CALLED CITY COUNCIL MEETING
5:30 P.M., THURSDAY, JANUARY 2, 1992

The Canton City Council met for a Called Meeting at 5:30 p.m. on January 2, 1992, with Mayor Lawrence presiding. Members present were Ronnie Fugate, Bob Alexander, Gerald Turner, and Jack Etheridge. Don Hackney was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION

3. EXECUTIVE SESSION - The Council retired to Executive Session for the purpose of discussing matters pertaining to property the City leases from H & T Parking.

4. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - Upon reconvening to open session, Bob Alexander made a motion that the City modify the present lease agreement with H & T Parking to allow H & T Parking to build a pavilion with the following terms and stipulations:

   a) The City shall operate the pavilion for H & T Parking on a 15% commission the first year, 17.5% the second year, and a 20% commission the third year and thereafter;

   b) The City shall construct a drainage system from the City's property line to the creek to support the run-off of water from the pavilion with the City paying for any and all engineering costs thereof.

   Gerald Turner seconded the motion.

   Jack Etheridge made a motion to amend the original motion to include the additional terms and stipulations in the H & T Parking proposal as follows:

   c) H & T Parking will make the entire pavilion available to the City at no cost or revenue sharing during and for all functions or events held on the First Monday Park other than First Monday weekends. H & T Parking to receive reimbursement or some type of compensation from the City for electrical use during such functions;

   d) H & T Parking asks the City to place 50% of the First Monday vendor spaces and H & T reserves the right to place the remaining 50% of the spaces;

   e) H & T Parking requests the privilege of building additional pavilions when deemed feasible by H & T Parking.

   Ronnie Fugate seconded the motion to amend the original motion.

   Mayor Lawrence called for a vote on the second motion and all were in favor. A vote was then called on the original motion which now included the additional terms. All members were in favor. Both motions carried.

5. ADJOURN - There being no further items for discussion, Gerald Turner motioned to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 21, 1992

The Canton City Council met in a regular meeting on January 21, 1992, in City Hall. Mayor Lawrence presided and all members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, Gerald Turner, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Bob Alexander

3. CONSIDERATION TO APPROVE MINUTES - Gerald Turner made a motion to accept the minutes of the December 17, 1991 Regular Meeting, December 23, 1991 Called Meeting, and the January 2, 1992 Called Meeting as written. Jack Etheridge seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Don Hackney's oral review, Bob Alexander motioned to accept the December 31, 1991 Financial Statements. Gerald Turner seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER REQUEST FROM MRS. JOHNSON PERTAINING TO SEWER BACK UP IN HER RESIDENCE, 2001 LISA CIRCLE - Mrs. Johnson addressed the Council pertaining to sewer backing up in her home twice since October, 1990. She explained that this had not occurred once during the six (6) years prior to 1990 in which she resided at 2001 Lisa Circle. City Manager Johnny Mallory discussed the possible problem of the line shifting and some solutions. Mr. Mallory explained that a temporary solution would be to place a clean out valve in Mrs. Johnson's yard to keep the sewer from backing up into her home should the line stop up again. Once the ground is dry enough, the line could be dug up and fixed to prevent further problems. He also stated another manhole is needed in the area. The Council asked Mr. Mallory to resolve the problem in every way possible.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE LANDFILL INCLUDING POSSIBLE RATE INCREASES - The Council discussed the need of increasing landfill rates due to increases in the operation costs, including an increase from the State. Following a brief discussion with the owners of Starnes Trucking, Gerald Turner made a motion to increase the landfill rates by $1.00 per cubic yard for compacted and loose loads. The rate to be determined by the amount in the truck to be dumped. Ronnie Fugate seconded the motion and all were in favor.

8. DISCUSS AND CONSIDER REQUEST FROM MRS. BETH WHITAKER PERTAINING TO PARKING LOT DAMAGE CAUSED BY LAIDLAW WASTE SYSTEMS' TRUCKS - Mrs. Whitaker addressed the Council concerning her parking lot on the corner of South Capitol and Edom Streets. She explained that she allowed Laidlaw to place a large dumpster on the lot to service the entire block however they did not utilize the concrete pad which she prepared for the dumpster. Before the dumpster was moved closer to the street, it was placed near the building, in turn causing damage to the parking lot by the heavy trucks. Mrs. Whitaker explained that Laidlaw had come once and placed approximately 3 shovels of asphalt in the holes and promised they would return to finish repairing said damage. They did not return and she requested the City to assist in the repairs and withhold the costs from Laidlaw's monthly check. Following a brief discussion, Gerald Turner motioned to notify Laidlaw and allow them two weeks to make necessary repairs to the satisfaction of the property owner. Should the City have to repair the lot, his motion included that the City withhold the cost of the repairs from Laidlaw's monthly payment. Don Hackney seconded and all were in favor.

9. CONSIDERATION PERTAINING TO RATE INCREASE REQUEST MADE BY LONE STAR GAS COMPANY - Mr. Prock, Manager of Lone Star Gas, addressed the Council concerning Lone Star's request for a rate increase. Mr. Prock explained that the 90 day postponement which the Council requested in the October 15, 1991 Meeting was now up. Mr. Prock further explained the 4.9% rate increase request as he had also discussed in the October 15, 1991 Meeting. Gerald Turner motioned to grant the increase. Jack Etheridge seconded and those in favor were Don Hackney, Bob Alexander, Gerald Turner, and Jack Etheridge. Ronnie Fugate opposed.

Motion carried.

10. CONSIDERATION PERTAINING TO A REQUEST FOR A SOLICITOR'S PERMIT -FREDERICK WILLIAMS (RED RIDER MEAT CO.) - The Council briefly discussed a solicitor's permit request from Mr. Williams. Mr. Mallory informed the Council that all references were verified however the Council chose not to take action at this time.

11. CONSIDERATION OF A PROPOSAL TO PURSUE FEDERAL GRANT MONEY FOR THE EXPANSION OF THE SENIOR CITIZENS BUILDING - RECREATION CENTER -Mayor Lawrence informed the Council of the Senior Citizen's Advisory Board's desire to pursue grant funds for the expansion of the Senior Citizen's Center. They are planning for a recreational type expansion and are willing to submit all the paperwork to the East Texas Council of Governments at no expense to the City, as the Board is willing to match the grant funds. They are requesting the City's permission to pursue this project as the paperwork would be submitted under the City of Canton's name. Bob Alexander made a motion to authorize the Senior Citizen's Advisory Board to pursue this matter with the stipulation that a plan be presented to the Council prior to the submission of the grant application. Jack Etheridge seconded and all were in favor.

12. DISCUSS AND CONSIDER PASSING AN ORDINANCE ALTERING THE SPEED LIMITS ON PORTIONS OF INTERSTATE 20 FRONTAGE ROADS - Mr. Mallory informed the Council that the request for a traffic and speed study on said portions of Interstate 20 frontage roads was made by the Federal Government. Following the State's traffic and speed study, they are requesting the speed limit be reduced to 30 MPH. The change would affect approximately 200 yards of the frontage roads. Ronnie Fugate made a motion to pass an ordinance altering the speed limit as outlined in the request. The motion died for the lack of a second and no action was taken.

13. CALL OF MAY 2, 1992 ELECTION FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS - Don Hackney motioned to call an election for May 2, 1992 for the election of three Council Members. Gerald Turner seconded the motion and all were in favor.

14. CONSIDER APPOINTMENT OF ELECTION JUDGE FOR THE MAY 2, 1992 ELECTION - Mr. Mallory recommended Barbara Brock to be appointed as the May 2, 1992 Election Judge and requested she be allowed to have three clerks. Bob Alexander motioned to appoint Barbara Brock as the Election Judge. Jack Etheridge seconded and all were in favor.

15. DISCUSS AND CONSIDER PROPOSED RULES AND REGULATIONS PERTAINING TO SOLICITATIONS AT INTERSECTIONS WITHIN THE CITY - Johnny Mallory reviewed proposed rules and regulations pertaining to solicitations at intersections within the City. The Council discussed the safety reasons why such regulations should be enforced. Bob Alexander asked that the regulations be amended to allow the City Manager the authority to approve or deny applications. Gerald Turner motioned to adopt the proposed rules and regulations with the requested amendment. Jack Etheridge seconded and all were in favor. A copy of the adopted rules and regulations shall be filed in the City Hall records as well as attached to the minutes of said meeting.

16. CONSIDERATION AND APPROVAL OF DESIGNATING THE STREET WHICH RUNS NORTH AND SOUTH ALONG THE EAST SIDE OF THE HIGH SCHOOL AS EAGLE DRIVE - Jack Etheridge made a motion to designate said street as Eagle Drive. Don Hackney seconded and all were in favor. Motion carried.

17. DISCUSSION AND UPDATE OF PROGRESS TOWARD THE DEVELOPMENT OF A SWIMMING AREA AT MILL CREEK RESERVOIR - Ronnie Fugate updated the Council as to the swimming docks and pier which have been constructed at the swimming area. He stated he would like to appoint an active committee for input on the completion of this project and would have a list prepared for the Council's approval at the next regular meeting.

18. DISCUSSION PERTAINING TO STATUS OF STUDY AND PLANS TO IMPROVE THE WASTE WATER TREATMENT SYSTEM - Mr. Mallory informed the Council that the City's engineers have been in contact with the Health Department and we are still within our time frames for improvements to the waste water treatment system. The engineers are in the process of completing plans and should have some for the Council's review at the next regular meeting.

19. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A MULTI-USE BUILDING TO BE CONSTRUCTED ON THE FIRST MONDAY PARK - Mr. John Carver, a consulting engineer, and his associate from Dallas reviewed preliminary floor plans for a multi-purpose building to be constructed on the First Monday Park. They discussed the plans and asked for input from the Council pertaining to primary uses of the building. This input would assist them in plans for storage, types of doors, electrical needs, mechanical needs, etc. Based on the preliminary plans presented, Mr. Carver gave the Council a rough cost figure of $500,000 to $750,000. The Council offered their input and asked Mr. Carver to continue with the plans and changes needed.

20. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Gerald Turner requested consideration pertaining to changing the election site from the downtown area to another location. Bob Alexander asked that plans be developed for having street signs placed on Highway 19 and FM Rd. 859 with the new street names approved by the Council several months earlier. He also asked that the plan include the manner in which businesses located on these streets will be notified as to address changes. Gerald Turner also questioned the possibility of repairing the portion of Edom Street which runs along the First Baptist Church Property as it is presently closed to traffic. Mr. Mallory stated work would begin on the street as soon as weather permitted.

21. EXECUTIVE SESSION - The Council retired to Executive Session at 8:40 p.m. for discussion of the following items.

    A. DISCUSSION PERTAINING TO PERSONNEL MATTERS

    B. DISCUSSION OF CONTRACT PERTAINING TO THE CREATION OF A FIRST MONDAY MONUMENT

22. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to Open Session at 9:20 p.m. Bob Alexander made a motion to accept the resignation of Chili Campbell as Municipal Judge effective January 31, 1992. Gerald Turner seconded and all were in favor. The Council asked Johnny Mallory, City Manager, to fill the vacancy as soon as possible.

23. ADJOURN - There being no further items for discussion, the meeting adjourned at 9:25 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

EMERGENCY CITY COUNCIL MEETING
7:00 A.M., FRIDAY, JANUARY 24, 1992

The Canton City Council met for an emergency called meeting at 7:00 a.m., January 24, 1992, in City Hall following the posting of an agenda at 11:30 p.m., Thursday, January 23, 1992. Mayor Lawrence presided and all members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, Gerald Turner, and Jack Etheridge.

Mayor Lawrence opened the meeting at 7:03 a.m. and the Council retired to Executive session with Mr. Henry Lewis at 7:05 a.m. for discussion pertaining to litigation and sale of land.

The Council reconvened to open session at 7:37 a.m. Ronnie Fugate made a motion to accept the proposal presented by Mr. Lewis as follows:

MR. LEWIS SHALL CONVEY TO THE CITY BY GENERAL WARRANTY DEED THAT CERTAIN 10.12 ACRES, MORE OR LESS, OF PROPERTY FORMERLY OWNED BY MRS. OPAL BEARD, WHICH IS THE SUBJECT OF LITIGATION IN THE 294TH JUDICIAL DISTRICT COURT OF VAN ZANDT COUNTY, TEXAS, CAUSE NO. 87-402.

THE CITY SHALL CONVEY TO MR. LEWIS BY GENERAL WARRANTY DEED NOT MORE THAN 15 ACRES OF THAT PORTION OF THE JONES PROPERTY, COMMONLY REFERRED TO AS "THE 5000 AREA." THE PROPERTY TO BE SO CONVEYED BEGINS AT THE NORTH BOUNDARY, ALSO KNOWN AS THE SOUTH BOUNDARY OF THE LEWIS PROPERTY, THEN FOLLOWING IN A SOUTHERLY DIRECTION ALONG THE EASTERN AND WESTERN BOUNDARIES OF SAID JONES PROPERTY, COMMONLY REFERRED TO AS "THE 5000 AREA" UNTIL 15 ACRES IS ENCOMPASSED IN THE PROPERTY CONVEYED BY THE CITY TO LEWIS. THE PROPERTY CONVEYED BY THE CITY TO LEWIS SHALL NOT INCLUDE ANY LAND SOUTH OF AN IMAGINARY LINE RUNNING IN A GENERALLY EAST/WEST DIRECTION BEGINNING AT A POINT 25 FEET NORTH OF THE SOUTHEAST VENDOR CORNER LOT OF THE "5000 AREA" AND CONTINUING TO A POINT BEING THE SOUTHEAST CORNER OF DAN HILLIARD'S PROPERTY. LEWIS UNDERSTANDS THAT THE SAID PROPERTY TO BE CONVEYED TO HIM BY THE CITY HAS NOT BEEN SURVEYED AND MAY ENCOMPASS AN AREA OF LESS THAN 15 ACRES.

Gerald Turner seconded the motion and those in favor were Ronnie Fugate, Bob Alexander, Gerald Turner, and Jack Etheridge. Don Hackney was opposed. The motion carried.

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

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
7:00 P.M., MONDAY, FEBRUARY 3, 1992
BROCKLES RESTAURANT, INTERSTATE 20
CANTON, TEXAS

NOTICE IS HEREBY GIVEN THE CITY COUNCIL OF CANTON, TEXAS WILL SOCIALLY MEET WITH THE CANTON INDEPENDENT SCHOOL BOARD OF TRUSTEES AT THE ABOVE NAMED DATE, TIME, AND LOCATION. SAID NOTICE IS POSTED TO CONFORM TO ARTICLE 6252-17 OF THE OPEN MEETINGS ACT. NO OFFICIAL CITY BUSINESS SHALL TAKE PLACE.

The above described notice was posted on the City Hall window Friday, January 31, 1992, as prescribed by law. Said gathering was held however a quorum of the Council was not present. Those in attendance were Mayor Lawrence, Gerald Turner, and Bob Alexander. No business was conducted.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
12:00 P.M., FRIDAY, FEBRUARY 14, 1992

The Canton City Council met for a Called Meeting at the above named date and time in City Hall. Mayor Lawrence presided and members present were Don Hackney, Bob Alexander, and Jack Etheridge. Ronnie Fugate was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. CONSIDER ALL MATTERS PERTAINING TO THE RESIGNATION OF COUNCILMAN GERALD TURNER - Bob Alexander made a motion to accept Councilman Turner's resignation which was dated February 10, 1992. Don Hackney seconded the motion and all were in favor.

   Bob Alexander then motioned to recess the meeting until 1:00 p.m. Don Hackney seconded and all were in favor.

   The meeting reconvened at 1:00 p.m. with the above mentioned Council members present. Mayor Lawrence asked the Council's desire of filling the vacated Council position. Following a brief discussion, Don Hackney motioned to leave the position open as it would be filled in the May 2, 1992 Election. Jack Etheridge seconded the motion and all were in favor.

3. EXECUTIVE SESSION - The Council retired to executive session at 1:17 p.m. for discussion pertaining to an existing property lease agreement.

4. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 2:10 p.m. There being no action taken from discussion in executive session, Don Hackney motioned to adjourn the meeting. Jack Etheridge seconded and all were in favor. The meeting adjourned at 2:12 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, FEBRUARY 18, 1992

The Canton City Council met at the above named date and time in City Hall with Mayor Lawrence presiding. All members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander motioned to approve the minutes of the January 2, 1992 Regular Meeting, January 24, 1992 Emergency Meeting, February 3, 1992 Called Meeting, and February 14, 1992 Called Meeting as written. Jack Etheridge seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Don Hackney's oral review, Jack Etheridge motioned to approve the January 31, 1992 Financial Statements. Bob Alexander seconded and all were in favor.

5. GUEST ITEMS - Mr. George Pitts addressed the Council on behalf of Mr. Lettrial Heddin. Mr. Pitts gave a background as to Mr. Heddin's pursuit of the Post Office to be located on his property off Highway 64 and Old Kaufman Road. Mr. Pitts explained that Mr. Heddin had followed and met all deadlines and requirements including having his property re-zoned. Mr. Heddin signed a lease to purchase agreement with the Postal Service and the project has been delayed several times due to citizens as well as the Mayor and some Council members contacting the Postal Service to oppose the location.

   Mayor Lawrence informed Mr. Pitts that the Council has not taken any action as a body to influence the Postal Service's decision on a location. He did recently ask the Postal Service to be thorough in their search and consider all proposals. He also asked if an extension of 30 days could be allowed for any other parties wishing to present proposals. Mayor Lawrence stated that it was the Postal Service's decision to allow the 30 day extension and that he would support any location the Postal Service selected.

   Mr. Pitts asked if each Council member could state whether they were opposed to the Post Office being located on the Heddin property and state the reasons if any member opposed. He stated this poll would allow him to contact the Postal Service the following morning with the Council's opinions. Mayor Lawrence informed Mr. Pitts that he would not stand in the way should the Council members wish to voice their opinions, however, it could not be considered a vote of the Council as this was a guest item and no action could be taken. Mayor Lawrence also repeated that the Council, as a body, is not proposing any one location over another to the Postal Service. The Council has no objections to any location as it is the Postal Service's decision.

   No action was taken and no opinions were given by the Council members to be considered votes on this issue.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO SOFTBALL FIELDS AT THE OLD CITY LAKE - CANTON UMPIRE'S ASSOCIATION (Ron Anderson) - Mr. Carl Tuley, representing the Canton Umpires Association, updated the Council on information he had obtained concerning insurance which would cover the softball fields and the City of Canton should the fields be sanctioned. He further informed the Council that the fields could be sanctioned this year if some immediate improvements were made, primarily fencing repair. The sanction would be for one year and allow time for additional repairs and improvements to the fields, lights, etc. prior to the next consideration for sanction. Mr. Tuley informed the Council that the Canton Umpires Association is in favor of giving the City 70% of any funds they receive from tournaments on the fields and asked that the City utilize the funds for the needed repairs and also improvements to the park's playground.

   Mr. Tuley had received two estimates for the repair and/or replacement of the fencing. One in the amount of $1,865.00 and the other for $1,785.00. Following some discussion, Jack Etheridge made a motion that the City have

the needed work done on the fencing as soon as possible to pursue obtaining the sanction. Bob Alexander seconded and all were in favor.

The Council will consider other major improvements during the planning of the next budget.

7. DISCUSSION AND UPDATE PERTAINING TO TENNIS COURTS - CANTON TENNIS ASSOCIATION (Nancy Tucker) - Ms. Nancy Tucker addressed the Council and informed them that she was representing the Canton Woman's Tennis Team and the Canton Tennis Association was no longer an active association. Ms. Tucker thanked the Council for the City's cooperation and participation in maintenance and repairs to the tennis courts and asked for their continued support. She offered information regarding the tennis tournaments and teams utilizing the courts and stated the USTA League tournaments would begin March 2, of which some would be held on the City's courts. She asked for consideration in future budgets pertaining to improvements and maintenance and requested some maintenance at this time. Mayor Lawrence asked Ms. Tucker to present a list of needed repairs to Mr. Mallory and asked Mr. Mallory to make the repairs as the budget allows.

8. CONSIDER ALL MATTERS PERTAINING TO THE CHAMBER OF COMMERCE SPONSORED CANTON CYCLING CLASSIC - Tim Michaels - Mr. Michaels presented a financial report to the Council including the last three Cycling Classics. He informed them that the original date for this year's Classic has been changed from April 25th to May 9th due to conflicting classics in the Dallas area. Mr. Michaels requested the City's participation in sponsoring the spaghetti dinner given the night before the Classic as well as allowing advertisement for the event on the City leased billboards as was done last year.

   Jack Etheridge made a motion to offer the same assistance as last year with the billboard advertisements and to sponsor the spaghetti dinner. Bob Alexander seconded the motion and all were in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A MULTI-USE BUILDING TO BE CONSTRUCTED ON THE FIRST MONDAY PARK - Al Campbell, General Manager - First Monday, presented updated plans on the proposed building. He explained the building had be reduced in size due to certain elevations at the proposed site. The proposed plan consist of 29,585 square feet and would hold 140 vendor spaces. Although the Council was comfortable with the proposed size of the building, some concerns were expressed regarding vehicle parking facilities. The Council asked Mr. Campbell to discuss this matter with the engineer and compare parking facilities at the original proposed location to other possible locations on the First Monday Park.

10. CONSIDERATION PERTAINING TO REQUEST FOR A SOLICITOR'S PERMIT FROM MARY McARTHUR (Peter Hart Research) - Johnny Mallory, City Manager, informed the Council of Ms. McArthur's request for a solicitor's permit to go door-to-door within the City with a questionnaire concerning housing opinions. Following a brief discussion, Ronnie Fugate made a motion to deny said request. Jack Etheridge seconded and all were in favor. The permit shall not be issued.

11. DISCUSS AND CONSIDER BIDS RECEIVED FOR THE CONSTRUCTION OF THE VAN ZANDT COUNTY LIBRARY - Mr. Mallory informed the Council that the bids for the Library/Museum were opened on the Monday, February 17, 1992. McAnally & Associates from Richardson had submitted the lowest bid of $385,000 and references are currently being checked on said company. He also informed the Council that the Friends of the Van Zandt County Library are scheduled to meet the following Monday and will also review the bids while considering any alterations to the plans. The bids will also be presented to the Library/Museum Construction Steering Committee. Recommendations from both committees to be reviewed by the Council prior to the awarding of the bid.

    Jack Etheridge made a motion to table this item until said committees have met. Ronnie Fugate seconded the motion and all were in favor.

12. DISCUSS AND CONSIDER PASSING AN ORDINANCE ALTERING THE SPEED LIMITS ON PORTIONS OF SOUTH HIGHWAY 19 - The Council reviewed a request from the Texas Department of Transportation pertaining to altering speed zones on South Highway 19. Police Chief Hoss Williams informed the

Council of a traffic study conducted by his department near the Wynne Road on Highway 19. The majority of vehicles did not exceed the speed limit being requested by the State.

Following a brief discussion, Ronnie Fugate made a motion to grant the State's request and adopt the following ordinance:

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF CANTON AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

Don Hackney seconded the motion and all were in favor. The ordinance so adopted shall be number 92-2 and kept on file in the city records.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO ENFORCEMENT OF THE ANIMAL CONTROL ORDINANCE ON THE CURRY TRADE GROUNDS - Mr. Mallory informed the Council that he and the Mayor had met with Ms. Cox and Ms. Walker in reference to their concern of animal cruelty within the Canton city limits. The primary area of their concern was Curry Trade Grounds. The City's Animal Control Department has informed Mr. Mallory that it is very difficult to control matters on the Curry Trade Grounds as it is private property and they feel the property owner should be held responsible for actions on his/her property. Ms. Cox and Ms. Walker also feel we should make Mr. Curry responsible for the treatment of animals on his grounds. It was suggested that citations be issued to the property owner as outlined in the City Ordinance for any violations on his/her property. Mayor Lawrence also stated that he felt there is room for more cooperation and asked Mr. Mallory to meet with Mr. Curry concerning this matter. The Council was in agreement.

14. DISCUSS AND CONSIDER MATTERS PERTAINING TO ENFORCEMENT OF CITY ORDINANCES - Police Chief Hoss Williams requested the Council's desire pertaining to the enforcement of City Ordinances. He asked if they wished the ordinances to be enforced as written and carried through to the limits of the law once a certified letter had been mailed to the complainant. The Council expressed their views that the Ordinances should be enforced within the maximum limits of the law.

15. DISCUSS AND CONSIDER THE ADOPTION OF A DRUG AND ALCOHOL POLICY - Mr. Mallory discussed a proposed Drug and Alcohol Policy and explained that the such a policy was mandatory as the City employees more than 15 persons. Bob Alexander made a motion to adopt the proposed Drug and Alcohol Policy. Jack Etheridge seconded and all were in favor. The policy was so adopted.

16. DISCUSSION AND UPDATE PERTAINING TO GRANADA SQUARE STREET CONSTRUCTION - Ronnie Fugate informed the Council that a citizen, Mr. D. D. Mitchell, had pointed out some items of concern on Granada Square. His primary concern being the clean up of a vacant lot following the completion of construction. Councilman Fugate informed him that his concerns would be noted and the construction crew would clean up any debris left following completion of the project.

    Mr. Mallory also informed the Council that all elevations on Granada Square are within the allowable margins.

17. DISCUSSION PERTAINING TO STATUS OF STUDY AND PLANS TO IMPROVE THE WASTE WATER TREATMENT SYSTEM - Mr. Mallory informed the Council that he has instructed the engineers to proceed with plans for the Waste Water Treatment Plant. Preliminary estimates are $2.5 million however Mr. Mallory feels there is room for different items to be trimmed which could bring the cost below $2 million. He added that studies are also in progress on the Water Distribution System and feels both the water and sewer systems can be corrected for approximately $2 million.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - The Council had no items to be placed on the next regular agenda at the present time.

19. EXECUTIVE SESSION - The Council took a brief recess before retiring to executive session at 8:35 p.m. The following items were discussed while in executive session.

    A. DISCUSSION PERTAINING TO LEASE PROPERTY

    B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

20. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:05 p.m. No action was taken however the Council did ask Mr. Mallory to obtain and present proposals for the contracting of legal counseling services for the City of Canton to be considered during a future meeting.

21. ADJOURN - There being no further agenda items, Jack Etheridge motioned to adjourn. Don Hackney seconded and all were in favor. Meeting adjourned.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
9:00 A.M., FRIDAY, FEBRUARY 28, 1992

The Canton City Council met for a Called Meeting with Mayor Lawrence presiding. All members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence opened the meeting and Ronnie Fugate gave an invocation.

2. CONSIDER ALL MATTERS PERTAINING TO VAN ZANDT COUNTY LIBRARY AND AWARD BID - Johnny Mallory reviewed a proposed Owner and Contractor Agreement with McAnally & Associates for their base bid of $385,000.00 to construct the Van Zandt County Library. Mr. Mallory also discussed the "Other Cost" estimates such as a sign, plaque, book drop, contingencies, and architectural fees, which would bring the probable total to $406,500.00.

   Bob Alexander made a motion that the City accept the low bid from McAnally and Associates. Don Hackney seconded and all were in favor. Motion carried.

   Mayor Lawrence requested that the record reflect the City has received a letter from the Friends of the Van Zandt County Library stating they have met and unanimously voted to accept the same bid as above. The City also received a letter from Charley Elliott expressing the Library Construction Steering Committee's endorsement of the "Friends" decision of McAnally & Associates.

   Mayor Lawrence reminded the Council members of the scheduled Ground Breaking Ceremony to be held at the Library Site on March 5, 1992, at 2:00 p.m.

   Johnny Mallory then informed the Council of the Animal Control Department's need of a truck and discussed the previous repairs made to the truck presently being used. The City has been informed that the truck needs a new motor. Mr. Mallory stated the Animal Control Supervisor has located a 3/4 ton truck for approximately $4,500. The Council took no action

however requested another opinion on the present truck.

3. ADJOURN - There being no further items for discussion, Don Hackney motioned to adjourn the meeting. Jack Etheridge seconded and all were in favor. Meeting adjourned at 9:20 a.m.

Richard W. Lawrence

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MARCH 17, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander made a motion to approve the minutes of the February 18, 1992 Regular and February 28, 1992 Called Meetings as written. Jack Etheridge seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Don Hackney's oral review, Bob Alexander made a motion to approve the February 29, 1992 Financial Statements. Jack Etheridge seconded the motion and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A REQUEST FROM THE GARDEN CLUB CONCERNING A CLEAN-UP AND BEAUTIFICATION PROJECT (Dorisene Groves) - Mrs. Groves addressed the Council on behalf of the Martha Wynne Memorial Garden Club, the Canton Chamber of Commerce, and the Downtown Business Association. She briefly explained some ideas from the different groups pertaining to clean-up and beautification projects throughout the City. Mrs. Groves further explained the Garden Club's desire to select a beginning site for the purpose of planting and maintaining a "flower garden". She requested the City Council's commitment to assist with the watering and maintenance of the garden as well as some future funds.

   The Council briefly discussed the request and offered some ideas as to beginning locations for such a garden. All Council Members were receptive to the project and Mayor Lawrence asked that the Garden Club obtain a more detailed plan and cost estimates for future consideration. The Council expressed a desire to assist with the maintenance and will consider needed funding during budget preparation.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FURTHER DEVELOPMENT OF THE SWIMMING AREA AT MILL CREEK RESERVOIR (Bonnie Tarver) - As Mrs. Tarver was unable to attend the meeting, the Council was in agreement to table this item until the April Regular Meeting. Ronnie Fugate did express his desire to pursue further development should the committee not be able to bring plans and suggestions to the next meeting.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO DEVELOPMENT OF HANDICAP ACCESS AROUND THE DOWNTOWN SQUARE (Steve Farley) -Mayor Lawrence addressed the Council in Mr. Farley's absence and explained that it is necessary to address and pursue the development of handicap access around the square according to Federal Law and Regulations. Mayor Lawrence expressed his desire to appoint a committee to review this matter and present a plan to the Council. He requested some time in the selection of a committee and stated he would be open to volunteers from Canton's citizenry. This item is to appear on the April agenda.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE ENFORCEMENT OF THE ANIMAL CONTROL ORDINANCE (Martha Cox) - Ms. Martha Cox of The Animal Protection Advisory Network addressed the Council with her concerns that the City of Canton Animal Control Ordinance is not being enforced on the Curry Trade Grounds. She described conditions she considered to be abusive treatment to animals taking place on Curry's property during First Monday weekends.

Mayor Lawrence informed Ms. Cox and all present of the City's continued pursuit of gaining compliance to the City Ordinance. He further informed the crowd of the number of personnel, being three, continuously working on the enforcement of the Ordinance in comparison to three police officers on duty at any one given time during First Monday Weekends charged with the responsibility of controlling crowds in excess of 100,000. He stated the City feels as if they have devoted as much manpower and funds as possible to enforce the Ordinance and will continue to enforce it to the City's capabilities.

Charlie Elliott, Attorney at Law, addressed the Council on behalf of Mr. Earl Curry. He requested the Council to repeal Article 4 of Revised Ordinance 89-16 pertaining to the Care and Treatment of Animals offered for sale or trade, primarily section 4.1 (a), (b), (c), and (d)4. He discussed concerns of the constitutionality and economic impact of said sections in connection with private enterprise. Mr. Elliott further requested the City Council abate the enforcement of these sections for one to two months and allow him the opportunity to review the standings and legality of said sections. He also expressed his desire that the Animal Protection Groups deal with the property owner, as it is a private business, rather than the City.

Jack Etheridge made a motion to abate the enforcement for a period of time until such matters could be more thoroughly reviewed. The motion died for the lack of a second.

Mr. Don Feare, Executive Director of the Wildflight Rescue Foundation, also addressed the Council with concerns of the treatment to animals on the Curry Trade Grounds. He informed the Council of his visits to the grounds and his findings of the lack of enforcement of the City Ordinance. He also stated that should the City not have any ordinance, there are State Laws which would require the same enforcement as the concerned groups are demanding. He agreed that the City seems to desire compliance however stated he does not see the enforcement. He suggested the property owner, Mr. Curry, be held responsible and issued a citation for each violation.

Some vendors from the Curry Trade Grounds were present and a few voiced their feelings in opposition to those of Ms. Cox and Mr. Feare.

Mayor Lawrence again stated the City's intentions of aspiring to compliance with the Ordinance and closed the issue.

The Council took a brief recess before returning to the remaining agenda items.

10. DISCUSS AND CONSIDER REQUEST TO AMEND FIRST MONDAY RULES AND REGULATIONS - Al Campbell informed the Council of a recent request from Mr. Michael Gnadinger to amend First Monday Rule #12 for the purpose of allowing the sale of State Lottery tickets on the First Monday lots. The rule presently reads as follows: "LOTS MAY NOT BE USED FOR GAMES OF SKILL, RAFFLES, LOTTERIES, PALM READING OR SUCH, AUCTIONS OR ANY PURPOSE WHICH IS CARNIVAL RELATED."

Following a brief discussion, Ronnie Fugate motioned to deny the request and maintain the present rule. Jack Etheridge seconded and all were in favor.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FUTURE CONSTRUCTION OF A MULTI-USE BUILDING ON THE FIRST MONDAY PARK As previously requested, Al Campbell updated the Council as to a study he has conducted concerning the vehicle parking facilities for the proposed multi-use building. Should the building be constructed at the "main gate" area, several private parking lots as well as downtown parking could be available, allowing approximately 600 to 700 spaces.

    The Council discussed the possible parking problems in the downtown area with specific concern being First Monday Weekends as well as the number of weekends in which the building would be utilized for special events. They also discussed parking facilities should the building be constructed in the recently acquired "2000 Section".

    Mayor Lawrence and Al Campbell are to visit with the Downtown Business Association to discuss the different sites and parking situations.

12. DISCUSS AND CONSIDER PROPOSAL PERTAINING TO ASSIGNMENT OF NEW STREET NAMES AS PREVIOUSLY ADOPTED (Highway 19 and FM Rd 859) Al Campbell reviewed a proposal for the assignment of new street names according to previous Council action. The previous action included renaming Highway 19 to Trade Days Lane and FM Rd. 859 to First Monday Lane. The proposal outlined a six month plan for notification to businesses, residents, and the postal service of said change and effective date. Mr. Campbell also discussed the development of new signs.

    The Council was in agreement with the proposal however following a brief discussion, Ronnie Fugate motioned to change Trade Days Lane, formerly Highway 19, to Trade Days Blvd. Don Hackney seconded the motion and all were in favor.

13. DISCUSS AND CONSIDER BIDS RECEIVED FOR THE PURCHASE OF A POLICE CAR - The Council reviewed three bids received for the purchase of a police car. The bids were as follows:

LEWIS CHEVROLET	$16,000. (Caprice 4-door)
CANTON MOTORS	$13,858. (Ford Crown Vict)
CANTON MOTORS	$27,716. (2 Ford Crown Vict)

    Following discussion, Don Hackney made a motion to purchase two Ford Crown Victoria 4-doors from Canton Motors for $27,716.00. Jack Etheridge seconded and all were in favor.

14. CONSIDERATION PERTAINING TO THE APPOINTMENT OF A MEMBER TO SERVE ON THE BOARD OF ADJUSTMENT DUE TO A VACANCY - The Council was informed of Mr. Don Cannon's request to be replaced on the Board of Adjustment. Following a brief discussion, Don Hackney motioned to table this item until the April meeting. Jack Etheridge seconded and all were in favor.

15. DISCUSSION PERTAINING TO STATUS OF STUDY AND PLANS TO IMPROVE THE WASTE WATER TREATMENT AND WATER DISTRIBUTION SYSTEMS - Johnny Mallory discussed preliminary cost estimates and reviewed a five part plan for the Water Distribution improvements. Depending upon bids received for Step 1 of the plan, Step 2 could be feasible within the year.

    He also informed the Council of a scheduled meeting he and the Mayor will be attending with the Texas Water Development Board. They will be meeting to discuss financing options for both the Waste Water Treatment and Water Distribution improvements. Mr. Mallory will offer updated information as it becomes available.

16. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - The Council had no items to add to future agendas.

17. EXECUTIVE SESSION - The Council took a brief recess before retiring to executive session at 9:05 p.m. Discussion in executive session pertained to the following:

    A. DISCUSSION PERTAINING TO LEASE PROPERTY

    B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

18. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:30 p.m. There was no action taken pursuant to discussion in executive session.

19. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. Don Hackney seconded and all were in favor. Meeting adjourned at 9:31 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, APRIL 21, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Bob Alexander

3. CONSIDERATION TO APPROVE MINUTES - Don Hackney made a motion to approve the minutes of the March 17, 1992 Regular Meeting as written. Jack Etheridge seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Don Hackney's oral review, Bob Alexander made a motion to approve the March 31, 1992 Financial Statements. Jack Etheridge seconded the motion and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A REQUEST FOR FLUSH VALVES IN THE WYNNE COMMUNITY (ROBERTA SMITH) - Roberta Smith addressed the Council with a request for some type of fire protection in the Wynne Community. She stated that 2" risers were originally located on the existing water lines, however, said risers were removed during past street construction. Johnny Mallory and Gil Coil offered the most feasible assistance the City could offer with the Wynne Community being outside the city limits. Said assistance would be to replace the 2" risers and install one fire hydrant. Ronnie Fugate made a motion to enact their recommendation. Jack Etheridge seconded and all were in favor.

7. DISCUSS AND CONSIDER RECOMMENDATION FROM PLANNING & ZONING COMMITTEE TO GRANT MR. FRANK DUMAS A CHANGE IN ZONING FROM RESIDENTIAL (R1) TO MULTI-FAMILY (MF-1) ON THE CORNER OF BIG ROCK & COLLEGE STREETS - Johnny Mallory reviewed the Planning & Zoning Committee's recommendation to grant Mr. Dumas' request. Following a brief discussion, Don Hackney made a motion to rezone said property from R1 to MF1. Jack Etheridge seconded and all were in favor.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FURTHER DEVELOPMENT OF THE SWIMMING AREA AT MILL CREEK RESERVOIR - Bonnie Tarver addressed the council and requested an update concerning the construction of the swimming area. Johnny Mallory and Ronnie Fugate informed the Council and Ms. Tarver of the completed and upcoming projects at the swimming area. As work schedules permit, the following projects will begin: truckloads of sand will be brought in, walkways will be built, parking areas will be constructed, and water and electric utilities will be developed.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING THE MAYOR'S APPOINTMENT OF A HANDICAP BARRIER COMMITTEE - Mayor Lawrence presented the following names as his appointments to the Handicap Barrier Committee: Wanda Bailey, Verna Durham, Ronnie Fugate, Mervin Nichols, Lafawn Robertson, and Dan Tarno. The Council was in favor of the appointments and Mayor Lawrence will name a committee chairman following discussion with each committee member.

10. CONSIDERATION PERTAINING TO THE APPOINTMENT OF A MEMBER TO SERVE ON THE BOARD OF ADJUSTMENT DUE TO A VACANCY - The Council was reminded of Mr. Don Cannon's resignation from the Board of Adjustments. Mr Marcus Burrage has also stated he will be resigning from the Board due to health reasons.

    Following a brief discussion and no objection from the Council, Mayor Lawrence appointed Don Hackney to serve on the Board of Adjustments. The Mayor also asked for recommendations before the next regular Council Meeting for the appointment of another member to fill Mr. Burrage's vacancy.

11. CONSIDERATION PERTAINING TO THE APPOINTMENT OF A MEMBER TO SERVE ON THE SENIOR CITIZENS ADVISORY BOARD DUE TO A VACANCY Johnny Mallory advised the Council of the Senior Citizens Advisory Board's request to fill a vacancy on the Board immediately. Following a brief discussion, Ronnie Fugate made a motion to appoint Ms. Bell Turner to the Board. Jack Etheridge seconded and all were in favor.

12. CONSIDERATION FOR APPROVAL FOR GTE TO BURY CABLE NEAR THE INTERSECTION OF INDUSTRIAL ROAD AND HIGHWAY 19 - Councilman Bob Alexander abstained from discussion and action of this item due to a conflict of interest. Johnny Mallory updated the Council of GTE's request to bury cable from the water tower on Highway 19 , under the highway and Industrial Road to the present city limits. GTE is requesting a variance for this project from the City Ordinance which prohibits the burying of cable.

    Don Hackney made a motion to grant a variance for GTE to bury the cable. Jack Etheridge seconded and all were in favor.

13. DISCUSSION PERTAINING TO FUTURE IMPROVEMENTS OF THE WASTE WATER & WATER DISTRIBUTION SYSTEMS - Johnny Mallory updated & discussed a proposed agreement from Velvin & Weeks for the City of Canton Water Improvements. Said agreement is for the City of Canton to engage Velvin and Weeks' Professional Engineering Services in connection with the Water System Improvements. Bob Alexander made a motion to enter into the agreement. Jack Etheridge seconded and all were in favor.

14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FUTURE CONSTRUCTION OF A MULTI-USE BUILDING ON THE FIRST MONDAY PARK Al Campbell discussed the need to obtain actual cost, engineer assessments, etc. to begin making arrangements for financing and have everything in place for bids. Jack Etheridge made a motion to pursue bids on construction of building, to allow the pursuit of needed financing. Bob Alexander seconded and all were in favor.

15. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate requested the naming of the swimming park be placed on the next agenda.

    The council agreed to call a meeting May 5, 1992, 5:00 p.m. to canvass the May 2, 1992 election returns.

16. ADJOURN - There being no further items for discussion, Bob Alexander made a motion to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned at 7:39 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:00 P.M., TUESDAY, MAY 5, 1992

The Canton City Council met for a Called Meeting with Mayor Lawrence presiding. Members present were as follows: Don Hackney, Ronnie Fugate, Bob Alexander. Jack Etheridge was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. CANVASS THE MAY 2, 1992 ELECTION - Following the Council's review of the May 2, 1992, Election Returns, Don Hackney motioned to approve the returns as follows and recorded:

COUNCILMAN RACE:	Kenneth Pruitt	183 votes
	Jay (Jeff) Young	54 votes
	Bob Alexander	147 votes
	Jack L. Smith	143 votes
	John Crow	203 votes
	Clifford Caviness	148 votes

Ronnie Fugate seconded the motion and all were in favor. Councilmen Kenneth Pruitt, John Crow, and Clifford Caviness will take their oath of office during the May 19, 1992 regularly scheduled meeting.

3. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO LIGHTING OF BASEBALL FIELD AT CITY PARK - Carl Tuley addressed the Council of the lighting and some needs at the baseball field. Mr. Tuley estimated around $4,000.00 to cover the cost and expenses of replacing poles, lights, backstops, fencing, etc., instead of the estimated cost of approximately $15,560.00. He has asked for the $4,000.00 to be worked into the next budget. Mr. Tuley has located two poles at a cost of $920.00 for purchase and installation. After some discussion, it was agreed that Johnny Mallory and Mr. Tuley would get together and work out an agreement.

4. ADJOURN - There being no further items for discussion, Don Hackney motioned to adjourn the meeting. Ronnie Fugate seconded and all were in favor. Meeting adjourned at 5:40 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 19, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Don Hackney, Ronnie Fugate, Bob Alexander, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - There was a moment of silent prayer in memory of Pat Morris.

3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the April 21, 1992 Regular, April 28, 1992 Board of Adjustment, and May 5, 1992 Called Meetings as written. Don Hackney seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Don Hackney's oral review, Bob Alexander made a motion to approve the April 30, 1992 Financial Statements. Jack Etheridge seconded the motion and all were in favor.

5. SWEARING IN OF COUNCIL MEMBERS - MUNICIPAL COURT JUDGE BRENDA SANFORD - Newly elected Councilmen Clifford Caviness, John Crow, and Kenneth Pruitt were sworn into office by Judge Sanford.

   Mayor Lawrence presented plaques of appreciation from the City to outgoing Councilmembers Don Hackney, Bob Alexander, and Gerald Turner for their dedicated service to the City.

6. GUEST ITEMS - None

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO AN ORDINANCE ESTABLISHING OR SETTING NEW SPEED LIMITS ON SH 64 WITHIN THE CITY LIMITS - The Council asked if this speed zone could be restudied since the new post office, library, and justice center was not taken into consideration when the study was made. Jack Etheridge made a motion seconded by Don Hackney and all were in favor.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO AN APPOINTMENT AND RESIGNATION OF A MEMBER OF THE BOARD OF ADJUSTMENT - Mr. Burrage has submitted his resignation from the Board of Adjustment due to health reasons. Mayor Lawrence appointed Bob Alexander. Jack Etheridge made a motion to accept this appointment, with Ronnie Fugate seconding. All were in favor.

9. DISCUSS AND POSSIBLE APPROVAL OF A WATER TAP OUTSIDE THE CITY LIMITS (JOHN W. ELLIOTT) - Mr. Elliott was not present. Johnny Mallory informed the Council that this request was on Arnold Paul Road and there seemed to be no problems in granting said request. Jack Etheridge made a motion to approve the request. John Crow seconded the motion. Mayor Lawrence amended the motion to include that Mr. Elliott be willing to come into the city limits. All were in favor.

10. DISCUSS ALL MATTERS PERTAINING TO THE NAMING OF LAKE CANTON PARK - Ronnie Fugate made a motion to postpone this item. Jack Etheridge seconded and all were in favor.

11. DISCUSSION AND POSSIBLE APPROVAL OF AN ADDITION TO THE POLICE POLICIES MANUAL - The State mandates that every police department have an HIV/AIDS Policy. The policy has rules and regulations on how to handle prisoners with Aids or the HIV virus. Jack Etheridge made a motion to approve the addition to the police policy manual. Ronnie Fugate seconded and all were in favor.

12. DISCUSS AND CONSIDERATION ALL MATTERS ON PROPOSED ANNEXATION OF WYNNE COMMUNITY - Johnny Mallory presented a plat and petition to the Council from the Wynne Community. Lula Scates was present and concerned that her name was on the petition and did not want it on there. Virginia Nelson was present and asked for her name to be removed from the petition. The Mayor asked that it be noted her name be removed from the petition as of May 19, 1992. Mr Mallory explained this was a

lengthy process and it could take at least 90 days before the annexation procedure could begin. Ronnie Fugate made a motion to accept the petition. Clifford Caviness seconded the motion. Mayor Lawrence amended the motion to include for Mr. Mallory to proceed with the annexation.

13. DISCUSSION AND POSSIBLE APPROVAL OF THE INSTALLATION OF A CHEMICAL TANK AT THE WATER TREATMENT PLANT - Johnny Mallory discussed with the Council that with the purchase of a 6000 gallon chemical tank for liquid alum at around six cents a gallon in bulk rather than $29 a barrel for dry alum it would save them money plus pay for itself in a short period of time. Jack Etheridge made a motion to purchase and install a tank for approximately $4900.00. Clifford Caviness seconded and all were in favor.

14. DISCUSS AND POSSIBLE APPROVAL OF AN ADDITIONAL EMPLOYEE AT THE WASTEWATER TREATMENT PLANT - The law requires you to have two licensed people at a plant at all times. The part time employee that we have now has resigned. Since he has been working 40-hour weeks most of the time, James Hall has requested to hire a full time person with some experience. He would be required to attend some classes and acquire his license. Jack Etheridge made a motion to create a full time position for the Wastewater Treatment Plant. Clifford Caviness seconded and all were in favor.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FUTURE CONSTRUCTION OF A MULTI-USE BUILDING ON THE FIRST MONDAY PARK Al Campbell informed the Council he has not received any information on financing at this time. He said he should receive the information by next week and he would get it to the Council as soon as he could.

16. DISCUSSION AND CONSIDER ALL MATTERS PERTAINING TO THE DISCHARGE OF FIREARMS AND AIR RIFLES - Chief of Police, D. G. Williams discussed with the Council that there was a State law for discharging of firearms and air rifles inside city limits and is handled as criminal mischief. He will talk with the game warden about this. This item to be placed on next agenda.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE WATER AND SEWER TAP FEES INSIDE AND OUTSIDE THE CITY LIMITS - Johnny Mallory informed the Council that it cost at least $250 sometimes more for these taps. He requested that the $200 tap fee be raised to $300. Jack Etheridge made a motion to raise the fee to $300. Kenneth Pruitt seconded the motion. All were in favor with the exception of Ronnie Fugate.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - None

19. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. Kenneth Pruitt seconded and all were in favor. Meeting adjourned at 7:35 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary
by Vickie Hall

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 16, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the May 19, 1992 Regular Meeting as written. Kenneth Pruitt seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Jack Etheridge made a motion to approve the May 31, 1992 Financial Statements. Clifford Caviness seconded the motion and all were in favor.

5. GUEST ITEMS - None

6. DISCUSSION OF FINANCING CIVIC CENTER AND WATER SYSTEM IMPROVEMENT AND POSSIBLE APPROVAL TO PUBLISH NOTICE OF INTENT TO SALE BONDS - Ed Moore with Southwest Securities explained to the Council that the City could get better interest rates through the public sale of Certificates of Obligation to finance both the civic center and water system improvements in the amount of $1,900,000.00. He stated he would have sealed bids at the next council meeting. Mr. Moore presented the Council with a Resolution directing publication of notice of intention to issue Certificates of Obligation. Jack Etheridge made a motion to pass the Resolution. John Crow seconded and all were in favor.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FURTHER DEVELOPMENT OF THE SWIMMING AREA AND PARKS AT LAKE CANTON - Ronnie Fugate had some concerns about the vandalism at the park and suggested utilizing a present employee to be responsible for the parks. Other suggestions were to offer $500.00 reward for information leading to an arrest and conviction of anyone conducting vandalism, permits for overnight camping and fishing, and closing from dark to daylight.

   Ronnie Fugate made a motion to name the park Mill Creek Park and Jack Etheridge seconded. All were in favor.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO AN ORDINANCE SETTING NEW SPEED LIMITS ON SH 64 WITHIN THE CITY LIMITS -The Texas Department of Transportation sent a letter stating that the speed zone had been reevaluated upon the City's request
   and indicated that the speed limits should be changed as they are reflected in the ordinance. Jack Etheridge made a motion to pass the ordinance. Ronnie Fugate seconded and all were in favor.

9. DISCUSSION AND POSSIBLE APPROVAL OF A STREET DANCE ON THE SQUARE - This item was deleted just prior to the meeting.

10. DISCUSSION AND POSSIBLE APPROVAL OF ADVERTISEMENT FOR BIDS FOR A TRACTOR AND MOWER - Johnny Mallory discussed with the Council the need for a tractor in the parks department. Mr. Mallory stated the tractor would be utilized for mowing and other purposes. Clifford Caviness made a motion to advertise for bids for the tractor and mower. Jack Etheridge seconded and all were in favor.

11. DISCUSS AND POSSIBLE APPROVAL OF APPOINTMENT OF COMMITTEES - Mayor Lawrence discussed the need for these appointments. Clifford Caviness made a motion to accept these appointed committees. John Crow seconded and all were in favor.

COUNCIL ASSIGNMENTS
ISSUED JUNE 1992

FIRST MONDAY

Ronnie Fugate
Kenneth Pruitt

STREETS

John Crow
Kenneth Pruitt

FINANCE COMMITTEE

Clifford Caviness
Jack Etheridge

PUBLIC SAFETY

Clifford Caviness
John Crow

PARKS & RECREATION

Ronnie Fugate
Kenneth Pruitt

WATER, WASTEWATER & SOLID WASTE

Jack Etheridge
Ronnie Fugate

12. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Kenneth Pruitt requested consideration for part time help for street maintenance and a certified person for spraying chemicals be placed on the next agenda.

All matters pertaining to the city park and lake shall be included on the next agenda.

13. EXECUTIVE SESSION - The Council retired to Executive Session at 7:50 p.m. for discussion pertaining to lease property.

14. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 8:34 p.m. There was no action taken pursuant to discussion in executive session.

Mayor Lawrence called a workshop meeting for Tuesday June 30, 1992, from 6:30 p.m. to 8:30 p.m.

15. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Kenneth Pruitt seconded and all were in favor. Meeting adjourned at 8:40 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary
by Vickie Hall

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 30, 1992

The Canton City Council met for a Called Meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDER ALL MATTERS PERTAINING TO GRANT FOR PARKS - City Manager Johnny Mallory reviewed a proposal from Mr. Mark Spencer of The Brannon Corporation. Mr. Spencer's proposal included preparing a Parks Master Plan as well as completing and submitting the Grant Application to the Texas Parks & Wildlife for a total lump sum fee of $7,200.00. Should the grant request not be funded, Mr. Spencer would modify the application and resubmit it for no additional charge. Mr. Mallory also informed the Council of the July 31, 1992 deadline for the submission of grant applications.

   Following a brief discussion, Ronnie Fugate made a motion to accept the proposal from The Brannon Corporation and authorize the expenditure of $7,200.00 for said services. Kenneth Pruitt seconded the motion and all were in favor.

4. WORKSHOP SESSION - Johnny Mallory informed and updated the Council on the following:

   Fireworks Ordinance - Mr. Mallory discussed needed revisions in the Fireworks Ordinance on file. Mr. Mallory will prepare a new ordinance for the Council's consideration during a future meeting.

   Sewer Line Extensions - The extension to the Eubank property has been completed and the City has received payment in full from Mr. Eubank. The Van Zandt Country Club was connected on the City's line today, June 30th. The line is ready behind the Country Club Estates for the lower part of the circle. Mr. Mallory estimated completion of the Estates project for mid July.

   Granada Square - Mr. Mallory made the Council aware of some complaints issued by Ms. Sevier and Ms. Cleburn concerning appearance of their following completion of the street improvements. Ms. Paul also has a concern regarding the drainage of her property.

   Water Tower Site - Mr. Mallory visited with the School Board and requested a piece of land for the placement of a new water tower. The School Board presented three possible sites and Mr. Mallory is continuing to review other property in the general location.

   Mr. Mallory also informed the Council of the scheduled Housing Board of Adjustments and Appeals meeting to consider all matters pertaining to the demolition order for the structure at 1220 Big Rock, the possible petition from the First Baptist Church to close Edom Street, and briefed the Council on the requirements for compliance with the Americans with Disabilities Act (ADA).

   The Council held a brief discussion concerning street improvements and repairs as well as some violations of the Ordinance concerning tall grass and weeds. Mayor Lawrence requested investigation into the purchase of a reclaimer for some street improvements

   First Monday General Manager Al Campbell then addressed the following matters:

   Arbor Roadways - Mr. Campbell explained present problems with the completion of the roadways along each side of the Arbor pavilion due to the ground water. He presented a possible solution of concrete paving where needed and has advertised for bids to be considered in the next regular meeting.

   Civic Center - Mr. Campbell is presently having the modified plans completed for the Council's review and approval.

Mr. Campbell also gave an update of the special events held at the First Monday Park this year and informed the Council that a reporter from the Smithsonian plans to attend the September First Monday and spend approximately five days in Canton.

Industrial Board - Mr. Campbell explained that some investors would like to purchase the AM station from KMOO Radio if they can move the FCC license to Canton. Such a move would require a study and evaluation by FCC. The cost of this study is approximately $2,000.00 and they have asked the Industrial Board for a loan of the needed funds. The Industrial Board members feel positive toward this expenditure and have requested the Council's feelings. The Council members did not voice any objections to the expenditure.

Mr. Mallory then updated the Council regarding the Sewer Treatment Plant. He informed them that the preliminary report has been completed and sent to the State on two alternatives for the plant. The City is continuing to meet the present permits at this time.

Mr. Mallory and Mr. Campbell briefly discussed the status of the Waste Disposal District Board.

Other items discussed were the swimming area, a No Swimming sign to be placed at the boat ramp, an ad in the Canton Herald offering a $500 reward pertaining to vandalism, and needed repairs on the fence at the park.

5. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Kenneth Pruitt seconded and all were in favor. The meeting adjourned at 8:40 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 14, 1992

The Canton City Council met for a regular meeting in City Hall at the above named date and time with Mayor Lawrence presiding. All members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Ronnie Fugate made a motion to approve the minutes of the June 16, 1992 Regular Meeting and the June 30, 1992 Called Meeting as written. Kenneth Pruitt seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Clifford Caviness motioned to approve the June 30, 1992 Financial Statements. Ronnie Fugate seconded and all were in favor.

5. GUEST ITEMS - Ms. Kelly Stutts, representing the Canton PTO, informed the Council of the PTO's attempts to raise funds for playground equipment. She stated the organization is planning a Country & Western dance in the Arbor Pavilion and requested the use of the First Monday Park for vehicle parking. The Council asked Ms. Stutts to meet with First Monday General Manager Al Campbell regarding this request.

6. CONSIDER A PETITION FROM RESIDENTS OF THE COUNTRY CLUB ESTATES FOR REDUCTION IN SEWER LINE EXTENSION FEES - The Council received a petition from the Country Club Estates residents requesting the $2,600 per property owner sewer line extension fee be reduced to $1,000 including tap fees. Mr. Jack Smith addressed the Council as a concerned property owner and compared the $2,600 cost to past sewer line projects of which the property owners paid less for the extensions. Other property owners voiced their desire to reduce the fee as well. Mr. Mallory informed the Council of the City's approximate cost of $21,000 with the property owners paying $2,600. Reducing the property owner's cost to $1,000 would increase the City's cost by approximately $20,000. Discussion continued with reference to the past minutes reflecting the original agreements and the question of whether the property owners would pay the $1,000 up front as opposed to an allowed payout on the $2,600. Ronnie Fugate made a motion to table this item until the August meeting. Jack Etheridge seconded and all were in favor.

7. CONSIDER A PETITION FROM RESIDENTS OF CURRY AND CURRY LANE FOR STREET IMPROVEMENTS - RICK BADGETT - Mr. Badgett and other residents from Curry and Curry Lane presented a petition requesting street and drainage improvements on said streets. The Council discussed the existing street problems with the residents and assured them that their streets would be considered in the further development of the existing street plan. The residents were also informed of the budget process beginning for the 1992-1993 fiscal year. Funds will be allocated for street repairs and the Street Committee will make recommendations as to the order of street repair following a study of existing problems throughout the City.

8. CONSIDER REQUEST TO CLOSE EDOM STREET BETWEEN ATHENS AND WILLS POINT STREETS - FIRST BAPTIST CHURCH - Mr. Harry Minton addressed the Council on behalf of the First Baptist Church. The Church requested the Council's consideration of closing Edom Street between Athens and Wills Point Streets due to the extensive damage of said street. Mr. Minton also expressed the Church's desire to incorporate the said street with additional parking facilities the Church will be needing due to construction of a new facility. Johnny Mallory explained that a Public Hearing would need to be held and other procedures investigated prior to the Council's action in favor or opposed to closing the street. Jack Etheridge made a motion to accept the request and begin necessary proceedings. Ronnie Fugate seconded. Upon the call of a vote, Clifford Caviness and John Crow abstained. Jack Etheridge, Ronnie Fugate, and Kenneth Pruitt were in favor. The motion carried.

The Council took a brief recess at 8:10 p.m. The Council reconvened at 8:25 and addressed agenda items 11 and 12 before returning to agenda item 9.

9. CONSIDER ACCEPTANCE OF A PETITION FOR ANNEXATION FROM PROPERTY OWNERS LOCATED ALONG THE INTERSTATE 20 SOUTH SERVICE ROAD - This item was postponed due to the property owners deliberations on the estimated cost for sewer extension upon annexation.

10. CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS -RALPH SMARTT (I-20 SOUTH SERVICE ROAD) - The Council briefly discussed Mr. Smartt's request with Mr. Mallory and Gil Coil. Mr. Mallory and Mr. Coil stated there would be very little impact on the present water distribution should such tap be granted. Jack Etheridge made a motion with Ronnie Fugate seconding to grant the request. All were in favor.

11. CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS - MARGY RAGSDALE (HWY. 859) - Mr. Mallory explained the location of said property on Highway 859. He and Mr. Coil informed the Council that there are some water problems in this area however the usage of the requested tap would not create a serious impact on the distribution. Discussed water problems will be corrected in the water distribution improvements to be completed by the end of the year. Jack Etheridge made a motion to grant the request. Clifford Caviness seconded and all were in favor.

12. CONSIDER A REQUEST FOR A SOLICITOR'S PERMIT FROM MS. KELLY STUTTS - Ms. Stutts addressed the Council requesting permission to leave door hangers in residential areas soliciting the hiring of her service to paint house numbers on curbing. She explained the door hangers are left and the residents are asked to place the hanger back should they desire this service. Ms. Stutts then picks up the orders the following day and provides the service usually the same day, weather permitting. Mr. Mallory expressed some concern about the original wording on the door hangers leaving the impression that this was a City service. Ms. Stutts will correct the wording.

Following a brief discussion, Jack Etheridge motioned to grant the request for a permit. Clifford Caviness seconded and all were in favor.

13. OPEN BIDS ON SALE OF CERTIFICATES OF OBLIGATION - Mr. Ed Moore of Southwest Securities was present to open the bids. The bids received were as follows:

ACCOUNT:	EFFECTIVE INTEREST RATE
Smith Barney, Harris Upham & Co.	5.7224
Merrill Lynch & Co.	5.8837
Coastal Securities Ltd.	5.8773
Eppler, Guerin & Turner	5.909
Barre & Company, Inc.	5.6966
Nations Banc Capital Markets, Inc.	5.7608
Prudential-Securities Incorporated	5.9250
Clayton Brown & Assoc., Inc.	5.8350
Kemper Securities Group, Inc.	5.9099
Masterson Moreland Sauer Whisman, Inc.	5.8661
Bank One Texas, N.A.	5.7812
Southwest Securities, Inc.	5.9795

14. CONSIDER AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF $1,900,000 CERTIFICATES OF OBLIGATION AND ALL OTHER MATTERS INCIDENT AND RELATED THERETO - Following a brief discussion of the aforementioned bids, Jack Etheridge made a motion to authorize the sale of $1,900,000 Certificates of Obligation to Barre & Company, Inc. at the interest rate of 5.6966. Clifford Caviness seconded and all were in favor.

The Council then proceeded to agenda item 16.

15. CONSIDER BIDS RECEIVED FOR CONCRETE PAVING ON PORTIONS OF ROADWAY AROUND THE ARBOR PAVILION - Al Campbell informed the Council that one bid was received for this project. Said bid was from Lewis Concrete & Construction for $22,888.00 upon waiver of general liability and worker's comp insurance. Following a brief discussion, Ronnie Fugate made a motion to accept the bid and proceed with construction. Jack Etheridge seconded and all were in favor.

16. CONSIDER ALL MATTERS PERTAINING TO THE PARKS AND LAKES

INCLUDING THE PLANS AND APPLICATION FOR A GRANT - Mr. Mark Spencer of the Brannon Corporation was present to discuss the pursuit of a grant with the Council. Mr. Spencer informed the Council of concern by the Texas Parks & Wildlife as to whether Canton would finalize any grant funds approved due to two grants denied by the City in past years. Because of their past experience with Canton, the City would have to have everything in order and proof of matching funds prior to consideration from the Texas Parks & Wildlife. Following a discussion concerning the Council's desires for park and lake improvements and expansions, Ronnie Fugate made a motion that the Council delay application for a grant until the January 31st deadline in order to present a feasible plan. Kenneth Pruitt seconded the motion and all were in favor.

The City will continue to work with Mr. Spencer during the interim in order to present a solid plan and application.

The Mayor then returned to agenda item 15.

17. CONSIDER PASSAGE OF A RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR SEWER SYSTEM IMPROVEMENTS - Mr. Ed Moore informed the Council that said resolution would approve the application, authorize submittal to the Texas Water Development Board, authorize a bond counsel and authorize a contract with McCall, Parkhurst & Horton L.L.P. to serve as bond counsel. Ronnie Fugate motioned to approve the resolution. Clifford Caviness seconded and all were in favor.

18. CONSIDERATION TO APPROVE CONTRACT FOR ENGINEERING SERVICES FOR CANTON WASTE WATER TREATMENT PLANT EXPANSION - The Council briefly reviewed an engineering services contract from Wisenbaker & Fix for the expansion of the Waste Water Treatment Plant. Ronnie Fugate made a motion to enter into the contract with Wisenbaker & Fix. Clifford Caviness seconded and all were in favor.

19. CONSIDER ALL MATTERS FROM THE HOUSING BOARD OF ADJUSTMENTS AND APPEALS - Mr. Mallory informed the Council that no matters were referred to them at this time following the recent meeting of the Housing Board of Adjustments and Appeals.

20. CONSIDERATION TO AMEND REVISED ORDINANCE #89-16 TO PROHIBIT THE KEEPING OF LIVESTOCK INSIDE THE CITY LIMITS - Clifford Caviness discussed complaints he has been receiving concerning the keeping of horses in the city limits and sections of the Animal Control Ordinance which state what is required for compliance with the ordinance. Following a brief discussion of the Council, they asked that the Animal Control Officer and City Staff handle the complaints in accordance with the present ordinance.

21. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CONSTRUCTION OF CIVIC CENTER - Al Campbell informed the Council that the engineer will begin a topo study to determine the contour of the proposed site and the needed site improvements prior to completion of the construction plan. Mr. Campbell will be meeting with the engineer prior to the next regular meeting and offer updated information at that time.

22. CONSIDER APPOINTMENT OF MEMBER TO SERVE ON THE PLANNING & ZONING BOARD DUE TO A VACANCY - The Council received a letter from John Crow stating his resignation from the Planning & Zoning Board due to his elected office on the Council. Mayor Lawrence asked that the Council consider a possible replacement to the Board and present such at the next regular meeting.

23. UPDATE AND DISCUSSION PERTAINING TO GRANT REQUEST FOR THE SENIOR CITIZENS BUILDING EXPANSION - Mayor Lawrence informed the Council that the first grant request has been denied however, the denial was expected and Mr. Mallory will now pursue a second request.

24. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate asked that a policy be considered concerning a local contractor bid list. Kenneth Pruitt requested consideration of having an employee become certified to spray chemicals.

The Council took a brief recess at 9:55 prior to Executive Session.

25. EXECUTIVE SESSION - The Council retired to Executive Session at 10:15 for

discussion of the following agenda items.

A. DISCUSSION PERTAINING TO LEASE PROPERTY

B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

26. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 11:30 p.m. with no action taken following Executive Session.

27. ADJOURN - Ronnie Fugate made a motion to adjourn with Kenneth Pruitt seconding. All were in favor and the meeting adjourned at 11:30 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:30 P.M., TUESDAY, AUGUST 4, 1992

The Canton City Council met for a Called Meeting at the above named time and date in City Hall. Mayor Lawrence presided with members present being Clifford Caviness, Kenneth Pruitt, John Crow and Jack Etheridge. Ronnie Fugate was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Clifford Caviness

3. DISCUSS ALL MATTERS PERTAINING TO PUBLIC ACCESS TO MILL CREEK RESERVOIR - Kenneth Pruitt addressed this item with concern of the vandalism and element of people gathering at the lake. He posed possible deterrents for such vandalism by either closing the lake road from dusk to dawn or other designated hours, or possibly requiring persons to obtain a permit, free of charge, when planning to utilize the lake facilities.

   The Council discussed the possible options and opted to carry this item to the next meeting for Councilman Fugate's input.

4. CONSIDER ALL MATTERS PERTAINING TO INVESTMENT OF BOND FUNDS - Johnny Mallory informed the Council that the funds from the $1,900,000.00 Certificates of Obligation will be shipped to the First National Bank, Canton, on Thursday, August 13th. Mr. Mallory made a recommendation that the funds be placed with TexPool Investments for the highest rate of interest during the interim prior to actual expenditures.

   Jack Etheridge made a motion to approve a Resolution entering the City of Canton as a participant in TexPool. Clifford Caviness seconded and all were in favor.

   Jack Etheridge also made a motion authorizing Johnny Mallory to sign for funds and be listed on the Certificate of Incumbency. John Crow seconded and all were in favor.

5. BUDGET WORKSHOP - Mayor Lawrence asked the Council's input toward priority projects to be considered in the 1992/1993 Budget process. He explained the items brought forward would be considered as a "wish list" and the administration would then take all priorities into consideration and present some hard figures at the next workshop.

   All Councilmen present expressed a top priority of street improvements. Figures from $350,000 to $500,000 were discussed for street improvements as well as the purchase of a reclaimer. Other items discussed were as

follows:

An additional police officer, three new vehicles to include two pick-ups and one automobile, a new tractor, two dump trucks, park improvements including the softball fields and tennis courts, fire department expansion of a bay and smoke house, matching funds for a park grant, and anticipated daily expenditure increases.

The Council and administration held a brief discussion concerning the possible need of generating additional revenues. (i.e. rate increases on First Monday lot rent and/or water usage.)

The Administration was asked to present a rough draft budget at the next workshop scheduled for August 11th. Mayor Lawrence also called a Town Hall meeting for Tuesday, August 18th at 7:00 p.m, moved the Regular meeting to Monday, August 17th at 6:30 p.m., and called another workshop meeting for Tuesday, August 25th at 6:30 p.m.

6. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Clifford Caviness seconded and all were in favor.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 11, 1992

The Canton City Council met for a Called Meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion was as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. BUDGET WORKSHOP - City Manager Johnny Mallory presented a ROUGH draft budget to the Council. He explained that the figures were not to be taken as a proposed budget, instead, an overview of the expected revenues and expenditures for the coming year without any of the "wish list" items discussed in the August 4th Called Meeting. He further explained that the draft did include $120,000 for capital improvements on streets and $38,000 for street maintenance. Bonded indebtedness increased from approximately $300,000 to $500,000 for the upcoming year however, it should decrease again the following year. Department revenues and expenditures were reflected as follows:

   WATER & SEWER/Revenue $535,550 - Expend. $775,286 requiring a transfer of $239,736 from First Monday.

   GENERAL OPERATING/Revenue $721,700 - Expend. $1,033,733 requiring a transfer of $312,033 from First Monday.

   DEBT SERVICE/Revenue $236,000 - Expend. $550,111 requiring a transfer of $314,111 from First Monday.

   FIRST MONDAY/Revenue $2,152,300 - Expend. $1,285,818 plus $865,880 transfers into the above mentioned funds.

   Mr. Mallory explained that should the Council desire additional funds

budgeted for street improvements as well as the other items discussed during their last meeting, additional revenues would be needed or expenditures would need to be reduced in other categories.

Discussion was again held on possible rate increases with Councilman Fugate voicing opposition to rate increases unless the citizens on fixed incomes would not be affected. Mayor Lawrence asked Johnny Mallory and Al Campbell to prepare a revenue analysis using possible rate increase amounts for the Council's review.

4. ADJOURN - There being no further items for discussion, Ronnie Fugate made a motion to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned at 9:10 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., MONDAY, AUGUST 17, 1992

The Canton City Council met for a regularly scheduled meeting at the above named time and date in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Ronnie Fugate made a motion to approve the July 14, 1992 Regular Meeting, August 4, 1992 Called Meeting, and the August 11, 1992 Called Meeting minutes as written. Clifford Caviness seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Mayor Lawrence moved this item to the August 25, 1992 Called Meeting agenda.

5. GUEST ITEMS - There were no guest items.

6. CONSIDER A PETITION FROM RESIDENTS OF THE COUNTRY CLUB ESTATES FOR REDUCTION IN SEWER LINE EXTENSION FEES - Mr. Jack Smith reminded the Council of the previous request to reduce the sewer line extension fee to $1,000 per property owner as opposed to the $2,600. He also reminded the Council of the fees paid by property owners along Highway 19 approximately eight years ago.

   Following a brief discussion, Ronnie Fugate made a motion to allow the Country Club Estates property owners to pay either $1,600 up front or $2,600 pay out over a period not to exceed ten (10) years. Kenneth Pruitt seconded the motion. Jack Smith again expressed his opposition. Upon the Mayor's call for a vote, all members were in favor. John Crow was not present to vote on this item. The motion carried.

7. PUBLIC HEARING REGARDING REQUEST TO CLOSE EDOM STREET BETWEEN ATHENS AND WILLS POINT STREETS - Mayor Lawrence opened the Public Hearing and informed all present of information recently received from the Texas Municipal League and legal counsel instructing the City Council that all property owners abutting Edom Street from Wills Point to Live Oak Streets must be in favor of closing any portion of the street.

   Mr. Curtis Hilliard presented a petition against closing any portion of Edom Street. The petition was signed by approximately 35 citizens throughout the city. Mr. Hilliard stated closing the portion requested by the First Baptist

Church would be inconvenient for those who travel Edom Street by forcing a change in their traffic pattern.

Mr. Danny Pickens spoke on behalf of the First Baptist Church appealing to the Council to close the portion of Edom Street running between Wills Point and Athens Streets. He presented a proposed layout of the Church's intended expansion which would incorporate said portion of the street into a parking lot. Mr. Pickens stated vehicles would be able to drive through and pedestrians walk through the parking lot. He also expressed his concern of the street being a liability to the City and the Church would correct drainage problems prior to the layout of the parking lot.

Bob Alexander posed a compromise to the Council and citizens present. Such compromise to consist of the City repairing the street and allowing the Church to utilize it on Sunday mornings for parking. Mrs. Curtis Hilliard voiced opposition to this idea stating the Church would end up with control.

Mayor Lawrence asked all present to allow the City staff to canvass property owners whose property abuts Edom Street as to their standings on this issue while legal counsel continues to investigate the statutes pertaining to this matter. He expressed the Council's desire to make any decision based on correct information and in accordance with the law.

Ronnie Fugate made a motion to carry this item to the September Regular Meeting agenda. Clifford Caviness seconded and all were in favor with the exception of John Crow who abstained.

8. CONSIDER A REQUEST FOR A RESOLUTION DEDICATING FACILITY FOR LIBRARY USE (FRIENDS OF THE VAN ZANDT COUNTY LIBRARY) - Mrs. Bobbie Paul, President of the Friends of the Van Zandt Library, addressed the Council with a brief history of the funds raised for the construction of the library and it's furnishings. Mrs. Paul expressed concern that should the library ever lose it's funding, the doors would close and raised a question of the doors being closed forevermore. She requested the Council pass a resolution that the structure would be used only as a library.

   Mayor Lawrence informed Mrs. Paul that a resolution would not be binding on future Council's, it would strictly be a record of the present Council's intent. He also expressed some concern of the amount of time the structure should remain dormant should the library lose funding and not be able to obtain new funding. The Mayor asked Mrs. Paul to meet with him regarding the appropriate wording for such a resolution addressing each concern. A proposed resolution will be presented to the Council during the August 25, 1992 Called Meeting.

9. CONSIDER INDIVIDUAL PETITIONS FOR ANNEXATION OF PROPERTIES LOCATED IN WYNNE COMMUNITY - Ms. Jesse Wynne Smith informed the Council that the original petition to annex the entire Wynne Community has fallen through. As her property adjoins the Canton City Limits, she presented a petition for annexation along with six (6) others. Following a brief discussion, Ronnie Fugate made a motion to accept the petitions and have Johnny Mallory investigate to determine that each property seeking annexation is in compliance with the requirements for such. Jack Etheridge seconded and all were in favor.

10. CONSIDER A REQUEST TO REVISE FIRST MONDAY RULES & REGULATIONS PERTAINING TO ARBOR PAVILION VENDOR ACCESS - MIKE HACKNEY -Mr. Hackney requested the Council's consideration to allow the Arbor pavilion vendors to set up their booths on Wednesday of First Monday weekends as do the food concession vendors. He stated the early entrance would be only for set up purposes and no one would be allowed to begin selling merchandise until such time as other First Monday vendors are allowed to do so. Mr. Hackney expressed concern of the congestion on Thursday mornings when all other vendors are coming in and setting up and stated the congestion around the pavilion is increased due to the fact that the pavilion vendors must remove their vehicles from the grounds following their set up period.

    When asked, Al Campbell expressed concern that another group of vendors being allowed onto the grounds early could lead to the need of additional staff and eventually increase operating expenses. Other concerns were the ability of enforcing selling procedures and pressure from other vendors requesting to set up early.

Following a brief discussion, Ronnie Fugate made a motion to discuss this item during the August 25, 1992 Called Meeting and consider the request during the September Regular Meeting. Kenneth Pruitt seconded and all were in favor.

11. DISCUSS AND CONSIDER RENEWAL OF SERVICE AGREEMENT WITH THE CANTON CHAMBER OF COMMERCE AND REVIEW OF HOTEL/MOTEL TAX DISTRIBUTION - Mr. Glenn Tarpley reviewed the present Service Agreement between the City of Canton and Canton Chamber of Commerce. Mr. Tarpley requested the contract be renewed for another three (3) year period upon it's expiration September 30, 1992, with no changes requested. Jack Etheridge made a motion to renew the present Service Agreement with the Canton Chamber of Commerce for another three (3) years beginning October 1, 1992. Kenneth Pruitt seconded the motion and all were in favor.

Mrs. Claudette Anderson reviewed a Time and Production Study conducted by the Chamber office between March 1, 1992 and June 30, 1992. This study reflected the recording of all telephone calls, incoming mail and walk-in traffic and the nature of each. She then addressed the present City Ordinance #89-1 which provides for the allocation of revenue derived from the levy of the Hotel Occupancy Tax. On behalf the Canton Chamber of Commerce, Mrs. Anderson requested the one and one half percent (1 1/2%) of the Hotel Occupancy Tax presently allocated to the Chamber of Commerce be increased to two and one half percent (2 1/2%). Johnny Mallory requested the Council consider increasing the Hotel Occupancy Tax from four percent (4%) to five percent (5%) and allocate the additional one percent (1%) to the Chamber rather than reducing the present allocations to other funds.

John Crow made a motion to increase the Hotel Occupancy Tax by one percent (1%) and allocate the additional one percent (1%) to the Chamber of Commerce. Jack Etheridge seconded the motion and all were in favor. Mr. Mallory will have the necessary Ordinance prepared for the next Council Meeting.

12. CONSIDER ALL MATTERS PERTAINING TO THE 1990-1991 AUDIT -Johnny Mallory reviewed the audit prepared by Kenneth Williams, CPA, for the fiscal year ending September 31, 1991. Following a brief discussion, Jack Etheridge made a motion to accept said audit. Kenneth Pruitt seconded and all were in favor.

13. CONSIDER APPOINTMENT OF MEMBER TO SERVE ON THE PLANNING & ZONING BOARD DUE TO A VACANCY - The Council did not have a nomination for the Board and Mayor Lawrence asked that this item be placed on the August 25, 1992 Called Meeting Agenda.

14. DISCUSS ALL MATTERS PERTAINING TO PUBLIC ACCESS TO MILL CREEK RESERVOIR - Ronnie Fugate addressed the problems of vandalism and loitering at Mill Creek Reservoir during the night hours. He has visited with the Game Warden, Mr. Carter, who seems in favor of controlling access to the lake during the hours of dusk to dawn. Mr. Fugate further explained that homeowners at the lake area are being canvassed as to their possible cooperation in working with a locked gate from dusk to dawn. He asked that this item be addressed again following the receipt of updated information from the homeowners and Game Warden.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CONSTRUCTION OF CIVIC CENTER - Al Campbell reviewed plans for the exterior of the future civic center. Proposed schemes A, B, and C ranged in cost from $968,238 to $1,089,734. Following a discussion and review of the plans, the Council asked Mr. Campbell to instruct the engineer to prepare a plan using Scheme B at $968,238 as the base with approximately a $17,000 upgrade.

16. DISCUSS AND CONSIDER ADOPTION OF A POLICY PERTAINING TO LOCAL CONTRACTOR BID LIST - Ronnie Fugate asked the Council to consider the creation of a local contractor list to be provided to general contractors. He explained some local contractors have requested to be notified for bidding on local projects. Said contractors would request to be placed on the list and the City could update it once a year. The City would in turn provide this list to the general contractors and ask that they notify the local contractors of bidding procedures.

The Council was in favor of this and asked that an advertisement be placed in

the Van Zandt News soliciting local contractors interested in being placed on said list.

17. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were none mentioned other than above carried items.

The Council took a brief recess at 8:45 p.m. and retired to Executive Session at 8:50 p.m. to discuss the following:

18. EXECUTIVE SESSION

A. DISCUSSION PERTAINING TO PROPERTY MATTERS

19. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:00 p.m. John Crow made a motion to enter into an agreement with Henry Lewis for the purchase of a 100' x 100' piece of land adjoining Highway 243 with construction easements for $12,500. Jack Etheridge seconded the motion and all were in favor.

20. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. Ronnie Fugate seconded and all were in favor. The meeting adjourned at 9:02 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
7:00 P.M., TUESDAY, AUGUST 18, 1992
VAN ZANDT OPRY HOUSE, 173 E. TYLER

The City Council met for a Called Meeting at the above named date and time in the Van Zandt Opry House at 173 E. Tyler Street, Canton, Texas. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion was as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. TOWN MEETING - Mayor Lawrence opened the Town Meeting and asked for the citizen's input toward determining priorities for expenditures in the upcoming budget.

Several citizens voiced their concerns of the deterioration of the streets and needed park improvements. Other concerns included water pressure and the need of an additional police officer.

Mayor Lawrence informed the group of the water distribution improvements to begin within a matter of weeks as well as the expansion of the waste water treatment facilities. The Mayor also explained the distribution of revenue received from the First Monday operations.

4. ADJOURN - Mayor Lawrence thanked all present for expressing their concerns and suggestions. He then adjourned the meeting at 8:55 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 25, 1992

The Canton City Council met for a Called Meeting at the above named date and time in the City Hall Council Chambers with Mayor Lawrence presiding. Members present were Clifford Caviness, Ronnie Fugate, John Crow, and Kenneth Pruitt. Jack Etheridge was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Mr. Mallory informed the Council that he and the auditor are still preparing the financial statements. The delay is due to the recent loss of personnel in the bookkeeping department.

4. DISCUSS REQUEST FROM MIKE HACKNEY TO REVISE FIRST MONDAY RULES AND REGULATIONS - This item was deleted upon Mr. Hackney's request.

5. CONSIDER ADOPTION OF AN ORDINANCE INCREASING THE HOTEL/MOTEL OCCUPANCY TAX AND AMENDING THE ALLOCATION OF FUNDS DERIVED THEREFROM - The Council reviewed a proposed ordinance which would increase the Hotel/Motel Occupancy tax by one percent (1%) and amend the allocation of funds increasing the amount allocated to the Chamber of Commerce by one percent (1%). This ordinance would finalize the Council's action during the August 17, 1992 Regular Meeting.

   Kenneth Pruitt made a motion to adopt 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 AND JANUARY 17, 1989, BY PROVIDING FOR AN INCREASE IN THE ASSESSMENT AND COLLECTION OF THE HOTEL OCCUPANCY TAX; PROVIDING FOR THE ALLOCATION OF REVENUE DERIVED FROM THE LEVY OF THE HOTEL OCCUPANCY TAX; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

   Clifford Caviness seconded the motion and all were in favor. The Ordinance shall be numbered 92-5 and filed in the City Hall records.

6. CONSIDER APPOINTMENT OF A MEMBER TO SERVE ON THE PLANNING AND ZONING BOARD DUE TO A VACANCY - Mayor Lawrence informed the Council of Mr. Phillip Matthews' willingness to serve on the Board. Kenneth Pruitt made a motion to appoint Phillip Matthews to serve on the Planning and Zoning Board. Clifford Caviness seconded and all were in favor.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CITY PARKS -The Council reviewed a proposal from Mr. Carl Tuley for the upkeep and maintenance of the City Park facilities for $925.00 per month. Mr. Tuley also requested the Council purchase a tractor and mower to be used for this maintenance.

   Ronnie Fugate motioned to table this proposal until which time the budget is discussed and determination is made regarding available funds. The Council so agreed.

   Ronnie Fugate informed the Council of information received from the Game Warden, Mr. Carter. Mr. Carter's supervisor feels it is an excellent idea to close the Mill Creek Reservoir Park and Lake from dusk to dawn. Should the Council opt to require permits for use of the park, the same supervisor requests that it be understood the permit is for the use of the park and not the use of the boat ramp as it is a State ramp.

8. DISCUSS AND CONSIDER APPROVAL OF ORDINANCE PERTAINING TO TEXAS MUNICIPAL RETIREMENT SYSTEM - Mr. Mallory informed the Council that the Texas Municipal Retirement System allows members to purchase their past military time upon qualification. The member must be employed by a participating city for at least ten (10) years and may purchase up to sixty (60) months of qualified military time at $15.00 per month. The City must

match the employee's purchase amount. The Council would be required to pass an ordinance allowing such participation.

Ronnie Fugate made a motion to adopt the following ordinance:

AN ORDINANCE ALLOWING CERTAIN EMPLOYEES OF THE CITY, WHO PERFORMED OR HEREAFTER PERFORM ACTIVE SERVICE IN THE ARMED FORCES (OR THEIR RESERVES OR AUXILIARIES) OF THE UNITED STATES UNDER HONORABLE CONDITIONS, TO APPLY AND MAKE DEPOSITS FOR, AND TO RECEIVE SPECIAL CREDIT WITH THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR LIMITED PORTIONS OF SUCH MILITARY SERVICE, AND PROVIDING FOR PAYMENT BY THE CITY OF ITS SHARE OF THE COSTS OF ALLOWING SUCH CREDITS.

Kenneth Pruitt seconded and all were in favor. The ordinance shall be numbered 92-6 and filed in the City Hall records.

9. BUDGET WORKSHOP - Mr. Mallory reviewed the proposed budget explaining it was in balance with approximately $3.6 million in revenues and expenditures however it did not allow for any major improvements nor the previous "wish list" provided by the Council.

The Council again discussed the possibility of increasing water rates and First Monday vendor rates. Mayor Lawrence asked if there was a concensus regarding a need to raise rates. Ronnie Fugate expressed his views that increasing water rates by usage was justifiable however, he had some concerns on raising First Monday vendor rates. He asked that the Council be realistic with increases and consider what will be put back into First Monday as far as capital improvements.

Ronnie Fugate and John Crow both discussed the possible need in reviewing some of the First Monday policies regarding merchandising and the use of vacant lots. Kenneth Pruitt expressed his feelings that should increases occur on both ends, improvements would need to be made on both ends.

The Council asked Mr. Mallory and Mr. Campbell to present a proposed budget at the next meeting including rate increases in water usage, sewer, and First Monday lot rent. Mr. Mallory is to calculate an increase on the water and sewer end to total $75,000, with no increase on minimum water usage. Mr. Campbell is to calculate an increase of $10.00 per lot, eliminating the division of new merchandise from all others except food concessions. Said budget should also reflect capital improvements discussed and needed equipment purchases.

The Council will hold a called meeting on Saturday, August 29, 1992, at 7:00 a.m. to review the new proposed budget.

10. ADJOURN - There being no further items for discussion, Ronnie Fugate made a motion to adjourn. John Crow seconded and all were in favor. The meeting adjourned at 10:05 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
7:00 A.M., SATURDAY, AUGUST 29, 1992

The Canton City Council met for a Called Meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. BUDGET WORKSHOP SESSION - Mayor Lawrence briefed the Council on matters pertaining to property leased from H & T Parking and the effect it would have on the upcoming budget.

   Johnny Mallory reviewed the proposed budget with the Council explaining the instructions from the previous meeting were included, creating $4.2 million in revenue and $4.1 million in expenditures. Following the Council's review, Johnny Mallory filed the proposed budget with the City Secretary for availability of public view. A public hearing will be held September 15, 1992 during the Council's Regular Meeting. The Council will take action on the proposed budget during a Called Meeting September 29, 1992.

4. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Clifford Caviness seconded and all were in favor. The meeting adjourned at 8:35 a.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 15, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the August 17, 1992 Regular Meeting, August 18, 1992 Called Meeting, August 25, 1992 Called Meeting, and the August 29, 1992 Called Meeting as written. Jack Etheridge seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Jack Etheridge made a motion to approve the August 31, 1992 Financial Statements. John Crow seconded and all were in favor.

5. GUEST ITEMS - None

6. PUBLIC HEARING - PROPOSED BUDGET FOR 1992-1993 FISCAL YEAR - Mayor Lawrence opened the Public Hearing which began with Johnny Mallory's review of the proposed budget. Mr. Mallory informed the Council

that the proposed revenues were in balance with the proposed expenditures at $4,233,490, including $100,000 for a contingency fund.

Bob Alexander addressed the Council requesting their consideration to increase the $300,000 designated for capital improvements on streets. Mr. Alexander expressed concern of the present street conditions and the continuing deterioration. He also requested the Council allocate funds for an additional police officer to be hired.

The Council briefly discussed the proposed budget and the Mayor then closed the Public Hearing. The proposed budget will be considered for adoption during a Called Meeting, September 29, 1992.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO INDIVIDUAL PETITIONS FOR ANNEXATION OF PROPERTIES LOCATED IN WYNNE COMMUNITY - Mr. Mallory informed the Council that he had reviewed the seven (7) petitions received and found that none adjoined the present city limits. This item was closed due to the fact that the petitioning properties do not meet the requirements for annexation consideration.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE REQUEST TO CLOSE THE PORTION OF EDOM STREET BETWEEN WILLS POINT AND ATHENS STREETS - Mr. Mallory informed the Council that upon receipt of information from Texas Municipal League (TML) and additional legal counsel, it had been determined that the Council could consider closing any portion of a street upon the receipt of a petition signed by all adjoining property owners within any one block of the street.

The Council then received a petition to close the above stated portion of Edom Street. Signatures included those of the First Baptist Church and Dr. Dan Hilliard. Henry Lewis sent a statement granting his proxy to the Canton City Council on this matter.

Kenneth Pruitt, John Crow, and Clifford Caviness abstained from any discussion and vote on this matter due to their memberships with the Church.

Ronnie Fugate made a motion to call an election. The motion died for the lack of a second.

Following further discussion, Ronnie Fugate motioned to table this item until the next meeting. Jack Etheridge was in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO MAINTENANCE OF THE CITY PARK - Following a brief discussion pertaining to the constant need of maintenance and cleaning of the city parks, Mayor Lawrence asked John Crow to seek out possible citizens willing to serve on a committee, ie. Friends of the Park. Kenneth Pruitt also informed the Council of the availability of community service labor should such a committee be appointed.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CONSTRUCTION OF CIVIC CENTER - Mr. Campbell informed the Council that the engineer had revised the original plans per instruction. However, the cost is approximately 10% over the funds available. He is now making further revisions and should have plans prepared for the next meeting.

11. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate requested the implementation of maintenance logs in each city vehicle. Mr. Mallory informed the Council he would begin the use of such logs immediately.

12. EXECUTIVE SESSION - The Council took a brief recess before retiring to executive session at 7:55 p.m.

    A. DISCUSSION PERTAINING TO LEASE PROPERTY

13. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:15 p.m.

Ronnie Fugate made a motion to enter into an agreement with H & T Parking to pay back an oversight. Said agreement to include H & T's receipt of 100% of the lot rent collected on 30 lots for a period of 7 years and 2 months, beginning October 1, 1992. The motion to include the City releasing

management of the Arbor Pavilion to H & T with the City continuing to serve as collector and recorder of lot rent and to amend the present lease agreement with H & T to specify that both parties shall carry liability insurance on the leased property.

Jack Etheridge seconded the motion and all were in favor.

14. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. John Crow seconded and all were in favor. The meeting adjourned at 9:17 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 29, 1992

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Lawrence presided and all members were present as follows: Ronnie Fugate, Clifford Caviness, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE PETITION RECEIVED TO CLOSE THE PORTION OF EDOM STREET BETWEEN WILLS POINT AND ATHENS STREETS - Following a brief discussion, Jack Etheridge made a motion to close the portion of Edom Street between Wills Point and Athens Streets and give closed portion to the First Baptist Church of Canton. Councilman Etheridge included a request to the Church that the concrete parking egress and ingress include openings where the present street runs to allow through traffic when not in use. Motion also to include the City retaining utility easements.

   City Manager Johnny Mallory expressed some concern pertaining to the cast iron utility lines in said area and the amount of concrete which would need to be broken out should a leak occur in these lines.

   Ronnie Fugate seconded the motion. Kenneth Pruitt, John Crow, and Clifford Caviness abstained due to their membership in the Church. Those in favor were Jack Etheridge and Ronnie Fugate. Motion carried.

   Mr. Butch Hilliard questioned the legality of the vote as a quorum of the Council did not vote in favor. Mayor Lawrence felt the vote was valid as it consisted of a majority of those voting.

   Mayor Lawrence asked the record to show the motion passed pending a review of relative rulings and statues pertaining to voting.

4. CONSIDERATION TO ADOPT 1992-1993 BUDGET - Mr. Mallory informed the Council that no changes in the proposed budget had been made since the public hearing. The budget included expenditures of 4.1 million dollars and revenue of 4.2 million dollars with 100,000 dollars being placed into a contingency fund.

   Following a brief discussion, Jack Etheridge made a motion to adopt the proposed budget for the 1992-1993 fiscal year. Kenneth Pruitt seconded and all were in favor. The appropriations ordinance shall be numbered 92-7 and recorded in the City records.

5. CONSIDERATION OF ALL MATTERS PERTAINING TO LEVYING THE 1992-

1993 TAX RATE - The Council reviewed an ordinance levying taxes for the ensuing fiscal year at $0.00 per $100 valuation.

John Crow made a motion to adopt the ordinance. Clifford Caviness seconded and all were in favor. The ordinance shall be numbered 92-8 and recorded in the City records.

Johnny Mallory briefly reviewed the construction plans for the new water tower on Highway 243. The Council expressed no opposition to the plans.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONSTRUCTION OF CIVIC CENTER - Mr. John Carver, Consulting Engineer, was present to review the revised civic center plans with the Council. Although the estimated cost is higher than available funds, the Council asked Mr. Carver to pursue with the plans and prepare to accept bids with the hope that bids will come in lower than the estimated cost. The Council will reserve the right to refuse any and all bids.

7. ADJOURN - There being no further items for discussion, Kenneth Pruitt made a motion to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned at 7:20 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
7:00 P.M., TUESDAY, OCTOBER 20, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time with Mayor Lawrence presiding. All members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the September 15, 1992 Regular Meeting and the September 29, 1992 Called Meeting as written. Kenneth Pruitt seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Clifford Caviness made a motion to approve the September 30, 1992 Financial Statements. Jack Etheridge seconded and all were in favor.

5. GUEST ITEMS - None

6. CONSIDER RECOMMENDATION FROM THE PLANNING AND ZONING COMMITTEE PERTAINING TO A REQUEST FROM L.W. McCREARY, RAYMOND KENNEDY, AND WILLIAM ADAMSKI FOR A ZONING CHANGE FROM RESIDENTIAL (R1) TO BUSINESS (B1) ON PROPERTY LOCATED ON SOUTH HIGHWAY 19 - Johnny Mallory reviewed the Planning & Zoning Committee's recommendation to change the zoning from Residential (R1) to Business (B1) on four (4) lots located on South Highway 19 as requested by the property owners, L. W. McCreary, dba Comet Printing, Raymond Kennedy and William Adamski. The Committee also requested that a standing recommendation from the Planning & Zoning Committee be noted in favor of any request to re-zone from Residential to Business (B1) on South

Highway 19 properties between Elm Street and Highway 64.

Following a brief discussion, Clifford Caviness made a motion to accept the Committee's recommendation and grant the zoning change. Jack Etheridge seconded the motion and all were in favor.

7. CONSIDER AN ORDINANCE PERTAINING TO THE CLOSING OF EDOM STREET BETWEEN ATHENS AND WILLS POINT STREETS - The proposed ordinance was not ready for review however, Mayor Lawrence informed all present that upon lengthily research and legal inquiries, he was 100% certain that the vote taken in a previous meeting to close said portion of Edom Street was proper and legal. Furthermore, he noted those Councilmen abstaining from the vote were just in their actions.

8. CONSIDER AN ORDINANCE SETTING WATER AND SEWER RATES - Johnny Mallory reviewed the proposed ordinance which included items such as tap fees, meter deposits, payment schedules, etc. which are already in force, however had not been previously placed in ordinance form. The changes would affect the water and sewer rates with an increase dependent on usage. The proposed rates would not affect the minimum users of 3,000 gallons or less per month. All usage over 3,000 gallons per month would be charged as follows:

   Water at $1.60 per 1,000 gallons in excess of 3,000 gallons
   Sewer at $0.50 per 1,000 gallons in excess of 3,000 gallons, not to exceed $8.00 per month inside the city limits or $14.00 per month outside the city limits.

   Following the Council's review, John Crow made a motion to approve the new rates through the adoption of the following ordinance:

   AN ORDINANCE INCREASING THE RESIDENTIAL AND COMMERCIAL WATER AND WASTEWATER RATES; PROVIDING FOR DEPOSITS, BILLING, RECONNECT PROCEDURES, AND TAP FEES; AND ALSO PROVIDING AN EFFECTIVE DATE.

   Jack Etheridge seconded the motion and all were in favor. The ordinance shall be numbered 92-9 and filed in the City records.

9. CONSIDER ALL MATTERS PERTAINING TO BIDS AND AWARDING OF BANK DEPOSITORY CONTRACT - Johnny Mallory reviewed the bids received from First National Bank of Canton and The Bank of Van Zandt. Bank One declined to bid this year due to needed improvements in their facility for the handling of First Monday deposits. Councilman Jack Etheridge abstained from discussion and action on this item due to his affiliation with the banks.

   Following discussion and comparison of the bids, John Crow made a motion to accept the bid received from The Bank of Van Zandt. Kenneth Pruitt seconded the motion. Those in favor were John Crow and Kenneth Pruitt. Those opposed were Ronnie Fugate and Clifford Caviness. Jack Etheridge abstaining, Mayor Lawrence placed a vote in favor of the motion and it so carried.

10. CONSIDER BIDS RECEIVED FOR THE PURCHASE OF AN AUTOMOBILE -Bids received were as follows:

Canton Motors	1992 Ford Taurus	No bid submitted
	1993 Ford Taurus	$15,900.00
Lewis Chevrolet	1992 Lumina	$12,988.00
	1993 Lumina	$12,988.00

   Following a brief discussion, Jack Etheridge made a motion to accept the low bid of $12,988.00 from Lewis Chevrolet for a 1993 Lumina. Kenneth Pruitt seconded and all were in favor.

11. CONSIDER ALL MATTERS PERTAINING TO HEALTH INSURANCE FOR CITY EMPLOYEES - Mr. Ken Brown of Compensation Management Company presented a proposed policy from Lamar Life Insurance for the coverage of group health insurance. Mr. Brown informed the Council that Lamar Life is presently reviewing the City of Canton's application and would need approval upon their acceptance of the City's group. The Council discussed their desire to review the plan more closely in comparison with the present policy carried with Blue Cross Blue Shield of Texas.

Ronnie Fugate made a motion to postpone any action until the Called Meeting scheduled for Tuesday, October 27, 1992. John Crow seconded the motion with an amendment that an emergency meeting be called should Lamar Life accept the application prior to October 27, 1992. All were in favor.

12. CONSIDER ALL MATTERS TO AMEND THE 1992-1993 BUDGET - Kenneth Pruitt requested the 1992-1993 Budget be amended by placing 1/7th of the $60,000 located under First Monday Rent into Parks for part-time labor. This request made on the grounds that an agreement was made with H & T regarding the $60,000 and extending the payment period of said amount.

    Jack Etheridge made a motion to amend the budget as requested. Clifford Caviness seconded and all were in favor.

13. DISCUSS AND CONSIDER APPROVAL OF TANK SPECIFICATIONS FOR CONSTRUCTION OF THE NEW WATER TOWER - Johnny Mallory reviewed the proposed specifications for the new water tower construction. Jack Etheridge made a motion to approve the specifications. John Crow seconded and all were in favor.

14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CITY PARKS Johnny Mallory discussed and requested the Council's permission to proceed with the purchase of some guardrail at $1.20 per foot for use at the Old City Lake area and First Monday, along with clean up and preparation work at the Old City Lake Park to include some removal of trees, develop an area for picnic tables, etc.

    Jack Etheridge made a motion to purchase the guardrail and proceed with clean up. Ronnie Fugate seconded and all were in favor.

15. CONSIDERATION PERTAINING TO UPCOMING STREET PROJECTS - Johnny Mallory discussed future street projects with the Council and requested the Council's authorization to obtain an engineering report and plans for repairs to Curry and Curry Lane. Mr. Mallory feels that a majority of the improvements can be completed by city crews. The engineering reports and plans would be available for review and consideration when planning the order of street repair.

    Jack Etheridge made a motion with Ronnie Fugate seconding to obtain an engineering report for street and drainage improvements in the Curry Addition. All were in favor.

16. CONSIDERATION PERTAINING TO AWARDING THE 1991-1992 AUDIT -The Council reviewed a proposal received from Hart, Hester, & Company P.C. for the 1991-1992 audit. Following a brief discussion, Jack Etheridge made a motion to award the 1991-1992 audit to Hart, Hester & Company P.C. Kenneth Pruitt seconded and all were in favor.

    The Council asked that all local C.P.A.'s be notified as to their possible interest for the next year's audit.

17. CONSIDERATION TO SET A CALLED MEETING FOR TUESDAY, OCTOBER 27, 1992 - Following a brief discussion with no objections from the Council, Mayor Lawrence called a meeting for October 27, 1992 at 5:15 p.m. to consider bids for the water tower construction and water distribution improvements. Group health insurance to also be discussed and considered.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate asked that discussion pertaining to the bronze First Monday monument be placed on the November agenda. He also requested contact be made with the Canton Postal Service pertaining to access from Old Kaufman Road to the new post office.

19. EXECUTIVE SESSION - The Council retired to executive session at 8:55 p.m. to discuss the following items:

    A. DISCUSSION PERTAINING TO LEASE PROPERTY

    B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

20. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:44 p.m. Jack Etheridge made a motion to

increase the salaries of Johnny Mallory, Al Campbell, and Michelle Wilson, retroactive as of October 1, 1992. Kenneth Pruitt seconded and all were in favor.

The Council asked Al Campbell and Johnny Mallory to present self-performance evaluations each six months to the Council.

21. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. Clifford Caviness seconded and all were in favor. The meeting adjourned at 9:50 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:15 P.M., TUESDAY, OCTOBER 27, 1992

The Canton City Council met for a Called Meeting at the above named date and time in the City Hall Council Chambers. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Clifford Caviness

The order of discussion and action was changed to agenda items 5, 6, 7, 8, 9, 3, and 10.

3. CONSIDER AN ORDINANCE PERTAINING TO THE CLOSING OF EDOM STREET BETWEEN ATHENS AND WILLS POINT STREETS - Mayor Lawrence read aloud the proposed ordinance. No person was present to speak in favor or against the proposed ordinance.

Jack Etheridge made a motion to adopt the following ordinance as read by Mayor Lawrence:

AN ORDINANCE PROVIDING THAT THE PORTION OF EDOM STREET FROM WILLS POINT STREET TO ATHENS STREET BE VACATED, ABANDONED AND CLOSED; PROVIDING FOR THE REVERSION OF THE FEE IN SAID LAND; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY.

Ronnie Fugate seconded the motion. Clifford Caviness, John Crow, and Kenneth Pruitt abstained due to their affiliation with the First Baptist Church. Ronnie Fugate and Jack Etheridge voted in favor. The motion carried.

Said ordinance shall be numbered 92-10 and filed in the City records.

4. CONSIDER ALL MATTERS PERTAINING TO HEALTH INSURANCE FOR CITY EMPLOYEES - Mayor Lawrence removed this item from the agenda upon City Manager Johnny Mallory's request.

5. CONSIDER BIDS RECEIVED FOR WATER LINE IMPROVEMENTS - The Council reviewed the following bids received for Stage 1 of the Water Distribution Improvements. The bids were opened at 2:00 p.m. on this same date.

McKinney & Moore	$263,303.01
Mustang Construction Co.	$288,781.22
Rhode Construction Co.	$252,187.50
John Wright Construction	$284,338.60
East Texas Contracting Co.	$321,475.00

Price Plumbing & Utilities	$295,445.00
Fox Contractors	$300,580.75
Mid States Utilities	$258,230.00
DB Utilities	$365,290.00
Maxson Company	$378,334.42
Morton Construction Co.	$264,388.50

Following a brief discussion and recommendation from Mr. Mallory, Jack Etheridge made a motion to accept the low bid of $252,187.50 from Rhode Construction Co. of Hillsboro, Texas. Clifford Caviness seconded and all were in favor.

6. CONSIDER BIDS RECEIVED FOR THE CONSTRUCTION OF A 250,000 GALLON WATER TANK ON HIGHWAY 243 - The Council reviewed the following bids opened at 2:00 p.m. on this same date.

PDM	$383,700.00
Phoenix Fabricators	$438,356.00
Caldwell Tanks, Inc.	$388,600.00
Brown Steel Contractors Inc	$416,000.00

Following a brief discussion and a recommendation from Mr. Mallory, Jack Etheridge made a motion to accept the low bid of $383,700.00 from PDM of Houston, Texas. Clifford Caviness seconded and all were in favor.

7. CONSIDER ALL MATTERS PERTAINING TO EASEMENTS FOR THE WASTEWATER TREATMENT PLANT EXPANSION - Mr. Mallory briefed the Council on the City's status to obtain an amendment to increase the discharge permit, No. 10399-002. Mr. Mallory explained the need of easements for a 150 foot buffer around the wastewater treatment plant and that he is presently pursuing the easements from the three affected adjoining property owners.

8. CONSIDER ALL MATTERS PERTAINING TO THE CONSTRUCTION OF A CIVIC CENTER - Al Campbell informed the Council that the bid specs will be complete within 10-12 days at which time the City will advertise for bids.

The Council briefly reviewed some color schemes with no action taken.

9. CONSIDER APPROVAL OF EQUIPMENT TO BE PLACED IN AUCTION -Mr. Mallory requested the Council's permission to place some inoperable equipment and vehicles in an auction planned for November 12th. The equipment to include a '78 Chevy Truck, Custom Triumph Bike, '75 International Travel All, Ford Fire Truck, '82 Ford Custom F-100, '78 Dodge Dump Truck, '75 Dodge Dump Truck, Wood Chipper, Chevy Water Truck, and a John Deer Tractor Mower.

Jack Etheridge made a motion with John Crow seconding to place the equipment in the sale. All were in favor.

10. ADJOURN - There being no further items for discussion, Jack Etheridge made a motion to adjourn. Kenneth Pruitt seconded and all were in favor. The meeting adjourned at 5:45 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:00 P.M., MONDAY, NOVEMBER 9, 1992

The Canton City Council met for a Called Meeting at the above named date and time in the City Hall Council Chambers. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. EXECUTIVE SESSION - The Council retired to executive session at 5:16 p.m. for discussion pertaining to personnel matters upon a request from a city employee.

4. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 7:00 p.m. with no action taken pursuant to executive session.

5. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned at 7:01 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, NOVEMBER 17, 1992

The Canton City Council met at the above named date and time for a regularly scheduled meeting. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the October 20, 1992 Regular Meeting, October 27, 1992 Called Meeting, and the November 9, 1992 Called Meeting as written. Kenneth Pruitt seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Jack Etheridge made a motion to approve the October 31, 1992 Financial Statements. Clifford Caviness seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER PETITION RECEIVED OPPOSING THE NAME CHANGE OF HIGHWAY 19 TO TRADE DAYS BLVD. - Mr. Keith Tucker, a resident on South Highway 19, addressed the Council regarding the petition presented in opposition of the name change. Mr. Tucker expressed that he personally did not want to have to change the address on his driver's license, mail, etc. He stated that other property owners had no desire to live on "Trade Days Blvd.".

   Mayor Lawrence informed Mr. Tucker and all present of information he had received earlier in the day from the postal service. His understanding being that Highway 19 is considered the secondary street name and Trade Days Blvd., the primary street name, rather than the original primary being Cemetery Road. Mail will be delivered to the residents which is addressed with either the primary or secondary address. Therefore, there would be no need to change individual mailing addresses for postal purposes.

   Mr. Tucker stated he was content with this however, he could not speak for the other residents. He will inform them of the new information and request another meeting with the Council should there be a need.

7. CONSIDER REQUEST FROM LAIDLAW WASTE SYSTEMS FOR A RATE INCREASE - Mr. Mallory requested this item be postponed until the December meeting following his earlier conversation with Laidlaw. If approved in December, Laidlaw is requesting the rate increase become effective in January, 1993. Mr. Mallory has been discussing the possibilities and options of using smaller trucks for waste collection throughout the City. Laidlaw will be able to present a proposal for such service during the December meeting.

   Ronnie Fugate informed Mr. Mallory and the Council of complaints he had received concerning the placement of trash cans in front of mail boxes, creating difficulties for the postal carriers. Mr. Mallory will have this problem corrected.

8. DISCUSSION AND REVIEW OF CIVIC CENTER BUILDING SPECIFICATIONS Al Campbell informed the Council that bids will be opened for the construction of the Civic Center on Tuesday, December 8, 1992 at 5:00 p.m. The bids will be reviewed and presented to the Council during the December 15, 1992 Regular Meeting.

9. DISCUSS AND CONSIDER FIRST MONDAY RULES & REGULATIONS - Al Campbell informed the Council of concerns regarding the policy for the sale of existing food concession trailers on the First Monday Park. The present policy allows the transfer of the First Monday lots to the new owner. Mr. Campbell explained that a real estate problem has been created whereas some vendors have made a business out of "brokering" food concessions on a continuous basis for profit purposes only. Legitimate food concession vendors are becoming very discouraged.

Mr. Campbell asked that this item be placed on the December agenda at which time he would like to propose some changes in the present policy after visiting with some more vendors during the next First Monday weekend.

10. DISCUSSION PERTAINING TO FIRST MONDAY BRONZE MONUMENT -Ronnie Fugate informed the Council that Mr. John Harper has approached the City with interest in completing the lifesize bronze monument originated by John Fincher. Photographs were presented of some of Mr. Harper's designs located at Bedford Savings & Loan and the Tyler Junior College Campus. Following a brief discussion, Ronnie Fugate made a motion that the Council authorize Johnny Mallory to obtain a proposal and cost estimate from Mr. Harper. Clifford Caviness seconded and all were in favor. Councilman Fugate also expressed his desire that should the monument be constructed, the Council consider it's placement to be in the Van Zandt County Library.

    Mayor Lawrence informed the Council of a list he had received from Linda Brown with names of Van Zandt County residents involved with the Historical Commission. The Mayor desires to call on those listed to serve on a committee in locating and piecing items together for placement in the library on shelves dedicated to the First Monday Museum. There were no objections from the Council.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET REPAIR AND IMPROVEMENTS - Johnny Mallory presented a list of streets he feels can be restored to adequate condition for a period of time by seal coating. Those listed were Big Rock, Dodson, Old Kaufman, Athens, and Boundary between Highway 19 and Buffalo. The estimated cost for these projects at $2.30 per square yard is $83,000. Mr. Mallory also reminded the Council that plans are being prepared for Curry and Curry Lane, the estimated cost not being included in the above stated figure. He stated bids may come in lower than $2.30 per square yard if it is all bid with some seal coating being planned for the First Monday Park.

    Discussion was held concerning the weather conditions affecting the success of seal coating and time frames in which some streets would need to be completed. Kenneth Pruitt asked if seal coating could restore College Street between Athens and Buffalo Streets. Mr. Mallory informed him it probably could and will look into it further.

    Kenneth Pruitt made a motion to pursue bids for the seal coating projects. John Crow seconded and all were in favor.

12. DISCUSSION AND UPDATE PERTAINING TO WATER TOWER CONSTRUCTION AND WATER DISTRIBUTION IMPROVEMENTS - Mr. Mallory informed the Council that the water distribution improvements are scheduled to begin within a week. The pipe will be delivered the end of this week and boars will be made at the beginning of the project.

    PDM, contractor for the water storage tank, is submitting plans for the tower next week. The tower should be in operation by June, 1993.

13. DISCUSSION AND UPDATE PERTAINING TO WASTEWATER TREATMENT PLANT EXPANSION - Mr. Mallory informed the Council that the application for funds has been made to the Texas Water Development Board for the wastewater treatment plant expansion. We will be able to present it to the Board during their January meeting as they will not be having a December meeting.

    Mr. Mallory also informed the Council on correspondence received from the Department of Antiquities Protection, one stating an archaeological survey of the expansion tract would be required due to it's proximity to Mustang Creek. The later correspondence stating there were no objections to the development, however, requesting work be halted should any archaeological deposits be discovered during the development.

14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Mr. Clarence Teague, resident of 1090 S. Highway 19, requested the Council allow him to sell his paintings from his yard any weekend he desires, rather than limited by the garage sale permits. Mr. Teague paints in his garage as a home occupation. He also expressed concerns regarding the daycare located next to him. His concerns being the noise while the children are in the yard, items being thrown over the fence, and the size of sign place in the front, as he was told a home occupation allows a 1'x 1' sign only.

Mayor Lawrence asked Mr. Teague to meet with Johnny Mallory to resolve his problems if possible while remaining in compliance with city ordinances.

Mr. Teague also asked if it would be possible to have the Van Zandt County Art League open house at his residence as they would not be able to use the Courthouse due to parking problems. The Council briefly discussed other locations and asked Mr. Teague to meet with Al Campbell should the Art League be interested in the First Monday log cabin area or other possible locations.

Mr. Mallory requested a called meeting for the following week to discuss and consider proposals received for group health insurance. Following a brief discussion, the Mayor asked that this item be placed on the December regular meeting agenda.

15. EXECUTIVE SESSION - The Council took a brief recess before retiring to executive session at 7:52 p.m.

    A. DISCUSSION PERTAINING TO PERSONNEL MATTERS

16. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 8:14 p.m. Clifford Caviness made a motion that all permanent employees with over one year service to the City be given an incentive check equal to one week's pay. Those in service less than one year, to be pro-rated. Jack Etheridge seconded the motion and all were in favor.

17. ADJOURN - There being no further items for discussion, Ronnie Fugate made a motion to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned at 8:15 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

0312-A

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, DECEMBER 15, 1992

The Canton City Council met for a regularly scheduled meeting at the above named date and time in City Hall. Mayor Lawrence presided and all members were present as follows: Clifford Caviness, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Clifford Caviness

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the following meetins as written, October 27, 1992 Called, November 9, 1992 Called, and November 17, 1992 Regular. John Crow seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Jack Etheridge made a motion to approve the November 30, 1992 Financial Statements. Clifford Caviness seconded and all were in favor.

5. GUEST ITEMS - None

6. CONSIDER REQUEST RECEIVED FOR A WATER TAP OUTSIDE THE CITY LIMITS - F.M. RD. 1255/HOWARD BUCK & GRACE BIBLE FELLOWSHIP CHURCH -Pastor Dan Tarno addressed the Council with the water tap request for the Grace Bible Fellowship Church. Pastor Tarno explained the only use would be two restrooms and a drinking fountain. Johnny Mallory discussed the present water pressure problems in the area of this request and explained that although the new water tower would help some, he could not guarantee it would solve the problem. He further explained that a new line would have to be run which is included in Phase IV of the Water Distribution Improvements.

   Following a brief discussion, Ronnie Fugate made a motion to allow this tap with the Church's understanding of the problems in existence. John Crow seconded and all were in favor.

7. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT - JOHN R. OWENS - Johnny Mallory reviewed the solicitor's permit application received from Mr. John R. Owens. Mr. Owens is requesting a permit to go door to door throughout the residential areas for the purpose of selling chairs and garden tools. Mr. Mallory informed the Council that Mr. Owens' references were checked with no negative findings.

   Following a brief discussion, Ronnie Fugate made a motion to deny the request. Clifford Caviness seconded and all were in favor.

8. CONSIDER ALL MATTERS PERTAINING TO ANNEXATION OF SOUTH SIDE OF INTERSTATE 20 BETWEEN HIGHWAY 19 AND F.M. RD. 859 - Johnny Mallory informed the Council of a request from approximately six property

owners on the south side of Interstate 20 requesting annexation into the city limits. The property owner's primary desire is to obtain city sewer services and one primarily for police protection. A preliminary study has determined the approximate cost of $100,000 to run the sewer line to the requested properties. One property owner is willing to put the $100,000 up front with the request of a three year pay back. Mr. Mallory informed the Council that the approximate sales tax revenue from said area is $25,000 a year. There has been no commitment from the property owners as to their share of the cost.

Following a brief discussion, Kenneth Pruitt made a motion to allow Johnny Mallory to meet with all property owners involved to negotiate and determine the individual cost. Jack Etheridge seconded and all were in favor. This item shall appear on the January agenda.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO BIDS RECEIVED FOR THE CONSTRUCTION OF CIVIC CENTER - The Council reviewed the bid list received for the construction of the Civic Center. Bids received were as follows:

CONTRACTOR	BASE BID	ALT. #1	ALT. #2
C.L. STONE BUILDERS	595,900	25,500	55,000
COKER BUILDING CO.	NO BID RECEIVED		
HARRISON, WALKER, HARPER	668,484	30,000	80,000
CHARLES OFFUTT CONTRACTOR	593,688	19,438	65,539
DIAMOND K CORP.	573,500	20,900	63,300
INDUSTRIAL CONST. MGMT.	548,800	14,000	130,000
LAMARC, GEN. CONTRACTOR	744,747	27,500	59,100
N.C. STURGEON	698,977	17,700	69,100
RPR CONSTRUCTION	675,000	16,000	75,000
SCHNOB & SAGE BLDG. CORP.	582,100	59,900	24,100
THE RIDGEMONT CO.	635,900	15,900	62,570
THE WATKINS CORP.	NO BID RECEIVED		
WRL CONSTRUCTION	663,700	14,400	77,900

Al Campbell informed the Council that the apparent low bidder, Industrial Construction Management, miscalculated the Alternate #2 bid and is presently correcting the error as it will be between $65,000 and $70,000. Mr. Campbell explained that references are being verified and no recommendation could be made at this time.

The Council will consider the awarding of this bid at a later time.

Agenda Item #10 was postponed to follow Item #15.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO GROUP HEALTH INSURANCE - Mr. Mallory informed the Council of two representatives wishing to present their proposals to the Council. The third representative, Mr. Dean Loven, was unable to attend the meeting.

Mr. Phillip Matthews of Canton Insurance presented a proposal from Traveler's Insurance Company. Mr. Matthews informed the Council that applications would be required and the proposal was contingent upon Traveler's acceptance of the group.

Mr. Ken Brown of Compensation Management Company informed the Council that Lamar Life had withdrawn the original proposal due to the time lapse. He stated he could try to get Lamar Life to reconsider.

Following a brief discussion, Kenneth Pruitt made a motion to contract with Traveler's upon the Company's acceptance of the group. Clifford Caviness seconded and all were in favor with the exception of John Crow who abstained. Motion carried.

11. DISCUSSION AND POSSIBLE APPROVE OF A FACILITIES MANAGEMENT PROJECT - Johnny Mallory briefed the Council on the facilities management project and it's capabilities and benefits to the City of Canton and First Monday. The project would allow all vital information such as location of water and sewer lines, condition of streets, etc. to be placed in the computer. The Van Zandt County Appraisal District presently has the computer program installed and will digitize the city limits of Canton and place such in the computer. The City of Van is presently on line with the Appraisal District. The anticipated cost would be approximately $50,000 over a two to three year span. Mr. Mallory informed the Council that the City's budget could intake Phase I of the project this year and purchase the system software without having to purchase new computers at this time.

 Following a brief discussion, Ronnie Fugate made a motion to proceed with Phase I within the budget. Clifford Caviness seconded and all were in favor.

12. DISCUSSION AND UPDATE PERTAINING TO WATER TOWER CONSTRUCTION AND WATER DISTRIBUTION IMPROVEMENTS - Mr. Mallory reported the status of the water tower construction and water distribution improvements. No action was required on this item.

13. DISCUSSION AND UPDATE PERTAINING TO CITY PARK IMPROVEMENTS - Following a lengthy discussion pertaining to the City Park and the present clean up project, it was determined that the Park Committee could begin meeting after the first of the year.

14. DISCUSSION AND UPDATE PERTAINING TO STREET IMPROVEMENTS - Mr. Mallory informed the Council that due to weather conditions, only patching had been done to any streets. He expressed concern with advertising for seal coating bids at this time as the work could not begin within 60 days following the bids and most bids would not be standing for that length of time.

    Mr. Mallory also informed the Council of a request from Mr. Glen McNeill of Campbell-McNeill Publishing Co. Mr. McNeill is asking that the City participate in the repair of the sidewalk and placement of a handicap ramp next to the Canton Herald with the cost of approximately $2,000. Mayor Lawrence requested the staff obtain information from Texas Municipal League pertaining to the responsibility of sidewalks and installation of ramps. This item shall appear on the next regular agenda.

15. DISCUSSION AND UPDATE PERTAINING TO CITY LANDFILL - Mr. Mallory informed the Council that the present trench at the landfill would last approximately six more months. He further informed them of rumors that the EPA rules would go into effect September, 1993 at which time, should the landfill still be open, the City's responsibility would be for thirty years. The Council briefly discussed this item with no action taken.

    Mr. Mallory also informed the Council that Laidlaw Waste Systems was not able to present a proposal for smaller trucks and requested to be on the January regular meeting agenda.

16. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate informed the Council that Mr. John Fincher has requested an audience with the Council concerning the completion of the bronze monument. He asked that an invitation be extended to Mr. Fincher for discussion during the regular meeting in January. There was no objection from the Council.

17. EXECUTIVE SESSION - The Council retired to executive session at 8:40 p.m. for discussion of the following item.

    A. DISCUSSION PERTAINING TO LEGAL MATTERS

18. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:00 p.m. No action was taken pursuant to discussion in executive session.

19. ADJOURN - Jack Etheridge made a motion to adjourn. Kenneth Pruitt seconded and all were in favor. The meeting adjourned at 9:01 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:30 P.M., TUESDAY, DECEMBER 29, 1992

The Canton City Council met for a Called Meeting at the above named date and time. Mayor Lawrence presided and members present were Clifford Caviness, John Crow, Kenneth Pruitt, and Jack Etheridge. Ronnie Fugate was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Councilman Caviness

3. CONSIDER ALL MATTERS PERTAINING TO BIDS RECEIVED FOR THE CONSTRUCTION OF A CIVIC CENTER - John Carver, Consulting Engineer, and Al Campbell reviewed the low bid received from Industrial Construction Management with the base bid being $548,800.00 and Alternate #1 being $14,000.00. Upon Mr. Carver and Mr. Campbell's request, Alternate #2 was deleted and shall be bid in the next phase. Following further discussion, Kenneth Pruitt made a motion to award the civic center contract to Industrial Construction Management. Jack Etheridge seconded and all were in favor.

4. ADJOURN - There being no further items for consideration, the meeting adjourned.

Richard W. Lawrence, Mayor

ATTEST:

Michelle Wilson, City Secretary