

CITY OF COOPER
CITY COUNCIL MEETING – REGULAR MEETING VIA ZOOM
FEBRUARY 8, 2021 – 5:00 PM

COUNCIL MEMBERS PRESENT: DARREN BRADY; MAYOR, DAVID PHILLIPS, AMANDA L'ESPERANCE, DIANE STEGALL, AND ELMO ROBINSON

CITY ATTORNEY: JAY GARRETT

OTHERS PRESENT: EMILY HOWSE, JOE ADAMS, CHARLES EDWARDS, KASEY BRITTON, AND TEFFANY KAVANAUGH

ABSENT: ALLEN FOSTER

AGENDA ITEM #1

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

AGENDA ITEM #2

Mayor Darren Brady asked for public comments on the agenda items. No comments were made.

AGENDA ITEM #3

David Phillips made the motion to approve the January 11, 2021 regular meeting minutes, upon the correction of a misspelled name, pinpointed by Diane Stegall, and the January 25, 2021 public hearing minutes as written. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #4

Teffany Kavanaugh, with McClanahan and Holmes, was attending the meeting to present the 2019-2020 annual audit. Teffany went over several aspects of the audit. Teffany stated that this audit presented a clean opinion of the financial statements. She stated that this is the most important statement of the audit, and a clean opinion is a good thing. Teffany also stated that the lack of segregation of duties, which is always a finding in small town audits, is an issue that can't be helped due to the lack of funds to employ enough staff to segregate these duties. She stated that the council should keep close communication with the internal operations of the city. Teffany stated that the communications section had nothing to report. She stated that no report was also a good thing.

Diane Stegall made the motion to approve and accept the 2019-2020 audit as presented. David Phillips seconded. Vote unanimous.

AGENDA ITEM #5

Diane Stegall made the motion for City Attorney, Jay Garrett, to read ordinance #01-02-21 annexing the 6 1/10-acre Bill Aslan property id #2262, by caption. Amanda L'Esperance seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

ORDINANCE NO. 01-02-21

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF COOPER, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 6 1/10 ACRES OF LAND LOCATED IN THE H. DUNETELLE SURVEY, ABSTRACT NO. 107. ADJACENT AND CONTIGUOUS TO THE PRESENT CITY LIMITS OF THE CITY OF COOPER, TEXAS AND NOT BEING PART OF ANY INCORPORATED AREA; AND PROVIDING AN EFFECTIVE DATE.

Elmo Robinson made the motion to approve ordinance #01-02-21 annexing the 6 1/10-acre property id #2262 in the H. Dunnetelle Survey. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #6

Mayor Darren Braddy presented to the council that the Zoning Commission had met on this issue on January 26, 2021 and were in agreement and approval for the zoning requested. David Phillips made the motion for City Attorney, Jay Garrett, to read ordinance #02-02-21 approving the zoning for the newly annexed 6 1/10-acre property by caption. Diane Stegall seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

ORDINANCE NO. 02-02-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER TO ZONE A TRACT OF LAND THAT IS NEWLY ANNEXED TERRITORY, PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

David Phillips made the motion to approve ordinance #02-02-21 that states Aslan Addition #1, lots 1,2,3, & 4 be zoned light commercial (LC), and Aslan Addition #2, lots 5,6, and 7 be zoned multi family (R3). Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #7

Elmo Robinson made the motion for City Attorney, Jay Garrett, to read ordinance #03-02-21, approving the final plat for Aslan Addition #1 and Aslan Addition #2, by caption. Diane Stegall seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

ORDINANCE NO. 03-02-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS, APPROVING THE FINAL PLAT FOR ASLAN ADDITION NO. 1 AND ASLAN ADDITION NO. 2.

Diane Stegall made the motion to approve ordinance #03-02-21 approving the final plat for Aslan Addition #1 and Aslan Addition #2 to be filed in the records of Delta County. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #8

Discussion of the Economic Development Incentives Agreement for Aslan Addition #1 and Aslan Addition #2 was on the table. This agreement would ensure each multi-family residence would be taxed as a separate listing from the commercial listings, the owner would pay property taxes

during and after development, the city would waive water and sewer taps, and abate city ad valorem taxes that would be addressed in a separate tax abatement agreement. No action was needed on this item. (resolution #01-02-21 gives Mayor the authority to execute this agreement).

AGENDA ITEM #9

Elmo Robinson made the motion for City Attorney, Jay Garrett, to read Resolution #01-02-21 by caption, approving the Economic Development Incentives Agreement for Aslan Addition #1 and Aslan Addition #2. David Phillips seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

**CITY OF COOPER, TEXAS
RESOLUTION NO. 01-02-21**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS, APPROVING A TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COOPER, TEXAS AND BILL ASLAN, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

David Phillips made the motion to approve resolution #01-02-21 approving the Economic Development Incentives Agreement for Aslan Addition #1 and Aslan Addition #2. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #10

Discussion of the Economic Development Incentives Agreement for Countryside Developments, LLC was on the table. This agreement states that each structure built would be placed on the tax roll as a separate listing from each other and real property taxes would be assessed on each after construction is complete, property taxes would be assessed during and after construction, the city would provide the water and sewer taps and water and sewer service lines to the property for each structure, owner will pave Chesnut Lane from S.W. 10th to S. W. 12th and add drainage to this area. No action was needed on this item (resolution #02-02-21 gives Mayor the authority to execute this agreement).

AGENDA ITEM #11

Diane Stegall made the motion for City Attorney, Jay Garrett, to read resolution #02-02-21 by caption, approving the Economic Development Incentives Agreement for Countryside Developments, LLC. Elmo Robinson seconded. Vote unanimous.

City Attorney, Jay Garrett, read:

**CITY OF COOPER, TEXAS
RESOLUTION NO. 02-02-21**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS, APPROVING A TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COOPER, TEXAS AND COUNTRYSIDE DEVELOPMENTS, LLC, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

Elmo Robinson made the motion to approve resolution #02-02-21 approving the Economic Development Incentives Agreement for Countryside Developments, LLC. David Phillips seconded. Vote unanimous.

AGENDA ITEM #12

Mayor Braddy presented the signed contract with 903 Broadband for lease of space on the water tower located at 100 W. Cooper. No action was needed.

AGENDA ITEM #13

Mayor Braddy presented to the council that the award for administrative services for the upcoming TXCDBG Community Development Grant was at hand. Mayor Braddy stated that the only proposal received was that of Resource Management and Consulting Company. Diane stated that, looking at the past record that Resource Management and Consulting Company presented, they had done an excellent service for the City of Cooper.

Diane Stegall made the motion to approve the administrative services of Resource Management and Consulting Company for the upcoming TXCDBG Community Development Grant process. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #14

Discussion of the upcoming TXCDBG Community Development Grant application was on the table. It was the consensus of the council to proceed with the application process when available.

Amanda L'Esperance made the motion to proceed with the application process for the TXCDBG Community Development Grant when available. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #15

Elmo Robinson made the motion to appoint Linda Barnes, to expire February 2022, and Denise Braddy, to expire February 2023, to the Sulphur River Municipal Water District Board. David Phillips seconded. Vote unanimous.

AGENDA ITEM #16

David Phillips made the motion to order the City election, electing a mayor and two council positions, to be held on May 1, 2021. Amanda L'Esperance seconded. Vote unanimous.

AGENDA ITEM #17

Diane Stegall made the motion to appoint Charlie Steward as judge, Cynthia Steward and Betty Holcomb as alternate judges, and Misty Bates as early election voting clerk, these appointees will make up the early voting ballot board. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #18

Amanda L'Esperance made the motion to set April 19, 2021 and April 27, 2021 as the two twelve hour early voting days. Elmo Robinson seconded. Vote unanimous.

AGENDA ITEM #19

Announcement that Monday February 22, 2021 at 10:00 am as the date and time that the drawing to determine the order in which names are to be printed on the ballot will be held.

AGENDA ITEM #20

Mayor Braddy presented to the council that Amanda L'Esperance wanted to speak on this item. Amanda presented to the council that ordinance #01-03-20 needed to be looked into to be amended. This ordinance was put in place due to the COVID-19 pandemic. Diane Stegall stated that this ordinance states strict rules that do not necessarily reflect the actions that the city should and are following. Amanda stated that it was time to go back to public meetings and allow the public to attend. Mayor Darren Braddy stated his concern for the spread of the COVID-19 virus. He had no problem with meeting publicly but he was not ready to open the office. He stated that all work was getting done, and in his opinion, at this time the office would remain closed. It was the consensus of the council to amend this ordinance to follow current state mandates as presented and would be an agenda item on the March 8, 2021 meeting. Amanda L'Esperance made the motion to make amendments to ordinance #01-03-20 to be presented for approval at the March 8, 2021 meeting. Diane Stegall seconded. Vote unanimous. Diane Stegall seconded. Vote unanimous.

AGENDA ITEM #21

Mayor Darren Braddy gave updates on water line installation, employee license and dilapidated houses.

AGENDA ITEM #22

Monthly budget reports were reviewed. Diane Stegall requested looking into the Frankie McKinney Foundation funds that were in excess of the FDIC insured amount. City Attorney, Jay Garrett, stated that this should be addressed with the Frankie McKinney Foundation Board of Trustees. This fund has been controlled by Delbert Horton until the appointment of Judy Falls after Mr. Horton's resignation was accepted on December 7, 2020. Mayor Braddy stated that he would contact the board to discuss this matter.

AGENDA ITEM #23

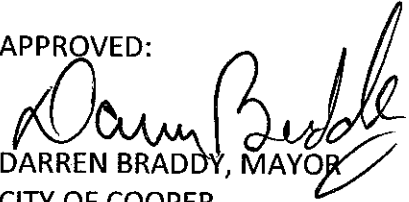
Accounts payable were reviewed.

AGENDA ITEM #24

David Phillips made the motion to adjourn. Elmo Robinson seconded. Vote unanimous.

TIME: 6:15 PM

APPROVED:


DARREN BRADDY, MAYOR
CITY OF COOPER

ATTEST:


EMILY HOWSE
CITY SECRETARY