

CITY OF COOPER
CITY COUNCIL MEETING – REGULAR
JULY 9, 2018 – 5:00 PM

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

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE, JOE ADAMS, SUSAN RASER, TREY OATS, TERRY PALMER, JIM BUTLER, CHUCK TOLES, AND WILL ANDERTON

AGENDA ITEM #1

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

AGENDA ITEM #2

Allen Foster made the motion to approve the June 11, 2018 minutes as written. Donna Thomason seconded. E. J. Cates abstained. Vote carried.

AGENDA ITEM #3

Mayor Braddy presented to the council that the Oncor Electric Delivery Franchise Contract would be expiring on October 2, 2018. He stated that Oncor prepared a proposed ordinance which updates franchise language and incorporates existing payment provisions as contained in the current franchise and franchise amendments. The new contract ordinance would be for a term of 20 years which would expire on July 31, 2039. Mayor Braddy asked City Attorney Jay Garrett to read over the proposed ordinance for approval. Jay stated that the ordinance looked to be in order. Mayor Braddy stated that the Public Utility Commission governed the rates that are set by utility companies. It was the consensus of the council to accept the proposed franchise ordinance which would be numbered #01-07-18. Willie “Bear” Wilkins made the motion to read the ordinance by caption. E. J. Cates seconded. Vote unanimous.

Jay read:

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AND ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF COOPER, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COJMPAN LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC

Donna Thomason made the motion to approve and accept the Oncor Electric Delivery Company LLC ordinance #01-07-18. David Phillips seconded. Vote unanimous.

AGENDA ITEM #4

Mayor Darren Braddy presented to the council that Trey Oats had inadvertently set his home on city property. Mayor Braddy introduced Trey Oats to present his case. Trey presented the council with a folder which contained a statement and maps showing a detailed area of the site. Trey stated that he wished to reinstate the Historic Bond Place as one unified body of land which is at this time separated by city property due to the mapping that was done by the Delta County Appraisal District (DCAD). Mayor Darren Braddy interjected that he had spoke with Kim Gregory at the DCAD and she had stated that this issue was discovered when Trey came to her on a taxing issue. City Attorney Jay Garrett stated that the city could issue a license agreement to Trey that would allow him access to the property on which his house is placed without him having to move the structure. Jay Garrett stated that a survey of the intermediate area needed to be done so the council could determine how the license agreement should read. Jay stated that a license agreement would stay as long as the property stayed in the family. If the property ever sold then the new owners would have to apply for their own license agreement.

It was the consensus of the council that Trey Oats to have a survey done and bring back for approval of City Attorney Jay Garrett and the Council.

Allen Foster made the motion to allow Trey Oats to have the intermediate property surveyed and present it to the council at a date to be determined. David Phillips seconded. Vote unanimous.

AGENDA ITEM #5

Mayor Darren Braddy presented to the council that Don Click had asked if the city would waive the lien that had been placed on the Homer Jr. and Sharon Young property 150 E. Paris Id # 5542 which Don Click had purchased. The lien was placed on the property when Sanitation Solutions removed the burned structure from the property. Darren stated that in his opinion the city should not waive the lien. Darren stated that if evidence of development was proven then he would reconsider his decision not to waive the lien.

E. J. Cates made the motion not to waive the lien on 150 E. Paris, property Id # 5542. Donna Thomason seconded. Vote unanimous.

AGENDA ITEM #6

Mayor Braddy presented to the council the need to regulate motorized wheel chairs and scooters around the square. City Attorney Jay Garrett stated that the state already had restrictions on these type of vehicles therefore the city could determine a stricter version if desired. Mayor Braddy stated that he would look into the state restrictions and get something prepared for a future meeting. This item was tabled until further information is gathered. No action.

AGENDA ITEM #7

Mayor Braddy stated the need to raise the amount of tax dollars that are allocated to help pay the Waste Water Treatment Plant Bond. He stated that the sewer fund is not funding this as it should be. City Attorney Jay Garrett stated that funds can be diverted from other funds if needed. Mayor Braddy stated that this had already been done. Jay stated that he would look into what needed to be done to raise the tax allocation. No action was taken on this item.

AGENDA ITEM #8

Mayor Braddy gave an update on the issue of the slow children at play sign that was discussed previously. Darren stated that he did not see the need to go through the process of placing a sign at this time. He said that this is not a high traffic area. No action was taken.

AGENDA ITEM #9

Terry Palmer, Chuck Toles, and Will Anderton gave their monthly reports.

AGENDA ITEM #10

Monthly budget reports were reviewed.

AGENDA ITEM #11

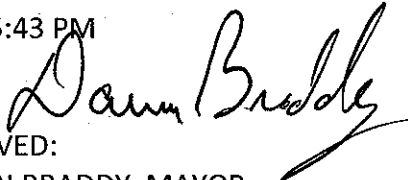
David Phillips made the motion to approve accounts payable. Willie "Bear" Wilkins seconded. Vote unanimous.

AGENDA ITEM #12

E. J. Cates made the motion to adjourn. Allen Foster seconded. Vote unanimous.

TIME: 5:43 PM

APPROVED:
DARREN BRADDY, MAYOR
CITY OF COOPER



ATTEST:
EMILY HOWSE
CITY SECRETARY

