

CITY OF COOPER
CITY COUNCIL MEETING – PUBLIC HEARING AND REGULAR MEETING
APRIL 10, 2023 – 5:00 PM

MEMBERS PRESENT: DARREN BRADDY; MAYOR, AMANDA L'ESPERANCE, DIANE STEGALL AND JOSH HOSKISON

CITY ATTORNEY: JAY GARRETT

ABSENT: DAVID PHILLIPS AND ALLEN FOSTER

OTHERS PRESENT: EMILY HOWSE, GLEN STONE, LOUISE STONE, KEVIN YOUNG, BART CARROLL, KAREN ATKINS, SUSAN RASER, KENNETH FOX, PAT FOX, MARK MCMAHON, JOE ADAMS, TYLER BARELA, MELISSA MILLARD, LUCAS HAMRICK, KEVIN VANHOOZIER, AMANDA RILEY, LINDA BARNES AND SAM VIA ZOOM

AGENDA ITEM #1

Darren Braddy opened the public hearing to discuss the zoning change from R-1 Single Family to R-3 Multi Family for DCAD Property ID #5665, 11622, 5442 and 5314. Glen Stone stated that he was against the zoning change. Glen's concern was that the properties would be Section 8 subsidized which would devalue his property. Glen was concerned about sewer flow capabilities with the population increase in this area. Darren Braddy assured Glen that the city was well capable of handling the increase of utilities with population increase. Kenneth and Pat Fox were also against the zoning change as they also were concerned about the devaluation of their property. Bart Carroll, with TOLO Properties, stated that the structures would be of quality materials which would include brick and they would not be government subsidized.

AGENDA ITEM #2

After much discussion for and against the zoning change Darren Braddy asked for more comments from the public. Hearing none, Darren closed the public hearing at 5:23 PM.

AGENDA ITEM #3

Mayor Darren Braddy opened the regular meeting and Darren also voiced the prayer.

AGENDA ITEM #4

Mayor Darren Braddy asked for public comments on agenda items. There were no comments.

AGENDA ITEM #5

Amanda L'Esperance made the motion to approve the March 13, 2023 minutes as written. Diane Stegall seconded. Josh Hoskison abstained due to his absence at that meeting. Vote to approve carried.

AGENDA ITEM #6

Mayor Darren Braddy introduced Kevin Vanhoozier, with Hayter Engineering, to discuss the award of the construction contract for the TXCDBG Grant CDV21-0376. Kevin stated that Anchor Contracting LLC bid \$336,357.25, Richard Drake Construction Co. LP bid \$374,519.51 and J & L Paving bid \$266,529.07 for this project. Kevin stated that J & L Paving bid the lowest cost for the TXCDBG CDV21-0376 S.W. 8th Street Project. Kevin stated that all of the reference checks for J & L Paving came back positive, so it was the recommendation of Hayter Engineering to award the construction contract for the TXCDBG CDV21-0376 project to J & L Paving for the base bid. Josh Hoskison made the motion to award the base bid construction contract for the TXCDBG CDV21-0376 S.W. 8th Street Project to J & L Paving in the amount of \$266,529.07 Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #7

Mayor Darren Braddy presented to the council that Resolution #01-04-23 was on the table for discussion. Darren stated that, due to the increase in activities scheduled for the Delta County Fair to be held on Saturday April 15 from 6:00 AM to 9:00 PM, Dallas and 1st Street needed to be closed.

Amanda L'Esperance made the motion to read Resolution #01-04-23 by caption. Diane Stegall seconded. Vote unanimous. City Attorney, Jay Garrett, read:

RESOLUTION #01-04-23

A RESOLUTION AUTHORIZING ENTRY INTO AN AGREEMENT BETWEEN THE CITY OF COOPER, TEXAS, AND THE STATE OF TEXAS FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY; AND PROVIDING AN EFFECTIVE DATE.

Diane Stegall made the motion to approve Resolution #01-04-23. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #8

Mayor Darren Braddy presented to the council the zoning change, that was discussed in the public hearing, was at hand. Amanda L'Esperance made the motion to read Ordinance #01-04-23, #02-04-23, #03-04-23 and #04-04-23 by caption. City Attorney, Jay Garrett, read:

ORDINANCE #01-04-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO REZONE A TRACT OF LAND (LEGAL: 350 E SAN ANTONIO, LOT 2, G.W. MORRIS ADDITION ACRES 0.6145, PROPERTY ID #5665), COMMONLY KNOWN AS E. SAN ANTONIO AND S.E. 4TH STREET, COOPER, TEXAS, FROM RESIDENTIAL (R1) TO MULTI FAMILY (R3); PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE # 02-04-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO REZONE A TRACT OF LAND (LEGAL: W. SHERMAN, NEWCOMB ADDITION, LOTS 1,2, & ½ OF 3, ACRES 0.482, PROPERTY ID#11622), COMMONLY KNOWN AS W. SHERMAN AND S.W. 10th STREET, COOPER, TEXAS,

FROM RESIDENTIAL (R1) TO MULTI FAMILY (R3); PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE # 03-04-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO REZONE A TRACT OF LAND (LEGAL: 740 E. WACO, G.L. HARPER ADDITION, ½ OF BLOCK 12, ACRES 0.4018, PROPERTY ID #5442), COMMONLY KNOWN AS E. MCKINNEY AND E WACO, COOPER, TEXAS, FROM RESIDENTIAL (R1) TO MULTI FAMILY (R3); PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE # 04-04-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO REZONE A TRACT OF LAND (LEGAL: W. HOUSTON, M.A. CROSS ADDITION, LOT 21, ACRES 0.9015, PROPERTY ID #5314), COMMONLY KNOWN AS W. HOUSTON, S.W. 6TH STREET & S.W. 5TH STREET, COOPER, TEXAS, FROM RESIDENTIAL (R1) TO MULTI FAMILY (R3); PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Diane Stegall made the motion to approve Ordinance #01-04-23 An Ordinance Of The City Council Of The City Of Cooper To Rezone A Tract Of Land (Legal: 350 E San Antonio, Lot 2, G.W. Morris Addition Acres 0.6145, Property Id #5665), Commonly Known As E. San Antonio And S.E. 4th Street, Cooper, Texas, From Residential (R1) To Multi Family (R3); Providing For A Repealing Clause, A Severability Clause, A Penalty Clause And Providing An Effective Date. Josh Hoskison seconded. Vote unanimous.

Diane Stegall made the motion to approve Ordinance #02-04-23 An Ordinance Of The City Council Of The City Of Cooper To Rezone A Tract Of Land (Legal: W. Sherman, Newcomb Addition, Lots 1,2, & ½ Of 3, Acres 0.482, Property Id#11622), Commonly Known As W. Sherman And S.W. 10th Street, Cooper, Texas, From Residential (R1) To Multi Family (R3); Providing For A Repealing Clause, A Severability Clause, A Penalty Clause And Providing An Effective Date. Josh Hoskison seconded. Vote unanimous.

Diane Stegall made the motion to approve Ordinance #03-04-23 An Ordinance Of The City Council Of The City Of Cooper To Rezone A Tract Of Land (Legal: 740 E. Waco, G.L. Harper Addition, ½ Of Block 12, Acres 0.4018, Property Id #5442), Commonly Known As E. Mckinney And E Waco, Cooper, Texas, From Residential (R1) To Multi Family (R3); Providing For A Repealing Clause, A Severability Clause, A Penalty Clause And Providing An Effective Date. Josh Hoskison seconded. Vote unanimous.

Diane Stegall made the motion to approve Ordinance #04-04-23 An Ordinance Of The City Council Of The City Of Cooper To Rezone A Tract Of Land (Legal: W. Houston, M.A. Cross Addition, Lot 21, Acres 0.9015, Property Id #5314), Commonly Known As W. Houston, S.W. 6th Street & S.W. 5th Street, Cooper, Texas, From Residential (R1) To Multi Family (R3); Providing For A Repealing Clause, A Severability Clause, A Penalty Clause And Providing An Effective Date. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #9

Mayor Darren Braddy presented to the council the animal ordinance amendment. Darren stated that this item was discussed in detail in the March meeting. Darren stated that the amendment would allow dog breeders to be able to increase the number of adult dogs allowed from 4 to 8 with the purchase of an annual \$150.00 breeders license permit which includes restrictions and penalty clauses. Amanda L'Esperance made the motion to read Ordinance #05-14-23 by caption. Josh Hoskison seconded. Vote unanimous. City Attorney, Jay Garrett, read:

ORDINANCE #05-04-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS AMENDING ORDINANCE NO. 01-07-02, SECTION 3.04; PROVIDING A PENALTY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER PUBLICATION.

Amanda L'Esperance made the motion to approve Ordinance #05-04-23 amending animal Ordinance #01-07-02. Josh Hoskison seconded. Vote unanimous.

AGENDA ITEM #10

Mayor Darren Braddy stated that Amanda L'Esperance wished to discuss membership with TEX-21. Amanda stated that membership with TEX-21 would allow the city to join together with other cities and counties to advocate for better transportation infrastructure. Amanda stated that membership would give Cooper a "voice" in transportation discussions. Mayor Darren Braddy stated that he had done some research and this was a "Lobby group". It was the consensus of the council to table this until further information could be obtained. Josh Hoskison made the motion to table this item until further information could be obtained. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #11

Mayor Darren Braddy presented to the council that Judy Falls had brought four fund requests for the Frankie McKinney Arts Alliance.

Diane Stegall made the motion to approve Paris Community Theater for \$5000.00, Jan Lewis for \$500.00, Cooper Band for \$500.00 and Judy Falls for \$250.00. Josh Hoskison seconded. Vote unanimous.

Mayor Darren Braddy also discussed maintenance issues with the McKinney house. Darren stated that the air conditioner was not working and the estimate for repairs was \$7,000.00. Diane Stegall requested that more bids be obtained. Darren stated that shopping local would benefit the city but he would request bids from other sources. Amanda L'Esperance made the motion to approve the repairs using the lowest bidder after the cost analysis is made. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #12

Mayor Darren Braddy updated the council on FD report, W. Kaufman street repairs, ditch cleaning, pot holes and the TA Set Aside Sidewalk project. Kevin Young updated the council on the Texas Master Naturalist Program, of which he is a member, plan to install bird boxes at the city park. Kevin stated that the Texas Master Naturalist Program's mission is to develop a corps of well-informed volunteers to provide education, outreach, and service dedicated to the beneficial management of natural resources and natural areas within their communities for the State of Texas. Many communities and organizations rely on such citizen volunteers for implementing youth education programs; for operating parks, nature centers, and natural areas; and for providing leadership in local natural resource conservation efforts. In fact, a short supply of dedicated and well-informed volunteers is often cited as a limiting factor for community-based conservation efforts.

AGENDA ITEM #13

Monthly budget reports were reviewed.

AGENDA ITEM #14

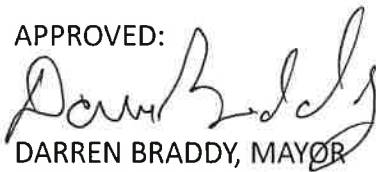
Accounts payable were reviewed.

AGENDA ITEM #15

Diane Stegall made the motion to adjourn. Amanda L'Esperance seconded. Vote unanimous

TIME: 6:39 PM

APPROVED:



DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST



EMILY HOWSE
CITY SECRETARY