

**REGULAR MEETING AND BUDGET WORK SESSION
OF THE CANTON CITY COUNCIL
6:00 P.M, AUGUST 17, 2021**

Canton City Hall
201 N. Buffalo, Canton, Texas 75103

AGENDA

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST
6. PROCLAMATIONS AND ANNOUNCEMENTS

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK ON MATTERS RELATING TO CITY GOVERNMENT

CONSENT AGENDA

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR MAY AND JUNE 2021
9. CONSIDER APPROVAL OF MINUTES FOR JULY 20 AND JULY 30, 2021, CITY COUNCIL MEETINGS
10. CONSIDER APPOINTMENT OF VICKI CHAMBLESS TO BOARD OF ADJUSTMENTS TO FILL VACANCIES OF UNEXPIRED TERM
11. CONSIDER APPOINTMENT OF BETSEY MCCARTY AS ALTERNATE TO PLANNING & ZONING COMMISSION
12. CONSIDER APPROVAL OF RESOLUTION NO. 2021-19 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE

WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL

13. CONSIDER ADOPTION OF ORDINANCE NO. 2021-19 AMENDING SECTION 90.03 OF THE CITY OF CANTON, TEXAS, CODE OF ORDINANCES, (AS AMENDED) REGULATING PLACEMENT OF UNDERGROUND CABLE, WIRING, FIBER OPTICS AND TELECOMMUNICATIONS FACILITIES

INDIVIDUAL CONSIDERATION

14. PRESENTATION BY PEOPLES REGARDING REQUEST TO PLACE UNDERGROUND FIBER OPTICS LINE INSIDE THE CITY LIMITS
15. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-13 FOR A CHANGE OF ZONING FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT APPROXIMATELY .660 ACRE TRACT OF LAND LOCATED IN THE J. STOCKWELL SURVEY, A-760, AT 215 E. HIGHWAY 243 IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY GARY AND MARCELYN NORRELL REVOCABLE TRUST
16. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-14 FOR A CHANGE OF ZONING FROM GENERAL RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT APPROXIMATELY 9.53 ACRES OF LAND LOCATED AT 221 E. HIGHWAY 243 (R525) IN THE CITY OF CANTON, TEXAS, AND CURRENTLY OWNED BY GARY AND MARCELYN NORRELL REVOCABLE TRUST
17. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-15 AMENDING CANTON COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM RETAIL TO LOW DENSITY RESIDENTIAL ON THAT APPROXIMATELY .570 ACRE-TRACT OF LAND (R307) IDENTIFIED AS LOT 1 OF THE SOUTH BUFFALO STREET ESTATES SUBDIVISION LOCATED AT 1165 S. BUFFALO STREET IN THE CITY OF CANTON, TEXAS, AND CURRENTLY OWNED BY CHHOURNGLY KHENG AND ENG SARAN
18. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-16 FOR A CHANGE OF ZONING FROM GENERAL BUSINESS DISTRICT (B-2) TO SINGLE FAMILY DETACHED RESIDENTIAL (R-1) ON THAT APPROXIMATELY .570 ACRE TRACT OF LAND LOCATED IN THE J. STOCKWELL SURVEY, A-760, AT 1165 S. BUFFALO IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY CHHOURNGLY CHENG AND ENG SARAN
19. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-17 FOR A SPECIFIC USE PERMIT TO OPERATE A BED & BREAKFAST AT 334 MAGGIE STREET IN THE CITY OF CANTON, TEXAS, ON PROPERTY ZONED SINGLE FAMILY DETACHED RESIDENTIAL (R-1) AND CURRENTLY OWNED BY JAN ADAMSON
20. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-18 FOR A SPECIFIC USE PERMIT TO OPERATE A STORAGE FACILITY AT 1572 SOUTH BUFFALO STREET (R110980) IN THE CITY OF CANTON, TEXAS, ON PROPERTY

ZONED GENERAL BUSINESS DISTRICT (B-2) AND CURRENTLY OWNED BY SAVVY STORAGE

21. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-12 AMENDING THE EXISTING MOBILE FOOD TRUCK ORDINANCE
22. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-11 ADOPTING A NEW COMPREHENSIVE SUBDIVISION ORDINANCE FOR THE CITY OF CANTON
23. REVIEW AND DISCUSS TDA SECTION 3 PRESENTATION AS REQUIRED BY TEXAS DEPARTMENT OF AGRICULTURE FOR COMMUNITY DEVELOPMENT BLOCK GRANTS.
24. CONSIDER APPROVAL OF CONTRACT FOR UTILITY IMPROVEMENTS ON PECAN STREET UNDER TEXAS DEPARTMENT OF AGRICULTURE TXCDBG CONTRACT NO. 7220080
25. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY
 - B. MARKETING
 - C. OTHER ITEMS

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

26. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) REGARDING THE FOLLOWING:
Section 551.087 – to deliberate commercial or financial information the CEDC has received from a business prospect, and to deliberate the offer of a financial or other incentive for Southern Brew Coffee Company LLC; 3 B's Imports, LLC; JTS Operations, LLC; and Project Bluegreen Development, and other business prospects, including but not limited to, a mixed-use development project, a local business retention and expansion project, a local capital investment project, a downtown retail rent subsidy prospect, and recruitment of new commercial, industrial, retail, restaurant, hospitality, and family entertainment prospects.
27. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – (1) DUSTIN REYNOLDS VS. MICHAEL KING ET AL, CAUSE NO. 20-CV-575 IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS); AND (2) BARNEY DONALSON JR. VS. LONNY CLUCK, CAUSE NO. 21-00088 IN THE 294TH DISTRICT COURT OF VAN ZANDT COUNTY, TEXAS
28. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY RE ENCROACHMENT ON CITY PROPERTY AT FIRST MONDAY GROUNDS (Section 551.071)

29. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

RETURN TO OPEN SESSION

30. CONDUCT FIRST READING AND DISCUSS RESOLUTION NO. 2021-20 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT WITH SOUTHERN BREW COFFEE COMPANY, LLC
31. CONDUCT SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2021-20 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT WITH SOUTHERN BREW COFFEE COMPANY, LLC
32. CONDUCT FIRST READING AND DISCUSS RESOLUTION NO. 2021-22 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT WITH JTS OPERATIONS, LLC
33. CONDUCT SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2021-22 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT WITH JTS OPERATIONS, LLC
34. ITEMS FOR FUTURE AGENDAS

WORK SESSION

35. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2021-2022
 - A. PRESENTATION OF CEDC/MAIN STREET/CVB BUDGETS
 - B. WATER / WASTEWATER RATES
 - C. GARBAGE RATES
 - D. CAPITAL PROJECTS
 - E. PAYROLL
 - F. TAX RATE
 - G. FEE SCHEDULE
 - H. FIRST MONDAY
 - I. CAPITAL PROJECTS
 - J. CITY EXPENDITURES ON NON-CITY RELATED ENTITIES (INCLUDING BUT NOT LIMITED TO VAN ZANDT COUNTY VETERANS MEMORIAL; SENIOR CITIZENS BUILDING; SOCCER ASSOCIATION; CYRA BALL PARK; POHL PROPERTY; CANTON TRAILRIDERS; BLACKWELL HOUSES; VAN ZANDT COUNTY LIBRARY; QUILT GUILD; MEALS ON WHEELS; PLAZA MUSEUM) AND RELATED CONTRACTS/AGREEMENTS
 - K. OTHER
 - L. QUESTIONS / CHANGES
36. ADJOURN

The Council may vote and/or act upon each of the items listed in this Agenda.

The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

The City of Canton City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary 48 hours prior to this meeting at (903) 567-1841 so that appropriate arrangements may be made.

I, Debra Johnson, do hereby certify this Notice was posted at the Canton City Hall bulletin board, on August 12, 2021, at 12:30 p.m.

ATTEST:



Debra Johnson, City Secretary

Removed this the _____ day of August, 2021, at _____ .m.

Debra Johnson, City Secretary