

CITY OF COOPER
CITY COUNCIL MEETING – REGULAR
FEBRUARY 10, 2025 – 5:30 PM

COUNCIL MEMBERS PRESENT: DARREN BRADDY; MAYOR, DAVID PHILLIPS, SCOTTY DEATHERAGE, LINDA BARNES, DIANE STEGALL AND JOSH HOSKISON

CITY ATTORNEY: JAY GARRETT WAS PRESENT VIA ZOOM UNTIL 6:07 PM

OTHERS PRESENT: EMILY HOWSE, ARAEL LABRA, ROBERT HURST, CHRISTOPHER BUDINE, AMBER NORRIS, HOLLY ROBERTS-KELLY, JIMMIE MCGRAW, CHARLES RUTLEDGE, BRENDA PEREZ, KAREN ATKINS AND SUSAN RASER

AGENDA ITEM #1

Darren Braddy voiced the prayer and opened the public hearing regarding the re-zoning of 341 W. Waco, DCAD Property ID #1161. Darren Braddy stated that this re-zone had been previously approved at the January 13, 2025 meeting but proper notification procedures and notice of a public hearing had not been followed. Darren asked for public comments on this item. Jimmie McGraw, Holly Roberts-Kelly and Cooper ISD representatives Amber Norris and Charles Rutledge were present to speak as affected property owners. Jimmie McGraw stated that, in his opinion, the survey that was done by the owners of DCAD Property ID #1161 was incorrect and the survey showed to encroach onto his property, Holly Roberts-Kelly's property and Cooper ISD's property. Darren Braddy stated that the survey discrepancy was a matter for civil court and the city had no control of that matter. The affected property owners would have to get their own survey in order to possibly solve the conflict. Jimmie McGraw stated that he would summons a survey this week. Darren Braddy asked for additional comments, there were none.

AGENDA ITEM #2

Darren Braddy closed the public hearing regarding the re-zoning of 341 W. Waco DCAD Property ID #1161 at 5:39 PM.

AGENDA ITEM #3

Mayor Darren Braddy called the regular meeting to order. He previously voiced the prayer.

AGENDA ITEM #4

Mayor Darren Braddy asked for public comments on the remainder of agenda items. There were no comments.

AGENDA ITEM #5

Josh Hoskison made the motion to approve the January 13, 2025 minutes as presented. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #6

Mayor Darren Braddy presented to the council that the city needed to update the building codes. Mayor Braddy stated that the current building codes did not address existing buildings or storm shelters. Josh Hoskison made the motion to read Ordinance #01-02-25 by caption. David Phillips seconded. Vote unanimous. Mayor Darren Braddy read:

ORDINANCE #01-02-25

AN ORDINANCE OF THE CITY OF COOPER, TEXAS TO ADOPT VARIOUS STANDARD CODES RELATING TO INSPECTION ACTIVITIES OF THE CITY OF COOPER, TEXAS AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDNG A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS:

SECTION 1. That the following Codes are hereby adopted by reference as though they are copied herein fully:

- International Building Code (IBC) – 2018 Edition
- National Electrical Code (NEC) – 2017 Edition
- International Residential Code (IRC) – 2018 Edition
- International Fire Code (IFC) – 2018 Edition
- International Plumbing Code (IPC) – 2018 Edition
- International Existing Building Code (IEBC) – 2018 Edition
- International Code Council (ICC 500) For Storm Shelters– 2020 Edition

Diane Stegall made the motion to approve Ordinance #01-02-25. Linda Barnes seconded. Vote unanimous.

AGENDA ITEM #7

Mayor Braddy stated that this item was not necessary as all building codes were updated into one ordinance approved above.

AGENDA ITEM #8

Mayor Darren Braddy presented to the council that Resolution #04-02-25 approving an interlocal agreement with the City and Cooper ISD was at hand. Mayor Braddy stated that Cooper ISD was in the process of adding a new structure to the existing elementary which would add additional space for class rooms and would also be structured to be a storm shelter. Mayor Braddy stated that Texas Education Agency (TEA) and Bureau Veritas, which follow International Building Codes (IBC), had conflicting restrictions required and the interlocal agreement would determine which entity would be abided by for code passage. Cooper ISD requests that the City of Cooper adopt the 2018 International Existing Building Code (IEBC) to establish a standard for future projects.

Cooper ISD requests that the City of Cooper adopt the 2020 ICC-500 to align with the latest standards.

Per the 2018 IEBC, the maximum occupant load for the existing elementary school, including the addition, would be 1,180 occupants. However, Cooper ISD will follow the Texas Education Agency (TEA) recommendations, which impose a stricter occupancy calculation. Based on these guidelines, the school's maximum occupant load will be 700 occupants, consisting of 625 students and 75 staff members. The storm shelter has been designed to accommodate up to 711 occupants.

Cooper ISD requests a variance to the 2018 IEBC regarding the occupant load and apply TEA occupant load recommendations for the Cooper Elementary School storm shelter addition, allowing it to accommodate up to 711 occupants.

Diane Stegall made the motion to read Resolution #04-02-25 detailing the interlocal agreement with the City of Cooper and Cooper ISD by caption. Josh Hoskison seconded. Vote unanimous. Mayor Darren Braddy read:

CITY OF COOPER, TEXAS RESOLUTION #04-02-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF COOPER AND THE COOPER INDEPENDENT SCHOOL DISTRICT CONCERNING THE OCCUPANCY REQUIREMENTS FOR COOPER ELEMENTARY SCHOOL; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

David Phillips made the motion to approve Resolution #04-02-25 approving the interlocal agreement between the City of Cooper and Cooper ISD for a one-time project. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #9

Mayor Darren Braddy presented to the council that Richard Hurst and Christopher Budine were present to speak to the council regarding two different applications for three generators, two will supply the Water Treatment Plant (WTP) and one will supply the Waste Water Treatment Plant (WWTP). Robert Hurst greeted the council and asked for their approval to apply for this grant, Hazard Mitigation Grant Program (HMGP) DR-4781 April, 2024 Severe Storm and Hazard Mitigation Grant Program (HMGP) DR-4798 Hurricane Beryl. Robert stated that it was a 75%-25% grant, of which in kind services and donations could be used as the match. Robert stated that the application did not hold the city to accepting it and there would be no recourse if the city declined upon approval. Mayor Darren stated that, yes this was a great plan, but the city is already designated multi funds for the full-time fire and park projects and he did not know where the financial resources for the 25% match for a project that is above \$350,000.00 would come from. Christopher Budine stated that there may be options of funding available and he is awaiting confirmation at this time. It was the consensus of the council to apply for this grant.

Diane Stegall made the motion to allow Richard Hurst, Delta County Emergency Management Coordinator, to apply for the Hazard Mitigation Grant Program DR-4781 April, 2024 Severe Storm and the Hazard Mitigation Program DR-4798 Hurricane Beryl, for two generators for the WTP and one generator for the WWTP. Scotty Deatherage seconded. Vote unanimous.

AGENDA ITEM #10

Mayor Darren Braddy presented to the council that the ordering of the city election was at hand. Mayor Braddy stated that Scotty Deatherage, Linda Barnes and himself were up for re-election.

Josh Hoskison made the motion to order the city election to be held on Saturday May 3, 2025. David Phillips seconded. Vote unanimous.

AGENDA ITEM #11

Diane Stegall made the motion to appoint Charlie Steward as election Judge, Neali Landers as election clerk and the two alternate Judges will be appointed by Charlie Steward and these appointees will make up the early voting ballot board and setting the pay rate for the Judge at \$20.00 per hour and \$15.00 per hour for clerks. Josh Hoskison seconded. Vote unanimous.

AGENDA ITEM #12

David Phillips made the motion to set February 18, 2025 at 10:00 am as the date and time for the drawing to determine the order in which the names of candidates are to be printed on the ballot. Scotty Deatherage seconded. Vote unanimous.

AGENDA ITEM #13

Diane Stegall made the motion to approve Spring Clean up week for April 5, 2025 through April 12, 2025 and Fall Clean up week for September 6, 2025 through September 13, 2025 as shown below. Linda Barnes seconded. Vote unanimous.

Spring

- The hours set for the dumpsite are:
- Saturday April 5TH and Saturday April 12TH - 8 a.m. to 5 p.m.
- Monday April 7th, Tuesday April 8th, & Wednesday April 9th - 10 a.m. to 5 p.m.
- Thursday April 10th and Friday April 11th - 10 a.m. to 7 p.m.

Fall

- The hours set for the dumpsite are:
- Saturday September 6th and Saturday September 13th - 8 a.m. to 5 p.m.
- Monday September 8th, Tuesday September 9th, & Wednesday September 10th - 10 a.m. to 5 p.m.
- Thursday September 11th and Friday September 12th - 10 a.m. to 7 p.m.

AGENDA ITEM #14

Mayor Darren Braddy presented to the council that Ordinance #03-02-25 re-zoning 341 W. Waco DCAD Property ID #1161 was at hand. Mayor Braddy stated that, as discussed in the public hearing, this re-zone was previously approved at the January 13, 2025 meeting but proper notification and notice of public hearing had not been followed. Jimmie McGraw, Holly Roberts-Kelly and Cooper ISD representatives Amber Norris and Charles Rutledge were present to speak as affected property owners. Jimmie McGraw stated that, in his opinion, the survey that was done by the owners of DCAD Property ID #1161 was incorrect and the survey showed to encroach onto his property, Holly Roberts-Kelly's property and Cooper ISD's property. Darren Braddy stated that the survey discrepancy was a matter for civil court and the city had no control of that matter. The affected property owners would have to get their own survey in order to possibly solve the conflict. Jimmie McGraw stated that he would summons a survey this week. It was the consensus of the council to table this item until the affected neighbors had a chance to get their own survey to contest the survey presented by the current property owners of 341 W. Waco DCAD Property ID#1161. Josh Hoskison made the motion to table this item until the March 10, 2025 meeting. Scotty Deatherage seconded. Vote unanimous.

AGENDA ITEM #15

Mayor Darren Braddy presented to the council, Resolution #01-02-25 detailing the multi-year State Highway Road closure for the annual Delta County Fair. Mayor Braddy stated that the approved resolution must go to TXDOT for approval. Josh Hoskison made the motion to read Resolution #01-02-25 by caption. David Phillips seconded. Vote unanimous. Mayor Darren Braddy read:

RESOLUTION #01-02-25

A RESOLUTION AUTHORIZING ENTRY INTO AN AGREEMENT BETWEEN THE CITY OF COOPER, TEXAS, AND THE STATE OF TEXAS FOR THE MULTI-YEAR TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY; AND PROVIDING AN EFFECTIVE DATE.

Diane Stegall made the motion to approve Resolution #01-02-25 detailing the multi-year State Highway Road Closure for the Delta County Fair. Scotty Deatherage seconded. Vote unanimous.

AGENDA ITEM #16

Mayor Darren Braddy presented to the council, Resolution #02-02-25 authorizing signatories for the GLO Resilient Communities Program Grant CDBG-MIT 23-160-068-E954. Mayor Braddy stated that this is the grant that will update and digitize the city's comprehensive plan including utility line locations and zoning maps. Diane Stegall made the motion to read Resolution #02-02-25 by caption. Linda Barnes seconded. Vote unanimous. Mayor Darren Braddy read:

RESOLUTION #02-02-25 AUTHORIZING SIGNATORIES

A RESOLUTION BY The City of Cooper DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT – MITIGATION, (CDBG-MIT) General land office (GLO) State CONTRACT NUMBER 23-160-068-E954

David Phillips made the motion to approve Resolution #02-02-25 authorizing signatories for the contractual documents and for requesting funds pertaining to the CDBG Mitigation GLO State Contract #23-160-068-E954. Linda Barnes seconded. Vote unanimous.

AGENDA ITEM #17

Mayor Darren Braddy presented to the council Resolution #03-02-25 adopting required Civil Rights Policies. Josh Hoskison made the motion to read Resolution #03-02-25. David Phillips seconded. Vote unanimous. Mayor Darren Braddy read:

Resolution #03-02-25 Regarding Civil Rights CITY OF COOPER, Texas

Whereas, City of Cooper, Texas, (hereinafter referred to as "City of Cooper") has been awarded a Community Development Block Grant – Mitigation (CDBG-MIT) grant from the Texas General Land Office (hereinafter referred to as "GLO");

Whereas, City of Cooper, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG-MIT activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, City of Cooper, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, City of Cooper, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135 is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG-MIT project area;

Whereas, City of Cooper, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, City of Cooper, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with Limited English Proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-MIT project;

Whereas, City of Cooper, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, City of Cooper, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

Whereas, City of Cooper, has designated an overseer and will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COOPER, TEXAS, THAT CITY OF COOPER ADOPTS THE FOLLOWING:

1. Citizen Participation Plan and Grievance Procedures;
2. Excessive Force Policy;
3. Section 504 Policy and Grievance Procedures;
4. Code of Conduct Policy; and
5. Fair Housing Policy.

The City of Cooper affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following:

1. Limited English Proficiency (LEP) Standards Plan; and
2. Affirmatively Further Fair Housing

Scotty Deatherage made the motion to approve Resolution #03-02-25 adopting the required CDBG Civil Rights Policies. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #18

Diane Stegall made the motion to read the Proclamation of April as Fair Housing Month. Josh Hoskison seconded. Vote unanimous. Mayor Darren Braddy read:

Proclamation of April as Fair Housing Month

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the City Council of Cooper, do proclaim April as Fair Housing Month in City of Cooper and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

Passed and adopted by City of Cooper, State of Texas, on the 10 day of February, 2025.

Linda Barnes made the motion to approve Proclamation Of April As Fair Housing Month. David Phillips seconded. Vote unanimous.

AGENDA ITEM #19

Mayor Darren Braddy stated that the acceptance of the resignation letter from Denise Braddy from the Sulphur River MWD Board needed to be delayed until a new member could be found.

Scotty Deatherage made the motion to table this item until a new member could be found. Josh Hoskison seconded. Vote unanimous.

AGENDA ITEM #20

Mayor Darren Braddy stated that, according to an ex-member of the Sulphur River MWD Board, that a council person could not be appointed to this position. Mayor Braddy stated that the city does not have the bylaws of this entity therefore the city must do some research to answer the question of eligibility for this appointment.

Diane Stegall made the motion not to appoint Josh Hoskison to the Sulphur River MWD Board. Scotty Deatherage seconded. Josh Hoskison abstained. Vote not to appoint Josh Hoskison carried.

AGENDA ITEM #21

Mayor Braddy presented to the council that 550 S.E. 5th was back on the table for discussion. Mayor Braddy reminded the council that this property had been deeded to the city by Austin Bank that had taken possession of it and did not want the property. Mayor Braddy stated that this property was advertised for bid, in accordance with Ordinance #03-09-25, and no bids were presented for this property. Mayor Braddy stated that the city should put this out for bid again.

David Phillips made the motion to put this property back up for bid. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #22

Mayor Braddy stated that there were no requests for funds for the Frankie McKinney Arts Alliance Fund at this time.

AGENDA ITEM #23

Mayor Darren Braddy updated the council on leaks, taps and court hearings.

AGENDA ITEM #24

Monthly budget reports were reviewed.

AGENDA ITEM #25

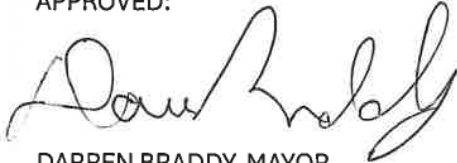
Accounts paid were reviewed.

AGENDA ITEM #26

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

TIME: 7:15 PM

APPROVED:



DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST:



EMILY HOWSE
CITY SECRETARY