

CITY OF COOPER
CITY COUNCIL MEETING – SPECIAL MEETING
JULY 27, 2021 – 2:00 PM

MEMBERS PRESENT: DARREN BRADY; MAYOR, DAVID PHILLIPS, AMANDA L'ESPERANCE, DIANE STEGALL, AND ELMO ROBINSON

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE AND JUDY FALLS

ABSENT: ALLEN FOSTER

AGENDA ITEM #1

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

AGENDA ITEM #2

Discussion of the Frankie McKinney entity was on the table. This entity was set up as a Foundation in 1995. It does not meet Foundation criteria therefore the Frankie McKinney Foundation was abolished by ordinance #01-07-21 which rescinded the 1995 ordinance #01-11-95 which created the tax-exempt Foundation. A name for the Frankie McKinney entity will be determined at a later date.

The last will and testament of Frankie McKinney states that the McKinney funds should be overseen by the City of Cooper and expenditures approved by the Trustees appointed to the board, and all expenditures will be disbursed by the City of Cooper and are to be used only for arts, culture and lecturers. McKinney funds are never to be implemented into the regular city budget at any time. Jay Garrett stated that the City is the "functionary" and the Trustees are the "advisory". The operation of the McKinney entity was never handled as directed by the will. Darren stated that the council must now determine a course of action to abide and execute the wishes as stated in Frankie McKinney's will. City Attorney, Jay Garrett, commended Judy Falls, the newest Trustee appointed, for her diligence in bringing to light that the McKinney entity was not abiding by will directives. Unbeknownst to Betty Slakey and Melissa Millard, the directives of the will were not being carried out as directed.

The McKinney House is not stated in the will. It somehow evolved into the assets that are considered the property of the City of Cooper. It was the consensus of the council to retain the house, for at least a two-year period, and the primary function would be host arts and cultural events which would allow the use of McKinney funds to be used for upkeep and general maintenance of the structure and stay within the boundaries of the will's directives. Judy Falls stated that the "house rules" would need to be updated. Diane Stegall stated the need for someone with history knowledge to serve as a docent. Many more details will need to be discussed and worked out.

Judy Falls stated that she had been to Legend Bank and First National Bank to be put on the signature cards of the Frankie McKinney accounts. Judy stated that Legend Bank accepted Resolution #01-12-20 appointing her as Trustee and the December 7, 2020 minutes as verification that she could be added to the Frankie McKinney accounts. Judy said that First National Bank wanted more information in order to add her to the Frankie McKinney accounts at First National Bank. Jay stated that the council would need to approve an order be made to First National Bank to release the Frankie McKinney funds to the City of Cooper.

Elmo Robinson made the motion to retain the McKinney House as a venue with culture and arts being the primary function and occasional use for other functions. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #3

The item of the resignation of Betty Slakey and Melissa Millard, from the Board of Trustees of the Frankie McKinney Foundation ("Foundation" now abolished) was on the table for discussion. Betty Slakey mailed her letter of resignation and it was received on July 12, 2021. Melissa Millard presented her letter of resignation in person after the council meeting that was held on July 12, 2021. Diane Stegall made the motion to accept the resignation of Betty Slakey and Melissa Millard as Trustees of the Frankie McKinney Foundation ("Foundation" now abolished) by Resolution #04-07-21. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #4

The item of appointing two new members to the Frankie McKinney Board of Trustees was tabled until the next council meeting so more candidates could be contacted and considered. David Phillips made the motion to table the appointment of two new members to the Frankie McKinney Board of Trustees until the August 9, 2021 regular council meeting. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #5

David Phillips made the motion to adjourn. Diane Stegall seconded. Vote unanimous.

TIME: 3:00 PM

APPROVED:



DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST:



EMILY HOWSE
CITY SECRETARY