A G E N D A
CANTON CITY COUNCIL WORKSHOP
JANUARY 7, 1989
9:00 A.M.

LOCATION: GARLAND RANCH

I. STREETS

II. FIRST MONDAY

III. AIRPORT

IV. OFFICE

V. WATER & SEWER

VI. INDUSTRIAL

VII. PUBLIC RELATIONS

VIII. PARK PROJECT

CANTON CITY COUNCIL WORKSHOP
JANUARY 7, 1989
9:00 A.M.

The Canton City Council met for a scheduled workshop meeting at the Garland Ranch, located east of Grand Saline, at 9:00 a.m.

The street project was discussed. Avenue A has been completed and Avenue B is scheduled for curbing and guttering next.

Discussion was held concerning building a new and larger office on the First Monday grounds in order to better serve the vendors and provide information for the visitors. Al Campbell and Johnny Mallory will be obtaining plans and possible costs involved.

Leases on First Monday property were discussed.

Repairs on the airport were discussed. Both ends of the runway need to be reseal coated. The installation of a VASI at each end of the runway was discussed. The possibility of changing the runway lights in the future was also discussed.

A short discussion concerning office procedures was held.

Plans to update and increase the size of the sewer plant were discussed. The replacement of old water lines and looping some lines were also discussed.

The progress concerning the creation of an Industrial Foundation was discussed. Al Campbell and Johnny Mallory will be meeting with Bob Day regarding this matter.

Public Relations was scheduled for discussion at a later date.

Improvements for the Old City Park were discussed. The addition of a beach, resurfacing the tennis courts, the prevention of vandalism, and general maintenance and upkeep of the park were discussed.

Meeting adjourned.

_____
Mayor Dennis Teal, D.C.

ATTEST:

_____
Al Campbell, City Secretary

A G E N D A
CITY COUNCIL MEETING
JAUNUARY 17, 1989
6:30 P.M.

I. MAYOR'S WELCOME

II. INVOCATION

III. READING OF THE MINUTES

IV. FINANCIAL STATEMENT

V. GUEST ITEMS

VI. AMEND HOTEL OCCUPANCY TAX ORDINANCE

VII. CONSIDERATION OF LEASE-PURCHASE AGREEMENT WITH CPS BUSINESS SYSTEMS

VIII. REVIEW FIRST MONDAY ELECTRICITY RATES

IX. REVIEW POLICE DEPARTMENT PROCEDURE CONCERNING LOCKED CARS

X. NEW AND OLD BUSINESS

A closed or executive session will follow for the purpose of consideration of matters for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting" Law where personnel and property matters will be presented.

XI. EXECUTIVE SESSION

CANTON CITY COUNCIL MEETING
JANUARY 17, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Don Hackney, Raymond Pruitt, Beth Whitaker, and Ronnie Fugate.

Councilman Fugate led the invocation.

Raymond Pruitt motioned that the minutes of the December 13, 1988 regular meeting and the January 7, 1989 workshop meeting be approved as written. Don Hackney seconded and all were in favor.

Don Hackney reviewed the financial statements. Raymond Pruitt motioned that the financial statement be approved. Jack Etheridge seconded and all were in favor.

Ms. Beverly Rindy addressed the council stating she felt the animal control officer needed a tranquilizer gun for his protection. She also stated she felt only one employee should handle her complaints in the city offices.

Mayor Teal thanked Ms. Rindy for her comments and explained that our animal control officer was attending classes given by the Texas Health Department and would soon complete the requirements needed to use a tranquilizer gun.

Mr. Don Phillips addressed the council concerning a problem with his First Monday concession stand. Rayford Hutcherson stated that Mr. Phillips had two concession stands on the same lot. Mayor Teal suggested Mr. Phillips meet with the First Monday committee and the city attorney. They will review his problems and make a recommendation next First Monday.

Acting city attorney, Roxie Cluck explained the Hotel Occupancy Tax Ordinance was being amended only so far as it's allocation of tax revenue, which is Section 2.1.

Don Hackney motioned for the adoption of the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 87-2 PASSED BY THE CITY COUNCIL ON MARCH 17, 1987, AS AMENDED, AND AS PARTICULARLY AMENDED ON DECEMBER 13, 1988, BY AMENDING SECTION 2.1 OF ORDINANCE NO. 87-2 PROVIDING FOR THE ALLOCATION OF REVENUE DERIVED FROM THE LEVY OF THE HOTEL OCCUPANCY TAX; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

Jack Etheridge seconded the motion and all were in favor.

Don Hackney motioned that the city enter into a lease-purchase agreement with CPS Business Systems, through Bell Atlantic Tricon, for the purchase of computer hardware and software. The total cost of the lease-purchase will be $33,000.00. Raymond Pruitt seconded the motion and all were in favor.

Raymond Pruitt reported he had received complaints regarding the new First Monday electricty rates. Al Campbell recommended that a survey be conducted during First Monday weekend to determine the heaviest users. Raymond Pruitt requested the survey be conducted for the February and March First Monday weekends.

In reviewing the police department procedures concerning locked cars, no changes were made. The police department will continue, at the discretion of the police chief, to unlock cars after the owner signs a form releasing the city from responsibility of any damages incurred in the process.

Joe Collins, representing the Chamber of Commerce, reported on a meeting with Gene Garland, who sponsors the Western Swing and the Bluegrass Festival. Mr. Garland has located a financial backer who will co-sponsor with the Chamber of Commerce these events. A contract is being prepared and a report will be ready soon for the council's consideration.

CANTON CITY COUNCIL MEETING
JANUARY 17, 1989
6:30 P.M. - PAGE 2

Zettie Davis reported on the progress of the bicycle tour scheduled for April 22nd. The East Texas Crisis Center will receive 50% of the profits up to $4,000.00. Over $4,000.00 profits will be divided 90/10 percent.

Don Hackney motioned that the city sponsor a "high carb" dinner for the participants in the bicycle tour. Estimated cost is $500.00 to $600.00. The funds are to come from the Hotel Occupancy Tax Fund. Raymond Pruitt seconded the motion and all were in favor.

Mayor Teal reported the East Council of Governments will set up a commission for the purpose of receiving industries wishing to relocate and showing them available industrial sites in East Texas. He reported the commission could eventually be involved in the distribution of state or federal funds for industrial development. The purpose of the initial committee is to write the by-laws, which can govern where the money goes and what industrial sites are shown. This committee is heavily weighted toward the larger cities, said Mayor Teal, and that he vigorously objected on the basis of fair representation of each county. As a result, the COG will review the committee's recommendations.

Beth Whitaker requested that a staff member take notes of the council committee meetings, prepare progress reports, and remind committee members of scheduled meetings. Mayor Teal stated, since there was no objection from the council, this would be adopted as procedure.

After a ten minute break, the council retired to executive session.

After returning to open session, Councilman Pruitt requested that discussion and consideration of action concerning the new high school line be placed on the agenda for the regular meeting February 21, 1989.

Meeting adjourned.

_____
Mayor Dennis Teal, D.C.

ATTEST:

_____
Al Campbell, City Secretary

A G E N D A
URGENT PUBLIC NECESSITY MEETING
FEBRUARY 7, 1989
6:30 P.M.

I. DISCUSSION CONCERNING INDUSTRIAL LEASE

A closed or executive session will follow for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting" Law, where personnel and property matters will be presented.

II. EXECUTIVE SESSION

URGENT PUBLIC NECESSITY MEETING
FEBRUARY 7, 1989
6:30 P.M.

The Canton City Council met for a called emergency meeting in the City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Don Hackney, Raymond Pruitt, and Beth Whitaker. Ronnie Fugate was absent.

Mayor Teal called the meeting to order and the council retired to executive session to discuss the industrial lease.

After returning to open session, acting city attorney, Roxie Cluck, was instructed to offer Mr. D'Jerf, through his attorney, a one year lease. At the end of the one year lease, Mr. D'Jerf must have twenty full time employees.

Meeting adjourned.

_____
Mayor Dennis Teal, D.C.

ATTEST:

_____
Al Campbell, City Secretary

A G E N D A
CALLED CITY COUNCIL MEETING
FEBRUARY 16, 1989
7:30 P.M.

I. MAYOR'S WELCOME

II. INVOCATION

III. GUEST ITEMS

IV. FIRST MONDAY PERMITS

V. CALL OF ELECTION FOR MAY 6, 1989

VI. NEW AND OLD BUSINESS

A closed or executive session will follow for the purpose of consideration of matters for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting" Law where personnel and property matters will be presented.

VII. EXECUTIVE SESSION

CALLED CANTON CITY COUNCIL MEETING
THURSDAY, FEBRUARY 16, 1989
7:30 P.M.

The Canton City Council met for a called meeting in the City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Don Hackney, Raymond Pruitt, Beth Whitaker, and Ronnie Fugate.

Mayor Teal called the meeting to order and the invocation was given by Ronnie Fugate.

The council set the City Election for Saturday, May 6, 1989. Raymond Pruitt seconded the motion and all were in favor.

Jack Etheridge introduced and motioned for the adoption of the following ordinance:

AN ORDINANCE PROHIBITING THE OPERATION OF FLEA MARKETS WITHIN THE CITY LIMITS OF THE CITY OF CANTON, TEXAS AND IT'S EXTRA-TERRITORIAL JURISDICTION WITHOUT A LICENSE; PROVIDING REQUIREMENTS FOR ISSUANCE OF LICENSE; PROVIDING FOR INSPECTION OF FLEA MARKET PREMISES AND RECORDS; PROVIDING FOR THE FEES TO BE CHARGED THEREFORE; PROVIDING A PENALTY FOR VIOLATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Raymond Pruitt seconded the motion. Don Hackney abstained due to a possible conflict of interest. Councilman Hackney signed a statement prepared and notarized by attorney Roxie Cluck stating his reasons for abstaining. All others were in favor.

Acting city attorney, Roxie Cluck, read the entire ordinance and a news release prepared by the mayor explaining the council's reasons for the passage of the above ordinance. The news release is to be published in the next edition of the Canton Herald.

There being no further business for discussion, the executive session was deleted.

Meeting adjourned.

_____
Mayor Dennis Teal, D.C.

ATTEST:

_____
Al Campbell, City Secretary

A G E N D A
CANTON CITY COUNCIL MEETING
February 21, 1989
6:30 P.M.

I. MAYOR'S WELCOME

II. INVOCATION

III. READING OF THE MINUTES

IV. FINANCIAL STATEMENT

V. GUEST ITEMS

VI. DISCUSSION AND AWARDING OF CONTRACT FOR MOWING FIRST MONDAY GROUNDS

VII. DISCUSSION CONCERNING REQUEST FOR WATER TAPS OUTSIDE CITY LIMIT

VIII. DISCUSSION BIO-WASTE PICK UP CHARGE

IX. DISCUSSION CONCERNING EMPLOYEE UNIFORMS

X. DISCUSSION CONCERNING LANDFILL

XI. DISCUSSION CONCERNING SEWER LINE

XII. DISCUSSION CONCERNING HAYFEST

XIII. CONSIDERATION OF HIGH SCHOOL ANNEXATION

XIV. CONSIDERATION OF HIGH SCHOOL SEWER LINE

XV. APPOINTMENT OF INDUSTRIAL BOARD

XVI. DISCUSSION AND POSSIBLE PASSAGE OF FLEA MARKET GUIDELINES

XVII. APPROVAL OF TEMPORARY BUSINESS PERMIT

XVIII. NEW AND OLD BUSINESS

A closed or executive session will follow for purpose of consideration of matters for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting" Law where personnel and property matters will be presented.

XIX. EXECUTIVE SESSION

POSTED ON CITY HALL WINDOW FEBRUARY 17, 1989, 11:30 P.M.

ATTEST:

Al Cupp

City Secretary

CANTON CITY COUNCIL MEETING
TUESDAY, FEBRUARY 21, 1989
6:30 P.M.

The City Council met for a regularly scheduled meeting in the City Hall with Mayor Teal presiding.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Jack Etheridge motioned that the minutes of the January 17, 1989 regular meeting, the February 7, 1989 urgent public necessity meeting, and the February 16, 1989 called meeting be approved as written. Raymond Pruitt seconded and all were in favor.

Don Hackney reviewed the financial statements. Jack Etheridged motioned for approval. Beth Whitaker seconded and all were in favor.

Joe Collins, representing the Chamber of Commerce, reported the plans for the bicycle tour in April were progressing well.

Dub McCreary with Comet Printing presented a copy of a new map of the city and asked that it be reviewed for any changes needed.

City Secretary, Al Campbell reported that he and Johnny Mallory had put together figures indicating that the city may be able to mow the First Monday grounds for less than the amounts received from the submitted bids.

Raymond Pruitt motioned to delay the awarding of a contract for mowing the First Monday grounds in order to further study the costs involved. Ronnie Fugate seconded and all were in favor.

Mayor Teal appointed a committee composed of Ronnie Fugate, Raymond Pruitt, and Don Hackney to study what the costs to the city would be to mow the First Monday grounds as opposed to the cost of using a contractor. The committee, along with Rayford Hutcherson, was instructed to prepare a recommendation to be presented to the council at the March regular meeting.

Ronnie Fugate motioned to approve the request for a water tap outside the city limits received from Devon Baugh. The water tap is to be located near the corner of College and Cherry Creek. Mayor Teal requested that the proper documents be signed by both Mr. Baugh and the new owner, as the property is to be sold, to avoid any future misunderstanding. Jack Etheridge seconded the motion to approve and all were in favor.

Ronnie Fugate motioned to approve the request for a water tap outside the city limits received from Charles Barber. The water tap is to be located near F.M. 3101. Al Campbell reported the line would need to be extended and that Mr. Barber had been advised that he would be responsible for the additional costs. Jack Etheridge seconded the motion for approval and all were in favor.

Concerning the bio-waste pick up charge, Mayor Teal reported that the new rules from the Texas Department of Health require that bio-waste picked up from dentists and physicians be handled in a special way. Gil Coil reported there were seven bio-waste pick ups on the list which are picked up every Wednesday, taken to the dump and buried separtely from any other garbage.

Beth Whitaker suggested that since most of those requiring bio-waste pick up are serviced twice weekly, one pick up could be for regular solid waste and the other for bio-waste only.

Mayor Teal instructed Al Campbell and Johnny Mallory to look into the increased costs involved and make a recommendation as to the fairest way to cover these costs.

Mayor Teal urged the council to consider providing uniforms for the city employees. Johnny Mallory reported the cost would be $5.50 per employee per week for one uniform per day. This price covers patches and the uniforms could be color-coded by department.

Ronnie Fugate motioned that the city provide uniforms for the employees. Don Hackney seconded and all were in favor.

Mayor Teal reported that no real solution had been reached concerning the city's land 11. If our landfill remains open after December 31, 1989, the city will be liable for any leakage for thirty years. Should the landfill be closed prior to December 31, 1989, the city's liability would be for five years.

Councilman Don Hackney requested that Al Campbell contact an East Texas commercial landfill to obtain the cost of a ten year lease and maintain only a transfer station in the city.

Al Campbell reported a representative from the county had agreed to accompany him to view an incinerator.

Mayor Teal appointed a committee composed of Don Hackney, Jack Etheridge, Johnny Mallory, and Al Campbell to make monthly reports to the council of progress made toward a solution. This item is to appear on the regular meeting agenda for a period of sixty to ninety days. The conclusion of the committee's work will be to make a recommendation as to whether the city should or should not close the landfill.

Mayor Teal requested that the council confirm it's previous decision to accept only solid waste at the landfill coming from inside the city limits after April 1, 1989. This item is to appear on the March regular meeting agenda.

Item XI and XIV on the agenda both concern the high school sewer line. Item XIV was deleted.

Discussion was held concerning acceptance of approximately 1700' of sewer line from the new high school located on Highway 243. The new line is to be tied in at Highway 243 and Towles Rd. Don Hackney motioned to accept sewage from the new high school building barring any unforseen problems arising from the engineering study. Jack Etheridge seconded and all were in favor.

Item XII, Discussion Concerning Hayfest, was discussed after Item XIII, Consideration of High School Annexation.

City Secretary, Al Campbell presented the Petition for Annexation of 9.33 acres received from the Canton Independent School District for the new high school located on Hughway 243. Jack Etheridge motioned to accept the Petition for Annexation. Don Hackney seconded and all were in favor.

The required ordinances and public hearings are to be scheduled for the March and April regular council meetings.

In discussion concerning the Hayfest, Beth Whitaker repordted she had discussed with Joe Collins that the Chamber of Commerce co-sponsor the Hayfest. Mr. Collins reported the Chamber of Commerce wished to cooperate with the city in promoting the Hayfest. Mayor Teal appointed Raymond Pruitt and Beth Whitaker to oversee expenses and to serve as a laison between the city and the Chamber of Commerce.

Mr. Bob Day addressed the council concerning the creation of the Canton Industrial Development Corporation. The council reviewed the bylaws and the articles of incorporation. Mr. Day explained the council would need to designate a registered office, and the number and names of the directors.

Mayor Teal requested each councilmember, excepting the mayor submit the name of one person to serve on this board by Monday, February 27, 1989. The five persons selected by the council, together with Al Campbell and Raymond Pruitt, will comprise the board of directors.

Don Hackney motioned for the approval of the following resolution:

A RESOLUTION by the City Council of Canton, Texas, approving and authorizing the creation of the "Canton Industrial Corporation" to act for and on behalf of the City pursuant to and in accordance with the provisions of the Development Corporation Act of 1979, as amended; approving the articles of incorporation for it's creation and the initial bylaws governing its affairs; appointing the initial board of directors therefor; and making certain findings, recitals,

ORDINANCE NO. 89-3

AN ORDINANCE PROHIBITING THE OPERATION OF A TEMPORARY BUSINESS WITHIN THE CITY LIMITS OF THE CITY OF CANTON, TEXAS AND ITS EXTRA-TERRITORIAL JURISDICTION WITHOUT A PERMIT; PROVIDING REQUIREMENTS FOR ISSUANCE OF PERMIT; PROVIDING FOR INSPECTION OF BUSINESS PREMISES AND RECORDS; PROVIDING FOR FEES TO BE CHARGED THEREFOR; PROVIDING A PENALTY FOR VIOLATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it has been determined that due to the transitory nature, unpredictability and instability of temporary businesses, adequate planning and the imposition of additional rules, restrictions and regulations governing said businesses are necessary for the protection, prosperity, economic growth and stability and general welfare of the general public and the citizens of the City of Canton, Texas.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF CANTON, TEXAS, THAT:

IT SHALL BE UNLAWFUL FOR ANY PERSON, GROUP OF PERSONS, OR ENTITY TO CONDUCT OR OPERATE A TEMPORARY BUSINESS WITHIN THE CITY OF CANTON AND ITS EXTRA-TERRITORIAL JURISDICTION WITHOUT A PERMIT. SAID PERMIT SHALL BE POSTED ON THE PREMISES WHERE THE BUSINESS IS BEING CONDUCTED AT ALL TIMES.

Section 1. Definitions. As used in this Ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

TEMPORARY BUSINESS: The sale of goods or services conducted by any person, group of persons or entity that does not have a permanent address in the city and that is operated in the city for one hundred twenty (120) consecutive hours or less or operating out of a vehicle, truck, trailer, or other mobile unit.

BUSINESS: Any marketing activity conducted for the sale of goods or services for a profit.

Section 2. Permit required. No person or entity shall operate a temporary business within the city or its extra-territorial jurisdiction without first obtaining a permit from the City Secretary. The permit shall be displayed on the premises where said business is being conducted during all business hours.

Section 3. Application for Permit. Any application for a permit to operate a temporary business under this ordinance shall be made through the City Secretary's office upon forms provided by the City (unless provided by specific Ordinance otherwise). Such application shall be sworn to or affirmed and filed with the City Secretary at least twenty-four (24) hours prior to the time in which the permit applied for shall become effective. The application required herein shall contain the following information:

(a.) The name and address of the person applying for the permit.

(b.) If the applicant is not an individual, the names and addresses of the applicants' registered agent and registered office, and of the applicants' principal officers and managers.

(c.) The name and address of the person or persons who will be in direct charge of conducting the temporary business.

(d.) The time within which the temporary business will be operated and the location of the business in the city.

(e.) The signature of the party on whose property the temporary business shall be located.

(f.) A statement of the types of merchandise, goods, or services that will be offered the public.

(g.) Such additional information as may be required hereafter by Ordinance or otherwise enacted by the City Council.

Section 4. Investigation by the City Secretary's Office. The City Secretary shall examine each application filed under this Ordinance for a permit and shall make, or cause to be made, such further investigation of the application and the applicant as the City Secretary shall deem necessary. The permit will be issued when the City Secretary determines the following facts:

(a.) That all of the Statements made in the application are true.

(b.) That the applicant has not engaged in any fraudulent transaction or enterprise.

(c.) That nothing in the proposal will violate any provision of the Zoning Ordinance for the City of Canton, Texas, or any other law or ordinance.

(d.) That all regulations and restrictions governing same enacted by the City Council of the City of Canton, Texas now or hereafter have been complied with.

Section 5. Fees for permit. Before a permit is issued there shall be paid to the City Treasurer of the City of Canton, Texas, the sum of TEN AND NO/100 DOLLARS ($10.00) for a permit which allows the temporary business to operate at one location for one hundred twenty (120) hours or less within the City. A ONE HUNDRED AND NO/100 DOLLARS ($100.00) permit shall also be available on an annual basis, but that permit shall be for only one hundred twenty (120) consecutive hours at a time and shall be for only one location.

Section 6. Permit nontransferable. Any permit issued under this Ordinance shall be nontransferable.

Section 7. Termination of permit. All annual permits shall terminate on the 31st day of December of the same year the permit is issued unless provided by Ordinance otherwise.

Section 8. **Any person, firm or corporation violating any provision of this ordinance shall be fined not less than TWENTY AND NO/100 DOLLARS ($20.00) nor more than TWO HUNDRED AND NO/100 DOLLARS ($200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.**

Section 9. Entry on premises. No person shall refuse entry to any City inspector attempting to enter any premises for the purpose of inspection, if such entry is attempted during business hours or during reasonable hours after business hours when there are employees on the premises to let the inspector in. Such entry shall be permitted not only to areas open to the public but also to all other areas, provided that no employee shall be required to accompany any inspector in any area that the employee deems to be dangerous, if the employee tells the inspector that the area is in the employee's opinion dangerous.

9.0 Identification. It is the policy of the City that immediately upon arriving at the premises to be inspected, the City inspector ordinarily will identify himself or herself to an employee on the premises, showing an identification card if the employee is not acquainted wth the inspector. If there is no employee at the scene, the inspector may enter any area that is open to the public at that time without identifying himself.

9.1 Court Action. If a City inspector is not permitted to enter any place or any part of any premises for inspection, the inspector shall not use force but shall leave the premises and seek a search warrant or other appropriate order to make entry possible.

9.2 **Penalty. Any person, firm or corporation violating any provision of this Section shall be fined not less than TWENTY AND NO/100 DOLLARS ($20.00) nor more than ONE THOUSAND AND NO/100 DOLLARS ($1,000.00) for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.**

Section 10. Permit Appeals. The method of appealing a decision involving a temporary permits, such as refusal to issue a permit or action suspending or revoking a permit is as follows:

10.0 Scope. This Section shall apply to all appeals from any action of any city officer or employee, appeals from any committee or other body of the City refusing to issue a permit. This section shall also apply to appeals from any action by a city officer or employee, or by any committee or other body to the city, revoking or suspending a permit.

10.1 Appeal to department head. Any decision made by an employee of the city with a lower rank than a department head may be taken to the head of the department in which the employee is working. Such appeal may be taken by filing a written note, notice or letter with the department head, briefly describing the decision being appealed. The person taking the appeal must file the note, notice or letter within ten (10) days of the date of being notified of the decision from which the appeal is taken. The department head shall provide an opportunity for a conference, and shall decide the appeal promptly.

10.2 Appeal to City Council. Any decision made by a department head, whether an original decision or a decision on appeal from an employee's decision, may be appealed to the City Council. Any decision made by a committee or board of the City may be appealed to the City Council. Such appeals shall be taken within ten (10) days of the date that the person taking the appeal was notified of the decision from which the appeal is taken. Appeals shall be taken by filing a note, notice or letter with the City Secretary, identifying the decision from which the appeal is taken.

10.3 Action by City Council. The City Council shall take all action on permit appeals at open meetings. All requirements of state law on open meetings shall be observed. The City Council's decision shall be final, subject to the right to contest the matter in an appropriate court action.

Section 11. Miscellaneous provisions. Nothing in this Ordinance shall repeal any other ordinance concerning temporary businesses.

The provisions of this Ordinance are severable. If any provision of this Ordinance or the application thereof to any person, entity or set of circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application.

A public emergency and necessity exists for the passage of this Ordinance, and therefore this Ordinance is passed on the date of its introduction and shall take effect and be in force immediately.

PASSED AND APPROVED THIS 21st DAY OF FEBRUARY, 1989.

DENNIS W. TEAL, MAYOR
The City of Canton, Texas

ATTEST:

AL CAMPBELL, CITY SECRETARY
The City of Canton, Texas

REQUIREMENTS FOR OBTAINING A FLEA MARKET LICENSE

As used in these requirements, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

FLEA MARKET: A market, indoors or out of doors, where new or used items are sold from individual locations, with each location being operated independently from the other locations. Items sold include but are not limited to household items, antiques, plants, rare items, machinery, guns and knives, jewelry, ceramics, arts and crafts, furniture, novelties, clothing, new and used books and magazines, livestock, and food concessions.

FLEA MARKET SELLER: A person, firm or corporation selling items or offering items for sale at a flea market.

CITY INSPECTOR: Any employee or officer of the City assigned to make inspections, any independent contractor retained by the City to make inspections and any employee of an independent contractor retained by the City to make inspections.

LICENSE YEAR: The calendar year period from January 1 to December 31 of that same year.

Only one license shall be required for each flea market, and the individual flea market sellers shall not be required to obtain a license under this section. The fee for such license shall be one hundred fifty and no/100 dollars ($150.00) per year, to be paid prior to issuance. The license shall be posted or displayed on the premises where the business is being conducted during all business hours.

THE FOLLOWING REQUIREMENTS MUST BE PROVIDED AND MET TO OBTAIN A LICENSE:

1. The name and address of the person, firm or corporation applying for the license.
2. A legal description of the property upon which the flea market will be operated. Applicant must present a plat showing the number of planned lots, the size of each lot, and the total acreage. ~~An open-air lot is not to exceed twelve (12) feet in width~~.
3. If the applicant is not an individual, the names and addresses of the applicant's registered agent, its principal officers and members.
4. The name and address of the person or persons who will be in direct charge of conducting and operating the flea market.
5. The time within which the flea market will be operated and the location of the business in the city or otherwise.
6. Any application for license must also be signed by the party on whose property the flea market shall be located.
7. Proof of bonded management must be furnished to the City of Canton.
8. Applicant must execute a Release of Liability and Indemnity Contract with the City.

9. Permanent restroom facilities must be furnished at a ratio of two (2) female stalls per 100 lots and one (1) male stall per 100 lots.

10. Adequate security lights are required to cover premises of the flea market.

11. Water shall be metered. Water and sewer charges will be based upon commercial rates with the City of Canton.

12. No vehicles, concessions, merchandise, or other non-permanent structures to remain on premises other than during market hours.

13. All structures will require an approved Building Permit from the City of Canton.

14. Applicant must supply the number of individual businesses located in structured buildings. Each business is required to have a Temporary Vendors Permit.

15. The Flea Market Manager will be responsible for collecting all fees from vendors. (Temporary Vendor Permits will be provided by the City to the Flea Market Manager) The Manager is also responsible for delivering records and fees to the First Monday Office, located in Canton City Hall, ~~one (1) day~~ following each operating period. by 15th of mo.

16. The premises must be cleaned within four (4) days following each operating period. Consideration of adjoining property should be included in clean-up.

17. The Flea Market facilities and records will be open to on-premise inspections by a City Inspector.

18. Once received, the Flea Market License is nontransferable upon the sale of the property.

THE CITY OF CANTON RESERVES THE RIGHT TO SUSPEND OR CANCEL A FLEA MARKET LICENSE UPON VIOLATIONS OF REQUIREMENTS IF NOT CORRECTED WITHIN REASONABLE TIME.

and provisions in regard to said corporation and matters incident and related to its establishment, operations, and affairs.

Raymond Pruitt seconded the motion and all were in favor.

Acting city attorney, Roxie Cluck explained that the proposed Temporary Business Ordinance was designed to correspond with the Flea Market Ordinance recently passed by the council. The Temporary Ordinance covers all temporary businesses within the city and its extra-territorial jurisdiction; not those falling under the Flea Market Ordinance; but those businesses operating strictly as individual sellers who come in temporarily and set up for five days or 120 hours or less. Ms. Cluck read the entire ordinance to the council.

After discussion, comments, and questions arising from the audience, Don Hackney motioned to table action on the ordinance until the March regular meeting. Due to the lack of a second the motion failed.

Beth Whitaker motioned to approve the following ordinance:

AN ORDINANCE PROHIBITING THE OPERATION OF A TEMPORARY BUSINESS WITHIN THE CITY LIMITS OF THE CITY OF CANTON, TEXAS AND ITS EXTRA- TERRITORIAL JURISDICTION WITHOUT A PERMIT: PROVIDING REQUIREMENTS FOR ISSUANCE OF PERMIT: PROVIDING FOR INSPECTION OF BUSINESS PREMISES AND RECORDS: PROVIDING FOR FEES TO BE CHARGED THEREFOR: PROVIDING A PENALTY FOR VIOLATION: AND PROVIDING FOR AN EFFECTIVE DATE.

Raymond Pruitt seconded the motion. Don Hackney voted against. All others were in favor.

Al Campbell read the proposed Requirements for Obtaining a Flea Market License. Two corrections were made.

The mayor called a five minute recess in order to provide copies of the proposed Requirements for Obtaining a Flea Market License and the Temporary Business Ordinance to those requesting copies.

Beth Whitaker explained to those attending the meeting that the recent decisions made by the council were to protect our city. She said that the council wants growth but it must be organized growth. She felt all would agree that we do not want a line of flea markets from here to Highway 80, with no organization or control that would present a bad image to our city. If there is a flea market with left over buses, tables, chicken crates, etc., it ruins the community for us all.

The problem we face, she said, is that we don't want an ordinance with so few restrictions that these things are possible nor do we want too many requirements that create problems for our existing markets. Should a group of individuals from out of state finance a flea market in our city, we want to know who they are, if they are responsible, and insist that they abide by these requirements to help protect our community.

We have reached a point that something must be done, she said, and we want to make sure that as a council we have protected the people against anything disgraceful or deprived them of the best quality of life available.

Raymond Pruitt motioned to adopt the Requirements for Obtaining a Flea Market License with the corrections made. Beth Whitaker seconded the motion. Don Hackney voted against. All others were in favor.

As there was no New of Old Business to be discussed, the council retired to executive session.

After returning to open session, there was no further action taken.

Meeting adjourned.

Mayor Dennis Teal, D.C.

ATTEST:

City Secretary

A G E N D A
CANTON CITY COUNCIL WORKSHOP MEETING
MARCH 14, 1989
6:30 P.M.

I. MAYOR'S WELCOME

II. INVOCATION

III. GUEST ITEMS

IV. DISCUSSION OF FLEA MARKET ORDINANCE

V. DISCUSSION OF TEMPORARY BUSINESS PERMIT ORDINANCE

VI. NEW AND OLD BUSINESS

A closed or executive session will follow for the purpose of consideration of matters for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting Law" where personnel and property matters will be presented.

VI. EXECUTIVE SESSION

POSTED ON CITY HALL WINDOW MARCH 10th, 1989 at 4:30 P.M.

ATTEST:

Al Caldwell
City Secretary

CANTON CITY COUNCIL WORKSHOP MEETING
MARCH 14, 1989
6:30 P.M.

The Canton City Council met for a called wordkshop meeting in the City Hall with Mayor Teal presiding. Those atetending were Jack Etheridge, Don Hackney, Beth Whitaker, and Ronnie Fugate. Raymond Pruitt was absent.

Henry Lewis addressed the council and explained that as he leased to the city, the ordinances to be discussed do not affect him. However, he said, they have a devastating effect on Mr. Curry. They also cause a problem for Mr. Hackney because he is negotiating his lease with the city and the ordinances hurt the value of Lonnie Browning's land and anyone else who leases lots. He said he didn't believe the council had these things in mind when the ordinances were passed.

Beth Whitaker explained that the ordinances were passed to protect the city and were not intended to hurt anyone. She said the ordinances may need amending and that the council was willing to listen tdo suggestions.

Henry Lewis said he would like the council to consider exempting Mr. Curry, Lonnie Browning, Bonny Sumner, and the people the ordinances hurt the most.

Mike Hackney addressed the council and explained he felt threatened by the ordinances. He said he would like to see the ordinances rescinded and a committee formed to construct an ordinance with a broader scope of the people involved and that would still protect the community.

Gerald Turner addressed the council and suggested that an ordinance be developed similar to a subdivision ordinance which would not prohibit growth but would regulate it.

Ed Tinkle spoke to the council and said he has heavily invested in his property and doesn't mind paying the taxes, but he feels the ordinances are unfair to private property owners outside the First Monday gates. He suggested the people affected get together and draw up an ordinance all could live with.

Mrs. Hackney addressed the council. She said that the formation of the First Monday Association will provide feedback as to the needs of the vendors.

Mayor Teal asked Mrs. Hackney if she felt it would be unreasonable for the council to ask the First Monday Association to fullfill its number one item in its charter, which is to make a recommendation to the council and present it formally at a regular council meeting. Something that would work better to protect the city. Mrs. Hackney replied that this would be a reasonable request and would be a positive step.

Earl Curry spoke to the council. He advised he felt the ordinances protected the city at the expense of a few. Mr. Curry stated he would also help the First Monday Associatdion in finding more agreeable ordinances.

It was asked why the zoning ordinance was not enough regulation.

Gerald Turner explained that zoning ordinances have been weakened due to a recent Supreme Court decision which allowed a property owner to use his property for its highest and best value, even though it didn"t comply with the zoning ordinance in that particular city.

Mr. Butts expressed concern regarding property values. He said he felt that restrictions should be wrditten in ordinances, rather than having to issue permits.

Connie Mora expressed concern that there was no voice coming from the dealers and that there was a need for increased communication between the dealers and the city.

Don Hackney requested that a committee be appointed composed of the First Monday Association and other citizens in town, in order that other views be heard, to work with the city in reworking these ordinances. The ordinances should be either rescinded or suspend them until such time that a more general consensus of opinion can be obtained. He said he felt the ordinances were too restrictive and that is why he disagreed with them.

Jack Etheridge agreed with Councilman Hackney on the appointment of committees. He said the council will discuss suspending the ordinances until something better can be worked out.

Beth Whitaker said she felt the ordinances were good in places and she hoped the council could work to amend them.

Ronnie Fugate said he felt the First Monday Association would be good and that it could be a sounding board that would be beneficial to the city.

Mayor Teal requested that Beth Whitaker, Ronnie Fugate, and Jack Etheridge meet on a daily basis to work with the First Monday Association and a committee of citizens, getting these people together to build a coalition and by next Tuesday night, make a recommendation that will be consensus of opinion that all can support. Mayor Teal appointed Ronnie Fugate as chairman, representing the council, as he is mayor pro-tem. Henry Lewis will represent the First Monday Associatdion as chairman, along with two others they select.

Several persons expressed concern that next Tuesday night may be too soon to present a recommendation.

Henry Lewis stated he would like to see the council commit to rescinding the ordinances next Tuesday night at the regular council meeting.

All Council members agreed that while they could not commit to rescinding the ordinances, they could agree to working on revising them.

It was agreed that the council representatives and the First Monday Association would meet together at 8:30 P.M. on Wednesday, March 15, 1989. The meeting will be open to the public.

New and Old Business and Executive Session, items VI and VII were deleted.

Meeting adjourned.

Mayor Dennis Teal, D.C.

ATTEST:

City Secretary

A G E N D A
CANTON CITY COUNCIL MEETING
MARCH 21, 1989
6:30 P.M.

I. MAYORS WELCOME

II. INVOCATION

III. APPROVAL OF MINUTES

IV. APPROVAL OF FINANCIAL STATEMENT

V. GUEST ITEMS

VI. CONSIDERATION OF SOLICITOR'S PERMIT REQUESTED BY EDDIE PARKS

VII. CONSIDERATION OF REQUEST FOR WATER TAP OUTSIDE CITY REQUESTED BY KAREN PROX

VIII. WATER BACK UP PROBLEM - ELMER BOYETTE

IX. REQUEST FOR HOTEL-MOTEL TAX FUNDS - CONNIE MORA

X. CONSIDERATION OF PROCLAMATION DECLARING APRIL 9 TO 15, 1989 AS VICTIM RIGHTS WEEK

XI. FIRST PUBLIC HEARING FOR ANNEXATION OF 9.33 ACRES FOR CANTON HIGH SCHOOL

XII. APPOINTMENT OF ELECTION JUDGES FOR MUNICIPAL ELECTION MAY 6, 1989

XIII. APPOINTMENT OF BOARD OF DIRECTORS FOR CANTON INDUSTRIAL DEVELOPMENT CORPORATION

XIV. COMMITTEE REPORT CONCERNING LANDFILL

XV. REQUEST FOR EXTENSION TO USE LANDFILL APRIL 1, 1989 - LINDA STARNES

XVI. CONFIRMATION OF PREVIOUS DECISION TO ACCEPT NO SOLID WASTE FROM OUTSIDE CITY LIMITS AFTER APRIL 1, 1989

XVII. CONSIDERATION OF AWARDING BID FOR FIRST MONDAY OFFICE BUILDING

XVIII. COMMITTEE RECOMMENDATION FOR MOWING FIRST MONDAY GROUNDS

XIX. COMMITTEE REPORT CONCERNING BIO-WASTE CHARGE

XX. COMMITTEE REPORT CONCERNING ORDINANCES 89-2 AND 89-3

XXI. CONSIDERATION OF REVISION OF ORDINANCES 89-2 AND 89-3

XXII. REPORT ON BLACKWELL HOUSE

XXIII. CONSIDERATION OF ALL MATTERS PERTAINING TO APPROVAL OF 89-90 BUDGET

XXIV. DISCUSS FIRST MONDAY MONUMENT

XXV. NEW AND OLD BUSINESS

A closed or executive session will follow for the purpose of consideration of matters for which closed or executive sessions are authorized by Section 2 (g) of Article 6252.17 of the Texas "Open Meeting" Law where personnel and property matters will be presented.

XXVI. EXECUTIVE SESSION

POSTED ON CITY HALL WINDOW MARCH 17, 1989 AT 11:30 A.M.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
MARCH 21, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Teal presiding. Those in attendance were Don Hackney, Jack Etheridge, Beth Whitaker, and Ronnie Fugate. Raymond Pruitt was absent.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Jack Etheridge motioned to approve the minutes as written for the February 21, 1989 regular meeting and the March 14, 1989 called workshop meeting. Ronnie Fugate seconded and all were in favor.

Don Hackney reviewed the financial statements. Jack Etheridge motioned for approval and Beth Whitaker seconded. All were in favor.

Dub McCreary with Comet Printing presented copies of the completed city map marked with points of interest. Mr. McCreary requested that the council decide how many will be needed and if they want them in color. Mayor Teal requested that this item be placed on the agenda for the April regular meeting.

Mr. Phil Elledge representing Stokes & Associates, reported that the flows at the sewer plant had been exceeding the designed capacity for the last several months. He said this flow could probably be attributed to inflow into the system. He recommended smoke testing the sewer system in order to find where the problems are and make the needed repairs, as notification from the Water Commission has been received instructing that something must be done.

Al Campbell reported that state funding may be available for smoke testing and that Mr. Elledge was checking into and making the arrangements to obtain some of these funds. Mayor Teal asked that Mr. Elledge have a specific recommendation prepared to present to the council at the April regular meeting. Mr. Elledge said he would respond to the notification from the Water Commission explaining that the problem is being attended to.

Henry Lewis requested that the city increase its advertising for First Monday as the last three First Monday weekends had been bad for the dealers due to the inclement weather. He also suggested the city consider recognizing long time First Monday dealers by awarding them with a certificate of recognition.

The request for a solicitor's permit received from Eddie Parks was denied because the application had no references listed. The application can be resubmitted after it is completed.

Ronnie Fugate motioned to approve the request for a water tap outside the city limits received from Karen Prox. The tap will be located in the Wynne Community. Don Hackney seconded the motion and all were in favor.

Mayor Teal instructed the Street Committee to review the rates for a water tap outside the city limits requiring a street cut and make a recommendation as to whether the rate is appropriate.

After discussion concerning a water back up problem received from Elmer Boyette who resides at 921 Big Rock, Mayor Teal requested that the Street Committee meet with Mr. Elledge and Mr. Boyette to study possible solutions.

Connie Mora addressed the council requesting funds from the Hotel-Motel Tax Fund for renovation of the old slaughter house, specifically for repairs to the chimney and for fencing. She estimated the cost to be $1200 to $1500. She also requested that the old fire engine be placed there for viewing by the public.

Mayor Teal requested acting city attorney, Roxie Cluck, to review the statutes involved in this project and Ms. Mora meet with the Tourism Committee as the request for funds would need to come from this committee.

Ronnie Fugate motioned for approval of the following Proclamation presented by Mothers Against Drunk Driving:

WHEREAS, violent crime is a serious, nationwide, problem; and

WHEREAS, physical, emotional and financial injury leaves many crime victims devastated; and

WHEREAS, victims of crime, including elder abuse victims, sexual assault victims, catastrophic physical injury victims, domestic assault victims, drunk driving crash victims, as well as surviving family members of murder, homicide, and drunk driving crash victims, need services, resources and compassionate treatment by all those who interact with them; and

WHEREAS, National Victim Rights Week is observed from April 9 to 15, 1989.

Don Hackney seconded the motion for approval and all were in favor.

The first public hearing for annexation of 9.33 acres belonging to the Canton Independent School District was opened for discussion. Mayor Teal asked if anyone had any comments for or against the annexation. Receiving no comments for or against, the first public hearing was closed. The second public hearing will be April 18, 1989.

Jack Etheridge motioned to appoint Barbara Brock to act as the presiding judge and Mary Wages as alternate judge for the May 6, 1989 City Officers Election. Ms. Brock and Ms. Wages will also serve as judge and alternate judge for the Absentee Ballot Board. Johnny Mallory will serve as deputy for the absentee voting by personal appearance.

Don Hackney seconded the motion for the appointments and all were in favor.

Don Hackney motioned for the appointment of the following persons to serve as the Canton Industrial Development Corporation Board of Directors:

Tommy Eubank	Al Campbell	Richard Ingram
Raymond Pruitt	Emmett Paul	Jim Thomas
Bill Bethune		

Jack Etheridge seconded the motion and all were in favor.

Don Hackney reported on the landfill situation and reported the committee's recommendation will be to close the landfill prior to December 31, 1989. He estimated the closing cost to be $25,000.00.

Don Hackney motioned to pursue a contract with a private landfill and to close the city's landfill prior to December 31, 1989. Starnes Trucking, Neighbor's Sanitation, and Ussery will be allowed to continue using the landfill until it closes.

Jack Etheridge seconded the motion and all were in favor.

Item XV, Request for Extension to Use the Landfill after April 1, 1989, and Item XVI, Confirmation of Previous Decision to Accept No Solid Waste from Outside City Limits After April 1, 1989 were included in the above motion and second.

The following bids were received for the First Monday office building:

David Langford Construction, Ft. Worth, TX	$39,890.00
Additional for porch	1,480.00
D.C. Tucker Construction, Van, TX	$39,171.00
Additional for porch	2,000.00

Al Campbell reported that the bids on this project came in over the costs anticipated and that he had discussed with the bidders the possible changes that will reduce the cost but will not take away from the quality of the building. The bidders are putting together figures based on these changes and will get back with him this week.

Beth Whitaker motioned to table action on the bids until the figures based on the changes to lower the costs can be obtained and studied. Jack Etheridge seconded and all were in favor.

Al Campbell reported that after studying the costs involved in mowing the First Monday grounds that the city could do the mowing for less per year than what the bids were.

Ronnie Fugate motioned to reject all bids received for mowing the First Monday grounds. Don Hackney seconded and all were in favor.

Concerning the bio-waste pick up charge, Al Campbell reported he had been in contact with a private firm that is now working on a route to provide these services at a competitive price.

Mayor Teal requested that the individual physicians and dentists in town be notified that this service will be available.

Ronnie Fugate gave the committee report concerning Ordinances 89-2 and 89-3. He reported that he, Beth Whitaker, and Jack Etheridge had met with Henry Lewis, Mike Hackney, and Gerald Turner. He said an agreement had been reached to drop the fee for a Flea Market Operator's License from $150.00 to $3.00 and the Temporary Business Permit fee be dropped from $10.00 to zero.

Councilman Fugate said the Requirements for Obtaining a Flea Market License were discussed. Item number eleven, which concerns non-permanent structures remaining after market hours was still open to discussion.

Henry Lewis expressed concern that Mr. Curry had structures that remained after market hours. Councilman Fugate suggested this item be discussed further and a final recommendation brought to the council at a later date.

After lengthy discussion, it was decided that items eleven, eight, fifteen, and twenty will be discussed a meeting of the First Monday Association and a final recommendation will be presented at the next workshop meeting. The item is also to be placed on the agenda for the April regular meeting.

Ronnie Fugate motioned to delete the permit fee requirement and have a $3.00 Flea Market Operator's License fee. Jack Etheridge seconded the motion. Don Hackney refrained from voting due to a possible conflict of interest. All others were in favor.

Beth Whitaker reported on the Blackwell house. She said the brick had been removed in order to apply for the 100 year plaque and the yard had been cleaned. She reported approximately $2,000.00 would be needed for painting, new faucets, etc. Don Hackney reported that $15,000.00 has been allocated for the Blackwell Estate in the upcoming budget, part of which will come from the Hotel-Motel Tax Fund.

Don Hackney motioned for approval of the following ordinance:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF CANTON FOR THE FISCAL YEAR BEGINNING APRIL 1, 1989, AND ENDING MARCH 31, 1990; APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF CANTON FOR THE 1989-90 FISCAL YEAR.

Jack Etheridge seconded the motion and all were in favor.

Ronnie Fugate reported on the First Monday monument which John Fincher is working on. Councilman Fugate presented a wax figurine representative of a man which will be part of the life-sized monument when completed. The final monument will be a three figure trade scene of two men and a dog. Mr. Fincher has named the monument "Talking Trade". Small versions of the monument will be sold at a cost of $50.00 to $75.00 each. These monies will be put into a fund to help finance the cost of the life-sized monument, estimated to be in excess of $30,000.00

Ronnie Fugate asked that the council consider amending the Garage Sale Ordinance to allow sales on Sunday. This item is to appear on the agenda for discussion at the next workshop meeting and on the agenda for the April regular meeting.

Ronnie Fugate reported he had visited with Dr. Dan Hilliard and he is still willing to mow the section of land near the sewer plant, but would like to be sure this is still acceptable. The council had no objection to this arrangement.

Mayor Teal reported on Senate Bill 806, which he instigated to relieve small cities of the burden of purchasing new fire trucks at intervals specified by the insurance commission. The bill has received the endorsement of 184 Texas cities and the Texas Municipal League. He said things look favorable for passage this session. Should passage occur, it will save our city about $130,000.00 in 1991 or 1992, as we will be able to continue to use the fire truck we now have which has only 6,000 miles on it.

The meeting recessed for five minutes before executive session.

After returning to open session, Don Hackney reported there is a possibility the city may be able to obtain surplus helicopters at no cost. Mr. Darryl Reynolds has offered to finance the cost and enter into a five year contract to fly and maintain a helicopter for county law enforcement. Councilman Hackney requested this item be placed on the agenda for the next regular meeting in April.

Don Hackney motioned that City Secretary, Al Campbell and Assistant, Johnny Mallory, be given a salary increase of $200.00 per month. Ronnie Fugate seconded and all were in favor.

Jack Etheridge motioned that Al Campbell negotiate with attorney Woody Roark a fair amount the city should pay for work Mr. Roark did on ordinances that were unacceptable to the city. Ronnie Fugate seconded the motion and all were in favor.

Meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

A G E N D A
CALLED CITY COUNCIL MEETING
APRIL 4, 1989
6:30 P.M.

I. MAYOR'S WELCOME

II. INVOCATION

III. GUEST ITEMS

IV. CONSIDERATION OF AMENDING REQUIREMENTS FOR OBTAINING A FLEA MARKET OPERATOR'S LICENSE

V. CONSIDERATION OF AWARDING BID FOR FIRST MONDAY OFFICE BUILDING

VI. CONSIDERATION OF OBTAINING SURPLUS HELICOPTERS

VII. CONSIDERATION OF NAMING ROAD TO BOAT RAMP

VIII. NEW AND OLD BUSINESS

A closed or executive session will follow for the purpose of consideration of matters for which closed or executive sessions are authorized by Section 2(g) of Article 6252.17 of the Texas "Open Meeting" Law where personnel and property matters will be presented.

IX. EXECUTIVE SESSION

Posted on City Hall window March 31, 1989 at 10:45 A.M.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
APRIL 4, 1989
6:30 P.M.

The Canton City Council met for a called meeting in City Hall. Those in attendance were Don Hackney, Jack Etheridge, Raymond Pruitt, and Ronnie Fugate. Beth Whitaker was absent.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Gordon Stauffer, representing the Future Fishermen Foundation, addressed the council concerning the possibility of a bass fishing tournament to be held in Canton.

Lengthy discussion was held concerning listing of the dealers renting from private flea market operators. Non-permanent structures remaining on the premises after market hours was also discussed.

The conclusion reached was that the committees meet again to try to work out a solution agreeable to all. The item is to be placed on the agenda for the regular council meeting April 18, 1989.

Bids for the First Monday office building were as follows:

D.C. Tucker, Van, TX	$38,899.00
David Langford, Ft. Worth, TX	$38,095.00

Ronnie Fugate motioned to accept the low bid of $38,095.00 received from David Langford. Raymond Pruitt seconded and all were in favor.

On consideration of obtaining surplus helicopters, Don Hackney explained that the city had been asked by several law enforcement agencies of cities in the county, including the county, to be the conservator of a surplus military helicopter to be used in police work county-wide. This will in no way be a financial burden to the city because we will be only the conservator for the equipment which will be housed in Wills Point under Mr. Reynold's care. He will operate the aircraft at the request of the different law agencies within the county at an operating cost of fuel and oil. Councilman Hackney stated it was his recommendation that the city go ahead with this since there is no cost to the city whatsoever.

Mr. Reynolds confirmed with the Mayor that it was true that all the continuing costs of maintenance and hanger costs will be, under contract, provided to the city at no cost to the city. Also included is the use of a pilot for up to ten hours per month. The only cost to the city will be for fuel and oil used when in use for the city.

Don Hackney motioned that the city be the conservator of the equipment to be in Mr. Reynold's care and that he will provide the contractual agreements as discussed. Ronnie Fugate seconded and all were in favor.

Item VII, Consideration of Naming Road to Boat Ramp, was deleted without objection from the council by Mayor Teal.

Ronnie Fugate reported that while the fees for a water tap outside the city are, if not less than others in the surrounding area, they were in line with others.

Councilman Fugate proposed that the city allow payments to be made for eighteen months for a water tap outside the city for those needing financial assistance. This item is to be placed on the agenda for the regular council meeting April 18, 1989.

Councilman Fugate requested the council consider closing a portion of the City Lake road to drive through traffic. He explained there is a portion of the road that is impossible for the police department to patrol. There is also a litter problem. He suggested that a gate be constructed that would block motor traffic but still allow people to walk through the area or ride bikes. This item is to be placed on the agenda for the regular council meeting.

Mayor Teal reported he had a request that the city lay out a walking trail on the First Monday grounds marked with the mileage. This item is to be placed on the agenda for the regular council meeting.

Don Hackney gave an update on the Blackwell property. He said an extensive clean up had been accomplished and the Wednesday Study Club had donated flowers for planting. The flowers have been planted and are being watered.

Gene Levine updated the council on the bike tour planned this month. He reported that well over 1,000 bikers are anticipated.

Zettie Davis added that some of the group would be visiting Tyler's bike tour to observe their procedures.

Ralph Stokes reported to the council that he had been approached by the Canton Independent School District concerning a sewer main at the new high school. He gave the council cost estimates he had prepared. He explained the school planned to tie into the sewer at Towles Rd. and Highway 243 and had budgeted for that route. He said he felt an alternate route should be considered as the alternate route would allow for expansion at the north end of Avenue C, as well as the W. College and Cherry Creek Rd. area. Mr. Stokes explained the city and the land owner whose property will be crossed will benefit from the school using the alternate route and if the land owner and the city cooperate, the school would be willing to turn this into a city project and the school would pay the $28,000 budgeted. Mr. Stokes reported the land owner had agreed to donate the land for the right of way at no cost and to pay one half of the cost. The method of payment would be one half paid up front and the other half to be paid when the property is developed.

Raymond Pruitt stated the council was unwilling to do anything at this time.

Mayor Teal suggested the council look into this and do what is best for the school.

Ronnie Fugate asked Mr. Stokes which route would be best for the city. Mr. Stokes said the alternate route would allow development of 150 acres into homesites and the city would acquire the sewer line for less than $4.00 per foot, which is practically unheard of.

Mayor Teal stated the council would take a fresh look at the proposal.

The meeting recessed for five minutes before the council retired to executive session.

After returning to open session with no action to be taken, the meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, APRIL 18, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

I. MAYOR'S WELCOME

II. INVOCATION

III. CONSIDERATION AND ACTION TO APPROVE MINUTES

IV. CONSIDERATION AND ACTION TO APPROVE FINANCIAL STATEMENTS

V. GUEST ITEMS

VI. CONSIDERATION AND ACTION TO APPROVE RESOLUTION ADOPTING LOCAL HOMESTEAD AND OVER 65 EXEMPTION FOR 1989 TAX YEAR

VII. CONSIDERATION AND ACTION TO PURCHASE CITY LOCATOR MAPS

VIII. CONSIDERATION AND ACTION REGARDING PAYMENT PROCEDURES FOR WATER TAPS OUTSIDE CITY LIMITS

IX. CONSIDERATION AND ACTION REGARDING REQUESTS FOR WATER TAPS OUTSIDE CITY LIMITS

X. CONSIDERATION AND ACTION REGARDING REQUEST FOR PERMISSION TO COMPILE COMPUTERIZED SELLERS LIST FOR FIRST MONDAY

XI. DISCUSSION CONCERNING FIRST MONDAY CONCESSION LIST

XII. CONSIDERATION AND ACTION REGARDING SMOKE TESTING OF SEWER SYSTEM

XIII. CONSIDERATION AND ACTION TO AMEND REQUIREMENTS FOR OBTAINING A FLEA MARKET LICENSE

XIV. PROCLAMATIONS:

A. REALTORS CALL ATTENTION TO THE IMPORTANCE OF PRIVATE PROPERTY OWNERSHIP AND PROPERTY IMPROVEMENT; AND PROCLAIMING THE APRIL 30 - MAY 6, 1989 TO BE AMERICAN HOME WEEK.

B. CREATING AWARENESS OF THE IMPORTANCE OF THE CONSUMER IN THE NATION'S ECONOMY AND; PROCLAIMING THE WEEK BEGINNING APRIL 23, 1989 AS NATIONAL CONSUMERS WEEK

XV. CONSIDERATION AND ACTION TO APPROVE RESOLUTION SUPPORTING THE BUDGET FOR THE TEXAS FOREST SERVICE

XVI. CONSIDERATION AND ACTION TO AMEND GARAGE SALE ORDINANCE TO ALLOW SALES ON SUNDAY

XVII. CONSIDERATION AND ACTION TO CLOSE OFF PORTION OF CITY LAKE ROAD TO AUTOMOBILE TRAFFIC

XIX. CONSIDERATION AND ACTION REGARDING MILEAGE-MARKED WALKING TRAIL ON FIRST MONDAY GROUNDS

XX. CONSIDERATION AND ACTION REGARDING BLACKWELL ESTATE

A. COST ESTIMATES FOR PAINTING
B. NAMING OF COMMITTEE TO OVERSEE RESTORATION
C. FINANCIAL REPORT

XXI. DISCUSSION CONCERNING LANDFILL

XXII. CONSIDERATION AND ACTION TO AWARD BID FOR BANK DEPOSITORY

XXIII. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN. ART. 6252.17, Section 2 (e), Section 2 (f), and Section 2 (g).

XXIV. EXECUTIVE SESSION

A. CITY COUNCIL TO DISCUSS WITH ATTORNEY PENDING OR CONTEMPLATED LITIGATION

B. CITY COUNCIL TO DISCUSS LEASE OF PROPERTY

C. CITY COUNCIL TO DISCUSS HIRING OF NEW EMPLOYEE

XXV. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION.

XXVI. ADJOURN

POSTED ON CITY HALL WINDOW APRIL 14, 1989 AT 11:30 A.M.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
CANTON CITY HALL
APRIL 18, 1989, 6:30 P.M.

The Canton City Council met in regular session with Mayor Teal presiding. Those in attendance were Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker.

Mayor Teal reported on Senate Bill 806, saying the bill was out of committee with no dissenting votes and is set on the calendar for the Senate. Multiple telephone calls have been received from people in the House asking to carry the legislation. Should this legislation pass, it will save the city up to $130,000.00 in 1991 or 1992.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Mayor Teal asked that the minutes of the March 21, 1989 meeting be corrected. Item II on the agenda concerning committee report on Ordinances 89-2 and 89-3 should reflect the deletion of Ordinance 89-3. The first paragraph concerning this item should read: Ronnie Fugate gave the committee report concerning Ordinance 89-2.

Jack Etheridge motioned to approve the minutes as written with the correction noted. Raymond Pruitt seconded and all were in favor.

Don Hackney reviewed the financial statements. He reported a surplus of $334,747.70 for the end of the fiscal year. Jack Etheridge motioned to approve the financial statements. Raymond Pruitt seconded and all were in favor.

Zettie Davis reported on the upcoming bicycle tour. She said 280 were now registered. She stated that the council had approved $5,000 for this event, but only $1,500 more would be needed, making a total of $3,000 provided by the city.

Don Hackney motioned for adoption of the following:

RESOULUTION ADOPTING LOCAL HOMESTEAD EXEMPTIONS FOR THE TAX YEAR OF 1989 (COPY ATTACHED)

Jack Etheridge seconded and all were in favor.

Regarding the city locator maps, the council instructed Dub McCreary of Comet Printing to use his discretion for the color selection.

Ronnie Fugate motioned to purchase 25,000 of the maps at a cost of $1,750. Jack Etheridge seconded and all were in favor.

Item VIII, Consideration and Action Regarding Payment Procedures for Water Taps Outside the City Limits was deleted without objection from the council.

Ronnie Fugate motioned to approve the requests for water taps outside the city limits received from Carl T. Cook and William J. Sloan. Jack Etheridge seconded and all were in favor.

On Consideration and Action Regarding Request for Permission to Compile Computerized Sellers List for First Monday, acting city attorney, Roxie Cluck, advised that further consideration be given this matter before a decision is reached by the council.

Don Hackney motioned to table this item and reschedule for the May 16, 1989 regular meeting. Raymond Pruitt seconded and all were in favor.

Item XI, Discussion Concerning First Monday Concession List, was deleted due to the absence of Mark Terhegger, who requested the item.

On Consideration and Action Regarding Smoke Testing Sewer System, Mayor Teal reported no action was required and a smoke testing devise was being obtained from the engineering firm at no cost.

Raymond Pruitt motioned for approval of the following Proclamation:

WHEREAS, each year, REALTORS call attention to the importance of private property ownership, as well as property improvement within the community:

THEREFORE, I, Dennis Teal, Mayor of the City of Canton, proclaim April 30 - May 6, 1989 to be American Home Week.....

Beth Whitaker seconded the motion and all were in favor.

Ronnie Fugate motioned for the approval of the following Proclamation:

WHEREAS, The week beginning april 23, 1989 is the eighth annual National Consumers Week; and

WHEREAS, the 1989 theme "Consumers Open Markets" acknowledges the powerful role consumers play in our nation's economy; and .....

Raymond Pruitt seconded the motion and all were in favor.

Ronnie Fugate motioned for the approval of the following Resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS SUPPORTING THE BUDGET FOR THE TEXAS FOREST SERVICE AS RECOMMENDED BY THE HOUSE AGRICULTURE/LIVESTOCK COMMITTEE.

Raymond Pruitt seconded the motion and all were in favor.

Ronnie Fugate motioned to amend the Garage Sale Ordinance to allow sales on Sunday. Jack Etheridge seconded and all were in favor.

Acting city attorney, Roxie Cluck, was instructed to prepare the amended ordinance for presentation at the May 16, 1989 council meeting.

The second public hearing for annexation of 9.33 acres for Canton High School was opened. Mayor Teal asked if anyone had any comments for or against the annexation. Receiving no comment for or against, the second public hearing was closed.

Ronnie Fugate motioned to close off one-eighth mile of the City Lake Rd. to automobile traffic, leaving an opening for walkers and bikers. Jack Etheridge seconded the motion and all were in favor.

On Consideration and Action Regarding a Mileage-Marked Walking Trail on First Monday Grounds, Al Campbell was asked by the council to present a specific plan and cost estimates for a walking trail at the May 2, 1989 workshop meeting.

Beth Whitaker presented 3 price quotes for painting the Blackwell house and motioned that the quote of $1,800 received from H.C. Wilson be accepted. Don Hackney seconded the motion and all were in favor.

Councilmember Whitaker also presented a report of the amounts spent on the restoration so far, which totaled $1,297.95.

Raymond Pruitt requested that a professional in restoration be contacted to advise on this project.

Mrs. Whitaker presented the following names of citizens willing to serve on the committee to oversee the restoration:

Lucia Deen, Joyce Seveir, Larue Cooper, Pat Hackney, Billie Gilmer, Herman Gullett, David Norman, Royce Keahey, and Harry Minton.

Mrs. Whitaker said there were other names to be added, but have not been contacted.

Al Campbell reported on the landfill. He said that he was in the process of obtaining specifications and guidelines and that the closing should run as scheduled for closing in December.

Don Hackney motioned to award the bid for a bank depository to First National Bank of Canton, which was the only bid submitted. Ronnie Fugate seconded the motion. Those voting in favor were Don Hackney, Ronnie Fugate, and Jack Etheridge. Those opposing were Beth Whitaker and Raymond Pruitt. Motion carried.

Ronnie Fugate requested that consideration be given to making improvements to the Old City Lake. This item is to be placed on the workshop agenda for May.

Ronnie Fugate also requested that consideration be given placing a rail on the fishing pier and that signs are needed saying "No Swimming or Fishing, for Boats Only" for the boat dock. This item is to be placed on the agenda for the regular meeting in May.

Beth Whitaker requested that consideration be given to putting up information signs to help visitors locate points of interest. This item is to be placed on the agenda for the workshop in May.

Don Hackney requested that discussion concerning the landfill be placed on the agenda for the regular meeting in May.

Mayor Teal requested that water pressure problems, especially on Tower Street, be placed on the agendas for the regular and the workshop meetings in May.

Mayor Teal also requested summer water rates be placed on the agenda for the regular meeting in May.

The meeting recessed for ten minutes before the council retired to executive session.

After returning to open session, no action was taken concerning items discussed in executive session.

Meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
8:00 P.M., THURSDAY, APRIL 27, 1989
CITY HALL, 290 E. TYLER ST.
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION AND ACTION CONCERNING FIRST MONDAY FENCING

5. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, Section 2 (f) and Section 2 (e).

6. EXECUTIVE SESSION

   A. CITY COUNCIL TO DISCUSS H & T LEASE

   B. CITY COUNCIL TO DISCUSS H & T LITIGATION

   C. CITY COUNCIL TO DISCUSS LEWIS LITIGATION

7. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

8. ADJOURN

Posted on City Hall window April 24, 1989, 2:15 P.M.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
APRIL 27, 1989
8:00 P.M.

The Canton City Council met in the City Hall for a called meeting. Those in attendance were Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Jan Malone, 847 Avenue A, addressed the council concerning problems resulting from the recent street work. She said her yard was a foot above her driveway and that she needed some kind of retainer to hold the dirt in. She also said the yard was steep to the road, making it difficult to mow.

Concerning First Monday fencing, Mayor Teal reported there is property adjoining the First Monday grounds that is not leased or owned by the city. He expressed concern as to the city's liability and that at one point our liability carrier had advised some kind of demarkation between private property and property owned or leased by the city. He said signs may be adequate or we may need some kind of small fence. He said he felt there was not enough information to take action at this time. He appointed Raymond Pruitt and Ronnie Fugate to look into this matter, obtaining the advise of the liability carrier as to the best interest of the city. Mayor Teal requested a report be brought back as soon as possible.

The meeting was recessed for five minutes before the council retired to executive session at 8:17 P.M. to discuss the H & T lease and litigation and the Lewis litigation.

The council returned to open session at 9:47 P.M. There was no action to be taken concerning the items discussed in executive session.

Ronnie Fugate motioned for adjournment and Don Hackney seconded. All were in favor.

Meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF CITY COUNCIL WORKSHOP MEETING

CITY COUNCIL
CITY OF CANTON
6:30 P.M., TUESDAY, MAY 2, 1989
CITY HALL, 290 E. TYLER ST.
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A WORKSHOP MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF DISCUSSION OF OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. DISCUSSION CONCERNING YARD PROBLEM - 847 AVENUE A

5. DISCUSSION CONCERNING IMPROVEMENTS TO OLD CITY LAKE

6. DISCUSSION CONCERNING INFORMATION SIGNS FOR TOURISTS

7. DISCUSSION CONCERNING WATER PRESSURE STUDY

8. DISCUSSION CONCERNING WALKING TRAIL

9. DISCUSSION CONCERNING LANDFILL

10. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, Section 2(e)

11. EXECUTIVE SESSION

    A. CITY COUNCIL TO DISCUSS WITH ATTORNEY PENDING OR CONTEMPLATED LITIGATION

12. RECONVENE TO OPEN SESSION

13. ADJOURN

Placed on City Hall window April 28, 1989 at 3:30 P.M.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL WORKSHOP MEETING
MAY 2, 1989
6:30 P.M.

The Canton City Council met for a regularly scheduled workshop meeting in the Canton City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker.

Mayor Teal called the meeting to order and Beth Whitaker gave the invocation.

Connie Mora addressed the council regarding a fund raising event to be held for the restoration of the old slaughter house. She requested permission to hold the fund raiser in connection with the Hayfest. Mayor Teal directed her to the Chamber of Commerce as they will be coordinating these events.

Ms. Mora also requested permission for free use of the dump for refuse coming from the old slaughter house. Mayor Teal explained that this request would need to be an agenda item for the regular meeting May 16, 1989.

Ms. Mora also asked that she be informed of events occuring during First Monday weekends as she published a tourism newspaper.

Concerning the yard problem at 847 Avenue A, Mayor Teal reported that Mr. Page of Page Nursery had been contacted and he would be meeting with Ms. Malone to resolve this problem.

In discussion concerning improvements to the Old City Lake, Al Campbell reported for around $3,500, covered shelters could be obtained as well as Teflon-coated picnic tables that can't be destroyed.

Mr. Campbell also reported he was checking into stocking the lake with hybrid carp which would clean out the lily pads.

In discussion concerning information signs for tourists, Beth Whitaker suggested a temporary sign be put up for First Monday weekends only, directing tourists to the entrances and the parking lots. Al Campbell said he would check with the highway department for permission and the procedures to place such signs.

On discussion concerning water pressure study, Al Campbell reported he and Mr. Mallory had been reviewing four plans for surveys of the system. He said Velvin & Weeks and Stokes & Associates were close costwise for basically the same information. Mayor Teal requested that Mr. Campbell, Mr. Mallory, the water and sewer superintendent, along with Beth Whitaker and Jack Etheridge bring the council a final recommendation by the next council meeting.

On discussion concerning walking trail, Al Campbell reported he was checking for the best route for marking off the mileage. Johnny Mallory suggested he could video tape several existing trails for the council's review.

Ronnie Fugate reported he had a request that the council consider allowing local residents to park once per month free on the city's parking lot during First Monday.

Mayor Teal said someone had mentioned that it would be good to offer free parking on the city's lot during the slower months of July and August. Both items are to be placed on the agenda at the regular meeting May 16, 1989.

On discussion concerning the landfill, Al Campbell reported he had been in contact with a private company interested in building an incinerator in the Canton area. He said the company was preparing a study and would be back in contact with him in ten days.

Mr. Campbell also reported that preparations for the December closing of the landfill are running on schedule.

Discussion was held concerning spraying for mosquitoes.

Mayor Teal said he had been approached by the county judge as to what the council would think of a proposal to put the county jail on the property donated by the city for the library. He said the judge felt the bond issue for the jail would be hurt if they had to buy a piece of property versus using property already owned. Mayor Teal said the judge pointed out that should the county default on their agreement to maintain a library there, the property next to the annex would be more valuable for First Monday.

The council agreed they were not receptive to this idea at this time.

Discussion was held concerning the old east gate which Gerald Turner leases from Mr. Hackney.

There was discussion concerning asking for voluntary compliance from private flea market operators in not allowing games of chance in areas adjoining the city's grounds.

There was discussion regarding either providing incentives for the dealers to stay through Monday or advertising more for Thursday and Friday.

Al Campbell advised the council that a policy needs to be adopted for damages to private property resulting from sewer back up.

The council retired to executive session at 8:00 p.m. to discuss with the attorney pending or contemplated litigation.

After reconvening to open session, there was no action taken regarding discussion during executive session.

Meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF CALLED CITY COUNCIL MEETING

CITY COUNCIL
CITY OF CANTON
7:00 P.M., THURSDAY, MAY 11, 1989
CITY HALL, 290 E. TYLER ST.
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME
2. INVOCATION
3. CANVASS RETURNS AND DECLARE RESULTS OF MAY 6, 1989 CITY OFFICERS ELECTION
4. CONSIDERATION AND ACTION TO AWARD BID FOR PURCHASE OF TRACTOR
5. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS
6. ADJOURN

Placed on City Hall window May 8, 1989, at 3:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
MAY 11, 1989
6:30 P.M.

The Canton City Council met for a called meeting in the City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Ronnie Fugate, and Beth Whitaker. Don Hackney and Raymond Pruitt were absent.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

The 1989 City Officer's election was canvassed. A total of 568 votes were cast as follows:

FOR MAYOR

Clifford P. Caviness	291
Dennis Teal	263

FOR TWO COUNCIL POSITIONS

Jack Etheridge	321
Ronnie Fugate	383
Ed Tinkle	117
Bob Alexander	237

Jack Etheridge motioned to accept the election results and Beth Whitaker seconded. All were in favor.

Two bids were received for the purchase of a tractor and mower for mowing the First Monday grounds as follows:

Dairyland Ford Tractor Co. Sulphur Springs, TX	$ 9,570.00
R Tex Ford Tractor, Inc. Terrell, TX	$10,213.00

Ronnie Fugate motioned to accept the low bid received from Dairyland Ford Tractor Co. Beth Whitaker seconded and all were in favor.

There was no new or old business for placement on future agendas.

Ronnie Fugate motioned to adjourn. Jack Etheridge seconded and all were in favor.

Meeting adjourned.

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Mayor Dennis Teal, D.C.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, MAY 16, 1989
CITY HALL, 290 E. TYLER ST.
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME
2. INVOCATION
3. CONSIDERATION TO APPROVE MINUTES
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS
5. SWEARING IN OF MAYOR AND COUNCILMEN
6. APPOINTMENT OF MAYOR PRO TEM
7. PRAYER
8. DISCUSSION PERTAINING TO DRAINAGE PROBLEM - ELMER BOYETTE
9. CONSIDERATION OF REQUEST TO USE CITY PARK FOR DOG OBEDIENCE - JOHN HUFF
10. CONSIDERATION PERTAINING TO COMPUTER LIST FOR FIRST MONDAY - MIKE SPEIRS
11. CONSIDERATION PERTAINING TO DUMPING PROBLEM - CONNIE MORA
12. CONSIDERATION PERTAINING TO YARD PROBLEM - 847 AVENUE A
13. CONSIDERATION PERTAINING TO FREE PARKING AT FIRST MONDAY FOR JULY AND AUGUST
14. CONSIDERATION PERTAINING TO SENIOR CITIZEN'S PARKING
15. CONSIDERATION PERTAINING TO MOSQUITO PROBLEM
16. CONSIDERATION PERTAINING TO IMPROVEMENTS TO OLD CITY PARK
17. CONSIDERATION PERTAINING TO INFORMATION SIGNS FOR TOURISTS
18. DISCUSSION PERTAINING TO LANDFILL INFORMATION
19. CONSIDERATION PERTAINING TO SCHOOL SEWER ROUTE
20. CONSIDERATION PERTAINING TO SEWER BACK-UP POLICY
21. CONSIDERATION PERTAINING TO FLEA MARKET GUIDELINES
22. CONSIDERATION TO RETAIN SERVICES FOR AUDITING 88-89 FINANCIAL STATEMENTS
23. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, Section 2 (f), and Section 2 (3)

24. EXECUTIVE SESSION

    A. DISCUSSION PERTAINING TO H & T LEASE

    B. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

25. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

26. ADJOURN

Posted on City Hall window May 12, 1989, at 1:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
MAY 16, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Teal presiding. Those in attendance were Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker.

Mayor Teal called the meeting to order and Ronnie Fugate gave the invocation.

Jack Etheridge motioned to approve the minutes, as written, of the April 18, 1989 regular meeting, the April 27, 1989 called meeting, the May 2, 1989 workshop meeting, and the May 11, 1989 called meeting. Don Hackney seconded and all were in favor.

Don Hackney reviewed the financial statements. Jack Etheridge motioned for approval and Ronnie Fugate seconded. All were in favor.

Ronnie Fugate presented outgoing Mayor Teal with a plaque from the city, in appreciation for his years of dedicated service as councilman and Mayor. Police Chief, Hoss Williams, also presented Mayor Teal a plaque in appreciation from the police department.

New Mayor, Clifford Caviness and incumbent councilmembers, Ronnie Fugate and Jack Etheridge were sworn in by Al Campbell, City Secretary. The oath of office repeated.

Ronnie Fugate motioned that Raymond Pruitt be elected to serve as Mayor Pro Tem. Jack Etheridge seconded and all were in favor.

New Mayor Caviness recognized and introduced several members of his family attending the meeting.

Charles Richardson, pastor of the First Baptist Church, led the council and audience in prayer.

In discussion concerning Elmer Boyette's drainage problem, Ronnie Fugate explained that it appears Big Rock Street can be cut and the water directed east to Elm Street. Councilman Fugate said the cost estimates have not been received as yet. This item is to be placed on the agenda for the next regular council meeting.

Gene Levine and Joyce Rogers presented the council a plaque from the Tourism Committee for their support and contributions to the Inaugral Canton Cycling Classic Tour. Frisbees and T-shirts were also presented.

In Consideration of a request by John Huff to use the Old City Park for dog obedience training, questions were raised as to the city's liability. Beth Whitaker offered to let Mr. Huff use some of her property for this purpose.

Discussion was held concerning the request received of Mike Speirs to offer computerized lists of locations where specific merchandise may be found. Ronnie Fugate motioned to table the item until the next workshop meeting. Raymond Pruitt seconded and all were in favor.

Item eleven, pertaining to dumping problem was deleted due to the absence of Connie Mora.

In discussion concerning a yard problem at 847 Avenue A, Al Campbell reported Charles Page of Page Nursery was to obtain cost estimates for materials. These figures will be available in 4 to 5 days.

Raymond Pruitt reported the sand on Avenue A had washed away and he felt the city should replace the sand and replant grass seed.

Raymond Pruitt motioned to offer free parking on the city's parking lot off FM 859 for the July and August First Monday weekends. Jack Etheridge seconded and all were in favor.

On consideration pertaining to citizen's parking, Ronnie Fugate explained a citizen had requested the council consider offering citizen's free parking once per month on the city's parking lot upon presentation of a paid water bill receipt. These receipts could be punched upon use, which would curtail abuse. Councilman Fugate motioned for approval and Raymond Pruitt seconded. All were in favor.

Discussion was held pertaining to the mosquito problem. Don Hackney motioned to approve spraying low-lying areas either with the fire truck or other available equipment. Beth Whitaker seconded, with the stipulation that the dates be advertised in advance of the spraying for those allergic to pesticides. All were in favor.

On consideration pertaining to improvements to the Old City Lake, Al Campbell reported he had located metal picnic tables that have expanded metal seats and tops with a vinyl coating. These are very attractive and durable, he said, and the cost is approximately $500.00 per table. Ronnie Fugate motioned to purchase four of these tables and Raymond Pruitt seconded. All were in favor.

On consideration pertaining to information signs for tourists, Al Campbell reported the highway department was checking to make sure that no policies will be violated by the placement of the signs. Mr. Rushing will report back to Al Campbell as soon as this information is obtained.

On discussion concerning the landfill, Al Campbell reported he had been contacted by Kevin Evans who is the city manager in Athens. Mr. Evans invited the county judge, the mayor, and Mr. Campbell, along with representatives from Anderson and Henderson Counties to a meeting in Athens to discuss the possibility of setting up a tri-county solid waste disposal district.

On consideration concerning school sewer route, Al Campbell reported Dr. Griggs had presented him an agreement, signed by Dr. Griggs and Henry Lewis, for approval by the council. The agreement describes the rerouting of the proposed sewer line for the new high school. The agreement states that the school district will pay 50%, the city 25%, and Henry Lewis 25% of the estimated total cost of $56,000.

Raymond Pruitt inquired if the city would give the school district a check for $14,000 and the school would collect from the other parties. Mr. Campbell said it was his understanding the school had hired the engineer to do the engineering work but they would like the city to collect the fees. Mr. Pruitt stated he had understood the agreement would be for the city to give the school district a check and the school would collect from the other parties. As Mr. Lewis was not present at the time to answer this concern, further discussion was delayed awaiting Mr. Lewis' return.

On consideration pertaining to sewer back-up policy, Al Campbell reported that according to Article 101.021 of the Texas Tort Claims Act, units of governmental agencies are immune from such claims. Therefore, the insurance carrier will deny these claims.

Don Hackney stated he would like an ordinance written to deny these claims, but would like the citizens to know of the availability of a pop-off valve, which will prevent the sewer back-up into homes. A resident may have his plumber install this valve for approximately $35.00.

Ronnie Fugate motioned that Al Campbell gather the needed information to form an ordinance to disclaim the city's liability for sewer back-up. Jack Etheridge seconded the motion. Those voting in favor were Ronnie Fugate, Jack Etheridge, and Don Hackney. Raymond Pruitt voted against and Beth Whitaker abstained. Motion carried.

Item 21, Consideration pertaining to Flea Market Guidelines, was delayed awaiting Mr. Lewis' return.

On consideration to retain services for auditing 88-89 financial statements, Johnny Mallory reported he had been in contact with Kenneth Williams who has done audits for the city in the past. Mr. Mallory said Mr. Williams fee for the audit would be approximately $4,000, but Mr. Williams would not be able to do the audit until about the end of June, which would mean the audit could be presented to the council for approval in July.

Don Hackney motioned that Mr. Williams be retained to conduct the audit and Jack Etheridge seconded. All were in favor.

On consideration of new and old business for placement on future agendas, Raymond Pruitt reported that the police department was in need of a generator for back up power in cases of power loss, as was the case this morning. This item is to be placed on the next workshop agenda.

Raymond Pruitt also requested that if the tables for the Old City Lake look satisfactory, that consideration to purchase 2 or 3 more for the New City Lake be placed on the agenda for the next regular council meeting.

Mr. Pruitt also requested that the flooding problems on the First Monday grounds caused by Mr. Lewis' construction be placed on the next workshop agenda. Also the city's fence, which Mr. Lewis has received a letter on, has not been put back up. This item is to be placed on the next workshop agenda.

Mrs. Whitaker also requested the council meet for an all day workshop in the near future.

Ronnie Fugate requested the council consider at the next workshop the purchase of attic fans for the First Monday restrooms to help alleviate the summer heat. Rayford Hutcherson was asked to gather prices on the cost of 52" attic fans.

Ronnie Fugate motioned that the council approve asking former Mayor Teal to follow up on SB 806, which removes the requirement that a fire truck 25 years old be replaced. The city will pay former Mayor Teal's expenses. Raymond Pruitt seconded the motion and all were in favor.

Returning to item 19, concerning the school's sewer line, Jack Etheridge motioned for approval of an agreement, pending correction by the school, as was understood by the council, that the city will pay to the school their portion, and the school will then pay all fees and arrange for the construction of the sewer line. As soon as the corrected agreement is received from the school, the Mayor is authorized to sign the document. Don Hackney seconded the motion and all were in favor.

Returning to item 21, concerning Flea Market Guidelines, Jack Etheridge motioned to accept our committee's recommendations of the standards to acquire a license for management of a flea market and permits required for operation within that market, in conjunction with Ordinance 89-2. Beth Whitaker seconded the motion.

Ronnie Fugate reported the amended Requirements for Obtaining a Flea Market License was a good compromise, and that while Mr. Lewis did not like it all, he felt it was in the best interest of the city. Councilman Fugate pointed out that number 8, 11, 15, and 20 had been amended.

Henry Lewis and Mike Hackney expressed concerns that the city should also meet the minimum requirements for the number of restrooms. Councilmember Whitaker pointed out that the city had added 9 more last month and 16 more are now being added.

Gerald Turner addressed the council, he said the changes will affect a lot of people and he felt the people involved should have more time to look over and discuss the requirements before Henry Lewis, Mike Hackney, and Gerald Turner decide this is fine for everyone. He said he felt copies should have been provided prior to the meeting.

Councilmember Whitaker pointed out to Mr. Turner that the council had not heard from the First Monday Association's committee as requested three times.

Mike Hackney said he could live with and accept the requirements as is, in the spirit of moving things on, although he did not agree with it all.

Ending the discussion, the council voted on the motion presented by Jack Etheridge and seconded by Beth Whitaker. Those voting in favor were Jack Etheridge, Beth Whitaker, and Raymond Pruitt. Don Hackney abstained due to a possible conflict of interest. Ronnie Fugate also abstained. Motion carried.

Mayor Caviness called for a short recess at 8:15 p.m. before the council retired to executive session.

After returning to open session, Jack Etheridge motioned that the city enter into a lease agreement with H & T Parking. Don Hackney seconded the motion. Those in favor were Ronnie Fugate, Jack Etheridge, and Beth Whitaker. Raymond Pruitt was opposed and Don Hackney abstained due to a possible conflict of interest.

City attorney, Roxie Cluck was authorized to prepare the lease agreement. A copy of said agreement shall be part of these minutes.

Meeting adjourned.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

_____

Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, JUNE 6, 1989
CITY HALL, 290 EAST TYLER ST.
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION PERTAINING TO COMPUTERIZED FIRST MONDAY SHOPPER'S LIST - MIKE SPEIRS

5. CONSIDERATION PERTAINING TO DRAINAGE PROBLEM - ELMER BOYETTE

6. CONSIDERATION PERTAINING TO APPLICATIONS FOR SOLICITOR'S LICENSE - TAMMY TURNER, BILLY BOB SUMMERS

7. CONSIDERATION PERTAINING TO YARD PROBLEM - AVENUE A

8. CONSIDERATION PERTAINING TO HAYFEST AGREEMENT

9. CONSIDERATION PERTAINING TO PURCHASE OF GENERATOR FOR POLICE DEPARTMENT

10. CONSIDERATION PERTAINING TO ADOPT A COP PROGRAM

11. CONSIDERATION PERTAINING TO FLOODING PROBLEMS ON FIRST MONDAY GROUNDS

12. CONSIDERATION PERTAINING TO FIRST MONDAY FENCING

13. CONSIDERATION PERTAINING TO PURCHASE OF PICNIC TABLES FOR NEW CITY LAKE

14. CONSIDERATION OF APPROVAL TO ADVERTISE FOR BIDS FOR TRUCK FOR WATER DEPARTMENT

15. CONSIDERATION TO AMEND GARAGE SALE ORDINANCE TO ALLOW SALES ON SUNDAY

16. CONSIDERATION TO APPROVE SUMMER WATER RATES

17. CONSIDERATION PERTAINING TO PAYMENT OF INVOICES ONCE MONTHLY

18. CONSIDERATION PERTAINING TO TOWER STREET WATER PRESURE PROBLEMS

19. CONSIDERATION PERTAINING TO PROPOSALS FOR WATER SURVEY

20. DISCUSSION PERTAINING TO LANDFILL INFORMATION

21 CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT., ART. 6252.17, Section 2 (g) and Section 2 (e)

22. EXECUTIVE SESSION

    A. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS

    B. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION

23. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

24. ADJOURN

Posted on City Hall window June 2, 1989, at 1:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CALLED CANTON CITY COUNCIL MEETING
TUESDAY, JUNE 6, 1989
6:30 P.M.

The Canton City Council met for a called meeting in the City Hall with Mayor Pro Tem Pruitt presiding. Mayor Caviness was absent due to recent surgery. Those in attendance were Don Hackney, Jack Etheridge, Ronnie Fugate, and Beth Whitaker.

Mayor Pro Tem Pruitt called the meeting to order and Mike Hackney gave the invocation.

Consideration was given to the request of Mike Speirs to offer a computerized First Monday shopper's list. Mayor Pro Tem Pruitt reported that it was the committee's recommendation to deny this request at this time. The council was in unanimous agreement with the committee's recommendation. Mike Speirs said he felt the service would benefit both the city and the shoppers, as well as the dealers. Mayor Pro Tem Pruitt advised Mr. Speirs that if he could show genuine interest from the dealers, the council would reconsider his request.

Consideration was given to Elmer Boyette's drainage problem. Al Campbell reported it would take 3 to 4 days to complete this project due to line locations and the slow work and the cost would be approximately $1,500. Ronnie Fugate motioned to proceed with this project as it would also benefit some of Mr. Boyett's neighbors. Don Hackney seconded the motion. Those voting in favor were Ronnie Fugate, Don Hackney, Jack Etheridge, and Raymond Pruitt. Beth Whitaker opposed.

Consideration was given the applications for a solicitor's license received from Billy Bob Summers and Tammy Turner. Both Mr. Summers and Ms. Turner wish to sell snow cones. Al Campbell reported both had provided adequate references and driving records appear to be in good shape. Ronnie Fugate motioned to approve both these applications provided they furnish proof of adequate insurance. Our insurance adviser, Glen Wallace, will determine if the insurance is adequate to protect the city as well as the vendor. Jack Etheridge seconded the motion and all were in favor.

Consideration was given the yard problem on Avenue A. Al Campbell reported Mr. Page had visited with the property owner and the solutions will cost approximately $1,200. Ronnie Fugate motioned to proceed to repair the problem with a limit of $1,200 to be spent on this project. Jack Etheridge seconded the motion. Those voting in favor were Ronnie Fugate, Jack Etheridge, Raymond Pruitt, and Beth Whitaker. Don Hackney opposed.

Item number 8, Consideration pertaining to Hayfest Agreement will be discussed later.

Beth Whitaker motioned to table item number 9, Consideration Pertaining to Purchase of Generator for Police Department, and item number 10, Consideration Pertaining to Adopt A Cop Program until the regular meeting June 20th. Don Hackney seconded the motion and all were in favor.

Consideration was given the flooding problem on the First Monday grounds. Raymond Pruitt reported the problem appeared to be caused by Mr. Lewis' construction and inquired if Mr. Lewis has made any satisfactory arrangements to correct the problem. Al Campbell reported Mr. Lewis had visited with an engineer and the engineeer had advised Mr. Campbell that the pipe would be removed and a flat culvert put in. A concrete pad would be added. It would be the elevation of those two points which the engineer says is workable. Mr. Campbell said this would release the city from liability since the engineer puts his seal on it. Mayor Pro Tem Pruitt requested that Mr. Lewis be sent a letter asking when the work will begin. Mr. Campbell advised that Mr. Lewis had said the work will begin after the next First Monday. Mr. Pruitt said he would still like a written reply from Mr. Lewis.

Consideration was given to First Monday fencing. Raymond Pruitt advised this item concerns the fence that runs across the north side of our grounds at the T-Section. He said he and Ronnie Fugate would like to discuss taking the fence down, moving it across the street and coming down that area with benches. It was decided the council would recess before the executive session and go look at the area discussed.

Consideration was given to the purchase of picnic tables for the New City Lake. Ronnie Fugate motioned to purchase four tables at a cost of $500.00 each for placement at the New City Lake. Jack Etheridge seconded and all were in favor.

Consideration was given for approval to advertise for bids to purchase a truck for the water department. Raymond Pruitt advised that Mr. Mallory said the budget included funds for this purchase, and that the old truck could be used on the First Monday grounds for hauling sand, dirt, pipe, etc. Don Hackney motioned to approve advertising for bids to purchase a new truck. Beth Whitaker seconded the motion and all were in favor.

Consideration was given to amending the Garage Sale Ordinance to allow sales on Sunday. Acting city attorney, Roxie Cluck, reported she had drawn an amendment to the ordinance which would allow sales for not more than three consecutive days on either Friday, Saturday, and Sunday or on Thursday, Friday, and Saturday. Beth Whitaker stated she felt the council should not decide what three days the sales could be held on. Don Hackney motioned to leave the ordinance as is. After further discussion, Mr. Hackney withdrew his motion. Beth Whitaker motioned to amend the ordinance to allow sales on any three consecutive days, not more than four times per year. Jack Etheridge seconded and all were in favor.

Consideration was given to approval summer water rates. Jack Etheridge motioned to approve summer water rates for the next billing cycle. The summer rates will be effective through September. Don Hackney seconded and all were in favor.

Consideration was given to payment of invoices once monthly. Al Campbell advised he would like the invoices paid twice monthly in order to take advantage of discounts. Jack Etheridge motioned to approve and Don Hackney seconded. All were in favor.

Consideration was given to the Tower Street water pressure problems. Al Campbell advised that the next item on the agenda, Consideration Pertaining to Proposals for Water Survey, would address this problem.

Mr. Campbell reported he had proposals from four engineering firms to perform a distribrution analysis. He said the one he felt most comfortable with would gather data on a block by block basis of what the flows and pressures are, and when they are inadequate, a recommendation of what needs to be done to correct the problem. Mr. Campbell stated the analysis would identify the problems and what the solutions are. The solutions would have to be addressed as far as costs involved. Mr. Campbell state he would like to negotiate the price with Stokes & Associates. Raymond Pruitt stated he would like to see the final cost no later than the council meeting June 20th. Mr. Campbell stated the study would be completed no later than 60 days from the date of the agreement, and that Tower Street could be a priority. Raymond Pruitt motioned to allow Al Campbell to negotiate with Stokes & Associates for a price on the water survey and that Mr. Stokes look at the problem on Tower Street next week. This item is to appear on the agenda for the June 20th meeting. Jack Etheridge seconded and all were in favor. Mr. Pruitt requested that Mr. Campbell provide a note delivered to everyone on how this will be handled by Thursday.

Discussion was held pertaining to landfill information. Al Campbell reported he had two firms preparing work order information and that a choice could be made on which one would do the engineering on the close out of the landfill by the next council meeting. Mr. Campbell said the city would be able to advertise for bids on collection or disposal of garbage and for proposals on the close out of the landfill in August. This will give plenty of time to meet the target date to close December 31st.

Consideration was given to new and old business for placement on future agendas. Beth Whitaker requested that consideration concerning minor remodeling of the office be placed on the next regular meeting agenda. Mrs. Whitaker also requested that selection of new members for the Planning and Zoning and the Board of Adjustment committees be placed on the next agenda.

Police Chief, Hoss Williams, requested that consideration be given to the placement of "No Parking" signs to the bridge on Highway 19 on both sides of the road and also discussion of trucks parked on the shoulder of Highway 64 which caused a wreck last week.

Raymond Pruitt requested that consideration be given the enforcement of the junked car, the burning rubbish, the signs on telephone poles, the grass & weeds, and the dog ordinances. He also requested that the Senior Citizen's addition and their request that the city pay half be placed on the agenda for the next meeting.

Consideration was given the Hayfest agreement. After discussion, Jack Etheridge motioned to enter into an agreement with Chamber of Commerce Tourism Committee. The Chamber of Commerce will be responsible for the event with the city providing funds after presentation and approval of proposed budget. Beth Whitaker seconded and all were in favor.

Mayor Pro Tem Pruitt recessed the meeting at 7:40 p.m. and the council went to the First Monday grounds to look at the area for the proposed placement of benches.

The council returned at 8:07 p.m. and reported a committee composed of Ronnie Fugate, Rayford Hutcherson, Mike Hackney, and Al Campbell would discuss this proposal and make a recommendation to the council.

The council retired to executive session at 8:15 p.m.

After returning to open session, Ronnie Fugate motioned that Mike Knight and Jerry Murphrey be changed from part time to full time employees. Don Hackney seconded and all were in favor.

Meeting adjourned.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, JUNE 20, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. CONSIDERATION TO APPROVE MINUTES

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS

5. GUEST ITEMS

6. CONSIDERATION PERTAINING TO PURCHASE OF GENERATOR FOR POLICE DEPARTMENT

7. CONSIDERATION PERTAINING TO ADOPT A COP PROGRAM

8. CONSIDERATION PERTAINING TO PLACEMENT OF "NO PARKING" SIGNS

9. CONSIDERATION PERTAINING TO FIRST MONDAY FENCING

10. CONSIDERATION PERTAINING TO PURCHASE OF ATTIC FANS FOR FIRST MONDAY RESTROOMS

11. CONSIDERATION PERTAINING TO FIRST MONDAY CONCESSIONS

12. CONSIDERATION PERTAINING TO PROPOSAL FOR WATER SURVEY

13. CONSIDERATION PERTAINING TO OFFICE REMODELING

14. CONSIDERATION PERTAINING TO APPOINTMENT OF NEW MEMBERS FOR PLANNING AND ZONING AND BOARD OF ADJUSTMENTS COMMITTEES

15. CONSIDERATION PERTAINING TO SENIOR CITIZEN'S BUILDING ADDITION AND EXPENDITURES

16. CONSIDERATION PERTAINING TO PETITION FOR ANNEXATION - ROBERT ARMSTRONG

17. CONSIDERATION PERTAINING TO SEWER BACK UP ORDINANCE

18. CONSIDERATION PERTAINING TO ENFORCEMENT OR AMENDMENT OF THE FOLLOWING ORDINANCES:

    A. GARAGE SALE

    B. TEMPORARY BUSINESS

    C. JUNKED CAR

    D. SIGNS - TELEPHONE POLES

    E. GRASS AND WEEDS

    F. LOOSE DOGS

19. DISCUSSION PERTAINING TO LANDFILL

20. DISCUSSION PERTAINING TO HENRY LEWIS PAVILION

21. DISCUSSION PERTAINING TO EQUIPMENT AND MAINTENANCE

22. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, SETION 2 (g) and Section 2 (e).

23. EXECUTIVE SESSION

    A. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS

    B. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION

24. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

25. ADJOURN

Posted on City Hall window June 16, 1989 at 1:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
JUNE 20, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Pro Tem Pruitt presiding. Mayor Caviness was absent, recovering from recent surgery. Those in attendance were Jack Etheridge, Ronnie Fugate, Don Hackney, and Beth Whitaker.

Mayor Pro Tem Pruitt called the meeting to order and Ronnie Fugate gave the invocation.

Ronnie Fugate motioned to approve the minutes of the May 16, 1989 regular meeting and the June 6, 1989 called meeting as written. A second was made by Jack Etheridge and all were in favor.

Mayor Pro Tem Pruitt explained that agenda items number 4 contained new financial statements and asked that it be moved to last on the agenda for detail review and explanation from Don Hackney and Johnny Mallory. There were no objections from the council.

Having no guest items, Mayor Pro Tem Pruitt proceeded with the next agenda item. As agenda items 6, 7, and 8 pertained to the police department, Mayor Pro Tem asked that these be held until Chief Hoss Williams arrived.

There was not a committee report available on the First Monday Fencing, therefore, Mayor Pro Tem requested this item be placed on the next workshop agenda.

Upon Chief Williams arrival, Mayor Pro Tem returned to agenda item 6, Consideration pertaining to purchase of generator for the police department. Chief Williams presented two quotes to the council from Lightbourn Equipment Company and G & P Electric Inc. Chief Williams asked that the council consider this in the next budget as the funds were not allocated in the present budget. As the quotes were below bid-out amounts, Mayor Pro Tem asked that Chief Williams, Al Campbell, and Jack Etheridge review the present budget to see if funds could be make available for this necessity or if this purchase would need to be considered in the October 1989 budget.

Chief Williams also informed the council that he had visited with the grade school principal and the PTA president on the Adopt A Cop Program. Each felt the program was beneficial and wanted to see it continued. Chief Williams has made arrangements with Reserve Patrolman Glen Goodson. Mr. Goodson will continue as the Adopt A Cop and will be permitted to use a city patrol car when visiting the school.

Chief Williams continued by asking permission to place "No Parking" signs along 7/10 mile north on Highway 19 from the intersection of Highway 64. He explained a visibility problem is created from the parked vehicles. Also, due to trucks from a trucking company parking along Highway 64 near the veterinary clinic, Dr. Davis has requested "No Parking" signs to assist the visibility of his customers exiting the clinic. There have been accidents caused from poor visibility. Margie Ragsdale asked that the signs be extended past her business on Highway 64 as the trucks sometimes park there. Following discussion, Jack Etheridge motioned to erect the signs where Chief Williams deemed necessary for public safety and to have Attorney Roxie Cluck draw up the ordinance enabling enforcement of said signs. Don Hackney seconded and all were in favor.

City Secretary, Al Campbell, updated the council on the cost of attic fans for the First Monday restrooms. He explained that 36" fans would be required to help cool the restrooms and the approximate cost would be $500 each. Ronnie Fugate motioned to purchase 5 attic fans for the First Monday restrooms at no more than $500 each. Beth Whitaker seconded and all were in favor.

Discussion was held concerning the First Monday food concessions. Presently, there is a limit on the number of food concessions allowed on the grounds, however, there are two unreserved areas that do not have any. The vendors feel adding a few in these areas would help attract traffic. Don Hackney motioned that Al Campbell, Johnny Mallory, Rayford Hutcherson, and Carlton Ham study the concession status in each section of the grounds and add food concessions where needed. Raymond Pruitt seconded and all were in favor.

Al Campbell updated the council as to the status of the water survey. Mr. Campbell has spoken with the engineers and negotiated a price. The survey will begin in 7 to 10 days with the Tower Street area being the top priority. Completion will be approximately 30 to 60 days at which time recommendations will be made for the problem areas. Al will give an update of the survey at each workshop and regular council meeting.

Johnny Mallory updated the council on the office remodeling explaining that changes in positions have been made and that the front office will be remodeled to accommodate a reception area. He is presently obtaining cost figures for the supplies and labor needed.

Discussion was held concerning appointment of new members for the Planning and Zoning and the Board of Adjustments Committees. Mayor Pro Tem explained that by law, the committee members are to be appointed at two year intervals. He asked that this item be placed on the agenda for July's regular meeting and that each councilmember give recommendations for each board at that time. Mayor Pro Tem Pruitt also asked Johnny Mallory and Beth Whitaker to work out the terms for each member by July's council meeting.

Discussion was held pertaining to the Senior Citizen's Building Addition and Expenditures. The Senior Citizens had requested assistance prior to construction, however, the funds were not allocated in the previous budget. They were asked to present their expenditures after the 1989 budget was complete and the council would consider their request at that time. The total cost was $5,676.10. Don Hackney motioned that the city pay one half the expenses being $2,838.05. Jack Etheridge seconded and all were in favor. Johnny Mallory reminded the council for future request that any assistance involving the city for more than $5,000.00 would require bids.

The council reviewed an annexation petition from Robert and Judy Armstrong for their one acre piece of property that contains their two businesses. Jack Etheridge motioned to accept the petition with a second from Ronnie Fugate. All members were in favor. There will be a public hearing on July 18, 1989 during the regular council meeting.

Mayor Pro Tem Pruitt discussed the inquiries the council has received questioning the enforcement of several city ordinances, i.e. garage sales, temporary business, junk cars, signs, grass and weeds, and loose dogs. Chief Williams explained that several ordinances require a legal complaint prior to enforcement. He also stated that most residents having garage sales were trying to comply. Jack Etheridge made a motion that all ordinances be enforced upon receipt of legal complaints. Don Hackney seconded and all were in favor. Mayor Pro Tem then appointed Al Campbell, Johnny Mallory, James Hall, Chief Williams, and Beth Whitaker to work with Roxie in reviewing these ordinances as to their legal enforcement and present new ones if needed.

Al Campbell informed the council that the Sewer Back Up Ordinance was not ready for presentation. Mayor Pro Tem asked that this ordinance be presented during July's regular scheduled council meeting.

Al Campbell then updated the council on the status of the landfill, explaining that the close out plan had been started. A review of the landfill was done last week, showing that the present trench has an estimated three months active capacity at the current rate of usage. The engineering firm agrees that we are on the right time frame of late August or early September to advertise for bids to close out. The final closure date will be around November 1 to November 15. Within the next two weeks, we will begin to dig test holes to find the depth of waste.

Henry Lewis addressed the council concerning a pavilion he has erected on property south of his parking lot and north of the First Monday grounds off Highway 19. He requested that the Mayor Pro Tem appoint some councilmembers to work with him toward a lease of the pavilion which would benefit all parties concerned. Mayor Pro Tem appointed a committee of Chairman Ronnie Fugate, Jack Etheridge, and Al Campbell to work with Mr. Lewis and present a recommendation at the July council meeting.

Discussion pertaining to equipment and maintenance was postponed to the next workshop meeting.

Beth Whitaker asked that consideration of Special Events be placed on the agenda for the next regular meeting.

Mrs. Margie Ragsdale inquired as to the plans of repairing the city streets. Mayor Pro Tem and Al Campbell assured Mrs. Ragsdale that the city has two crews working as fast as possible to patch streets in need. The police department is also compiling a weekly list of needed repairs which is then being worked by these crews.

Mrs. Ragsdale also addressed the council concerning brush that had not been picked up at her office location on Highway 64. Gil coil explained that they would not pick up brush and limbs that were over four feet in length due to the damage risk of the truck and employee safety. Al Campbell said he would check the load in question.

Al asked the council's preference of artwork for the billboard located in Forney. The council was in agreement to change the advertising to a drawing presented by Chase Co.

Al also updated the council on a prospective industry to this area and a meeting with TU Electric concerning First Monday electricity. The industrial prospect is very interested in a building located in Grand Saline, however, should they not be able to negotiate terms, the prospect wishes to build in Canton.

TU Electric is very concerned with the electrical problems we have been experiencing on First Monday weekends. They will have employees on site this First Monday weekend to work with our employees and to visit with the vendors explaining that some of their problems are not city related but due to needed improvements from TU Electric. They plan to enlarge some transformers in certain areas of the grounds prior to July's First Monday and then make recommendations for future improvements.

Mr. Sherrod inquired to the possibility of traffic lights in Canton. Chief Williams replied by explaining that the Highway Department has been conducting a study of our traffic area and we are waiting for their report.

Mayor Pro Tem Pruitt requested that a letter be sent to each member of the Tourism Committee thanking them for their time served and the hard work they have contributed. The council will be appointing a new committee at a later date.

Mayor Pro Tem Pruitt then extended his appreciation to the city employees for their diligent work during the past few months of bad weather.

Johnny Mallory and Don Hackney then reviewed the new financial statements with the council. Don Hackney explained the advantages of the new reports such as an audit trail, less bank accounts, citizen and employee protection, forecasting, and better detailed information.

The council adjourned at 7:45 p.m., cancelling executive session.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF CITY COUNCIL WORKSHOP MEETING

CITY COUNCIL
CITY OF CANTON
6:30 P.M., THURSDAY, JULY 6, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A WORKSHOP MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF DISCUSSION OF OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. DISCUSSION CONCERNING FIRST MONDAY UTILITIES

5. DISCUSSION CONCERNING FIRST MONDAY FENCING

6. DISCUSSION CONCERNING WATER SURVEY

7. DISCUSSION CONCERNING OFFICE REMODELING

8. DISCUSSION CONCERNING LOG CABIN OFFICE LANDSCAPING

9. DISCUSSION CONCERNING FIRST MONDAY MAPS

10. DISCUSSION CONCERNING FIRST MONDAY FOOD CONCESSIONS

11. DISCUSSION CONCERNING SPECIAL EVENTS

12. DISCUSSION CONCERNING EQUIPMENT AND MAINTENANCE

13. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, Section 2 (e) and Section 2 (g).

14. EXECUTIVE SESSION

    A. CITY COUNCIL TO DISCUSS WITH ATTORNEY PENDING LITIGATION

    B. CITY COUNCIL TO DISCUSS EMPLOYEE EVALUATION

15. RECONVENE TO OPEN SESSION

16. ADJOURN

Placed on City Hall window July 3, 1989, at 10:30 a.m.

ATTEST:

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Al Campbell, City Secretary

THE ABOVE CALLED WORKSHOP WAS CANCELLED DUE TO LACK OF A QUAREM.

ATTEST:

_____

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, JULY 18, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. PRESENTATION OF FIRST MONDAY SCHOLARSHIPS
   JULIE CATLETT
   JAN BETHUNE
   STACEY HAM

4. CONSIDERATION TO APPROVE MINUTES

5. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS

6. GUEST ITEMS

7. PUBLIC HEARING FOR ANNEXATION - ROBERT AND JUDY ARMSTRONG PROPERTY

8. CHAMBER OF COMMERCE TOURISM REPORT - JOE COLLINS

9. CONSIDERATION PERTAINING TO SOLICITOR'S PERMIT REQUEST - N. B. (JACK) POLLOCK

10. CONSIDERATION OF BID FOR MOTOR GRADER

11. CONSIDERATION TO APPOINTMENT OF NEW MEMBERS FOR THE PLANNING AND ZONING AND BOARD OF ADJUSTMENT COMMITTEES

12. CONSIDERATION PERTAINING TO WATER LINE TO HIGH SCHOOL

13. CONSIDERATION FOR APPROVAL OF EASEMENT FOR BANK OF VAN ZANDT TO CONSTRUCT 40 FOOT STREET RUNNING TO INDUSTRIAL DRIVE

14. DISCUSSION PERTAINING TO TUNNEL LEASE

15. CONSIDERATION PERTAINING TO SPECIAL EVENTS

16. CONSIDERATION PERTAINING TO LITTERING CONTROL

17. CONSIDERATION PERTAINING TO FIRST MONDAY MAPS

18. CONSIDERATION PERTAINING TO LOG CABIN OFFICE LANDSCAPING

19. CONSIDERATION PERTAINING TO SEWER BACK UP ORDINANCE

20. CONSIDERATION PERTAINING TO "NO PARKING" ORDINANCE

21. COMMITTEE REPORT PERTAINING TO HENRY LEWIS PAVILION

22. DISCUSSION PERTAINING TO LANDFILL

23. DISCUSSION PERTAINING TO WATER SURVEY

24. DISCUSSION PERTAINING TO FIRST MONDAY UTILITIES

25. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, SECTION 2 (g) and SECTION 2 (e).

26. EXECUTIVE SESSION

A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION

B. DISCUSSION PERTAINING TO EMPLOYEE EVALUATION

27. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

28. ADJOURN

Posted on City Hall window July 14, 1989, at 1:00 P.M.

ATTEST:

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Johnny Mallory, Asst. City Secretary

CANTON CITY COUNCIL MEETING
JULY 18, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Caviness presiding. Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker were present.

Mayor Caviness called the meeting to order and Ronnie Fugate gave the invocation. Mayor Caviness then took a moment to thank the city employees for the flowers and visits during his stay in the hospital and recovery.

Al Campbell gave a brief explanation of how the funds for the First Monday Scholarship are collected. Stating that the school organizations work a city owned parking lot during First Monday Weekends and one half of the funds collected are distributed to the organization and one forth are deposited by the City into the Scholarship Fund.

Mayor Caviness then presented one scholarship check to Stacey Ham and asked that Julie Catlett's and Jan Bethune's be delivered to them as they were unable to attend the meeting.

As no councilmembers had changes or corrections to the minutes of the June 20, 1989 meeting, Mayor Caviness stated that the minutes would stand as written.

Don Hackney then reviewed the financial statements and replying to a question from Raymond Pruitt, explained that the Sales Tax Fund does exist, however it is in the General Operating Fund under Street Department, still reflecting funds derived from sales taxes. Don Hackney also informed the council that the sales taxes were up by 12% from last year. Jack Etheridge then made a motion to approve the financial statements with Beth Whitaker seconding. All were in favor.

Mayor Caviness called for any guest items with no response from the audience at the present time.

Mayor Caviness opened the Public hearing for Annexation sought by Robert and Judy Armstrong. There being no comments for or against the annexation, Jack Etheridge motioned to accept the said annexation. Don Hackney made a second to the motion and all councilmembers were in favor. The Mayor then closed the Public Hearing.

Joe Collins of the Canton Chamber of Commerce gave a brief report on the Chamber of Commerce expenses related to tourism. A copy of his report was supplied to each councilmember. Mr. Collins explained how the percentages were derived on time spent by the Chamber office on tourism events and information, justifying the use of Hotel/Motel Tax Funds.

Al Campbell then informed the council of the findings pertaining to the solicitor's permit requested by N.B. (Jack) Pollock. Mr. Pollock is requesting to place fliers relating to his vacuum cleaner business door to door throughout the city, with no door to door sales. Ronnie Fugate motioned to grant the permit. Don Hackney seconded and all were in favor.

Upon consideration of bid for motor grader, Al Campbell explained that the City had received only one bid from Darr Equipment. Al Campbell presented a lease agreement from Darr for a minimum of three months at $3,900 per month with the option to purchase by applying lease funds to the purchase amount. Raymond Pruitt motioned with Don Hackney seconding to enter into the lease agreement with Darr Equipment for a period of three months, and to investigate the possibility of purchasing a motor grader at the end of this term. All members were in favor.

As not all selections for the Planning and Zoning and Board of Adjustments Committees had been notified, Ronnie Fugate motioned to table this item until the next regular meeting in August. Don Hackney seconded and all were in favor.

Al Campbell updated the council as to the progress of the water line for the new high school. He explained that the lines at Highway 243 and off College Street had been tied together. The school is tied on at this time and testing all plumbing.

Upon consideration for approval of easement for the Bank of Van Zandt to construct a 40 foot street running to Industrial Drive, Johnny Mallory explained that the city had requested an easement from the Bank of Van Zandt in order to service the Morris Medical Clinic with sewer. The Bank of Van Zandt is requesting a trade for an easement crossing city property which would allow the bank availability for future street expanion running to the cul-de-sac on Industrial Drive. After a lengthy disucssion, Raymond Pruitt motioned to approve the easement to the Bank of Van Zandt barring any restrictions prohibiting such through a deed search. Ronnie Fugate made a second to the motion. Jack Etheridge abstained from voting due to possible conflict of interest. The motion carried with no objections from the remaining councilmembers.

Upon consideration pertaining to the Tunnel Lease, Johnny Mallory informed the council that he had been approached by a real estate company representing Jr. Food Mart. They are interested in purchasing the Tunnel property which consists of one city block adjacent to City hall and partly used as a parking lot by the City at this time. The interested party would be willing to provide city employees parking upon purchase of the property should the city be willing to relinquish the present lease from the Tunnels which is in effect through January 31, 1998. Don Hackney expressed his opinion in favor of releasing the property to allow for future business gowth in our community. Raymond Pruitt asked that we also consider the possibility of future need for a new city hall and that should this property be available for purchase that the city consider the purchase. Al Campbell was then instructed by the council to confer with Mr. Tunnel as to his intentions with this property and report back to the city council. This item is scheduled to be discussed during the August 1, 1989 workshop meeting.

Upon consideration pertaining to special events, Beth Whitaker asked that the council consider cancelling the upcoming Hay Fest and devote mote time and funds promoting the special events brought in by private promoters to our town. She expressed her opinion that the City did not have the time nor the employees to completely promote and plan special events. Raymond Pruitt was in agreement to cancel the Hay Fest with the stipulation that the city continue to offer assistance with the Hay Show. After discussion, Don Hackney motioned to table this item until the August workshop for council review. A second was made by Raymond Pruitt and all were in favor.

Upon consideration pertaining to litter control, Ronnie Fugate explained that he had been contacted by a resident on Buffalo Street who stated she was beginning a petition for the residents on Buffalo pertaining to the amount of litter on this street which is worse on the seekends. Ronnie Fugate inquired into the possibility of posting signs along Buffalo and the enforceability of such. Al Campbell suggested that we contact the Highway Department for assistance as Buffalo is controlled by the Highway Department. After a discussion with several ideas presented, Raymond Pruitt asked that Ronnie Fugate, Gil Coil, and Al Campbell meet with the Buffalo Street residents and see it we could work together in a solution to this matter. The council was in favor.

Beth Whitaker then asked that Al Campbell and Johnny Mallory look into the possibility of new First Monday Maps as the present ones are outdated. Joe Collins from the Chamber of Commerce volunteered his assistance with the new maps as he receives several calls and comments. Raymond Pruitt made a motion to begin work on these maps with a section of the grounds at a time. A second was made by Ronnie Fugate and all were in favor. The council suggested contacting John Fincher for his help with this project.

Beth Whitaker updated the council on the log cabin office landscaping. She stated that she and Charles Page were locating materials and prices at this time. Ryamond Pruitt expressed that he would like to see the landscaping completed as soon as possible. Councilman Pruitt then motioned to approve $3,500 landscaping expenditures at this time with any amount over such to be presented to Al Campbell for council approval. Ronnie Fugate seconded the motion and all were in favor.

Upon consideration pertaining to the Sewer Back Up Ordinance, Attorney Roxie Cluck stated that she did have a portion ready for presentation, however, it was not ready to be presented for approval at this time. The council asked that this item be placed on the next regular scheduled council meeting.

The councilmembers each reviewed a proposed ordinance pertaining to the "No Parking" where official signs are placed. Raymond Pruitt motioned to approve the following ordinance:

AN ORDINANCE PROHIBITING PARKING OF VEHICLES AT ANY PLACE WHERE OFFICIAL SIGNS PROHIBIT PARKING, INCLUDING THE NORTH SIDE OF HIGHWAY 64 IN THE 1000 BLOCK OF WEST DALLAS STREET, AND ON EITHER SIDE OF HIGHWAY 19 FOR A DISTANCE OF .7 MILES FROM THE INTERSECTION OF HIGHWAY 64 AND HIGHWAY 19 IN THE CITY OF CANTON, TEXAS, CONTINUING IN A NORTHERLY DIRECTION; PROVIDING FOR TOWING AND IMPOUNDMENT; PROVIDING A PENALTY; PROVIDING FOR SEVERANCE, A REPEALING CLAUSE AND AN EFFECTIVE DATE.

Jack Etheridge seconded the motion and all were in favor.

Ronnie Fugate updated the council on the committee meeting pertaining to the Henry Lewis Pavilion. He stated there had not been much progress at this time as Mr. Lewis did not seem interested in a long term lease and wished a lease that would only be in effect for First Monday Weekends.

Raymond Pruitt asked that the council consider building a pavilion for the city on city owned property adjacent to the First Monday grounds. After discussion, Raymond Pruitt motioned to begin obtaining prices and information for building a pavilion with the committee continuing to meet toward a possible lease of the Lewis Pavilion. Beth Whitaker seconded the motion and all were in favor.

Al Campbell updated the council on the closing of the landfill. A cost from Stakes and Associates has been negotated in the amount of $5,000. City Secretary Campbell stated that by proceeding with the engineering work at this time, all documents should be in place and ready to bid out for closing by August or September, enabling a close out date of November 30, 1989. Don Hackney motioned to begin engineering procedures. Raymond Pruitt seconded the motion and all were in favor.

Beth Whitaker expressed here appreciation to the city employees responsible for the clean up, repair, and improvements of the animal shelter.

Al Campbell then updated the council on the water survey. He stated that the city had begun pulling information together that would then be placed in the engineer's computer for detail. The city is able to obtain peak usages during the summer months and should be able to correct some during the winter months. Mr. Stokes will begin his survey within 10 days and should be able to present the findings and possible solutions within 90 to 120 days. The Tower Street area remains top priority for the survey.

Al Campbell updated the council to the status of the First Monday Utilities. TU Electric employees were on the grounds during July's First Monday weekend and were able to resolve some problems at that time. They did find low voltage areas and will be able to improve some conditions prior to August First Monday weekend. TU Electric does plan to continue reviewing the grounds during First Monday for several more months.

Upon consideration of new and old business for placement on future agendas, Ronnie Fugate asked Al Campbell to meet with the Commissioners Court concerning street maintenance.

Ronnie Fugate also asked that the school zones, primarily Big Rock and Elm Streets be placed on the next regular meeting agenda.

Ronnie Fugate also expressed his pride in the renovation work being conducted to a building on the west side of the square.

Mayor Caviness asked to return to Guest Items as Susie McDonald had arrived and wished to address the council. Ms. McDonald explained that she had attended a music festival in Canton during the month of June. Upon arriving at her home in Fort Worth on June 18, 1989, she discovered that her camera equipment had been stolen. She was instructed by her insurance company to receive a police report from the Canton Police Department. She stated that the Canton Police Department was very rude and would not take a theft report

from her. After several phone calls to the police department, anothr trip to Canton, and visits with Johnny mallory and Ronnie Fugate, she was finally able to receive a report.

Raymond Pruitt replied by explaining that several years ago the city did adopt a policy not to take police reports over the phone, due to several problems created during that time following First Monday weekends. He assured ms. McDonald that we did appreciate visitors and tourists to our city, however, the police department was following policy. Raymond asked that consideration of this policy be placed on the next workshop agenda. Ronnie Fugate assured Ms. McDonald that the city would inform her to any changes in the policy.

Returning to consideration of new and old business for placement on future agendas, Raymond Pruitt inquired into the progress of adding food concessions during First Monday. Al Campbell informed the council that persons on the waiting list had been notified and Carlton Ham was in the process of locating spaces.

Upon other inquiries from Raymond Pruitt, Al Campbell informed the council that a generator had been ordered for the Police Department and the billboard in Forney was in the process of being changed. Attorney Roxie Cluck informed the council that in reviewing several ordinances questioned last month, they are all enforceable, however, she is working on the dog ordinance and it shall be ready for presentation at the next workshop meeting.

Raymond Pruitt asked that the Street Committee begin working on next years plan and present such to the council, so that it may be allocated in the October budget. This item is to be placed on the September agenda.

Raymond Pruitt then asked that previously discussed restoration work to the dipping vat be started. He asked that this item be placed on the August workshop agenda.

Councilman Pruitt also expressed his concern pertaining to the upkeep of the cemetery located on Kaufman Street and Highway 19. He would like the council to consider allowing the city to help maintain said grounds. Don Hackney asked Raymond Pruitt to meet with the Cemetery Asssociation to see if they would welcome the city's assistance and what conditions could be worked out.

Raymond Pruitt continued by asking that a list be compiled of places in the city that need to be sprayed in controlling weed problems. He also asked that this list be given to Cloyce Perkins for follow up.

Raymond also expressed his concern pertaining to the Christmas decorations of the Chamber of Commerce's. He felt the city might be willing to take over the care and repair of these decorations. Gil Coil informed the council that he had made plans with the Chamber to move the decorations indoors the following morning. Raymond Pruitt asked that this item be discussed in the next workshop meeting.

Raymond continued by asking Ronnie Fugate and Don Hackney to visit with John Fincher pertaining to the First Monday monument. He has discovered that the monument will cost closer to $20,000 than the $10,000 to $12,000 figure. John Fincher felt they coulc visit with a company in Arlington pertaining to selection of material which may lower the cost. Raymond asked that a report be presented to the council in the next workshop meeting.

Raymond had also been contacted by Billy Jack Peace pertaining to a petition for street repair to Granada Square. Mr. Peace would like a reply from the city. The council was in agreement that the street would be repaired, however, a date could not be set at this time.

Upon Raymond's inquiry pertaining to worker's comp insurance for the individuals who clean and maintain the restrooms during First Monday as well as clean the grounds, Johnny Mallory informed the council that the attorney was drawing up forms for each of these people to read and sign. The forms would specify to the workers that they are not employees of the city, but contract labor. The forms should be ready prior to August First Monday weekend. Johnny will then have a meeting with the workers explaining their duties as contract labor.

Raymond also asked Johnny to explain the status of previous inquiry into 1099 on city vehicles driven by employees from work to home. Johnny explained that the manner in which the vehicles are used, including calls during the night to handle city business, there is not a problem at this time in not handling 1099's. He did suggest that the employees driving these vehicles keep a log of their travel in the vehicle.

Raymond Pruitt then asked Al Campbell to meet with Mr. Rushing of the Highway Department concerning the corner of College and Buffalo. He also asked that a committee of himself, Carlton Ham, Al Campbell, Rayford Hutcherson, and Michelle Wilson review the direction of advertising for First Monday Trade Days. He asked that the committee present a plan in September for next year's advertising.

Councilman Pruitt's final request was that the city work with the Chamber of Commerce in discussing a possible Souvenir Shop on the First Monday grounds. He asked that discussion pertaining to this item be placed on the August workshop agenda.

Al Campbell then informed the council that the city has several pieces of equipment that we either do not use or is unuseable. As the city is in need of a truck for the utility department and a truck for the sewer plant to mount the sludge tank on, Al asked that the council consider placing the used equipment in an auction. He felt the funds generated by the sale of this equipment would be sufficient to purchase the vehicles needed. The council was in agreement to advertise for bids on the equipment to be sold. The equipment includes a 1975 International Suburban Truck, 1970 Chevrolet Truck, Steel Wheel Roller, Grade All Tractor, and a Motor Grader.

Al also asked that the council devote the majority of the next workshop to discuss the upcoming budget.

Johnny Mallory then informed the council that he was in need of a new printer for the office. After discussion, Raymond Pruitt motioned to approve the purchase of a new printer with Jack Etheridge seconding. All were in favor.

The council then took a brief recess before retiring to executive session.

During executive session, the council met with department heads in discussion concerning general information concerning their positions.

Attorney Roxie Cluck discussed with the council litigation concerning Mary Cope.

The council discussed employee evaluations.

After returning to open session, Raymond Pruitt motioned to award bonuses to several city employees. Jack Etheridge seconded the motion and all were in favor.

There being no futher action taken or discussed, the meeting adjourned.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON
6:30 P.M., TUESDAY, AUGUST 1, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION PERTAINING TO FM 859 PARKING LOT

5. CONSIDERATION PERTAINING TO DOG ORDINANCE

6. CONSIDERATION PERTAINING TO DIPPING VAT

7. CONSIDERATION PERTAINING TO CHRISTMAS DECORATIONS

8. CONSIDERATION PERTAINING TO FIRST MONDAY MONUMENT

9. CONSIDERATION PERTAINING TO SPECIAL EVENTS

10. CONSIDERATION PERTAINING TO POLICE POLICY (THEFT REPORTS)

11. CONSIDERATION PERTAINING TO TUNNEL LEASE

12. CONSIDERATION PERTAINING TO FIRST MONDAY SOUVENIR SHOP

13. CONSIDERATION PERTAINING TO CITY BUDGET

14. CONSIDERATION PERTAINING TO REVIEWING AND AWARDING BID FOR CURB AND GUTTER ON AVENUES B AND C

15. CONSIDERATION OF OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ART. 6252.17, SECTION 2 (g) and SECTION 2 (e).

16. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION

    B. DISCUSSION PERTAINING TO EMPLOYEE EVALUATION

17. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

18. ADJOURN

Posted on City Hall window July 28, 1989 at 4:30 P.M.

ATTEST:

_____
Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
TUESDAY, AUGUST 1, 1989
6:30 P.M.

The Canton City Council met at 6:30 p.m. for a called meeting on August 1, 1989, in the City Hall. Mayor Caviness presided and members present were Jack Etheridge, Ronnie Fugate, Raymond Pruitt, and Beth Whitaker. Don Hackney was absent.

Mayor Caviness called the meeting to order and asked that agenda item number 10, Consideration Pertaining to Police Policy (Theft Reports), be discussed first. The Chief of Police, Hoss Williams, addressed the council and presented copies of information his department is required by law to obtain on a theft report. He also asked that should the council wish for his department to take these reports over the phone, that he be allowed to make a notation on the report that the Canton Police Department cannot confirm that the listed information is true and correct. City Attorney, Roxie Cluck, informed the council that the current policy was not out of order as very few if any governmental departments would give information or take legal information without such being in writing. After further discussion, Chief Williams was asked to amend his policy manual as to the best interest of the City and present it to the council in the next regular meeting for approval.

Under Guest Items, Gordon Stauffer updated the City Council on a Top Ten Fishing Tournament scheduled for August 12 & 13, 1989 on Lake Canton. Mr. Stauffer explained that the tournament was designed toward the youth and promoting "Get Hooked on Fishing, Not Drugs". There will be 10 top bass fisherman on the lake and the youth will be able to view the fishing from land. There will also be youth fishing in the pond with tagged fish and prizes awarded. All the children will be given booklets on fishing, stickers, membership cards, and view a video on fishing. He explained that the small size of the lake limits the number of boats on the lake during a tournament and therefore, he asked that no other boats be allowed on the lake during this weekend. He also asked that the lake be closed between three and five days prior to the tournament to allow for preparation, fish tagging, marking, etc. Raymond Pruitt stated that the city might be able to furnish free hot dogs and cokes to the children. Following further discussion, Jack Etheridge motioned to furnish $500 for hot dogs, cokes, prizes, and additional booklets. Raymond Pruitt seconded the motion and all were in favor. Councilman Pruitt also asked Al Campbell and Beth Whitaker to meet with Mr. Stauffer the next day to work out the details.

Upon Consideration Pertaining to FM 859 Parking Lot during First Monday Trade Days, Raymond Pruitt expressed his concern that the school organizations are not prepared each month to handle the vehicles in an organized manner. he felt that these groups must meet with Rayford Hutcherson, Grounds Supervisor, to obtain instructions for collecting and parking the vehicles. Al Campbell asked Rayford Hutcherson to meet with him and the school superintendent, Dr. Griggs to work out the conditions for the school to continue working the parking lot. Councilman Pruitt asked for a report at the next regular council meeting.

Attorney Roxie Cluck gave each of the councilmembers a copy of a proposed Dog Ordinance. She asked them to review this ordinance and inform her of any changes needed prior to the August 15th meeting. She also informed them that the previous Dog Ordinance was not enforceable as it was written.

Upon Consideration Pertaining to the Dipping Vat, Jack Etheridge motioned to put Ronnie Fugate in charge of the restoration and improvements to the Dipping Vat. Raymond Pruitt made a second and all were in favor. Councilman Fugate will present a proposal to the council during the August 15th council meeting.

Upon Consideration Pertaining to Christmas Decorations, Raymond Pruitt asked that the council consider allowing the city to take down and put up the Christmas decorations around the courthouse. Jack Etheridge made a motion that the city handle this operation upon consent of the Chamber of Commerce. Raymond Pruitt made a second and all were in favor. Al Campbell was asked to have a proposal prepared by the next regular meeting on how the city will handle this.

Councilman Fugate updated the council on the standing of the First Monday Monument. He proposed that the city work with Mike Hackney on the possibility of constructing a road side park pull over off Highway 19 on the H & T Property and placing a previously purchased marble monumet. He also proposed that the city have the large bronze First Monday Monument built and placed on the grounds at the Log Cabin Office. Councilman Fugate feels that once the monument is placed in view of the public, the city could then sell the smaller hydrostones to assist in the cost of the monument. He then informed the council that the cost of the life size monument would be $25,000. Following discussion, Councilman Fugate was asked to have a complete proposal including the cost of the hydrostones by the next regular scheduled council meeting.

Upon Consideration Pertaining to Special Events, Al Campbell informed the council that he had visited with the County Extension Agent, Tommy Barker concerning the Hay Fest and the fact that the Hay Show was re-scheduled around the Hay Fest. Mr. Barker did not feel there would be any hard feelings and when asked how the city could continue to show support of their event, he stated it would be nice if the councilman and spouses could attend the dinner given for the hay producers and possibly donate the awards as done last year. Mr. Barker expressed that there was excitement on their part that there seemed to be a growing relationship with the city that had not been there in the past.

Beth Whitaker then amde a motion that the city cancel the Hay Fest and November Arts & Crafts Show and direct more funds toward the special events brought in by promoters. A second was made by Raymond Pruitt and all were in favor.

Upon Consideration Pertaining to the Tunnel Lease, City Secretary Al Campbell updated the council on a meeting he had with Mr. Tunnel. Mr. Tunnel has had the property appraised and presently does not feel he will be able to reach an agreement with the firm interested in purchasing said property. Mr. Tunnel did agree to inform the city of any decision made.

Upon Consideration Pertaining to First Monday Souvenir Shop, Councilman Pruitt expressed his opinion that it is time the city had their own Souvenir Shop on the First Monday grounds. He also asked what needed to be done to enforce the city's trademark with a percentage of sales from merchandise sold or viewed with the city's trademark. He asked that the information be obtained and discussed in the next regular council meeting.

Councilman Pruitt asked Al Campbell and Johnny Mallory to obtain cost figures and a proposal for a Souvenir Shop. They are to have this proposal prepared for the next regular council meeting.

Al Campbell then informed the council that he and Johnny Mallory had been discussing the upcoming budget with the department heads regarding their future needs. He stated that they needed to know the council's goals involving capital expenditures within the next week.

Councilman Pruitt stated some of the immediate goals which would need funds allocated in the new budget. His list included the major street repairs as well as some smaller street repairs and equipment to do such, a souvenir shop, an additional restroom and structure on the First Monday grounds, and special event assistance. Councilman Fugate also expressed that he would like to see funds allocated for recreational improvements to the lakes and park.

Mr. Mallory also asked the council their wishes on allocating some of the reserve funds in the budget. Raymond Pruitt felt that some funds would need to be released from the reserves to properly repair streets. The council asked that the street committee decide the streets to be worked on and use that figure in determining what would need to be allocated from the reserve funds.

The council decided to continue with the next agenda item, Consideration Pertaining to Reviewing and Awarding Bid for Curb and Gutter on Avenues B and C, before further discussion pertaining to the budget.

City Secretary Al Campbell informed the council that only one bid had been received which was from Simon Trayler & Sons, Inc. The bid price was as follows:

$ 6.00 per linear foot for curb & gutter
$28.00 per s.y. for drive ways

Raymond pruitt made a motion to accept the bid from Simon Traylor & Sons, Inc. A second was made by Ronnie Fugate and all were in favor.

The council then returned to a lengthy discussion pertaining to the budget and street repairs.

Upon Consideration of Old and New Business for Placement on Future Agendas, discussion was held pertaining to the future purchase of a maintainer and the need of advertising for bids. Mayor Caviness also expressed concern of the new office hours for the GTE office in Canton. Mr. Campbell stated that he would research our franchise agreement with GTE and visit with them to see what the situation is.

Al Campbell updated the council on several items. He stated that the "No Parking" signs have been put in place on Highways 64 and 19 and the city has received the signs for no littering.

Mr. Campbell also informed the council that the log cabin office is close to completion and asked that a committee of 2 or 3 be formed for final inspection and authorization of payment upon completion.

He then presented a proposal from the Sewer Department for needed testing equipment. Mr. Campbell explained the advantages of in house testing and the reduction in expenses. He feels the equipment could pay for itself in approximately 4 months and it does have a 10 year plus life span. He also informed them that the State has issued new guidelines for sewer plant operations which seem to help rather than hinder us.

Mr. Campbell then updated the council on the animal shelter. He stated that it is costing between $350 to $400 per month to have animals put to sleep. The city has spent $400 to install a gas chamber at the shelter and $200 for the equipment, which the State has shown approval of. The County has approached Mr. Campbell as to the feasibility of the city selter accepting animals from the county at their expense. Mr. Campbell stated that he would get them the cost of housing an animal for a 3 day period. The council was in favor to negotiate an agreement between the city and county pertaining to this matter.

Al Campbell then informed the council that the audit report should be ready by the August 15th council meeting. He also updated them as to the status of the water survey and has asked Mr. Stokes to supply a time table of this survey.

Mr. Campbell also asked the council to consider the possibility of making available for industrial growth, part of the 60 acres the city owns behind the First Monday grounds bordering Cherry Creek. Mr. Campbell also informed the council that they needed to be considering their plans for health insurance as it would be discussed in the next meeting. He stated that the city is looking at a 19% increase.

The council then retired to executive session to discuss pending litigation and employee evaluation at 9:15 p.m.

The council returned to open session at 9:27 p.m. Beth Whitaker made a motion to give Mike Knight a $50 bonus for services rendered on the First Monday grounds. Ronnie Fugate seconded the motion and all were in favor.

Jack Etheridge motioned to adjourn at 9:28 with a second from Beth Whitaker. All were in favor, meeting adjourned.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, AUGUST 8, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION AND POSSIBLE APPROVAL OF HEALTH INSURANCE FOR 1989-1990

5. CONSIDERATION OF ALL MATTERS PERTAINING TO FIRST MONDAY LOG CABIN OFFICE

6. DISCUSSION OF 1989-1990 TAX RATE

7. CONSIDERATION OF OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

   A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6257.17, SECTION 2 (f).

8. EXECUTIVE SESSION

   A. DISCUSSION PERTAINING TO LEASE AGREEMENT

9. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

10. ADJOURN

Posted on City Hall window Friday, August 4, 1989 at 3:30 P.M.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
TUESDAY, AUGUST 8, 1989
6:30 P.M.

The Canton City Council met at 6:30 p.m. in the city hall with Mayor Caviness presiding. All members with the exception of Beth Whitaker were present.

Mayor Caviness opened the meeting and asked to retire to executive session as Attorney Roxie Cluck could not stay for the entire meeting. There were no objections objections from the council and they retired to executive session.

The council returned to open session at 7:12 p.m. with no action to be taken from discussion of a lease agreement in executive session.

Councilman Fugate gave the invocation and as there were no guest items, the council went into Discussion Pertaining to Health Insurance for 1989-1990.

Assistant City Secretary, Johnny Mallory, informed the council that the present Health Insurance Policy with Blue Cross Blue Shield was increasing by 37%, effective August 15, 1989. He also showed them 2 alternate plans through the same company that would not reflect as large an increase of the premiums. Mr. Mallory explained the primary differences in the plans as follows:

	DEDUCTABLE	FAMILY DEDUCTABLE	EMERG. RM. COVERAGE	PRESCRIPT. CARDS
CURRENT	$250	$ 750	$1,500	$5 & $3
PLAN I	300	900	300	$7 & $5
PLAN II	500	1,500	150	$8 & $5

After a lengthy discussion, Plan II seemed to be the most affordable in allowing the city to continue offering Health Insurance. Plan II reflects approximately a 19% premium increase. The council was in agreement that the city could not continue to absorb such increases, however, they did not feel the employees could afford to pay the full increase.

Don Hackney made a motion to enroll in Plan II with the city paying 75% of the 19% increase and the employees paying 25% of the increase. The approximate monthly cost per employee would be $5.65 for employee coverage only and $15.04 for employee and dependent coverage. Jack Etheridge seconded the motion and all were in favor. Don Hackney asked that Al Campbell meet with the employees and explain the changes in this policy.

Upon consideration of all Matters Pertaining to First Monday Log Cabin, Al Campbell informed the council that one sub-contractor had not been paid at this time. He asked the council's feelings of issuing the final payment in the form of a joint check to the contractor and sub-contractor so that they may work it out. The council had no objections to this proposal.

Johnny Mallory informed the council that there were only a few items to be completed on the log cabin.

First Monday Grounds Supervisor, Rayford Hutcherson, inquired as to the status of the landscaping. The council asked Al Campbell, Johnny Mallory, and Rayford Hutcherson to get a plan together for the landscaping and begin the work.

Upon Discussion of 1989-1990 Tax Rate, Johnny Mallory reviewed the effective rate of 9.449 cents and the maximum that the city could raise it without a hearing would be 9.783 cents, the roll back rate is 10.613 cents. Mr. Mallory informed the council that going over the 3% would require public hearings to begin immediately. Jack Etheridge made a motion not to exceed the 3% with a second by Ronnie Fugate. All were in favor. Mr. Mallory then informed the council that they would need to pass an ordinance at the time of budget approval.

Upon Consideration of Old and New Business for Placement on Future Agendas, Ronnie Fugate questioned the status of the police departments theft report policy. Chief Williams will be presenting the police departments's policy at the next council meeting.

Mayor Caviness also asked if there had been any communication with the telephone company regarding their office hours. The council asked Mr. Campbell to compose a letter to General Telephone in reference to this matter.

Rayford Hutcherson asked the council to consider possibly constructing a small restroom with a canopy and drinking fountains in place of the west side office that is to be removed. He felt this would offer shelter to the gate employees and alleviate the need of the 4 port-a-potties in that area. The council asked Mr. Hutcherson to have some cost figures and a proposal by the August 15th meeting.

There being no other agenda items, Councilman Pruitt asked that the council return to executive session at 8:03 p.m.

The council returned to open session at 8:20 p.m. with no action to be taken from discussion in executive session.

Meeting adjourned.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, AUGUST 15, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A REGULAR MEETING AT THE ABOVE NEMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. CONSIDERATION TO APPROVE MINUTES

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS

5. GUEST ITEMS

6. CONSIDERATION PERTAINING TO POLICE POLICY (THEFT REPORTS)

7. CONSIDERATION PERTAINING TO APPOINTMENT OF PLANNING AND ZONING COMMITTEE

8. CONSIDERATION PERTAINING TO APPOINTMENT OF BOARD OF ADJUSTMENT COMMITTEE

9. CONSIDERATION PERTAINING TO REQUEST FOR WATER TAP OUTSIDE CITY LIMITS HAIR

10. CONSIDERATION AND POSSIBLE APPROVAL OF DOG ORDINANCE

11. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE TO CHANGE FISCAL YEAR FROM APRIL THRU MAY TO OCTOBER THRU SEPTEMBER

12. CONSIDERATION AND POSSIBLE APPROVAL OF SEWER BACK UP ORDINANCE

13. CONSIDERAION PERTAINING TO ANIMAL SHELTER AGREEMENT (CITY AND COUNTY)

14. CONSIDERATION PERTAINING TO FIRST MONDAY MONUMENT

15. CONSIDERATION PERTAINING TO CHRISTMAS DECORATIONS

16. CONSIDERATION PERTAINING TO SCHOOL ZONES

17. CONSIDERATION PERTAINING TO DIPPING VAT

18. CONSIDERATION PERTAINING TO FIRST MONDAY TRADEMARK

19. CONSIDERATION PERTAINING TO SOUVENIR SHOP

20. CONSIDERATION PERTAINING TO FM 859 PARKING LOT

21. CONSIDERATION PERTAINING TO FIRST MONDAY RESTROOM

22. DISCUSSION PERTAINING TO LANDFILL

23. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(f) and (g).

24. EXECUTIVE SESSION

    A. DISCUSSION PERTAINING TO LEASE PROPERTY

    B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

25. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

26. ADJOURN

Posted on City Hall window Friday, August 11, 1989 at 1:00 P.M.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
AUGUST 15, 1989
6:30 P.M.

The Canton City Council met in regular session in the City Hall with Mayor Caviness presiding. Members present were Jack Etheridge, Ronnie Fugate, Don Hackney, Raymond Pruitt, and Beth Whitaker.

Mayor Caviness called the meeting to order and the invocation was given by Ronnie Fugate.

The council then retired to Executive Session at 6:33 p.m. to discuss matters pertaining to lease property.

Returning to open session at 6:45 p.m. with no action taken from discussion in Executive Session, Mayor Caviness then returned to the open session agenda items.

There being no corrections or objections to the minutes of the July 18, 1989 Regular Meeting, the August 1, 1989 Called Meeting, and the August 8, 1989 Called Meeting, Mayor Caviness accepted them as written.

Councilman Hackney then reviewed the Financial Statements. There being no corrections, Jack Etheridge motioned to approve the Financial Statements with Ronnie Fugate seconding. All councilmembers were in favor.

Guest Items were as follows:

Henry Lewis addressed the Council concerning a letter he received from the City requesting the removal of the words "1st Monday" from his pavilion. The council explained that naming his pavilion in this manner creates the assumption and confusion that the city operates said pavilion. The Council also explained that "First Monday" (1st Monday) is a trademark of the City's. Mr. Lewis asked the council's opinion of the name "Trades Day Pavilion." As this was not an agenda item, the council was unable to vote on this matter.

Joe Collins of the Canton Chamber of Commerce requested that the Council proclaim August 21, 1989, as Small Business Appreciationn Day. The Chamber has planned a ceremony on that day to be held at Noveltoys. Senator Phil Gramm will be attending the ceremony.

Mr. Collins also updated the Council on the Chamber sponsored Domino Tournament to be held October 7 & 8, 1989. He stated that the Chamber is receiving positive responses and explained the manner in which the tournament will be held. There will be cash prizes as well as trophies for the winners. Mr. Collins requested an advance from the Chamber's portion of the Hotel Motel Tax of $2,500 for assistance in purchasing needed supplies for the tournament. Mr. Collins also stated that 35% of the net profit would be donated to the Van Zandt County Friends of the Library.

Upon discussion of Mr. Collins' request, Beth Whitaker motioned to proclaim August 21, 1989, as Small Business Appreciation Day in Canton. Don Hackney seconded the motion and all were in favor. The Mayor then proclaimed such.

Johnny Mallory explained that the budget reflects that by the end of September, 1989, the City will owe the Chamber of Commerce Tourism Committee approximately $2,000 from their portion of the Hotel Motel Taxes. Mr. Mallory continued by stating that these funds could be allocated at this time as it is reflected in the budget. There were no objections from the council.

Mr. Jack Remer, owner and operator of RKN Construction Company and his wife Joan addressed the council on a possible 4 wheel in-park transportation system for the First Monday Grounds. He presented copies of golf cart type transportations seating from 2 to 9 passengers. Mr. Remer discussed the possibility of a shuttle type service with these vehicles and asked the council's consideration.

Upon Consideration Pertaining to Police Policy of Theft Reports, Police Chief Hoss Williams presented his proposed policy to the council. Following discussion, Ronnie Fugate motioned to accept the stated as police policy:

1. That we will take the reports by phone if the complaintant will give us the information that we need to make a good and accurate police report.

2. In the remarks, we will make the following statement: REPORTING OFFICER CANNOT CONFIRM OR DENY INFORMATION CONTAINED IN THE REPORT. REPORT FOR INSURANCE PURPOSES ONLY.

Jack Etheridge seconded the motion and all were in favor.

Upon Consideration Pertaining to Appointment of Planning and Zoning Committee, Don Hackney motioned to appoint the following: Anita Wilson, Bill Loven, Orvil Denny, John Crow, and Johnny Higginbotham. A second was made by Jack Etheridge and all were in favor.

Upon Consideration Pertaining to Appointment of Board of Adjustment Committee, Raymond Pruitt motioned to appoint the following: Harry Minton, Bill Bethune, Alton Smith, Marcus Burrage, and Don Cannon. Jack Etheridge seconded the motion and all were in favor.

Upon Consideration Pertaining to a request received from Mr. Hair for a water tap outside the city limits, Al Campbell explained that the location was on Mill Creek Road and the request was for a 1 1/2 inch meter. Following discussion, Jack Etheridge motioned with Don Hackney seconding to grant this request. All councilmembers were in favor.

Consideration Pertaining to the Dog Ordinance was postponed without any objections so that Supervisor James Hall could review the updated ordinance.

Upon Consideration and Possible Approval of Ordinance to Change the Fiscal Year, Assistant City Secretary Johnny Mallory explained that most cities operate by a October through September Budget and Fiscal Year. He continued by stating that the records and bookkeeping would be more in line with other cities by doing so. Don Hackney motioned to approve the following ordinance:

AN ORDINANCE AMENDING THE FISCAL YEAR PERIOD OF THE CITY OF CANTON, TEXAS; PROVIDING THAT THE FISCAL YEAR OF THE MUNICIPAL CORPORATION SHALL HEREAFTER BEGIN OCTOBER 1 OF EACH CALENDAR YEAR AND END SEPTEMBER 30 OF THE FOLLOWING YEAR; PROVIDING FOR AN EFFECTIVE DATE.

Jack Etheridge seconded the motion and all were in favor.

Following discussion pertaining to a proposed Sewer Back Up Ordinance, Don Hackney motioned to approve the following ordinance:

AN ORDINANCE DECLARING THAT THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF SEWER AND SANITATION SYSTEMS, AND STORM SEWERS ARE GOVERNMENTAL FUNCTIONS PROVIDED BY THE CITY OF CANTON, TEXAS AND DISCLAIMING ALL LIABILITY FOR OCCURRENCES IN PERFORMING SAID FUNCTIONS; DISCLAIMING LIABILITY FOR SEWER BACK-UP AND OVERFLOW; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE REPEALED TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Jack Etheridge seconded the motion. Councilmembers in favor were Don Hackney, Jack Etheridge, Ronnie Fugate, and Beth Whitaker. Raymond Pruitt abstained from voting. The motion carried.

City Secretary Al Campbell updated the council on the negotiations with the County concerning the Animal Shelter. Mr. Campbell explained that a previous cost figure per animal was in error and would average approximately $12 to $15 for a 3 day stay. he also proposed that the city invoice the county for any animals in the city's care. Ronnie Fugate motioned to pursue an agrreement in written form. Raymond Pruitt seconded and all were in favor.

Upon Consideration Pertaining to First Monday Monument, Councilman Fugate displayed a small model of the proposed monument and introduced it's creator, John Fincher. Mr. Fugate maintained his previous proposal of funding the life size bronze monument prior to the beginning sale of the smaller hydrostone copies. Mr. Fincher explained that the smaller versions could be

started while working on the life size and also suggested creating a limited edition of 10 to 15 small bronze statues. Mr. Fincher feels that the hydrostones could sell for approximately $75 to $100 each and the bronze copies for approximately $1,500 to $2,000. Councilman Fugate then explained that the foundry fee for the life size monument would be approximately $25,000 at the high and that 5 installment payments could be made. Following more discussion pertaining to the fact that the sale of the hydrostones and small bronze monuments would subsidize the cost of the life size monument, Ronnie Fugate motioned to begin work on the life size monument.

Beth Whitaker seconded the motion and all were in favor. Councilman Pruitt suggested that the funds be taken from the Museum Fund and replaced as the sales take place.

Upon Consideration Pertaining to Christmas Decorations, Raymond Pruitt motioned that the City take the responsibility of putting up and removing the Christmas Decorations. A second was made by Ronnie Fugate and all were in favor.

Upon Consideration Pertaining to School Zones, Chief Williams informed the council that he had visited with the PTA and Dr. Griggs, Canton I.S.D. Superintendent, and they would like to continue one way school zones as in the past. Chief Williams asked that an ordinance be created for enforcement and include Hwy. 243 N to Park Street. Don Hackney motioned to proceed with such ordinance. Raymond Pruitt seconded the motion and all were in favor. Don Hackney also asked that the new high school be considered in this ordinance.

Chief Williams also expressed a concern that future consideration be given to the possible need to hire a person to work the crosswalks. Ronnie Fugate also expressed his concern that parents are parking on the east side of Buffalo and allowing children to run across Buffalo to the school. The Council asked Chief Williams to visit with Dr. Griggs on this matter.

Upon Consideration Pertaining to the Dipping Vat, Ronnie Fugate explained that he was researching the possibilities of reconstruction. he asked that this be placed on next month's agenda for a possible proposal of reconstructing the dipping vat to a point. There were no objections from the council.

Upon Consideration Pertaining to Souvenir Shop, Ronnie Fugate expressed that he favored using some of the unusable property over the creek area on the First Monday grounds. This would be located behind some dealers however, access would be available from several locations. There were no cost estimates available at that time and the council asked that this information be obtained and made an agenda item for the next regular meeting.

Al Campbell addressed the council concerning the FM 859 Parking Lot during First Monday. He wanted to make clear how many months of the year the school would be able to work this parking lot. Some civic organizations will utilize three months a year leaving the remaining 9 months for the school as long as they operated it according to Mr. Hutcherson's specifications. Al Campbell and Rayford Hutcherson will meet with Mr. Hess this week.

Upon Consideration Pertaining to First Monday Restroom, Beth Whitaker explained that the previously discussed location is in a flood zone as is all of the creek area. The council instructed Rayford Hutcherson to find 4 or 5 locations on the grounds for small restroom locations.

Al Campbell then updated the council on the landfill closing procedures. He stated that half of the coring has been completed and that we should be able to begin bidding procedures during the September regular meeting.

Upon Consideration of New and Old Business for Placement on Future Agendas, Beth Whitaker addressed the following items to be completed and/or placed on next month's agenda for any consideration needed: Hook-up charge for sewer on the R.V. Park, Entry Road to the lake, advertising with Mr. Gene Garland for next year's festivals, flag poles for the new log cabin office, street in front of log cabin, walking and bike trail on First Monday grounds, tennis court maintenance and possible restrooms at parks, letters to flea market managers not complying with Flea Market Ordinances, possible need of formal letter to the County Commissioners requesting assistance in repairing parking lot, colored garage sale permits, and a written reply to Mr. Remer's request during guest items.

Raymond Pruitt also addressed the following items for discussion: the purchase of a maintainer which Al Campbell, Johnny Mallory, and Jack Etheridge will review, report on possible First Monday Pavilion to be placed on the September agenda, request for update on water survey which Mr. Campbell reported that the computer input is still being conducted, status of the cemetery maintenance, and status of the maintenance on the bar ditches.

Councilman Pruitt also asked Al Campbell and Johnny Mallory to visit with Mr. Earl Curry on some improvements he would like to make as well as the possibility of a State Sign directing visitors to the Animal Grounds. Also to check with Mr. Pierce concerning trash cans he has requested to be placed along side ditch.

There being no further items for future agendas, the council took a short recess at 8:43 p.m. before retiring to executive session.

Following discussion in executive session pertaining to personnel matters and lease property, the council returned to open session at 9:35 p.m.

Raymond Pruitt motioned to give Aron Holmgren a $50 per month pay increase and Rayford Hutcherson a $50 per First Monday paycheck increase. Ronnie Fugate seconded the motion and all were in favor.

Don Hackney then motioned to allow the city attorney to pursue the legal aspects on the Henry Lewis lease property. Raymond Pruitt seconded and all were in favor.

There being no further action, the meeting adjourned at 9:36 p.m.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF BOARD OF ADJUSTMENTS MEETING

THE BOARD OF ADJUSTMENTS COMMITTEE WILL MEET TUESDAY, AUGUST 29, 1989, AT 1:00 P.M. IN THE CANTON CITY HALL.

DISCUSSION WILL PERTAIN TO A VARIANCE REQUEST RECEIVED FROM MR. F.A. PHILLIPS

BOARD OF ADJUSTMENTS
TUESDAY, AUGUST 29, 1989
1:00 P.M.

The Board cf Adjustments Committee met at the above named date and time in Canton City Hall. All members were present as follows: Harry Minton, Bill Bethune, Alton Smith, Marcus Burrage, and Don Cannon. Others present were Mr. F.A. Phillips and City Secretary Al Campbell.

The committee discussed Mr. Phillips' request for a zoning variance at his residence, 1471 Shady Lane. Mr. Phillips' request was to allow constructing a carport ending two (2) feet from the front property line. The committee recessed to view Mr. Phillips' property.

Upon reconvening, the committee asked Al Campbell to contact six (6) residents neighboring Mr. Phillips as to any objections. After the contacts have been made, the committee will meet again for further consideration.

Meeting adjourned.

ATTEST:

Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., THURSDAY, AUGUST 31, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. PUBLIC HEARING ON 1989-90 BUDGET

5. CONSIDERATION AND POSSIBLE ACTION ON BIDS RECEIVED FOR PURCHASE OF MID-SIZE TRUCK

6. DISCUSSION PERTAINING TO DRAINAGE PROBLEM - SIDES CIRCLE (MALONEY)

7. CONSIDERATION PERTAINING TO SPECIAL WARRANTY DEED (SHINN)

8. CONSIDERATION PERTAINING TO REQUEST FOR WATER TAP OUTSIDE CITY LIMITS (KENDALL)

9. CONSIDERATION PERTAINING TO STREET COMMITTEE REPORT

10. CONSIDERATION PERTAINING TO FIRST MONDAY ADVERTISING REPORT

11. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17, SECTIONS 2 (g) and 2 (e).

12. EXECUTIVE SESSION

    A. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS

    B. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION

13. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

14. ADJOURN

Posted on City Hall window Monday, August 28, 1989, at 2:45 p.m.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
AUGUST 31, 1989, 6:30 P.M.

The Canton City Council met for a Called Meeting in City Hall with Mayor Caviness presiding. Members present were Don Hackney, Ronnie Fugate, Beth Whitaker, Raymond Pruitt, and Jack Etheridge.

Mayor Caviness called the meeting to order and as there were no Guest Items, opened the Public Hearing for the 1989-90 Budget. The council reviewed the proposed budget as Johnny Mallory updated them on the capital expenditures reflected in the budget. Following a lengthy discussion, the council asked for a budget workshop on September 12, 1989. Mayor Caviness then closed the Public Hearing.

Upon Consideration and Possible Action on Bids Received for Purchase of a Mid-Size Truck to be used in the Water & Sewer Department, Al Campbell read three (3) bids as follows:

Canton Motors	1989 Dodge D50 Truck	$9,300.00
John Crow Pontiac	1989 S-15 1/2 Ton Truck	$9,658.00
Lewis Chevrolet	1990 Model	$9,650.00

Raymond Pruitt motioned to accept the bid from Canton Motors and purchase the 1989 Dodge D50 Truck. A second was made by Jack Etheridge and all were in favor.

Ronnie Fugate informed the council that he had been contacted by Mr. and Mrs. Harold Maloney concerning a drainage problem on Sides Circle. The council asked that this situation be reviewed for a proposed solution by the September 19th meeting.

Upon Consideration Pertaining to a Special Warranty Deed for Mr. Lloyd Shinn, Sr., Al Campbell explained that Mr. Shinn's lot is not square, however he was given permission several years ago to square the lot off with a wooden fence. Presently, he has begun an addition to his home that inadvertantly is on a small protion of the city's property on Tower and Big Rock. Mr. Campbell continued by stating that to give Mr. Shinn seven (7) feet on the back side of his property would resolve the problem and square off the lot. Rollowing discussion, Raymond Pruitt motioned to grant the Special Warranty Deed. Ronnie Fugate seconded and all were in favor.

Al Campbell reviewed a 3/4" water tap request outside the city limits received from Mr. Kendall. The location is off Highway 243 and Arnold Paul Road (MHMR Building). Ronnie Fugate motioned to approve the request with Jack Etheridge seconding. All councilmembers were in favor.

Don Hackney presented the Street Committee's recommendations for the new fiscal year. The Committee feels that the water lines should be re-routed with a six inch (6") line on Granada Square this coming year and re-construction of the street the following year. This year's priority list for street repairs was recommended as follows: Nichols, Oak Square, Oak Circle, and a portion of Sides Circle as discussed earlier in the meeting. The council asked for engineering reports including approximate costs by the October Workshop.

Discussion was also held pertaining to the daily maintenance of the streets and equipment needed.

Upon Consideration Pertaining to First Monday Advertising Report, Al Campbell updated the council as to a new Northeast Texas Tourism Council that has been formed. The NETTC is interested in compiling a brochure with First Monday Trade Days as the center and the other cities selling their attractions to our crowds on such brochure.

Raymond Pruitt expressed his wishes that we look into more advertising in the Shreveport area and possibly considering an advertising consultant. The council asked that some advertising consultants be contacted as to cost figures and presented in September's regular meeting.

Upon Consideration of New and Old Business for Placement on Future Agendas, Police Chief Hoss Williams addressed the council concerning the Flea Market Ordinance, Junk Car Ordinance, and the Tall Grass Ordinance. Chief Williams updated the council of his conversations that afternoon with Flea Market managers who had not at that time complied with Ordinances 89-2 and 89-6. He asked the council's wishes of enforcement for any manager stating they would not comply as one manager had informed him, as well as residents not complying with the Junk Car and Tall Grass Ordinances. As this was not an agenda item, the council did not vote on the matters however, several expressed their opinions that the ordinances must be enforced. Attorney Roxie Cluck reminded the council that a vote had been taken in a previous meeting to enforce all ordinances.

Chief Williams also asked that consideration be given to placing "No Parking" signs along some of the streets around First Monday. This item is to appear on the September 19th agenda.

There being no other agenda items, the council recessed at 8:40 p.m. before retiring to executive session.

The council reconvened to open session with no action taken. Ronnie Fugate motioned to adjourn. Don Hackney seconded and all were in favor.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF PLANNING & ZONING MEETING

THE PLANNING & ZONING COMMITTEE WILL MEET THURSDAY, SEPTEMBER 7, 1989, AT 1:00 P.M. IN THE CANTON CITY HALL.

DISCUSSION WILL PERTAIN TO A ZONING CHANGE REQUEST RECEIVED FROM MR. BONNY SUMNER.

PLANNING & ZONING COMMITTEE MEETING
THURSDAY, SEPTEMBER 7, 1989
1:00 P.M.

The Planning & Zoning Committee met at the above named date and time in Canton City Hall. All members were present as follows: Bill Loven, John Crow, Anita Wilson, Johnny Higginbotham, and Orvil Denny. Others present were Mr. Bonny Sumner and City Secretary Al Campbell.

The meeting was called to order and Bill Loven motioned to appoint Orvil Denny as Chairman of the committee. A second was made by Anita Wilson and all were in favor.

Chairman Denny then called for discussion pertaining to a request from Mr. Bonny Sumner for a zoning change. The property in question is approximately five (5) acres located on the south side of East Tyler Street. Mr. Sumner was requesting a change from Agricultural Zoning to First Monday Business 2 Zoning.

Following discussion, John Crow motioned to make a recommendation to the City Council in favor of the zoning change. Bill Loven seconded the motion and all were in favor.

The recommendation will be presented to the City Council during the September 19, 1989, meeting.

There being no other items for discussion, the meeting adjourned.

ATTEST:

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Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, SEPTEMBER 12, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION OF BIDS RECEIVED FOR ASPHALT OVERLAYS - AVENUES A, B, C, AND WEST LANE

5. DISCUSSION PERTAINING TO 1989-90 PROPOSED BUDGET

6. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

   A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTION 2(e) and 2(f).

7. EXECUTIVE SESSION

   A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

   B. DISCUSSION PERTAINING TO LEASE PROPERTY

8. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

9. ADJOURN

Posted on City Hall window Friday, September 8, 1989, at 3:30 p.m.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
SEPTEMBER 12, 1989, 6:30 P.M.

The Canton City Council met for a Called Meeting in City Hall with Mayor Caviness presiding. Members present were Don Hackney, Beth Whitaker, Raymond Pruitt, and Jack Etheridge. Ronnie Fugate was absent.

Following the Mayor's welcome and there being no Guest items, Al Campbell reviewed two (2) bids received for asphalt overlays on Avenues A, B, C and West lane. The bids were as follows:

Dike Contractors	Prime Coat - $0.55 per sq. yd.	$ 6,103.90
	Seal Coat - $1.95 per sq. yd.	21,641.10
Reid Brothers Construction	Hot Mix Asphalt Type D $1.94 per sq. yd.	$54,824.12

Upon discussion, Raymond Pruitt motioned to accept the bid from Dike Contractors with a double seal coat. Don Hackney seconded the motion and all were in favor.

The Council then held a brief discussion pertaining to the 1989-90 Proposed Budget.

Upon Consideration of New and Old Business for Placement on Future Agendas, the following items were discussed: proposed contract for letting of bids to close the landfill, repair or replacement of Assistant City Secretary's vehicle, need of bids for a motor grader, and audit report.

Al Campbell also updated the Council on a FAM Tour which will be in Canton September 16, 1989, and expressed an interest in a Van Zandt County Familiarization Tour.

There being no further items for discussion, Don Hackney motioned to adjourn. Jack Etheridge seconded the motion and all were in favor.

The meeting adjourned at 7:25 p.m. with no Executive Session held.

Clifford Caviness
Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M, TUESDAY, SEPTEMBER 19, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATIONS FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME
2. INVOCATION
3. CONSIDERATION TO APPROVE MINUTES
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS
5. GUEST ITEMS
6. CONSIDERATION PERTAINING TO DRAINAGE PROBLEM ON SIDES CIRCLE (MALONEY)
7. CONSIDERATION PERTAINING TO PLANNING AND ZONING COMMITTEE'S RECOMMENDATION FOR A CHANGE IN ZONING (Bonny Sumner)
8. DISCUSSION AND POSSIBLE APPROVAL OF SCHOOL ZONE ORDINANCE
9. CONSIDERATION PERTAINING TO RESOLUTION FOR GEOGRAPHIC INFORMATION SYSTEM
10. CONSIDERATION AND POSSIBLE APPROVAL OF 1988-89 AUDIT REPORT
11. DISCUSSION AND POSSIBLE APPROVAL OF 1989-90 TAX RATE
12. DISCUSSION AND POSSIBLE APPROVAL OF 1989-90 BUDGET
13. CONSIDERATION OF BIDS RECEIVED FOR FLAT BED DUMP TRUCK
14. CONSIDERATION OF BIDS RECEIVED FOR POLE BARN
15. CONSIDERATION AND POSSIBLE APPROVAL OF TWO WATER TAP REQUESTS OUTSIDE CITY LIMITS (Mike Reynolds) (Dennis Mann)
16. DISCUSSION AND POSSIBLE APPROVAL OF NO PARKING ORDINANCE (First Monday)
17. DISCUSSION AND POSSIBLE APPROVAL OF DOG ORDINANCE
18. DISCUSSION AND POSSIBLE APPROVAL OF GARAGE SALE ORDINANCE AMENDMENT
19. CONSIDERATION PERTAINING TO LETTING OF BIDS FOR MOTOR GRADER
20. CONSIDERATION PERTAINING TO LETTING OF BIDS FOR CLOSURE OF LANDFILL
21. CONSIDERATION PERTAINING TO REPAIR OR REPLACEMENT OF CITY VEHICLE
22. CONSIDERATION PERTAINING TO COLOR OF CITY VEHICLES
23. DISCUSSION PERTAINING TO FIRST MONDAY TRADEMARK
24. CONSIDERATION OF DIPPING VAT REPORT
25. CONSIDERATION PERTAINING TO SOUVENIR SHOP

26. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(e), 2(f), and 2(g).

27. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

    B. DISCUSSION PERTAINING TO LEASE PROPERTY

    C. DISCUSSION PERTAINING TO EMPLOYEE EVALUATION

28. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

29. ADJOURN

Posted on City Hall window Friday, September 15, 1989, at 4:30 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
SEPTEMBER 19, 1989
6:30 P.M.

The Canton City Council met for a regular meeting in City Hall with Mayor Caviness presiding. Members present were Ronnie Fugate, Don Hackney, Beth Whitaker, Raymond Pruitt, and Jack Etheridge.

Following the Mayor's welcome, Raymond Pruitt motioned to accept the minutes of the August 15, 1989 Regular Meeting, the August 31, 1989 Called Meeting, and the September 12, 1989 Called Meeting. Jack Etheridge seconded the motion and all were in favor.

Don Hackney reviewed the Financial Statements and there being no corrections, Jack Etheridge motioned to approve the financial statements. Raymond Pruitt seconded the motion and all were in favor.

Guest Items were as follows:

Mr. Bob Alexander of GTE addressed the council concerning the reasons behind cutting back the GTE Office hours in Canton. Mr. Alexander explained that P.U.C. has ordered them to reduce rates and issue refunds of $138 million. Although GTE is arguing these orders, cutbacks had to be made while continuing the service policy.

Kathy House, Zettie Davis, and Bette Patrick also addressed the council in hopes of closing East Tyler Street from Capitol to Buffalo during First Monday Weekend to drive-thru traffic. Ms. House explained that they would like the downtown merchants to be able to set out merchandise on Saturday of First Monday and hopefully enhance downtown business during First Monday. The Council asked that this item be placed on the next agenda.

Residents from the Big Rock-Tower Street area then questioned the progress of the Water Survey. Al Campbell explained that data is still being accumulated and once this is complete, we should have recommendations as to proper repair of this area. Mr. Jack Vandeventer expressed concern that the city stop major expenditures on the First Monday grounds and put the citizens of Canton first. A lengthy discussion followed.

Mr. McWilliams of Granada Square also addressed the council with his concern of dirt being dumped in a low water area or ravine on Granada Square. Al Campbell informed the council that he had spoken with Mr. D.D. Mitchum who is responsible for dumping the dirt. The council also asked Mr. Campbell to send him a certified letter.

Upon Consideration Pertaining to a Drainage Problem on Sides Circle, Don Hackney informed the council and Mr. and Mrs. Harold Maloney that we are seeking engineering advise and that repair of this condition is in the 1989-90 Street Plan.

Al Campbell updated the council on Mr. Bonny Sumner's Change in Zoning Request. Mr. Sumner's request is to change approximately five (5) acres on E. Tyler Street from Agriculture to First Monday Business 2. The Planning and Zoning Committee met on this request and their recommendation was to approve such change. Following discussion, Jack Etheridge motioned to approve the change in zoning with Don Hackney seconding. Members in favor were Don Hackney, Ronnie Fugate, Jack Etheridge, and Raymond Pruitt. Beth Whitaker abstained from voting due to any possible conflicts in interest. The motion carried.

Upon Discussion and Possible Approval of a School Zone Ordinance, Jack and Chris Vandeventer expressed some concern on the length of the one way streets during certain hours and questioned the possibilities of flashing signal lights. Following further discussion, Ronnie Fugate motioned to table this item for investigation of cost for signal lights and review the directions. Raymond Pruitt seconded the motion and all were in favor. This item is to be discussed again in the October Workshop Meeting.

Assistant City Secretary, Johnny Mallory, updated the council on a proposed Resolution for Geographic Information System. He explained that this was in support of software that would better enable us to compose and utilize city, utility, etc. maps. Don Hackney motioned to pass the following Resolution:

WHEREAS, THE CITY OF CANTON IS DESIROUS TO UTILIZE AND ENHANCE ITS BASE MAP, PROPERTY OWNERSHIP MAP, ZONING AND COMMUNITY FACILITIES MAPS AND INFRASTRUCTURE MAPS WITHIN THE CITY BOUNDARIES, AND;...

Jack Etheridge seconded the motion and all were in favor.

Auditor Kenneth Williams then presented and reviewed the 1988-89 Audit with the council. Mr. Williams also presented his suggestions and stated that most of them are in the process of being installed and used. Raymond Pruitt motioned with Don Hackney seconding to approve the 1988-89 Audit. All were in favor. Raymond Pruitt also asked that the council receive an update each month on the status of implementing the recommendations.

Agenda Item 12, Discussion and Possible Approval of the 1989-90 Budget was moved next for discussion prior to Agenda Item 11.

Johnny Mallory briefly reviewed the proposed budget explaining that it did not reflect any tax increases and expenditures were $3.2 million with a portion coming from the fund balances of this year. He explained that additional funds were allocated for major expenditures in street repair for this coming year. Following further discussion, Raymond Pruitt motioned to adopt the 1989-90 Budget. Jack Etheridge seconded and all were in favor.

Upon approval of the 1989-90 Budget, the following ordinance was signed:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF CANTON FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 1989, AND ENDING SEPTEMBER 30, 1990; APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S OUTSTANDING INDEBTEDNESS; ADOPTING THE ANNUAL BUDGET OF THE CITY OF CANTON FOR THE 1989-1990 FISCAL YEAR; PROVIDING A SAVINGS CLAUSE, FOR THE REPEAL OF ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Caviness then returned to Agenda Item Number 11. Discussion and Possible Approval of 1989-90 Tax Rate. Johnny Mallory presented the council with an ordinance requiring $0.0978 per $100.00 valuation. Upon review, Don Hackney motioned to pass the following ordinance:

AN ORDINANCE LEVYING TAXES FOR ALL TAXABLE PROPERTY IN THE CITY OF CANTON, TEXAS FOR THE ENSUING FISCAL YEAR COMMENCING ON THE FIRST DAY OF OCTOBER, 1989, AND ENDING ON THE 30th DAY OF SEPTEMBER, 1990.

Jack Etheridge seconded the motion and all were in favor.

Upon Consideration of Bids Received for Flat Bed Dump Truck, Mayor Caviness read the one bid received.

CANTON MOTORS 1990 FORD CAB-CHASSIS 1½ TON TRUCK $15,400.00

Following discussion, Raymond Pruitt motioned to accept the bid received from Canton Motors. Ronnie Fugate seconded the motion and all were in favor.

Upon Consideration of Bids Received for Pole Barn, Mayor Caviness read the following bids:

CUSTOM METAL BLDGS.	ATHENS, TX	50' X 70' PER SPECS	$14,717.00
RED DOT CORP.	ATHENS, TX	50' X 70' PER SPECS	$12,700.00

Following discussion, Raymond Pruitt motioned with Beth Whitaker seconding to accept the bid received from Red Dot Corp. and make the pole barn the same color as the barn. All members were in favor.

Upon Consideration and Possible Approval of Two Water Tap Requests Outside the City Limits, Al Campbell reviewed the following requests:

Mike Reynolds is requesting a tap behind Amy Street where he is planning to move a mobile home. Mr. Campbell also stated that he felt Mr. Reynolds would need to request a variance as this property falls within our Extra-Territorial Jurisdiction. The Council was in agreement to consider this tap following any action required by the Board of Adjustments.

Dennis Mann is planning to divide approximately 65 acres on Highway 17 into into 20 acrea tracts. The council discussed the present water pressure problems in that area also known as Red Hill. Ronnie Fugate motioned with Don Hackney seconding to deny this request due to lack of water supply at this time to that area. All members were in favor.

Upon Discussion and Possible Approval of No Parking Ordinance (First Monday Area), Don Hackney expressed concern for some of the businesses this may affect, Don Hackney motioned with Ronnie Fugate seconding to table this item until a committee could be appointed and review this area. All members were in favor.

Mayor Caviness asked Don Hackney, Beth Whitaker, Mr. and Mrs. Rutherford, Clyde Elliott, Kathy House, and Zettie Davis to meet and discuss this ordinance. The committee will then bring recommendations to the council.

Upon Discussion and Possible Approval of Dog Ordinance, Attorney Roxie Cluck asked the council to review Section 10 as it deals with the licensing policy of animals. As the council expressed some concern with this section, Raymond Pruitt motioned to table this item. Ronnie Fugate seconded and all were in favor.

The council then reviewed a proposed Garage Sale Ordinance amending the present ordinance. Attorney Roxie Cluck explained the change being that we allow garage sales on any three consecutive days as the current ordinance designates days. Ronnie Fugate motioned to adopt the following amended ordinance:

AN ORDINANCE AMENDING THE GARAGE SALE ORDINANCE DULY PASSED AND APPROVED JULY 19, 1988 DESIGNATING AND REGULATING GARAGE SALES BY AMENDING SECTION 5 OF REGULATIONS AND REQUIREMENTS TO HEREAFTER READ AS SET FORTH HEREIN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERANCE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION.

Jack Etheridge seconded the motion. Those in favor were Ronnie Fugate, Jack Etheridge, and Beth Whitaker. Those opposed were Raymond Pruitt and Don Hackney. Motion carried.

Upon Consideration Pertaining to letting of Bids for Motor Grader, Al Campbell explained the cost the city incurred during the past year in renting a motor grader. As this piece of equipment is needed on a regular basis with the work proposed, Mr. Campbell asked the council's opinion and permission in letting of bids for the purchase of a motor grader. Raymond Pruitt motioned to advertise for bids. Ronnie Fugate seconded and all were in favor.

Upon Consideration Pertaining to letting of Bids for Closure of Landfill, Al Campbell explained that the closure plan is presently in Austin waiting approval. He also presented a proposed contract for garbage collection. Mr. Campbell asked the council's permission to advertise for bids on the closure of the landfill and refuse collection. Following discussion, Don Hackney motioned with Raymond Pruitt seconding to begin advertising for bids for the landfill closure and refuse collection. All members were in favor.

Upon Consideration Pertaining to Repair or Replacement of City Vehicle, Al Campbell updated the council of the cost estimate to repair a 1983 Mercury being $900. The council was in agreement that the vehicle's value was not worth the expenditure. Raymond Pruitt motioned with Jack Etheridge seconding to advertise for bids for a used vehicle to replace this one. All members were in favor.

Upon Consideration Pertaining to Color of City Vehicles, Ronnie Fugate motioned to require any city vehicles purchased in the future with the exception of emergency vehicles, be purchased white or painted white after purchase. Beth Whitaker seconded the motion and all were in favor.

Upon Discussion Pertaining to First Monday Trademark, Roxie Cluck asked for verification of the council's concern as to the use of the trademark or receiving a percentage for the sale of items bearing the trademark. The council was in agreement that we not pursue receing revenue as long as the items were in good taste. However, concern was expressed that we do not have a copywrite on the First Monday emblem. Following discussion, Beth Whitaker motioned to pursue obtaining a copywrite on the emblem and change the trademark from First Monday to First Monday Trade Days. Ronnie Fugate seconded the motion and all were in favor.

Upon Consideration of Dipping Vat Report, Ronnie Fugate updated the council of two reports he has received that we cover the dipping vat due to the dangerous conditions. Mr. Fugate also showed a picture of the dipping vat in the past. He then asked Mr. Alf Foster from the audience to work with him toward a possible solution of restoration. Mr. Foster was in agreement as he would also like to see it restored. Ronnie Fugate motioned to table this item and place it on a future agenda. Don Hackney seconded and all were in favor. Ronnie Fugate also questioned the possibility of receiving an historical marker on one of the gravesites in Hillcrest Cemetery. This item is to be placed on the agenda for the next regular concil meeting.

Upon Consideration Pertaining to Souvenir Shop, the council asked Al Campbell to meet with the Texas Water Commission as to what type of buildings are permitted in a flood zone. Ryamond Pruitt asked that discussion concerning the First Monday computer program be placed on the next regular meeting agenda.

Beth Whitaker also asked that the following be discussed in the next regular meeting: sewer charges for R.V. Hook-Ups, entry road to city lake, advertising plans for special events, flag poles at log cabin office, street in front of log cabin office, walking and bike trails on First Monday grounds, restrooms and tennis courts at city park, and Mr. Remer's request concerning 4-wheel transportation on First Monday.

There being no futher items for discussion, the council took a short recess before retiring to executive session at 10:15 p.m.

The council reconvened to open session at 11:32 p.m. Councilman Fugate motioned to move employee Bobby Bolin to the next labor grade level and give Johnny Mallory and Hoss Williams a 4% pay increase. Jack Etheridge seconded the motion and all were in favor.

Ther being no further action taken, the meeting adjourned.

Clifford Caviness

Mayor Clifford Caviness

ATTEST:

Al Campbell, City Secretary

NOTICE OF BOARD OF ADJUSTMENTS MEETING

The Canton Board of Adjustments Committee will meet Thursday, September 28, 1989, at 1:00 p.m. in the Canton City Hall, 290 E. Tyler Street, Canton, Texas.

CONSIDERATION PERTAINING TO REQUESTS FOR ZONING VARIANCES WILL BE DISCUSSED FOR THE FOLLOWING:

MR. F. A. PHILLIPS, Shady Lane

MR. MIKE REYNOLDS, Amy Street

MR. HENRY LEWIS, Boundary

Posted on the City Hall window, Monday, September 25, 1989 at 1:00 p.m.

ATTEST:

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Al Campbell, City Secretary

BOARD OF AJDUSTMENTS
THURSDAY, SEPTEMBER 28, 1989
CANTON CITY HALL, 1:00 P.M.

The Board of Adjustments Committee met at the above named date, time, and location. All members were present as follows: Harry Minton, Bill Bethune, Alton Smith, Marcus Burrage, and Don Cannon.

As Mr. Cannon would be late and wished to abstain from voting on the request from Mr. F.A. Phillips, the committee discussed this request prior to Mr. Cannon's arrival.

City Secretary Al Campbell informed the committee that he had spoken with six neighbors on Shady Lane as to their opinions of Mr. Phillips extending his carport within two feet of the front property line. Five residents had no objections and one objected due to the appearance and visibility.

Following discussion, Marcus Burrage motioned to deny this request. Harry Minton seconded the motion and the four committee members were in favor. The committee did state they would entertain another request from Mr. Phillips if he so chooses to change the length of extension.

Committee member Don Cannon then joined the meeting.

The committee then reviewed a request received from Mr. Mike Reynolds asking permission to move a trailer home on property behind Amy Street which is out of the city limits however, within the Extra Territorial Jurisdiction. Al Campbell had spoken with neighbors in this area all of which had no objections.

Following discussion, Marcus Burrage motioned to grant the request. Harry Minton seconded and all were in favor.

The last request for consideration was from Mr. Henry Lewis who was requesting a variance to allow extending his carport at 130 Boundary from eight feet of the property line to five feet of the propety line. Mr. Campbell had also spoken with neighbors who had no objections.

Following discussion, Marcus Burrage motioned to grant the request. Harry Minton seconded the and all were in favor.

There being no further items for consideration, the meeting adjourned.

NOTICE OF CALLED MEETING & WORKSHOP

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, OCTOBER 3, 1989
CITY HALL, 290 E. TYLER
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL HOLD A CALLED MEETING AND WORKSHOP AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. GUEST ITEMS

4. CONSIDERATION PERTAINING TO DONATION REQUEST FOR CHILI COOK-OFF (FIRE DEPT. WOMAN'S AUXILIARY)

5. CONSIDERATION PERTAINING TO REQUEST FROM MERCHANTS ON THE SQUARE CONCERNING SHOPPING ON FIRST MONDAY

6. CONSIDERATION OF PREVIOUSLY DISCUSSED REQUEST FOR A WATER TAP OUTSIDE CITY LIMITS (MIKE REYNOLDS)

7. CONSIDERATION PERTAINING TO SCHOOL ZONE TRAFFIC DIRECTION ORDINANCE

8. CONSIDERATION PERTAINING TO APPOINTMENT OF DIRECTOR FOR VAN ZANDT COUNTY APPRAISAL DISTRICT

9. DISCUSSION AND POSSIBLE DECISION PERTAINING TO ADVERTISING PLANS FOR SPECIAL EVENTS

10. CONSIDERATION PERTAINING TO CITY PARKS (RESTROOMS & TENNIS COURTS)

11. CONSIDERATION OF PREVIOUS REQUEST PERTAINING TO 4-WHEEL TRANSPORTATION ON FIRST MONDAY

12. CONSIDERATION PERTAINING TO WALKING AND BIKE TRAILS ON FIRST MONDAY GROUNDS

13. CONSIDERATION PERTAINING TO WALKING AND BIKE TRAILS ON FIRST MONDAY GROUNDS

14. DISCUSSION PERTAINING TO PERMISSION REQUEST FOR INFORMATIONAL PUBLICATION CONCERNING FIRST MONDAY TRADE DAYS

15. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(e) and 2(f).

16. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

    B. DISCUSSION PERTAINING TO LEASE PROPERTY

17. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

18. ADJOURN

Posted on City Hall window Friday, September 29, 1989, at 3:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
TUESDAY, OCTOBER 3, 1989
6:30 P.M.

The Canton City Council met for a Called Meeting in Canton City Hall with Mayor Caviness presiding. Members present were Ronnie Fugate, Don Hackney, Beth Whitaker, and Jack Etheridge. Raymond Pruitt was absent.

Mayor Caviness called the meeting to order at 6:30 p.m. There being no Guest Items, Donna Sanford addressed the council on behalf of the Fire Department's Woman's Auxiliary. Mrs. Sanford updated the council on the Annual Chili Cook-Off to be held December 2, 1989 on the First Monday grounds. Proceeds from the cook-off are given to the Woman's Auxiliary "Christmas for Kids" program. The Woman's Auxiliary asked the council for a donation of $1,500 to purchase aprons for the cooks as part of their "Goody Bag" as well as to help promote the cook-off.

Beth Whitaker motioned to donate $1,500 to the Woman's Auxiliary for assistance with the Chili Cook-Off. Jack Etheridge seconded and all were in favor.

Upon Consideration Pertaining to Request from Merchants on the Square Concerning Shopping on First Monday, Zettie Davis asked the council's permission to barricade one lane of E. Tyler Street from Buffalo to Capitol on Saturday and possibly Sunday of First Monday weekends, allowing businesses on the square to set their merchandise out and draw some of the First Monday traffic. Attorney Roxie Cluck infomred the council that they would need to have a public hearing to enact this permanently. However, if they wished to try this a month at a time, they could do so upon the council's consent. Jack Etheridge motioned to allow temporary blocking of the south lane of the 100 block of Tyler Street on a month to month trial basis for the purpose of enhancing downtown shopping during First Monday weekends on Saturday and Sunday. Don Hackney seconded the motion and all were in favor.

Upon Consideration of Previously Discussed Request for a Water Tap Outside City Limits, Al Campbell informed the council that Mr. Mike Reynolds had applied for a zoning variance to allow placement of a mobile home adjacent to the city limits behind Amy Street. The Board of Adjustments did approve the variance and there seems to be no problem with water pressure in that area. Jack Etheridge made a motion to approve the water tap request. Ronnie Fugate seconded the motion and all were in favor.

Upon Consideration Pertaining to School Zone Traffic Direction Ordinance, the council discussed the requested changes in traffic direction from some residents on Big Rock and Tower Streets. Al Campbell also informed them that signal lights for this area would cost approximately $2,250 to $2,500. Police Chief Hoss Williams also stated that the high school should be moved by December which should reduce the traffic on Big Rock. Beth Whitaker motioned to work up the ordinance as planned with the exception of changing Little Rock to turn right to Highway 243 and not to buy any lights at this time until review can be made after December. Don Hackney seconded the motion. Those in favor were Don Hackney, Beth Whitaker, and Jack Etheridge. Ronnie Fugate was opposed. The motion carried.

Upon Consideration Pertaining to Appointment of Director for Van Zandt County Appraisal District, Al Campbell informed the council that it is time to nominate a Director to serve for two years on the Van Zandt County Appraisal Board. The nomination needs to be made at the next regular council meeting.

Upon Discussion and Possible Decision Pertaining to Advertising Plans for Special Events, Al Campbell informed the Council of receiving Mr. Garlnad's statement from the Bluegrass and Western Swing Festivals in 1989. Mr. Garland stated that the funds of $6,154.32 will be paid to the city within the next couple of weeks. These funds are then placed in the Special Event Fund for advertising and promotion of special events. Mr. Garland does feel that these events are about to break even and wishes to continue promoting them.

Upon Consideration Pertaining to City Parks, Al Campbell informed the council that we have replaced several lights at the tennis courts, repaired the wind guards on the back fence, and are researching different means of repairing the cracks in the courts.

Discussion was then held concerning a previous request pertaining to 4-wheel transportation on First Monday grounds. Al Campbell reminded the council of Mr. Remer's request to bring in 4-wheel golf cart type transportation to use as a trolley throughout the grounds. Following discussion, Ronnie Fugate motioned to deny this request. Don Hackney seconded and all were in favor.

Upon Consideration of Matters Pertaining to the Log Cabin Office and Consideration Pertaining to Walking and Bike Trails on First Monday grounds, Ronnie Fugate asked to table these items. He would like to obtain some cost figures by the next regular council meeting. There was no objection from the council.

Al Campbell updated the council on a meeting with a Pebble Beach Publications located in Tyler. He presented a rough draft of a propsed publication they wish to publish designed around First Monday. There plan is to obtain advertising from First Monday dealers and furnish the publications to the public at no charge. They feel they can present a more organized and efficient directory than the others presently on the grounds. Mr. Campbell aksed the council to review the provided material prior to the next council meeting as they would like the council's permission to begin this publication on the grounds.

Upon Consideration of New and Old Business for Placement on Future Agendas, Don Hackney asked that the October 17th regular scheduled council meeting be moved to October 24th as he would not be able to attend October 17th. The council agreed to do so.

Al Campbell also asked the council's opinion of canceling workshops through December and having only the regular meetings due to upcoming holidays and absences. The council seemed to favor this idea and workshops will be called upon the Mayor's discretion.

Don Hackney presented an estimate for the refurbishing of the furniture in the Blackwell home which is approximately $3,000. He explained the funds were in the budget and aksed if there was any opposition to beginning this work. There was no opposition from the other councilmembers.

Councilman Hackney also requested bringing in a museum consultant to meet with the Blackwell House Committee as they were now in a position to an exact plan for restoring the home.

Ronnie Fugate also recommended that we write the DPS concerning their methods of weight checks during First Monday weekends.

Al Campbell updated the council on a meeting with the Highway Department and Mike Hackney pertaining to the First Monday entrance off Highway 19. The Highway Department had no problem with the proposal and stated they would assist with labor and in any ways possible. However, they would not go for the pull off lane for vehicles. They do no allow anyone else to do such and they also feel First Monday traffic would create a traffic hazard with people pulling off the road and attempting to re-enter the flow of traffic.

Mr. Evans also has received the reports from the traffic study and is compiling a final report at this time.

The council retired to executive session at 7:13 p.m. for discussion with attorney Roxie Cluck pertaining to lease property and litigation.

The council reconvened to open session at 7:35 p.m.

Ronnie Fugate updated the council of the First Monday Monument status. Councilman Fugate stated that Mr. Fincher was now beginning the build up of the life size model and that one of the limited bronze models was on exhibit during First Monday weekend. He also stated that the first two bronze models have been sold.

Don Hackney then motioned to adjourn as there were no further items for discussion or action from executive session. Ronnie Fugate seconded. All were in favor.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, OCTOBER 24, 1989
CITY HALL, 290 EAST TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME
2. INVOCATION
3. CONSIDERATION TO APPROVE MINUTES
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS
5. GUEST ITEMS
6. CONSIDERATION PERTAINING TO REQUEST CONCERNING DOWNTOWN PARKING (PAT POWERS)
7. DISCUSSION PERTAINING TO INFORMATION ON HILLCREST CEMETERY (MARCUS BURRAGE)
8. CONSIDERATION PERTAINING TO REQUEST FROM PEBBLE BEACH PUBLISHING CO. CONCERNING A FIRST MONDAY PUBLICATION
9. CONSIDERATION PERTAINING TO ZONING CHANGE REQUEST (RAY LAWLEY FROM B-1 & R-1 TO B-2 ON HWY 198 AND SHORT STREET)
10. CONSIDERATION PERTAINING TO HIGH SCHOOL SEWER LINE
11. CONSIDERATION OF BIDS RECEIVED FOR MOTOR GRADER
12. CONSIDERATION OF BIDS RECEIVED FOR REFUSE COLLECTION
13. CONSIDERATION PERTAINING TO SCHOOL ZONE TRAFFIC DIRECTION ORDINANCE
14. CONSIDERATION AND POSSIBLE APPROVAL OF DOG ORDINANCE
15. CONSIDERATION PERTAINING TO APPOINTMENT OF VAN ZANDT COUNTY APPRAISAL DISTRICT DIRECTOR
16. CONSIDERATION PERTAINING TO OGLETREE WELL AGREEMENT
17. CONSIDERATION AND POSSIBLE APPROVAL OF TAX ROLL AND LEVY
18. CONSIDERATION PERTAINING TO ENTRY ROAD TO MILL CREEK RESERVOIR (LAKE CANTON)
19. CONSIDERATION PERTAINING TO SOUVENIR SHOP
20. CONSIDERATION PERTAINING TO DIPPING VAT REPORT
21. CONSIDERATION PERTAINING TO WALKING AND BIKE TRAILS
22. CONSIDERATION OF ALL MATTERS PERTAINING TO FIRST MONDAY LOG CABIN (FLAG POLES AND ROAD)
23. DISCUSSION PERTAINING TO WATER SURVEY
24. DISCUSSION PERTAINING TO FIRST MONDAY COMPUTER PROGRAM

25. DISCUSSION PERTAINING TO AUDIT RECOMMENDATIONS

26. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(e) and 2(g).

27. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING LITIGATION IN CONNECTION WITH FIRST MONDAY

    B. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS

28. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

29. ADJOURN

Posted on City Hall window Friday, October 20, 1989, at 12:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
TUESDAY, OCTOBER 24, 1989
6:30 P.M.

The Canton City Council met for a regular meeting in Canton City Hall with Mayor Caviness presiding. Members present were Don Hackney, Ronnie Fugate, Beth Whitaker, Raymond Pruitt, and Jack Etheridge.

Mayor Caviness called the meeting to order at 6:30 p.m. and Ronnie Fugate gave the invocation.

Upon review of the minutes from the October 3, 1989 Called Meeting and the September 19, 1989 Regular Meeting, Raymond Pruitt motioned to accept the minutes. Don Hackney seconded the motion and all were in favor.

Councilman Hackney then reviewed the financial statements. Raymond Pruitt motioned to approve the financial statements and Beth Whitaker seconded. All were in favor.

Under Guest Items, Mr. Keith Wilkins who operates two food concession on the First Monday grounds, presented the council a proposal for improving the food concession status and policy. A copy of Mr. Wilkins' proposal will be maintained in the October 24, 1989 Council folder. The council will review the proposal and respond to Mr. Wilkins at a later date.

Upon Consideration Pertaining to Request Concerning Downtown Parking, Pat Powers of Engraving By Pat addressed the council. Mrs. Powers expressed that several of her customers could not find parking spaces on the square due to the parking being taken by County Commissioners, employees, and jurors during trials. Mr. Mike Green also questioned the council's policy of enforcing the two (2) hour parking on the square.

Raymond Pruitt addressed the audience with the council's sympathy to this problem as it has been an ongoing ordeal for several years with some cooperation at times from the county. The council asked City Secretary Al Campbell to meet with the County Judge to discuss this as it is an inconvenience to the businesses as well as the shoppers. Mr. Campbell also stated that he would address this item during the next Commissioners Meeting.

Mr. Marcus Burrage updated the council on his findings from a deed search for Hillcrest Cemetery. Ronnie Fugate explained that he had asked Mr. Burrage to conduct this research for needed information to apply for an historical marker. Mr. Burrage stated that he was unable to locate a deed to the city for this property however, there were two deeds in 1854 where the County was deeded 360 acres which consisted of the original town of Canton including the large lot 39 where the old cemetery is. Mr. Alf Foster also stated that a deed must be turned in with the historical marker application. Following discussion, Raymond Pruitt motioned to allow Ronnie Fugate, Marcus Burrage, and Alf Foster to pursue this matter of obtaining an historical marker. Don Hackney seconded and all were in favor.

Upon Consideration Pertaining to Request from Pebble Beach Publishing Co. Concerning a First Monday Publication, Al Campbell reviewed the previous request for the council's permission in allowing this company to solicit ads from the First Monday Vendors for a publication which would be free to the public. The council expressed some concerns to the number of solicitations on the vendors and the number of publications on the grounds. Raymond Pruitt expressed some concerns he has with the existing publications and felt that these must be corrected before considering additional publications. Ronnie Fugate motioned to table this item for further consideration and review. Beth Whitaker seconded and all were in favor.

Al Campbell updated the Council to the Planning and Zoning Committee's recommendation concerning a change in zoning requested from Mr. Ray Lawley. Mr. Lawley was requesting a change from B-1 and R-1 to B-2 for his properties located on Highway 198 and Short Street. The Planning and Zoning Committee voted in favor of this request. After a brief discussion, Raymond Pruitt motioned to grant the request. Ronnie Fugate seconded the motion and all were in favor.

Mayor Caviness called for Consideration Pertaining to High School Sewer Line and asked that agenda item number 23, Discussion Pertaining to Water Survey, immediately follow.

Mr. Phil Elledge of Stokes & Associates addressed the council stating that construction of the High School sewer line was now complete and that the line connects to an existing manhole in the City of Canton's collection system. The line was designed by the same standards as those Stokes & Associates has designed for the City. Mr. Elledge asked that the council consider this line for acceptance into the city's system. Don Hackney motioned with Jack Etheridge seconding to have an ordinance drawn up for consideration of acceptance during the November Council Meeting. All councilmembers were in favor.

Mr. Dwayne Miley of Stokes & Associates then updated the council on the water analysis. He explained the steps that have been taken to produce a computer model. He explained the different information that has had to be obtained concerning all pipes in Canton. Mr. Miley stated that a working model should be complete within 15 to 20 days. He also feels that specific needs and cost estimates in certain areas should be available within 30 days.

The council then briefly discussed the possibilities of updating the water system and correcting all areas. They were in agreement that once cost figures were obtained this dicussion would continue toward possible solutions.

Mayor Caviness read three bids received for the purchase of a motor grader. The bids were as follows:

FIRST NATIONAL BANK - GRAND SALINE 1 Fiatallis Model FG 75	$42,000.00
ECHOLS CONSTRUCTION CO. (BROWNSBORO) 1 Fiatallis Model FG 75A Including a $15,500 trade for 1 Grade All, 1 Steel Wheel Roller and 1 Gallion Grader	$44,000.00
AIS CONTINENTAL (DALLAS) Dresser A550 Including $4,500 trade for 300 Grade All	$71,500.00

Following discussion, Jack Etheridge motioned to accept the bid from Echols Construction. Don Hackney seconded the motion and all were in favor. The council instructed Johnny Mallory to review possible three year financing for this purchase.

Al Campbell then reviewed the bids received for solid waste collection and disposal from Waste Management and Laidlaw. Laidlaw has presented the lowest bids for residential and commercial collection. Ronnie Fugate motioned to accept the bid from Laidlaw and authorize City Secretary, Al Campbell, to negotiate the contract. Don Hackney seconded the motion and all were in favor.

The council reviewed a proposed ordinance pertaining to traffic directions through the school zones. Previous mentioned corrections were made to allow two way traffic from Park Street to Highway 243 on Big Rock. Raymond Pruitt motioned to approve the following ordinance:

AN ORDINANCE PROVIDING FOR ONE-WAY TRAFFIC ON CERTAIN DESIGNATED STREETS ADJACENT TO THE CANTON INDEPENDENT SCHOOL DISTRICT DURING DESIGNATED HOURS AND PROHIBITING ANY VIOLATION THEREOF; PROVIDING A PENALTY; PROVIDING FOR SEVERANCE, A REPEALING CLAUSE AND AN EFFECTIVE DATE.

Jack Etheridge seconded the motion and all were in favor.

Upon review of the proposed Dog Ordinance, Beth Whitaker motioned to approve the ordinance with amendments to Section 10.1 A, B, & C correcting wording to read tags in place of license as well as to maintain legislative regulations. The ordinance is as follows:

AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS IN THE CITY OF CANTON, TEXAS; PROHIBITING ALL ANIMALS FROM RUNNING AT LARGE; PROVIDING FOR DEFINITIONS, ANIMAL VACCINATION, IMPOUNDMENT, QUARANTINE AND DISPOSITION OF BITING ANIMALS; PROVIDING FOR CONTROL OF VICIOUS ANIMALS; ESTABLISHING FEES AND PENALTIES; PROHIBITING INHUMANE TREATMENT OF ANIMALS; DISCLAIMING LIABILITY AS TO OFFICIALS AND/OR EMPLOYEES ENFORCING SAID ORDINANCE; PROVIDING A SAVINGS CLAUSE; REPEALING ORDINANCE NO. 87-1 PREVIOUSLY ENACTED FEBRUARY 2, 1987, AND PROVIDING AN EFFECTIVE DATE.

Raymond Pruitt seconded the motion and all were in favor.

Attorney Roxie Cluck also informed the council that due to legislative changes, an Advisory Board must be named for purposed of the Animal Shelter and Animal Control. She asked that this be considered during the November Council meeting.

Upon Consideration Pertaining to Appointment of Van Zandt County Appraisal District Director, Al Campbell informed the council that five nominations have been made and the council can place another nomination should they so wish, place their 29 votes for one of the five nominees or not place a vote. Following discussion, Ronnie Fugate motioned to not place a vote or nomination. Raymond Pruitt seconded the motion and all were in favor.

Upon Consideration Pertaining to Ogletree Well Agreement, Al Campbell informed the council that Dallas Production Co. has set stakes off FM 2909 on City Lake property for a well. They have sent a damage agreement along with a check for $4000 for surface damage. Upon completion of drilling, they will restore property to its original state. Ms. Cluck has reviewed the Damage Agreement and all seems in order. Ronnie Fugate motioned to enter into this agreement with Dallas Production Co. Don Hackney seconded the motion and all were in favor.

Johnny Mallory explained that the Appraisal District has placed the tax roll on microfilm in their office. He also explained that the levy has been passed through the tax rate and ordinance and that he had no problem with the tax roll. Following discussion, Don Hackney motioned to approve the tax roll. Raymond Pruitt seconded and all were in favor.

Upon Consideration Pertaining to Entry Road to Mill Creek Resevoir, Beth Whitaker questioned the allowing of access to private individuals for right-of-ways to the city's road. Mr. Campbell explained that to do so the private property owners must install a gate or cattle guard and place proper stretch or corner posts to maintain a gate to prevent cattle from entering our property. He stated that letters need to be sent requesting such. The council also stated that the private property owners should have another entrance to their property in case of future changes in the city's road.

Upon Consideration of Souvenir Shop, Mr. Campbell asked the council's opinion of small, portable one-person booths that could be operated in different locations on the grounds. Ronnie Fugate explained that these booths were approximately $800 each. He also explained that they could be used as City of Canton information booths with a few souvenirs in each. Following discussion, Ronnie Fugate motioned to authorize Al Campbell to inquire and negotiate a price in obtaining six (6) booths to be used on the First Monday grounds. Raymond Pruitt seconded the motion and all were in favor.

Ronnie Fugate presented a proposal from Mr. Joe Hadley to repair the Dipping Vat. Mr. Hadley proposed that the city remove dirt and broken concrete from the area and he would form the walls to restore it as closely as possible to its original state with the exception that the vat would appear open, however it would have a steel grade over it to prevent possible falls. The proposal also includes a sidewalk to the dipping vat with a total cost of $1,950. Ronnie Fugate motioned to proceed with this proposal. Don Hackney seconded the motion and all were in favor.

Al Campbell explained that he and Ronnie Fugate felt that as soon as the roads are repaired on the First Monday grounds, we would have sufficient surfaces for walking and bike trails. Ronnie Fugate also stated that he would like to bring a proposal before the council in the near future for clearing a walking and bike path at the old city lake.

Councilman Fugate also explained that he had found a source for purchasing flag poles for the log cabin office. He suggested that this purchase be postponed until the First Monday Monument is placed so that the flags can be set in a complimentary position. There were no objections from the council.

Upon Discussion Pertaining to First Monday Computer Program, Johnny Mallory updated the council on a program he had viewed designed for flea markets. The council will discuss this matter in more detail after the first of the year.

Johnny Mallory also updated the council as to the progress of implementing the audit recommendations. Each is being done or in the process at this time.

The council discussed the December council meeting which is scheduled for December 19th. Don Hackney motioned to change the meeting from December 19th to December 12th due to the holiday season. Beth Whitaker seconded the motion and all were in favor.

Rayford Hutcherson presented a recommendation for some policy changes in First Monday. Mr. Hutcherson proposed that rows 95, 96, and 97 of the unreserved area be made reserved. He also proposed a change in the unreserved procedures for obtaining a space as well as giving the reserved dealers a time in chich they can set up before the city rents those lots out for that month only. The council will review the recommendation, discuss such with First Monday vendors, and this will be placed on next month's agenda.

For future agendas, Beth Whitaker stated that she though by allowing the school to work the First Monday parking lot off FM 859, the school organizations would not need to conduct fund raisers door to door. Mr. Campbell stated he would meet with Dr. Griggs concerning this matter.

Councilmember Whitaker also asked that the committee assigned to discuss no parking areas around First Monday, meet prior to the council's November meeting.

Mrs. Whitaker asked that special events be placed on the next agenda pertaining to collecting electricity fees and consideration pertaining to responsibilities of ice, table, and canopy vendors on the First Monday grounds. She also asked that consideration pertaining to sewer charges for R.V. Parks be placed on November's agenda.

The council took a brief recess before retiring to executive session.

After returning to open session, Beth Whitaker motioned to grant the salary increases requested by Al Campbell for annual reviews and step increases. Ronnie Fugate seconded the motion and all were in favor.

There being no other action taken from discussion in executive session, the meeting adjourned.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, NOVEMBER 21, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. CONSIDERATION TO APPROVE MINUTES

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS

5. GUEST ITEMS

6. CONSIDERATION PERTAINING TO 1990 HANDBOOD GUIDE REPORT-CONNIE MORA

7. CONSIDERATION PERTAINING TO REQUEST FOR WATER TAP OUTSIDE CITY LIMITS - STEVE STEWART

8. CONSIDERATION PERTAINING TO WATER ANALYSIS REPORT

9. CONSIDERATION PERTAINING TO CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL

10. DISCUSSION PERTAINING TO AMBULANCE SERVICE CONTRACT

11. CONSIDERATION PERTAINING TO APPOINTMENT OF ADVISORY BOARD FOR ANIMAL CONTROL

12. CONSIDERATION PERTAINING TO PUBLIC CLEAN-UP WEEK PRIOR TO DEC. 1

13. DISCUSSION PERTAINING TO POSSIBLE HOUSING FOR THE ELDERLY PROGRAMS

14. DISCUSSION AND POSSIBLE ACTION CONCERNING ELECTRIC FEES FOR SPECIAL EVENTS

15. CONSIDERATION PERTAINING TO RECOMMENDATIONS FOR FIRST MONDAY POLICY REVISIONS

16. DISCUSSION PERTAINING TO BUILDING, ELECTRIC, AND PLUMBING CODES

17. DISCUSSION PERTAINING TO SCHOOL FUND RAISING ACTIVITIES

18. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(e), 2(f), and 2(g).

19. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

    B. DISCUSSION PERTAINING TO LEASE PROPERTY

    C. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS

20. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

21. ADJOURN

Posted on City Hall window Friday, November 17, 1989, at 4:00 p.m.

ATTEST:

_____
Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
TUESDAY, NOVEMBER 21, 1989
6:30 P.M.

The Canton City Council met for a regular meeting in Canton City Hall with Mayor Caviness presiding. Members present were Don Hackney, Ronnie Fugate, and Jack Etheridge. Beth Whitaker and Raymond Pruitt were absent.

Mayor Caviness called the meeting to order and Ronnie Fugate gave the invocation.

Upon review of the minutes from the October 24, 1989 regular meeting, Ronnie Fugate asked that a correction be made on page 5, the last line to read "for clearing a walking and bike path at the new city lake" in place of the old city lake. Councilman Fugate motioned to approve the minutes as written with the correction. Don Hackney seconded the motion and all were in favor.

As there were no guest items, Connie Mora addressed the council with an update on the plans for her Handbook Guide which she publishes for sale on the First Monday grounds. Ms. Mora plans to publish an annual book rather than a monthly book and offered to sell books to the City at wholesale cost. Ms. Mora also informed the council that she would be soliciting the City concerning an ad from First Monday.

Ms. Mora asked the council's consideration of allowing her an area on the First Monday grounds to display an over-sized First Monday map and information. The council asked that Ms. Mora meet with Al Campbell, Raymond Pruitt, Beth Whitaker, and Rayford Hutcherson concerning this matter.

The council reviewed a water tap request from Steve Stewart on FM 1201 outside the city limits. As the questioned property is in an area with existing water pressure problems, Al Campbell recommended denying this request until which time that area's pressure could be improved. Don Hackney motioned to deny the request with the option of reconsideration once the pressure is increased in that area. Ronnie Fugate seconded the motion and all were in favor.

Dwayne Miley and Phil Elledge of Stokes & Associates reviewed their findings of the Water Analysis. Mr. Miley explained the procedures taken and informed the council that enlarging water lines in the Tower Street area would not increase pressure. The existing problem is created by the low elevation of the water tower. Mr. Miley explained one method of increasing pressure throughout the city and especially in the problem areas would be to place a high-level ground storage tank at the Mill Creek Plant and a 14' x 120' stand pipe at the northern part of the city being able to take the existing tanks out of service. The elevation of the two would increase pressure. A rough cost estimate at this time would be $670,000. The council will review the study and recommendations in length at a future workshop.

Al Campbell briefly reviewed the proposed contract with Laidlaw Waste Systems, Inc. for the solid waste collection and disposal. He explained that the contract was the same as the bid process contract. City attorney, Roxie Cluck expressed some concerns witht he wording of different sections. Don Hackney motioned to approve the contract with corrections made by Roxie Cluck in agreement with Laidlaw Waste Systems, Inc. Jack Etheridge seconded the motion and all were in favor.

Donnie Martin of Mother Francis Hospital addressed the council concerning the Ambulance Service Contract which will be expiring in the near future. Mr. Martin explained some changes which would affect Canton such as charging full rates for ambulance service to members, however, Mother Francis would consider the membership fees as full deductible on insurance and then file claims with the patients insurance on the ambulance charges. He stated that this would be less out-of-pocket money to the patient. The council also asked for

alternate plans for response times as a neighboring ambulance will no longer be available. Don Hackney motioned with Jack Etheridge seconding to review the changes and response time alternatives prior to contract expiration.

Discussion was held concerning the appointment of an Advisory Board for Animal Control. Al Campbell informed the council that these appointments would need to be made at the next regular council meeting. Roxie Cluck also stated the criteria for the membes and explained that the Board would be responsible for overseeing the Animal Shelter and making recommendations and reports to the City Council.

Ronnie Fugate asked that notice be placed in the newspaper reminding the Canton citizens that they are presently entitled to free landfill uses once a month with a paid receipt of their water bill and that they may wish to do so before December 4, 1989 when Laidlaw will begin collecting solid waste.

Mr. David Kitsmiller and Mr. Charles Tidmore addressed the council concerning a Section 8 Program concerning Housing for the Elderly. They briefly explained their understandings of this program and stated that personnel from Austin would be available to give more information should the council be interested. Mr. Tidmore stated that the Texas Department of Community Affairs and/or HUD require official requests from the city prior to consideration. The council asked Al Campbell to write Austin requesting information on this program for their review and consideration.

Upon Discussion and Possible Action Concerning Electric Fees for Special Events, Al Campbell informed the council that he was in the process of drawing up specific guidelines to be followed by each special event promoter and would present these to the council upon completion.

Rayford Hutcherson, First Monday Grounds Supevisor, asked to withdraw his previous recommendations for First Monday policy revisions. Mr. Hutcherson stated he would like to present different recommendations at a later date.

Upon Discussion Pertaining to Building, Electric, and Plumbing codes, Al Campbell informed the council that he and Johnny Mallory were presently compiling a package for review and possible adoption by the council. The package should be ready for review in January.

Jack Etheridge motioned to table agenda item #17, Discussion Pertaining to School Fund Raising Activities, for Councilmembers Whitaker's presence and input. Don Hackney seconded the motion and all were in favor.

Upon Consideration of New and Old Business for Placement on Future Agendas, Ronnie Fugate asked that the Dipping Vat be placed on the January agenda.

Don Hackney updated the council on the progress and plans of the Blackwell House Committee. Councilman Hackney informed the council that the committee had located a source for a master plan of restoration and are very optimistic about future plans.

Al Campbell informed the council of discussions with the County concerning a compactor transfer station as a method of disposing of solid waste following the closure of the landfill. An election has been called for a Van Zandt Solid Waste Disposal Board and the Commissioners have allocated $5,000 to $7,000 for site preparation to city provided land should the Board wish to pursue the compactor transfer station. The council asked Mr. Campbell to continue discussions with the County concerning this matter.

Police Chief Hoss Williams commended the City of Canton Animal Control Officers for their diligence and promptness to calls.

The council took a brief recess at 7:47 before retiring to executive session at 8:01 p.m.

Upon reconvening to open session, Don Hackney motioned to give an annual incentive pay check to each city employee for this year. Jack Etheridge seconded the motion and all were in favor.

There being no further discussion or action, Don Hackney motioned with Ronnie Fugate seconding to adjourn the meeting. All were in favor.

Meeting adjourned at 8:29 p.m.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF REGULAR MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
6:30 P.M., TUESDAY, DECEMBER 12, 1989
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A REGULAR MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME

2. INVOCATION

3. CONSIDERATION TO APPROVE MINUTES

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS

5. GUEST ITEMS

6. CONSIDERATION PERTAINING TO SEWER LINE AT 1702 LAZY U (SAMMIE MAIN)

7. PUBLIC HEARING CONCERNING ANNEXATION REQUESTS FROM NEW HIGH SCHOOL AND LAKESIDE BAPTIST CHURCH

8. CONSIDERATION OF FRANCHISE ORDINANCE SETTING NEW SOLID WASTE COLLECTION RATES

9. APPOINTMENT OF ANIMAL CONTROL ADVISORY BOARD

10. CONSIDERATION PERTAINING TO LETTING OF BIDS FOR A COPIES (CITY HALL)

11. CONSIDERATION OF PURCHASING TRASH BAGS FOR SOLID WASTE COLLECTION

12. CONSIDERATION PERTAINING TO SPECIAL EVENT GUIDELINES

13. CONSIDERATION PERTAINING TO FIRST MONDAY BUILDING CODES AND ZONING

14. CONSIDERATION OF ALL MATTERS PERTAINING TO THE LANDFILL

15. DISCUSSION PERTAINING TO SCHOOL FUND RAISING EVENTS

16. CONSIDERATION OF ALL MATTERS PERTAINING TO CANTON CHAMBER OF COMMERCE HOTEL/MOTEL TAX REVENUES

17. CONSIDERATION OF NEW AND OLD BUSINESS FOR PLACEMENT ON FUTURE AGENDAS

    A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN., ART. 6252.17 SECTIONS 2(e), 2(f), and 2(g).

18. EXECUTIVE SESSION

    A. DISCUSSION WITH ATTORNEY PERTAINING TO PENDING OR CONTEMPLATED LITIGATION

    B. DISCUSSION PERTAINING TO LEASE PROPERTY AND CONTRACT

    C. DISCUSSION PERTAINING TO EMPLOYEE EVALUATIONS AND OVERTIME HOURS

19. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION

20. ADJOURN

Posted on City Hall window Friday, November 8, 1989, at 4:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CANTON CITY COUNCIL MEETING
TUESDAY, DECEMBER 12, 1989
6:30 P.M.

The Canton City Council met for a regular meeting in Canton City Hall with Mayor Caviness presiding. Members present were Don Hackney, Ronnie Fugate, Beth Whitaker, and Raymond Pruitt. Jack Etheridge was absent.

Mayor Caviness called the meeting to order and Ronnie Fugate gave the invocation.

Upon review of the November 21, 1989, Regular Meeting, Don Hackney motioned to accept the minutes as written. Ronnie Fugate seconded the motion and all were in favor.

Don Hackney then reviewed the financial statements. Raymond Pruitt motioned to accept the financial statements. A second was made by Beth Whitaker and all were in favor.

Under Guest Items, Ronnie Fugate presented Appreciation Plaques to Lilla Bell Taylor and Marcus Burrage for their research and work on Hillcrest Cemetery in obtaining information needed to apply for a historical marker. Another plaque will be given to Alf Foster who could not attend the meeting.

Ronnie Goode with East Texas Emergency Services in Tyler delivered proposal packets to each councilmember for their review concerning ambulance service. Donnie Martin with Mother Francis Hospital in Tyler also addressed the council concerning the ambulance contract which expires January 13, 1990.

Raymond Pruitt asked that a meeting be set up prior to January 13th with both services separately to discuss their proposals. The council was in agreement for a meeting and set it for Thursday, January 4, 1990 at 4:00 p.m. at City Hall.

Joyce Rogers and Marti Weatherholt then requested the council's permission to have an artistic draft done at no charge for consideration to improve and beautify the artesian well property. The council had no objections in them pursuing this matter and will review the draft upon completion for consideration.

They also informed the council of a Familiarization Tour which is sponsored by North East Texas Tourism Council on January 5th & 6th. Ms. Weatherholt informed the council that the costs would be no more than $75 per person which includes meals, transportation, and lodging. The tour will leave Canton on the morning of the 5th and arrive back in Canton on the evening of the 6th.

Mr. Sammie Main was not present to discuss the sewer problem at his residence, 1702 Lazy U. Beth Whitaker informed the council that Mr. Main met with her the previous day and she went to review his problem. She stated the city employees have been checking into this and testing to find the cause of the odor in the creek behind his home. Mr. Campbell explained that the creek was walked the first day of the complaint and no leaks from manholes or sewage could be found. The following day, dye was placed in the lines and none had showed up in the creek during the following days. One possible conclusion could be that four to five days prior to this incident, we received a small rain which could have washed overflow from a septic tank outside the city limits into the creek. Mrs. Whitaker questioned if raw sewage could be being dumped in the creek and washed into the area. There is a manhold behind Mr. Main's house which he is requesting be moved because he feels the odor is coming from said manhold. Mr. Campbell explained that we are researching the right of easement and are continuing to investigate the cause of the existing problem. Johnny mallory explained that the Water Commission cannot suggest any other means of checking. Mrs. Whitaker asked that a letter be sent to Mr. Main explaining the steps that have been taken to correct the problem.

Mayor Caviness opened the Public Hearing concerning annexation of the new High School and mr. Campbell explained that the Lakeside Baptist Church request for annexation would be postponed due to an error in the petition. The council reviewed the request from the High School to annex nine acres into the city limits. No one spoke in favor or against the annexation. Mayor Caviness then closed the Public Hearing and called the second Public Hearing for December 20, 1989 at 1:00 in City Hall.

Upon Consideration of Franchise Ordinance Setting New Solid Waste Collection Rates, Al Campbell explained that an ordinance must be passed in order to amend any garbage or utility rates and the council reviewed a proposed ordinance concerning the solid waste collection rates. Raymond Pruitt motioned to accept the following ordinance:

AN ORDINANCE GRANTING A FRANCHISE TO LAIDLAW WASTE SYSTEMS, INC., A TEXAS CORPORATION, TO OPERATE A GARBAGE AND REFUSE COLLECTION IN THE CITY OF CANTON, AND SETTING FORTH CONDITIONS AND ACCOMPANYING THE GRANTING OF THIS FRANCHISE; ASSESSING RATES AND PROVIDING FOR THE COLLECTION THEREOF; MAKING CERTAIN ACTS UNLAWFUL AND PROVIDING PENALTIES THEREFORE, REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Don Hackney seconded the motion and all were in favor. The Mayor and City Secretary then signed Ordinance #89-17.

Upon Appointment of Animal Control Advisory Board, Don Hackney motioned to appoint the following: Al Campbell, Judy Armstrong, Jack Day, and Elton Davis, DVM. Ronnie Fugate seconded the motion and all were in favor.

Upon Consideration Pertaining to Letting of Bids for Copier, Al Campbell explained that the present copier in City hall is in need of replacement. Several have been demonstrated to the office staff and are in the price areas of $7,500 to $10,000. Mr. Campbell also stated that he would like to review a lease arrangement in the bidding process. Ronnie Fugate motioned to advertise for bids with Don Hackney seconding. Those in favor were Ronnie Fugate and Don Hackney. Those opposed were Beth Whitaker and Raymond Pruitt. Mayor Caviness broke the tie and voted to pursue the bids.

The council discussed the possibilities of selling trash bags to the citizens at cost. Mr. Campbell informed the council that he had obtained a price from Butler Paper on 39 gallon bags which would run approximately .082 cents per bag. Ronnie Fugate also stated that other cities that have tried this have found that it is not financially feasible. Mr. Mallory also explained that it had been tried at a city where he was previously employed and the citizens could purchase the bags at a lower cost from local stores. Ronnie Fugate asked that this item be tabled until which time a need is shown or requested.

Upon Consideration Pertaining to Special Event Guidelines, Al Campbell explained that he and Raymond Pruitt had discussed a standard contract for anyone leasing the First Monday grounds. The contract would also set pay out schedules. The council asked that Al Campbell and Roxie Cluck draw up a generic contract for this purpose and present such to the council at the next regular meeting in January.

Upon Consideration Pertaining to First Monday Building Codes and Zoning, Beth Whitaker asked Al Campbell and Johnny Mallory to draw up some preliminary requirements for First Monday prior to asking a committee to consider presenting Building Codes. Raymond Pruitt also expressed his concern that he would like to see someone from the city certified to enforce such codes prior to adoption of any for residential, business, and First Monday.

Al Campbell updated the council on the closure of the landfill and stated that everything is still in line. The County has approached him requesting that county residents be allowed to use the landfill until which time it is closed. The council had no objections to this and wished to continue allowing city residents one free use of the landfill per month with a paid receipt of their water bill. Mr. Campbell stated that he would like to keep the one pit open until it is full or until January 31, 1990 for review. Raymond Pruitt motioned with Ronnie Fugate seconding to leave this at the discretion of Al Campbell. All councilmembers were in favor.

Upon Discussion Pertaining to School Fund Raising Events, Beth Whitaker expressed her concern that funds earned by the school organizations working the First Monday parking lot off FM 859 were not alleviating some of the fund raising events of sending students door to door selling items. Ms. Whitaker questioned if the school could somehow report which organizations receive the funds. Raymond Pruitt stated that the organizations willing to work receive the funds and unfortunately, there are only a few school organizations willing to work the parking lot. The council discussed the guidelines and asked Rayford Hutcherson to present such to them for review.

Al Campbell explained that in order for the city to disburse Hotel/Motel Tax Funds to the Chamber, the Chamber must first present a budget for the council's approval and then the City and Chamber must enter into a Service Contract. A copy of each was presented to the council. Don Hackney motioned with Ronnie Fugate seconding to accept the Chamber's budget and enter into the contract. All were in favor.

Upon Consideration of New and Old Business for Placement on Future Agendas, Police Chief Hoss Williams asked if the council wished to continue blocking off the south side of the square during First Monday weekend as no merchants utilized the area during December's First Monday. The council felt this should only be done upon the merchant's request and not each month.

Don Hackney stated that some businesses which require Red Bag collection are unhappy with the charge the collector has established and asked that the city try to work out some type of agreement which would be satisfactory to all concerned parties.

Beth Whitaker reminded the council that the building codes would be placed on January's agenda and asked that R.V. Parks Sewer Charges be placed on the next agenda. Ms. Whitaker would like some way of measuring the sewage usage to determine the charge other than by commercial means.

The council then took a short recess before retiring to executive session at 8:24 p.m.

Returning to open session, Beth Whitaker motioned to approve grade level advancements for James Hall, Nelva Dupree and Pat Morris. Don Hackney seconded the motion. Those in favor were Beth Whitaker and Don Hackney. Opposed were Raymond Pruitt and Ronnie Fugate. Mayor Caviness voted to give the advancements and the motion carried.

There being no further items for discussion or action, the meeting adjourned.

Clifford Caviness

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary

NOTICE OF CALLED MEETING

CITY COUNCIL
CITY OF CANTON, TEXAS
1:00 P.M., WEDNESDAY, DECEMBER 20, 1989
CITY HALL, 290 EAST TYLER STREET
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS, WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS OF THE CITY OF CANTON AS FOLLOWS:

A G E N D A

1. MAYOR'S WELCOME
2. INVOCATION
3. CONSIDERATION OF HIGH SCHOOL ANNEXATION ORDINANCE
4. CONSIDERATION OF ALL MATTER PERTAINING TO PERSONAL PROPERTY TAX AND FREEPORT GOODS
5. ADJOURN

Posted on City Hall window Friday, December 15, 1989, at 1:00 p.m.

ATTEST:

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Al Campbell, City Secretary

CALLED CITY COUNCIL MEETING
THURSDAY, DECEMBER 20, 1989
1:00 P.M.

The Canton City Council met in the Council Chambers at Canton City hall for a Called Meeting with Mayor Caviness presiding. Members present were Don Hackney, Ronnie Fugate, and Jack Etheridge. Beth Whitaker and Raymond Pruitt were absent.

Mayor Caviness called the meeting to order at 1:00 p.m. and Councilman Fugate gave the invocation.

Mayor Caviness opened the Public Hearing for consideration of the new High School Annexation. City Attorney, Roxie Cluck informed the council that they are not required to have a second Public Hearing on this annexation request. There was no one present to speak in favor or against the annexation. Mayor Caviness then closed the Public Hearing.

Jack Etheridge made a motion to accept the new High School into the city limits. Don Hackney seconded the motion and all were in favor. Annexation Ordinance #89-18 was then signed by the Mayor and City Secretary. The Ordinance is as follows:

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

Discussion was then opened to matters pertaining to personal property tax and freeport goods. Roxie Cluck informed the council that they must act before January 1, 1990 should they wish to tax freeport goods for 1990. Should the council wish to ever exercise this tax for future years, they must act by March 31, 1990. She also gave a brief explanation of the definition for freeport goods.

Jack Etheridge made a motion with Don Hackney seconding to pass the following ordinance allowing the taxation of freeport goods:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS TO EXERCISE ITS OPTION TO TAX THAT PROPERTY EXEMPTED UNDER SECTION 11.251, TEXAS PROPERTY TAX CODE AND ARTICLE VIII, SECTION 1-J, TEXAS CONSTITUTION.

All members were in favor. The Mayor and City Secretary then signed the above described Ordinance #89-19.

Attorney Roxie Cluck then reviewed the definition of personal property for taxation. She explained that should the council wish to tax personal property for the year 1990, they must hold a Public Hearing with publication requirements prior to January 1, 1990. She also stated that the council would need to consider this item each year for the following year.

Don Hackney motioned to not collect taxes on personal property for the year 1990. Ronnie Fugate seconded the motion and all were in favor.

There being no further items for consideration, the meeting adjourned at 1:17 p.m.

Clifford Caviness, Mayor

ATTEST:

Al Campbell, City Secretary