REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 16, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the December 19, 1995 Regular Meeting as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Ron Sanford made a motion to approve the December 31, 1995 Financial Statements. Kenneth Pruitt seconded and all were in favor.

5. GUEST ITEMS - Mr. Howard Buck questioned the status of any improvements to the "hill" vendor area on the First Monday grounds. The Council informed Mr. Buck there was nothing definite yet which could be reported, however, as soon as there was, they would inform him.

6. DISCUSS AND CONSIDER REQUEST FROM GTE TO BURY CABLE ALONG THE EAST SIDE OF NORTH HIGHWAY 19 - MR. DWAYNE MURPHY - City Manager Johnny Mallory reviewed a written request from GTE, explaining the problems they have run into trying to provide new cable out Highway 19 North as existing poles are located on private property. GTE is asking permission to bury the cable 48 inches deep and 2 feet off the property line with an inspector on site. They would also kill the existing cable. Mr. Mallory recommended granting the request as in doing so should not create in problems in the City's future plans of placing an 8 inch water line in the same area. Ronnie Fugate made a motion to grant the request. Ron Sanford seconded and all were in favor.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A PROPOSED YOUTH CENTER - Mrs. Shirley Hudson addressed the Council stating the matter of a youth center came about from desires and expressed needs to provide a solution for our youth. A proposal was previously presented and different sites have been studied with a recent offer of 1/2 acre behind the fire station provided the City donate an adjoining 1/2 acre. She stated that nothing further could be done without an acceptable commitment of financial support.

   The Mayor opened the floor for discussion. A question was asked from the audience pertaining to liability. Mr. Hudson explained that one million dollars coverage was included in the proposal at a cost of approximately $2,900 per year.

Mr. Howard Buck expressed concerns with the liability the City would fall under should they financially support the building including violence, drugs, and alcohol. Mr. Buck stated he has seen at least three same type facilities open and close within a year in this area. He also stated that from past experiences in other cities, he did not feel $100,000 a year could keep a youth facility running properly. He concluded with his feelings that the only type which could work would be a family oriented facility and felt the YMCA would be a good start. Mr. Hudson asked Mr. Buck to read the proposal and explained he had been a youth director at a facility which operated over thirty years. He admitted it was run by the school, however, the Canton I.S.D. did not offer to assist with this project.

Don Hackney expressed his desire to provide activities for the youth and commended the local church programs designed for the youth. Although, he stated his concerns in the City taking on this type of project and did not feel the City, at this time, could afford such a venture.

Mayor Etheridge explained that although the City did not have the funds on hand, the City is exploring the availability of funding through grants. Mayor Etheridge asked the Council to consider tabling this item for 90 days to allow a thorough search for available funds. Ronnie Fugate made a motion to table this item for 90 days. Kenneth Pruitt seconded. Those in favor were Ronnie Fugate, Ron Sanford, and Kenneth Pruitt. Those opposed were John Crow and Bob Alexander. Motion carried.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKING OF VEHICLES AROUND THE COURTHOUSE SQUARE INCLUDING POSSIBLE INSTALLATION OF PARKING METERS - Mr. Mallory informed the Council that as previously instructed, letters were mailed to downtown business for comments on the possible installation of parking meters. The Council reviewed written responses from business operators and the Canton's Town-Square Merchants Association. The written responses included some suggestions however nothing positive on parking meters.

Mr. Jerry Walling addressed the Council stating he basically agreed with the suggestions of the Merchants Association and asked that the two (2) hour parking be enforced with a meter maid type enforcement of marking tires. Police Chief Ron Carroll pointed out that the mark on tires would stay on tires for several days, making it difficult to enforce. Councilman Crow stated the thought of meters was to deter all day parkers and not to harm the merchants. Mr. Walling stated he would accept meters as a last resort and would rather see the City use the money it would take for installation to pay an employee to mark tires.

Discussion continued with suggestions from the audience including signs reading "Customer Parking Only", the use of "boots", marking tires with date and time, etc. Mr. Brewer, owner of property leased by Country Nurses, expressed his feelings that parking meters would not help and stated the same problems existed 20 years ago when he had a business on the square. He did ask again for a loading zone for Country Nurses as it is a non-profit organization and the nurses have to make several trips in and out of the office, 24 hours a day. Mr. Howard Buck suggested a sign

could be placed reading "Nurses Parking Only" and the nurses issued stickers for their vehicles, if a vehicle was parked in the space without a sticker, it should then be towed.

Following further discussion, the City Council asked the Merchant's Association to develop alternate proposals to be presented to the Council during the February meeting.

9. DISCUSS AND CONSIDER REQUEST FROM ROAD TO HOPE MINISTRY FOR THE USE OF THE CIVIC CENTER FOR A BENEFIT TO ASSIST THE MOORE FAMILY - MR. EARL POST - Mr. Post informed the Council he had met with the Treasurer of the Ministerial Alliance, and their co-sponsoring the previously discussed event will be considered during their January 25th meeting. He stated the events presently be considered would include a morning carnival with an afternoon "Jail-N-Bail". Road to Hope should also know by February 10th if some of the Dallas Cowboys will be able to attend. He also informed the Council the Sheriff's Posse has agreed to assist. This item will be further discussed in the February 20th Council Meeting.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CLEAN UP OF PROPERTIES AND NON-CONFORMING VEHICLES IN ACCORDANCE WITH CITY ORDINANCES - Councilman Fugate requested this item be removed from the agenda. The Council did not oppose and this item was so removed.

11. DISCUSS AND CONSIDER REQUEST FROM MR. ROBERT WAY FOR A WATER TAP OUTSIDE THE CITY LIMITS ON LOT AV6 LOCATED ON WILD WILLIE'S II MOUNTAIN - Mr. Mallory explained the location of the request was off Highway 17 and that we don't have a supply of water in the area at this time. He also expressed concern of setting a precedent for all the vendors on the "Mountain" by granting a tap in this area. Bob Alexander made a motion to deny the request. Ron Sanford seconded and all were in favor.

12. DISCUSS AND CONSIDER RENEWING AND AMENDING AN AGREEMENT FOR PUBLIC ANIMAL SHELTER SERVICES BETWEEN THE CITY OF CANTON AND CITY OF WILLS POINT - Mr. Mallory informed the Council the basic change from the previous agreement, which has expired, is to require each contracting city to have their animal control officer State Certified in animal control within one year. He asked the Council to consider approving the Agreement with the City of Wills Point and approving the contract as the standard contract to be entered into with other interested cities. Kenneth Pruitt made a motion to approve the Agreement with the City of Wills Point. Ron Sanford seconded and all were in favor. Bob Alexander made a motion to empower the City Manager to enter into the same contract with any other municipal entities. Kenneth Pruitt seconded and all were in favor.

13. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were no items discussed for placement on future agendas.

A closed executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072.

14. EXECUTIVE SESSION - DISCUSSION PERTAINING TO FIRST MONDAY REAL ESTATE TRANSACTIONS - The Council retired to executive session at 7:45 to discuss First Monday real estate transactions.

15. RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened into open session at 8:35 p.m. with no action being taken pursuant to discussion in executive session.

16. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:36 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, FEBRUARY 20, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - John Crow made a motion to approve the minutes of the January 16, 1996 Regular Meeting as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Ronnie Fugate made a motion to

approve the January 31, 1996 Financial Statements. Ron Sanford seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKING OF VEHICLES AROUND THE COURTHOUSE SQUARE - Mrs. Donna Thompson, President of the Canton Town-Square Merchants Association, informed the Council that the Association had mailed a letter January 25, 1996, to all merchants and Courthouse Department Heads, requesting voluntary compliance of the two hour parking limits on the square. She stated there had been a great response and a lot of improvement has been made on a voluntary basis, however there would always be some who would not comply unless forced to. Mrs. Thompson then presented a written proposal consisting of eight (8) items. The items included replacing and updating existing signs, enforcement of two hour parking on a random basis, "Permit Parking Only" signs for those businesses whose vehicles are an integral part of their operation, "No Overnight Parking" signs for use by the Canton Plaza Theater on First Monday Weekends, notify First Monday vendors and/or owners of First Monday facilities that posted parking ordinances on city streets will be enforced, ask County to require jurors to park on annex parking lot, and establish a committee comprised of a representative from the City Council, the Police Chief, and a member of the Association, to evaluate the parking situation and to ensure the success of this solution.

   The Council briefly discussed the proposals and did express some concern with "permit parking" as several business owners may request such parking and felt it would be difficult to pick and choose who would qualify. Kenneth Pruitt suggested loading zones with fifteen (15) minute limits on each side of the square. The Council was in agreement to begin with the enforcement of the two hour parking and appoint Ron Sanford to serve on the committee with Chief Ron Carroll and a representative from the Association to review and bring back additional recommendations, if any, to the Council during the March meeting.

7. DISCUSS AND CONSIDER REQUEST FROM ROAD TO HOPE MINISTRY FOR THE USE OF THE CIVIC CENTER FOR A BENEFIT TO ASSIST THE MOORE FAMILY - MR. EARL POST - The Council removed this item from the agenda as Mr. Post was not present.

8. DISCUSS AND CONSIDER RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION TO CHANGE THE ZONING ON THE FOLLOWING PROPERTIES: - City Manager Johnny Mallory reviewed action taken in a recent meeting of the Planning & Zoning recommending the following changes in zoning:

   1285 W. DALLAS FROM RESIDENTIAL (R1) TO BUSINESS (B1) - JUDY SMITH MORRIS

   40.125 ACRES ON HWY. 64 FROM AGRICULTURAL (AG) TO FIRST MONDAY BUSINESS (FMB-A1) - BRUCE DAVIS

2 ACRES ON N. HWY. 19 FROM AGRICULTURAL (AG) TO BUSINESS (B2) - CHARLES FEATHERSTON

Ronnie Fugate made a motion to approve each of the request and change the zoning as outlined above. Ron Sanford seconded and all were in favor.

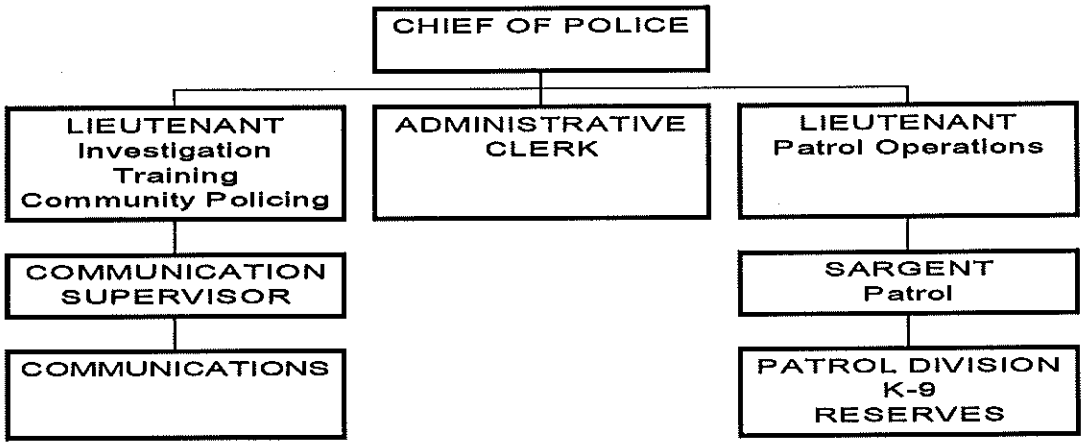
9. DISCUSS AND CONSIDER ACCEPTING A PETITION FOR ANNEXATION FROM THE WORD OF VICTORY CHURCH FOR PROPERTY LOCATED ON WEST COLLEGE - John Crow made a motion to accept the petition and begin annexation proceedings. Ronnie Fugate seconded and all were in favor.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PROPOSED SUB - DIVISION DEVELOPMENT INCLUDING PROPOSED STREET - Mr. Mallory informed the Council of proposed development on the east side of the Westview Apartment complex on West College. The developers have asked if the city would accept the east fifty (50) feet of the apartment complex pavement as a public street, allowing access to their development and the apartments. Phase 1 of the proposed construction would consist of a row of twelve (12) duplexes facing the street with single family residential to be developed on the remainder of the property at a later date. Mr. Mallory explained there are no utilities under the fifty (50) feet of pavement and that it more than meets our street requirements for new development.

Bob Alexander made a motion to request the property owner(s) donate and dedicate the east fifty (50) feet of pavement running north and south of the Westview Apartments to the City of Canton to be used as a public street. Kenneth Pruitt seconded and all were in favor.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE VAN ZANDT COUNTY WASTE DISPOSAL DISTRICT - Gerald Turner, President of the Waste Disposal District, called immediately before the meeting and requested this item be removed from the agenda. It was so removed.

12. DISCUSS AND CONSIDER AMENDING THE POLICE DEPARTMENT ORGANIZATION CHART - Police Chief Ron Carroll informed the Council that the present organization chart for the Police Department consists of a Chief followed by an Assistant Chief, which is an inactive position, then Sergeant. Chief Carroll explained his request to update the chart which would also allow for career development among his officers by opening up some ranks. Chief Carroll presented the following chart for consideration.



Councilman Bob Alexander asked where the Lieutenant positions would fit on the salary scale. Chief Carroll explained the salary scale for the Lieutenants would be the same as presently set for an Assistant Chief. Bob Alexander made a motion to accept the proposed organization chart for the police department with salary positions as described. Kenneth Pruitt seconded and all were in favor.

13. DISCUSS AND CONSIDER AUTHORIZING THE CITY MANAGER AND POLICE CHIEF TO APPLY FOR A GRANT THROUGH EAST TEXAS COUNCIL OF GOVERNMENT - CRIMINAL JUSTICE FOR A DRUG ENFORCEMENT OFFICER - John Crow made a motion to authorize the City Manager and Police Chief to apply for the above described grant. Kenneth Pruitt seconded and all were in favor.

14. DISCUSS AND CONSIDER PARTICIPATION IN "PROJECT GRADUATION" - Mr. Mallory presented a letter from the Project Graduation Fundraising Committee requesting donations for the after chemical free graduation party scheduled for May 24, 1996. Bob Alexander asked the Council to consider giving $500 as opposed to last year's donation of $200. Ron Sanford so moved and Kenneth Pruitt seconded. All were in favor.

15. DISCUSS AND CONSIDER PURCHASE OF RUBBER TIRE LOADER AND STEEL WHEEL ROLLER FOR THE STREET DEPARTMENT - Mr. Mallory asked the Council to consider purchasing two pieces of equipment the City has been leasing for several months. He explained the rubber tire loader could be bought for $33,775.88 and the steel wheel roller for $17,946. Bob Alexander made a motion to purchase both pieces of equipment. Kenneth Pruitt seconded and all were in favor.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE INITIATION OF A CURFEW - Councilman Kenneth Pruitt handed out material pertaining to juvenile curfews being determined constitutional by the courts and describing an ordinance passed by the City of Dallas. Kenneth asked the Council to review the material for input and consideration of adopting a similar ordinance in the March regular meeting.

17. CALL MAY 4, 1996 GENERAL ELECTION FOR THE ELECTION OF THREE COUNCIL MEMBERS - Kenneth Pruitt made a motion to call the May 4, 1996, General Election for the purpose of electing three (3) Councilmembers. Ron Sanford seconded and all were in favor.

18. APPOINTMENT OF ELECTION JUDGE FOR MAY 4, 1996 GENERAL ELECTION - Mr. Mallory asked to carry this item to a future agenda as an election judge has not yet been found. The item was so carried.

19. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ronnie Fugate requested the March agenda include matters pertaining to the life size First Monday Monument.

    Mr. Mallory informed the Council of discovering East Texas Council of Governments has agreed to let GTE reroute 911 cables which can create complications for our area if and when there is down time. This was done without our knowledge or opportunity to address the board with objections.

    Mr. Mallory also updated the Council on the status of the Meals on Wheels program. He explained that beginning March 1, 1996, the Canton program would be picked up by Tyler for thirty days and then will cease due to lack of funding until Congress passes the budget.

    Mr. Mallory then informed the Council seal coating would begin on Dodson Street within the next two or three weeks. He also asked, on behalf of the City Engineer, that determination be made as to what width Big Rock Street will be reconstructed. Mr. Mallory expressed his feelings that thirty-six feet (36') would be sufficient. There was a brief discussion with no opposition voiced from the Council.

20. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:50 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MARCH 19, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the February 20, 1996 Regular meeting as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Kenneth Pruitt made a motion to approve the February 29, 1996 Financial Statements. Ronnie Fugate seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER REQUEST FROM MISS AUBREY REINEKE FOR A CONTRIBUTION TOWARD TUITION IN THE PEOPLE TO PEOPLE STUDENT AMBASSADOR PROGRAM - Miss Reineke addressed the Council explaining the People to People Ambassador Program and the selection process. She explained she had been chosen as one of the forty students to participate in a twenty-one day program of exchange to France, Germany, Spain, and Switzerland to meet with teenagers and government officials and have home visits with host families. Miss Reineke expressed her interest in also serving as a First Monday Ambassador while on the trim. She informed the Council that the tuition for the program would run between $5,000 and $6,000 and must be raised by the end of April. Miss Reineke then asked for the Council's consideration in contributing toward the tuition.

   Kenneth Pruitt made a motion to donate $1,000 toward the program tuition for Miss Reineke. Ronnie Fugate seconded and all were in favor.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARKING OF VEHICLES AROUND THE COURTHOUSE SQUARE - Mayor Etheridge opened the floor to any guests wishing to address this issue. Mr. Herman Johnson of Courtney & Johnson, 151 N. Capitol Street, explained that the company fronts on Capitol, not what he considers the "square" and has been in business since 1977. Mr. Johnson further explained that his job requires expensive equipment to be carried in his vehicle and requested the Council allow Courtney & Johnson as well as Caren Courtney's office to park in front of their businesses as it is on a side street.

   Mayor Etheridge explained the two hour parking enforcement was enacted to alleviate problems voiced by many merchants on the square. The Council discussed the status

of North Capitol being two hour parking while South Capitol did not have any parking restrictions. Ron Sanford asked for time to meet with the Police Chief the following day and review the conditions of the side streets.

Mr. Richard Hill of Van Zandt County Abstract, 128 E. Dallas, explained that although his business does face the square, he and his employees had always parked on Capitol Street. He continued by explaining that after enforcement of parking restrictions, he leased eight parking spaces from Lonnie Browning of Circle B Western Wear. Mr. Hill stated that although the spaces were off the street, the very tail end of some of the vehicles actually encroached on city right of way and asked if it would be permissible to park there. The Police Chief stated the manner in which the eight spaces are laid out does not create a traffic hazard as no part of the vehicles encroach onto the street or block vision. The City Council stated they were not opposed and Mr. Hill could continue parking as such. The Mayor and Council then instructed the Police Chief to not issue any parking tickets on North Capitol until the situation is reviewed and/or revised.

8. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE GRANTING LONE STAR GAS COMPANY A RATE INCREASE FOR RESIDENTIAL AND COMMERCIAL USERS - Mr. Joe Morris of Lone Star Gas addressed the Council explaining the reasons for rate increase request of 8.75% to become effective April 8, 1996. Mr. Morris explained Lone Star is also asking for a monthly Weather Normalization Adjustment (WNA) rather than the present yearly WNA. He then discussed the Council's four options: (1) approve the request, (2) deny the request, (3) take no action, which would place the rate increase into effect April 8th, or (4) suspend any action for up to 90 days. Mr. Mallory explained if the Council denied the request, the matter would then go to the Railroad Commission and the City would be responsible for paying for the rate case if the City lost the case. Mr. Mallory questioned the change of the temperature measurement from Kaufman to Waco and recommended the Council suspend the request for at least 60 days.

Ms. Susan Enarson of Lone Star Gas explained the WNA and the advantages to the customers by calculating monthly as opposed to yearly. She also stated the request for an 8.75% was a reflection of the revenue deficiency in this area since 1991. Ms. Enarson said she check into the reason for the change in location of the temperature measurement and report back to the Council.

Ronnie Fugate made a motion to suspend the request and any action for 60 days and to authorize the City Manager to negotiate the rate increase. John Crow seconded and all were in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO A REQUEST FROM SOUTHWESTERN BELL MOBILE SYSTEMS TO LEASE SPACE ON THE DOWNTOWN WATER TOWER FOR THE PLACEMENT OF AN ANTENNA - The Council reviewed a request from Southwestern Bell Mobile Systems to lease space on the downtown water tower for a proposed period of 20 years at $200 per month. Following discussion on the proposed lease amount and earmarking the funds for restoring and maintaining the water tower, John Crow made

a motion to authorize the City Manager to enter into negotiations with Southwestern Bell Mobile Systems for space lease on the water tower and negotiate the lease amount, earmarking the funds for restoring and maintaining the tower. Bob Alexander seconded and all were in favor.

The Council also discussed proposed plans of the Canton Independent School District to place a radio in each school bus and their possible need of utilizing space on the new water tower for an antenna. The Council instructed the City Manager to contact the school system to discuss and negotiate their need of antenna space.

10. DISCUSS AND CONSIDER AUTHORIZING PARTICIPATION IN GTE RATE CASE #15332 - Bob Alexander made a motion to authorize the Steering Committee for the Coalition of GTE Cities to participate on behalf of the City of Canton in the GTE Rate Case #15332. John Crow seconded and all were in favor. The Mayor appointed Bob Alexander to serve as the City's representative and contact person in this matter.

11. DISCUSS AND CONSIDER ADOPTING AN ORDINANCE SETTING AND REGULATING A CURFEW FOR MINORS - The Council reviewed the proposed ordinance stating they had received positive comments concerning it's adoption and enforcement. The Chief Juvenile Probation Officer, Bobby Colacino commended the Council for taking action in giving the law enforcement agencies a tool to help keep the minors safe. He and Police Chief Ron Carroll assured the Council the ordinance was not designed nor would be used as a tool of harassment. Chief Carroll stated he would train his officers in the methods of enforcement and visit with the schools to better explain the ordinance prior to its enforcement.

Councilman Kenneth Pruitt made a motion to adopt the following captioned ordinance:

> AN ORDINANCE "CURFEW HOURS FOR MINORS" OF THE CITY OF CANTON, TEXAS, DEFINING TERMS: CREATING OFFENSES FOR MINORS, PARENTS AND GUARDIANS OF MINORS, AND BUSINESS ESTABLISHMENTS VIOLATING CURFEW REGULATIONS; PROVIDING DEFENSES; PROVIDING FOR ENFORCEMENT BY THE POLICE DEPARTMENT; PROVIDING FOR WAIVER BY THE MUNICIPAL COURT OF JURISDICTION OVER A MINOR WHEN REQUIRED UNDER THE TEXAS FAMILY CODE; PROVIDING FOR REVIEW OF THIS ORDINANCE WITHIN SIX MONTHS AFTER THE DATE OF INITIAL ENFORCEMENT; PROVIDING A PENALTY NOT TO EXCEED $500; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Councilman Ron Sanford seconded the motion and all were in favor. The ordinance shall be published as legally required and numbered 96-01.

12. DISCUSS AND CONSIDER AWARDING BIDS RECEIVED FOR THE SALE OF A CAT FRONT END CRAWLER LOADER AND A 1992 FORD CROWN VICTORIA - The Council reviewed the following bids which were publicly opened at 10:00 a.m., February 29, 1996.

CAT FRONT END CRAWLER LOADER:

Mackey Lewis Eustace, TX 75124	$3,750.00
John Norman Canton, TX	$3,879.00
Jack W. Thompson Wills Point, TX 75169	$6,150.00
Tex-Quip Machinery, Inc. Kaufman, TX 75142	$4,350.00

1992 FORD CROWN VICTORIA:

John Norman Canton, TX	$1,967.00
Don Turner Van, TX	$2,176.00
Connie Hicks Canton, TX	$1,800.00

Following a lengthy discussion on the estimated value of the front end loader, John Crow made a motion to award the bids as follows: front end loader to Jack Thompson for $6,150.00 and the crown victoria to Don Turner for $2,176.00. Kenneth Pruitt seconded and all were in favor.

13. DISCUSS AND CONSIDER AWARDING BID FOR WATER AND SEWER IMPROVEMENTS ON NORTH TRADE DAYS BLVD. (NORTH HIGHWAY 19) - Mr. Mallory asked that this item be removed from the agenda by request of the property owner. It was so done.

14. DISCUSS AND CONSIDER APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF CANTON AND TODD ASBILL FOR MECHANIC AND PILOT SERVICES FOR CITY OWNED HELICOPTER - Mr. Mallory explained the proposed agreement is basically the same as the City's previous agreement on a formerly owned helicopter, with the same term of 5 years. Bob Alexander made a motion to enter into the agreement with Todd Asbill. Ronnie Fugate seconded and all were in favor.

15. DISCUSS AND CONSIDER AUTHORIZING MAYOR AND CHIEF OF POLICE TO RENEW A MUTUAL AID AGREEMENT WITH OTHER MUNICIPALITIES AND COUNTIES TO FORM A MUTUAL AID LAW ENFORCEMENT TASK FORCE - Police Chief Ron Carroll explained the agreement was the same as

previously approved in April, 1995, and that it requires an annual renewal by the participating entities. Ronnie Fugate made a motion to authorize the Mayor and Chief of Police to renew the agreement. John Crow seconded and all were in favor.

16. 1ST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY OWNED BY THE WORD OF VICTORY OUTREACH CENTER ON WEST COLLEGE - Mayor Etheridge opened the public hearing and no one was present to speak in favor or against the contemplated annexation. The Mayor then closed the public hearing and announced the second hearing scheduled for Thursday, March 21, 1996, at 6:30 p.m.

17. APPOINTMENT OF ELECTION JUDGE FOR MAY 4, 1996 GENERAL ELECTION - Kenneth Pruitt made a motion to appoint Mrs. Mary Wages to serve as the Election Judge with approval to appoint three (3) clerks. Ronnie Fugate seconded and all were in favor.

18. DISCUSSION AND UPDATE PERTAINING TO PRESENT AND FUTURE STREET PROJECTS - Mr. Mallory informed the Council that Dodson and Forrest were prime coated last Wednesday and it would be approximately 30 days before they would be seal coated. He also stated the engineers are close to completing the specs for Big Rock Street at 36 feet although there may be some additional survey work required as there are some questionable lines.

19. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Al Campbell and Johnny Mallory informed the Council of their plans to change the day of the week on which employees get paid because the present payday requires time sheets and preparations of checks prior to the end of the actual pay period. They explained there would be 2 months notice given the employees and the Council expressed their favor of the change.

    Kenneth Pruitt expressed concern that the Chamber of Commerce may have decided to decline from assisting with the 4th of July fireworks display. The Council asked Councilman Pruitt to check into this matter.

    John Crow questioned the status of clean up on the vacant lots in the Towles Road, Avenues A, B, & C area. Ronnie Fugate asked that investigation be made into a possible foundry which could upscale the First Monday monument to life-size with hopes of having a dedication on July 4, 1997.

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

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., THURSDAY, MARCH 21, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt, and Bob Alexander.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Jack Etheridge
2. INVOCATION - Councilman Ronnie Fugate
3. 2ND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY OWNED BY THE WORD OF VICTORY OUTREACH CENTER ON WEST COLLEGE - Mayor Etheridge opened the second public hearing on the contemplated annexation. No one was present to speak in favor or against the annexation. Mayor Etheridge then closed the public hearing. Action shall be considered during the April 16th Regular Meeting.

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072.

4. EXECUTIVE SESSION - DISCUSSION PERTAINING TO FIRST MONDAY REAL ESTATE TRANSACTIONS AND CONTRACTS - The Council retired to executive session at 6:45 p.m. to discuss First Monday real estate transactions.
5. RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened at 7:20 p.m. with no action taken pursuant to discussion in executive session.
6. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:20 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., MONDAY, APRIL 8, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Members present were Ronnie Fugate, Ron Sanford, Kenneth Pruitt (arriving late as noted in minutes), John Crow and Bob Alexander, (both having to leave early as noted in minutes).

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Etheridge called the meeting to order with the following members present: Ronnie Fugate, Ron Sanford, John Crow, and Bob Alexander.

2. INVOCATION - Councilman Ronnie Fugate

3. DISCUSS AND CONSIDER ADOPTING A RESOLUTION DESIGNATING APRIL, 1996 AS CHILD ABUSE PREVENTION MONTH - City Manager Johnny Mallory explained the East Texas Council of Governments had passed a resolution declaring April, 1996, as Child Abuse Prevention Month and asked that all municipalities consider passing the same. Ronnie Fugate made a motion to adopt the aforementioned resolution. Ron Sanford seconded and all were in favor.

   Mayor Etheridge informed the audience that the Council would leave the room and retire to executive session prior to agenda item #4.

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072.

5. EXECUTIVE SESSION - DISCUSSION PERTAINING TO PROPOSED FIRST MONDAY REAL ESTATE LEASE WITH EMJ, INC./PAUL MICHAEL - The Council retired to executive session at 6:35 p.m. Councilman Kenneth Pruitt arrived at 6:40 p.m. and joined executive session.

6. RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened into open session in the City Hall Council Chambers at 7:25 p.m. Mayor Etheridge informed the audience that the Council would not be taking any action on agenda item #4 however, would like to hear from anyone wishing to address this item. Councilman Bob Alexander apologized to the audience explaining that due to a prior commitment, he would not be able to stay for the remainder of the meeting. As Councilman Alexander left, Mayor Etheridge explained that Councilman John Crow also had a prior commitment and had to leave prior to reconvening to open session.

4. DISCUSS AND CONSIDER ENTERING INTO A PROPOSED LEASE AGREEMENT WITH EMJ, INC./PAUL MICHAEL ON A SECTION OF THE FIRST MONDAY PARK - Mrs. Vicki Goodson addressed the Council, questioning as a citizen of Canton, a First Monday vendor, and a downtown business operator, why the City would let a private individual build a proposed pavilion on the City owned property rather than the City building it themselves. Kenneth Pruitt stated that

several months ago Mr. Paul Michael had presented a proposal to the Council and the Council appointed the First Monday Committee to meet and negotiate with Mr. Michael as the proposal involved improving the "hill" area of the grounds, a problem area which needed solutions. The main consideration not being a pavilion, but the hill area. Councilman Pruitt also stated that at the time of Mr. Michael's proposal, the City had just borrowed $4 million in bonds for street improvements and had been told by the bonding company that the City had reached its borrowing limit for a while. Mrs. Goodson stated she did not like the secrecy. Councilman Pruitt explained that as nothing had been confirmed and discussion had been held in executive sessions, the plan could not have been presented to the public any earlier. Other audience members addressed the Council with the following concerns:

Mr. Alton Smith, Canton resident and First Monday vendor: Not allow an outside party to take control of city owned property. Other solutions could be considered for the hill area, including turning it into a paved parking lot.

Mr. Larry Cox, Canton resident and First Monday vendor: Discussed the present traffic flow and questioned the price for space in the proposed pavilion. Mr. Cox also expressed concern with the proposed split of revenue being City 1/3 and Mr. Michael 2/3. He asked if Mr. Michael defaulted and the City had to take control, would he continue to receive 2/3. Councilman Pruitt replied that upon default, the City would have means of control and total revenue.

Mrs. Sibyl Boyd, a First Monday vendor from New London: Expressed concerns for senior citizen vendors who may have just one space and rely on First Monday for supplemental income. She explained these vendors, including her and her husband, had kept First Monday going for years and could not afford the proposed rent of the pavilion.

Ms. Debbie Murry of Denton, Ms. Joanne Peters, Mr. Denny Rucker of Van and Mrs. Marilee McLemore of Canton: Discussed First Monday losing its flavor and history by covering the park with pavilions. Discussed the continued draw to open air spaces and the scenic beauty.

Mike and Juanita Hackney of Canton: Stated their feelings that the City must improve the First Monday park in order to compete with the new markets, if not, all vendors would end up suffering. They expressed belief in Mr. Michael's proposal being beneficial to not only Mr. Michael, but the City of Canton and the vendors. Stating that progress has to be made.

Mr. Glenn Goodson of Canton: Stated the City of Canton should realize the benefit of income coming into the City and not just a percent thereof.

Mr. Ross Maris of Canton: Expressed concern for concession vendors who might not be included in the planned H&T Food Court and who could not financially survive relocating or competing with a food court.

Mr. Paul Michael expressed his intentions of not hurting anyone, but helping the area. He stated he would remain after the meeting to visit with anyone wishing to discuss his proposal.

Mayor Etheridge thanked all for attending and informed them the matter would again be discussed at the Council's regular meeting Tuesday, April 16th.

7. ADJOURN - Ron Sanford made a motion to adjourn, seconded by Ronnie Fugate. All were in favor and the meeting adjourned at 8:30 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, APRIL 16, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Members present were Ronnie Fugate, Ron Sanford, John Crow, and Bob Alexander. Kenneth Pruitt was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander made a motion to approve the minutes of the March 19, 1996 Regular meeting, March 21, 1996 Called meeting and the April 8, 1996 Called meeting as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the March 31, 1996 financial statements. John Crow seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER ACCEPTANCE OF THE 1994-1995 FINANCIAL AUDIT - Donna Hester presented and briefly reviewed the 1994-1995 Financial Audit. Following a brief discussion pertaining to updates to the First Monday computer system, Bob Alexander made a motion to accept the 1994-1995 Financial Audit. Ron Sanford seconded and all were in favor.

7. PUBLIC HEARING AND CONSIDERATION OF REQUEST FROM CANTON RESIDENTIAL FOR A CHANGE IN ZONING FROM RESIDENTIAL (R1) TO MULTIPLE FAMILY RESIDENTIAL (MF-1) ON PROPERTY OWNED AT 1755 ELLIOTT DRIVE - Johnny Mallory relayed the recommendation from the Planning & Zoning Commission to grant the requested change in zoning. Mr. Mallory also informed the Council that there were no negative responses from the property owners within 200 feet of the requested property. Ronnie Fugate made a motion to approve the change in zoning from Residential (R1) to Multiple Family Residential (MF-1). John Crow seconded and all were in favor.

8. DISCUSS AND CONSIDER REQUEST FROM ROAD TO HOPE MINISTRY (MR. EARL POST) FOR USE OF THE CIVIC CENTER - Mr. Earl Post informed the Council that he has spoken with the Ministerial Alliance pertaining to participation in an Emergency Relief Fund raiser. Mr. Post is to get back with the Alliance regarding a date for the event. He also reported on his contact with the Dallas Cowboys to get a few of the Cowboy Cheerleaders and possibly players to attend. He has to send in the final paperwork with a date and location.

   Mr. Post requested the Council consider allowing the use of the Civic Center for this event to be held either July 13th or 20th. He stated the funds from the benefit would be used to 1) aid the 6-7 families who have lost their homes to fires since October, 1995; 2) establish an emergency relief fund for immediate availability when other tragedies occur; and 3) if additional funds are available, divide the funds among the area fire departments. Al Campbell, General Manager of First Monday Operations recommended assisting with the use of the Civic Center on a one time basis. Bob Alexander made a motion to co-sponsor the event to be held July 13th or 20th. Ron Sanford seconded and all were in favor.

9. DISCUSS AND CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON LOT 7 BLOCK 1 OF CHERRY CREEK RANCHETTES - MR. DAVID HUGHES - Upon Johnny Mallory's recommendation, John Crow made a motion to approve the water tap request. Ron Sanford seconded and all were in favor.

10. DISCUSS AND CONSIDER REQUEST FROM MR. HENRY LEWIS TO RENT PROPERTY PRESENTLY LEASED BY THE CITY OF CANTON - Mr. Henry Lewis addressed the Council explaining traffic has declined on the parking lot he owns which is just north of property the City leases on Highway 64 from the Barrier family. He stated that should the traffic flow continue to decline as much this year, he would have to close the lot and further discussed the problem of no access off Highway 64 to his lot. Mr. Lewis offered to pay the City $1,000.00 more per month than the City is presently getting. He explained that not only would the City be making more revenue, he could then develop an attractive entrance off Highway 64 which would help fill up his parking lot and help the vendors on the south side of the park.

    Ronnie Fugate informed the audience that the property in question is presently leased from the City by John Crow and was done so prior to Mr. Crow being elected to the City Council. Councilman Fugate asked Mr. Lewis if a road going through the property from Highway 64 would suffice. Mr. Lewis declined on the possibility

stating it would not help as he would need to develop a nice entrance to attract the visitors. The Council then discussed needed street work to Little Street and Kaufman Street. Little Street being accessible off Highway 64 and just East of the property in question. Mr. Mallory explained the streets did need to be widened and hopefully could be improved this summer without curb and gutter.

Councilman Fugate asked that Mr. Lewis' request be placed on the next month's agenda in order to investigate possibilities. The Council agreed.

11. DISCUSSION PERTAINING TO PROPOSED LEASE AGREEMENT WITH EMJ, INC. /PAUL MICHAEL ON A SECTION OF THE FIRST MONDAY PARK - Mayor Etheridge opened the floor for discussion explaining that he asked Mr. Paul Michael to sit at the front to be available to answer any questions concerning his proposal. Mr. Larry Cox addressed the Council explaining his first interest was for the citizens of Canton and second for First Monday vendors. He stated that he had no objection to Mr. Michael building cottages on the hill yet felt if a pavilion was needed and it would cost the City approximately $250,000 under Mr. Michael's plan, the City should build the pavilion themselves and receive 100% of the revenue as opposed to Mr. Michael's proposed 1/3. Mr. Joe Melia questioned the proposed 5 year revenue to the City and if there were any guarantees from Mr. Michael. Mr. Michael explained the City would own every building constructed from the time of their conception. He stated he would be investing three times what the City would be investing and the City's restrictions as opposed to those of private enterprise, stating the City could not compete with the private sector. On the proposed area for development, Mr. Michael projected the City to receive $19,000 per month for 20 years. Mr. Melia asked what the presented revenue is on the area. Al Campbell responded that if it is all rented, it generates approximately $12,000 per month. Other discussion was held with concerns being expressed for the vendors who would be displaced, the cost of spaces in the proposed pavilion and cottages, and future development. Mr. Tim Michaels of Best Western Canton Inn informed the crowd he liked Paul's idea and felt if the City did not keep up with the projects everyone else has going on outside the First Monday Park, the City will lose out. Mrs. Vickie Goodson asked that someone explain the proposal to the group as many did not know what was going on. Mr. Michael addressed the group with his proposal and addressed many more questions. Mrs. Goodson then asked the Council to mail certified letters to all the vendors in the proposed area, giving them three weeks notice of a meeting to be held May 10th. Mr. Michael stated he needed a vote on the proposal Thursday night, April 18th.

Mr. Henry Lewis stated the Council had three choices as he saw it, 1) improve the area; 2) enter into an agreement with Mr. Michael to build a pavilion; or 3) build the pavilion themselves. Mr. Lewis stated the City would have a 40% advantage over any privately built pavilion simply from taxes. He further stated that if the City could not build it and operate it themselves, they needed to get rid of someone in the City. He further offered to loan the City the money to build a pavilion, emphasizing he would not loan any money for cottages to be built on the hill. He stated he would make a parking lot out of the hill if he owned it.

Mayor Etheridge informed the group that this item would again be considered during a meeting Thursday, April 18th at 6:30 p.m. He then closed the floor for discussion and called a recess at 9:05 p.m.

12. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE ANNEXING PROPERTY OWNED BY WORD OF VICTORY OUTREACH CENTER ON WEST COLLEGE AND RECOMMENDATION FROM PLANNING & ZONING COMMISSION PERTAINING TO ZONING OF PROPERTY UPON ANNEXATION - The Council reconvened at 9:20 p.m. Ron Sanford made a motion to annex the above described property and to zone the property Residential 1 (R1). John Crow seconded and all were in favor.

13. PUBLIC HEARING FOLLOWED BY CONSIDERATION TO AMEND THE PLANNING & ZONING ORDINANCE AS FOLLOWS:

    a) ADD A ZONING DISTRICT FOR PROFESSIONAL BUSINESS AND OFFICE USE
    b) AMEND FIRST MONDAY ZONING UNDER SECTIONS 13-3 AND 13-4
    c) AMEND SECTION 16-11 PERTAINING TO OFF STREET PARKING AND LOADING
    d) AMEND SECTION 17-3 PERTAINING TO SITE PLAN APPROVAL PROCESS

    The Council briefly discussed this matter and asked that it be carried to the next regular meeting in order to further review the recommendations.

14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were no items requested for future agendas.

15. ADJOURN - There being no further items for discussion, the meeting adjourned at 9:45 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., THURSDAY, APRIL 18, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt and Bob Alexander.

Discussion and action were as follows:

CALL MEETING TO ORDER - Mayor Etheridge

INVOCATION - Councilman Ronnie Fugate

Mayor Etheridge informed the group of visitors the Council would first retire to executive session for discussion of proposed First Monday real estate lease with EMJ Inc./Paul Michael.

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072.

EXECUTIVE SESSION - DISCUSSION PERTAINING TO PROPOSED FIRST MONDAY REAL ESTATE LEASE WITH EMJ, INC./PAUL MICHAEL - The Council retired to executive session at 6:35 p.m.

RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened into open session at 7:00 p.m. with Mayor Etheridge assuring the group that the Council had weighed most heavily, the next item of business and would do what each felt was best for the City of Canton and First Monday.

DISCUSS AND CONSIDER ENTERING INTO A PROPOSED LEASE AGREEMENT WITH EMJ, INC./PAUL MICHAEL ON A SECTION OF THE FIRST MONDAY PARK - Kenneth Pruitt made a motion to enter into the proposed lease agreement with EMJ, Inc./Paul Michael. John Crow seconded. Kenneth Pruitt and John Crow were in favor. Those opposed were Ronnie Fugate, Ron Sanford, and Bob Alexander. The motion failed.

Each Councilman offered a brief statement to the audience, explaining the difficulty in their individual decisions and offering support for each other in standing their convictions and doing what they thought was best for the City.

ADJOURN - There being no further items for discussion, the meeting adjourned at 7:15 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
5:15 P.M., FRIDAY, MAY 10, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Members present were Ronnie Fugate, Bob Alexander, and Ron Sanford. Members absent were Mayor Jack Etheridge, Kenneth Pruitt, and John Crow.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Councilmen Bob Alexander and Ron Sanford appointed Councilman Ronnie Fugate to preside as acting Mayor Pro Tem. Councilman Fugate then called the meeting to order.

2. INVOCATION

3. CANVASS MAY 4, 1996 GENERAL ELECTION RETURNS - The Council canvassed the election returns for the May 4, 1996 election of three Council members. Ron Sanford made a motion to approve the canvass with the results being as follows:

CANDIDATE	# OF VOTES
Robert (Bob) Alexander	182
Kenneth Pruitt	173
John Crow	166
Charles Lide	193
Jimmy Peace	240
TOTAL NUMBER OF VOTES CAST:	363

Bob Alexander seconded the motion and all were in favor.

4. ADJOURN - There being no further items for discussion, the meeting adjourned at 5:20 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 21, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Members present were Ronnie Fugate, John Crow, Ron Sanford, and Bob Alexander. Kenneth Pruitt was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Ronnie Fugate made a motion to approve the minutes of the April 16, 1996 Regular meeting; April 18, 1996 Called meeting; and the May 10, 1996 Called meeting as written. Ron Sanford seconded the motion and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Ronnie Fugate made a motion to approve the April 30, 1996 Financial Statements. John Crow seconded and all were in favor.

5. SWEARING IN OF ELECTED COUNCIL MEMBERS - Newly elected Councilmen Jimmy Peace and Charles Lide, along with re-elected Councilman Bob Alexander were sworn into office by Municipal Court Judge Brenda Sanford. The newly elected Councilmembers took their seats at the Council bench.

   Mayor Jack Etheridge presented outgoing Councilman John Crow a plaque of appreciation for his dedication and service to the City of Canton, informing the audience that one would also be presented to outgoing Councilman Kenneth Pruitt as he was unable to attend the meeting.

6. APPOINTMENT OF MAYOR PRO TEM - Mayor Etheridge asked the Council to consider appointing Ronnie Fugate as Mayor Pro Tem due to his number of years experience on the City Council. Ron Sanford so motioned, seconded by Charles Lide and all were in favor.

7. GUEST ITEMS - There were no guest items brought before the Council.

8. UPDATE FROM FIRST MONDAY VENDOR ASSOCIATION - DENNY RUCKER - Mrs. Vickie Goodson addressed the Council apologizing as she found out right before the meeting that Mr. Rucker would not be able to attend and asked if she would be allowed to give a brief report from the vendor's meeting. The Mayor invited Mrs. Goodson to give the report. Mrs. Goodson reported a Vendor's Association would be meeting on Friday night of each First Monday weekend at the "Baked Potato" location and extended an invitation to the Council and management to attend any of the meetings. She explained the group was not formed to serve as a "watch dog" over Management or the City Council or to try to run the First Monday operations. Mrs. Goodson stated the goal of the association is to work with the City and to bring forth ideas and suggestions to improve and update the City owned grounds. She explained the first meeting went well and several good ideas were

discussed such as improving Kaufman Street and make an attractive, noticeable, entrance at the "Main Gate" as it is no longer obvious to visitors where the main gate is located with the idea of asking vendors to raise x amount of dollars with the City matching funds for this project. Other ideas included possibly placing on site crafters on the hill, enlarging the bandstand and bringing in fiddlers to draw attention to the area, and placing new billboard signs on the Interstate with information on where to exit. Mrs. Goodson explained the vendors would be willing to assist with needed funds. She asked that the First Monday Committee appointed by the Mayor and the spokespersons for the Vendors Association meet to further discuss the ideas. Mayor Etheridge informed the audience he had appointed Councilmen Ron Sanford and Bob Alexander to this committee. Both Councilmen stated they would be glad to meet and discuss the ideas.

Mrs. Goodson then expressed concerns of some of the vendors pertaining to drainage off the newly constructed "food court". First Monday Manager Al Campbell explained the City's engineer would be in within the next week to survey the conditions and make recommendations pertaining to the drainage.

9. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE GRANTING LONE STAR GAS CO. A RATE INCREASE FOR RESIDENTIAL AND COMMERCIAL USERS - Ms. Susan Enarson, Government Relations Officer of Lone Star Gas, reviewed the history leading to the request for a rate increase from Lone Star and informed the Council since the 60 day postponement in March and further discussions with Mr. Mallory, Lone Star had revised the structure of the increase to lessen the impact on residential users and split the increase to where only one half would become effective in June and the other half in December.

Following a brief discussion of the City's options, Ron Sanford made a motion to grant the rate increase by the adoption of the ordinance. Charles Lide seconded. Those in favor were Ronnie Fugate, Charles Lide, Jimmy Peace, and Ron Sanford. Bob Alexander opposed. Motion carried and the ordinance shall be numbered 96-03.

10. DISCUSS AND CONSIDER REQUEST FROM CANTON INDUSTRIAL DEVELOPMENT BOARD TO CALL AN ELECTION FOR THE PURPOSE OF A 1/2% SALES TAX INCREASE FOR ECONOMIC DEVELOPMENT - Mr. Dick Ingram, Chairman of the Canton Industrial Development Board, addressed the Council and audience explaining the Board was developed and appointed in 1989. Mr. Ingram discussed the need of jobs in Canton and the competition Canton faces from other communities who are better funded with funds derived from a 1/2% Sales Tax for Economic Development. He explained Canton has lost industry to these other cities due to their ability to offer buildings, land, funds, etc. to entice the business owners. Mr. Ingram asked the Council to consider calling an election placing a proposition on the ballot for the adoption of a 1/2% sales tax increase to be used for economic development. Further explaining the funds would generate approximately $400,000 per year which could be used to develop a quality industrial park with facilities to compete with the other cities.

Councilman Alexander explained that Mr. Mallory and Mr. Campbell had worked out a plan to bring a representative from the State Comptroller's Office to meet with the Council and Industrial Development Board in a workshop to further explain the tax and its approved uses. He then suggested a workshop be held before consideration to call such an election and suggested June 11th, being before the regular meeting in June. If it was then the Council's desire to call such an election, they would be able to do so at the June 18th meeting in order to hold the election in August. The Council and Mr. Ingram were in agreement. The workshop was later changed to June 4th due to conflicts in the State Comptroller's Office.

11. DISCUSS AND CONSIDER REQUEST FROM MR. HENRY LEWIS TO RENT PROPERTY PRESENTLY LEASED BY THE CITY OF CANTON - This item was discussed after agenda item 20 as Mr. Lewis was late in arriving. Mr. Lewis reviewed his request made the previous month to lease property from the City of Canton on Highway 64 at $1,000 more a month than the City is presently receiving. Said property being leased by the City from the Barriers and sub-leased to John Crow Pontiac. When questioned by the Council, Mr. Mallory stated the 10 year lease with the Barriers would end February, 1997, at which time the City would no longer have control of the property and the agreement with John Crow Pontiac would also be terminated. Councilmen Fugate and Lide voiced their feelings of being fair to Mr. Crow and honoring any previous agreement whether it be in writing or verbal and that it would be out of the City's hands in only 9 months, at which time Mr. Lewis would be able to negotiate with the property owners. Mr. Lewis argued that the City does not have an actual lease and/or agreement with Mr. Crow. Councilman Alexander stated that the original lease with Mr. Crow was for 5 years with a 5 year option. Toward the end of the first 5 years, it was discovered that should Mr. Crow exercise his option, the termination date would fall after the City's lease terminated with the Barriers due to an oversight in drafting the lease agreement. Councilman Alexander stated Mr. Crow had been kind enough to not exercise the option as it could make the City liable for leasing property past the date of the City's control and placed himself in a less secure position by leasing on a day to day, month to month basis. Mayor Etheridge also stated that whether the agreement was in writing or not, the City had set a precedence for the past 4 years and 3 months and could be held liable by not continuing the remaining 9 months. Mr. Lewis questioned Mr. Crow's intentions of not exercising the 5 year option, the City's intentions when first leasing the property from the Barriers as well as stating his feelings that the City had been more interested in subsidizing a local business and blocking his ability to fill a parking lot for First Monday than they had been in First Monday parking conditions. No motions or action were taken on Mr. Lewis' offer.

12. DISCUSS AND CONSIDER ACCEPTING A PETITION FOR ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 243 AND ARNOLD PAUL ROAD OWNED BY EAST TEXAS MENTAL HEALTH, INC. - Mr. Mallory reviewed the location of the property requesting annexation and the willingness of the property owners to absorb the cost in placing a sewer line to the property. Ronnie Fugate made

a motion to accept the petition and begin annexation proceedings. Ron Sanford seconded and all were in favor.

13. DISCUSS AND CONSIDER CHANGING THE NAME OF BOUNDARY STREET TO EUBANK DRIVE - Mayor Etheridge informed the Council he and Councilman Peace had visited with the residents on Boundary Street and they were in favor of renaming the street to Eubank Drive in honor of Russell Eubank and his family. They had also checked with the Postal Service and they would handle mail delivery as was done with the renaming of Highway 19 and FM Road 859. Ron Sanford made a motion, seconded by Bob Alexander to change the name of Boundary Street to Eubank Drive. All were in favor as there were actually four seconds to the motion. Bob Alexander requested a ceremony be planned for the placing of the new street signs and a sign be ordered to give Mr. and Mrs. Eubank.

14. DISCUSS AND CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON COUNTY ROAD 2205- MR. HAROLD HOLYFIELD - Mr. Mallory informed the Council that he and the Public Works Director, Pete Lucas, had no objections to granting this request for a water tap as the tap would not create a strain on existing lines or pressure. Ron Sanford made a motion, seconded by Ronnie Fugate to grant the water tap for Mr. Holyfield on County Road 2205. All were in favor.

15. DISCUSS AND CONSIDER AMENDING THE PLANNING & ZONING ORDINANCE AS FOLLOWS: City Manager Johnny Mallory reviewed the following proposed additions and amendments to the zoning ordinance as recommended by the Planning and Zoning Commission.

    a) ADD A ZONING DISTRICT FOR PROFESSIONAL BUSINESS AND OFFICE USE
    b) AMEND FIRST MONDAY ZONING UNDER SECTIONS 13-3 AND 13-4
    c) AMEND SECTION 16-11 PERTAINING TO OFF STREET PARKING AND LOADING
    d) AMEND SECTION 17-3 PERTAINING TO SITE PLAN APPROVAL PROCESS

    Councilman Bob Alexander stated that in general, he was opposed to adopting additional regulations which would dictate how a person could use his/her property. Mrs. Betsy McCarty, member of the Planning & Zoning Commission, addressed the Council stating the recommendations from the Commission were not meant or intended to change any existing zoning or completely restrict use of property, instead, the intent being to have room for growth while protecting existing districts, primarily residential.

    Ron Sanford made a motion to adopt the proposed additions and amendments. Ronnie Fugate seconded. Mr. Dick Ingram expressed his feelings that zoning is needed and should not be considered as a means to harm anyone, it is a means of protecting the community and property owners. A vote was called on the motion with Ronnie Fugate, Charles Lide, Jimmy Peace and Ron Sanford voting in favor. Bob Alexander opposed and the motion carried.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE ARTESIAN WELL PROPERTY INCLUDING MAINTENANCE AND IMPROVEMENTS - Pete Lucas, Public Works Director, showed polaroid pictures taken of the artesian well property. Mr. Lucas explained City personnel clean the property quite often however, it seems to have become a meeting place at night with trash being left behind, the well is often used to fill types of holding tanks which usually result in the breakage of pipe and creates a long wait in line for it's use. Members from the audience suggested possibly getting more community involvement through organizations to assist in the clean up of the property, the installation of security cameras, and other means of patrol. Mr. Ingram donated a security camera not presently being used if the City would like to utilize it at the well. Mr. Lucas also informed the Council that continued efforts would be made toward the upkeep of the property

17. DISCUSS AND CONSIDER APPOINTMENTS TO THE PLANNING & ZONING COMMISSION - Ronnie Fugate made a motion to reappoint Lynn Etheridge and Clifford Caviness to serve on the Planning & Zoning Commission. Charles Lide seconded and all were in favor. As Betsy McCarty's term was also expiring, and she is moving outside the city limits, the Council asked that this item again be placed on the next regular agenda to fill the one vacancy.

18. DISCUSS AND CONSIDER APPOINTMENTS TO THE BOARD OF ADJUSTMENT - Bob Alexander made a motion, seconded by Ron Sanford, to reappoint Ben Shirey, Harry Minton, and Alton Smith to serve on the Board of Adjustment. All were in favor. This item shall also be placed on the next regular agenda to fill the unexpired term of Charles Lide as he now serves as a Councilman.

19. DISCUSS AND CONSIDER ADOPTING A RESOLUTION REQUESTING THE 75TH TEXAS LEGISLATURE TO TAKE IMMEDIATE ACTION TO CORRECT PROBLEM OF INADEQUATE HIGHWAY FUNDING - Mr. Mallory briefly reviewed the aforestated resolution explaining it was requested by Texas Good Roads and explained their concerns of funds derived from gasoline taxes were not being utilized or dispersed to where they were intended. Ron Sanford made a motion to adopt the resolution with Jimmy Peace seconding. All were in favor.

20. DISCUSSION AND UPDATE PERTAINING TO STREET IMPROVEMENTS - Mr. Mallory informed the Council Dodson Street and the end of Forrest Drive had been completed. Presently, the engineers are completing plans for Big Rock Street and hopefully bids should be in the latter part of June.

21. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Charles Lide questioned the three-way stop signs at Mill Creek and Forrest, wondering if a speed bump might be more effective and the legalities involved in placing such on public streets. Discussion included trying to patrol and monitor the area more frequently until such time other solutions could be reviewed.

A guest from the audience expressed the need of more restroom facilities on the First Monday Park. Mr. Campbell stated additional port-a-potties could be added for the time being.

Mayor Etheridge announced his Council Committee assignments as follows:

FIRST MONDAY	Ron Sanford and Bob Alexander
STREETS	Jimmy Peace and Ron Sanford
FINANCE	Charles Lide and Ronnie Fugate
PUBLIC SAFETY	Jimmy Peace and Bob Alexander
PARKS & RECREATION	Ronnie Fugate and Jimmy Peace
WATER, WASTEWATER, & SOLID WASTE	Charles Lide and Ronnie Fugate

22. ADJOURN - There being no further items for discussion, Ronnie Fugate motioned to adjourn. Charles Lide seconded and all were in favor. Meeting adjourned at 8:45 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 4, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Council members attending were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Jack Etheridge

2. INVOCATION - Councilman Bob Alexander

3. DISCUSS AND CONSIDER ADOPTING AN ORDINANCE PERTAINING TO CONGREGATING, LOITERING AND LITTERING ON BUSINESS PREMISES.--

City manager Johnny Mallory prefaced the discussion by explaining that the city had received numerous complaints from business owners about the problems created mostly by teenagers who congregate in the business parking lots during and after

business hours. He explained that currently the business owner has to make the complaint before police have the authority to intervene. The proposed ordinance would allow the business owner to post a sign on his property which forbids loitering and includes the ordinance number. The police department would then have the authority to enforce the postings. Bob Alexander asked what the cost of the sign might be and who would pay for it. Johnny Mallory answered that he did not yet know the cost, but the city would purchase standardized signs and business owners requesting them would buy direct from the city. Ron Sanford asked if the ordinance included the schools, library and other public buildings. Johnny Mallory said yes, if they posted the signs. Charles Lide asked if there was a specific time span to deem as loitering and how that would be monitored by the police on duty. Mr. Mallory said that it is not defined by a length of time. If a person is not on his way inside or out of the business, he would be considered loitering. Chief Ron Carroll endorsed the passing of the ordinance. He said the ordinance was solid and well written, and it had been in effect in Athens with positive results. Charles Lide asked if the property at Hwys. 198 and 243 belonged to the Texas Highway Dept. Johnny Mallory said that it was highway department property, that signs had recently been posted there, and the police would be enforcing them. Ronnie Fugate asked if businesses had to request the signs in writing. Johnny Mallory suggested that the city provide request forms for the business owner's signature and all agreed.

Ronnie Fugate made the motion to approve the ordinance regulating congregating, loitering and littering on or about business premises; prohibiting disturbances and alcoholic beverage consumption and providing penalties therefore. Ron Sanford seconded, and all were in favor. The ordinance shall be numbered 96-04 and be published in the local newspaper.

4. WORKSHOP WITH THE CANTON INDUSTRIAL DEVELOPMENT BOARD PERTAINING TO CALLING AN ELECTION FOR A 1/2% INCREASE IN SALES TAX FOR ECONOMIC DEVELOPMENT -- Bob Bearden and Charles Whitaker from the Texas State Comptroller's Office were invited to the city council meeting to inform the council and the Industrial Development Board members about the two types (4A and 4B) of economic development sales tax. Bob Bearden presented a brief history of the tax and passed out an informational brochure. He said that the first city to adopt the 4A tax was Abilene in 1989. The 4B tax was not available to rural communities until 1993. Mr. Bearden indicated that over 290 Texas cities have since adopted an economic sales tax, and most cities are now opting to hold elections for the 4B tax rather than 4A since it allows broader use of the tax revenue.

Mr. Bearden explained that a city election is required to pass the tax. First, the city council must adopt an ordinance at least 45 days prior to an election, which means Canton must adopt an ordinance by June 25 in order to put it to a public vote at the next election on August 10. If the election passes on August 10, the tax would take effect January 1, 1977 and the city would begin receiving tax allocations in March.

He went on to explain that 4B is much less restrictive than the 4A tax. Where 4A funds must be used directly for attracting and retaining industrial companies and is aimed at the creation of permanent jobs, the 4B may fund infrastructure projects that

will help attract new industry. Both types require that a development corporation be formed to administer the fund and that the city council appoint the board members. The 4A requires a five member board with up to six-year terms. The 4B requires a seven member board all of whom must reside in the city, and at least three who cannot be members of the city council or staff. Both types require that they operate under the open records and open meetings act. In either option, the city council is responsible for the make-up of the development corporation's board and the use of the funds. The council must approve the annual budget, but it can delegate as much authority as it wishes to the development corporation's board by establishing loose or strict project approval practices. It is the development corporation that actually spends the money.

Councilman Bob Alexander asked if the 4B board was required to hold public hearings for each project. He was concerned because businesses usually wish to remain secretive about potential moves. Mr. Bearden answered that a "project" was not clearly defined and that there had been no official opinion on this matter from the attorney general's office. He said that the budget hearings would suffice as the public hearing on administrative and some infrastructure projects. He suggested that the city consult the city attorney or Scott Joslove at the attorney general's office if there were a project in question.

Charles Lide asked if the development board determines the projects. Mr. Bearden explained that the intent was that the city council appoint the board members and establish an approval process. The council can control all activities of the board or delegate as much authority to the board as it wishes. He said that usually the board comes up with the development ideas, brings them back to the council, and they prioritize their plans together. Mr. Bearden suggested that it was a good idea to get a cross-section of the community on the board, and it was especially important to include someone with financial experience. In response to the question from Charles Lide about who does the background checks into potential clients, Mr. Bearden said that the council would probably want the board to do the background checks and the leg work of the project.

Mr. Bearden indicated that some cities have both 4A and 4B because they added a 4B tax once it was available. Most do not go after both because one may pass and the other fail. If a city has both taxes, they have to have two separate boards, with separate requirements and separate administration of funds. However, both boards can cooperate on a project.

The council was told that it has 1/2 cent sales tax available to them. The 1/2 cent can be split between 4A and 4B, or it could be all on one or the other. Based upon 1995 tax revenue, it was estimated that the city may expect to receive approximately one-third million dollars from the 1/2 cent sales tax annually.

Bob Alexander remarked that the current development board is close to meeting the 4A requirements. He asked if a 4A tax passed, should the current board be terminated, or could the council amend the articles and bylaws of the present corporation to comply. It was suggested that the council check with the city attorney.

Ronnie Fugate asked Dick Ingram (the president of the current industrial development board) his preference. Mr. Ingram responded that he would not be eligible for the for the 4B board since he lived outside city limits, and he preferred 4A because the current board had been targeting economic development as outlined in 4A. Industrial board member Bob Hutson indicated he preferred 4B because he wanted to be able to respond to a client who may want something such as a playground for family needs.

Bob Alexander told the council that Tyler passed the 4B and at the first set of hearings was deluged by special interest groups for parks, pools, gardens, etc. He warned that the board would not have enough funds to do it all. His view was that the focus was to compete for business. If the city chose to go after the 4A, then public works would not be included; however, the board could give funds to a business for a specific need such as water and sewer. The business could then pay for the water and sewer connections that run directly to their business.

Charles Whitaker from the comptroller's office explained that with 4B, the city could restrict what the funds could be spent on in the development corporation's bylaws and through its annual budget. He said that with 4A, there would be no latitude but it had the advantages of protection from special interest requests and it forces the board to stay on track with purely economic development projects.

From the audience, town square merchant Vickie Goodson asked if 4A could be used for new or current businesses, siting the sign company that recently moved to Wills Point as an example of losing a business. Mr. Bearden said that 4A or 4B could be used to help expand an existing business because the purpose is to create jobs. He encouraged the council to set up parameters so that it did not have to respond to all businesses wanting the city to make low interest loans or invest in their company. Mr. Bearden continued by telling the council that the development corporation could obtain loans at prime rate from the Texas Leverage Fund through the Texas Department of Transportation, and that the development corporation could loan tax dollars where the city could not.

Ronnie Fugate asked who was the keeper of the funds and Mr. Bearden responded that technically the city receives the tax revenue and disburses it to the development corporation. Bob Alexander asked if the board could use the funds for travel expenses when recruiting businesses. The answer was that board members serve without compensation, but are eligible for expense reimbursement.

From the audience, The Canton Herald editor Linda Brown asked if the corporation could hire a professional to help them. Mr. Bearden said yes and that many do hire directors and some cities share an employee with the development corporation. He indicated that while 4A restricts no more than 10% of the funds be spent on promotional activities, there were no restrictions on administrative expenses with 4A or 4B. The city usually requires that the corporation submit a budget and financial records at least annually for approval.

In a discussion on ballot language, Mr. Bearden said that if a city put both 4A and 4B on the election ballot, they had to be separate propositions. He cautioned that as separate propositions, it was possible for both, only one, or neither to pass.

5. ADJOURN - There being no further questions or items for discussion, the meeting was adjourned by a motion from Ronnie Fugate, a second from Bob Alexander and a unanimous vote from the council.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 18, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Ron Sanford made a motion to approve the minutes of the May 21, 1996 Regular Meeting and the June 4, 1996 Called Meeting as written. Charles Lide seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the May 31, 1996 Financial Statements. Ron Sanford seconded and all were in favor.

5. GUEST ITEMS - Mr. Joe Melia asked to address the parking of vehicles on First Monday lots. Mayor Etheridge explained this matter was on the agenda and would be addressed later in the meeting.

   An employee of a table and canopy vendor on the First Monday Park explained that vendors lost some merchandise during the latest wind and rain storm. She asked if there couldn't be some type of warning in the future of potential damaging rains and winds, allowing the vendors to decide if they should pack away their merchandise. Mr. Mallory explained the last storm was monitored on the weather equipment at the

Police Department and looked to be breaking up before reaching the Canton area. He explained that the City certainly did not want to panic vendors and shoppers although the City would make appropriate announcements in the event of severe weather conditions. He and Police Chief Ron Carroll stated procedures would be reviewed concerning announcements and warnings on the First Monday Park and visitors and vendors would be warned of impeding danger.

6. PRESENTATION FROM FIRST MONDAY VENDOR ASSOCIATION - VICKIE GOODSON - Mr. Ross Maris, representing the First Monday Vendors Association, informed the Council the Association was formed about three months ago to give the City positive input toward improvements. One project discussed was to rebuild the main gate entrance. Mr. Maris presented the City with $500.00 donated by vendors to be used for the main gate project. He stated if additional funds were raised, they would also be delivered to the City and that the Association realized the project would have to be considered in budget preparations along with a master plan for the grounds, however, they would like to see the project ready to begin by January, 1997. Mr. Maris further stated the Vendors Association wants to be a part of the solution, not a part of the problem.

Mrs. Vickie Goodson reviewed a list of nine suggestions from the Vendors Association explaining that #8, pertaining to restricting vehicle traffic from 9:00 a.m. to 5:00 p.m., had been discussed with Mr. Turner of East Gate Market Place and he is willing to block his entrance from Highway 19 during said hours if the City will do the same. Mrs. Goodson asked that the employees on the gates better check for receipts from vehicles entering the grounds and to be more responsive and friendly in greeting visitors. She also suggested a welcome letter be prepared and distributed to visitors attending the special events on the grounds, including history and information about First Monday.

Mrs. Goodson thanked the First Monday Committee for placing some of the suggestions on this agenda however, expressed concern with the use of First Monday lots for vehicle parking. She understood a letter would be sent to the vendors concerning this however, such a mail out has not occurred and asked for assurance that positive action would be taken by the next First Monday, expressing her belief that First Monday vendors should have to follow rules as the Arbor and Pavilion vendors do. Mrs. Goodson continued by asking that First Monday Management be on the grounds strictly enforcing the rules and regulations; the Council consider forming a Committee to review/approve lot transfers with the Committee consisting of 2 or 3 from the Vendors Association and 2 or 3 appointed by the Council. Mrs. Goodson also expressed concern with the road not yet being cut in front of the food court. She explained her sales were down by 80% this past month. She also informed the Council that the Vendors Association meetings have been changed to 7:30 p.m. on Saturday of each First Monday weekend and the Association will be printing a monthly newsletter and will have an updated list of suggestions for the July Council Meeting.

Councilman Ronnie Fugate questioned suggestion #3 from the Vendors Association pertaining to eliminating RV's and travel trailers on the grounds. Mrs. Goodson explained the suggestion was mistyped, and should have read the vehicles be placed at

the rear of their lots with merchandise displayed at the front, unless simply renting a space for parking in which case the vehicle should be parked in the RV parking areas. She also explained #9 was not intended to "kill" the unreserved area, simply to make the spaces reserved and allow the unreserved vendors the opportunity to reserve them.

First Monday vendor Joe Melia also addressed the Council concerning vehicles parking on the spaces not assigned to said vehicle owner and that several people from East Gate Market Place were parking vehicles on reserved lots in the T-Section. He continued by stating he has complained of this several times and once to the City Manager and City Secretary, when the City Secretary responded with "Joe, you always have a problem." Mr. Melia also stated that there have been times the tow truck was called and refused to move a vehicle due to liability. Councilman Alexander questioned the use of "boots" to immobilize illegally parked vehicles, requiring the owner contact the Police Department to have the boot removed after paying a fine. Discussion was held pertaining to the feasibility and cost involved. Bob Alexander made a motion to purchase two (2) "boots" to begin enforcement when the vehicle is unable to be towed. A lady from the audience questioned whether the Council would be starting too much at one time, coming across as antagonizing the vendors. Mr. Thompson from the audience asked if the Council could move slower and fine tune the changes which would prevent upsetting everyone at once, stating the first priority should be First Monday economics. Councilman Alexander's motion died for the lack of a second.

Councilman Fugate asked that as the Council changes any rules, the vendors be mailed a letter explaining the changes. Al Campbell informed the Council of his planning to hand out letters/notices to vendors as they arrive this upcoming First Monday weekend pertaining to any Council approved changes in rules and regulations.

Councilman Alexander assured the audience that the First Monday Committee is reviewing and investigating the nine (9) suggestions presented by the Vendors Association. He concluded by stating that two (2) of the items have been placed on the agenda and as the Committee reviews the remaining seven (7), recommendations will also be made to the Council, however, they may not all be in favor of the recommendations.

7. DISCUSS AND CONSIDER REQUEST FROM WORD OF VICTORY OUTREACH CENTER TO HOLD A CONCERT ON THE SQUARE JULY 20, 1996 - VICKIE GOODSON - Mrs. Goodson informed the Council that Mr. Wally Cook was out of town and did not get the information to her pertaining to this request however, she understood that he had visited with the City Manager and some of the Councilmembers. Johnny Mallory explained the request for permission to hold a concert on the south side of the courthouse July 20, 1996, blocking off the portion of Tyler Street between Highway 64 and Capitol Street. Ron Sanford made a motion to grant the request. Charles Lide seconded and all were in favor.

8. DISCUSS AND CONSIDER REQUEST FROM ARROW TRAILWAYS OF TEXAS TO OPERATE A LOCAL TYPE SHUTTLE BUS SERVICE WITHIN THE CITY OF CANTON ON FIRST MONDAY WEEKENDS - First Monday General

Manager Al Campbell informed the Council that Arrow Trailways is in the tour bus business in Killeen and has presently set up an office in Mineola to market through Amtrak. The company would like to pursue a shuttle service on First Monday weekends stopping at several locations and building a clientele from motels, bed & breakfast, etc. The business would be a private enterprise and not contracted with the City. Mayor Etheridge stated confirmation of the company's insurance would be needed. Councilman Alexander questioned the need of a franchise fee/ordinance, permitting such service. He then made a motion to table the request until such time as the First Monday Committee could discuss and negotiate a franchise fee. Ronnie Fugate seconded and all were in favor. Mr. Martinek of Wild Willie's II Mountain stated this company is willing to try this endeavor at no cost to the City and he believed it would be beneficial to everyone. He asked that the Council not discourage this endeavor due to "little stuff". Council Fugate stated a franchise agreement could be beneficial to Arrow Trailways as well as the City if the endeavor is successful and would provide some protection for their business.

9. DISCUSS AND CONSIDER CALLING AN ELECTION FOR AUGUST 10, 1996 FOR A PROPOSITION TO ADOPT A 1/2% ECONOMIC DEVELOPMENT SALES TAX - Canton Industrial Development Board Chairman Dick Ingram relayed to the Council the Board's unanimous decision to ask the Council to call the above stated election for the proposition under the 4A type sales tax. Mr. Ingram expressed the intent of the revenue should be to diversify local jobs and in no way be considered as competition with First Monday. Several local business owners/operators from the audience questioned the need of the 4B type sales tax as opposed to the 4A, discussing the greater flexibility with 4B revenue and sampling other cities who have gone from 4A to 4B for the same reason. Remarks also included the availability to structure the funds to mandate any given percentage be used solely for the development of industry while allowing a smaller percentage to be used in the "extras" which might entice industry to the area and assist existing businesses to enlarge. Mr. Ingram stated the feelings of the Board were that 4A is more focused toward the specific interest and intent of the Board for the past eight (8) years. Councilman Alexander stated other cities have opted for 4B as they do not have revenues from a source such as First Monday to fund "extras" or "niceties" such as parks and the expressed need of the Board to use the funds for the building of industry as opposed to luxuries. Councilman Alexander also stated that although he was in favor of 4A, he would vote for 4B if the Council so desired as the additional sales tax is needed if Canton hopes to compete with other cities in the solicitation of industry.

Following further discussion, Ronnie Fugate made a motion to call an election for August 10, 1996, for the following proposition:

The adoption of a sales and use tax within the City at the rate of 1/2 of 1% as authorized by Section 4B Article 5190.6 V.T.C.S., as amended (The Development Corporation Act of 1979), with the proceeds thereof to be used for and applied to the purposes authorized by the Act, including but not limited to the promotion and development of new and expanded business enterprises.

Ron Sanford seconded the motion and all were in favor.

10. DISCUSS AND CONSIDER APPROVING CHERRY GROVE SUB-DIVISION PLAT ON APPROXIMATELY 4 ACRES LOCATED ON THE SOUTHEAST CORNER OF WEST COLLEGE AND CHERRY CREEK - Mr. Chuck Kotlarz, owner and general contractor of the property, informed the Council of his plans to develop ten (10) sites on the four (4) acre tract with homes approximately 2,200 to 2,500 square feet. Mr. Mallory explained the Planning & Zoning Commission had reviewed the plat earlier that day and accepted it. A recommendation from Planning & Zoning pertaining to the zoning of said property will be presented to the Council during the June 20, 1996 Called Meeting. Ron Sanford made a motion to approve and accept the plat for the Cherry Grove Sub-Division. Charles Lide seconded and all were in favor.

11. 1ST PUBLIC HEARING FOR CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 243 AND ARNOLD PAUL ROAD OWNED BY EAST TEXAS MENTAL HEALTH, INC. - Mayor Etheridge opened the public hearing and no one was present to speak in favor or against the contemplated annexation. Mayor Etheridge closed the public hearing announcing the 2nd public hearing will be held during the June 20, 1996 Called Meeting.

12. DISCUSS AND CONSIDER REQUEST FOR A WATER TAP OUTSIDE THE CITY LIMITS ON COUNTY ROAD 2204 - JOHN CROW - Mr. Mallory explained there were no apparent problems with granting this request and that lines are in place and could be easily extended from Mill Creek Road. Ronnie Fugate made a motion, seconded by Ron Sanford, to grant the aforestated water tap. All were in favor.

13. DISCUSS AND CONSIDER RULE AND REGULATION CHANGES FOR FIRST MONDAY INCLUDING, BUT NOT LIMITED TO: The discussion began with item b) as a representative from BT&T Tables/Tents wished to address the audience.

    a) OPENING OFFICES AT MAIN GATE AND LOG CABIN DURING REGULAR BUSINESS HOURS BEGINNING ON THE MONDAY PRECEDING EACH FIRST MONDAY WEEKEND - Councilman Alexander explained that after reviewing the suggestion from the Vendors Association, the First Monday Committee felt it would be advantageous to have the two First Monday Offices on the grounds staffed beginning on Monday preceding each First Monday Weekend. He explained that questions could be answered on the grounds during regular office hours (8:00 a.m. - 5:00 p.m.) rather than vendors and visitors having to locate City Hall. Mr. Campbell was in agreement and stated that unless the Council had objections, this could be handled administratively. There were no objections from the Council.

    b) ALLOWING FIRST MONDAY VENDORS TO SET UP ON WEDNESDAY PRECEDING EACH FIRST MONDAY WEEKEND - Ms. Carmen Wagner of BT&T Tables asked the Council to consider allowing service vendors such as the table and tent vendors to enter the grounds and begin set ups on Tuesday if the vendors will be entering on Wednesday. The present policy allows the service vendors to enter with the food concession on Wednesday prior to the vendors entering on Thursday morning.

Councilman Sanford explained the First Monday Committee was recommending only the reserved vendors be allowed to set up on Wednesday as the Arbor vendors are allowed to do. He explained this would alleviate some of the traffic congestion Thursday morning from the holding pen and the main gate entrance while allowing the reserved vendors the same opportunity to be ready to sell on Thursday as the Arbor vendors. Councilman Alexander suggested allowing the service vendors and food concessions in on Wednesday morning and the reserved vendors on Wednesday afternoon. He and Councilman Sanford also explained the reason for not moving up the unreserved vendors entrance to the grounds was primarily due to staffing and pulling employees off other duties to operate the gates on Wednesday as is presently required on Thursday morning. Following further discussion including the average time needed for service vendors to prepare tables and tents for the vendors, Bob Alexander made a motion that effective August '96 First Monday, vendors be allowed onto the grounds on the following dates preceding First Monday Weekends:

Service vendors (setting up of tents & tables)	9:00 a.m. Tuesday
Food Concessions	9:00a.m.Wednesday
Reserved Vendors	1:00 p.m. Wednesday
Unreserved Vendors	7:00 a.m. Thursday

With vendors choosing to set up on Wednesday paying a $10.00 charge at the gate.

Charles Lide seconded the motion and all were in favor.

14. DISCUSS AND CONSIDER AUTHORIZING THE FOLLOWING PURCHASES FOR THE CANTON CIVIC CENTER:

a) KITCHEN EQUIPMENT - Mr. Campbell explained that as the kitchen rights to the Civic Center are contracted for a food concession on First Monday and the lessee is supplying some of the major kitchen equipment, problems have arisen when the Center is utilized by RV groups or groups not necessarily needing a food concession however, needing some use of a kitchen. He presented prices he had obtained after shopping for needed commercial equipment and asked the Council's permission to purchase the following from Tyler Restaurant Supply Inc.: 49 cu. ft. Refrigerator $2,290.00; 450 lb. capacity Ice Maker $2,465.00; and an Imperial 72" range with 6 burners, 2 ovens, and a 36" grill for $3,365.00. Ronnie Fugate made a motion to purchase the listed equipment totaling $8,120.00. Ron Sanford seconded and all were in favor.

b) SIGNAGE TO BE PLACED ON THE EAST AND WEST SIDES OF THE BUILDING - Mr. Campbell presented a proposal from Free State Sign & Neon for the manufacturing and installing of two (2) sets of 3"-6" non-illuminated letters to be placed on the east and west sides of the Civic Center for better identification. Mr. Campbell suggested accepting the proposal in the amount of $3,129.00. Ronnie Fugate so moved with Ron Sanford seconding. All were in favor.

15. DISCUSS AND CONSIDER ADOPTION OF AN INVESTMENT POLICY - Mr. Mallory presented and reviewed a proposed Investment Policy explaining such a policy was required in the Public Funds Investment Act which was enacted during the last session of the Legislature. Ron Sanford made a motion to adopt the Investment Policy as presented. Jimmy Peace seconded and all were in favor.

16. DISCUSS AND CONSIDER CHANGES IN FORMAT OF CITY COUNCIL MEETINGS - Councilman Alexander asked the Council to consider holding two (2) Council meetings each month with one (1) being designated for First Monday agenda items and the other for City business agenda items. He explained his feelings that by having two (2) shorter meetings each month, the Council could be more productive than by having one (1) meeting which has been taking several hours, causing those in attendance to become tired and possibly less attentive. The Council discussed possible dates to hold a First Monday Council Meeting while having the 3rd Tuesday of each month dedicated to City business. Ron Sanford made a motion to begin having two (2) regular meetings each month, one on the 2nd Tuesday of the month for First Monday business and one on the 3rd Tuesday of the month for City business. Bob Alexander seconded and all were in favor.

17. DISCUSS AND CONSIDER PROPOSAL TO LEASE "OLD POST OFFICE BUILDING" AT 400 S. BUFFALO TO BE OCCUPIED BY THE CANTON POLICE DEPARTMENT - Councilman Alexander discussed the adverse working conditions due to lack of space at the police department. He presented a proposal from Mrs. Paula Ray to lease the old post office building at 400 S. Buffalo for 5 years at $1,500.00 per month, explaining the building is approximately 4,200 square feet, compared to the present 1,100 square feet at the police department. Police Chief Ron Carroll stated the building would require very little modifications to accommodate the police department and preparation and move in would cost $10,000 at a maximum, with $6,000 to $8,000 being more likely. The Council discussed the advantages of owning or buying the property as opposed to leasing and Mrs. Ray's reasons for wanting to lease rather than sell. The Council was in general agreement that the location would be ideal for a police department however, was concerned about the amount of funds for rent over a period of 5 years compared to being out the funds on a building which would eventually be owned by the city. The Council asked Councilman Alexander to pursue possibilities of tax relief to Mrs. Ray should she be willing to owner finance if she is willing to sell the property. Another option the Council asked be investigated would be a shorter term lease, possibly 3 years instead of 5 if Mrs. Ray was not willing to sell the property.

18. DISCUSS AND CONSIDER APPOINTMENT TO THE PLANNING & ZONING COMMISSION - Ronnie Fugate suggested, followed by a motion, to appoint Mr. Tommy Roberts, who resides on Melinda Lane, to serve on the Planning & Zoning Commission. Councilman Fugate explained Mr. Roberts' past employment with the Appraisal District in Emory would be beneficial to the Commission. Ron Sanford seconded the motion and all were in favor.

19. DISCUSS AND CONSIDER APPOINTMENT TO THE BOARD OF ADJUSTMENT - The Councilmembers did not have a recommendation and asked

present Board Member Alton Smith to consider potential recruitments to be considered at the next meeting.

20. DISCUSSION AND STATUS REPORT OF ALL MATTERS PERTAINING TO THE ARTESIAN WELL PROPERTY - Public Works Director Pete Lucas informed the Council his crew had cleaned approximately 1 acre around the well and had changed out the meter to get more accurate production readings. He had also spoken with the Constable who agreed to patrol the area more often. Alton Smith asked the Council to consider, if possible, constructing a turn around area, feeling it would help the traffic flow. No action was taken on this item and Mr. Lucas assured the Council continued efforts would be made to clean and protect the property.

21. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS - This item was tabled until which time the Street Committee and Mr. Mallory could further visit with property owners on Big Rock Street pertaining to a 37' street and needed easements.

22. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - There were no items discussed at this time.

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.074.

23. EXECUTIVE SESSION - The Council retired to executive session at 10:10 p.m. for the following matters:

DISCUSSION OF PERSONNEL MATTERS TO CONDUCT MANAGEMENT POSITIONS BI-ANNUAL EVALUATIONS

24. RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened into open session at 11:56 p.m. with no action being taken pursuant to discussion in executive session.

25. ADJOURN - Ron Sanford motioned, seconded by Jimmy Peace, to adjourn. All were in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., THURSDAY, JUNE 20, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Members present were Ronnie Fugate, Ron Sanford, and Jimmy Peace. Those absent were Charles Lide and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. 2ND PUBLIC HEARING FOR CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 243 AND ARNOLD PAUL ROAD OWNED BY EAST TEXAS MENTAL HEALTH, INC. - Mayor Etheridge opened the public hearing. As nobody was present to speak in favor or against the contemplated annexation, the Mayor closed the public hearing. Final action on the annexation will be taken during the July 16, 1996 Regular meeting.

4. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING ON APPROXIMATELY 4 ACRES LOCATED ON THE SOUTHEAST CORNER OF WEST COLLEGE AND CHERRY CREEK FROM AGRICULTURE (RA) TO RESIDENTIAL (R2) - Mr. Mallory brought forth the recommendation from the Planning and Zoning Commission to change the zoning of the aforestated property as requested. Ron Sanford made a motion to approve the zoning change from Agriculture (RA) to Residential (R2). Jimmy Peace seconded and all were in favor.

5. ADJOURN - There being no further items for discussion, the meeting adjourned at 6:35.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 9, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Bob Alexander

3. DISCUSS AND CONSIDER REQUEST FROM ARROW TRAILWAYS OF TEXAS TO OPERATE A LOCAL TYPE SHUTTLE BUS SERVICE WITHIN THE CITY OF CANTON ON FIRST MONDAY WEEKENDS - Mr. Timothy Hancock, President of Arrow Trailways, addressed the Council. Mr. Hancock explained his bus company is based out of Killeen however, has opened another location in Mineola due to negotiations with Amtrak for bussing of passengers to Canton and surrounding areas upon Amtrak stopping in Mineola. He explained the original thought being passengers would be taken from Mineola to surrounding bed & breakfast facilities, motels, and other lodging. Those same passengers to be bussed to Canton the following day for First Monday shopping with a specific drop off and pick up location. Through visiting with the Chamber of Commerce and reviewing the "shoppers" needs and the mass area of First Monday, Arrow Trailways decided, if allowed, they could provide a shuttle type service after arriving in Canton, allowing transportation for shoppers to more easily visit additional areas and helping alleviate vehicles from leaving original parking spaces to travel to other parking spaces for shopping purposes. Mr. Hancock explained his company is a charter and tour business, however, the shuttle service would enhance the bus business and provide needed service to the visitors of First Monday. He assured the Council his company is fully insured which would indemnify the City of liability and requested permission to operate a shuttle service on routes to be agreed upon with the Police Department for safety measures, on Fridays, Saturdays, and Sundays of First Monday weekends. When questioned, Mr. Hancock stated the charge to ride on the shuttle would be $1.00 from the pick up point to the point the passenger departed the shuttle and that he had available 20 and 14 passenger shuttle buses as well as 7 and 10 passenger vans if needed.

   Discussion was then held pertaining to standard procedures for bus companies to operate in cities, exclusive franchise agreements, etc. Mr. Hancock discussed methods of operation in other cities and provided the Council with a copy of an ordinance adopted by the City of Killeen permitting Arrow Trailways to operate in said city. He explained it was not an exclusive privilege and that the Council of Killeen could consider additional requests from other bus companies, reviewing the need and traffic in the city.

   Councilman Fugate stated his feelings that this type of service would benefit all First Monday operations, allowing shoppers a means to go from one market to another. He

did ask if the existing shuttle service(s) operated on First Monday weekends would be permitted to utilize the designated stops of Arrow Trailways. City Manager Johnny Mallory explained that presently there are no ordinances or regulations for this type of service and expressed an immediate need in adopting such an ordinance. He did recommend adopting the ordinance as worded by the City of Killeen to grant Mr. Hancock permission to operate in order that he may begin. However, he also suggested an ordinance be drafted as soon as possible regulating such services in order to provide equal and fair standards of operations to all services of the same type. Mr. Hancock also stated he did not mind any regulations as long as all "players" are regulated the same, should he be required to operate a handicap accessible shuttle bus, so should other operators.

Councilman Bob Alexander made a motion to adopt an ordinance granting a privilege to operate a local bus/shuttle service to Arrow Trailways of Texas. Ron Sanford seconded and all were in favor.

4. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE SUB-LEASING AND SELLING OF FIRST MONDAY LOTS - First Monday General Manager Al Campbell reviewed ongoing concerns of vendors sub-leasing and selling lots on the First Monday grounds which is a violation of the First Monday policies. He explained that after discussing the alleged violations with the Police Chief and the District Attorney, a plan was developed to operate an ongoing investigation. Presently, after the first two months of investigation, the Police Department has obtained sufficient evidence on four (4) different individuals who are violating said policy. Mr. Campbell informed the Council that the four individuals would be sent certified letters this week informing them that upon receipt of the letter, they no longer have lots nor are allowed to operate on the First Monday grounds. The Council expressed their full agreement and suggested the letters be mailed as soon as possible. Mr. Campbell and Police Chief Ron Carroll informed the Council that the investigations would continue monthly with the same action being taken on any proven violators, and will include criminal activity investigating as well.

First Monday vendor Bill Phillips asked if he was not able to come one month, could he allow someone else to set up on his space. Mr. Campbell assured him this would be allowed as long as Mr. Phillips did not charge someone for the use of his space. When asked for clarification of sub-leasing, Mr. Campbell stated that lots rented from the City which were not used by the renter for their own business and leased to other parties for monetary gain are considered sub-leased.

5. DISCUSS AND CONSIDER REVISING POLICY PERTAINING TO MERCHANDISE PICK UP PASSES - Mr. Campbell explained he and the First Monday Committee had reviewed the present Merchandise Pick-Up passes which are distributed to the vendors. He stated the passes do tend to be abused, creating more vehicle traffic through the grounds and adding to the parking problems on vacant lots. For the remainder of this fiscal year, Mr. Campbell stated colored passes, to match vendor passes each month, would be distributed with attempts made to provide these passes only to vendors who have merchandise which would require persons to pick it up in a vehicle. He explained the Committee is still reviewing additional measures to

be taken in the next fiscal year, including passes with detachable stub to be collected at the gates, reflecting license plate numbers for identification of the vehicle and the time of entry, allowing the vehicle to be identified if located on the grounds after a reasonable amount of time. No action was taken or needed on this item.

Mr. Joe Melia asked when the enforcement of no vehicle traffic from 9:00 a.m. to 5:00 p.m. would begin. The Council stated action had never been taken to adopt this policy and at the present, it is merely a suggestion from the Vendors Association which will also be investigated by the First Monday Committee

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO VEHICLE ACCESS FROM ADJOINING FIRST MONDAY PROPERTIES - Mr. Campbell stated upon review of the accesses to the First Monday grounds, it was discovered that after passing the check point into the RV area off Highway 64, vehicles could remain on the road and come around into the grounds on Dealer's Row (Row 94), as their access was past the check point from Highway 859 (Flea Market Lane). This same check point being west of an area accessible from the Dixie House or Mr. Lewis' property onto Dealer's Row. Mr. Campbell explained the by moving the check point east from the log cabin area, vehicles could be checked and verified entering through either of the two areas while still verifying those entering off Highway 859. The Council encouraged the move of the check point.

Ms. Wagner of BT&T Tables asked if there could not be an easier way for persons to get to her spaces for pick up of tables and tents rather than driving through the grounds. She admitted that she normally tells them they can sneak into the gate on Highway 19 at the East Gate Market and back out without having to fight crowded areas. Mr. Campbell suggested she consider having additional locations for pick ups closer to the west and main gates in hopes of enhancing customer relations and services.

7. DISCUSS AND CONSIDER PROPOSALS FOR REVITALIZING THE ORIGINAL FIRST MONDAY AREA ON THE HILL - Mr. Campbell asked the Council to begin considering an idea of taking space that is not used on the hill, allowing vendors to lease a larger area and construct their own building on the property. He explained this was merely to begin thinking about and asked that he and the First Monday Committee review and prepare an actual proposal, realizing that building and electrical codes would be required, the type of structure would need to be removable upon the expiration of the lease provided the vendor did not want to renew the lease, etc. He stressed, if approved, this should only be allowed on the hill area, not extending to the bandstand and flatter area just north of the hill. Mr. Campbell stated that possibly with attractions built on the hill, the open air spaces would be more desirable as shoppers would be more likely to walk up the hill. Councilman Sanford asked Mr. Campbell to perform an informal vendor survey during the next First Monday to obtain input and seek interest.

Mrs. Georgia Phillips encouraged the Council to pull traffic in to park on the southwest side of the grounds to provide additional pedestrian traffic to the hill area, discussing signs and accessibility to the parking lots. Mrs. Vickie Goodson asked if

the Council could possibly consider, if approved, the structures being built in some type of theme style.

Mr. Campbell and the First Monday Committee will work on this idea and bring a recommendation to the City Council.

8. DISCUSS AND CONSIDER PROPOSAL TO LEASE "OLD POST OFFICE BUILDING" AT 400 S. BUFFALO TO BE OCCUPIED BY THE CANTON POLICE DEPARTMENT - Mr. Mallory reviewed the proposal from Mrs. Ray to lease the property for five (5) years at $1,500 per month. Mr. Mallory stated that it would cost approximately $8,000 to make ready and move the police department into the building. He informed the Council that upon considering all factors of the proposal, and the dire needs of the police department for additional space, he recommended the Council lease the building for $1,500 per month for a term shorter than five (5) years, possibly three (3). He explained that although he still had hopes of building a City Hall/Police Department Complex, the police department has reached a point that in order to operate efficiently, the must have more room. He did ask the Council not to abandon the pursuit building a new complex.

Mr. Mallory and Councilman Alexander stated their impression that purchasing the property is not an option at this time. The City did have an appraisal done and verified tax breaks available to the owner however, the owner does not wish to sell the property. Councilman Alexander expressed concern that most negotiations for shorter lease terms with options resulting in step increases in rental rates. Councilman Sanford stated some funds could possibly be obtained by leasing the present police department for First Monday use which would lessen the impact of the rent for the old post office building.

Following further discussion, Bob Alexander made a motion to pursue the lease of 400 S. Buffalo, authorizing City Manager Johnny Mallory to negotiate the terms. Ron Sanford seconded and all were in favor.

9. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Although not for placement on future agendas, Mr. Mallory informed the Council of concerns from the Water & Sewer Plant operators regarding potential future contamination of the artesian well water. He explained the water is tested on a regular basis and no serious contamination has been discovered although it is always a possibility prior to the next testing. The operators would like to install an ultraviolet treatment system on the well which would kill bacteria without taking anything from or adding anything to the water. Mr. Mallory stated the water would actually run through this system which is contained in a steel casing and the system would cost approximately $1,500 to install. Mr. Mallory informed the Council that unless they had objections, he would like to approve this system. The Council had no objections.

Mr. Mallory then informed the Council that obtaining easements from property owners on Big Rock Street in order to construct a 37' street was looking dim. He explained that some property owners are not willing to sign. Bob Alexander suggested that at the next Council meeting, a date be established for completion of the easement

releases and that if the City was not able to get the needed easements for a 37' street by that date, the funds be diverted to another street. Mr. Mallory then stated some were unwilling to sign for a 37' street however, were willing to sign for a street of lesser width. Councilman Alexander asked if a width less than 37' could in anyway be considered safe with the amount of traffic and school buses traveling the street. Mr. Mallory stated he would not feel any lesser width would be safe with the installation of curb and guttering.

Mrs. Vickie Goodson asked to speak on behalf of the Vendors Association. She praised the Council and Mr. Campbell, stating at the last vendors meeting, the vendors agreed there were definite changes for the better already visible on the grounds. She informed the Council that the Association will continue meeting and has moved the meeting place to the bandstand rather than crowding onto a vendor's lot(s), however, they did not feel they would be needing to bring any further suggestions to the Council as the Council and First Monday Management are on the right track. She stated the meetings are primarily to serve as a liaison between the City and vendors who are not close enough to attend Council meetings. She again praised Mr. Campbell and the First Monday Committee for taking the ball and rolling with it. Mrs. Goodson informed the Council the Association would continue raising funds for the renovation of the main gate and they knew the Council would pursue this project.

Other comments from the audience included, an unreserved vendor stating the unreserved area did not seem to have the problems that the reserved areas are having and stated that he is also proud of the Council; Mr. Joe Melia questioning the number of city lots on the First Monday grounds and the reasoning for holding so many; Ms. Wagner asking for better lot numbering markers; and Mrs. Phillips asking for additional public relations in the holding and unreserved areas.

10. ADJOURN - There being no further items for discussion, Ron Sanford made a motion to adjourn. Jimmy Peace seconded and all were in favor. The meeting adjourned at 8:05 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 16, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander. None absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Councilman Bob Alexander made a motion to approve the minutes of the June 18, and July 9, 1996 regular meetings, and the June 20, 1996 called meeting. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Bob Alexander made a motion to approve the June 30, 1996 financial statement following an oral review by city manager Johnny Mallory. Jimmy Peace seconded and all were in favor.

5. GUEST ITEMS - Joe Melia asked to approach the council with five or six questions regarding First Monday, but agreed to postpone his request until the next regular meeting dedicated to First Monday issues on August 13, 1996.

6. DISCUSS AND CONSIDER REBUTTAL FROM MS. BETTY NEEF CONCERNING DENIAL FROM CITY'S INSURANCE ON SEWAGE BACK UP CLAIM AT 452 CAPITOL STREET -- Mrs. Betty Neef submitted a letter of rebuttal to GAB Services' denial of her claim for damages from a sewage back-up into her residence at 452 Capitol Street. Since the insurance was claiming immunity for the City under the Tort Claims Act, Mrs. Neef was concerned about reoccurrence and having properly functioning lines. Johnny Mallory and Pete Lucas confirmed that the lines had been dug up and were found to be properly installed, were at the correct elevation, and were in good working condition. Mrs. Neef was also concerned that the pipe was PVC which Mr. Lucas said was standard. Pete Lucas said that the problem in earlier years may have been at the manhole on College, but a properly working clean-out valve at the residence should have protected the home. He said the boot was in place at the main, but all mains are subject to blockage. Councilman Bob Alexander asked Mr. Lucas to meet with Mrs. Neef to explain how the clean-out valve works and offered that it may be an option for her. Mrs. Neef indicated that she already had a clean-out valve. Ron Sanford said he was sympathetic with Mrs. Neef's situation and asked if it were possible for the city to identify problem areas and notify affected citizens about installing clean-out valves to protect themselves against similar back-ups. There being no action required, Mayor Etheridge said he was sorry that it happened and hoped it didn't again.

7. DISCUSS AND CONSIDER POSSIBLE NEED OF AN ORDINANCE PERTAINING TO BILLBOARDS AND/OR SIGNS INSIDE THE CITY LIMITS FOLLOWING A PRESENTATION FROM CHASE COMPANY--Removed from the agenda prior to the meeting.

8. DISCUSS AND CONSIDER GRANTING A VARIANCE IN THE FLOOD PLAIN ORDINANCE PERTAINING TO THE FLOOD FRINGE FOR H & T PARKING, INC.-- Johnny Mallory informed the council that H & T was requesting a variance to construct a food court in the flood fringe at a lower elevation than was called for in the Flood Damage Prevention Ordinance. He explained that TNRCC and FEMA had determined that one could fill-in in the flood fringe, but not the floodway. He further explained that the structure must be built one foot above elevation to be insured. Mr. Mallory told the council that the structure would not increase the elevation in the floodway and that H & T was not seeking insurance. He, therefore, recommended the variance be granted. Ronnie Fugate made a motion to grant H & T Parking, Inc. a variance in the Flood Damage Prevention Ordinance. Bob Alexander seconded and all were in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PROPOSED BIG ROCK STREET IMPROVEMENTS AS WELL AS FUTURE STREET IMPROVEMENTS --Mr. Mallory reported that there were approximately ten people who refused to sign property easements for the widening of Big Rock Street. He indicated that without the signatures, the city could not build the recommended thirty-seven foot wide street, and anything less would be defeating the purpose. The mayor polled the councilmen for their opinions. Charles Lide expressed his disappointment that such an important project could be prevented by only ten people, and that sixty other residents on Big Rock would be denied the opportunity to have a great street. He recommended that the city move on to the next street project. Ronnie Fugate defended the rights of the ten people who would not sign, and recommended the city move on to the next street. Jimmy Peace also recommended the city move on to the next street. Ron Sanford said it would be crippling the school by not improving the street, but that the current problem could not be corrected with a more narrow street. He could not see spending a half a million dollars and still not solve the problem. He, too, said to move on to the next street. Bob Alexander echoed the sentiment of the others, but suggested the council give the hold-outs two more weeks to sign the easement agreement by July 30. In that time, he asked the staff to send out another letter and to proceed with the engineering work on the next street. He further suggested that the city start ordering the engineering for two streets at a time. Chuck Roy, a Big Rock resident, asked if there was another option than abandoning the project. Ron Sanford said that the Streets Committee didn't see any option that was good for the city and for the safety of the children. When prompted about condemnation of the property, Mr. Mallory said that the city would have to pay all of the owners for the condemned property at a value determined by the courts. Chuck Roy told the council that his children were more important than his trees and that he hated to see the time and money already invested be wasted because a handful of people would not grant the easement. Mrs. Neef offered that the hold-outs might not

fully understand because she had a friend who lived on Big Rock who had been confused about the personal expense involved. In summation, Ron Sanford told the audience that Big Rock was probably the city's most important street project and if it were abandoned, it was not because the council wanted to abandon it. Big Rock resident Tammie Roy remarked that the street project would upgrade the property value and that she thought the other residents should overrule the hold-outs. Johnny Mallory told the council the preliminary engineering had been done on Woodland Street and that the city could proceed while the final letter was being sent to the residents of Big Rock. Ronnie Fugate made the motion to extend the deadline to July 30 for receiving property easements on Big Rock, to proceed with the engineering on Woodland and to order future engineering two streets at a time. Jimmy Peace seconded and all were in favor.

10. DISCUSS AND CONSIDER AWARDING BID FOR THE CONSTRUCTION OF A SLUDGE DRYING BED AT THE WASTEWATER TREATMENT PLANT--Johnny Mallory explained the need for the construction of a sludge drying bed at the wastewater treatment plant and reviewed the construction bids which were as follows:

1.	McKinney & Moore Jacksonville, TX	$91,862.50
2.	Gracon Construction Dallas, TX	$92,000.00
3.	B-5 Construction Oakwood, TX	$92,104.00
4.	RTR Construction Grand Saline, TX	$106,599.00

He recommended the low bidder, McKinney & Moore, be awarded the project at a total cost of $91,862.50. The council was informed that the project would deplete the funds remaining in the wastewater's annual budget. Bob Alexander made the motion to accept the bid from McKinney & Moore to construct a sludge drying bed at the wastewater treatment plant, contingent upon the State's approval. Ron Sanford seconded and all were in favor.

11. DISCUSS AND CONSIDER APPOINTING AN ELECTION JUDGE FOR THE AUGUST 10, 1996 SALES TAX ELECTION--Ronnie Fugate made the motion to appoint Mary Wages as the election judge for the August 10, 1996 sales tax election and to allow her to hire three clerks. Bob Alexander seconded and all were in favor.

12. DISCUSS AND CONSIDER ADOPTING AN ORDINANCE ANNEXING PROPERTY LOCATED ON EAST HIGHWAY 243, OWNED BY EAST TEXAS MENTAL HEALTH, INC.--Having held the two required public hearings without opposition, Ron Sanford made the motion to adopt the ordinance annexing the property on Highway 243 owned by East Texas Mental Health, Inc. Jimmy Peace seconded and all were in favor.

13. DISCUSS AND CONSIDER PLACING A TEMPORARY FREEZE ON THE TRANSFERRING OF FIRST MONDAY LOTS UNTIL THE PRESENT POLICY IS REVIEWED AT THE AUGUST 13, 1996 FIRST MONDAY COUNCIL MEETING--General Manager Al Campbell asked the council to approve a temporary freeze on the transferring of First Monday lots until the next meeting so that the First Monday committee could review the policies and implement suggestions. First Monday vendor Cliff Frantz told the council he had been a vendor for sixteen years and had recently taken a deposit on the sale of his business and expected the sale to be complete in three weeks. He wanted to know what he could do about transferring his lots when the sale was complete. Bob Alexander explained that the First Monday committee was concerned that the transfer policy would be used as a loophole by vendors who had illegally sold or sub-leased lots. He, therefore, made the motion to put a temporary freeze on all lot transfers until the policy had been reviewed and discussed at the August 13 regular council meeting. Ron Sanford seconded and all were in favor. Joe Melia asked what would happen with his lots and was informed that they would probably be open to the public to rent at the next Super Tuesday.

14. DISCUSS AND CONSIDER APPOINTMENT TO THE BOARD OF ADJUSTMENT--Bob Alexander made a motion to appoint Walter Clemments to the unexpired term previously held by Charles Lide on the Board of Adjustment. Ronnie Fugate seconded and all were in favor.

15. DISCUSS AND CONSIDER REQUESTING THE POSTAL SERVICE TO ALLOW PUBLIC ACCESS FROM OLD KAUFMAN ROAD TO THEIR PARKING AREA--Ronnie Fugate explained that at the time the post office was relocated, one of the points of negotiation was that the current site could be accessed from two streets. The city improved Old Kaufman Road and the post office constructed and maintained an entry for that purpose. He asked if the council was interested in requesting that the post office re-open its back gates during business hours as a matter of convenience and safety for the public. The mayor volunteered to talk to the postmaster and report back at the next regular meeting.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO VEHICLE MAINTENANCE LOGS FOR ALL DEPARTMENTS -- Ronnie Fugate inquired about current policy regarding vehicle maintenance logs. The Police Department reported that they maintained a comprehensive computerized log on each vehicle in its department. Pete Lucas reported that the Utility Service Department was in the process of computerizing its logs, but currently relied upon a hand-written system by the maintenance personnel. Ron Sanford reported that the Fire Department logged fuel on a daily basis. Johnny Mallory indicated that the maintenance personnel was understaffed and did not have time to keep comprehensive logs. He said he would be asking for an additional mechanic to repair vehicles instead of continuing to contract out the work. He suggested log maintenance would also be better attended. Mr. Fugate voiced his approval of hiring another employee as a cost-saving measure.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PARK MAINTENANCE AND IMPROVEMENTS--Ronnie Fugate showed the council a picture of the dumpster located at the Old City Lake Park and asked that the dumpsters be relocated to a better, less visible spot. The council shared his feelings and suggested the dumpsters at the old and new City Lakes be moved to sites on city property where they could be better guarded against illegal dumping. They decided to move one inside the gates at the City Barn and the other possibly inside the pen at the First Monday Park. Jimmy Peace suggested the city buy stationary trash cans tilted on permanent poles to have at the parks that would be maintained by park staff. Ronnie Fugate asked the city to improve the entrance to the park as well, even if they could only use white rock. He also proposed that a park for city employees be developed on the opposite side of the New City Lake. The site where an oil well had been abandoned had an existing road and could be improved at little expense. Johnny Mallory endorsed the proposal as a way to give something back to employees who worked hard and long hours. The council had no objections and Ronnie Fugate asked Johnny Mallory to proceed with the project.

18. DISCUSS AND CONSIDER BUDGET GOALS AND DIRECTION FOR THE UPCOMING 1996-1997 BUDGE PREPARATION--Bob Alexander suggested that the council give Johnny Mallory some guidance on what they would like to see in the first draft of the new budget. He began by requesting a computer system for First Monday. Ron Sanford asked for a new rescue unit for the Fire Department. Ronnie Fugate asked for a swimming pool and for the completion of "The Trade" monument at First Monday. Ronnie Fugate and Jimmy Peace agreed to get some prices for park improvements. Johnny Mallory said he would be reviewing budget requests from his department heads the next morning which he already knew would include some computer equipment for the Police Department.

    Upon the question from Charles Lide, Johnny Mallory informed the council that the city's water level was holding up well. He did not recommend forced conservation at the current time. Pete Lucas reported that the lake was approximately twenty-nine and one-half inches below last year's level and that monthly reports were submitted to the State for monitoring. Mr. Mallory assured the council that the City would act even earlier than the State would require it.

    Regarding an inquiry about the artesian well, Mr. Lucas reported that the City would soon be installing an ultraviolet light to treat minute traces of fecal matter which had been occasionally detected in water samples. The water flow was said to fluctuate up and down.

19. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- Ronnie Fugate and Charles Lide asked to meet with Johnny Mallory and Pete Lucas on a Saturday morning to discuss water and sewer needs. Charles Lide asked that the council review the Canton Civic Center's policies on group fees and civic uses at the next regular meeting. The following schedule was set: budget workshops on July 30 and August 6, regular meetings on August 13 and 20, budget filing by August 29, a public hearing on the budget at the September 17 regular meeting, and the adoption of a tax ordinance on September 30.

20. ADJOURN -- There being no further business to discuss, the meeting was adjourned at 8:15 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 30, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Jack Etheridge presided and members present were Ronnie Fugate, Charles Lide, Ron Sanford, and Bob Alexander. Jimmy Peace was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. DISCUSSION AND WORKSHOP PERTAINING TO PROPOSED 1996/1997 BUDGET - City Manager Johnny Mallory reviewed the first draft of the proposed 1996/1997 budget with the Council explaining some line items had been added and some revised to reflect the cost from the actual departments. The primary change being the addition of the street lights to the Street Department's utility budget rather than reflecting in the Administration Department and moving the Animal Shelter budget from the Water and Sewer Departments to the Police Department. Mr. Mallory stated the revenue figures were budgeted conservatively, explained his estimated ten percent increases in expenditures for insurance and utilities, and in accordance with the salary plan, the average of a two percent salary increase for the employees eligible to move up a step. Councilman Alexander asked the Council to consider reviewing and possibly adjusting the salary scale/chart this spring. Mr. Mallory also informed the Council the proposed budget included putting some employees on full time who are presently classified as part-time however, working a full time schedule as well as an additional position for a full time mechanic. He further stated the increase of approximately five percent in water revenue reflected an increase in usage due to the extensions made this past year. Although he expressed a need to

increase water and sewer rates, Mr. Mallory informed the Council the proposed budget did not reflect a rate increase.

Discussion followed pertaining to 1) vehicle and equipment needs; 2) computer needs in First Monday, the Police Department, and City Hall; 3) the potential need and responsibilities of a paid Fire Marshall; 4) playground equipment; and 5) street repairs. Councilman Alexander asked the feasibility of reducing the expenditure for supplies by five percent in all departments. Mr. Mallory and First Monday General Manager Al Campbell stated some supply costs could be reviewed and probably reduced, both agreeing to review the expenditures and make needed adjustments prior to the next budget meeting.

4. ADJOURN - There being no further items for discussion, Bob Alexander moved to adjourn, seconded by Charles Lide. All in favor, the meeting adjourned at 8:15 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 6, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Jack Etheridge presided and members present were Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander. Ronnie Fugate was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Jack Etheridge
2. INVOCATION - Councilman Bob Alexander
3. DISCUSSION AND WORKSHOP PERTAINING TO PROPOSED 1996/1997 BUDGET - City Manager Johnny Mallory reviewed the adjustments made and reflected in the second draft of the proposed budget. He explained the revenue and expenditures from the Motel/Hotel Tax were moved to the First Monday Department to more closely account for tourism related expenditures while requiring fewer department transfers. Mr. Mallory also stressed that although the proposal reflected a $66,726.00 surplus, approximately one-half of the surplus would be required for the

computer enhancements, noting an actual amount could be determined after an upcoming meeting Al Campbell would be having with a computer consultant. He also explained that no adjustment had been calculated in the salary chart and would need to be considered if the Council planned to adjust the chart this spring. Councilman Alexander felt the discussed computer enhancements with recent and future changes in First Monday would increase the revenue over a short period of time.

First Monday General Manager Al Campbell asked the Council to consider allocating one percent of the Motel/Hotel Tax revenue for a new billboard at Highway 69 and Interstate 20 and the publication of a brochure concentrated toward the promotion of the Canton Civic Center and First Monday. He explained that First Monday co-sponsors the publication of a Canton brochure with the Chamber of Commerce and would like to continue doing so while being able to provide an additional brochure designed for the promotion of the city operated facilities. The Council asked Mr. Campbell and Mr. Mallory to review the Motel/Hotel Tax Ordinance and the present contract with the Chamber of Commerce for the needed procedures to be followed should the Council desire to amend either document.

4. ADJOURN - There being no further agenda items, the meeting adjourned at 7:05 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 13, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Etheridge

2. INVOCATION -- Councilman Ronnie Fugate

3. CANVASS AUGUST 10, 1996 SALES TAX ELECTION RETURNS -- The council reviewed the election returns for the following proposition:

> The adoption of a sales and use tax within the City at the rate of 1/2 of 1% as authorized by Section 4B Article 5190.6 V.T.C.S., as amended (The Development Corporation Act of 1979), with the proceeds thereof to be used for and applied to the purpose authorized by the ACT, including but not limited to the promotion and development of new and expanded business enterprises.

City Manager Johnny Mallory noted an error in the tally sheets which reduced the number of votes against the proposition from the originally reported 116 to 111. The votes of the August 10, 1996 election were canvassed by the council as follows:

For	149
Against	111
Total	260

Bob Alexander moved that the council certify the returns of the August 10, 1996 sales tax election. Ron Sanford seconded and all were in favor.

4. GUEST ITEMS -- Mack Stewart informed the council that he was a long-time First Monday vendor who had been displaced from all but two of his lots by the expansion of the Arbors food court and the construction of the adjacent road. He understood the changes, but felt it was unfair to be denied the opportunity to rent a space under the new structure. He acknowledged that management would be working with him to find new lots, but he felt his business would suffer from the change. The council explained that H&T Parking, Inc.'s lease with the city granted H&T full control over property improvements and over the renters in the Arbors. Mr. Stewart asked the council to speak to the manager of the Arbors on his behalf which Al Campbell agreed to do.

First Monday table vendor Carmen Wagner voiced her concern over flooding she witnessed around the new Arbor food court after a recent heavy rain. She thought that drainage was inadequate and that H&T should not have been granted a variance in the Flood Prevention Ordinance. She suggested that vendors be made aware of the potential problem. Al Campbell explained that an inlet box was yet to be placed on the west side of the court to drain underground to the creek, which would aid drainage under normal conditions. He noted that past vendors were aware that most of First Monday was in the flood plain and subject to occasional flooding after heavy rains. Mr. Mallory also noted that the variance had been to the level of fill-in on the flood fringe which did not affect the flood plain area nor drainage.

5. DISCUSS AND CONSIDER COMPLAINTS FROM JOE MELIA REGARDING MANAGEMENT OF FIRST MONDAY-- Mayor Etheridge recognized Joe Melia with the warning that the city could not converse with him due to pending litigation. Mr. Melia informed the council that he first bought a food concession on First Monday after moving to Canton in 1990. He said he then began buying and selling First Monday concessions as well as other businesses. He claimed that his civil rights had been violated during the August 1996 First Monday weekend when he was prohibited

from (1) entering the grounds and (2) transporting a load of merchandise onto the grounds for a lady who had hired him to help her. He informed the council that he had written a letter regarding the incidents to the ACLU.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRST MONDAY LOT TRANSFER POLICY -- Upon the recommendation of Al Campbell and the First Monday Committee, the council agreed to continue the ban on lot transfers for another 30 days. It was decided that, in the meantime, special requests would be reviewed on an individual basis by Mr. Campbell and the Committee. The Committee indicated they would keep council members informed of any cases that escalated, and vendors unhappy with the Committee's decision could appeal to the full council.

7. DISCUSS AND CONSIDER AMENDING FIRST MONDAY RULES TO DISALLOW THIRD-PARTY USAGE OF LOTS -- Bob Alexander reported that in a recent survey of the situation, he and Ron Sanford found numerous instances where the person setting up on a lot was not the receipt holder, most claiming that a friend or relative had allowed them to use their lots for free because they couldn't be there. Councilman Alexander noted the difficulties in monitoring lot sub-leasing and illegal transfers or sales with this policy in place. He, therefore, made the motion to abolish the rule allowing third-party use of lots. The motion died for lack of a second. In later discussion, council members agreed that it was a good motion, but they wanted to look into the matter more fully before making any decisions. Al Campbell suggested that he and the First Monday Committee try to inventory the situation in January and February and talk to the dealers to determine the extent and circumstances of third-party usage.

   Joe Melia mentioned an instance he reported to Al Campbell and Rayford Hutcherson during the August First Monday where an unknown food vendor was set-up on another's regular space at Row 11 and 24. Mr. Campbell responded that the incident was already being investigated.

   Georgia Phillips suggested that third-party lot users be required to present a notarized letter granting them permission to use the space at no charge.

   Carmen Wagner asked the council to consider vendors who could not stand the heat or cold before they made any new policy regarding third-party usage.

   Joe Melia asked if there was a rule that altercations between vendors could lead to both vendors losing their lots. The mayor indicated that he felt there might be some circumstances that would warrant the loss of lots.

   Clifford Frantz reported that he counted 42 cars without stickers on the grounds last Thursday during First Monday. He told the council that they had no idea of what was going on at First Monday, siting many rules violations including drugs, lot sales, and subleasing. He said he thought there were different rules for different people.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO MERCHANDISE PICK-UP PASSES -- Al Campbell informed the council that the merchandise pick-up passes were color-matched with the vendor passes last First Monday and the system worked well to control traffic. He suggested trying a new system using the less

expensive gate passes. The passes would have the lot number on them and could be initialed, dated and monitored by gate personnel. Ron Sanford expressed the need to try several options before making final recommendations to the council. Bob Alexander asked that management make sure everyone working First Monday knew about any changes and specifically that the white gate passes were no longer valid. Ronnie Fugate recommended that all of the issues above be addressed again in sixty days, at which time the council should make final decisions, implement the changes, and strongly and fairly enforce the policies.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO RENOVATION OF MAIN GATE AREA -- Bob Alexander asked the council for their ideas on renovating the main gate area. A sub-committee of Ronnie Fugate and Charles Lide was formed to study the project and make recommendations at the next meeting.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO ALLOWING THE CONSTRUCTION OF BUILDINGS ON THE HILL -- Al Campbell reported that he had placed an article in The Guide, and five people had responded saying they were definitely interested in building their own shop on the hill. Another five or six said they might be interested. Mr. Campbell felt buildings would attract people up the hill. He said the dealer would build his own structure to codes set by the city. Comments from the audience and council included: (1) any individual buildings should follow a theme, (2) people still wouldn't walk the hill, (3) people preferred open-air shopping, (4) canopies and buildings may not work well side-by-side, both visually and structurally as when it rained, (5) concentrate development on the flat land around the bandstand instead of up the hill, (6) build a pavilion on top of the hill, (7) put the unreserved on the hill, (8) move cars off the side of the street at the main entrance so people could see the vendors from the main gate, (9) put another driveway into the U-shape at the main gate and make it a drop-off point for the shuttle service. No action was taken on the proposal.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO POSSIBLE CONSTRUCTION OF A PAVILION -- Bob Alexander recommended the city build its own pavilion at the top of the hill, saying that he felt there was a market for another pavilion. Ron Sanford and Ronnie Fugate both agreed the council should look into it. Each council member was asked to take a First Monday map and independently draw in a pavilion where they thought it should be located. The two best sites would be selected at the next council meeting from which Al Campbell could prepare a plan for the council's consideration.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CANTON CIVIC CENTER RENTAL RATES -- Mr. Campbell reported that he and Charles Lide met with a locally-based volunteer group and subsequently recommended that the city work more with local, non-profit organizations on the fees for renting the civic center. Mr. Campbell suggested a fee structure based upon basic hourly charges for services, such as set-up, clean-up, utilities, etc. Each organization could then decide what they could do on their own and what they wanted to pay for. The council agreed and the mayor asked Mr. Campbell to put together a price list.

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

14. ADJOURN -- There being no further business to discuss, Ronnie Fugate made the motion to adjourn the meeting at 8:15 p.m. Charles Lide seconded and all were in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 20, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Jack Etheridge presided and all members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Etheridge

2. INVOCATION - Councilman Bob Alexander

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander made a motion to approve the minutes of the July 16th and August 13th regular meetings and the July 30th and August 6th called meetings as written. Jimmy Peace seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the July 31, 1996 financial statements. Ronnie Fugate seconded and all were in favor.

5. GUEST ITEMS - Mr. Joe Melia requested the Council provide him, in writing, where and when he could go on the First Monday grounds. As Mr. Campbell, First Monday Manager, had previously stepped out of the meeting for a short time, City Manager Johnny Mallory informed Mr. Melia he could not drive a vehicle throughout the grounds as he was not a vendor and did not have vendor privileges.

6. DISCUSS AND CONSIDER REQUEST FROM YOUTH LEADERS NETWORK TO USE THE DOWNTOWN SQUARE FOR "SAW YOU AT THE POLE" EVENT THE NIGHT OF SEPTEMBER 18, 1996 - WALLY COOK - Mr. Cook, representing the Youth Leaders Network, asked the Council's permission to block off and utilize the downtown square on the night of September 18th for a function to be held as a follow-up rally of that mornings event "See You At The Pole," where youth meet at the school's flag pole and begin the day with prayer. Bob Alexander made a motion to close the needed section of the square to vehicle traffic from 6:00 p.m. to 10:00 p.m. September 18, 1996. Ron Sanford seconded and all were in favor.

7. DISCUSS AND CONSIDER REQUEST TO SET A DATE FOR A WORKSHOP SESSION WITH THE CANTON INDUSTRIAL DEVELOPMENT BOARD - Dick Ingram thanked everyone on the Board's behalf for the support shown in the recent sales tax election. He explained the Board's desire to work closely with the Council and obtain the Council's direction for projects over the next few months prior to the collection of the taxes in 1997. Mrs. Thompson, representing the downtown merchants, explained the groups interest in participating in the discussions, planning, and appointment of the new board and by-laws. The City Council was in agreement to call a workshop with the Industrial Development Board for the following Tuesday, August 27, 1996, at 6:30 p.m.

   Mayor Etheridge explained there is presently one vacant position on the Industrial Development Board and polled the Council regarding an appointment of Ben Shirey to fill the unexpired term. The Councilmembers were individually in favor and asked Mr. Ingram to invite Mr. Shirey to the workshop session. Mayor Etheridge explained official appointment would be placed on the September 10, 1996 agenda.

8. DISCUSS AND CONSIDER ACCEPTING A PETITION FROM HORACE AND WANDA ETHERIDGE FOR ANNEXATION OF PROPERTY LOCATED ON ETHERIDGE ROAD AND HIGHWAY 198 - Bob Alexander made a motion to accept the aforementioned petition and begin annexation proceedings. Ronnie Fugate seconded and all were in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS AND PROJECTS TO INCLUDE AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR STREET CONSTRUCTION BIDS FOR WOODLAND DRIVE - Mr. Mallory explained the preliminary engineering work is complete on Woodland and the needed drainage easements have been obtained. The estimated cost of the proposed street improvements being $596,600.00.

   Councilman Fugate questioned the status of Big Rock Street and asked if reducing the width to 34 feet would work. Mr. Mallory expressed concern that reducing the width to 32 feet would be defeating the purpose of improvements to Big Rock Street and did not know how much 34 feet would help.

   Bob Alexander made a motion to advertise for bids for the construction of Woodland Drive, by-passing Big Rock Street. Charles Lide seconded and all were in favor.

10. DISCUSS AND CONSIDER ADOPTING THE CURRENT EDITIONS OF THE SOUTHERN STANDARD BUILDING CODES TO INCLUDE PLUMBING, ELECTRICAL, MECHANICAL, GAS, AND FIRE CODES - Mr. Mallory reviewed the proposed ordinance with the Council stating the present codes on the City's books are earlier and outdated editions of the Southern Standard Building Codes. Discussion was held as to present and future qualified inspectors and the possibility of later amending some of the codes should the Council so desire. Councilman Alexander stressed that everyone needs to understand the codes and expressed concern that the codes mandate only licensed tradesmen, master plumbers and master electricians, be used. Alexander felt this mandate would hurt some of the local businessmen who do not have a masters license and cause the consumer's price to increase. Mr. Mallory explained homeowners would not be excluded from doing their own renovations however would still be required to meet the codes and have the inspections. Councilman Alexander suggested exempting repairs for under $1,000 that are for replacing existing facilities.

    Ron Sanford made a motion to adopt the ordinance as prepared and to consider amendments at a later date if needed. Jimmy Peace seconded and all were in favor. The ordinance shall be numbered 96-06, published in the Canton Herald and shall become effective October 1, 1996.

11. DISCUSS AND CONSIDER THE APPOINTMENT OF A COMMITTEE TO REVIEW PAID BILLS ON DESIGNATED DATES - Ron Sanford explained his feelings that it would best serve the Council if a committee was appointed to review bills within a certain number of days after they have been paid and prior to filing. Mayor Etheridge appointed Ron Sanford to chair the committee and Ron Sanford asked Charles Lide to serve with him on the committee. Councilman Alexander stated the Council had adopted a City Manager form of government, hired a City Manager, and received a check register each month of the bills paid. Following further discussion, Ron Sanford made a motion to add this committee to the Mayor appointed council assignments. Jimmy Peace seconded and all were in favor with the exception of Bob Alexander who opposed. Motion carried.

12. DISCUSS AND CONSIDER ADOPTING FORM(S) FOR REQUEST OF ITEMS TO BE PLACED ON COUNCIL AGENDAS AND GUEST ITEMS - Mr. Mallory reviewed the proposed forms explaining their usefulness for both the staff and Council. Ronnie Fugate made a motion to adopt and begin use of the forms immediately. Ron Sanford seconded and all were in favor.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO REQUEST TO THE POST OFFICE FOR PUBLIC ACCESS FROM OLD KAUFMAN ROAD - Mayor Etheridge informed the Council of his meeting with Postmaster Lloyd Cashion pertaining to the City's request of having public access to the post office parking lot available from Old Kaufman Road. Postmaster Cashion asked the City to present a written proposal and he would forward it to his superior. The Council asked that the city staff find out who had originally rejected the previous request and forward future correspondence to the same.

14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Dick Ingram complimented the city's maintenance progress at the artesian well property and promised that he would follow through with the security camera he previously offered the city. Mayor Etheridge reviewed a proposal from Linda Brown to perform the needed research for $667 should the City want to consider obtaining an historical marker for the artesian well. When polled, all Councilmen were in favor of the proposal with the exception of Bob Alexander.

    Ronnie Fugate requested consideration in adopting an ordinance pertaining to billboards be placed on the September 17th agenda and distributed a confidential memo to the Council pertaining to property matters and requests. Mayor Etheridge asked for an update on the scheduling of the Eubank Drive dedication.

    Mr. Joe Melia asked the Council when he could receive the written response he requested under guest items. Mr. Campbell stated he notify the attorney of Mr. Melia's request and asked him to check with the office Friday.

15. ADJOURN - There being no further items for discussion, Bob Alexander made a motion to adjourn. Ron Sanford seconded and all were in favor. Meeting adjourned at 8:05 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 27, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Etheridge presided and members present were Ronnie Fugate, Charles Lide, Ron Sanford, and Bob Alexander. Jimmy Peace was absent.

Discussion and action were as follows:

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

3. WORKSHOP SESSION WITH THE CANTON INDUSTRIAL DEVELOPMENT BOARD OF DIRECTORS - Mayor Etheridge opened the floor to guests and Mrs. Thompson of the Merchants on the Square Association addressed the Council and Industrial Board members. The Association had sent a letter to the Council and Mrs. Thompson explained the letter being the Association's desire to actively participate in the process of business growth in Canton. Councilman Fugate stated the present Industrial Board members as well as any new members would surely welcome input from the merchants. Mayor Etheridge explained the Council would not be dictating the use of the funds and asked everyone to remember the first and utmost use of the tax funds being to promote industry. Councilman Charles Lide stated he had met with the merchants and welcomed their input. He added that he does feel something needs to be done to beautify the downtown area and promote the downtown merchants.

City Manager Johnny Mallory reviewed the required composition of the Industrial Development Board operating under the 4B sales tax. He stated that the present by-laws would need to be rewritten to conform with the new tax which will become effective January 1, 1997. Al Campbell suggested requesting copies of by-laws from other boards operating under the 4B tax in similar size cities.

Members from the Industrial Development Board, Dick Ingram, David King, Bob Hutson, Bob Alexander, and Al Campbell were present. Mr. Ingram stated the Board members are excited for the future opportunities offered Canton through the adoption of the 4B sales tax and asked what direction the Council would like the Board to be taking prior to the enactment of the tax in January and the composition change of the Board.

Following further discussion and input from audience members, the Council asked the Industrial Development Board Members to concentrate on drafting new by-laws for future consideration while continuing to work with industrial contacts.

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

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 10, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Etheridge

2. INVOCATION -- Councilman Ronnie Fugate

3. GUEST ITEMS -- Joe Melia informed the council that he had found a motion in the March 17, 1987 city council minutes that raised the rates for First Monday food concessions by $50 with the promise to provide each concession with sewer. He said that if this were so the city could be liable for millions of dollars in damages for failing to provide this service. The council did not respond.

4. DISCUSS AND CONSIDER COMPLAINTS SUBMITTED BY MR. JOE MELIA PERTAINING TO INCIDENTS IN 1993, 1994, 1995, AND 1996. -- Mr. Melia asked for this item to be removed from the agenda after hearing that the council would not be able to respond due to current litigation. Mr. Melia was informed that all future communications should be handled through the attorneys.

5. DISCUSS AND CONSIDER THE FOLLOWING REQUESTS FROM MR. CLIFFORD FRANTZ:

   A. CLARIFICATION OF THE FOLLOWING FIRST MONDAY RULE:

   FIRST MONDAY RESERVES THE RIGHT TO RESTRICT THE SALE, DISPLAY OR DISTRIBUTION OF ANY PRINTED MATERIALS, PHOTOGRAPHS, BOOKS, MAGAZINES, FILM, PICTURES, PARAPHERNALIA OR OTHER REPRESENTATIONS IN ORDER TO MAINTAIN A PROPER MORAL WHOLESOME ENVIRONMENT.

   B. RULES ON A PETITION

   Mr. Frantz informed the council that he had been told to remove signs from his booth during the September First Monday. The employee referred to the rule stated above which gave him the authority to have them removed. Mr. Frantz said that there was nothing immoral about his sign and that his freedom of speech had been violated. Mayor Etheridge told Mr. Frantz that the council could not discuss the issue with him because of current litigation. Mr. Frantz did not address the item regarding the rules on a petition.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO RENOVATION OF MAIN GATE -- Charles Lide, Ronnie Fugate and Al Campbell presented a sketch of the main gate as they envisioned it after renovation. The project was estimated to cost a minimum of $13,000. The proposed changes were enthusiastically received by the council and the sub-committee was asked to proceed with the project. Ronnie

Fugate suggested that the City start referring to it as the "historical main gate." The council also discussed plans for improving the streets and access to the main entrance, and exploring the possibility of putting in a downtown park and mural on the vacant lot at Buffalo and Dallas street. It was suggested that the visual image of the city should reflect the significance and notoriety of our "world-famous" event.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONTEMPLATED CONSTRUCTION OF A PAVILION -- Continuing on a recommendation from a previous meeting, Al Campbell asked the council members where they thought a pavilion should be built. Charles Lide suggested the top of the hill, running north and south from the main gate office to the #1 restroom. Ronnie Fugate suggested building a covering (without a floor) over the main gate office all the way over the #1 restroom. He said the only other area on the hill where a large pavilion would fit would be in the horseshoe. If wanting a large pavilion regardless of location, Ronnie Fugate suggested between rows 17 and 20 pointing toward the civic center, or in the area by the civic center. Al Campbell said that vendors indicated they really needed support vehicles next to their spaces, which would require putting a single row pavilion on the outer edge of the property so that vehicles could be parked in the rear and merchandise could be displayed on the front. Joe Melia suggested the council check into the octagonal shaped pavilions used in the San Antonio, Austin and Florida flea markets. He referenced the flea market advertisements in "The Guide." Downtown merchant Laurie Stewart asked if the city had considered terracing the hill and re-laying the roads to run east and west winding up the hill to overcome the major obstacle of "climbing the hill" rather than building a permanent structure. When asked why so much importance was placed on the main gate and on saving the hill area, Bob Alexander explained that he felt the businesses on the square who rely heavily on First Monday sales, and the area under the water tower would become vulnerable if they were cut off from the rest of the First Monday grounds. The First Monday committee took the drawings and suggestions under advisement.

8. DISCUSS AND CONSIDER AMENDING RATES FOR SPECIAL EVENT LEASING OF CIVIC CENTER -- Al Campbell presented the council with figures on basic utilities and labor expenses associated with operating the civic center, noting that there were additional expenses to consider such as insurance, maintenance, supplies and over-time which were not included. He recommended that the City offer local, non-profit organizations reduced rates based on service options. He also recommended that the organization be limited to one fund-raiser a year and to booking no more than 45 days in advance. The council authorized First Monday management to establish the rate structure. Al Campbell said that he would proceed and report back to the council.

9. DISCUSS AND CONSIDER DESIGNATING LOTS FOR FOOD CONCESSIONS -- Ron Sanford recommended that First Monday institute a rule requiring all food concessions to remain in their present locations and not be allowed to transfer to different lots. All agreed.

10. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON ETHERIDGE ROAD AND HIGHWAY 198

PETITIONED BY HORACE AND WANDA ETHERIDGE -- The hearing opened and closed with no one present who wished to speak out on the issue.

11. DISCUSS AND CONSIDER APPOINTMENT TO THE CANTON INDUSTRIAL DEVELOPMENT BOARD TO FILL A VACATED POSITION -- On a motion from Bob Alexander, Mr. Ben Shirey was appointed to fill the vacancy on the Canton Industrial Development Board. The motioned was seconded by Ronnie Fugate and passed with all in favor.

12. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- The First Monday main gate sub-committee said they would have an update on the historical main gate project at the next First Monday council meeting. Council members were also asked to routinely submit agenda items at this time for the following week's agenda.

13. EXECUTIVE SESSION -- In accordance with the authority contained in Section 551.072 and Section 551.074 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, the council adjourned at 7:40 p.m. to deliberate on real property and on personnel matters.

14. RECONVENE INTO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSIONS IN EXECUTIVE SESSION -- The council reconvened at 8:40 p.m. Ronnie Fugate made a motion to authorize the City Manager to investigate the possible purchase of a piece of property located inside the city limits. Ron Sanford seconded and all were in favor.

    Bob Alexander made a motion to refer a request from William C. Bone and Lloyd Shinn regarding Industrial Park Development to the Canton Industrial Development Board. Jimmy Peace seconded and all were in favor.

15. ADJOURN -- There being no further business to discuss, Ron Sanford made the motion to adjourn the meeting at 8:42 p.m. Jimmy Peace seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 17, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Etheridge

2. INVOCATION -- Councilman Bob Alexander

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander made the motion to approve the minutes of the August 20th Regular, August 27th Called, and September10th Regular Meetings. The motion was seconded by Ronnie Fugate with all in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS -- Johnny Mallory reviewed the August 31, 1996 financial statements. Ron Sanford made the motion to approve the statements as presented. Bob Alexander seconded and all were in favor.

5. GUEST ITEMS -- None

6. DISCUSS AND CONSIDER BIDS RECEIVED AND AWARDING OF BANK DEPOSITORY CONTRACT - Following explanation and discussion on the differences between the three depository contract bids received from Bank of Van Zandt, First National Bank of Canton, and First National Bank of Athens, Bob Alexander made the motion to award the City of Canton depository contract to the Bank of Van Zandt. The motion was seconded by Ronnie Fugate and all were in favor. All bank representatives were thanked for their bids and were told that it was always a hard decision to make when selecting from among competing local businesses. The candidates were assured that it was purely a business decision. Mr. Ben Shirey, the president of First National Bank of Canton, thanked the council for the opportunity to bid and said that there were no hard feelings and that Bank of Van Zandt clearly had offered the better bid.

7. DISCUSS AND CONSIDER REQUEST FROM LAIDLAW WASTE SYSTEMS, INC. FOR A RATE INCREASE -- Ms. Vickie Hickman, marketing representative for Laidlaw Waste Systems, Inc., requested the City Council approve a 3.3% rate increase based upon the minimum required in the current contract. Johnny Mallory indicated that the increase translated to about twenty-two cents ($0.22) per residential customer. Upon the recommendation of Mr. Mallory, Councilman Ron Sanford made the motion to approve the 3.3% rate increase with the provision that Laidlaw promised to instruct drivers to drive down the center of the streets, and to avoid cutting corners and sudden stops which puts a lot of wear and tear on the streets. Charles Lide seconded the motion and all were in favor with the exception of Ronnie Fugate who opposed. Motion carried.

8. DISCUSS AND CONSIDER THE OPTION TO MAKE THE INTERSTATE 20 SERVICE ROADS ONE-WAY -- Since merchants along I-20 were opposed to making the service roads to Interstate 20 one-way, Ronnie Fugate made the motion not to accept the Texas Department of Transportation's proposal for same. Ron Sanford asked what the Texas Department of Transportation's response might be. Johnny Mallory indicated he thought they would comply because they had another option of moving the ramps. The possibility of making the service roads one-way for specific time periods during First Monday weekends was discussed as a viable alternative. Following further discussion, Bob Alexander seconded the motion and all were in favor. The City was instructed to respond to TDOT and to move forward with plans for the joint resolution of traffic problems in that area.

9. DISCUSS AND CONSIDER REQUEST FROM CANTON INDEPENDENT SCHOOL DISTRICT TO MAKE ATHENS STREET ONE-WAY GOING NORTH FROM PARK STREET TO ELM STREET FROM 7:30 A.M. TO 8:30 A.M. -- Police Chief Ron Carroll presented the request from Dr. Geren and the Canton Independent School Board. Upon the chief's recommendation, Ron Sanford made the motion to approve the request. Ronnie Fugate seconded and all were in favor. The City was instructed to change the sign and enforce the one-way restriction between the additional hours of 7:30 a.m. to 8:30 a.m.

10. DISCUSS AND CONSIDER REQUEST FROM CANTON TOWN-SQUARE MERCHANTS ASSOCIATION PERTAINING TO THE DEVELOPMENT OF AN AUXILIARY ECONOMIC DEVELOPMENT COMMITTEE -- Charles Lide commended the Town-Square merchants for their efforts and their involvement in beautifying and promoting the City of Canton. He made the motion that the merchant's request be approved. In response to a request for the merchants to clarify exactly what they were requesting, Donna Thompson said they were asking for the formation of a committee consisting of representatives from various organizations interested in the Industrial Development Tax issue, such as the TownSquare Merchants, the First Monday Vendors Association, etc. so that each would have an opportunity to present ideas on the establishment of the industrial development board and its policies. The general consensus was that the more input the better, but that it could be obtained through the regular public hearing process without the formation of a formal committee. Charles Lide withdrew his motion and Ronnie Fugate made a new motion to appoint Bob Alexander and Charles Lide to meet with the TownSquare Merchants Association on behalf of the Council to maintain open communications relative to the formation of the Industrial Development Board. Ron Sanford seconded and all were in favor.

11. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED ON ETHERIDGE ROAD AND HIGHWAY 198 PETITION BY HORACE AND WANDA ETHERIDGE -- The hearing opened and closed at 7:35 p.m. without anyone present to speak on the issue.

12. DISCUSS AND CONSIDER ACCEPTING A PETITION FROM PROMISE LAND C.M.E. CHURCH FOR ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY -- Councilman Bob Alexander asked about the current status of the

streets, water and sewer in the area. Johnny Mallory indicated that there was very little roadway involved and what was there was in good shape; and the property already had water but no sewer. Ronnie Fugate then made the motion to accept the petition. Jimmy Peace seconded and all were in favor.

13. DISCUSS AND CONSIDER ACCEPTING A PETITION FROM NEW HOPE BAPTIST CHURCH FOR ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY -- For the same reasons as in Agenda Item 12, Bob Alexander made the motion to accept the petition. Jimmy Peace seconded and all were in favor.

14. DISCUSS AND CONSIDER AMENDING ALLOCATION OF HOTEL-MOTEL TAX REVENUE -- Al Campbell asked the council to reallocate 1/2 % of the Hotel-Motel tax revenue from the Chamber of Commerce budget to the First Monday budget for the purpose of renting an additional billboard on I-20 at Tyler and for the printing of a brochure to market the rental of the Canton Civic Center and First Monday Park for special events. Chamber director Joe Collins indicated to the council that their current budget was based upon tax revenue and member dues. He said that sixty percent of the Chamber's duties involved promoting tourism into Canton and that the reduction in budget would greatly affect their operations. He invited the Council to visit the Chamber office to see the volume of work that was being done for the City and other entities in Canton. He told the Council that the Chamber needed more money, not less. Chamber president Richard Hanes protested that the issue appeared to be a surprise to the Chamber, at a time when they had been striving to improve communications between the City and the Chamber. Chamber board member Ann Thornton told the Council that the Chamber appreciated the funds that were received from the City, and that they had been used effectively to promote tourism to Canton through numerous projects and trade shows. She opposed the reduction and asked the Council not to grant the request. Al Campbell said that the funds were requested for the promotion of the civic center and park to help increase tourism at times other than First Monday weekends and that he anticipated the percent reduction to be off-set somewhat by an overall increase in tax revenue. After further discussion, Bob Alexander made the motion to decrease the Hotel-Motel tax revenue allocation to the Chamber of Commerce from two and one-half percent (2.5%) to two percent (2%). Ron Sanford seconded the motion. The motion carried with four votes for. Ronnie Fugate voted against the motion.

15. DISCUSS AND CONSIDER SIX MONTH REPORT AND RECOMMENDATION PERTAINING TO THE CURFEW ORDINANCE #96-01 -- Chief Ron Carroll reported that the police department had just completed a six-month evaluation of the ordinance and they considered it to be effective and to have had a positive impact on juvenile problems. He recommended the ordinance remain in effect. No action was required.

16. DISCUSS AND CONSIDER ADOPTING AN ORDINANCE REGULATING OFF PREMISE SIGNS/BILLBOARDS -- Ronnie Fugate presented an ordinance restricting the display of signs and billboards in the city right-of-ways. He explained that a misprint in the new law left the city vulnerable to the erection of numerous signs

and that the ordinance would resolved that problem until the law could be corrected. Ronnie Fugate made the motion to adopt the proposed ordinance regulating off-premise signs and billboards. Ron Sanford seconded and all were in favor.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO REQUEST TO THE POST OFFICE FOR PUBLIC ACCESS FROM OLD KAUFMAN ROAD -- Johnny Mallory reported that the person to whom the request should be made had just been replaced and that the City would be writing her a letter on this matter. Ronnie Fugate asked that the letter remind the post office that when they were selecting the current site, they had originally indicated they would maintain public access from Old Kaufman Road.

18. PUBLIC HEARING ON PROPOSED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1996 AND ENDING SEPTEMBER 30, 1997 -- The public hearing opened at 8:07 p.m. at which time Johnny Mallory gave an overview of the budget. There being no questions, the hearing closed at 8:09 p.m.

19. DISCUSS AND CONSIDER ADOPTING THE 1996-1997 PROPOSED BUDGET -- Bob Alexander made the motion to adopt the 1996-1997 proposed budget. Ron Sanford seconded and all were in favor.

20. DISCUSSION AND UPDATE PERTAINING TO PROPERTY ON TOWER AND LITTLE ROCK- SITE OF REMOVED WATER TOWER -- Johnny Mallory reported that the City intended to remove the top of the concrete footings with a jack hammer to six inches below ground level and fill it back in with dirt. He indicated the plumbing would be removed, but the warning sirens would remain in that area.

21. DISCUSS AND CONSIDER APPOINTMENT TO THE PLANNING & ZONING COMMISSION TO FILL THE UNEXPIRED TERM OF JESSIE R. SMITH -- Ronnie Fugate made the motion to appoint Jimmy Boroughs to fill the vacancy, contingent upon his willingness to accept. Ron Sanford seconded and all were in favor.

22. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- A request was made to review the bids for the street and drainage improvements on Woodland Drive at the September 24th called meeting.

23. EXECUTIVE SESSION -- In accordance with the authority contained in Section 551.072 and Section 551.074 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, the council adjourned at 8:15 p.m. to deliberate on real property and on personnel matters.

24. RECONVENE INTO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSIONS IN EXECUTIVE SESSION -- The council reconvened at 9:20 p.m. at which time Ron Sanford made a motion to adopt a resolution authorizing the City Manager, Johnny M. Mallory, to purchase on behalf of the City of Canton, 10.073 acres of land located on State Highway 243 for $105,000.00 from William H. Humphries and William H. Humphries, III. The resolution further authorizing the city manager to sign, on behalf of the City of

Canton, a Deed of Trust and financing note to be carried by the Bank of Van Zandt, Canton, Texas. Jimmy Peace seconded the motion with all in favor.

25. ADJOURN -- There being no further business to discuss, Bob Alexander made the motion to adjourn the meeting at 9:20 p.m. Ron Sanford seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 24, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. DISCUSS AND CONSIDER ADOPTING ORDINANCE LEVYING TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 1996 AND ENDING SEPTEMBER 30, 1997 - Mr. Mallory reviewed the ordinance and explained it's adoption would levy the tax rate for the fiscal year beginning October 1, 1996 and ending September 30, 1997, at $0.00 per $100 valuation. Ron Sanford made a motion to adopt the ordinance. Bob Alexander seconded and all were in favor.

4. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS TO INCLUDE BIDS RECEIVED FOR THE CONSTRUCTION OF WOODLAND DRIVE - Mr. Mallory explained bids were opened Monday, September 23, 1996, for the construction of a 37 foot street and drainage improvements on Woodland Drive. Seven bids were received as follows:

Adams Brothers, Inc.	$384,942.50
Simon Traylor & Sons, Inc.	$413,536.50
Reynolds & Kay, Inc.	$490,603.40
JRJ Paving, Inc.	$479,162.40
L & L Asphalt Corp.	$496,525.00
T. Nolen Construction Co., Inc.	$518,907.75
Hart General Contractors	$588,846.00

Mr. Mallory recommended accepting the low bid or $384,942.50 from Adams Brothers, Inc. Bob Alexander so moved with Ron Sanford seconding. Discussion was held concerning the number of days for completion being 130 working days, and the gas and water lines needing to be moved prior to the beginning date of construction. A vote was then called on the motion and all were in favor.

Mr. Dick Ingram of the Canton Industrial Development Board informed the Council of the Board's plans to hold a public forum October 3, 1996, at 5:30 p.m. to receive input from the public concerning the new 4B sales tax prior to the Board proposing composition, authority, distribution, etc. to the City Council. The Council voiced support of the meeting and asked that notice be posted in case any of the Councilmembers planned to attend the meeting, possibly constituting a quorum of the City Council.

5. ADJOURN - Bob Alexander made a motion to adjourn at 6:50 p.m. Ronnie Fugate seconded and all were in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, OCTOBER 8, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Jack Etheridge

2. INVOCATION -- Ronnie Fugate

3. GUEST ITEMS -- None

4. DISCUSSION AND UPDATE CONCERNING RENOVATION PROJECT OF THE HISTORICAL MAIN GATE - Ronnie Fugate presented design plans for a forty foot drive into the historic main gate. The design included the use of grey concrete and an exposed aggregate of native iron ore rock. Inlaid in the design was Canton Texas, 1st Monday, and the date it was established. The plan was estimated to cost more than the $13,000 originally discussed. The committee reported they would proceed and have another update on the design and its estimated costs at the next meeting.

5. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRST MONDAY LOT TRANSFER POLICY --Al Campbell reported positive results from the policy of granting lot transfer requests by First Monday Committee approval only. He asked that the policy be left in place; that on behalf of the Committee, he handle the approval of routine requests that were supported by sufficient documentation, i.e. formal bill of sale of an entire business including an inventory of the merchandise; that non-routine requests be submitted to the Committee for approval; and that the dealer be given the right to appeal a decision to the City Council. The Committee agreed and Ron Sanford asked that they be provided with a running list of lot transfers granted.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO MERCHANDISE PICK UP PASSES -- Al Campbell reported that the current system of issuing gate passes marked with the date and time of access for picking up merchandise on the grounds had been effective in limiting vehicular traffic and he recommended that it be continued. It was clarified that vendors should give their food suppliers the gate passes for access as well.

   In related matters, vendor Larry Cox asked that "No Parking" signs be posted on the road south of the new Arbor. Al Campbell said they would be posted as soon as the road was completed.

7. DISCUSS AND CONSIDER PROPOSAL FOR THE REVITALIZATION OF THE ORIGINAL FIRST MONDAY AREA ON THE HILL -- Al Campbell said that the vendors were too busy during the October sale to talk about the proposal of building permanent structures on the hill. He proposed that he would write to several vendors and visit with others during the November sale to see if there was enough interest to pursue the idea. Ronnie Fugate said how much he liked the advertisements on KVCI

telling visitors to see the historical First Monday grounds. He said that he believed we could draw a lot of interest in the area through advertising. Linda Brown with The Canton Guide and The Canton Herald was also commended for her work on researching and promoting the history of First Monday. Vendors in the audience voiced their approval for the traffic improvements, the tighter controls at the gate and the new policy of allowing access to vendors on Wednesday. Larry Cox also said that he noticed that the new Arbor improved the flow of traffic up the hill and into the old section of First Monday.

8. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY PROMISE LAND C.M.E. CHURCH -- The hearing was opened and closed without comment at 7:00 p.m.

9. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY NEW HOPE BAPTIST CHURCH -- The hearing was opened and closed without comment at 7:01 p.m.

10. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- An update on the plans for the historical main gate was asked to be placed on the next First Monday meeting's agenda.

11. ADJOURN -- There being no further business to discuss, the meeting adjourned at 7:05 p.m. on a motion from Ronnie Fugate, a second from Ron Sanford and all in favor.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, OCTOBER 15, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Bob Alexander

3. CONSIDERATION TO APPROVE MINUTES - Ronnie Fugate asked that a correction be made to the minutes of the September 17, 1996 Regular Meeting, item 7, to reflect that he was opposed to the Laidlaw rate increase. Ronnie Fugate made a motion to approve the minutes of the September 17, 1996 as corrected, September 24, 1996, and October 8, 1996, as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the September 30, 1996 Financial Statements. Ron Sanford seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER ADOPTING AN ORDINANCE PERMITTING AMBULANCE SERVICE INSIDE THE CITY LIMITS OF CANTON - Mr. Mallory explained that although the City presently has a service contract with Trinity Mother Frances for ambulance service, another ambulance service could presently begin servicing this area. Mr. Mallory further stated that he did not believe two separate ambulance services within the city limits would be good for the City. He stated that the proposed ordinance would allow the City to issue a permit for ambulance service and that he felt the ordinance would best be served by Trinity Mother Frances due to the existing contract and their past and present performance of meeting and exceeding what the City and citizens have needed.

   Councilman Alexander questioned section (h) of the proposed ordinance pertaining to failure to pay service charge. He asked the effect of this section to the present billing policy, being citizens on City utilities are not billed for service of the ambulance or helicopter due to the monthly service charge included on their utility bill. Mr. Mallory explained the ordinance would not change the present policy and the questioned section would apply to use of persons not serviced with utilities by the City. Mr. Donnie Martin of Trinity Mother Frances assured the Council that the subscribers through the City are not billed for service unless billed in error and then a simple phone call corrects the error. He did explain that the subscriber's insurance carrier(s) is billed and whatever is paid by the insurance is considered payment in full. The hospital writes off what is not covered by the insurance or the entire bill if there is no insurance.

Councilman Ron Sanford explained that the ambulance service is presently housed at the fire station and asked if there was ever any future need of relocating, would Trinity Mother Frances assist in acquiring a new facility. Mr. Martin explained this type of assistance had been made in other cities and would be available in Canton as well. Councilmen Alexander and Sanford expressed their gratitude to the ambulance crew and stated Canton had the best ambulance service in East Texas.

Bob Alexander made a motion to adopt the "Ambulance Service System" Ordinance and permit Trinity Mother Frances to operate within the city limits. Ron Sanford seconded and all were in favor.

7. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE STATUS OF THE SOLID WASTE TRANSFER STATION LOCATED AT THE CANTON ANIMAL SHELTER - Mr. Mallory explained the Van Zandt County Waste Disposal District, in their last meeting, voted to close all transfer stations when the existing containers were full or the end of the month, whichever came first. The Canton site containers were full the next day. Mr. Mallory explained the need of a site for the First Monday hauling and stated the Canton site is presently operating as it had been, stating the Council would need to make a decision on future operations and/or rates. He again expressed the need of a site for First Monday however, stated he was not proposing to keep the station open if it would be losing money. It was his understanding from the Waste Disposal District that the majority of their losses, $30,000+ this past year, were from the open top containers. The Waste Disposal District is opening a Type 4 Landfill in Wills Point for non-household trash, which would include most items normally placed in an open top container with the possible exception of mattresses and couches.

Councilman Alexander stated his understanding that the Waste Disposal District closed the station because the Commissioners Court cut the funding for the transfer stations. He stated that if the Council chooses to fund the site, the citizens of Canton should be given a discounted rate.

Mr. Mallory asked the Council to continue present operations and rates of the site for the next 30 days, allowing time to study actual costs to revenues. Ronnie Fugate so moved. Jimmy Peace seconded and all were in favor.

8. DISCUSS AND CONSIDER AWARDING BID FOR WATER AND SEWER IMPROVEMENTS AT INTERSTATE 20 AND HIGHWAY 19 - Mr. Mallory explained that the bids under consideration were taken in February, 1996, to run water and sewer lines to a 2 acre tract on the east side of Highway 19 north of Interstate 20. The developer of the property is now prepared to absorb the cost of the construction and low bidder, McKinney & Moore, Inc., as agreed to honor the February bid. Mr. Mallory then explained said construction would allow the City to utilize the line and road bore under Highway 19.

The bids received and opened February 8, 1996 were as follows:

1.	John Wright Construction Henderson, TX	$56,090.40
2.	McKinney and Moore, Inc. Jacksonville, TX	$48,672.30
3.	Rhode Construction Hillsboro, TX	$48,931.51
4.	Lester Rodgers Company, Inc. Frankston, TX	$59,418.50
5.	East Texas Contracting Company Seagoville, TX	$73,861.30

Mr. Mallory proposed the bid be awarded to McKinney & Moore, Inc. for $48,672.30 and upon the developer depositing $45,000 in an escrow account, the work order to be executed. Ronnie Fugate so moved and Bob Alexander seconded. All were in favor.

9. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY PROMISE LAND C.M.E. CHURCH - Mayor Etheridge opened the public hearing and no one was present to speak in favor or against the annexation. The hearing was then closed with action to be considered during the November 19, 1996 meeting.

10. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY NEW HOPE BAPTIST CHURCH - Mayor Etheridge opened the public hearing and no one was present to speak in favor or against the annexation. The hearing was then closed with action to be considered during the November 19, 1996 meeting.

11. DISCUSS AND CONSIDER THE ADOPTION OF AN ORDINANCE ANNEXING PROPERTY LOCATED ON ETHERIDGE ROAD AND HIGHWAY 198 PETITION BY HORACE AND WANDA ETHERIDGE - Bob Alexander made a motion to annex, by ordinance, the property petitioned along with a section of Highway 198. Ronnie Fugate seconded and all were in favor.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PRESENT AND FUTURE STREET PROJECTS - Mr. Mallory updated the Council on the status of relocating the utility lines on Woodland Drive. He also informed the Council of an upcoming meeting with the Street Committee and property owners from Big Rock who refused to sign easements for a 37 foot street to discuss possibilities of reducing the width to 35 or 34 feet. Mr. Mallory stated he still believed 37 feet would be best however, the street is in dire need of repair and he personally would be willing to concede 2 to 3 feet in order to have a good street.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO REQUEST TO THE POST OFFICE FOR PUBLIC ACCESS FROM OLD KAUFMAN ROAD - The Council received a copy of the request sent to Ms. Mary Cavanaugh of the United

States Postal Service. As Ms. Cavanaugh had not had time to respond, this item shall be placed on the next regular agenda.

14. DISCUSSION AND UPDATE ON PROCESSING OF WORK ORDERS - Public Works Director Pete Lucas reviewed procedures regarding work orders listing priorities as water and sewer taps, major water breaks, major street repairs, and inspections. Those with less priority or as time permits being brush, curb lines, ditches, mowing, changing out meters, laying water and sewer lines, and miscellaneous items. Councilman Ronnie Fugate asked Pete to make sure everyone was on top of work orders and commended the job he was doing. Councilman Alexander suggested giving citizens an idea when the work order will be handled and then calling them back when completed.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO APPOINTMENTS TO BOARDS AND COMMITTEES - Councilman Alexander presented a form for persons wishing to volunteer to serve on Council appointed boards and committees. He suggested this would provide the Council with a pool of potential appointments as vacancies occurred. Councilman Alexander made a motion to adopt the form and it's use for appointments to boards and committees. Ronnie Fugate seconded and all were in favor.

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

17. ADJOURN - Bob Alexander made a motion to adjourn, seconded by Jimmy Peace. All were in favor and the meeting adjourned at 7:25 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CALLED CITY COUNCIL MEETING
2:00 P.M., SATURDAY, NOVEMBER 9, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Mayor Jack Etheridge presided and members present were Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander. Ronnie Fugate was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Bob Alexander

3. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONSTRUCTION OF A PAVILION ON THE FIRST MONDAY PARK - Councilman Ron Sanford stated the First Monday Committee felt it was time to take action on a pavilion as the City is no closer to having one than it was over a year ago. Councilman Sanford also stated his belief that all Councilmembers were in favor of building a pavilion and the Committee was ready to make a proposal on the site and potential size.

   City Manager Johnny Mallory agreed that everyone wants to construct a pavilion and asked the Council to keep in mind two questions; How much will it cost and how will the City pay for it? Mr. Mallory reminded the Council that funds had not been budgeted for this construction and some revenues would be lost during construction time by displacing vendors, although additional revenues would be received upon completion. He asked the Council to keep in mind that the pavilion would need to generate enough funds to make up for losses during construction as well as paying for itself.

   Councilman Alexander made a motion to recess and reconvene at the First Monday Park to look at proposed locations for a pavilion. Charles Lide seconded and all were in favor. The Council recessed at 2:10 p.m. and reconvened on the First Monday Park at 2:15 p.m.

   Councilman Alexander pointed out different sites and types of pavilions the Committee had reviewed and shared the Committees recommendation that the pavilion be built running east and west just south of the recently built H&T Food Court. He pointed out beginning just east of Row 3 and running west almost to Row 11. He further stated the horseshoe area of Rows 5 & 6 could be split into numbered parking spaces to be rented to the pavilion vendors and/or employees. Councilman Sanford stated another option would be to shorten the pavilion rather than running almost to Row 11, he pointed out it would allow more visibility from the entrance/exit of the Food Court to the hill area.

   Councilman Jimmy Peace excused himself from the rest of the meeting due to an emergency.

   First Monday Park Supervisor Rayford Hutcherson asked the Council to consider moving the pavilion further south of the Food Court just north of the bandstand. He stated this would not displace as many vendors, pull vendors and shoppers closer to the hill, and further enhance the spaces between the Food Court and the proposed pavilion. Mayor Etheridge and Councilman Charles Lide expressed concerns with the Committee's site recommendation as to any enhancement to the hill area.

Further discussion was held regarding the pros and cons of the proposed location(s) and the need of surveying to obtain size, construction figures and projected revenues. The Council then recessed at 2:45.

The Council reconvened at 2:50 in the City Hall Council Chambers and instructed Al Campbell to proceed with surveying and cost analysis on the First Monday Committee's proposed site. Mr. Campbell will have some information for the Council at the November 12, 1996 First Monday Council Meeting.

4. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FUTURE DEVELOPMENT OF FIRST MONDAY PARK - This item was removed from the agenda as future plans would depend on information obtained on the pavilion.

5. ADJOURN - There being no further items for discussion, Ron Sanford made a motion to adjourn. Bob Alexander seconded and all were in favor. The meeting adjourned at 2:55 p.m.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, NOVEMBER 12, 1996

The Canton City Council met at the above named date and time in the City Hall Chambers. Mayor Jack Etheridge presided and members present were Ronnie Fugate, Jimmy Peace, Ron Sanford and Bob Alexander. Charles Lide was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. GUEST ITEMS - None

4. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONTEMPLATED CONSTRUCTION OF A PAVILION AND FUTURE DEVELOPMENT OF FIRST MONDAY PARK - Al Campbell reported that the area being considered for a new pavilion was between rows 20, 3, 11 and 16 on the First Monday grounds. He presented the council with a report indicating that there were a total of 122 lots and 54 vendors in the affected area. Of the 122 lots, 112 were rented in November 1996 generating $4480 in revenues (a typical big month), and 81 lots were rented in February 1996 with $3240 in revenues (representative of a slow month.) Mr. Campbell said the survey team was scheduled to stake off the north property line within the next week and then the city would

stake off the proposed site. Later in the meeting, vendor Larry Cox asked if the city was building the pavilion and if the vendors who would be displaced would have the option to rent space in it. Al Campbell answered yes to both questions and Larry Cox voiced his approval of the project.

5. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO COMPUTER HARDWARE AND SOFTWARE IMPROVEMENTS FOR FIRST MONDAY - Al Campbell passed out a proposal from SPI for the sale of a flea market reservations program at a cost of $4,850.00 for the program and $185 a month for software maintenance. He indicated the price had come down considerably since the city first looked at the program five years ago making it affordable, and that it had the built-in features required, such as capability for a tiered-pricing structure, a variety of reports, and some accounting and reporting procedures that had been requested by the auditors. Johnny Mallory reported that he had talked to Scott Westfall of Datawest regarding hardware and he expected to receive a recommendation on a XENIX-based configuration within the next week. Bob Alexander asked what the time line was and how the city was fixed for funds. Mr. Mallory said he thought the bidding, purchase and installation could be complete within thirty to sixty days if desired, and that the expense was budgeted for this year, but he would have to check the current cash flow to see if the funds were currently available.

6. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE RENOVATIONS OF THE HISTORICAL MAIN GATE - Ronnie Fugate informed the council that the renovation committee had met with a contractor about laying the drive into the main entrance. The contractor recommended the drive be made of molded and stained concrete to look like brick. The committee also suggested that the Texas monument now at the main gate be inset into the center of the drive surrounded by a pattern of exposed aggregate and concrete. Councilman Fugate reported that they did not plan to begin construction until after February 1997. They would begin with the sidewalk and drive, then construct the wall and main entrance. The target completion date was March or April 1997. He thanked the vendors who raised funds and who urged the city into renovating the main gate. A vendor suggested that the city consider "selling" bricks to vendors as a fund-raiser. Kilgore had a similar project where names were placed on the bricks that were used in the construction. She offered to find out more about the Kilgore project and the source of the bricks and report back to the city.

7. DISCUSS AND CONSIDER APPROVAL OF FIRST MONDAY POLICIES AND PROCEDURES - A draft of the 1997 Vendor Information brochure was presented to the city council for approval. Contained in the brochure were the policies and procedures which had been modified slightly to reflect procedural and rule changes implemented by the council and First Monday management during 1996. Bob Alexander made the motion to approve the latest revision dated 11/96 of the First Monday Policies and Procedures contingent upon the review and approval by the city attorney and the inclusion of the following disclaimers in such wording as recommended by the city attorney: (1) First Monday reserves the right to amend or change the policies without prior notice, (2) First Monday reserves the right not to rent or renew a lot to a dealer for whatever reason it

chooses, and (3) a statement addressing the issue of evicting a dealer. Ron Sanford seconded the motion and all were in favor.

8. DISCUSS AND CONSIDER AUTHORIZING CITY MANAGER TO EXECUTE A REVISED CERTIFICATE OF INCUMBENCY WITH TEXPOOL - Johnny Mallory explained that due to recent changes enacted by the Texas legislature, a new certificate of incumbency with Texpool was required. He asked the council to pass a resolution allowing him to sign the revised certificate. Bob Alexander asked if the city's funds would be secure in Texpool and if Texpool was dealing in derivatives. Mr. Mallory indicated they were not presently dealing in any derivatives and that he was very comfortable with the security of the funds--both principal and interest. He also pointed out that the agreement could be terminated on thirty days' notice should any concerns arise. Ron Sanford then made the motion to pass the resolution allowing Johnny Mallory to sign the certificate of incumbency with Texpool. Bob Alexander seconded and all were in favor.

9. DISCUSS AND CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE TO MAKE APPLICATION TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR DRUG ENFORCEMENT OFFICER GRANT FUNDING - Johnny Mallory reminded the council that the city had applied and received a grant this year which funded at one hundred percent (100%) the hiring of a new drug enforcement officer. He informed the council that it was time to apply for renewal of the grant which would pay eighty percent (80%) of the officer's salary for the second year beginning September 1, 1997. Upon Mr. Mallory's request, Ron Sanford made the motion to adopt the resolution authorizing the city manager and chief of police to apply for the drug enforcement officer grant funding. Jimmy Peace seconded and all were in favor.

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

However, Ronnie Fugate asked Johnny Mallory to contact TNRCC to find out what the requirements were on storing used tires, referring to a problem he saw with a local business. The mayor said that it would not be necessary because the business in question would not be there next month.

First Monday vendor Vickie Goodson asked if the city was going to take action on Little Street by Crow Pontiac as indicated at earlier meetings. Johnny Mallory reported that the street had been surveyed and with only twenty-seven foot of right-of-way there was little that could be done about widening, but the city did plan to have it rocked before the next First Monday. The mayor said that he would talk to Shaw's about clearing the area that encroached into the right-of-way.

The council was asked by a vendor why the main gate was not open on Wednesday of First Monday. Al Campbell informed them that it would be open beginning with the next First Monday.

Upon request, a sketch of the renovation plans for the main entrance was given to a vendor to show the vendors association.

Juanita Hackney thanked the council and management for the traffic control on the First Monday grounds and for enforcing the subleasing rule.

11. EXECUTIVE SESSION - Pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072 and Section 551.074, Mayor Jack Etheridge called the meeting into executive session at 7:00 p.m.

    A. DELIBERATIONS REGARDING REAL PROPERTY (Section 551.072)

    B. DELIBERATIONS REGARDING PERSONNEL MATTERS (Section 551.074)

12. RECONVENE INTO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSIONS IN EXECUTIVE SESSION - The meeting reconvened into open session at 7:50 p.m. with no action taken on items discussed in the executive session.

13. ADJOURN - Bob Alexander made the motion to adjourn at 7:50 p.m. Jimmy Peace seconded and all were in favor.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, NOVEMBER 19, 1996

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. All members were present as follows: Ronnie Fugate, Charles Lide, Jimmy Peace, Ron Sanford, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Ron Sanford made a motion to approve the minutes of the October 15, 1996 regular, November 9, 1996 called, and November 12, 1996 regular meetings as written. Ronnie Fugate seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the October 31, 1996 financial statements. Ron Sanford seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER REQUEST FROM ROAD TO HOPE MINISTRIES PERTAINING TO THE SECOND ANNUAL VAN ZANDT COUNTY FIRE FESTIVAL - Mr. Earl Post informed the Council that the first Fire Festival was a success, raising approximately $2,000.00 for a fund to assist families who have suffered losses from fires. Mr. Post explained he is presently discussing schedules with the Dallas Cowboy Cheerleaders and hopes to have the annual festival each March. He asked the Council's consideration in co-sponsoring, by use of the Civic Center for this event to be held March 22, 1997 or as can be scheduled with the Cheerleaders.

   Bob Alexander made a motion to co-sponsor the 2nd Annual Van Zandt County Fire Festival to be held March 22, 1997 or as scheduled with the First Monday General Manager. Jimmy Peace seconded and all were in favor.

7. DISCUSS AND CONSIDER RENAMING OF KAUFMAN STREET - Mr. Joe Groves provided a brief history of the Groves' family contributions through public service to the community and explained the home near the First Monday Historical Main Gate on Kaufman Street is his grandparents homeplace. Mr. Groves informed the Council of his father's, Lloyd C. Groves, upcoming 90th birthday, and asked the Council's consideration in renaming this street to Groves Street or Groves Lane. Councilman Ronnie Fugate pointed out that the City is reviewing policies and guidelines for the renaming of streets and felt this request would certainly qualify even after the guidelines are adopted at a later date. He then made a motion to rename Kaufman Street to Groves Street. Ron Sanford seconded and all were in favor.

8. DISCUSS AND CONSIDER ADOPTION OF PROPOSED FEES FOR PERMITS AND SERVICES - Johnny Mallory reviewed proposed fees for brush/leaves pick up, garage sales, building permits, electrical and plumbing permits as well as permits for renovations, demolitions and repairs. He stated revisions would be needed on the present proposal and asked for the Council's input. Following a lengthy discussion pertaining to the City's increasing costs in providing the services and reasonable fees, primarily on brush and leaves pick up, the fees are to be reviewed and placed on the December 17th agenda.

9. DISCUSS AND CONSIDER AWARDING BIDS FOR THE SALE OF VEHICLES - The Council reviewed the following bids which were opened Monday, November 18, 1996, at 10:00 a.m.:

	Lee Neal Can-Tyle Auto Sales Rt. 4 Box 4076 Athens, TX 75751 903/677-5869	**Donald Turner** Rt. 1 Box 249 Van, TX 75790 903/963-8971	**Vickie Hall** Rt. 6 Box 412 Canton, TX 75103 903/567-5333
1989 LTD Crown Victoria, 5.0 Liter, EFI, (dark blue - 4 door)	$606.00	$236.00	
1986 Chevrolet Celebrity, 2.5 Liter, Tech 4, (light blue - 4 door)	$226.00	$156.00	
1988 Chevrolet Celebrity, 2.8 Liter, Multi Port Fuel Injection, (white - 4 door)	$276.00	$426.00	$250.00
1987 LTD Crown Victoria, 5.0 Liter, EFI, (light blue - 4 door)	$306.00	$476.00	
1981 Ford Custom F-100, 4.9 Liter, 6 cylinder, (brown)	$156.00	$87.50	
1991 LTD Crown Victoria, 5.0 Liter, EFI, (dark blue - 4 door)	$656.00	$476.00	
1992 LTD Crown Victoria, 4.6 Liter, EFI, (dark blue - 4 door)	$1,556.00	$1,576.00	
1981 Chevrolet Diesel Water Truck, 2 ton, (white)	$406.00		

Bob Alexander made a motion to award the bid to the high bidder on each vehicle. Ronnie Fugate seconded and all were in favor.

10. DISCUSS AND CONSIDER AWARDING BID FOR RENTAL OF FORMER POLICE DEPARTMENT AT 150 W. TERRELL - The Council reviewed the only bid received which was from Robert Lee Coomer of Lindale, Texas in the amount of $600.00 per month. Following a brief discussion, Bob Alexander made a motion to reject the bid and advertise again for bids. Ronnie Fugate seconded and all were in favor.

11. CONSIDER ADOPTING ORDINANCE ANNEXING PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY PROMISE LAND C.M.E. CHURCH - Bob Alexander made a motion to annex the petitioned property by adoption of the required ordinance. Ronnie Fugate seconded and all were in favor.

12. CONSIDER ADOPTING ORDINANCE ANNEXING PROPERTY LOCATED IN WYNNE COMMUNITY PETITIONED BY NEW HOPE BAPTIST CHURCH - Ron Sanford made a motion to annex the petitioned property by adoption of the required ordinance. Jimmy Peace seconded and all were in favor.

Both properties were thereby included in Ordinance #96-13.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PRESENT AND FUTURE STREET PROJECTS TO INCLUDE WOODLAND DRIVE AND BIG ROCK - Mr. Mallory informed the Council the city crews are almost through re-laying the water lines on Woodland and Lone Star Gas is also close to completion. He added that studies are presently being conducted to determine how much drainage work will need to be done on Mill Creek Road and by recommendation of the Street Committee he had instructed the engineers to re-draw Big Rock to 34 feet. Mr. Mallory explained that by going 34 feet, the only expected easements would be needed for utility lines.

    Ron Sanford made a motion to advertise for bids for the construction of Big Rock at 34 feet. Jimmy Peace seconded and all were in favor.

14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO REQUEST TO THE POST OFFICE FOR PUBLIC ACCESS FROM OLD KAUFMAN ROAD - The Council reviewed a denial letter from Mary G. Dolphin, Manager, Consumer Affairs and Claims, United States Postal Service. Ms. Dolphin's letter, in part, included "While your request for public access to the Canton Post Office parking lot would be a courtesy to the public, we cannot provide adequate safety and security for our employees, vehicles, or property if access is allowed from Old Kaufman Road. If you have concerns pertaining to the traffic flow from Dallas Street, we suggest you contact the State or City authorities for traffic control options. Your letter stated that public access from both streets was a part of the considerations for selection of this site when the new post office was built. We have found no supporting documentation for this claim in our records. If this had been in mind when the property was constructed, our procedures would have called for better road design and stronger road surfacing for heavier traffic. We regret if there was any misunderstanding in this matter, but cannot grant your request".

    The Council discussed the present procedures of the post office and the fact that the gates off Old Kaufman Road are presently open most of the time despite the claim of needed security. Bob Alexander made a motion to authorize the Mayor to write Congressman Ralph Hall, requesting his support and assistance pertaining to the City's request. Ronnie Fugate seconded and all were in favor.

15. DISCUSS AND CONSIDER ADOPTING A RESOLUTION SUPPORTING THE CREATION AND PARTICIPATION IN COALITION OF CITIES TO SUPPORT AND DEFEND THE 4A AND 4B SALES TAX; ENTER INTO AN INTERLOCAL AGREEMENT OF SAME; AND APPOINT AN ELECTED OFFICIAL TO SERVE ON THE STEERING COMMITTEE - Mr. Mallory explained the aforementioned coalition is being formed due to the Texas Senate's Economic Development Committee's Interim Report recommending that cities with the 4A and 4B sales tax be saddled with restrictions reducing the local control and home rule authority. Mr. Mallory strongly urged the Council to participate in the Coalition for Community and Economic Development, formed to oppose changes which would take more control away from the local entities.

    Bob Alexander made a motion to adopt the resolution and appoint Mayor Etheridge to represent the City of Canton on the Steering Committee. Jimmy Peace seconded and all were in favor.

16. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Mr. Mallory brought to the Council's attention, the recent filing from Lone Star Gas to the Railroad Regulatory Commission to requesting Lone Star be allowed to raise their gate rate.

    Councilman Fugate commended the Police Chief on the department's performance. He also asked that the recommendations or requirements for the renaming of streets be placed on the next agenda.

17. ADJOURN - There being no further items for discussion, Ron Sanford made a motion to adjourn. Jimmy Peace seconded and all were in favor. The meeting adjourned at 7:55 p.m.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 14, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Jack Etheridge presiding. Those present were Ronnie Fugate, Charles Lide, Ron Sanford and Bob Alexander. Jimmy Peace was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Etheridge

2. INVOCATION -- Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES OF THE NOVEMBER 19, 1996 MEETING -- Ron Sanford made the motion to approve the minutes of the November 19, 1996 meeting as written. Ronnie Fugate seconded and all were in favor. Referring to an action item in the minutes, Bob Alexander asked if a follow-up letter had been written to the next level of authority regarding the opening of the back entrance to the post office parking lot. It had not yet been drafted. The Council asked the staff to write Congressman Hall instead to see if he could help resolve the issue.

4. CONSIDERATION TO APPROVE THE NOVEMBER 30, 1996 FINANCIAL STATEMENTS -- Johnny Mallory noted that the December financial statements would be presented at the next Council meeting. He then reviewed the November 30, 1996 financial statements, and referred the Council to the November investment reports and the reports on expenditures from the funds at TexPool which were all provided in their packets. Mr. Mallory invited questions. There being none, Bob Alexander made the motion to approve the statements. Ron Sanford seconded and all were in favor.