

CITY OF COOPER  
CITY COUNCIL MEETING – REGULAR  
JUNE 10, 2019 5:00 PM

COUNCIL MEMBERS PRESENT: DARREN BRADY; MAYOR, DAVID PHILLIPS, ALLEN FOSTER,  
AMANDA L'ESPERANCE, DONNA THOMASON, AND WILLIE "BEAR" WILKINS

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE, SHELBI THOMASON, PATRICIA CROUCH, SHERRY CROUCH,  
CAROL CROUCH, G.R. WOOD, DRUANN HAUSSER, SUSAN RASER, KAREN ATKINS, DAVID  
FUERTE, GERARDO FUERTE, PATRICK WILLIAMS, JESSICA WILLIAMS AND FAMILY, JOE ADAMS,  
JIM BUTLER, JEANINE CLOUITIER, DENICE VAUGHN, TINA MARTINEZ, SHANEE CODY, WYATT  
L'ESPERANCE AND JASON SCANTLEN

AGENDA ITEM #1

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

AGENDA ITEM #2

David Phillips made the motion to approve the May 13, 2019 public hearing minutes as written.  
Willie "Bear" Wilkins seconded. Vote unanimous.

AGENDA ITEM #3

Donna Thomason made the motion to approve the May 13, 2019 regular meeting minutes as  
written. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #4

Discuss and action on the Pagoda Dedication Memorial for Herman Kennedy was tabled due to  
the fact that no one was present to present the case. No action was needed or taken.

AGENDA ITEM #5

Patrick and Jessica Williams were present to appeal the lack of signatures obtained for placing a  
manufactured home on the property located in the ST Townsend survey block 2 lot 2 (AKA Lots  
13-14) 0.4218 acres property ID #6500. Mayor Braddy stated that the previous meetings and  
approval of amendments to the mobile home ordinance allowed the Williams' to ask the  
council to allow them to place the manufactured home without all of the signatures of the  
surrounding property owners. Druann (Ann) Hausser was present to stand by her decision not  
to sign to allow the Williams' to place the manufactured home. Ann stated that her right to  
deny this action should not be overridden because the ordinance which allowed her to deny a  
manufactured home was in place when she purchased her home in 2004. She stated that she  
should be grandfathered and the council should take that into consideration. City Attorney, Jay  
Garrett stated that the council would be the judge in this case and would have to decide what  
was the best option for this situation. Willie "Bear" Wilkins stated that when the move in was  
complete that it would no longer be a mobile home because it would be anchored and on pier

and beam. After much discussion for and against allowing the manufactured home to be placed, the majority of the council agreed that Mrs. Hausser's right to deny the placement should be overridden.

Allen Foster made the motion to approve the appeal of Patrick and Jessica Williams and allow them to place their manufactured home on the property of ST Townsend survey block 2 lot 2 (AKA Lots 13-14) 0.4218 acres property ID #6500 denying Mrs. Hausser's right of grandfather status. Willie "Bear" Wilkins seconded. David Phillips abstained from this vote. With the majority voting Yay, the vote carried.

#### AGENDA ITEM #6

Gerardo Fuerte and David Fuerte were present to appeal the lack of signatures obtained for placing a 2009 single wide mobile home on the property located in the EM Morris Survey Lot 2 Block 6 (AKA C1/3 of E1/2 BLK) 0.1239 acres property ID #5542. David Fuerte stated that he had purchased the mobile home and property before the ordinance changed. He asked that he be allowed to place the single wide mobile home because he couldn't get all of the signatures required due to the fact that he could not find the owners. Amanda L'Esperance stated that even by the old ordinance the Fuerte's would not be allowed to place the mobile home. Allen Foster reiterated that the new ordinance disallowed single wide mobile homes. It was the consensus of the council to deny the placement of the 2009 single wide mobile home on the EM Morris Survey Lot 2 Block 6 (AKA C1/3 of E1/2 BLK) 0.1239 acres property ID #5542.

Donna Thomason made the motion to deny the placement of the 2009 single wide mobile home on the EM Morris Survey Lot 2 Block 6 (AKA C1/3 of E1/2 BLK) 0.1239 acres property ID #5542. Amanda L'Esperance seconded. Vote unanimous.

#### AGENDA ITEM #7

Jeanine Cloutier was present to ask the council to look into constructing a drainage area between her property located at 111 Horseshoe Drive (Survey: Green Acres Lot 5 063 Acres) Property ID #5160 and Marion Miller property located at 113 Horseshoe Drive (Survey: Green Acres Lot 4 AKA Lot4(6&7) 04409 Acres) Property ID #5159. Jeanine stated that she was at a low point in that area and all water pooled in her yard. She stated that, in the past, the city had an easement wide enough to allow passage through to get to the lift station that was behind her in the spot where the drainage area should be maintained by the city. She stated that her sons had in the past dug a trench to direct the water to the creek behind her house and she thinks this should be the city's responsibility. Mayor Braddy stated that the drainage in this area was indeed a problem that affected the majority of the neighborhood. Mayor Darren Braddy stated that the city had a utility easement on the property of discussion and that a utility easement does not give the city a right to dig or place anything on the property. In order to make this a drainage easement, which would allow the city to dig and maintain this as a drainage area, on her property, Jeanine Cloutier would have to grant the city a drainage easement which would require legal deed documents to be prepared. City Attorney Jay Garrett stated that Jeanine Cloutier would need to make and identifiable path designating a drainage easement for the City of Cooper to construct and maintain.

Amanda L'Esperance made the motion to accept the drainage easement for the city when the legal documents are complete and presented. Allen Foster seconded. Vote unanimous.

#### AGENDA ITEM #8

Jason Scantlen was present to ask the council to look into constructing a drainage area on his property located at 1008 South Lake Street (Survey: Bellview Addition N 17 ½' All 18 S 5' 19.97.5x107.5) Property ID #5220. Jason stated that any rain, not just flooding rain, always flooded his house. He stated that there was a utility easement behind his house that carried the bulk of the rain waters directly onto his property. Mayor Braddy stated that the flooding of Mr. Scantlen's home is indeed a problem. Mayor Braddy stated that the utility easement was not a prospective place to construct a drainage easement due to the fact that it would have to be placed directly through one property owner's back yard. City Attorney, Jay Garrett, stated that a drainage easement should be continuous and not broken up. David Phillips suggested that the city hire a professional to determine the best plan of action.

Allen Foster made the motion to further investigate this drainage issue. David Phillips seconded. Vote unanimous.

#### AGENDA ITEM #9

Denice Vaughn was present to ask the council to make West McKinney Avenue a one-way street. She stated that the natural parking was in the direction for a westward one-way flow and there was not enough room for two-way traffic flow. After much discussion, it was the consensus of the council for City Attorney Jay Garrett to prepare an ordinance making this a one-way street.

Donna Thomason made the motion for Jay Garrett to prepare an ordinance making West McKinney Avenue a one-way street with a westbound flow from S.W. 3<sup>rd</sup> Street to S.W. 4<sup>th</sup> Street. Amanda L'Esperance seconded. Vote unanimous.

#### AGENDA ITEM #10

Mayor Darren Braddy presented to the council the need to amend resolution #01-09-87 which calculates remodel permits based on the cost of the project. New House Bill HB.852 prohibits permits being obtained based on cost. Mayor Braddy stated that new construction and storage buildings permits that have water, sewer, or electricity were based on flat fees and cost per square foot so no change would be necessary for those. After much discussion, it was the consensus of the council to implement a \$75.00 flat fee for residential remodeling and a \$150.00 flat fee for commercial remodeling.

Donna Thomason made the motion to allow City Attorney Jay Garrett to prepare the ordinance designating \$75.00 flat fee for residential remodeling and \$150.00 flat fee for commercial remodeling. David Phillips seconded. Vote unanimous.

#### AGENDA ITEM #11

Mayor Darren Braddy presented to the council that Sanitation Solutions was implementing a 6.92 CPI (Consumer Price Index) rate increase on garbage prices. Mayor Braddy stated that only commercial accounts would be increased. Residential charges will remain the same. He stated that the city currently charged 5% above Sanitation Solutions charges.

Allen Foster made the motion to approve the 6.92 CPI increase from Sanitation Solutions and pass through a 5% increase on commercial garbage prices for all commercial accounts. Donna Thomason seconded. Vote unanimous.

AGENDA ITEM #12

Mayor Darren Braddy presented to the council the need to appoint a board member to the Industrial Development Corporation to replace E. J. Cates. Darren Braddy, Allen Foster, David Phillips, and E. J. Cates are the current members. This board is in place in the event that there is ever a need for the city to have a tax-exempt bond which would be a rare occurrence. David Phillips made the motion to appoint Donna Thomason to this board. Allen Foster seconded. Vote unanimous.

AGENDA ITEM #13

David Phillips made the motion to continue membership for city employees, council members and volunteer firemen with AirMedCare. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #14

The item of continuing employee medical coverage with TML Health was on the table for discussion. Mayor Braddy presented that TML Health would have a 9% increase for the upcoming budget year. After much discussion on this matter, it was the majority consensus of the council to retain the current coverage package, with a cost of \$1009.50 per employee monthly.

David Phillips made the motion to continue employee health coverage with TML Health opting to continue the current coverage package which consists of the cost \$1009.50 per employee monthly. Allen Foster seconded. Vote was David Phillips Yay, Allen Foster Yay, Donna Thomason Yay, Willie "Bear" Wilkins Yay, Amanda L'Esperance Yay. 4 Yay's 1 Nay. Vote carried.

AGENDA ITEM #15

Mayor Darren Braddy updated the council on maintenance projects.

AGENDA ITEM #16

Monthly budget reports were reviewed.

AGENDA ITEM #17

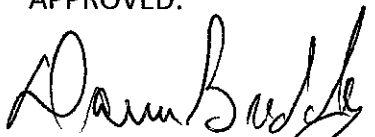
Donna Thomason made the motion to approve accounts payable. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #18

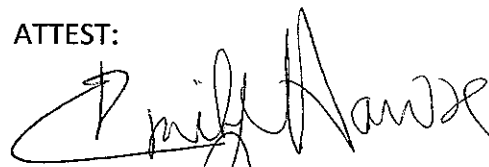
Allen Foster made the motion to adjourn. Amanda L'Esperance seconded. Vote unanimous.

TIME: 6:53 PM

APPROVED:

  
DARREN BRADDY, MAYOR  
CITY OF COOPER

ATTEST:

  
EMILY HOWSE  
CITY SECRETARY