

CITY OF COOPER  
 CITY COUNCIL MEETING – REGULAR  
 NOVEMBER 9, 2020 – 5:00 PM

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

CITY ATTORNEY: JAY GARRETT

OTHERS: EMILY HOWSE, JIM BUTLER, DUSTIN HUNTER, AND DROID

AGENDA ITEM #1

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

AGENDA ITEM #2

Emily Howse read the canvass totals given to her by Delta County in which the City contracted with for the November 3, 2020 election due to the COVID-19 Pandemic:

POSITION	CANDIDATE NAME	MAIL	EARLY VOTING	ELECTION DAY	PROVISIONAL	TOTAL
					1	
<b>COUNCIL</b>	David Phillips	31	165	65		<b>261</b>
	Diane Stegall	32	217	64		<b>313</b>
	Jim Batchelor	9	62	23		<b>94</b>
	Elmo Robinson	18	190	63		<b>271</b>
	Donna Thomason	19	112	27		<b>158</b>
	Chris DuVall	12	81	26		<b>119</b>

Allen Foster made the motion to accept and approve the canvassed totals electing David Phillips, Diane Stegall and Elmo Robinson as the three newly elected City Council persons. Amanda L'Esperance seconded. Diane Stegall and Elmo Robinson could not vote. Vote carried.

AGENDA ITEM #3

The certificate of election was presented to re-elected: David Phillips, and newly elected Diane Stegall and Elmo Robinson.

AGENDA ITEM #4

The statement of officer was given to David Phillips, Diane Stegall and Elmo Robinson by City Attorney, Jay Garrett.

AGENDA ITEM #5

City Attorney, Jay. Garrett gave the oath of office to David Phillips, Diane Stegall, And Elmo Robinson.

AGENDA ITEM #6

Diane Stegall made the motion to elect David Phillips as Mayor Pro-Tem. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #7

Mayor Braddy asked for public comments on agenda items. No comments were made.

AGENDA ITEM #8

Allen Foster made the motion to approve the October 13, 2020 regular meeting minutes as written. David Phillips seconded. Amanda L'Esperance Diane Stegall and Elmo Robinson abstained. Mayor Darren Braddy voted to approve the minutes due to the lack of votes for this item. Vote to approve the October 13, 2020 minutes as written carried.

AGENDA ITEM #9

Allen Foster made the motion to read ordinance #01-11-20 by caption. Amanda L'Esperance seconded. Vote unanimous.

City attorney, Jay Garrett, read:

**ORDINANCE NO. 01-11-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO REZONE A TRACT OF LAND (LEGAL: ATTACHED AS EXHIBIT "A"), COMMONLY KNOWN AS THE INDUSTRIAL PARK, FROM LIGHT COMMERCIAL TO HEAVY INDUSTRIAL; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

David Phillips made the motion to approve ordinance #01-11-20 rezoning the Industrial Park from Light Commercial (LC) to Heavy Industrial (HI). Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #10

Allen Foster made the motion to read ordinance #02-11-20 amending ordinance # 02-08-02 by caption. Elmo Robinson seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

**ORDINANCE NO. 02-11-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS AMENDING ORDINANCE NO. 02-08-02 MADE ON AUGUST 12, 2002, SECTION 2; 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.**

Diane Stegall made the motion to approve ordinance #02-11-20 amending ordinance #02-08-02 implementing fees and regulations for vendors that use city utilities. Allen Foster seconded. Vote unanimous.

#### AGENDA ITEM #11

Mayor Braddy presented to the council that Dustin Hunter was present to talk about his water bill. Darren stated that the new meter reader had not been reading meters correctly and when discovered, it was immediately handled and corrected. Dustin Hunter thanked the council for allowing him to speak. Dustin stated that he lives on FM 1880 and pays a double water bill. He stated that he received a courtesy call from City Hall informing him of higher than normal water usage and he could possibly have a water leak. He had a plumber check and no leak was found. Dustin said he stopped by City Hall to discuss the matter but the office was closed. Dustin stated that he expected better customer service than what he was getting. He also talked about the multiple water leaks that have been ignored for years this area. Dustin also mentioned the extremely high usage at the Delta County Courthouse, but he said that was their problem to discuss with the city. Dustin stated that the city often leaves water running from the fire hydrant. He did state that Sharon and Emily had been very courteous in the phone conversations. Dustin was adamant about the meter reader not doing his job correctly and how this was no way to run a business.

Mayor Darren Braddy thanked Dustin Hunter for voicing his concerns. Darren informed Dustin that he paid a double water bill because the residents who live on FM 1880 are not in the city limits and the ordinance for a double water bill for outside city limits was put in place years ago. Darren stated that now if anyone wants city services then they have to annex into the city. If annexation is not feasible, then someone could appeal to the council for a decision. Darren said that flushing lines are a required action by TCEQ in order to maintain the chemical residuals throughout the water system. Mayor Braddy stated that FM 1880 had multiple leaks that had been ongoing for years, but as of today all have been repaired and if any leaks are going on now, they are new leaks. Mayor Braddy stated that Dustin Hunter has no clue of how the meter reader instance was handled. Mayor Braddy agreed with Dustin that this incident was totally uncalled for and had a huge effect on residents and the ladies in the office. Darren stated that the city was working on a payout plan with all that were affected. Darren also told Dustin that the office was still closed due to COVID-19 but the ladies are still there doing their jobs, are available by telephone and waiting on have to cases at the window. Darren stated that the Delta County Courthouse has been known about their leak for a long time. Darren stated that the city had the Courthouse meter checked by a professional. The Courthouse has two meters. One reads high usage and one reads low usage. The low usage meter was dead and the high usage meter was registering about 2% low. Darren stated that both meters would be replaced and that the substantial water usage will be higher if the Courthouse does not get their leak fixed.

Darren reiterated that he is confident that the meter reader issue has been handled and corrected and that all meters have been read and will be read in the future or dismissal is imminent.

Diane Stegall asked that all overread meters that normally have minimum usage be looked at further. Darren assured her that they would be looked at. Diane also commended the ladies in the office for all of their efforts.

Amanda L'Esperance stated that her usage was up also. Darren stated that hers was minimal compared to the majority of the ones that were misread. Darren stated that Amanda's was a \$10.00 increase. Amanda stated that the money was not the issue, it was the gallons.

Dustin Hunter stated that it was not his responsibility to check the meter and he would expect to be paid if he had to do this.

Allen Foster asked Dustin how much was his minimum bill was. Dustin didn't know, but his wife Brittany informed him that their minimum was \$100.00-\$120.00.

David Phillips said his was high also and he did not think it was his responsibility to pay the high bill due to meter reader's failure to read correctly.

Elmo Robinson stated that there was technology out there to detect problems in usage.

Darren stated that electronically read meters were an option but they were very costly. He stated that the salesman for electronic meter said that electronic meter would register more exact usage which would be higher than the manual meter that we presently have which don't register precisely.

#### AGENDA ITEM #12

Diane Stegall made the motion to move the December Council meeting from December 14 to December 7, 2020 at 5:00 pm. Elmo Robinson seconded. Vote unanimous.

#### AGENDA ITEM #13

Mayor Darren Braddy gave updates on water leaks, sewer leaks, tickets, and relocating meters

#### AGENDA ITEM #14

Monthly budget reports were reviewed.

#### AGENDA ITEM #15

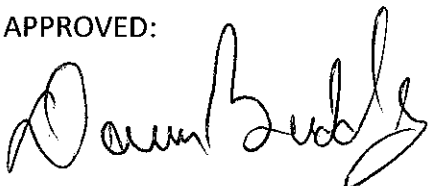
Accounts payable were reviewed.

#### AGENDA ITEM #16

Amanda L'Esperance made the motion to adjourn. David Phillips seconded. Vote unanimous.

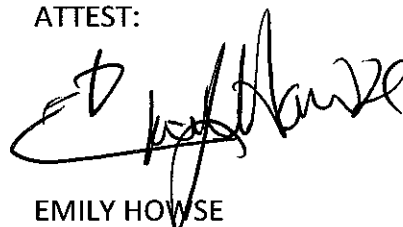
TIME: 6:03 PM

APPROVED:



DARREN BRADDY, MAYOR  
CITY OF COOPER

ATTEST:



EMILY HOWSE  
CITY SECRETARY