VARIANCE FOR PROPERTY LOCATED AT 1351 MILLER LANE FROM CERTAIN ENCROACHMENT OF THE HOUSE AND COVERED PORCH IN THE REGULATIONS PRESCRIBED BY THE CITY CODE FOR AN EXISTING STRUCTURE SET BACKS AND PROVIDING AN EXPIRATION FOR THE VARIANCE. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOPER:

Allen Foster made to motion to approve ordinance #03-05-19 granting a set back variance for the property located at 1351 Miller Lane. David Phillips seconded. Vote unanimous.

AGENDA ITEM #12

Mayor Darren Braddy gave an update on maintenance projects.

AGENDA ITEM #13

Monthly budget reports were reviewed.

AGENDA ITEM#14

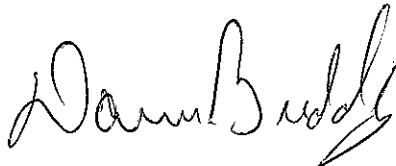
David Phillips made the motion to approve accounts payable. Willie "Bear" Wilkins seconded. Vote unanimous.

AGENDA ITEM #15

Willie "Bear" Wilkins made the motion to adjourn. Allen Foster seconded. Vote unanimous.

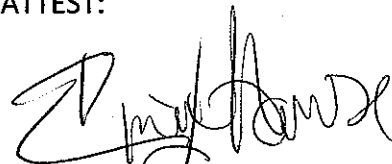
TIME: 6:07 PM

APPROVED:



DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST:



EMILY HOWSE
CITY SECRETARY