

CITY OF COOPER
CITY COUNCIL MEETING – REGULAR
JUNE 14, 2021 – 5:00 PM

COUNCIL MEMBERS PRESENT: DARREN BRADY; MAYOR, DAVID PHILLIPS, ALLEN FOSTER, AMANDA L'ESPERANCE, DIANE STEGALL VIA ZOOM, AND ELMO ROBINSON ARRIVED AT 5:30 PM.

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE, JETER CHERRY, LAURA TERRY, MATTHEW TERRY, DAVID BURTON, SHANE LARUE, ZEB PARDUE, JANA RUSHING, TODD RUSHING, JUDY FALLS, DORTHY RUTLEDGE, KENNETH APPLGATE, AND KASEY BRITTON.

VIA ZOOM: JOE'S GALAXY S10, LEAH KING, JACOB'S IPHONE

AGENDA ITEM #1

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

AGENDA ITEM #2

No comments on public comments.

AGENDA ITEM #3

Allen Foster made the motion to approve the May 10, 2021 public hearing minutes and the May 10, 2021 regular meeting minutes as written. David Phillips seconded. Vote unanimous.

AGENDA ITEM #4

Mayor Darren Braddy presented to the council that Todd and Jana Rushing were present to discuss two platted city streets that had never been developed that needed to be closed in order for the sale of their house to proceed. Todd and Jana were in the process of trying to sell their house at 1010 E. Sherman, which had been built in 1977, and when they got the survey, it showed that the driveway and a storage structure was actually on platted streets that had never been developed. It was the consensus of the council to close these two sections of undeveloped platted streets. Diane Stegall made the motion to read ordinance #01-06-21 by caption. Allen Foster seconded. Vote unanimous. City Attorney Jay Garrett read:

**ORDINANCE NO. 01-06-21
AN ORDINANCE OF THE CITY OF COOPER, TEXAS TO
CLOSE A PORTION OF EAST AUSTIN AVENUE AND
SOUTHEAST 11TH STREET; AND PROVIDING AN
EFFECTIVE DATE.**

David Phillips made the motion to approve ordinance #01-06-21 approving the closure of the portion of E. Austin Avenue from its intersection from S.E. 10th Street to S.E. 11th Street and the portion of S.E. 11th Street from its intersection from E. Austin Avenue to E. Sherman Avenue which would be recorded at the Delta County Clerk's Office. Allen Foster seconded. Vote unanimous.

AGENDA ITEM #5

Mayor Darren Braddy presented to the council that Matthew and Laura Terry were present to discuss the ordinance required action to annex into the city in order to get city services. Darren stated that this property was contiguous to city property and the ordinance put in place states that when a property that is not in the city, but has city water, changes ownership then it must be annexed. Matthew stated that the person that he bought the property from did not disclose this information to him. Darren stated that he allowed the previous owner to have access to water because no one was living in the house, it was only being remodeled. After much discussion, it was the consensus of the council to change the existing ordinance to allow anyone who already had a water meter in place and was not inside the city limits to be able to remain outside city limits and pay a double water bill.

Amanda L'Esperance made the motion to approve changing the existing ordinance which would be prepared by City Attorney, Jay Garrett to be presented at the next meeting. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #6

Mayor Darren Braddy presented to the council that Jay Robinson wanted access to city water but he was not contiguous to city limits. Mr. Robinson owns property located on County Road 1007 property ID # 2267. It was the consensus of the council to allow this with details to be worked out.

No action was taken.

AGENDA ITEM #7

Mayor Darren Braddy presented to the council that Jeter Cherry and David Burton were present to discuss a survey/property line dispute that involved the new addition being built by Countryside Developers owned by Zeb Pardue and Shane LaRue. After much discussion on this item, Mayor Braddy stated that this was a civil matter and not a city matter. No action was taken on this matter.

AGENDA ITEM #8

Mayor Darren Braddy presented to the council that the Public Funds Investment Policy was not complete at this time.

Allen Foster made the motion to table the update of the Public Funds Investment Policy until the July meeting. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #9

Mayor Darren Braddy presented to the council that the item of liens that have been placed on properties that the city has demolished or mowed was at hand. Darren stated that, previously, it was his understanding that liens went away if the property was sold at the courthouse steps for taxes. Darren stated that, according to a tax attorney that was not correct. According to a tax attorney, the lien stays with the property until the lien is paid. City Attorney, Jay Garrett concurred, liens are good in perpetuity. Jay stated that interest could be waived if the council wished.

Allen Foster made the motion to table this item until further information could be obtained. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #10

Mayor Darren Braddy presented to the council the Delta County Hazzard Mitigation Plan, prepared by Ark Tex Council of Governments, needed to be updated. Diane Stegall made the motion to read resolution #01-06-21 in its entirety. Allen Foster seconded. Vote unanimous. City Attorney, Jay Garrett read the resolution.

Allen Foster made the motion to approve resolution #01-06-21 updating the Delta County Hazzard Mitigation Plan. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #11

Mayor Braddy presented to the council the need to put something in place to pay volunteers in a time of a disaster. He stated that if there was a policy created, then monies could be reimbursed for volunteer work done during a disaster. Diane Stegall made the motion to put a policy in place for volunteers in time of disasters. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #12

Mayor Darren Braddy presented to the council the need to appoint a member to the City Industrial Foundation. Allen Foster made the motion to appoint Elmo Robinson for a 6-year term on the City Industrial Foundation Board. David Phillips seconded. Elmo Robinson abstained. Vote carried.

AGENDA ITEM #13

Mayor Darren Braddy presented to the council the need to update the accounting software. Diane Stegall made the motion to update the accounting software. Allen Foster seconded. Vote unanimous.

AGENDA ITEM #14

Mayor Darren Braddy presented to the council the need to put something in place for vendors on the square. Fees, length of time spent, big events, one time or multi days were discussed. After much discussion on this item, Darren stated that he would get something prepared for the July meeting.

AGENDA ITEM #15

Mayor Darren Braddy presented to the council that Judy Falls was present to discuss the Frankie McKinney Foundation. Judy stated that it was her understanding that the city had never officially created the Frankie McKinney Foundation and the monies pertaining to the foundation were being spent at will and not as specified in the will. Judy stated that she was diligently trying to get everything in place that the will stated so they could go forward and abide by the directives of the will. Judy also stated that the will its self is vague and needs clarification. City Attorney, Jay Garrett stated that the city could ratify documents to validate the Frankie McKinney Foundation. There are many more details that need to be worked out on this matter. No action was taken on this item.

AGENDA ITEM #16

Mayor Darren Braddy updated the council on the rain that has hindered all operations, the work beginning on streets, grants in process.

AGENDA ITEM #17

Monthly budget reports were reviewed.

AGENDA ITEM #18

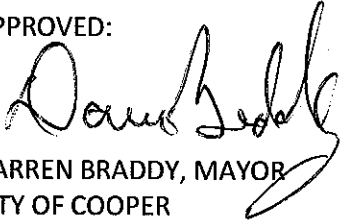
Accounts payable were reviewed.

AGENDA ITEM #19

Allen Foster made the motion to adjourn. David Phillips seconded. Vote unanimous.

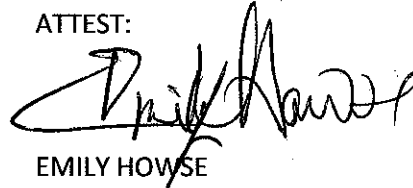
TIME: 8:00 PM

APPROVED:



DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST:



EMILY HOWSE
CITY SECRETARY