

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 19, 1993

The Canton City Council met for a regularly scheduled meeting at the above named date and time in city hall. 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 Clifford Caviness
3. CONSIDERATION TO APPROVE MINUTES - John Crow made a motion to approve the minutes of the December 15, 1992 Regular Meeting and the December 29, 1992 Called Meeting as written. Jack Etheridge 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 December 31, 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 - MILL CREEK ROAD - JIMMY GASKIN - Following a brief discussion, Jack Etheridge made a motion to grant a water tap for Mr. Gaskin on Mill Creek Road. John Crow seconded and all were in favor.
7. DISCUSSION AND ACTION PERTAINING TO PETITION RECEIVED OPPOSING THE NAME CHANGE OF HIGHWAY 19 TO TRADE DAYS BLVD. -No resident was present to address this item however, Johnny Mallory informed the Council that Mr. Keith Tucker had requested the Council take action on the previously received petition. Following a brief discussion pertaining to contact by some citizens claiming they no longer desired to be on the petition, the petition was denied by no motion or action to accept. Mayor Lawrence stated the Council would be receptive to a new petition once all residents were made aware of all the facts and that mail will be delivered to each resident whether it be addressed Highway 19 or Trade Days Blvd.
8. CONSIDER ALL MATTERS PERTAINING TO ANNEXATION OF SOUTH SIDE OF INTERSTATE 20 BETWEEN HIGHWAY 19 AND F.M. RD. 859 - Mr. Mallory again informed the Council that the property owners along the south service road of Interstate 20 between Highway 19 and FM Rd. 859, with the exception of the Ford House, Don Barrier, and Automatic Gas, Ms. Frances. Confirmed petitioners total five and all are willing to pay \$5,000 for the extension of sewer service. Mr. Mallory informed the Council that the City's share would be approximately \$75,000 and no exact figures have been calculated as to the sales tax revenue which the City would gain. Mr. Halbrook informed the Council that one gentleman is willing to put up the total \$100,000 to the City at 7% interest for three years.

Following a brief discussion, John Crow made a motion to accept the petition and begin annexation procedures. Jack Etheridge seconded and all were in favor.
9. CONSIDERATION PERTAINING TO ANNEXATION PETITION RECEIVED FROM THE LAKESIDE BAPTIST CHURCH FOR PROPERTY ON CHERRY CREEK -Mr. Mallory informed the Council that the petition for annexation was for property just south of the Lakeside Baptist Church at the intersection of Cherry Creek and Old Kaufman Rd. Following a brief discussion, Clifford Caviness made a motion at accept the petition and begin annexation procedures. Jack Etheridge seconded and all were in favor.
10. DISCUSS AND CONSIDER A PROPOSAL FROM MOTHER FRANCES HOSPITAL TO EXTEND THE PRESENT AMBULANCE SERVICE CONTRACT AN ADDITIONAL FIVE YEARS - Mr. Donnie Martin, Mother Frances E.M.S. Manager, addressed the Council with a brief history of the City of Canton's relationship with Mother Frances. He explained the original ambulance service agreement, entered into in 1987, was renewed in 1990 for five (5) years. Mother Frances Hospital is requesting an extension of 5 years to the

present contract to assist with their long term planning. The extension would include all conditions remain as they are including the fees. Mr. Martin also informed the Council that the emergency helicopter is now charged as the ambulance unit, with the water customer's monthly fee being considered payment of any deductible and the customer will not be billed for any amount the insurance company does not pay. Should the customer not have insurance, Mr. Martin informed the Council the monthly fee will be considered payment.

Clifford Caviness made a motion to extend the present ambulance service contract with Mother Frances Hospital an additional five (5) years. Jack Etheridge seconded the motion and all were in favor.

11. CONSIDER BIDS RECEIVED FOR THE CONSTRUCTION OF A RETAINER WALL AT THE CANTON VOLUNTEER FIRE DEPARTMENT - The Council reviewed two bids received for the construction of a retainer wall and slab at the Canton Volunteer Fire Department. Bids received were as follows:

Joe Fry Concrete	\$15,640.00
Lewis Concrete Construction	\$18,499.00

Clifford Caviness made a motion to award the contract to the low bidder, Joe Fry Concrete. John Crow seconded the motion and all were in favor.

12. CONSIDER ALL MATTERS PERTAINING TO THE REPLACEMENT OF THE SIDEWALK AT THE SOUTHEAST CORNER OF BUFFALO AND TYLER STREETS

Johnny Mallory informed the Council that upon their request, his inquiries confirmed that the City is responsible for the repair of the sidewalk. Said replacement and/or repair is located next to the Canton Herald, and the owner of the building, Mr. Glenn McNeill, has requested the City assist with half the cost. The City's share would be approximately \$1,000. Clifford Caviness made a motion to make said repairs and split the cost with Mr. McNeill. Jack Etheridge seconded and all were in favor.

13. CONSIDER A REQUEST TO CHANGE CHURCH STREET BETWEEN BUFFALO AND CAPITOL STREETS FROM ONE WAY TO TWO WAY TRAFFIC - Mr. Mallory informed the Council that requests have been received to once again allow two-way traffic on Church Street between Buffalo and Capitol Streets. The one-way designation was done when the post office was operating at the corner of Church Street and Buffalo.

John Crow made a motion to remove the one-way signs and allow two-way traffic on the Church Street. Jack Etheridge seconded and all were in favor.

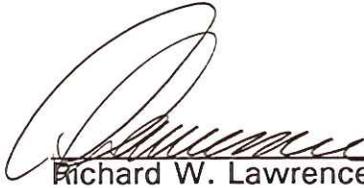
14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FIRST MONDAY BRONZE MONUMENT - This item was tabled due to Mr. Fincher's unforeseen circumstances which prevented him attending the meeting. This item will be discussed at a future meeting.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARK IMPROVEMENTS - Mr. Mallory informed the Council that tree removal and some clean up had been delayed due to weather conditions. The Park Committee will be rescheduling their first meeting in the near future. Mr. Mallory also informed the Council of a request from the Canton Umpire's Association to spend approximately \$3,000 to reconstruct the backstop area at the ballpark. The funds were budgeted. John Crow made a motion to allow the expenditure. Jack Etheridge seconded and all were in favor.

16. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS - Mr. Mallory briefly updated the Council on the water and sewer improvements. He will be attending the Texas Water Development Board Meeting in Austin on Thursday, January 21, 1993 for the Board's consideration of a loan to the City of Canton for improvements and expansion of the Wastewater Treatment Plant.

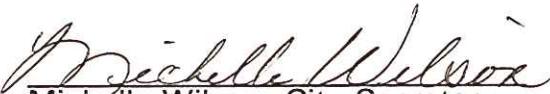
17. DISCUSSION AND UPDATE PERTAINING TO STREET IMPROVEMENTS - Mr. Mallory informed the Council that street patching and improvements have been slow due to weather conditions. He also updated them on the planned improvements to Curry and Curry Lane. The survey has found the present water and sewer lines must be moved and replaced. The engineer estimates this problem correction to be approximately \$50,000. Upon questions from the Council, Mr. Mallory stated the City could reduce the figure by doing some of the work rather than contracting it out.

18. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF THE CIVIC CENTER - Al Campbell informed the Council that 50% of the site work is complete. A ground breaking was held January 16, 1993 and estimated completion date is July 14th or 15th.
19. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were no items requested for placement on future agendas. Mayor Lawrence announced his plans to run for a 2nd term in the upcoming election.
20. EXECUTIVE SESSION - The Council took a brief recess then retired to executive session at 8:04 p.m.
 - A. DISCUSSION PERTAINING TO LEGAL MATTERS
21. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened to open session at 9:35 p.m. with no action taken.
22. ADJOURN - There being no further items for discussion, a motion was made by John Crow to adjourn. Jack Etheridge seconded and all were in favor. Meeting adjourned.



Richard W. Lawrence, Mayor

ATTEST:



Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:30 P.M., TUESDAY, FEBRUARY 9, 1993

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 members present were Ronnie Fugate, John Crow, and Jack Etheridge. Kenneth Pruitt and Clifford Caviness were absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
2. INVOCATION - Councilman Ronnie Fugate

3. PUBLIC HEARING FOR ANNEXATION PETITION RECEIVED FROM PROPERTY OWNERS ALONG INTERSTATE 20 SOUTH SERVICE ROAD Mayor Lawrence opened the public hearing concerning the annexation petition received from property owners along the south service road of Interstate 20. Mr. John West was present and expressed his desire for the annexation. No one was present to voice any objections. Mayor Lawrence then closed the public hearing.
4. PUBLIC HEARING FOR ANNEXATION PETITION RECEIVED FROM LAKESIDE BAPTIST CHURCH - Mayor Lawrence opened the public hearing concerning the annexation petition received from Lakeside Baptist Church for property recently acquired at the intersection of Old Kaufman Road and Cherry Creek. No one was present to speak in favor or against the annexation. Mayor Lawrence closed the public hearing.
5. CONSIDER THE PURCHASE OF A JOHN DEERE RUBBER TIERED FRONT END LOADER - City Manager Johnny Mallory informed the Council of the dire need for a front end loader. He informed the Council that one was available for purchase from the State for \$14,500. No bid is required as this would be a purchase from the State.

Following a brief discussion, Jack Etheridge made a motion to approve the purchase of said front end loader from the Texas Department of Transportation for \$14,500. John Crow seconded and all were in favor.

6. CONSIDERATION AND POSSIBLE APPROVAL OF PERMITTING DR. JOHN TURNER TO CONNECT TO WATER AND SEWER IN RETURN FOR AN EASEMENT - Mr. Mallory reviewed the need of 150 foot buffer zone for the Wastewater Treatment Plant improvements and expansion. The buffer zone requires an easement from three property owners, one of whom is Dr. John Turner. Dr. Turner is requesting permission from the city to tie his residence, outside the city limits, onto the city's water and sewer lines. Mr. Mallory explained there would be no problem in this whenever Dr. Turner request the tie on except it would require an agreement from the Council as standing policy is to not allow sewer tie on outside the city limits.

Following a brief discussion, Jack Etheridge made a motion to allow Dr. John Turner written permission to tie on a single residential home to the city's water and sewer utility lines at the standard and customary expense at the time of the connection. Motion included authorizing Johnny Mallory to execute said written agreement. Ronnie Fugate seconded the motion and all were in favor.

7. EXECUTIVE SESSION - The Council retired to executive session at 6:00 p.m. for discussion pertaining to legal matters.
8. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened into open session with no action taken pursuant to discussion in executive session.
9. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:11 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:30 P.M., THURSDAY, FEBRUARY 11, 1993

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 Clifford Caviness, Ronnie Fugate, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
2. INVOCATION - Councilman Ronnie Fugate
3. PUBLIC HEARING FOR ANNEXATION PETITION RECEIVED FROM PROPERTY OWNERS ALONG INTERSTATE 20 SOUTH SERVICE ROAD
Mayor Lawrence opened the 2nd Public Hearing on the annexation petition received from property owners along the south service road of Interstate 20. Mr. John West was present and spoke again in favor of the annexation. No one was present to speak against the annexation.

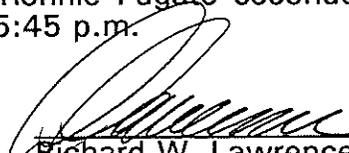
Mayor Lawrence closed the public hearing and informed the Council that a called meeting would be held March 2, 1993 to consider adoption of an annexation ordinance for these properties.

4. PUBLIC HEARING FOR ANNEXATION PETITION RECEIVED FROM LAKESIDE BAPTIST CHURCH - Mayor Lawrence opened the 2nd Public Hearing on the annexation petition received from Lakeside Baptist Church for property located at the intersection of Old Kaufman Road and Cherry Creek. No one was present to speak in favor or against the annexation.

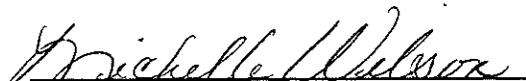
Mayor Lawrence closed the public hearing and informed the Council that an annexation ordinance would be considered at the March 2, 1993 called meeting.

5. CALL OF MAY 1, 1993 ELECTION FOR THE PURPOSE OF ELECTING TWO COUNCIL MEMBERS AND A MAYOR - Clifford Caviness made a motion to call the May 1, 1993 Municipal Election for the purpose of electing two (2) council members and a mayor. Jack Etheridge seconded and all were in favor. The May 1, 1993 election was so ordered.
6. CONSIDER APPOINTMENT OF ELECTION JUDGE FOR THE MAY 1, 1993 ELECTION - City Manager Johnny Mallory recommended the Council appoint Mrs. Mary Wages to serve as the May 1, 1993 Election Judge and allow Mrs. Wages to appoint three Election Clerks. Ronnie Fugate so moved. Jack Etheridge seconded and all were in favor.
7. EXECUTIVE SESSION - This item was excluded from the agenda as no discussion pertaining to legal matters was needed at the present time.

There being no further action or discussion needed, Jack Etheridge made a motion to adjourn. Ronnie Fugate seconded and all were in favor. Meeting adjourned at 5:45 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, FEBRUARY 16, 1993

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

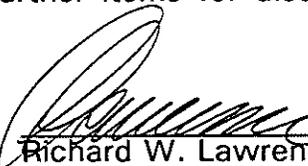
Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
2. INVOCATION - Councilman Caviness
3. CONSIDERATION TO APPROVE MINUTES - Clifford Caviness made a motion to approve the minutes of the following meetings as written: January 31, 1993 Regular; February 9, 1993 Called; and February 11, 1993 Called. Jack Etheridge seconded and all were in favor.
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS -Following Johnny Mallory's oral review, John Crow made a motion to approve the January 31, 1993 Financial Statements. Kenneth Pruitt seconded and all were in favor.
5. GUEST ITEMS - None
6. CONSIDERATION PERTAINING TO THE APPOINTMENT OF A MEMBER ON THE CANTON SENIOR CITIZEN'S ADVISORY BOARD DUE TO A VACANCY - Johnny Mallory informed the Council of Mr. Travis Hughes' resignation from the above stated board. The Senior Citizen's Advisory Board members wished to nominate Ms. Flo Sanford to serve on the board in filling the vacancy. Following a brief discussion of the Council, Clifford Caviness made a motion to appoint Ms. Flo Sanford to the Canton Senior Citizen's Advisory Board. Kenneth Pruitt seconded and all were in favor.
7. DISCUSS AND CONSIDER THE ADOPTION OF AN ORDINANCE AUTHORIZING THE TOWING OF VEHICLES - Police Chief Hoss Williams requested an ordinance to assist and support his department in cases where towing vehicles from around the square, primarily First Monday weekends, is necessary. Chief Williams explained the problems he has encountered and the lack of compliance from vendors located outside the south side of the First Monday Park. Johnny Mallory informed the Council that legal counsel was in the process of drafting an ordinance for consideration. Following a brief discussion, Ronnie Fugate made a motion to adopt an ordinance for a tow-away zone after two (2) hours and post signs accordingly. Clifford Caviness seconded the motion and all were in favor. An ordinance will be presented for review and adoption at the next regular meeting.
8. DISCUSSION AND CONSIDERATION OF AMENDING THE CITY OF CANTON'S FIREWORKS ORDINANCE - Ronnie Fugate opened discussion pertaining to the present firework ordinance prohibiting the sale of fireworks inside the city limits although not prohibiting the discharge of fireworks within the city limits. He informed the council of complaints he has received and Chief Hoss Williams stated the police department receives numerous complaints.

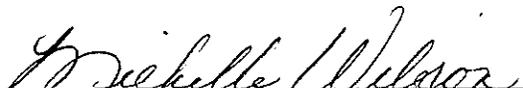
Ronnie Fugate made a motion to have the attorney amend the present firework ordinance to prohibit the discharge of fireworks inside the city limits. Said ordinance to be presented at the next regular meeting. Clifford Caviness seconded the motion. All were in favor with the exception of John Crow who opposed the motion. Motion carried.
9. DISCUSS AND CONSIDER ALL MATTERS CONCERNING T U ELECTRIC'S REQUEST FOR A RATE INCREASE - Johnny Mallory reminded the council of T U Electric's request for a 15% rate increase. Several cities have banded together to fight the rate increase and have solicited the City of Canton to join them. The membership is based on the city's population and the fee for the City of Canton would be \$300.00. Ronnie Fugate made a motion to join the group. Clifford Caviness seconded and all were in favor.
10. DISCUSS AND CONSIDER THE DESIGNATION OF TIMES FOR ALL

REGULAR AND CALLED CITY COUNCIL MEETINGS - Ronnie Fugate expressed his concern of difficulties in attending meetings scheduled prior to 6:30 p.m. Councilman Fugate made a motion that all called and regular meetings be scheduled for 6:30 p.m. with the only exceptions being emergency meetings. Clifford Caviness seconded the motion. Mayor Lawrence requested the council not tie his hands on calling meeting times as there have been instances where earlier meetings are necessary and may not officially be considered emergencies. Mayor Lawrence informed the council that he would set a 6:30 p.m. time on all meetings unless there were circumstances requiring the meeting to be conducted earlier. Ronnie Fugate withdrew his motion.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE DIPPING VAT -Ronnie Fugate asked if the Historical Society and State could be requested to move the present Historical Marker Sign to the vat and have another one placed on Highway 243 pointing down Arnold Paul Road. The council had no objections and Mr. Mallory stated this request could easily be accomplished.
12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CITY PARKS -Ronnie Fugate and Johnny Mallory gave a brief update as to the clean-up project at the city park. Mr. Mallory also commended the volunteers who have contributed their time and energies at the softball fields. Kenneth Pruitt suggested hiring school kids beginning at spring break and through the summer to begin maintenance and continue cleaning. He also asked that the Park Committee be placed as an alternate on the 859 First Monday parking lot.
13. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS - Johnny Mallory informed the council that the water line on 243 should be completed this week and begin testing and cementing next week. The expected date to begin construction of the water tower is March 1st. The Water Development Board has contacted the city and should distribute the loan for the sewer treatment plant improvements the 1st of June. Mr. Mallory feels the city will be ready to advertise for bids in May.
14. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF THE CIVIC CENTER - Al Campbell briefly updated the council on the 34,000 square foot civic center construction. The rains have delayed some work however, the plumbing will be installed as soon as there is a break in the weather.
15. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - The council briefly discussed the status concerning access during night hours to the city parks. This item may be placed on the next regular agenda.
16. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:30 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MARCH 2, 1993

The Canton City Council had a called meeting at the above named date and time in Canton City Hall. Mayor Lawrence presided and 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 - Councilman Ronnie Fugate
3. CONSIDERATION TO ADOPT ANNEXATION ORDINANCE FOR PROPERTIES LOCATED ALONG INTERSTATE 20 SOUTH SERVICE ROAD - Following a brief discussion, Clifford Caviness made a motion to adopt the following captioned annexation ordinance to allow annexation of properties along the Interstate 20 South service road:

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

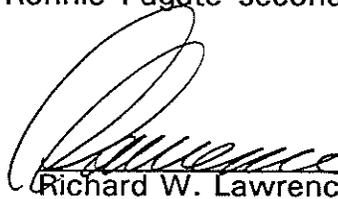
Kenneth Pruitt seconded the motion and all were in favor. The ordinance shall be numbered 93-01 and filed in accordance with city, state, and federal laws.

4. CONSIDERATION TO ADOPT ANNEXATION ORDINANCE FOR PROPERTY LOCATED ON CHERRY CREEK AND OLD KAUFMAN ROAD OWNED BY LAKESIDE BAPTIST CHURCH - Following a brief discussion, John Crow made a motion to adopt the following captioned annexation ordinance to allow annexation of 0.23 acre of land located at the intersection of Old Kaufman and Cherry Creek Roads:

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

Ronnie Fugate seconded the motion and all were in favor. The ordinance shall be numbered 93-02 and filed in accordance with city, state, and federal laws.

5. ADJOURN - There being no further items for discussion, John Crow made a motion to adjourn. Ronnie Fugate seconded and all were in favor. Meeting adjourned.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CITY COUNCIL REGULAR MEETING
6:30 P.M., TUESDAY, MARCH 16, 1993

The Canton City Council met for a regularly scheduled 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 - Councilman Ronnie Fugate
3. CONSIDERATION TO APPROVE MINUTES - Clifford Caviness made a motion to approve the February 16, 1993 Regular Meeting and the March 2, 1993 Called Meeting minutes as written. Kenneth Pruitt seconded the motion and all were in favor.
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS -Following Johnny Mallory's oral review, Kenneth Pruitt made a motion to approve the February 28, 1993 Financial Statements. John Crow seconded the motion and all were in favor.
5. GUEST ITEMS - A representative from Walmart asked the Council's approval for Walmart to conduct a street dance on the south side of the square, East Tyler Street, April 3, 1993. The dance will be held to benefit the Children's Miracle Network and will not last past midnight. Johnny Mallory informed the Council that approval was a matter of policy. The Council voiced no objections and instructed Walmart to work out the details through the city's administrative staff.

Mr. Steve Winston of T U Electric introduced himself and another representative of the Tyler office. Mr. Winston informed the Council that the Canton service area is now under the Tyler District due to T U's reorganization. He expressed his desire to continue a good working relationship with the city and provide quality service.

6. CONSIDERATION OF PLANNING & ZONING COMMITTEE'S RECOMMENDATION PERTAINING TO A ZONING CHANGE REQUEST FROM DAVID METZGER - EAST TYLER STREET PROPERTY FROM AGRICULTURAL TO FIRST MONDAY BUSINESS 2 - Mr. Mallory informed the Council of Mr. Metzger's request to rezone approximately 18.41 acres on East Tyler Street from Agricultural to First Monday Business 2. He further explained that although the property is zoned agricultural, it is considered a non-conforming use under the grandfather clause of the planning and zoning ordinance. Therefore, the sale and trade of animals may continue with or without a zoning change until it ceases such operation for a period of one year. Mr. Metzger is interested in selling the property and the prospective buyer, Mr. Tim McLemee, would like the change in order to make some improvements and build updated restroom facilities. Mr. Mallory also informed the Council that a majority of the property is in the flood plain, therefore business use is restricted to either agricultural or First Monday type business with open structures.

Following two meetings of the Planning & Zoning Committee, their recommendation to the Council is to deny the request. Mayor Lawrence opened the floor to those present to speak in favor or against the zoning change. Mr. Metzger asked the Council to grant the change as the property has been used for First Monday business for the past 12-14 years. Mr. Tim McLemee presented his proposal which would include moving the existing vendors away from the residential and utilizing that property as parking. He stated that should the change be denied, he would have to leave the vendors where they are presently located and develop parking at the other end as the present zoning does not prohibit the use of the property for a parking lot. Mr. Cary Hilliard, speaking on behalf of several property owners, voiced their objection to the change. He stated many property owners object to the present use and are more opposed to any expansion. Another gentleman expressed concerns that development would cause additional water drainage across his property.

Following a brief discussion and Mayor Lawrence asking if all property

owners understood that Mr. McLemee could continue using the property for First Monday type operations should the zoning change be denied, Ronnie Fugate made a motion to accept the Planning & Zoning Committee's recommendation and deny the request. Clifford Caviness seconded and all were in favor.

7. **CONSIDERATION OF A REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS - DARRELL McEVERS** - Mr. Mallory explained the location of the request being where Mill Creek Road runs into the County road leading to the artesian well. Mr. Mallory recommended the Council deny the request as there is only a 1 1/2" line and the requested tap would create a burden to additional and existing water connections. Mr. Mallory offered an option that a new 2" line be run from the 6" main at the pressure station to the requested location with Mr. McEvers paying for the supplies and labor.

Jack Etheridge made a motion to deny the present tap request and allow Mr. Mallory to propose the alternative to Mr. McEvers of the City of Canton laying a 2" line from the pump station at Mr. McEvers' expense and signature on standard releases for taps outside the city limits. Clifford Caviness seconded and all were in favor.

8. **DISCUSS AND CONSIDER PARTICIPATION IN A COMMUNITY PROGRAM -NEEDS OF THE ELDERLY** - Pastor Mark Moore of Lakeside Baptist Church reviewed a program designed to check on the elderly and homebound called "Are You O.K.?". The program is computer operated and at designated times, places a phone call to residents. Should the call not be answered, additional calls will be made and after a designated number of times with no answer, the computer would place an alert to check on the resident. It has been a success in other areas and is also capable of checking on "latch-key" children. The computer software is approximately \$3,500 with the entire system at approximately \$5,500. The system is most commonly set up at the police station. Pastor Moore also offered to head up a program to solicit funds for the program with the Council's approval.

Mayor Lawrence and Chief of Police Hoss Williams expressed their support of the program and explained their feelings of a definite need in the area.

Kenneth Pruitt made a motion to pass a resolution supporting Pastor Mark Moore's efforts and approval for Pastor Moore to proceed with the preliminary steps of surveys and fund raising. Ronnie Fugate seconded the motion and all were in favor.

9. **CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CITY OF CANTON'S FIREWORKS ORDINANCE** - The Council reviewed a proposed ordinance prohibiting the storage, sale, and discharge of fireworks within the city limits. Ronnie Fugate made a motion to adopt the following ordinance:

AN ORDINANCE PROHIBITING THE STORAGE, SALE, AND DISCHARGE OF FIREWORKS, EXCEPT BY PERMIT, WITHIN THE CITY LIMITS OF THE CITY OF CANTON, TEXAS.

Clifford Caviness seconded the motion. Following a brief discussion, a vote was called with Ronnie Fugate, Clifford Caviness, Kenneth Pruitt, and Jack Etheridge being in favor. John Crow was opposed. The motion carried.

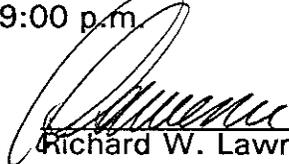
The ordinance shall be published as required by law and numbered 93-03 in the city records.

10. **CONSIDER ADOPTION OF AN ORDINANCE AUTHORIZING THE TOWING OF VEHICLES** - The Council reviewed a proposed ordinance however, the legal counsel is in need of exact street names for insertion to make the ordinance enforceable. This item will be delayed until the next meeting.
11. **DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CITY PARKS** -Johnny Mallory and Ronnie Fugate gave an update on the City Park Committee meetings. Councilman Fugate stated the committee's biggest concern at the present time is to re-vamp the park at the Old City Lake. The committee feels the improvements must be made and

maintenance must be kept up. They are concentrating on fund raisers and getting new equipment. Kenneth Pruitt informed all that the following Saturday would be a "clean-up" day at the park. Councilman Pruitt also expressed concern of the vandalism and fights at the Mill Creek Reservoir Park. He expressed a desire to pursue regulating entrance into the park after dark. Following discussion, Ronnie Fugate made a motion to authorize Johnny Mallory, Al Campbell, and Hoss Williams to work out rules and regulations and develop a plan for the possible closing of the park at designated times. The plan is to be submitted back to the Council for review and consideration. Clifford Caviness seconded and all were in favor with the exception of John Crow who abstained.

Johnny Mallory extended an invitation from the Canton Umpire's Association to attend the season kick-off at the softball fields on Monday, March 22nd at 6:30 p.m.

12. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS
Johnny Mallory gave a brief update on the water tower construction and projected sewer treatment plant expansion. The water line on Highway 243 has been completed and is ready to turn into the system. The erection of the water tower was started on Monday, March 15th and should be complete within four to six weeks.
13. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF THE CIVIC CENTER - Al Campbell gave a brief update on the construction of the civic center. He explained the plumbing is presently roughed in and things are running smoothly despite the weather.
14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - The Council had no additional items for the next agenda at this time.
15. EXECUTIVE SESSION - The Council retired to executive session for the purpose of discussing legal matters with the city's legal counsel.
16. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO EXECUTIVE SESSION - The Council reconvened into open session at 8:52 p.m. with no action being taken pursuant to discussion in executive session.
17. ADJOURN - There being no further items for discussion, Kenneth Pruitt made a motion to adjourn. Clifford Caviness seconded and all were in favor. Meeting adjourned at 9:00 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, APRIL 20, 1993

The Canton City Council met for a regularly scheduled meeting at the above named date and time. 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 - Councilman Ronnie Fugate
3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the March 16, 1993 Regular Meeting as written. John Crow 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 March 31, 1993 Financial Statements. Kenneth Pruitt seconded and all were in favor.
5. GUEST ITEMS - Joe Collins, Canton Chamber of Commerce Administrator, informed the Council of the recent resignation of Chamber of Commerce President Dr. Griggs. Mr. Collins also informed the Council that Mr. John Crow will be filling the unexpired term as president of the Canton Chamber of Commerce.
6. CONSIDER PETITION RECEIVED FOR ANNEXATION OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF INTERSTATE 20 AND STATE HIGHWAY 19 -DEARING - Johnny Mallory reviewed a petition for annexation requested by the Dearing family. Said property is vacant and located on the southeast corner of Highway 19 and Interstate 20. The proposed annexation would include the length of the property along Highway 19 and 300 feet back running east along Interstate 20. Ronnie Fugate made a motion to accept the petition and call the public hearings for the earliest available dates in compliance with annexation requirements. Jack Etheridge seconded and all were in favor.
7. CONSIDER PETITION RECEIVED FOR ANNEXATION OF 47.30 ACRES ON HIGHWAY 243 BETWEEN THE BANK OF VAN ZANDT AND HIGHWAY 64 - HENRY LEWIS - Mr. Mallory reviewed a petition for annexation received from Mr. Henry Lewis. Said property is presently vacant and consist of 47.30 acres on Highway 243 east of the Bank of Van Zandt. Jack Etheridge made a motion to accept the petition and call the public hearings for the earliest available dates in compliance with annexation requirements. John Crow seconded and all were in favor.
8. DISCUSS AND CONSIDER REQUEST FROM MR. HENRY LEWIS PERTAINING TO THE PROPERTY MARKERS LOCATED ON THE FIRST MONDAY PARK - Mr. Lewis reviewed photographs of the present property markers placed by the city between the city's property and Mr. Lewis'. Mr. Lewis also informed the Council that he has dropped the lawsuit filed against the city to prohibit the placing of such property markers/posts. He asked the Council to consider dropping the posts which prohibit vehicular traffic from his property to the city's for a set time period such as 8:00 a.m. to 5:00 p.m. on Fridays, Saturdays, and Sundays of First Monday weekends.

Mayor Lawrence stated that he encourages the dismissal of the lawsuit and is pleased the Council and Mr. Lewis are able to talk and try to resolve any differences. He also expressed concern that the city has not been officially notified by the courts of the lawsuit dismissal and until such time, litigation is considered pending and it would be premature for any decisions to be made regarding the property markers.

Mr. Lewis asked for a decision prior to the upcoming First Monday weekend. The Council expressed their willingness to meet with Mr. Lewis regarding this matter following notification from the court of the

dismissal.

9. **CONSIDERATION AND AWARDED OF BID FOR THE INSTALLATION OF THE CIVIC CENTER SPRINKLER SYSTEM** - Bids received for the sprinkler system at the civic center were as follows:

Grinnell Irving, TX	\$21,336.00
LaDew Fire Protection Co. Dallas, TX	\$22,866.00
Mutual Sprinklers, Inc. Dallas, TX	\$24,195.00
Sun City Fire Sprinkler Sys Dallas, TX	\$24,668.00
Industrial Constr. Mngmt. DeSoto, TX	\$26,340.00
Dallas Fire Protection Inc. Carrollton, TX	\$28,160.00
ResCom Fire Systems, Inc. Dallas, TX	\$20,903.00
Argyle Fire Protection Inc Arlington, TX	\$22,855.00

Al Campbell reviewed the bids and informed the Council that ResCom and Argyle were the only two bids which did not attach bid bonds. Following a brief discussion, Jack Etheridge made a motion to award the sprinkler system bid to the low bidder providing a bid bond, Grinnell of Irving, Texas, in the amount of \$21,336.00. John Crow seconded the motion and all were in favor.

10. **DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF THE CIVIC CENTER** - Al Campbell briefly updated the Council explaining the weather has delayed the civic center construction however once the foundation is completed, we could possibly get back within schedule.
11. **CONSIDER ADOPTION OF AN ORDINANCE AUTHORIZING THE TOWING OF VEHICLES** - Johnny Mallory reviewed the proposed ordinance including the portions of streets to be marked and designated as two-hour tow away zones. Police Chief Hoss Williams informed the Council that the ordinance would be enforced primarily during First Monday weekends, when needed. Following a brief discussion, Jack Etheridge made a motion to adopt the following ordinance:

AN ORDINANCE PROHIBITING THE PARKING OR STANDING OF VEHICLES, AND ALLOWING A TOW-AWAY ZONE FOR SUCH VEHICLES PARKED WITHIN THE CITY LIMITS OF THE CITY OF CANTON, TEXAS.

Clifford Caviness seconded the motion and all were in favor. The ordinance shall be numbered 93-04, published one time in the newspaper and filed in the city records.

12. **CONSIDER PASSAGE OF A RESOLUTION AUTHORIZING THE STEERING COMMITTEE OF THE TU ELECTRIC SERVICE AREAS TO INTERVENE ON BEHALF OF THE CITY OF CANTON IN THE TEXAS PUBLIC UTILITY COMMISSION TEXAS UTILITIES ELECTRIC COMPANY RATE CASE, RURAL CASE (PUC DOCKET NO. 11735), AND RELATED DOCKETS** - Johnny Mallory reviewed the above described resolution explaining it is a follow up to recent Council action in joining the Steering Committee of the TU Electric Service Areas. By resolution, the Council would authorize the steering committee to intervene on behalf of the City of Canton in opposing the TU Electric Rate Increase. Following a brief discussion, Ronnie Fugate made a motion to pass the resolution as follows:

A RESOLUTION AUTHORIZING THE STEERING COMMITTEE OF TU

ELECTRIC SERVICE AREA CITIES TO RETAIN LEGAL COUNSEL AND RATE CASE CONSULTANTS; AUTHORIZING THE STEERING COMMITTEE TO INTERVENE ON BEHALF OF THE CITY OF CANTON IN THE TEXAS PUBLIC UTILITY COMMISSION TEXAS UTILITIES ELECTRIC COMPANY RATE CASE, RURAL CASE (PUC DOCKET NO. 11735), AND RELATED DOCKETS; SUSPENDING THE PROPOSED TARIFF AND SCHEDULE OF RATES OF TEXAS UTILITIES ELECTRIC COMPANY.

Clifford Caviness seconded the motion and all were in favor. The resolution shall be numbered 93-05.

13. CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING AN ACTIVE AND CONTINUING RECORDS MANAGEMENT PROGRAM FOR THE CITY OF CANTON -Following a brief discussion pertaining to records management and the state's requirement of an ordinance prescribing policies and procedures for the City of Canton's Records Management, Jack Etheridge made a motion to adopt the proposed ordinance in compliance with Title 6, Subtitle C, Local Government Code establishing an active and continuing records management program to be administered by a Records Management Officer.

John Crow seconded the motion and all were in favor. The ordinance shall be numbered 93-06 in city records.

14. CONSIDERATION AND POSSIBLE APPROVAL TO HIRE A CONSULTANT TO COMPLY WITH THE ADA GUIDELINES - Johnny Mallory reviewed a proposal received from Kenneth N. Berry, Inc. Mr. Berry is a consultant on Americans With Disabilities Act (ADA) and the proposal outlined the services he would be able to provide as the City of Canton begins and continues to comply with the ADA. The fee for his outlined services would be \$4,500.00. Following a discussion, Jack Etheridge made a motion to retain Mr. Berry's services. Ronnie Fugate seconded and all were in favor with the exception of John Crow who opposed. The motion carried.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE PARKS TO INCLUDE A POSITION FOR AN EMPLOYEE IN THE PARKS DEPARTMENT -Johnny Mallory updated the Council regarding the Park Committee meetings and plans for development. On behalf of the committee and staff, Mr. Mallory requested the Council's approval to hire a full time employee, whose responsibilities would be the maintenance and repairs of the city parks. Discussion was also held pertaining to which supervisor would be placed in charge of the employee. Kenneth Pruitt made a motion to hire a full time employee who would be responsible for the maintenance and repairs of the parks. Ronnie Fugate seconded and all were in favor.

Discussion was also held concerning the requested plan pertaining to closing the parks at designated times. Johnny Mallory discussed the possibility of a gate on Arnold Paul Road to be locked one hour after dark and opened one hour before daylight. Discussion continued with concerns expressed on the "lock" system. Kenneth Pruitt made a motion that Al Campbell, Hoss Williams, and Johnny Mallory develop a plan with a permit type system rather than a locked gate system. John Crow seconded and all were in favor with the exception of Jack Etheridge. The motion carried.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE POLICE DEPARTMENT TO INCLUDE A REQUEST FOR AN ADDITIONAL DISPATCHER -Police Chief Hoss Williams asked the Council to consider hiring a dispatcher to work with the daytime secretary/dispatcher. He explained that the added load of the 911 to include dispatching for not only the Canton Police Department but also ambulance and fire calls, along with the increasing amount of daily paperwork, an additional person was needed in the office. He asked that the Council allow him to hire someone on a 90 day trial basis and should he discover a full time person was not needed, he would inform the Council. The new employee would also understand this would be a trial basis. Jack Etheridge made a motion to authorize Hoss Williams to hire a full time dispatcher on a 90 day trial basis. Clifford Caviness seconded and all were in favor.

Chief Williams also addressed the need of a "repeater" which would

allow better communications by radio. He explained the heavy traffic on the one radio channel presently used by all city employees and his concerns of accidental interference during emergency radio transmits. A police channel is programed and ready for use, however, the repeater would be required for the channel to work properly. He asked that this purchase be considered at least during the next budget process. No action was taken on this item.

17. CONSIDER THE APPOINTMENT OF AN ELECTION JUDGE FOR THE MAY 1, 1993 GENERAL ELECTION DUE TO A RESIGNATION -Johnny Mallory informed the Council of Mrs. Mary Wages resignation as election judge as she is needed with the county elections. Mr. Mallory recommended appointing Jan Tidwell who was scheduled to assist and has assisted with several city elections. Jack Etheridge so moved and a second was received from Clifford Caviness. All were in favor.
18. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREETS TO INCLUDE LETTING BIDS FOR STREET REPAIR - Johnny Mallory and Al Campbell informed the Council that specifications will be drawn up and bids let for the upcoming seal coating projects on some of the city and First Monday streets. The bids will be in for consideration at the next regular Council Meeting.

Johnny Mallory gave a brief update on Curry and Curry Lane street and drainage repair. He stated the process is slow as much of the work must be done by city staff in staying with this year's budget.

19. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS
Johnny Mallory briefly updated the Council explaining the city has received an amendment to the wastewater treatment plant permit to allow up to 900,000 gallons of discharge daily.

He also informed the Council on the progress of the water line and water tower construction. There are still several repairs to be done on yards along Highway 243.

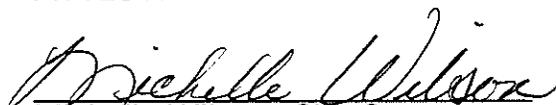
20. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Mr. Henry Lewis informed the Council that he had contacted his attorney and a motion for dismissal of the lawsuit filed against the city has been filed with the judge.

Johnny Mallory informed the Council that the previously mentioned Public Hearings on the two annexation petitions would be scheduled for May 11 and May 13. There were no objections from the Council.

21. 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 8:30 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

**CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 4, 1993**

The Canton City Council met at the above named date and time in the City Hall Council Chambers for a Called 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 - Councilman Ronnie Fugate
3. CANVASS THE MAY 1, 1993 ELECTION RETURNS - Following a review and canvass of the May 1, 1993 Election Returns, Kenneth Pruitt made a motion to approve the canvass with the following votes received:

MAYOR

Richard W. Lawrence 115

COUNCILMEMBERS

Ronnie Fugate 112
Jack Etheridge 104

Clifford Caviness seconded the motion and all were in favor.

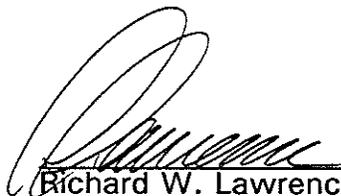
4. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO SEWER LINE PROBLEMS - MRS. MARGY RAGSDALE - Mrs. Margy Ragsdale addressed the Council concerning the two office buildings she owns on Highway 64. She informed the Council of sewer backing up into said buildings three times since the new jail was built. The third time, being approximately 2 weeks ago, resulting in approximately \$2,500.00 worth of damage. Mrs. Ragsdale asked what the City could do to prevent this from happening in the future, as it was not her sewage causing the back up but that from the jail into the city's line.

Johnny Mallory reviewed City Ordinance #89-11 adopted to disclaim any liability on the City of Canton under the Torts Claim Act. The ordinance also states the property owners can install a one-way valve and Mr. Mallory advised that clean out vents would also prevent sewer back up into the buildings. Mr. Mallory informed the Council that the present sewer line is not too small however there could be a rough spot in it which would catch some waste and prevent free flow after enough waste was trapped.

The City Council briefly discussed the problem and Mayor Lawrence asked Mrs. Ragsdale if this could be briefly postponed as no definite solutions were brought to motions.

Mrs. Ragsdale also informed the Council of her barb wire fence the City removed when the jail was being constructed. She stated the fence was not of great value however it was a property marker and asked that the City replace the posts and two strands of barb wire. The Mayor informed Mrs. Ragsdale this was a matter Mr. Mallory could resolve.

5. ADJOURN - There being no further agenda items, the meeting adjourned at 7:00 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 11, 1993

The City Council met at the above named date and time in the City Hall Council Chambers for a Called 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 - Councilman Ronnie Fugate
3. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HIGHWAY 19 AND INTERSTATE 20 -DEARING PROPERTY - Mayor Lawrence opened the public hearing on the above stated annexation. No one was present to speak in favor or against the annexation. The public hearing was then closed and all present were informed of the 2nd public hearing to be held Thursday, May 13, 1993.
4. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 243 EAST OF THE BANK OF VAN ZANDT - HENRY LEWIS PROPERTY - Mayor Lawrence opened the public hearing on the above stated annexation. No one was present to speak in favor or against the annexation. The public hearing was then closed and all present were informed of the 2nd public hearing to be held Thursday, May 13, 1993.
5. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO SEWER LINE PROBLEMS - MRS. MARGY RAGSDALE - Mayor Lawrence asked for a recommendation from the Councilmembers serving on the Wastewater Committee regarding Mrs. Ragsdale previously discussed problem on Highway 64. Ronnie Fugate informed the Council of the Committee's concern in setting a precedence if damages caused by sewer back up were paid by the city or if the city paid for any improvements to Mrs. Ragsdale's property in hopes of preventing future problems. He also stated his sympathy to this situation as Mrs. Ragsdale did not have these problems prior to the construction of the jail. Councilman Fugate suggested, if feasible, the city install a one-way valve in the city's right of way and suggest Mrs. Ragsdale install clean out vents on her buildings. Mr. Mallory informed the Council the city could install the one-way valve however, he would suggest requiring Mrs. Ragsdale to install the clean out vents as they would also be necessary.

Ronnie Fugate made a motion that the city install a one-way valve in the city's right of way near the main at said location and ask Mrs. Ragsdale to install the clean out vents on her buildings. Clifford Caviness seconded and all were in favor. Mr. Mallory informed Mrs. Ragsdale the project would be issued and completed as soon as possible and feasible with the present work orders.

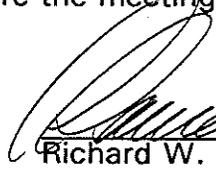
6. DISCUSS AND CONSIDER REQUEST FROM MR. HENRY LEWIS PERTAINING TO PROPERTY MARKERS LOCATED ON THE FIRST MONDAY PARK - Mr. Lewis again requested the Council to unlock and remove the present post in the roadways from 8:00 a.m. to 5:00 p.m. or 7:00 a.m. to 6:00 p.m. on Friday, Saturday, and Sunday of First Monday weekends to allow buyers picking up merchandise to have free flow from the city's side of the park to his side and visa versa. He explained there is a problem with the vendors of the 4,000 and 5,000 sections preferring to enter the grounds at the city's entrances and using row 94 as they always have and they have trouble negotiating their vehicles through his parking lot. Mr. Lewis also said some of the vendors feel they have paid a lot of money over the past 10 years to the City who has reaped the benefits of lot rent and sales tax and feel the City should work with them. He asked the Council to let the requested posts down for either a 30, 60, or 90 day trial basis and if the City did not want the Mr. Lewis' vendors to use row 94, he would notify them that the posts were down for merchandise pick up only and the City does not want them using row 94 for entering the grounds and if they did, the City may not extend the privilege of the trial period. He asked this request be granted at least for the June

First Monday weekend. Mr. Lewis also expressed concern of liability for all parties concerning the present chains across the concrete drains.

Councilman Fugate reminded Mr. Lewis that he has also reaped benefits and money from the vendors over the past 10 years and at the present time, he is receiving 100% of the revenue from the 4,000 and 5,000 sections, which places responsibility on him to provide better ways in and out of his sections. Mr. Fugate also asked if Mr. Lewis had considered going by the same rules as the City's, primarily vendor set up times. Mr. Fugate expressed his concern that by Mr. Lewis allowing his vendors to set up earlier, some of them were selling merchandise earlier and creating concerns from vendors on the City's property. Mr. Lewis explained that he allows early set up because he does not have a good way to get the vendors in when the parking lot is busy. Following Mayor Lawrence's question as to whether it would be necessary to open all the streets as opposed to a couple, Mr. Lewis stated he thought all the streets would be necessary.

Mayor Lawrence asked Mr. Lewis to meet with a "Problem Solving Committee" consisting of Councilmen Caviness and Pruitt prior to the next regular meeting. He asked the three to work at resolving the problem and bring back a recommendation the Council could vote on during the May 18th meeting. He also asked the Committee to begin discussing a boundary line discrepancy discovered during the last survey.

7. EXECUTIVE SESSION - DISCUSSION PERTAINING TO FIRST MONDAY PROPERTY MATTERS - Mayor Lawrence did not feel compelled to call an executive session, therefore the meeting adjourned at 7:30 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., THURSDAY, MAY 13, 1993

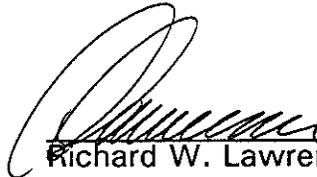
The Canton City Council met at the above named date and time in the City Hall Council Chambers for a Called Meeting. Mayor Lawrence presided and members present were Clifford Caviness, Ronnie Fugate, Kenneth Pruitt, and Jack Etheridge. John Crow was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
2. INVOCATION - Councilman Ronnie Fugate
3. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY

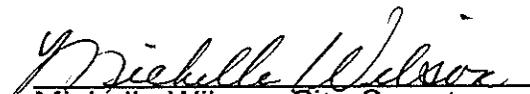
LOCATED ON THE SOUTHEAST CORNER OF HIGHWAY 19 AND INTERSTATE 20 -DEARING PROPERTY - The Mayor opened the 2nd Public Hearing on the Dearing property annexation. City Manager, Johnny Mallory, informed the Council that Mr. Dearing has requested the annexation to include only 208 feet wide along Highway 19, next to the Priest property, and 300 feet deep as opposed to the full width of Highway 19 to Interstate 20. Guests present spoke in favor of the annexation. No one spoke against. The Public Hearing was then closed with plans to act on the annexation during the next regular meeting.

4. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 243 EAST OF THE BANK OF VAN ZANDT - HENRY LEWIS PROPERTY - The Mayor opened the 2nd Public Hearing on the Henry Lewis property annexation. Said annexation would include 47.30 acres east of the Bank of Van Zandt and bordered by the Water Treatment Plant and Highway 243. Guests present spoke in favor with no one opposed. The Public Hearing was then closed with plans to act on the annexation during the next regular meeting.
5. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO EMPLOYEE INSURANCE - Johnny Mallory asked that this item be deleted as the circumstances leading to its placement on the agenda had be clarified.
6. ADJOURN - There being no further items for discussion, the meeting adjourned at 6:47 p.m.



Richard W. Lawrence, MAYOR

ATTEST:



Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 18, 1993

The Canton City Council met at the above named date and time in the City Hall Council Chambers 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 - Councilman Ronnie Fugate
3. CONSIDERATION TO APPROVE MINUTES - John Crow made a motion to approve the minutes of the following meetings as written: April 20, 1993 Regular, May 4, 1993 Called, May 11, 1993 Called, and May 13, 1993 Called. Clifford Caviness seconded the motion and all were in favor.
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Johnny Mallory gave an oral review of the financial statements, explaining the negative balance reflected in the Water & Sewer Fund was due to the appropriate transfer not being made by the end of the month. Clifford Caviness made a motion seconded by Ronnie Fugate to approve the April 31, 1993 Financial Statements. All were in favor.
5. SWEARING IN OF MAYOR AND COUNCILMEMBERS - Swearing in of Councilmen Ronnie Fugate and Jack Etheridge and Mayor Richard Lawrence was conducted by Municipal Judge Brenda Sanford. The oath of office repeated by each.
6. ELECT MAYOR PRO TEM - Ronnie Fugate made a motion to nominate Jack Etheridge as Mayor Pro Tem. Kenneth Pruitt seconded and all

were in favor.

- 7. GUEST ITEMS - None
- 8. CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON WEST HIGHWAY 64 - RAGLE PAINT & BODY - Mr. Mallory informed the Council that Mr. Ragle's Paint & Body Shop is presently under construction just west of the Eubank Funeral Home on West Highway 64. Mr. Ragle will employ approximately fifteen (15) persons and has requested a water tap. Mr. Mallory also explained the line would have to be tied into a 2" line and require a boar under Highway 64. The project cost would be approximately \$2,800.00.

John Crow made a motion to grant a water tap at the requested location. Jack Etheridge seconded and all were in favor. The Council instructed Mr. Mallory to discuss the cost with Mr. Ragle.

- 9. CONSIDERATION AND AWARDDING OF BID FOR SEAL COATING PROJECT ON CITY AND FIRST MONDAY STREETS - Mr. Mallory explained to the Council that notice of bids was published in the newspaper as required and one bid was received from Jack Daniel Construction. Dike Construction turned in a bid late as they were verbally misinformed of the due date. No bid amount was read aloud and Kenneth Pruitt made a motion to re-bid the project. Jack Etheridge seconded and all were in favor.
- 10. CONSIDERATION OF BIDS TO PURCHASE TWO MOWING TRACTORS FOR THE PARKS DEPARTMENT - Johnny Mallory reviewed the one bid received. The bid was from R Tex Ford Tractor, Inc. for the following amounts with a lease to purchase plan available:

New FORD 5610 tractor	\$14,749.00
New FORD 1720 tractor	\$ 8,358.00
Front Weights	\$ 26.00/each
New BUSH HOG TH72/mower	\$ 1,300.00

Mr. Mallory proposed, should the Council accept the bid, the lease/purchase plan and place \$5,000.00 down. Following a brief discussion, Ronnie Fugate made a motion to accept the bid and allow Mr. Mallory to select the method of payment as allowed in the budget. Clifford Caviness seconded and all were in favor.

- 11. CONSIDER ADOPTION OF ORDINANCE ANNEXING 1.432 ACRES OF LAND LOCATED ON HIGHWAY 19 - DEARING PROPERTY - Jack Etheridge made a motion to adopt the ordinance annexing the above described property. Clifford Caviness seconded and all were in favor. The ordinance shall be numbered 93-07 and filed in accordance with the state and city annexation laws.
- 12. CONSIDER ADOPTION OF ORDINANCE ANNEXING 47.30 ACRES OF LAND LOCATED EAST OF THE BANK OF VAN ZANDT ON HIGHWAY 243 - HENRY LEWIS PROPERTY - Jack Etheridge made a motion to adopt the ordinance annexing the above described property. Ronnie Fugate seconded the motion and all were in favor. The ordinance shall be numbered 93-08 and filed in accordance with the state and city annexation laws.
- 13. DISCUSS AND CONSIDER COMMITTEE RECOMMENDATION PERTAINING TO REQUEST FROM MR. HENRY LEWIS REGARDING THE PROPERTY MARKERS LOCATED ON THE FIRST MONDAY PARK - Kenneth Pruitt informed the Council of the Committee Meeting with Mr. Henry Lewis and the Committee's proposal. Said proposal being for a 30 day trial period with the City dropping two posts and a chain, all in the same area which would allow vehicle traffic to and from the City's property to the 4,000 and 5,000 sections by showing either vendor or merchandise pick up passes. Said passages to be manned by City employees and used on Friday, Saturday, and Sunday of First Monday weekends with the hours being determined by First Monday management. Mr. Pruitt stated the Committee was in favor of this proposal in hopes of helping traffic by both vendors and shoppers. Mr. Pruitt added that should this not work, the Committee would work toward another solution. Mr. Lewis informed the Council he was in favor of the proposal with the hopes of it working so well the City would choose to drop all the posts. Mr. Lewis did express some

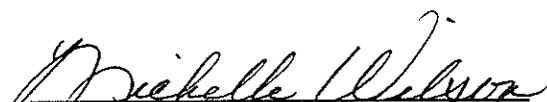
concern for the ice vendors and briefly discussed with the Council and Al Campbell which hours would be most beneficial for the vehicle traffic.

Jack Etheridge made a motion to approve the Committee's recommendation on a 30 day trial basis from 8:00 a.m. to 6:00 p.m. on Friday, Saturday, and Sunday of First Monday weekend. Clifford Caviness seconded and all were in favor.

14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS TO INCLUDE PROPOSED POLICY REGARDING A PERMIT SYSTEM FOR NIGHTLY USE OF MILL CREEK RESERVOIR - Following the Council's review and a lengthy discussion pertaining to the proposed permit policy for night use of the Mill Creek Reservoir Park, Kenneth Pruitt made a motion to have Johnny Mallory work with the Parks Committee in drawing up another proposal. Ronnie Fugate seconded and all were in favor.
 15. REVIEW OF NEW WASTEWATER DISCHARGE PERMIT - Johnny Mallory informed the Council of a letter sent to all restaurants and businesses preparing food inside the city limits pertaining to the Texas Water Commission's requirement of grease traps and pumping twice a month. Although the requirement is part of the city's new permit, Mr. Mallory had spoken with the Texas Water Commission who informed him it was not necessary for twice a month pumping of the grease traps. Mr. Mallory explained that inspections would be made to determine the frequency needed based on usage.
 16. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF CIVIC CENTER Al Campbell informed the Council that 50% of the walls have been molded and should be poured the end of the week. Some of the walls should be in place in approximately two to three weeks. He also informed the Council of his desire to discuss the rental and type of merchandise for use during First Monday weekends at the next regular meeting.
 17. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS Johnny Mallory gave a brief update informing the Council that the new water tower is presently being painted and the sewer treatment plant plans have not yet been delivered to his office.
 18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Councilman John Crow questioned the possibility of placing a rock type sign at the City Ball Park entrance off Old Kaufman Road on the embankment area. Mr. Mallory will address this recommendation with the Park Committee.
- Mr. Fuller of Site Sanitation addressed the Council with his concern that additional portable restroom units need to be placed on the First Monday Park. Mayor Lawrence asked Mr. Fuller to meet with Al Campbell regarding this matter.
19. EXECUTIVE SESSION - DISCUSSION PERTAINING TO LEASE PROPERTY AND CONTRACT OF INDUSTRIAL BUILDING - The Council retired to executive session for discussion of the aforementioned item.
 20. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened with no action taken pursuant to discussion in executive session.
 21. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:29 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 15, 1993

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: 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 May 18, 1993 Regular Meeting as written. John Crow seconded and all were in favor.
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS -Following Johnny Mallory's oral review, Clifford Caviness made a motion to accept the May 31, 1993 Financial Statements. John Crow seconded and all were in favor.
5. GUEST ITEMS - None
6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A DRAINAGE PIPE FROM GRANADA SQUARE ONTO PROPERTY OWNED BY MR. WESLEY GOODEN - Mr. Wesley Gooden addressed the Council concerning a 10 1/2 acre parcel of land owned by his family near Granada Square. Mr. Gooden and his brother have discussed developing the land and recently discovered a 24 inch drainage line 10 to 12 feet inside their property. Said drainage line was apparently laid by the city to solve a drainage problem on Granada Square. Mr. Gooden was not contacted for permission and the line has caused problems on his property as it blocks the only entrance into the property and he has been informed the appraisal of the land dropped from \$29,000 to \$9,000 based on sloping land and a now existing drainage problem. Mr. Gooden asked what plans the Council may have to rectify this problem.

Mayor Lawrence asked Mr. Gooden to allow the city time to get with an engineer to investigate the existing problem, how it developed, and possible solutions. This item will be placed on the next regular agenda and Mr. Gooden notified as soon as information is obtained by the city.

7. CONSIDER APPLICATION FOR A SOLICITOR'S PERMIT - MELODIE POTTER -The Council reviewed an application for a solicitor's permit received from Ms. Melodie Potter. Ms. Potter is requesting the permit to operate an ice cream vehicle throughout the city. Following a brief discussion, John Crow motioned to approve the solicitor's permit. Kenneth Pruitt seconded and all were in favor with the exception of Clifford Caviness who abstained. The motion carried.
8. CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON CHERRY CREEK OFF COLLEGE STREET - KELLY VANNETTA -Mr. Mallory informed the Council of the above stated request and explained there is presently a 1 1/2 inch line in the area which could be run to the property. However, he feels a 6 inch line needs to be considered in the next budget year. Mr. Mallory recommended approving the water tap.

Following a brief discussion, Ronnie Fugate made a motion to approve the request. Clifford Caviness seconded and all were in favor with the exception of John Crow who abstained. Motion carried.

9. CONSIDER PETITION RECEIVED FOR ANNEXATION OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HIGHWAY 19 AND INTERSTATE 20 - DEARING -Mr. Mallory reviewed the annexation petition explaining the property is adjacent to the property recently annexed. Ronnie Fugate made a motion to accept the petition and begin the annexation procedures. Clifford Caviness seconded and all were in favor. The public hearings shall be June 29th and July 1st at

6:30 p.m.

10. CONSIDERATION AND AWARDING OF BID FOR SEAL COATING PROJECT ON CITY AND FIRST MONDAY STREETS - The Council reviewed the two bids received for the above stated project. Bids were as follows:

Jack Daniel Construction	\$0.25/s.y. prime coat \$1.28/s.y. seal coat
Dike Contractors	\$0.25/s.y. prime coat \$1.85/s.y. seal coat

Following a brief discussion and a recommendation from Mr. Mallory, John Crow made a motion to award the bid to Jack Daniel Construction. Kenneth Pruitt seconded and all were in favor.

11. CONSIDERATION AND AWARDING OF BID FOR 8" SEWER LINE PROJECT ON INTERSTATE 20 SOUTH FRONTAGE ROAD - The Council reviewed the bids received as follows:

MCKINNEY & MOORE	\$115,339.02
A. E. SHULL	\$157,094.00
MET CONSTRUCTION	\$100,270.34
J.J. YOUNG CONSTRUCTION	\$122,165.45
MID-STATE UTILITIES	\$210,947.60
JOHN WRIGHT CONSTRUCTION	\$127,520.00
RHODE CONSTRUCTION	\$134,863.00
MAX B CONSTRUCTION	\$114,641.50
SOUTHERN MECHANICAL	\$139,743.00

Following a brief discussion, Ronnie Fugate made a motion to award the bid to the low bidder, MET Construction of Sherman, Texas, in the amount of \$100,270.34. Clifford Caviness seconded and all were in favor.

12. CONSIDERATION AND AWARDING OF BID FOR METAL AND GLASS ENTRANCE CANOPIES FOR THE CIVIC CENTER BUILDING - Bids received were as follows:

TYLER GLASS	\$42,100.00
UNISTRUT	\$61,300.00
ICM	\$38,000.00
JOHNSTON PRODUCTS	\$43,228.00
DUNNE CO.	\$40,117.00

Mr. Campbell informed the Council that the engineer was reviewing the bids and not prepared to make a recommendation at this time. This item will be placed on the June 29, 1993 Called Meeting agenda.

13. DISCUSS AND CONSIDER APPOINTMENT ON THE PLANNING AND ZONING BOARD DUE TO THE RESIGNATION OF BILL LOVEN - As a nomination was not made, Mayor Lawrence asked that this item be placed on the next regular agenda.
14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS TO INCLUDE ANY RECOMMENDATIONS FROM THE PARK COMMITTEE - Mr. Mallory informed the Council of projects under way at the Old City Park including but not limited to two sand volleyball courts, the ordering of playground equipment, three barbecue pits, and 100 grass carp. Mr. Mallory also informed the Council of one young man working on his Eagle Scout Badge who will be using his group to pour the slabs for the barbecue pits if the Council did not object. There was no opposition from the Council.
15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE TRIAL PERIOD REGARDING THE PROPERTY MARKERS AND VEHICLE ACCESS ON THE FIRST MONDAY PARK - Mr. Campbell informed the Council that trial period for the vehicle access on the grounds went fairly well over the last First Monday Weekend. He proposed extending the trial period for an additional 30 days for additional review. Kenneth Pruitt made a motion to extend the trial period an additional 30 days. John Crow seconded and all were in favor.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE PRESENT FIRST MONDAY FOOD CONCESSION POLICY - Mr. Campbell informed the Council of a First Monday vendor's, Mr. David Uzzell, concern regarding the food concession policy, the price concessions are being sold for and the development of concession chains on the grounds. Mr. Campbell voiced his concerns that the city not get involved in setting the dollar figure someone could sell their business for and recommended leaving the policy as is. The Council briefly discussed the issue agreeing to leave the policy as is with no action required.
17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRST MONDAY USE OF THE CIVIC CENTER TO INCLUDE SPACE RENTAL AND TYPE OF MERCHANDISE - Al Campbell proposed the Civic Center spaces be rented to antique vendors on First Monday weekends and outlined a proposed rate schedule for the three sizes of spaces which would be available. Said proposal as follows:

# of Spaces	Size	Rent
68	10 x 10	\$125.00
80	10 x 12	\$150.00
7	10 x 14	\$175.00

This rate schedule would generate \$21,725.00 per month, \$260,700.00 per year. Mr. Campbell also proposed taking bids on the kitchen concession.

The Council voiced their approval of the proposal and asked Mr. Campbell to present a written policy to include the manner in which merchandise would be accepted, rates, etc.

18. DISCUSS AND CONSIDER A CHANGE ORDER ON THE CIVIC CENTER FROM AN ASPHALT TO A CONCRETE PARKING LOT - Mr. Campbell presented the stated change to the Council. The concrete parking lot would cost \$38,140.00 over the asphalt however, he reminded the Council the contract came in \$150,000 under the original estimate and the additional cost for concrete would allow the project to stay under the original estimate by approximately \$120,000. Following a brief discussion, John Crow made a motion to approve the change order. Jack Etheridge seconded and all were in favor.
19. DISCUSS AND CONSIDER THE PURCHASE OF AN EXTENDED WARRANTY ON THE CIVIC CENTER ROOF - Mr. Campbell distributed information received from Industrial Construction Management pertaining to an extended warranty available for purchase on the roofing of the civic center. Mr. Campbell asked the Council to review the material as this item would need to be considered at a later date.
20. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF CIVIC CENTER Mr. Campbell informed the Council the construction of the Civic Center is presently 60 days behind schedule which would delay opening until October 1. Mr. Campbell also informed the Council that \$84,000 was budgeted as income from the civic center for this fiscal year and he feels the funds can be made up through other line items of the budget including maintenance & capital improvements, and buildings, grounds, & maintenance without decreasing the planned capital improvement projects.
21. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS
Mr. Mallory informed the Council the new water tower is to be filled in two weeks and the plans are to have it in service July 1st. The sewer project is running a little behind however, there should be no problems from this delay.
22. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Johnny Mallory asked the Council to consider an ordinance from TU Electric proposing an increase in the street rental during the June 29th Called meeting.

Kenneth Pruitt asked Mr. Campbell to investigate the possibility of an ordinance prohibiting the sale of First Monday merchandise on Wednesday preceding First Monday weekend in all areas zoned First

Monday Business District. Councilman Pruitt also asked an item concerning the old water towers be placed on a future agenda.

Ronnie Fugate requested consideration pertaining to supervision of the park employee be reviewed and placed on the next regular agenda. Councilman Fugate also asked that information be obtained from the City of Edgewood regarding their proposed ordinance regulating a \$2.00 permit fee for the use of the park.

23. EXECUTIVE SESSION - DISCUSSION PERTAINING TO LEASE PROPERTY AND CONTRACT OF INDUSTRIAL BUILDING - The Council retired to executive session for discussion of the aforementioned item.
24. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened at 7:50 p.m. with no action taken pursuant to discussion in executive session.
25. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:52 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 29, 1993

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

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
Coach Norman commented on how nice the new water tower looks and expressed appreciation for the painting of the Canton Eagle on the tower.
2. INVOCATION - Councilman Caviness
3. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HIGHWAY 19 AND INTERSTATE 20 - DEARING PROPERTY - Mayor Lawrence opened the 1st public hearing on the above mentioned property consisting of 1.591 acres of land on the southeast corner of Highway 19 and Interstate 20. No one was present to speak in favor or against the annexation. Mayor Lawrence closed the public hearing calling the next hearing for Thursday, July 1, 1993, at 6:30 p.m.
4. DISCUSS AND CONSIDER AN ORDINANCE AMENDING THE PRESENT TU ELECTRIC FRANCHISE ORDINANCE - Steve Winston of TU Electric addressed the Council requesting their adoption of an amendment to the franchise ordinance. Said amendment would increase the franchise fee from TU Electric to 4% and would require the city to absorb their own legal fees should the city desire to challenge future TU Electric rate increases.

Following a brief discussion, the Council chose to table this item until the regular meeting, July 20, 1993.

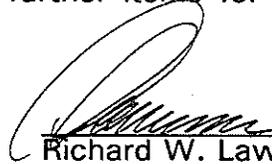
5. DISCUSS AND CONSIDER APPLICATIONS FOR SOLICITOR'S PERMITS:
 - A. BOB LANGFORD - JIMCO ROOFING, INC.
 - B. WESLEY J. ROEPKE - EDUCATIONAL AIDS & RELIGIOUS BOOKS

The Council reviewed the two above stated applications for solicitor's permits. Following a brief discussion, Kenneth Pruitt made a motion to deny both requests. Clifford Caviness seconded and all were in favor.

6. CONSIDERATION AND AWARDED OF BID FOR METAL AND GLASS ENTRANCE CANOPIES FOR THE CIVIC CENTER BUILDING - Al Campbell reviewed the bids previously opened and discussed the availability of canopies constructed somewhat differently than the original specifications. The alternate canopies could possibly save the city \$15,000 and would meet safety and durability requirements. They would also lower future maintenance costs.

Following a brief discussion, Kenneth Pruitt made a motion to approve a change order to negotiate with the low bidder, ICM, in obtaining the different canopies. Should this not be possible, motion to include authorizing Al Campbell to re-bid the project using the new specifications. Clifford Caviness seconded and all were in favor.

7. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:09 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., THURSDAY, JULY 1, 1993

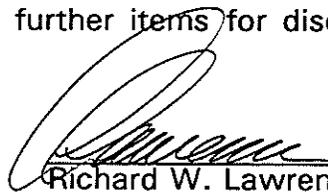
The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Lawrence presided and members present were Clifford Caviness, Ronnie Fugate, John Crow, and Jack Etheridge. Kenneth Pruitt was absent.

Discussion and action were as follows:

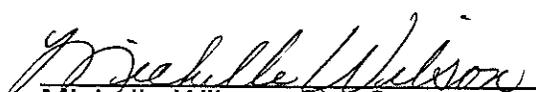
1. MAYOR'S WELCOME - Mayor
2. INVOCATION - Councilman Ronnie Fugate
3. 2ND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HIGHWAY 19 AND INTERSTATE 20 - DEARING PROPERTY - Mayor Lawrence opened the 2nd Public Hearing on the above mentioned annexation. There was no one present to speak in favor or against the annexation. Mayor Lawrence then closed the Public Hearing.

An annexation ordinance on the above stated property will be considered during the next regular council meeting, July 20, 1993.

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


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 20, 1993

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: 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 - Kenneth Pruitt made a motion to approve the minutes of the following meetings as written, June 15th Regular; June 29th Called; and July 1st Called. Clifford Caviness 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 June 30, 1993 Financial Statements. Clifford Caviness seconded and all were in favor.
5. GUEST ITEMS - Residents from Dodson Street presented the Council with a petition requesting street and drainage repairs. The residents spoke in length regarding the poor drainage, ditches, speeding, and depleting street due in part to the garbage trucks, as well as increasing traffic. Mayor Lawrence and Johnny Mallory discussed with the group the eventual necessity of curb and gutter to properly repair Dodson as well as the high cost of such a project. Mayor Lawrence informed the group the Street Committee and engineers would be making studies of the city streets and present recommendations for the upcoming budget year; however, he could not guarantee Dodson would or would not be one of the priorities. He did ask the group to allow Mr. Mallory, the Street Committee, and engineer to review the area to find "quick-fix" solutions in diverting the water until more in depth steps could be taken. Mayor Lawrence also informed the group of residents the City would review the speed limits on Dodson. Mayor Lawrence asked that this item be placed on the next regular agenda.
6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A DRAINAGE PIPE FROM GRANADA SQUARE ONTO PROPERTY OWNED BY MR. WESLEY GOODEN -Johnny Mallory informed the Council of his contact with Mr. Gooden. Mr. Mallory proposed continuing the present pipe on through the property and connecting it to an existing culvert. Mr. Gooden was not satisfied with this proposal and stated he wanted the pipe removed. Mayor Lawrence asked any action be postponed until which time Mr. Gooden desired to speak to the Council as he was not present.
7. DISCUSSION PERTAINING TO A COMPLAINT REGARDING AN AMBULANCE CALL ON JUNE 22, 1993-JOHN HIGGINBOTHAM - This item was not discussed as Mr. Higginbotham was not present.
8. CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON COUNTY ROADS 2201 & 2206 - MILL CREEK - GENNY CALDERAS - Mr. Mallory briefly discussed the aforementioned request for a 3/4" meter. He stated that he nor Gil Coil had any objections with the request being granted. Ronnie Fugate made a motion to allow the tap. Clifford Caviness seconded and all were in favor.
9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO EXISTING WATER TOWERS - MARGARET WYNN MEMORIAL GARDEN CLUB - Mrs. Helene Sehr, representing the Margaret Wynn Memorial Garden Club and the Chamber of Commerce Area Improvement Committee, presented a petition to the Council of persons interested in seeing the water tower located over the police department saved and maintained as an historical marker. The Council and Mr. Mallory expressed their desire in the same however, discussed the primary problem being the paint on the tower containing lead. Mr. Mallory briefed the group on the steps which would be required by State agencies including a drape tent to keep any paint from penetrating the ground during sandblasting and re-painted, appearing to be a very expensive project. Mayor

Lawrence informed the group that the City would obtain prices and additional information before the next regular meeting to further discuss the possibilities of keeping the tower.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE TRIAL PERIOD REGARDING THE PROPERTY MARKERS AND VEHICLE ACCESS ON THE FIRST MONDAY PARK - Mr. Campbell proposed maintaining status quo as there have not been any problems to date with the agreed upon terms. Council was in agreement to maintain the present procedures until which time further review is required.
11. CONSIDER ADOPTION OF ORDINANCE ANNEXING 1.591 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF HWY 19 AND INTERSTATE 20 -Kenneth Pruitt made a motion to adopt the following ordinance annexing the above described property:

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

Jack Etheridge seconded and all were in favor. The ordinance shall be numbered 93-10 and filed in accordance with annexation laws.

12. DISCUSS AND CONSIDER ADOPTION OF ORDINANCE AMENDING THE PRESENT TU ELECTRIC FRANCHISE ORDINANCE - Mr. Steve Winston of TU Electric reviewed the proposed ordinance with the Council. Mr. Winston explained, should the ordinance be approved, TU would increase the franchise rate to 4% and the City of Canton would then be responsible for their own intervention ratecase expenses. Mr. Mallory discussed his request of TU that should the City adopt said ordinance and another city obtain a "better deal" by holding out on adopting a similar ordinance, the City of Canton have the same opportunity. He also briefly discussed the fact of the City of Canton being one of the least expensive city's for TU to operate due to TU not paying an ad valorem tax and the upcoming rate increase by TU.

Kenneth Pruitt made a motion to adopt the following ordinance:

AN ORDINANCE AMENDING THE EXISTING FRANCHISE BETWEEN THE CITY AND TEXAS UTILITIES ELECTRIC COMPANY TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY TEXAS UTILITIES ELECTRIC COMPANY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Clifford Caviness seconded and all were in favor with the exception of Ronnie Fugate who opposed. The motion carried and said ordinance shall be numbered 93-09 and filed in accordance with the law.

13. DISCUSS ALL MATTERS PERTAINING TO THE HILLCREST CEMETERY -Councilman Fugate, individually and on behalf of Canton residents, expressed his appreciation to Johnny Mallory for the clean-up and maintenance of Hillcrest Cemetery.

Mrs. Mary Wages also complimented the recent work to the cemetery and discussed the need of the sign to be renovated and pillars repaired.

14. DISCUSS AND CONSIDER APPOINTMENT TO THE PLANNING AND ZONING BOARD DUE TO THE RESIGNATION OF BILL LOVEN - This item shall appear on the next agenda as no nominations were made.
15. DISCUSSION AND CONSIDERATION PERTAINING TO TRIAL PERIOD OF THE ADDITIONAL POLICE DEPARTMENT DISPATCHER - Police Chief Hoss Williams addressed the Council requesting the temporary dispatcher they approved three months ago on a trial basis be hired on permanent. Chief Williams discussed the liability problems when an

unqualified person is dispatching 911, primarily speaking of himself or one of his officers when having to fill in for the dispatchers. Mr. Mallory stated his primary concern in hiring a full time employee was the fact that the funds are not available in this fiscal year budget. Following a brief discussion, Kenneth Pruitt made a motion to extend the trial period of the additional part-time dispatcher to October 1, 1993, at which time the part-time position will become full-time. Jack Etheridge seconded and all were in favor.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FIRST MONDAY BRONZE MONUMENT - Ronnie Fugate introduced Mr. Harry Elmore and presented Mr. Elmore's miniature design of the bronze monument. Mr. Elmore could produce replica's of the original design which could be sold more as souvenirs at an affordable price of approximately \$30.00. Revenues from the sale of the miniatures could be used to complete the lifesize monument originally planned.

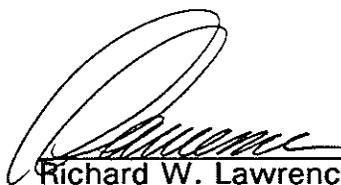
Councilman Fugate asked for the Council to inform him as to whether they were in favor of pursuing this matter. Several members from the audience spoke in favor of the miniatures and the lifesize monument. Following additional discussion, the Council agreed that the next step should be to meet with Mr. John Fincher regarding the rights of creation.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS TO INCLUDE ANY RECOMMENDATIONS FROM THE PARK COMMITTEE - Johnny Mallory gave a brief update regarding the progress at the parks. He informed the Council that the new playground equipment should be arriving soon and the grass carp have been placed in the Old City Lake. A new piece of equipment has arrived, which will be used in weeding out lilly pads at both the Old City Lake and the swimming area at Mill Creek Reservoir.

18. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CIVIC CENTER TO INCLUDE CONSTRUCTION AND WRITTEN POLICY FOR FIRST MONDAY USE - Al Campbell reviewed his proposal packet with the Council which included a letter to interested vendors, regulations regarding the use of the Civic Center during First Monday weekends, and a vendor application. The Council discussed at length the potential problems with restricting the use to only antiques during First Monday weekends and the selection process. Kenneth Pruitt made a motion to approve Mr. Campbell's recommendations. Ronnie Fugate seconded the motion and all were in favor.

Mr. Campbell then updated the Council on the progress of reconstructing the H & T area of the First Monday Park.

19. DISCUSSION AND UPDATE PERTAINING TO WATER AND SEWER IMPROVEMENTS Johnny Mallory gave a brief update regarding the above mentioned items. He informed the Council the water tower would be ready for use during the next week.
20. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - The Council had no additional items for future agendas.
21. EXECUTIVE SESSION - The Council retired to executive session at 9:25 p.m. to discuss the following items.
- A. DISCUSSION PERTAINING TO PERSONNEL MATTERS
 - B. DISCUSSION PERTAINING TO LEASE PROPERTY - INDUSTRIAL SITE
22. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - Upon reconvening to open session at 10:04 p.m., Kenneth Pruitt made a motion to serve eviction notice from the industrial building to Villy D'Jerf, DBA Danaplex, for non-payment of rent. Clifford Caviness seconded and all were in favor.
23. ADJOURN - There being no further agenda items, the meeting adjourned at 10:05 p.m.



Richard W. Lawrence, MAYOR

ATTEST:



Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 10, 1993

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 members present were Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge. Clifford Caviness was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence
2. INVOCATION - Councilman Fugate
3. DISCUSS AND CONSIDER APPOINTMENT TO THE PLANNING AND ZONING BOARD - Following a brief discussion, Ronnie Fugate made a motion to appoint Mike Trice to the Planning and Zoning Board upon Mr. Trice's acceptance. Kenneth Pruitt seconded and all were in favor.
4. BUDGET WORKSHOP - Johnny Mallory discussed the present year's budget explaining there will be a shortfall in budgeted revenue in both Sales Tax and First Monday. Sales taxes have not increased as projected, being approximately \$85,000 to \$90,000 short and First Monday revenues will be short \$84,000 due to the delay in opening the Civic Center. Mr. Mallory explained the current budget is presently in good shape only because some of the major budgeted expenditures had not been done this fiscal year. First Monday cut back on some improvements and the improvements to Curry and Curry Lane have not been done. He did inform the Council that the engineering fees for Curry and Curry Lane had been paid as well as the pipe had been purchased for the water line. The major work will cost approximately \$100,000 to \$150,000.

Mr. Mallory further explained that his preliminary work on the new budget, accounting for mandatory expenditures, such as salaries, supplies, taxes, etc. would allow approximately \$300,000 for the Council to allocate. He discussed the Police Department's needs of a new vehicle, communication equipment, an possibly and additional officer. He also informed the Council that his calculations in the new budget included a 5% employee pay increase and 15% group health insurance rate increase, stating he needed to know if the Council was not in favor of this so the expenditure increase could be reallocated. The Council did not speak in favor or against said expenditures.

The Council also discussed what funds would be available for street improvements, obtaining rates should they desire to increase liability insurance, and contingency funds.

5. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:15 p.m.



Richard W. Lawrence, MAYOR

ATTEST:



Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 17, 1993

The Canton City Council met at the above named dated 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 - Councilman Ronnie Fugate
3. CONSIDERATION TO APPROVE MINUTES - Ronnie Fugate made a motion to approve the minutes of the July 20, 1993 regular meeting and the August 10, 1993 called meeting as written. Clifford Caviness 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 July 31, 1993 Financial Statements. Ronnie Fugate seconded and all were in favor.
5. GUEST ITEMS - None
6. DISCUSS AND CONSIDER A RATE INCREASE REQUEST FROM LAIDLAW WASTE SYSTEMS - Mr. Jeff Johnson of Laidlaw addressed the Council requesting a rate increase due primarily to regulations involved in Subtitle D which require extensive funds to be spent in operating their landfill. Residential rates would be increased by \$1.25, 0.13 for operational costs and 1.12 for landfill costs.

The Council questioned Mr. Johnson regarding smaller trucks to be used in Canton to prevent extensive street damage. Mr. Johnson explained that three smaller new trucks are presently being designed and will be available to Laidlaw by December, 1993. Mr. Johnson further committed that by December 1, 1993, Laidlaw will have one of the smaller trucks on the Canton streets and if not, the City could withhold the operational increase. Mr. Johnson further stated that failure to grant the rate increase would be a violation of the contract giving Laidlaw an out.

John Crow made a motion to grant the rate increase in consideration of the commitment from Laidlaw regarding smaller trucks. Jack Etheridge seconded and all were in favor with the exception of Kenneth Pruitt who opposed. Motion carried.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS - Johnny Mallory informed the Council of the engineer's recommendation following a review of Dodson Street. Engineer Neil Velvin's being the same as Mr. Mallory's previous recommendation to run the water through an underground culvert west to a stock pond on the Keaton property. When it is feasible to construct curb and gutters, the water could be run to Old Kaufman. Mr. Joe Graves, a property owner at 263 Dodson, questioned the proposed location of a culvert and stated he did not want the culvert on his property.

Jack Etheridge made a motion to instruct Johnny Mallory to obtain the necessary easements and permission from Mr. Keaton for the drainage solution. Kenneth Pruitt seconded and all were in favor.

Mr. Gerald Reese addressed the Council with appreciation for the recent seal coating on Dodson Street. He also expressed concern regarding the still loose gravel and asked the City to return with a roller. Mr. Mallory explained the need of curing for a few more days before brushing the rocks.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO DOWNTOWN WATER TOWER - Mr. Mallory explained that the estimated cost for restoration of the water tower cannot be obtained until the tower is empty. The City is presently preparing to drain all three old towers and should be able to get prices by the next regular

meeting.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CIVIC CENTER CONSTRUCTION - Al Campbell explained the present problem with the installation of the roofing material. The installation was stopped 10 days ago to investigate the problem. Following review, it was discovered the roofing was being installed improperly. The previously installed roofing will have to be removed and properly installed. This work should begin next week. Mr. Campbell explained the opening has now been delayed approximately three weeks with a tentative opening date now set for November 1, 1993.
10. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE PERTAINING TO PUBLIC SPEAKING - The Council reviewed a proposed ordinance with explanation from Police Chief Hoss Williams pertaining to street preaching outside the main gate at First Monday. The police department receives numerous complaints from the businesses in the area who do not wish to listen to the loud preaching all weekend. Pastor Rudy Ray of Palestine informed the Council that his group was not wishing to create problems and would gladly move to the other corner where they would not be speaking directly into a business front.

Mayor Lawrence and Councilman Fugate both expressed concern of any type of ordinance which takes away constitutional rights. With no motions made, the issued died.

11. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE PERTAINING TO THE DEVELOPMENT OF SUBDIVISIONS - Johnny Mallory informed the Council of the need for an ordinance pertaining to development of subdivisions within the City. He explained the need of such development without causing undue hardships on the developer while protecting the City's interest in regards to streets, curbs, gutters, etc.

Mrs. Mary Pitts briefly discussed a subdivision she and her husband would like to develop on 20 acres located on South Cherry Creek. Presently, they wish to sell 7 lots across the front of the property using the existing street, Cherry Creek. Future plans would include constructing a street into the subdivision.

The Council desired further time to review the proposed ordinance and requested this item be carried to the next meeting.

12. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE PERTAINING TO GREASE TRAPS - Johnny Mallory reviewed the proposed ordinance reminding the Council of the requirement in the City's Waste Water Treatment Plant permit of grease traps in restaurants. He explained the proposed ordinance pertains to restaurants, industries, etc. who discharge waste into our sewer system. The ordinance would give the City authority to require the installation of grease traps in restaurants or any business producing certain amounts of grease.

Following a brief discussion, Ronnie Fugate made a motion to adopt the following ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS REGULATING DISCHARGES INTO PUBLIC SEWERS AND SANITARY SEWERS; PROVIDING FOR DEFINITIONS OF TERMS USED IN ORDINANCE; PROHIBITING THE DISCHARGE TO PUBLIC SEWERS OF ANY WASTE WHICH MAY INJURE WASTEWATER TREATMENT FACILITIES OR PROCESSES OR HUMANS OR ANIMALS; PROHIBITING DISCHARGES CONTAINING FLUORIDES, CERTAIN FLAMMABLE LIQUIDS, SOLIDS OR GASES, SUBSTANCES CAUSING EXCESSIVE CHEMICAL OXYGEN DEMAND, STRONG ACID, PICKLING WASTES OR CONCENTRATED PLATING SOLUTIONS, CERTAIN CONCENTRATIONS OF FATS, WAX, GREASE OR OILS, AND OTHER TOXIC SOLIDS...

Clifford Caviness seconded the motion and all were in favor. The ordinance shall be recorded under Ordinance #93-11 and published as provided by law.

13. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - John Crow asked that items

pertaining to restricting vehicular traffic at Mill Creek Reservoir be placed on the next agenda as well as swimming in the boat ramp.

Ronnie Fugate asked that matters pertaining to vehicle parking on the right of way of Highway 64 be placed on the next regular agenda. Councilman Fugate also asked Mr. Mallory to contact Ms. Phillips regarding her driveway, have ditch at Elm and Big Rock dipped out, and notify different persons in violation of the junk car ordinance.

14. EXECUTIVE SESSION - The Council retired to executive session at 8:50 p.m. for discussion with Mr. Villy D'Jerf regarding the industrial building lease. The Council also discussed other Industrial Site property lease matters.
15. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened into open session at 9:30 p.m. Kenneth Pruitt made a motion to lease approximately one and one-half (1 1/2) acres at the industrial site to Dr. Bill Bone and Lloyd Shinn, Jr. for a radio station. Amount of lease being \$200.00 per month. Ronnie Fugate seconded and all were in favor.

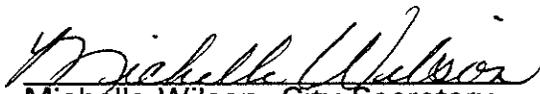
Jack Etheridge made a motion to delay the eviction of Danaplex, Inc. from the Industrial Building upon the following conditions:

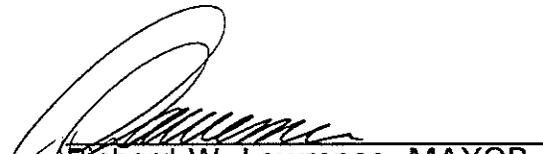
- 1) Danaplex, Inc. shall continue to pay \$500.00 per week toward the monthly rent to the City of Canton.
- 2) Beginning September 1, 1993, Danaplex, Inc. shall pay rent in the amount of \$2,420.00 per month to the City of Canton. Said amount may be paid weekly, calculated in equal payments by the number of weeks in said month.
- 3) Beginning September 17, 1993, Danaplex, Inc. shall pay an additional \$500.00 minimum per month to be applied to back-rent due the City of Canton. The minimum addition of \$500.00 per month shall be in excess of the \$2,420.00 per month.
- 4) Should conditions 1, 2, and 3 be met during a period beginning September 1, 1993, through December 17, 1993, the City of Canton shall then meet with Mr. Villy D'Jerf of Danaplex, Inc. to negotiate an increase in monthly payments toward the back-rent outstanding at that point. However, should Danaplex, Inc. fail to comply with any of the above conditions, there will be no further negotiations and Danaplex, Inc. shall be immediately evicted from the premises.

Kenneth Pruitt seconded the motion and all were in favor. Mr. Mallory shall have a written document outlining the conditions signed by Mr. D'Jerf.

16. ADJOURN - There being no further items for discussion, the meeting adjourned at 9:35 p.m.

ATTEST:


Michelle Wilson, City Secretary


Richard W. Lawrence, MAYOR

**CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 24, 1993**

The Canton City Council met at the above named date and time for a Called Meeting 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 - Councilman Ronnie Fugate
3. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE PERTAINING TO THE DEVELOPMENT OF SUBDIVISIONS - Johnny Mallory asked the Council to thoroughly review the proposed ordinance and decide what should be required in developing subdivisions, reminding them that an ordinance which is too restrictive could halt future development and one which is not restrictive enough could cause the City to inherit poor streets, utilities, drainage, etc.

Mrs. Pitts informed the Council that she and her husband are not necessarily interested in developing a full subdivision at this time, however, they do need to know how wide the Council requires Cherry Creek to be for the placement of curbs on the frontage lots they are wishing to sell as soon as possible. Mrs. Pitts reviewed her preliminary plat with the Council and discussed utilities and easements. Although, the Council could not require any particulars due to the lack of an ordinance, they did ask the Pitt's cooperation in establishing Cherry Creek as a 42 foot street when planning their curbs and requested future plans to include a 32 foot street into the subdivision off Cherry Creek.

Mayor Lawrence will be appointing a committee to review the proposed subdivision ordinance. Said committee will make recommendations to the Council prior to any passage.

4. DISCUSS AND CONSIDER AWARDED BID FOR THE CIVIC CENTER HEATING AND AIR CONDITIONING - This item was postponed until the next meeting.
5. DISCUSS AND CONSIDER AWARDED BID FOR THE CIVIC CENTER ELECTRIC AND LIGHTING - This item was postponed until the next meeting.
6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS TO INCLUDE A PROPOSAL FOR RESTRICTING TRAFFIC AT MILL CREEK RESERVOIR - John Crow informed the Council of a possible solution pertaining to vehicle access at Mill Creek Reservoir during night hours. Mr. Crow proposed placing a split gate, one side for entrance which could be locked at a given time, the other side to be an one-way exit gate, ground device. He explained the night fishermen which would already be on the lake would be able to exit anytime during the night, however, vehicle entrance would be restricted to those with keys, such as the property owners and police department. Councilman Crow also discussed the increased vandalism at the Mill Creek Reservoir and the dangers of persons swimming in the boat dock. Contact had been made with the homeowners in the area in the past when restricting traffic had been discussed. The homeowners were in favor of working with the City in locked gates if necessary.

Kenneth Pruitt made a motion to purchase and install the gates proposed by Councilman Crow. Ronnie Fugate seconded and all were in favor with the exception of Jack Etheridge who opposed. Motion carried.

7. BUDGET WORKSHOP - Johnny Mallory reviewed proposed budget figures with a projected revenue of \$4,368,200.00 and projected expenditures of \$4,284,545.00 leaving a surplus of \$83,655.00. Mr. Mallory informed the Council that the proposed budget does not include any raises, projects only \$200,000 for capital improvements to streets, includes new communication equipment and one new vehicle for the police department, however, does not include an additional

officer, and does not include any revenue other than estimations for First Monday use for the civic center as there is no history to project from.

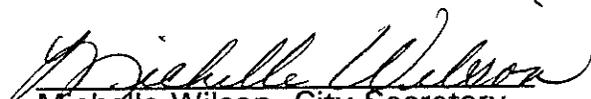
Councilman Fugate expressed his desire to have Police Chief Williams address the Council to discuss his request of an additional officer. The Council also asked Mr. Mallory to determine what kind of water & sewer rate increase would be required to self-support the water and sewer department.

The next budget workshop was scheduled for Tuesday, September 2, 1993, at 6:30 p.m.

8. ADJOURN - The meeting adjourned at 8:10 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 31, 1993

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: 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. BUDGET WORKSHOP - Discussion was held concerning the present water rates and the estimated revenue should water rates be increased. The Council asked Johnny Mallory to calculate different water rate increase amounts into the budget for the next workshop.

Police Chief Hoss Williams requested the Council consider hiring another full time officer for the police department. Chief Williams discussed Canton's planned growth and present crime index. Johnny Mallory informed the Council that the cost of another officer would be approximately \$30,000. He further stated that he has a hard time justifying another officer and feels the hiring of one could possibly wait until the planned growth actually takes place.

Following a brief discussion, the Council asked Mr. Mallory to present a proposed budget including an additional officer. They asked him to calculate the cost of an officer for the full year and another calculation should the hiring be done 6 months into the fiscal year.

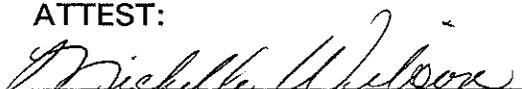
Gil Coil informed the Council of equipment needs. Mr. Mallory agreed and stated the funds proposed in the budget should be enough for the needed purchases.

Mr. Mallory also informed the Council of a proposal to tear down the three water towers. The cost being approximately \$8,000 each to tear down and not more than \$20,000 to renovate the downtown tower.

4. ADJOURN - There being no further items for discussion, the meeting adjourned with the Mayor calling the next meeting for Tuesday, September 14, 1993.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 14, 1993

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: 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. CONSIDER APPROVAL OF PLAT FOR PHASE I OF PITTS SUBDIVISION - Mayor Lawrence informed the Council that although there is not a city ordinance in place to actually govern the proposed plat, the plat must be approved to become a matter of record for recording in the County Plat Records. The plat included the development of six (6) lots fronting South Cherry Creek, covering just under three (3) acres.

Kenneth Pruitt made a motion to approve the plat for Phase I of the Pitts proposed subdivision. John Crow seconded and all were in favor. The required signatures were then made for recording in the County Plat Records.

4. DISCUSS AND CONSIDER AWARDDING BID FOR THE CIVIC CENTER HEATING AND AIR CONDITIONING - The Council reviewed the bids received for the Civic Center Heating and Air Conditioning which were as follows:

Cole A/C	\$ 76,640.00
John Cook	\$ 59,700.00
I.C.M.	\$ 82,113.00
C.A. Wood	\$ 72,420.00
Pat Reed	\$138,698.00 (combined to include bid for electric and lighting)

Al Campbell informed the Council that Mr. John Carver, Consulting Engineer, had reviewed the low bid submitted by Mr. Cook, and recommended awarding same. Following a brief discussion, Ronnie Fugate made a motion to award the bid to John Cook for the amount of \$59,700.00. Clifford Caviness seconded and all were in favor.

5. DISCUSS AND CONSIDER AWARDDING BID FOR THE CIVIC CENTER ELECTRIC AND LIGHTING - The bids received for the Civic Center electric and lighting were as follows:

K W Electric	\$ 60,700.00
Les Cook	\$ 58,235.00
MET Construction	\$ 99,990.00
Pat Reed	\$138,698.00 (combined to include bid for heating and air conditioning)

Al Campbell informed the Council of Mr. Carver's recommendation to award the bid to Les Cook. Following a brief discussion, Ronnie Fugate made a motion to award the bid to Les Cook for the amount of \$58,235.00. Clifford Caviness seconded and all were in favor.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO SOLID WASTE DISPOSAL DISTRICT - Johnny Mallory and Al Campbell updated the Council of the Van Zandt County Waste Disposal District's (VZWDD) immediate plans for the management of solid waste disposal. Mr. Mallory explained the City of Canton should stop accepting waste at the City's landfill by October 1, 1993. The VZWDD would like to place a transfer station at the city's landfill location and probably keep it open only 3 or 4 days a week. Mr. Campbell explained the competitive bidding requirements on the VZWDD and the lack of time to meet these requirements before the need of a transfer station, however, the VZWDD is allowed to take over the management of an existing operation. Mr. Mallory explained the VZWDD would like to enter into an agreement with the City of Canton for the City to contract the transfer station through the city's existing contract with

Laidlaw, keep an employee on duty during operating hours, and maintain records which would allow the VZWDD to reimburse the City, hopefully the majority of the cost for an employee. Any excess revenue derived from the use of the transfer station would be paid to the Waste Disposal District. Excess revenue to be considered the revenue available after the contract agreement amount is paid to Laidlaw Waste Systems. The Waste Disposal District's plan is to take over the operation of the transfer station at a later time and to place others throughout the County. Mr. Mallory and Mr. Campbell stated this was the most immediate cost efficient means for the city due to the city's waste disposal needs for waste collected on the First Monday Park each month.

Mr. Mallory requested the Council's permission to negotiate necessary contracts with Laidlaw and the Van Zandt County Waste Disposal District to install, open, and manage a transfer station to be located at the City of Canton's landfill site. Jack Etheridge so moved. John Crow seconded and all were in favor.

7. **DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A RESOLUTION PASSED BY THE CANTON CITY COUNCIL ON SEPTEMBER 29, 1972** - Mayor Lawrence informed the Council the aforementioned resolution was apparently signed when efforts were made by the City of Canton to acquire property and easements for the new city lake, Mill Creek Reservoir. Question has been made regarding a twelve foot, all weather, road which the City agreed to construct and maintain from the end of the present road to the Douthit Family Cemetery. Mayor Lawrence instructed the Council that no action was needed at the present time as legal counsel is investigating the resolution and records to determine the City of Canton's responsibilities.
8. **BUDGET WORKSHOP** - The Council reviewed a proposed budget for the 1993-1994 fiscal year. Projections reflected revenues of \$4,368,200.00 and expenditures of \$4,310,785, leaving a surplus of \$57,415.00. Johnny Mallory informed the Council the proposed figures did not include any revenues which would be derived should a water rate increase be adopted. He further reviewed the primary expenditures and changes from the 1992-1993 budget including as follows:

Overall, utility expenditures in each department reflect a 15% increase due to TU Electric's 15% rate increase. Projections to maintain present operations and services including number of employees, no pay increases, present retirement and health insurance benefits, mandatory supplies needed to operate offices and water and sewer plants, equipment maintenance, etc.

Primary changes by department were as follows:

GENERAL FUND: Revenue included a transfer of \$493,379.00 from First Monday. Police Department to include an additional full time dispatcher which was voted on at an earlier meeting, equipment to include a repeater and one vehicle, and an additional police officer to be hired 6 months into the fiscal year. Mr. Mallory informed the Council that should they desire to hire the additional officer at the beginning of the fiscal year, expenditures would be increased by approximately \$13,900.00. The Park Department capital expenditures were projected at \$30,000.00 as opposed to \$49,000.00 in the 1992-1993 budget. The Street Department capital expenditures also decreased from \$372,000.00 to \$212,000.00.

WATER AND SEWER DEPARTMENT: Revenue included a transfer of \$282,539.00 from First Monday. Major expenses budgeted to include water and sewer lines in the Curry Addition, sewer line on the Interstate 20 South Service Road and equipment to include a patch truck and a 3/4 ton pick up. Funds were also estimated for the closure cost of the landfill.

FIRST MONDAY: Primary expenditures of the aforementioned transfers as well as a transfer of \$239,617.00 to the Debt Service Fund. Capital expenditures budgeted at \$160,000.00, same as the 1992-1993 budget, to include renovation of the bandstand and continued reconstruction of existing streets.

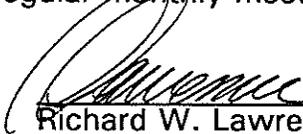
Mr. Mallory also presented projected revenues should the Council opt to increase water rates by the following amounts:

BASE RATE (1st 3,000 gallons)	PER THOUSAND GAL. OVER MIN.	PROJECTED REVENUE INCREASE
+1.00	+\$0.20	\$40,440.00
+2.00	+\$0.20	\$65,600.00
+1.00	+\$0.40	\$71,800.00

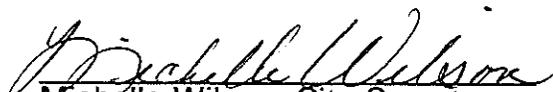
The Council discussed rate increases at length and the effect on persons using the 3,000 gallon minimum or less each month. Discussion was also held pertaining to applying a 10% penalty on bills which are paid after the 20th of each month. Some of the Council asked Mr. Mallory to project figures increasing the base amount by \$1.00 and the per thousand by \$0.30. Mr. Mallory was also asked to present figures with increases of \$1.00 for the first 3,000 gallons, \$0.20 per thousand from 3,001 to 10,000 gallons, and \$0.40 per thousand over 10,000 gallons for meters inside the city limits and those outside the city limits at one and one-half (1 1/2) the inside rates. A general census of the Councilmen reflected favor for the application of a penalty for late payments.

Mr. Mallory informed the Council that should they desire to increase water rates, an ordinance would be required and presented for consideration prior to adoption of the budget.

9. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:50 p.m. The Council will meet again Tuesday, September 21, 1993 for the regular monthly meeting.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 21, 1993

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: 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 - John Crow made a motion to approve the minutes of the following meetings as written: August 17, 1993 Regular, August 24, 1993 Called, August 31, 1993 Called, and September 14, 1993 Called. Jack Etheridge seconded the motion 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 August 31, 1993 Financial Statements. Jack Etheridge seconded and all were in favor.
5. GUEST ITEMS - None
6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE "ARE YOUR O.K.?" PROGRAM - Mayor Lawrence and Pastor Mark Moore updated the Council on Pastor Moore's progress in raising funds to purchase and install the "Are You O.K.?" computerized program to routinely check, by a telephone call, on the elderly participants in the

area. Mayor Lawrence informed the Council Pastor Moore has raised \$2,783.00 and requested the Council to consider contributing the additional \$3,000.00 needed to enable the purchase and begin the program as soon as possible. Kenneth Pruitt made a motion to contribute the additional \$3,000.00 for the program. Jack Etheridge seconded and all were in favor.

Pastor Moore stated the system could be delivered within a couple weeks and explained the next step would be gathering data needed for the input. He will bring an update to the Council at the next regular meeting.

7. DISCUSS AND CONSIDER REQUEST FROM THE TEXAS DEPARTMENT OF TRANSPORTATION PERTAINING TO VEHICLES PARKING ON EAST HIGHWAY 64 RIGHT-OF-WAYS AND HIGHWAY 198 PROJECT PLANS -Mr. Mark McClanahan, Van Zandt County Maintenance Supervisor for Texas Department of Transportation, informed the Council of right-of-way deterioration along East Highway 64 around Curry Trade Grounds due to vehicle parking. Mr. McClanahan asked the Council's cooperation in the placement of "No Parking on Right-Of-Way" signs in order to enforce the city's no parking ordinance, #89-9. He further explained that if the City would purchase the signs, the State would supply the posts and upkeep. Mr. Mallory informed the Council the signs would cost between \$300 and \$400.

Clifford Caviness made a motion to purchase the requested signs. Jack Etheridge seconded and all were in favor.

Mr. McClanahan briefly updated the Council of the State's plans to mill out and inlay South Highway 198 from the old post office site to Highway 243.

8. DISCUSS AND CONSIDER APPROVAL OF THE 1991-1992 AUDIT -Mr. Dale Hester of Hester and Hester reviewed the 1991-1992 audit with the Council. Mr. Hester explained the reduction in fund balances were primarily due to expenditures for the library and museum. He further explained there were no significant deviations from the budget as well as the opinions offered from his firm regarding internal control structure and staffing.

Jack Etheridge made a motion to approve the 1991-1992 audit. Clifford Caviness seconded and all were in favor. City Manager Johnny Mallory informed the Council Mr. Hester will begin the 1992-1993 audit immediately for presentation before the end of December, 1993.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO WATER TOWERS -Mr. Mallory informed the Council of a proposal from Superior Tank Company to remove the three towers at a cost of \$22,000. He further explained the removal of two, being the 55,000 gallon one on Tower Street and the 100,000 gallon one on Highway 19, would be \$16,000. A proposal has been received to refurbish the downtown tower for approximately \$20,000.

Mr. Mallory informed the Council that all three towers have been drained and of his concerns regarding safety should they remain in place empty of water. He requested the Council allow him to begin the dismantling of the two towers as soon as possible. He further explained that should the Council wish to pursue refurbishing the downtown tower, it would need to be filled with water following the restoration and the water would probably need to be changed periodically.

Jack Etheridge made a motion to have Johnny Mallory proceed with the dismantling of the two towers upon Superior Tank Company's furnishing of insurance. Ronnie Fugate seconded and all were in favor.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A REQUEST FROM THE VAN ZANDT COUNTY COMMUNITY THEATER - Mayor Lawrence informed the Council that the aforementioned group did not have a presentation prepared at this time. Mrs. Charlotte Currin, Vice President on the Board, did ask the Council if the Civic Center could be available to the group for rehearsals and performances. The Council discussed with Mrs. Currin and Al Campbell the possibilities and the

lack of furnishings, partitions, etc. Mrs. Currin stated the theater group could possibly provide furnishings such as chairs and partitions at the groups expense.

The Council asked Mr. Campbell to take Mrs. Currin to actually see the Civic Center and discuss the possibilities.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE POSSIBLE ADOPTION OF AN ORDINANCE INCREASING WATER RATES AND ASSESSING PENALTIES FOR LATE PAYMENTS - The Council reviewed a proposed ordinance amending Ordinance #92-9 by increasing water rates and assessing a 10% penalty on late payments received after the 20th of each month. Discussion was held pertaining to increasing the minimum of 3,000 gallons by \$1.00 with a \$0.30 increase per thousand gallons over the minimum or a graduating scale with a set increase per thousand up to 10,000 gallons and an additional increase per thousand thereafter.

Jack Etheridge made a motion to adopt the ordinance increasing the water rates by \$1.00 for the first 3,000 gallons and \$0.30 per thousand thereafter; and assessing a 10% penalty on late payments received after the 20th of each month. Said ordinance as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 92-9 PASSED BY THE CANTON CITY COUNCIL ON OCTOBER 20, 1992, BY PROVIDING FOR AN INCREASE IN THE RESIDENTIAL AND COMMERCIAL WATER RATES; PROVIDING FOR THE ASSESSMENT OF A PENALTY; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

John Crow seconded the motion and all were in favor with the exception of Kenneth Pruitt who opposed. The motion carried and said ordinance shall be numbered 93-12 and become effective on and after the November 1, 1993 utility billing.

12. PUBLIC HEARING ON 1993-1994 PROPOSED BUDGET - Mayor Lawrence opened the public hearing on the 1993-1994 proposed budget. There were no persons speaking in favor or against the proposed budget. Mayor Lawrence closed the public hearing and informed all interested parties of the September 28, 1993 Called Meeting to consider adoption of the budget.
13. CONSIDER ALL MATTERS PERTAINING TO THE LEASE PURCHASE OF A PUMPER TRUCK FOR THE CANTON VOLUNTEER FIRE DEPARTMENT - Johnny Mallory discussed the Fire Department's need of a new pumper truck and discussed one most of the Councilman were able to see a few days earlier. The price, including options needed and initiation cost of a lease, is \$127,993.00. Mr. Mallory also informed the Council of the fire insurance key rate inspection to occur in the next few months. He further explained that with the recent water improvements and the purchase of a new pumper truck, the key rate should be reduced within the \$0.40 area.

Ron Sanford of the Canton Volunteer Fire Department thanked the Council for the past and present support and briefly discussed the department's need of the truck. Following questions from the Council, Mr. Sanford discussed the number of fires the Canton Volunteer Fire Department works inside and outside the city limits, the majority of which are outside the city limits. He also discussed the amount of subsidy from the County and informed the Council of past attempts to have this subsidy increased with no action from the Commissioners.

Mr. Mallory discussed the possible financing of the truck with either a five year or seven year lease/purchase with payments not becoming due until October, 1994. Mr. Mallory recommended the lease/purchase plan with 5.8% interest and payments of \$22,765.30 per year. John Crow so moved with a second from Kenneth Pruitt. All Councilmen were in favor. Motion carried.

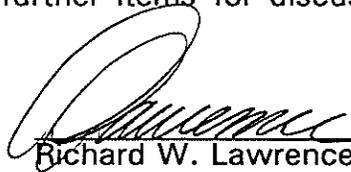
14. DISCUSS AND CONSIDER MATTERS PERTAINING TO THE POSSIBLE ADOPTION OF AN ORDINANCE ESTABLISHING AN ELECTRIC RATE CASE RESERVE ACCOUNT - Johnny Mallory reviewed a proposed ordinance received from the Steering Committee of TU Electric Service Area Cities. Mr. Mallory explained the ordinance establishes a reserve

account in which deposits would be made on an annual basis to provide a source of funding for the City's participation in ratemaking and regulatory proceedings involving Texas Utilities Electric Company. He further recommended the City set the annual deposit at a rate of \$0.10 per capita, \$300.00 per year for four years.

Ronnie Fugate made a motion to adopt the ordinance, establishing an account in which \$300.00 per year shall be deposited. Clifford Caviness seconded and all were in favor. The ordinance shall be numbered 93-13 and filed in official city records. Ordinance caption being:

AN ORDINANCE ESTABLISHING A RESERVE ACCOUNT TO PAY THE CITY OF CANTON EXPENSES IN TEXAS UTILITIES ELECTRIC COMPANY RATE CASES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

15. DISCUSSION PERTAINING TO FIRST MONDAY UPDATE - Al Campbell updated the Council on the Civic Center and stated it should be open by November's First Monday weekend, barring any substantial set-backs. He also updated the Council on the T-Section improvements and informed them the streets in this section will be seal coated prior to October's First Monday weekend.
16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FIRST MONDAY BRONZE MONUMENT - Ronnie Fugate informed the Council that the City is in the process of having a document drawn up for John Fincher to sign over copyrights of the monument to the City. He asked that the Council approve the placement of an order from Mr. Harry Elmore for 500 of the 3 inch pewter with brass overlay models once the copyright has been signed over to the City. Councilman Fugate stated that along with the order, a down payment of \$2,250.00 be required and discussed the purchase of souvenir boxes which would cost approximately \$400.00. The Council voiced no objections.
17. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Mr. Mallory asked that the agenda for the September 28th Called Meeting include discussion and consideration of recommendations from Americans with Disabilities Act Consultant Ken Berry. John Crow asked that a plan of action be established in contacting the County Commissioners to request a more fair contribution to the fire departments throughout the County.
18. ADJOURN - There being no further items for discussion, the meeting adjourned at 9:15 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 28, 1993

The Canton City Council met 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. DISCUSS AND CONSIDER RECOMMENDATIONS FROM AMERICANS WITH DISABILITIES ACT (A.D.A.) CONSULTANT KEN BERRY - Mr. Ken Berry discussed recommendations derived from his survey of City property and policies. Mr. Berry also discussed time frames in which the City of Canton must be in compliance with the A.D.A. regulations.

Items highlighted in Mr. Berry's recommendations were as follows:

Streets - He discussed the lack of compliance from the downtown area streets. His suggestions in many places were signs and railings although some ramps would be required. He also informed the Council that the city's building codes would have to be in compliance which would alleviate problems from future construction.

Facilities - City Hall: Recommendations included designating one parking space in front of building for the disabled and directly to the left of the space, install a valley type ramp for access to the sidewalk. Recommend making a unisex restroom out of one of the existing restrooms accessible to the disabled. Front door entrance door knob must be replaced with a lever handle, push-pull hardware, or other shapes which are easily grasped with one hand, and which do not require tight grasping, pinching, or twisting of the wrist.

Police Department: One parking space should be designated for Disabled and a ramp from this location into the building. The front door hardware must be replaced; the restroom is accessible with the lowering of the mirror and the wash basin according to A.D.A. guidelines.

Mr. Berry informed the Council the Fire Department, City Warehouse, Water Plant, and Wastewater Treatment Plant are accessible, however, he recommended the placing of "EMPLOYEE ONLY" signs at all but the Fire Department.

Senior Citizens Building: Mr. Berry recommended asphaltting at least three of the reserved disabled parking spaces and blend asphalt into the ramp to make it a smooth approach into the building. He also recommended making one of the men's restrooms, which needs only the wash basin and mirror lowered, a unisex restroom.

Communications - Mr. Berry informed the Council of the requirement for any office that receives request for service or information to be able to receive request from deaf citizens. He then recommended the City utilize a free service out of Austin, by posting a 1-800 TDD number which will relay the persons request to the City. He further recommended a statement be placed on each posted agenda informing anyone who has any impairments requesting aid at the council meetings or any public meeting to notify the City Secretary 72 hours prior to the meeting. The city must provide hand language for the deaf, braille or readers for the blinds, and special sound equipment, etc., if requested.

Van Zandt County Library - The library is in full compliance.

Blackwell House Museum - Mr. Berry informed the Council that the Blackwell House is completely out of compliance however, as it is an historical site there is some relief from A.D.A. His recommendation being to develop a slide presentation of the house which could be viewed at the library. He also discussed the possibility of installing a ramp without taking away the historical appearance.

Personnel Documents - Mr. Berry stated the city's employment application is in compliance with A.D.A. and although outdated, the personnel policy does not violate the A.D.A. guidelines. Mr. Berry did recommend the personnel policy be rewritten. He continued with the code of conduct and policies for the Canton Police Department and the Drug Free Policy all being in compliance. He also explained the Council will need to adopt an A.D.A. Grievance Policy and a Sexual Harassment Policy which he will prepare for their consideration.

Mr. Berry then briefed the Council on the job analysis completed for each position of employment with the city. He explained its use when interviewing and hiring new employees.

4. **CONSIDERATION TO ADOPT 1993-1994 BUDGET** - Following a brief discussion, Jack Etheridge made a motion to adopt the 1993-1994 budget and appropriations ordinance. John Crow seconded and all were in favor. Said budget includes revenues of \$4,426,955.00 and expenditures of \$4,310,785.00, ending with a surplus of \$116,170.00.

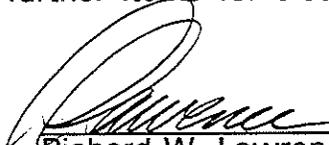
The appropriations ordinance shall be numbered 93-14 and is captioned as follows:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF CANTON FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 1993, AND ENDING SEPTEMBER 30, 1994; APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S OUTSTANDING INDEBTEDNESS; ADOPTING THE ANNUAL BUDGET OF THE CITY OF CANTON FOR THE 1993-1994 FISCAL YEAR; PROVIDING A SAVINGS CLAUSE FOR THE REPEAL OF ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.

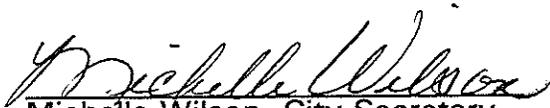
5. **CONSIDERATION OF ALL MATTERS PERTAINING TO LEVYING THE 1993-1994 TAX RATE** - Jack Etheridge made a motion to adopt an ordinance levying the 1993-1994 fiscal year city property tax in the amount of \$0.00 per \$100.00 valuation. Clifford Caviness seconded and all were in favor. Said ordinance shall be numbered 93-15 and is captioned as follows:

AN ORDINANCE LEVYING TAXES FOR ALL TAXABLE PROPERTY IN THE CITY OF CANTON, TEXAS FOR THE ENSUING FISCAL YEAR COMMENCING ON THE FIRST DAY OF OCTOBER, 1993, AND ENDING THE 30TH DAY OF SEPTEMBER, 1994.

6. **ADJOURN** - There being no further items for discussion, the meeting adjourned at 7:30 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, OCTOBER 19, 1993

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: 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 Caviness
3. CONSIDERATION TO APPROVE MINUTES - Jack Etheridge made a motion to approve the minutes of the September 21, 1993 Regular Meeting and the September 28, 1993 Called Meeting as written. Clifford Caviness 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 September 30, 1993 Financial Statements. Ronnie Fugate seconded and all were in favor.
5. GUEST ITEMS - None
6. CONSIDER ALL MATTERS PERTAINING TO PROPOSAL FOR PROFESSIONAL SERVICES - DR. HAYWOOD, COUNTRY ROADS MEDICAL CENTER - Dr. Haywood and Mr. Jack Gammel of the Country Roads Medical Center addressed the Council with explanation of the Center's services. Dr. Haywood explained the facility offers physical therapy and rehabilitation treatment. He further offered his chiropractic services at no charge to the active Canton Volunteer Firemen and Canton Police Officers. Dr. Haywood explained the offer was an act of courtesy and gesture of appreciation which he is offering to all firemen, police officers, and sheriff's department in the area.

Mayor Lawrence expressed the Council's appreciation and asked the staff to make available to Dr. Haywood a list of the active police officers and their addresses. It was agreed that Dr. Haywood would contact the Fire Chief and make arrangements to meet with the Canton Volunteer Fire Department to explain his services and present his generous offer.

7. DISCUSS AND CONSIDER REQUEST FROM MR. CLARENCE TEAGUE - 1090 S. TRADE DAYS BLVD. (S. HWY. 19) - This item was deleted as Mr. Teague was not present.
8. CONSIDER ALL MATTERS CONCERNING REQUEST FOR A DRAINAGE DITCH AT THE APARTMENTS LOCATED ON MILL CREEK RD. BETWEEN MURREY STREET AND STACEY STREET - JAMES WISBY - Mr. Wisby, Apartment Manager of the aforementioned apartments, addressed the Council concerning a drainage problem at the apartments derived from drainage from Murrey street and behind the houses on the south side of Murrey. He requested the Council dig a drainage ditch on the property and explained the property owner has asked that the City fix this problem or has instructed Mr. Wisby to place cross-ties around the property to stop the water, which would in turn create a back up on the adjoining properties.

Mayor Lawrence expressed his desire to obtain an opinion from the City's attorney regarding any liability the City would be accepting should the City approve and conduct such work on private property. Kenneth Pruitt questioned the possible drainage improvement should the City extend the present drainage ditch on Murrey Street as far as possible while staying within the City's right of way. Johnny Mallory informed the Council that Councilman Pruitt's suggestion could be done and the results evaluated. Mr. Wisby was also in favor of this attempt. No action was required as the work could be ordered by the administration.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO BRUSH COLLECTION - Mr. Mallory explained the City's present service of

offering a free curb side brush pick-up every other week for the residents. He also informed the Council that it is taking approximately three days every other week to collect all the brush and that the City is no longer able to take the brush to the landfill nor can the City burn the brush. The brush could be taken to the Citizens Collection Station, however, the charges would be greater than the City could justify. Mr. Mallory requested the Council approve the purchase of a chipper which would cost approximately \$16,000.00 to \$17,000.00.

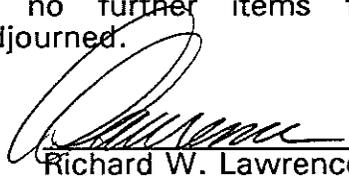
Following further discussion, John Crow made a motion to advertise for bids for the purchase of a chipper and have Mr. Mallory formulate charges and procedures for the continued brush pick up to be reviewed and considered at a later date. Kenneth Pruitt seconded and all were in favor.

Mr. Mallory informed the Council that a garbage truck must be purchased due to the cab of one recently burning beyond repair. He explained a rental or loaner would be obtained for the upcoming First Monday weekend and that a rebuilt truck could be purchased from Davis Trucking for approximately \$20,000.00 to \$22,000.00 and that Davis Trucking would give the City \$2,000.00 for the damaged truck.

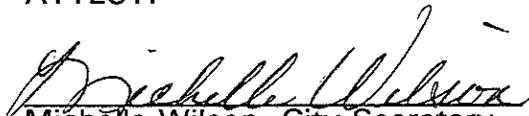
10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS - John Crow requested someone be hired to put the newly purchased playground equipment together as it had turned into a detailed project. The Council voiced no objections and Mr. Mallory will pursue this matter.
11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CIVIC CENTER - Mr. Campbell discussed recent delaying factors in the civic center construction including rain, wind, and sick days. He informed the Council that November 1st was no longer a realistic opening date.

The Council briefly discussed the name of the structure as the Mayor informed them he had been "catching flack" over the name of "Civic Center". No action was taken.

12. DISCUSSION PERTAINING TO FIRST MONDAY UPDATE - Mr. Campbell updated the Council on the completion of the T-Section ground improvements, explaining that the only item left would be the pouring of a low-water crossing which is scheduled to be done as soon as possible. He also stated the construction of the wall along Highway 19 and the seeding of the property had been done by the property owner.
13. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were no additional items requested at that time for placement on future agendas.
14. ADJOURN - There being no further items for discussion or consideration, the meeting adjourned.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, NOVEMBER 16, 1993

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: 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 - Clifford Caviness made a motion to approve the minutes of the October 19, 1993 Regular Meeting as written. Jack Etheridge seconded and all were in favor.
4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Kenneth Pruitt made a motion to approve the October 31, 1993 Financial Statements. Jack Etheridge seconded and all were in favor.
5. GUEST ITEMS - Mr. Raymond Peek addressed the Council concerning an accident he had on College Street around 6:15 a.m., October 20, 1993. Mr. Peek informed the Council of a barricade which was placed on College Street and stated there was no reflective paint, tape, or other warning sign on the barricade. He further explained it was still dark and misting rain, he did not see the barricade in time to stop, therefore he hit said barricade and a small amount of damage was done to his truck. He believed the truck repairs would not be greater than \$500.00 and felt the City would be liable. He also informed the Council that he had contacted State Agencies to find out that barricades must meet certain safety standards and he does not feel the City's barricades comply. Mr. Peek reminded the Council of the letter he had sent regarding this matter and informed the Council he had also spoken with Mr. Mallory. Mr. Mallory informed the Council the barricade was placed on College Street due to high waters across the bridge.

Following a brief discussion, the Council asked Mr. Peek to first obtain a repair estimate so that all concerned would be aware of the actual cost and informed him that the City would consult with the City Attorney regarding liability, if any, on the City's part. Mayor Lawrence instructed the staff to place this item on the next regular agenda.

6. CONSIDER REQUEST TO UTILIZE THE BLACKWELL HOUSE FOR A LITERACY PROGRAM - GRETTA DAVIS AND STEVE VESTAL - Literacy Officer, Mrs. Gretta Davis, requested the Council's permission in utilizing two back rooms of the Blackwell House for a literacy program designed to tutor persons in need of literacy assistance and basic computer skills. Mr. Steve Vestal, Chief Probation Officer, informed the Council that the probation department would furnish labor and funds for repairs to the rooms which would comply with specifications from the Blackwell House Committee.

Following a brief discussion, John Crow made a motion to allow the requested use. Jack Etheridge seconded and all were in favor with the exception of Kenneth Pruitt who abstained due to his employment with the Probation Department.

7. DISCUSS AND CONSIDER REQUEST FROM MR. JAMES WARD PERTAINING TO A DRAINAGE PROBLEM ON HILLIARD DRIVE -Mr. Ward addressed the Council explaining a problem with the drainage ditch running between his property and that of the Nursing Home. Mr. Ward informed them that the drainage ditch is eroding within nine feet of his barn foundation which is located at the back of his property. Mr. Mallory also informed the Council that the City is continuously hauling in fill dirt to the manhole area not far from Mr. Ward's barn. Mr. Mallory stated the manhole area would eventually need to be concreted. Following a brief discussion, Mayor Lawrence asked Mr. Mallory to discuss this problem with the Highway

Department and find out if the Highway Department has an easement for said drainage ditch. The Council informed Mr. Ward that upon further investigation, the City and Highway Department might be able to correct this problem through a joint effort.

8. DISCUSSION AND UPDATE PERTAINING TO THE "ARE YOU O.K.?" PROGRAM

Pastor Mark Moore informed the Council the "Are You O.K.?" program is in place and operational. A "Waiver of Release" form as been approved by the City Attorney and presently there are two persons signed up on the program. Solicitations will continue. Pastor Moore also informed the Council that the program seems to be of no extra burden on the police department dispatchers and they have caught on quickly.

9. CONSIDERATION PERTAINING TO A REQUEST FOR A 1 1/2" WATER TAP OUTSIDE THE CITY LIMITS EAST OF HIGHWAY 19 ON THE NORTH SIDE OF HIGHWAY 64 - BRUCE DAVIS - Mr. Davis addressed the Council with his request for a water tap. He explained his desire to develop a flea market on said property and asked that someday he be considered for sewer as a sewer line does run across the property. Mr. Mallory informed the Council the requested water tap would not create a problem. Jack Etheridge made a motion to grant the water tap. Clifford Caviness seconded and all were in favor.

10. CONSIDERATION OF BIDS RECEIVED FOR THE PURCHASE OF A CHIPPER -Mr. Mallory reviewed the one bid received for the purchase of a chipper. Said bid being from S & S Truck & Tractor Sales for \$17,728.00. Following a brief discussion, Jack Etheridge made a motion, seconded by Kenneth Pruitt, to accept the bid and purchase said chipper. All were in favor.

11. DISCUSS AND CONSIDER PROPOSED BUILDING RENTAL RATES -Al Campbell reviewed proposed rates for the rental of the building constructed on the First Monday grounds. Rates included fee structures for profit and non-profit organizations. The Council requested additional time to review the proposal and asked that this item be placed on the next regular agenda.

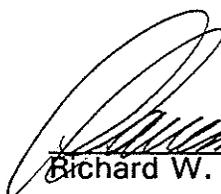
Al Campbell also informed the Council that both the engineer and contractor feel the building could open December 1st. Mr. Campbell stated he would feel more comfortable in stating the building would open sometime in December.

12. DISCUSS AND CONSIDER PROPOSAL REGARDING CHARGES AND PROCEDURES FOR THE COLLECTION AND DISPOSAL OF BRUSH - Johnny Mallory informed the Council of his discussions with other cities regarding brush collection. Following these discussions, Mr. Mallory believed a flat charge of something like \$5.00 would be the only way to charge for brush collection however, he did not necessarily want to recommend such a charge at the present time. He asked the Council to begin without a charge and review at a later date if necessary. No action was needed or taken.

13. DISCUSS AND CONSIDER APPROVAL TO PURCHASE A USED GARBAGE TRUCK -Mr. Mallory asked the Council to approve the purchase of a garbage truck due to health and safety measures following the loss of one truck last month. Mr. Mallory informed the Council of a truck for \$22,000.00 which he requested purchasing. On the grounds of public health and safety, Jack Etheridge made a motion to approve the purchase of the truck. Clifford Caviness seconded and all were in favor.

14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Several items were briefly discussed to include planned repairs to Sides Circle, promised smaller trucks from Laidlaw, possible joint venture with County to repair two and one-half blocks of College Street, and the cleaning out of drainage ditches. Councilman Fugate and Councilman Caviness asked that the December meeting be moved up to December 14th rather than the 21st due to the holidays. The Council had no objections.

15. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:00 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, DECEMBER 14, 1993

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 - Councilman Ronnie Fugate
3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the November 16, 1993 Regular Meeting as written. Jack Etheridge 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 November 30, 1993 Financial Statements. Ronnie Fugate seconded and all were in favor.
5. GUEST ITEMS - Police Chief Hoss Williams publicly commended Officer Mike Echols for his actions in a recent pursuit which led to the capture of murder suspects. Chief Williams asked the Council to consider drafting a letter of commendation to be placed in Officer Echols' personnel file. Mayor Lawrence so directed.
6. DISCUSS AND CONSIDER REQUEST FROM JAMES WARD PERTAINING TO A DRAINAGE PROBLEM ON HILLIARD DRIVE - Johnny Mallory informed the Council of his discussion with the Highway Department pertaining to this matter. The Highway Department stated they could not assist. Mr. Mallory added that the City Attorney is reviewing the matter as to the liability assumed by the City should the City make improvements on private property.

The Council asked that this item be placed on the January agenda.

7. CONSIDER ALL MATTERS PERTAINING TO REQUEST FROM RAYMOND PEEK CONCERNING VEHICLE DAMAGES - Mayor Lawrence informed the Council that this item was also referred to the City Attorney. Mr. Mallory stated the City Attorney asked that a claim be filed with the City's insurance carrier. This was done and no response has been received to date. This item will be placed on the next regular agenda.
8. CONSIDER A PETITION FOR ANNEXATION RECEIVED FROM ARCHIE AND RUBY SCROGGINS - Mr. Mallory informed the Council of the Scroggins' property being located on the corner of Curry Lane and Cherry Creek. He added the property presently has city water and the would like to annex primarily in order to obtain city sewer. Ronnie Fugate made a motion to accept the petition and begin annexation proceedings. Clifford Caviness seconded and all were in favor. Public Hearings will be held in January.
9. CONSIDER APPLICATION FOR SOLICITORS PERMIT RECEIVED FROM DIANE STOKER - Mr. Mallory informed the Council of Ms. Stoker's

request to sell insurance in residential areas. Kenneth Pruitt made a motion to deny the request. John Crow seconded and all were in favor.

10. CONSIDER THE ADOPTION OF AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE STATE OF TEXAS AND THE CITY OF CANTON FOR THE INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTION OF HIGHWAYS 19 & 243 - The Council reviewed an ordinance which would approve an agreement between the State of Texas and the City of Canton for the installation, construction, maintenance, etc. of traffic signals at the intersection of Highways 19 and 243. Ronnie Fugate made a motion to adopt the following captioned ordinance:

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE AGREEMENT DATED DECEMBER 15, 1993, BETWEEN THE STATE OF TEXAS AND THE CITY OF CANTON, TEXAS, FOR THE INSTALLATION, CONSTRUCTION, EXISTENCE, USE, OPERATION, AND MAINTENANCE OF HIGHWAY TRAFFIC SIGNAL/ILLUMINATION AT THE LOCATIONS(S) SHOWN ON EXHIBIT 1, ATTACHED HERETO AND MADE A PART HEREOF, IN THE CITY OF CANTON, TEXAS; PROVIDING FOR THE EXECUTION OF SAID AGREEMENT; AND DECLARING AN EMERGENCY.

John Crow seconded the motion and all were in favor. The ordinance shall be numbered 93-16 and kept on file in city records.

11. DISCUSS AND CONSIDER AWARD OF CONSTRUCTION CONTRACT TO GRACON CONSTRUCTION CO., INC. IN THE AMOUNT OF \$1,775,000.00 FOR "WASTEWATER TREATMENT PLANT EXPANSION" CONTRACT NO. 1592, TEXAS WATER DEVELOPMENT BOARD SRF PROJECT NO. 2236-01 CONTINGENT ON APPROVAL BY THE TEXAS WATER DEVELOPMENT BOARD AND SUBSEQUENT DELIVERY OF FUNDS AS REQUIRED BY SRF PROJECT NO. 2236-01 - The Council reviewed the bid tabulation of bids received for the above referenced project. The bids were as follows:

Cole-Smith Construction Co., Inc. Denison, Texas	\$1,931,700.00
Craig, Sheffield & Austin Roanoke, Texas	\$1,793,000.00
Eagle Contracting Corporation Keller, Texas	\$1,794,000.00
Max Foote Construction Co., Inc. Dallas, Texas	\$1,825,000.00
Gracon Construction Co. Mesquite, Texas	\$1,775,000.00
McKinney & Moore, Inc. Jacksonville, Texas	\$2,328,897.00
Reddy Engineers & Contractors Houston, Texas	\$1,831,520.00
Oscar Renda Contracting Arlington, Texas	\$1,910,000.00

Following discussion and recommendation from the Consulting Engineers of Wisenbaker, Fix, & Associates, Inc., John Crow made a motion to award the contract to the low bidder, Gracon Construction Co., in the amount of \$1,775,000.00, contingent on approval by the Texas Water Development Board and subsequent delivery of funds as required by SRF Project No. 2236-01. Jack Etheridge seconded and all were in favor.

12. CONSIDER A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION IN THE MAXIMUM AMOUNT OF \$2,420,000.00 - Jack Etheridge made a motion, seconded by Ronnie Fugate, to approve the resolution authorizing the publication of the Notice of Intention to issue

Certificates of Obligation in the amount of \$2,420,000 for paying all or a portion of the City's contractual obligations for the purpose of making improvements and extensions to the City's Waterworks and Sewer System, to-wit: improvements to the Wastewater Treatment Plant. All Councilmen were in favor and the Resolution was thereby adopted by the Mayor's signature.

13. **DISCUSS AND CONSIDER PROPOSED CIVIC CENTER RENTAL RATES -** The Council reviewed proposed rental rates and policies for the Civic Center. Mayor Lawrence expressed concern that a fixed rate of \$450.00 per eight hour period for non-profit organizations may make the building inaccessible for these groups and suggested possibly adjusting for non-profit organizations within Van Zandt County. Following further discussion, John Crow made a motion to adopt the rates and policies with the change of Non-Profit to be charged up to \$450.00 per eight hour period and/or \$75.00 Clean Up Fee to be negotiated with the First Monday General Manager. Jack Etheridge seconded and all were in favor.
14. **DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKS TO INCLUDE PLAYGROUND EQUIPMENT -** Mr. Mallory informed the Council that Mr. John Tarver has been putting together the new playground equipment and is ready to begin moving it to the park, however, will not be able to until after Christmas. He further explained Mr. Tarver has only been able to work on the equipment one day per week due to his employment and has spent approximately 30 hours on the project.

Mr. Mallory also informed the Council of his plan to begin the installation of the gate at Mill Creek Reservoir after the first of the year. One set-back has been the difficulty in finding a spike ground guard.

Discussion was also held pertaining to the placement of trout in the Old City Lake around the end of January in connection with the planned Kid's Day; giving the Fire Department two of the uncovered picnic tables and moving the others to the City Park; and getting the volleyball courts completed in time for Spring Leagues.

15. **REQUEST FOR COUNCIL'S APPROVAL TO MAKE DATE CORRECTION TO CITY ORDINANCE #93-12 (WATER RATES) -** Mayor Lawrence informed the Council that a date error on the above stated ordinance had been brought to his attention. The last paragraph presently reads "PASSED by a majority vote of the City Council of Canton, Texas, on this the 17th day of September, 1993, to attest which we hereunto set our hands and seal." The date should read the 21st day of September, 1993. Mayor Lawrence asked the Council's approval in signing a corrected copy to replace the first. Jack Etheridge made a motion to authorize the correction. Ronnie Fugate seconded and all were in favor.
16. **DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREETS TO INCLUDE CURRY, SIDES CIRCLE, AND A STREET SWEEPER -** Kenneth Pruitt requested either city crews or possibly community service workers rake down where the city has torn up yards in the Curry Addition and asked the status of this project. Mr. Mallory informed the Council the following must be completed, laying of water and sewer lines, make taps, and a boar. He further stated some time could be cut by contracting the project however the cost would increase from approximately \$30,000 to approximately \$60,000. Mr. Mallory feels the project could be ready for street construction by the first of April with the city crews doing the above mentioned work.

Kenneth Pruitt also asked the status of Sides Circle and stated he did not feel the contractor had complied with the bid as he has not worked on Sides Circle. Mr. Mallory did state the contractor had not been able to get to Sides Circle as he has been pulled for other projects by both First Monday and individuals, however, if Sides Circle was seal coated at the present time, it would begin deteriorating in six months, due to present weather conditions and temperatures. The Council asked that Sides Circle be completed as soon as weather conditions allowed proper repairs and that letters be sent to the residents on Sides Circle explaining the delay.

Mr. Mallory informed the Council that he has located a street sweeper

which would cost between \$15,000 to \$16,000. He explained bids would be required and this item could be discussed at a later time.

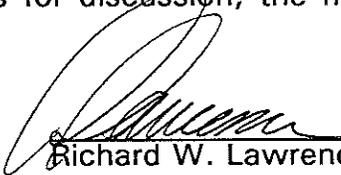
17. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Kenneth Pruitt asked for an update on the parks to include volleyball courts and playground equipment at the next regular meeting. Councilman Pruitt also informed the Council the Probation Department had withdrawn their previous request to utilize two rooms of the Blackwell House for a literacy program.

Ronnie Fugate informed the Council that the city has received half of "The Trade" miniature souvenirs and sales have begun.

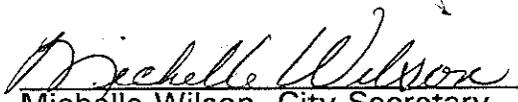
18. EXECUTIVE SESSION - The Council retired to executive session at 7:40 p.m. pursuant to TEX. REV. CIV. STAT. ANN. ART. 6252.17, Section 2(g) for discussion pertaining to personnel matters.

The Council reconvened to open session at 8:47 p.m. with no action taken pursuant to discussion in executive session.

There being no further items for discussion, the meeting adjourned at 8:48 p.m.


Richard W. Lawrence, MAYOR

ATTEST:


Michelle Wilson, City Secretary