

**MINUTES
TOWN OF COPPER CANYON
SPECIAL TOWN COUNCIL MEETING
MONDAY, APRIL 1, 2024
6:00 P.M.**

The Town Council of the Town of Copper Canyon met in special session on Monday, April 1, 2024, at 6:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items will be considered:

I. CALL TO ORDER

Mayor Robertson called the regular meeting of the Copper Canyon Town Council to order at 6:00 on the 1st day of April 2024.

Council Present

Steve Hill	Mayor Pro Tem
Rudy Castillo	Deputy Mayor Pro Tem
Dale Andrews	Council Member
Chase Lybbert	Council Member
Larry Johnson	Council Member (arrived at 6:10 p.m.)

Staff Present

Robert Hager	Town Attorney
Chris Hartke	Town Engineer
Troy Meyer	Town Administrator
Sheila Morales	Town Secretary

A quorum of the Town Council was established.

II. EXECUTIVE SESSION

Town Council convened into closed executive session at 6:01 p.m. pursuant to Section 551.071, Tex. Govt. Code to seek legal advice from the Town Attorney regarding:

1. Development plan and subdivision compliance for property being developed within the Town's jurisdiction and extraterritorial jurisdiction.
2. Annexation / de-annexation of ETJ property and legal advice regarding Agreement with Morningstar Development LLC.
3. Zoning issues and possible land uses within Town Center Zoning District.

Council Member Johnson arrived at the meeting at 6:10 p.m. He had previously recused himself from a portion of the Executive Session.

Council Member Johnson joined the Executive Session at 6:34 p.m.

III. CONSIDERATION OF EXECUTIVE SESSION

The Town Council reconvened at 6:55 p.m. into open session to consider legal advice received from the Town Attorney regarding:

1. Development plan and subdivision compliance for property being developed within the Town's jurisdiction and extraterritorial jurisdiction
2. Annexation / de-annexation of ETJ property and legal advice regarding Agreement with Morningstar Development LLC
3. Zoning issues and possible land uses within Town Center Zoning District.

No action was taken.

After a five-minute recess, **Mayor Robertson** and **Council Members** led meeting attendees in the Pledge of Allegiance to the U.S. and Texas Flags.

IV. PUBLIC INPUT

Citizens can make comments to the Town Council during this section of the meeting agenda. We ask citizens who wish to speak on agenda items to sign in on the sheet provided on the table at the back of the Council Chambers. There is a 3-minute time limit for each speaker. Pursuant to State Open Meetings law, the Town Council cannot discuss or take action on items not posted on the agenda. Therefore, the Council cannot take action on or discuss any issues or items brought up during public input.

No one spoke.

V. ITEMS OF COMMUNITY INTEREST

(Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following items: (1) expression of thanks, congratulations, or condolences; (2) information about holiday schedules, (3) recognition of individuals; (4) reminders about upcoming Town Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety. No deliberations and actions will be taken.)

No items were raised.

Town Administrator Meyer recognized **Paula Castillo** and thanked her for spearheading updating the landscape at the Chinn Chapel/Orchid Hill Roundabout.

VI. AUDIT PRESENTATION

Due to inclement weather, **MWH Group CPAs/Consultants**, did not attend the meeting. Therefore, the audit presentation did not take place.

VII. PUBLIC HEARING

The Town Council will conduct a Public Hearing for the purpose of hearing any and all comments and consider a recommendation from the Copper Canyon Planning and Zoning Commission regarding the Jernigan Estates Development Plan and Jernigan Estates Preliminary Plat, allowing for the development of approximately 12 acres, and to allow for the development of six (6) single family lots, located at 545 Jernigan Road, Copper Canyon, Texas 75077.

Mayor Robertson opened the Public Hearing for the Jernigan Estates Development Plan at 7:12 p.m.

The following people spoke:

Ted Stranczek (1020 N Berry Trail Ct) expressed concerns regarding the Jernigan Estates Development, especially regarding dirt being moved around on the property.

Robin Douglas Davis (581 Jernigan) expressed concern that additional drainage due to the proposed development may negatively affect surrounding properties.

Council Member Larry Johnson expressed concerns regarding the proposed Jernigan Estates subdivision, including accuracy of the submitted maps and plats, future drainage concerns as it relates to less permeable space and proposed new weir, future drainage ditch hazards, adequate fencing between his property and the proposed development, private drainage easement and related maintenance agreement of the easement as well as the responsible party/parties.

Mayor Robertson closed the public hearing at 7:33 p.m.

VIII. STAFF REPORT

Town Administrator

- Estates Drive Bridge

- Roundabout Landscaping
- Copper Canyon Shred Day (4/27/2024) 8-12
- Trail Cleanup Day (4/27/2024) 9- 12
- Seeking volunteers for Financial Advisory Committee
- Town Hall Additions

Special Projects Administrator (future chief)

- Uniform Supplies
- Meetings Attended (Tarrant County Community College District Police Academy & Ft. Worth INTEX Fusion Center)
- Future Meetings (First aid, National Night Out)

Town Engineer

- Stormwater Reporting
- Subdivision Construction Reviews
- Subdivision Developments / Plat Reviews
- Miscellaneous Coordination and Town Staff Meetings

Fire Department

- Stakeholder Meeting (4/18/2024)
- CPR Class (4/13/2024)
- Polling Location – Fire Station 511
- ALERRT training (active threat active shooter training; joint between fire and police dept)
- Carry the Load event (5/18/2024) –

Town Administrator Meyer gave a brief update regarding April 2024 Town events, including the following:

- No Council meeting on April 8, 2024
- Joint Council and P&Z Commission meeting - April 15, 2024
- Town Shred Day – 4/27/2024
- Trail Cleanup Day – 4/27/2024
- Daughters of the America Revolution Ceremony – April 27, 2024

IX. CONSENT

Items on the Consent Agenda are routine and administrative in nature. As such, these items are considered for approval by a single motion and vote generally without discussion. Council Members can remove an item or items from the agenda, so it can be considered separately and/or add action or discussion agenda posted as part of the Consent Agenda.

1. Approve March 11, 2024, Minutes of Council Meeting

2. Approve the MWH Group (Certified Public Accountants/Consultants) Engagement Letter (Fiscal Year 2023).
3. Approve Agreement for Building Inspection between Denton County Fresh Water Supply District No. 7 and the Town of Copper Canyon for building inspection services relating to the police station construction project.

Mayor Pro Tem Hill made a motion to approve Consent Items #1-3 as presented.

Councilmember Andrews seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert
Nays: None

Mayor Robertson announced that the motion passed unanimously.

X. ACTION & DISCUSSION ITEMS

1. Discuss, consider, and take action approving the 2021-2022 Financial Audit for the Town of Copper Canyon.

Due to inclement weather, MWH Group CPAs/Consultants, did not attend the meeting.

Mayor Pro Tem Hill briefly summarized the Audit Report (fiscal year '21-22).

Mayor Pro Tem Hill made a motion to approve the 2021-2022 Financial Audit as performed by MWH Group CPAs/Consultants.

Council Member Lybbert seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert
Nays: None

Mayor Robertson announced that the motion passed unanimously.

2. Discuss, consider, and take action regarding a recommendation from the Planning and Zoning Commission regarding the Jernigan Estates Development Plan and Preliminary Plat, allowing for the development of approximately 12 acres, and to allow for the development of six (6) single family lots, located at 545 Jernigan Road, Copper Canyon, Texas 75077.

Darren Andrews (McAdams Surveyors), Michael Cannaday (Jernigan Estates Developer), Council Members, Town Engineer and Town Attorney discussed the proposed Jernigan Estates Development Plan and raised various issues.

Deputy Mayor Pro Tem Castillo stated the following, “Based on the presented development plan which requires a third-party agreement that is not in place or before us, I move we deny the Jernigan Estates Development Plan.”

Mayor Pro Tem Hill seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews and Lybbert
Nays: None
Abstained: Council Member Johnson (due to conflict of interest)

Mayor Robertson announced that the motion passed.

Mayor Robertson noted that since the Jernigan Estates Development Plan was denied, considering the Preliminary Plat and holding the public hearing for the Preliminary Plat was not needed, since approval of the Preliminary Plat follows approval of the Development Plan.

3. Discuss, consider, and take action regarding Ordinance 24-001 amending the Code of Ordinances, Chapter 1 ‘General Provision’, Article 1.03 ‘Town Council’, Division 2 ‘Meetings and Rules of Procedure’ by reserving Section 1.03.053 – 1.03.59; and by adding ‘Division 3’ and adopting ‘Financial Advisory Committee’.

Mayor Pro Tem Hill briefly explained the proposed Financial Advisory Committee.

Mayor Pro Tem Hill made a motion to approve Ordinance 24-001 amending the Code of Ordinances, Chapter 1 ‘General Provision’, Article 1.03 ‘Town Council’, Division 2 ‘Meetings and Rules of Procedure’ by reserving Section 1.03.053 – 1.03.59; and by adding ‘Division 3’ and adopting ‘Financial Advisory Committee’.

Deputy Mayor Pro Tem Castillo seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson and Lybbert
Nays: None
Abstained: Council Member Johnson (due to conflict of interest)

Mayor Robertson announced that the motion passed unanimously.

XI. DISCUSSION OF FUTURE AGENDA ITEMS

(A Councilmember may request that an item be placed on a subsequent agenda for consideration. Any deliberation shall be limited to the proposal to place the subject on a subsequent agenda.)

XII. ADJOURN

Council Member Andrews made a motion to adjourn.

Council Member Lybbert seconded the motion.

Meeting adjourned at 8:05 p.m.

APPROVED BY THE TOWN COUNCIL THIS _____ DAY OF _____

Ron Robertson, Mayor
Town of Copper Canyon

Sheila B. Morales, TRMC – Town Secretary
Town of Copper Canyon