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.

5. GUEST ITEMS -- None

6. DISCUSS AND CONSIDER REQUEST TO PLACE A STRUCTURE ON THE FIRST MONDAY GROUNDS -- Al Campbell presented a request from Paul Michael to build a metal structure over his rental lots on the First Monday grounds. Mr. Campbell explained that Mr. Michael had eight or nine lots along the west bank of the creek at row 94. With the City's permission, a concrete slab had previously been put in by Mr. Michael. The structure he is asking to build would have fold-up sides creating an overhang above the merchandise. These same doors would fold into the ceiling leaving the building open during the rest of the month. The building is in the flood plain, and the fold-up doors would allow for the free flow of water and drainage. Mr. Campbell reported that the engineers did not see any problems with the proposed structure. The proposal called for Mr. Michael to pay 50% more than the current lot rate if the City agreed to freeze the rate for four years. It also made the structure available for city use during the month. The Council then discussed the need for general guidelines for any similar requests. Some particular stipulations included requiring concrete floors, requiring uniformity among other structures, doors to open inside the lot line, and only considering structures in pre-designated areas. Each request would then be considered on a case by case basis with the committee reserving the right to refuse construction for any reason. Bob Alexander made the motion that the Council approve the concept to allow selected vendors to erect structures meeting a set of general guidelines in areas designated by management. The mayor recommended the motion be approved. Ron Sanford seconded the motion and all were in favor. The First Monday Committee was charged with drafting general guidelines for vendors proposing to build structures on their rented lots. Regarding Mr. Michael's proposal, the First Monday Committee asked Al Campbell to clarify that the City would in fact have use of Paul Michael's building during the month, to negotiate the rate freeze for three years, and to draft an agreement for Council approval.

7. DISCUSS AND CONSIDER COST SHARE PROPOSAL ON RECONSTRUCTION OF EAST GATE ROAD -- Al Campbell asked the Council to enter into a cost-share (fifty-fifty) project with Gerald Turner to reconstruct a concrete road leading into the park at the east gate. He indicated that it would be to the City's benefit to participate in the project because the road was in need of repair, it would help control drainage and it provided an opportunity to establish new rules on the use of the entrance by East Gate Marketplace vendors. The total estimated cost of the project was $10,375. Ron Sanford asked that the motion be tabled until the next meeting so that Al could meet with Mr. Turner to establish guidelines on the use of the entrance. All agreed.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO PURCHASE OF COMPUTER HARDWARE AND SOFTWARE FOR FIRST MONDAY -- Mr. Campbell reported that $30,000 was currently budgeted for the purchase of a new computer system for First Monday. He then presented a proposal to purchase a new system at a total cost of $29,000. He explained that the old system was obsolete and the new system would allow for individual add-on charges and varied lot rates. Data entry and receipts would be handled at the point of sale, eliminating the use of pre-printed receipts. He estimated that the system would increase efficiency, allow flexibility, and probably pay for itself within three to four years. Bob Alexander explained that Cygnus had formulated a

specification sheet on what hardware was needed and where each piece could be purchased at the best price. He said that the City could save at least $5,000 by purchasing direct without having to go through the bidding process or having to pay fees to a value-added vendor. In return for a $2,080 professional service fee, the local vendor Cygnus would then install the hardware, get the system up and running, and train personnel on its use. Bob Alexander made the motion that the Council accept the proposal from SPI for the software system, accept the proposal from Cygnus for professional services, and direct purchase the hardware recommended by Cygnus. Ron Sanford seconded and all were in favor.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONSTRUCTION OF A PAVILION ON THE FIRST MONDAY PARK -- At the request of Al Campbell, the item was tabled until the next meeting pending receipt of the engineering report.

10. DISCUSS AND CONSIDER POSSIBLE CONSTRUCTION OF RESTROOM FACILITY ON FIRST MONDAY PARK -- Al Campbell recommended the Council consider the construction of two mid-sized restrooms--sinks and toilets only, no showers--on the First Monday grounds since current facilities were inadequate to meet the needs of visitors on seven to eight months out of the year. Bob Alexander said he would like to see a four-to-one ratio on ladies'-to-men's toilets. Ron Sanford made the motion for Al Campbell to proceed and to present a proposal for the construction of two new restrooms. Bob Alexander seconded and all were in favor.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE RENOVATIONS OF THE HISTORICAL MAIN GATE -- Al Campbell informed the Council that Phase I of the renovation project was scheduled to begin after the February First Monday sale. Phase I included tearing out the embankment and putting in the retaining wall and the concrete slab for the benches and light posts. Due to weather conditions, the paving of the sidewalks and walkway was not scheduled to begin until late March or April. He said it would probably be April before the work on the driveway and inlaid monument began. Charles Lide asked about the status of "The Trade" monument to be erected at the entrance on Highway 19. Ronnie Fugate reported that he and Mr. Campbell were planning to meet with a foundry within the next thirty days with the hopes of contracting with a particular artist to scale up the original artwork for the casting mold. The cost was expected to be approximately $80,000.

12. DISCUSS AND CONSIDER DIRECTING RESPONSE TO ARTICLE IN TEXAS BUSINESS MAGAZINE -- Bob Alexander called the Council's attention to a recent article in Texas Business magazine which featured Wild Willie's II Mountain. The article was not favorable to First Monday Trade Days and the City of Canton. Al Campbell was asked to invite the author back to Canton to see the entire First Monday experience and to correct a few misconceptions about the City's relationship with Wild Willie II's Mountain. A First Monday vendor in the audience also pointed out a misprint in The Houston Chronicle which described First Monday as a 300-acre enclosed flea market. Mr. Campbell responded that he would send the newspaper correct information on First Monday.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FIRING RANGE INCLUDING RELOCATION AND RULES & REGULATIONS -- Chief Ron Carroll proposed that the police department's current firing range be moved to an area by the spillway west of the Mill Creek Reservoir dam. The proposal called for the range to be built at the highest point of the dam where it is approximately sixty (60) feet tall. Targets would be slipped into pipes inset into the ground with cross ties in front to prevent ricouchets. It would accommodate fifteen people and would include three lanes to site in rifles. Chief Carroll said he felt the new range would be safer than the present location. He had inspected the area by helicopter. The 60 foot dam provided an ample backstop. The back side was banked by a wooded area and there were no nearby residences. The closest development to the site was the storage units at VZ 2909 and Hwy. 19. The proposed rules required a certified rangemaster be present whenever the range was in use to ensure safety and reduce liability. Bob Alexander made a motion to allow Chief Ron Carroll to move the range to the proposed location and to adopt the rules and regulations as presented. Charles Lide seconded and all were in favor.

14. DISCUSS AND CONSIDER ADOPTION OF PROPOSED FEES FOR PERMITS AND SERVICES -- Mr. Johnny Mallory reviewed the proposed permit fees for construction and repairs to buildings, cooling and heating systems, electrical, and plumbing; for brush and leaves pick-up service; and for garage sales. Mr. Mallory emphasized that his primary concern was for the health, safety and welfare of the citizens. He said that even if the Council did not adopt any fees, he felt it was imperative that inspections be required on all building, electrical and plumbing projects. The council members agreed that safety was the foremost concern and that it was also necessary to charge fees as other cities did in order to recoup some of the expense of inspections. Another primary concern was protecting the freedom of a homeowner to make minor like-kind repairs without having to check-in with the City. After considerable discussion, it was decided that like-kind repairs up to $1,000 would not require permits, fees or inspections. Addressing safety concerns, Mr. Mallory did point out, however, that even minor electrical repairs could prove extremely hazardous, and that small plumbing repairs could cause infiltration and contaminate the water supply. He noted citizens should follow state regulations requiring all plumbing projects be performed by a master plumber, and that any work at the point of connection to the City lines should be inspected to protect the homeowner from water contamination. Another noted point was that TU, as a matter of policy, requested a City inspection any time it serviced a customer's meter, thus the City could take that opportunity to check into the electrical repairs or installation. The councilmen were also concerned with the effect on non-licensed repairmen of requiring master electricians and plumbers on all projects. A discussion regarding brush pick-up service followed. Mayor Jack Etheridge felt the free pick-up service should be more often than quarterly. Ron Sanford said that the City could not continue to dedicate a four-man crew two weeks out of every month to provide the free service. Charles Lide said that it was clear the City would have to charge for the service or go to an ad valorem tax to cover the expense. He further stated that if the Council wanted to keep the City clean, it had to provide brush pick-up service. And, in order to continue to provide the service, there would have to be a charge. The Council then reviewed the $5.00 garage sale permit. The only change to the current ordinance which limits the number of garage sales to four per year and requires a

CANTON POLICE DEPARTMENT

RANGE RULES AND REGULATIONS

SAFETY IS THE NUMBER ONE PRACTICE AND CONCERN ON THE RANGE.

THE RANGE MASTER AND THE CITY OF CANTON CARRIES ALL OF THE RESPONSIBILITY AND LIABILITIES ON THE RANGE. THEREFORE THE RULES AND REGULATIONS SET FORTH ARE STRICTLY ENFORCED.

WHILE ON THE RANGE, THERE IS NO RANK INVOLVED. ALL COMMANDS OR INSTRUCTIONS GIVEN BY THE RANGE MASTER NEED TO BE FOLLOWED.

IN THE INTEREST OF SAFETY OF ALL PERSONNEL ON THE RANGE, THE RANGE MASTER RESERVES THE RIGHT TO ASK ANY PERSON(S) TO LEAVE THE RANGE FOR ANY VIOLATION OF THE RULES AND REGULATIONS, REGARDLESS IF THEY ARE EMPLOYED BY THE CANTON POLICE DEPARTMENT OR ANY OTHER AGENCY USING THE RANGE.

AT NO TIME WILL A PERSON BRING ONTO THE RANGE A LOADED WEAPON OF ANY KIND OR LIVE AMMUNITION. LEAVE YOUR AMMUNITION IN YOUR VEHICLE.

NO PERSON SHALL PLACE ANY AMMUNITION, LIVE OR SPENT, INTO HIS OR HER WEAPON UNTIL THE RANGE MASTER INSTRUCTS YOU TO DO SO. (SAFETY)

WHEN REPORTING TO THE RANGE, YOUR WEAPON(S) WILL BE IN A HOLSTER OR CARRYING CASE. YOU SHOULD CHECK IN WITH THE RANGE MASTER AND HAVE HIM INSPECT SAID WEAPON(S). REMEMBER WHEN HANDING YOUR WEAPON TO THE RANGE MASTER OR ANOTHER PERSON, BE SURE THE CYLINDER IS OPEN ON A REVOLVER, LOCKED BACK SLIDE FOR AUTOS, AND THE BREACH IS OPEN ON SHOTGUNS.

AFTER YOUR WEAPON(S) HAVE BEEN INSPECTED, THEY WILL REMAIN IN THEIR HOLSTERS OR CARRYING CASES. THEY SHOULD NOT BE PASSED AROUND TO ANOTHER PERSON OR POINTED IN THE DIRECTION OF ANOTHER PERSON. HORSE PLAY WILL NOT BE ALLOWED.

NO PERSON OR GROUP OF PERSONS WILL BE ALLOWED TO BE ON THE CITY OF CANTON RANGE WITHOUT THE RANGE MASTER PRESENT AND WITH THE APPROVAL FROM THE CITY OF CANTON POLICE CHIEF (RON CARROLL) OR HIS DESIGNATE.

WHEN YOU ARE ON THE RANGE FIRING LINE AND YOUR WEAPON IS OUT OF IT'S HOLSTER, THE MUZZLE WILL BE POINTED DOWN RANGE AT THE GROUND UNTIL GIVEN INSTRUCTIONS TO FIRE.

WHILE ON THE FIRING LINE, YOU WILL NEED TO WEAR LONG PANTS AND REGULAR FOOTWEAR. NO SHORTS, CUTOFFS, SANDALS, OR BARE FEET WILL BE ALLOWED.

WHEN ANOTHER LAW ENFORCEMENT AGENCY HAS BEEN APPROVED TO USE THE CITY OF CANTON RANGE, THAT AGENCY IS RESPONSIBLE FOR POLICING UP THEIR OWN BRASS (IF WANTED), AND REMOVING ALL TARGETS AND TARGET FRAMES, TO INCLUDE ALL TRASH, CUPS, CANS, AMMO BOXES, ECT.

permit, is that the permit would cost $5.00 for each occurrence. After considerable discussion regarding each section of the proposed fee structure, Charles Lide made the motion to adopt the fees with the provision that there be no fees, permits or inspections required for "repairs" up to $1,000. Repairs being defined as replacement of a like kind item using existing connections. Ron Sanford seconded. The vote was three to one in favor, with Bob Alexander opposed.

15. DISCUSS AND CONSIDER AWARDING BID FOR RENTAL OF FORMER POLICE DEPARTMENT AT 150 W. TERRELL -- Johnny Mallory told the Council that rental of the former police department building had been put up for bid a second time. The City received only one bid from Mr. Robert Coomer for $600 per month. This was the same person and the same amount which was rejected on the original bid. He informed the Council that a second bid for $605 was received from The Crisis Center after the deadline and after bids were opened. Both bids would require tearing out the old jail cells. Mr. Mallory informed the Council that legally they could reject all bids and then rent to The Crisis Center without rebidding since it was a non-profit agency. The Council felt honor-bound to accept the bid from the person who went through the correct procedures two times. Ron Sanford made the motion to accept Mr. Robert Coomer's bid to lease the former police department building for $600 per month based upon his acceptance of a one-year lease, with a one-year option with an escalator to be determined by the City Manager. Ronnie Fugate seconded and all were in favor.

16. DISCUSS AND CONSIDER ADOPTING POLICY FOR THE NAMING OF CITY FACILITIES, STREETS, AND PARKS -- After reviewing the attached policy, Ronnie Fugate made the motion for the Council to adopt the policy for the naming of City facilities, streets and parks. Ron Sanford seconded and all were in favor.

17. DISCUSS AND CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE STEERING COMMITTEE OF LONE STAR GAS SERVICE AREA CITIES TO RETAIN LEGAL COUNSEL AND INTERVENE ON BEHALF OF THE CITY OF CANTON IN TEXAS RAILROAD COMMISSION GAS UTILITIES DOCKETS 8647, 8664, AND RELATED DOCKETS AND CASES -- Johnny Mallory explained that Lone Star Gas asked the Railroad Commission to let it increase its gate rate, which Mr. Mallory pointed out was already higher than almost all other gas companies. He said he thought the $150 fee would be money well spent to fight the increase. Ronnie Fugate made the motion to adopt the resolution to join other area cities in retaining legal counsel to fight the requested rate increase by Lone Star Gas and to pay the associated $150 fee. Ron Sanford seconded and all were in favor.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- Charles Lide requested the Council discuss establishing a place for younger teenagers to congregate in town. He also asked to have a security light put in at the apartments on Etheridge Road, to replace a globe at the Senior Citizens Building and to check into fixing a hazardous steep culvert at the corner of Cherry Creek and Old Kaufman Road. Bob Alexander asked that a copy of the article in TML regarding the marking of city vehicles be placed in the next council meeting packets and placed on the agenda.

19. ADJOURN -- There being no further business to discuss, Ronnie Fugate made the motion to adjourn the meeting at 8:30 p.m. Ron Sanford seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 21, 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, 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 -- Ron Sanford made the motion to approve the minutes of the January 14, 1997 meeting as written. Jimmy Peace seconded and all were in favor.
4. CONSIDERATION TO APPROVE THE FINANCIAL STATEMENTS -- Johnny Mallory reviewed the December 31, 1996, financial statements and the investment report in the Council packets. Bob Alexander made the motion to approve the statements. Charles Lide seconded and all were in favor.
5. GUEST ITEMS -- None
6. CONSIDER PROCLAIMING JANUARY, 1997, AS SCHOOL BOARD RECOGNITION MONTH BY ADOPTION OF A PROCLAMATION -- The Council was presented with a redraft of the proclamation proposed by Superintendent Geren. Mayor Jack Etheridge read the proclamation which was adopted on a motion from Bob Alexander, seconded by Ron Sanford with all in favor.
7. DISCUSS AND CONSIDER COMPLAINT FROM MR. RONALD MINTZ PERTAINING TO THE CANTON POLICE DEPARTMENT -- Mr. Ronald Mintz told the Council that on December 24, 1996, at 11:30 p.m., two police officers came to his residence to ask questions regarding a vehicle he sold to Mr. Chris Adams eight months prior. His complaints were: (1) The officers did not need to come to his house so late at night. The issue could have waited until Thursday morning. (2) He should not have been involved since he no longer owned the vehicle. (3) He should have been informed when the issue was resolved. He had spent a lot of time checking records at the courthouse

before finding out at the Police Department that it had been taken care of. Ronnie Fugate asked Chief Carroll to review the procedures for following up after similar investigations.

Mr. Mintz said he felt he was being harassed and that the incident was related to the harassment he continued to receive from the City concerning violations to the Junk Car Ordinance. Mr. Mintz said he was not in violation of the ordinance because all of the vehicles on his property were running and had current inspection stickers and registration tags. Chief Carroll explained that the ordinance also covered the presence of junk, rubbish and debris, and his citation may have been for auto parts and miscellaneous debris in his yard. Mr. Mintz said he had called City Hall numerous times and could find no one who could tell him specifically why he had received the citation. He said he brought the ticket to the City Judge requesting a jury trial. There he was advised to take the ticket to the attorney down the hall, which he did. Since then, he had been unable to get the ticket resolved and he continued to receive complaints from the City Manager. The Mayor advised Mr. Mintz to talk to the lawyer to whom he gave the ticket. He explained that the City had no control over the court system. Chief Carroll also assured Mr. Mintz that he was not being harassed. He had not been singled out. Other citizens in violation of the junk ordinance had also been contacted. He informed Mr. Mintz that the two incidents were not related. The Chief was the one to issue citations for Junk Car Ordinance violations and the officers were unaware of the situation with Mr. Mintz. Officers Brad Allison and Mike Echols explained the only reason they approached Mr. Mintz was that he was the previous owner of the vehicle which reportedly had stolen tags, and he also had a vehicle in his yard which resembled the description of the vehicle from which the tags had been stolen. Mayor Etheridge told Mr. Mintz that he hoped he could understand that the officers' actions appeared to be appropriate based upon the reports they had in their possession at the time and that the two incidents were not related. Bob Alexander asked the City Manager to contact the City Judge to see if the ticket case could be moved to trial so the issue could be resolved. Ronnie Fugate suggested that the City be more specific on its complaints so the recipient knows exactly how he is not in compliance with the ordinance.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CITY'S GROUP HEALTH INSURANCE - PHILLIP MATTHEWS -- Mr. Matthews was not present so the item was not addressed other than to reference Council Members to the information in their packets which explained the City had contracted with Boston Mutual Life Insurance Co. to provide health care benefits for City employees.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO ACCEPTING SEIZED PROPERTY FROM A DRUG DEFENDANT -- Bob Alexander made the motion to adopt the resolution authorizing the acceptance of a gift to the Canton Police Department from John Bernard Birk. The gift included certain properties seized in a drug arrest. Mr. Birk pleaded guilty and agreed to donate the seized property rather than process it through the District Attorney's office.

10. DISCUSS AND CONSIDER ACCEPTING PETITION FOR ANNEXATION OF 315 CURRY OWNED BY LAKESIDE BAPTIST CHURCH -- Johnny Mallory informed the Council that if accepted, the annexation hearings would be set for February 11 and February 18, 1997, with action taken on the annexation March 18. Bob Alexander made

the motion to accept the petition. Ron Sanford seconded with all in favor. Bob Alexander said it distressed him whenever a single property required annexation when everything around it was already in the city limits. Johnny Mallory agreed, but explained the difficulties of tracing annexation records. He suggested that the City re-annex or blanket annex certain areas in which there were several properties with no clear paper trail proving annexation. He warned such action may also bring up property tax liability questions. Mr. Mallory said the City had made a lot of progress in updating City maps and in matching the Appraisal District's maps since the work began with the MicroStation mapping software system.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE TRANSFER STATION TO INCLUDE PROPOSED RATE INCREASES -- Johnny Mallory reported that the transfer station operated at a deficit every month, loosing over $2,000 in December alone. He said after tracking expenses and revenue for three months, he thought it could operate at break-even if the rates were raised from $6.00 to $8.00 per cubic yard for loose and from $11.00 to $13.00 per cubic yard for compacted trash. Ronnie Fugate made a motion to increase the rates as proposed by Mr. Mallory. Charles Lide seconded. The motion passed with Messrs. Fugate, Lide, Peace and Sanford in favor and Bob Alexander opposed.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONGREGATING AREAS INSIDE THE CITY LIMITS FOR TEENAGERS -- Charles Lide withdrew his request to discuss this item on this agenda.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS -- Johnny Mallory reported that conditions had been too wet the past few weeks to make much progress on Woodland Drive. The line was charged with water and crews would be through tieing into meters the week of January 27th. The Council discussed the progress made on securing easements for the widening of Big Rock Street. There was no definitive answer from Mr. Guest. Ronnie Fugate asked the City Manager if Mr. Guest was aware that the drain went across the corner of his lot. Mr. Mallory said he assumed so from their conversations, but would verify that point. Pete Lucas indicated Mr. Vandeventer had retracted his willingness to sign until after a meeting among the property owners on January 21 or 22. Dave Gentry reportedly had no problem with the utility easement or with taking eighteen inches of his property provided the City took eighteen inches from the property across the street, too. Johnny Mallory said Mr. Pulley would sign. Ronnie Fugate volunteered to accompany City personnel any time they visited with Mr. Pulley.

14. DISCUSS AND CONSIDER COST SHARE PROPOSAL ON RECONSTRUCTION OF EAST GATE ROAD -- Al Campbell and the First Monday Committee had met with Gerald Turner and were recommending the Council approve the proposal to reconstruct East Gate Road with concrete all the way to Highway 19 at an estimated cost to the City of $4,000, plus an additional $1,000 to transition the new road into existing First Monday Streets. Ron Sanford made the motion, Bob Alexander seconded and all were in favor.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO CONSTRUCTION OF A PAVILION ON THE FIRST MONDAY PARK -- Al Campbell presented the site

plan for the proposed pavilion. It included a 260' x 90' metal structure, a 4" concrete slab and 20' passageway and 15' street on either long side. The area affected was between rows 3, 11, 20 and toward the foot of the hill. It eliminated rows 17, 18 and 19. Drainage was not expected to be a problem and the Council discussed options. The proposal allowed for 4 rows of vendor spaces (2 rows in the center back-to-back, and 1 row on each side.) The spaces were expected to be 14' x 14' at a rental cost of approximately $150. Mr. Campbell suggested florescent versus halogen lighting, no water inside the building, and using the passageway on either side for trailer/vehicle parking or extension of the vendor space. Bob Alexander had concerns that parking beside the building would kill the spaces along the south side. He suggested allocating parking spaces near the brown restroom. Mr. Campbell told the Council he was pleased with the plan and would gather cost estimates for Council approval.

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

17. ADJOURN -- There being no further business to discuss, Bob Alexander made the motion to adjourn the meeting at 7:45 p.m. Ron Sanford seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, FEBRUARY 11, 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, Jimmy Peace, Ron Sanford and Bob Alexander. None absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME -- Mayor Etheridge

2. INVOCATION -- Councilman Bob Alexander

3. GUEST ITEMS -- Mr. Johnny Mallory introduced the new City Secretary, Rhita Koches, who will begin work on February 24, 1997.

   Mr. Bob Werner, a First Monday food vendor--Proud Pappy's Pretzels, commended the City for the shuttle bus service during First Monday. He told the Council that the

shopper's main concern was transportation from his car to the grounds. He suggested the bus drop shoppers off only at the main gate, solving the traffic flow problems on the hill. Mr. Werner also suggested that food vendors be allowed to hand out free food samples along the rows to attract customers to their food booths. He said he was set up on the hill and it helped attract people into that area who would not otherwise have gone that way.

4. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF PAVILION AND RESTROOM FACILITIES -- Al Campbell showed the Council a revised site plan for the proposed pavilion. Velvin & Weeks, Engineers increased the elevation by one foot to 564 (about the same as Rows 3 and 11), requiring 2,000 versus 200 yards of fill dirt at a cost of $8,000 to $10,000. Mr. Campbell said there was some soil with the right PI nearby and that more could be trucked in from the area behind the landfill. He said he would be getting firm estimates from contractors for the dirt work. Mr. Campbell then presented a breakdown of the specifications and costs for the concrete slab, paving, and inlet box which totaled $85,250. He expected the price to be a little more competitive when put out for bids. Mr. Campbell had talked to two contractors about the metal structure who indicated it would cost approximately $5.00 per square foot. At 23,400 square feet, the structure would cost up to $117,000. He suggested insulating the building for another $12,000, bringing the total estimated cost for the project to $230,000 without electrical. The Council agreed with Mr. Campbell's suggestion to use florescent lighting attached to the perlings. Mr. Campbell is scheduled to meet with architect/engineer John Carver on Thursday, after which Mr. Carver will prepare the electrician's diagram to put out for bids. Ms. Carmen Wagner, a First Monday table vendor in the audience, suggested the City install large fans at both ends to help circulate air. Mr. Campbell said he had already looked at water-cooled fans as a possibility. He also noted that the pavilion was constructed in such a way that it could be expanded later without much difficulty. Mr. Joe Melia, a former food vendor in the audience, pointed out that Row 11 was sometimes under water and there might be problems if the pavilion were constructed at that same elevation. Mr. Campbell said the engineers knew the area well and this was what they recommended. Ron Sanford reminded the Council that once before the City poured a slab higher than the elevation recommended by the engineers which created a dam and impeded the drainage of flood waters. It was noted that the entire area was in the flood plain, and vendors had to be aware of the risks.

Mr. Campbell moved on to discuss the construction of two new restrooms on the grounds. He indicated Mr. Carver was going to help design the restrooms after he had an opportunity to look at the proposed sites during his visit on Thursday. One site was on the top of the hill behind the bandstand and the other was between the 2000 and unreserved sections.

Ms. Carmen Wagner asked who would occupy the new pavilion and if there would be any limit to the number of lots that could be rented by a vendor. She had heard a rumor that Paul Michael was going to rent a substantial section. Mr. Campbell told Ms. Wagner he had not had any conversations with Mr. Michael regarding rental space in the new pavilion. He said that the City had already talked to the original fifty-four people who had lots rented in the affected area and they would be the first considered for the new pavilion. The City would work with them to determine if their product was suitable for pavilion

display, which he expected most would be. Next, he would work with vendors who had been previously displaced but were still not satisfied. After that, the City would take applications and try to fill the pavilion with a well-rounded mix of merchandise. Mr. Bob Werner asked when the displaced vendors would need to apply. Mr. Campbell said applications would be available in about a week and would be on the grounds during the next First Monday. He indicated he would talk to the displaced vendors again during First Monday. Mr. Bob Alexander then moved that the Council return to the agenda.

5. DISCUSS AND CONSIDER DESIGNATION OF PERMISSIBLE AREAS FOR OPEN STRUCTURES AND REGULATIONS THEREOF -- Mr. Campbell presented the diagrams highlighting the proposed areas where vendors would be allowed to build their own structures. Excluded were locations which might be suitable for future pavilions. He said the designated areas contained a lot of trees and that small structures could be built without disturbing them. Ron Sanford said he would like to extend the designated area to include the horseshoe by the main gate. Mr. Campbell said he did not include the horseshoe in the initial proposal because it was highly visible from the street and he thought the Council might want to take a little time to consider how the main gate area might be affected if vendors could not be seen from the street.

   Mr. Campbell offered guidelines requiring all structures to be made of metal. Ron Sanford amended that to also require the use of new materials. The guidelines called for an engineer's seal of approval on the structure, either an official seal as sometimes seen on prefabricated structures or approval from the City's engineer. Structures must be open on all sides with a minimum 7 foot clearance. Side panels would be permitted provided they have 7' clearance. All eaves, overhangs and doors (open or closed) must be inside the lot boundaries. The structure should be put on a concrete slab with about an 18 inch apron around it to allow tractors to mow up to the edge so weed-eating would not be necessary. After further discussion, the Council added that it had to be ground level, or slightly higher with a slope down to ground level for the same reason. The structure had to be light in color (earth tones) to blend in with the surrounding area. Mr. Campbell said that vendors must provide written plans to the City for approval. Each proposal would be evaluated on a case-by-case basis with the City having the right to deny any applicant for whatever reason it chose. The City would also have the right to inspect the structure and demand repairs, if necessary. He said he did not see any reason why the vendor should not be allowed to remove the structure if he wanted to when he left. Councilmen discussed the potential problem of remaining slabs which would prevent a new vendor from putting up a canopy. They agreed that it would not be a significant problem because most vendors willing to build were planning to remain in the same location for a long time. The Council was asked if vendors who built structures would be required to pay a lot premium. Mr. Campbell suggested that the precedent had been set with Mr. Michael paying 50% above standard lot rent. He said vendors should be willing to pay the same premium since they would not have to set up and tear down tents and canopies each month.

6. 1ST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 315 CURRY OWNED BY LAKESIDE BAPTIST CHURCH -- Mr. Mallory instructed the Council that this was the first public hearing on the contemplated annexation of 315 Curry Lane.

The second would be February 18th and a vote on the ordinance would be made on March 18. Mayor Etheridge opened the public hearing. No comments were offered so the hearing was closed.

7. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- Al Campbell directed the Council's attention to a letter from the Texas Department of Public Safety regarding their concerns about the number of commercial vehicles with safety violations on the streets during First Monday. The letter asked the City to work with them in their efforts to correct the problem. They intended to have extra troopers cruising the streets during the May First Monday and they wanted the City to inform the vendors in advance so they could correct any problems beforehand. Their primary concern was the public's safety. They were planning to stop vehicles for possible violations, but were not going to have check-points which would impede traffic flow. Mr. Campbell supported the effort and told the Council he would inform the dealers through publication in "The Guide" and the vendor's newsletter.

Johnny Mallory directed the Council's attention to the letter in their packets from Congressman Ralph Hall addressed to Ms. Mary Dolphin with the U.S. Postal Service. The letter aggressively urged the postal service to provide dual access to the Canton Post Office as originally promised during relocation negotiations. No response had been received yet.

Mr. Mallory also informed the Council that the agenda for the next meeting would include discussion and consideration of all matters pertaining to the new Industrial Development Board. He reminded the Council that the new Board had to be established by April 1 when the City was due to receive its first payment from the new tax. He suggested the Council be prepared to appoint three new members to the Board along with the current members still eligible--Bob Alexander, Al Campbell, Ben Shirey and David King. He asked Councilmen to review the documents provided in their packets at the last meeting and to notify the office of any suggested changes before Friday so revisions could be included in the materials for the next meeting.

8. ADJOURN -- There being no further business to discuss, Ron Sanford made the motion to adjourn the meeting at 7:10 p.m. Jimmy Peace seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, FEBRUARY 18, 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, 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 -- Ronnie Fugate made the motion to approve the minutes of the January 21, 1997 and February 11, 1997 meetings as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE THE FINANCIAL STATEMENTS -- After review by Johnny Mallory, Bob Alexander made the motion to approve the January 31, 1997, financial statements. Jimmy Peace seconded and all were in favor.

5. GUEST ITEMS -- Mr. Joe Melia appeared before the Council asking to get "our troubles settled and out of the way" (referring to Mr. Melia loosing his First Monday lots and dealer privileges for a rules violation.) Mayor Jack Etheridge reminded Mr. Melia that he told the Council he had filed a lawsuit, which put his attorney in control. Mr. Melia asked if he and Al Campbell could get together to work it out. The Mayor said all discussions had to be through the attorneys. Mr. Melia then asked Rhita Koches, the new City Secretary, to find in the minutes of the Council meetings where the City Council had voted on prohibiting the "offering of lots for sale."

6. 2ND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 315 CURRY OWNED BY LAKESIDE BAPTIST CHURCH -- Mayor Etheridge opened the hearing at 6:37 p.m. No one was present to address the issue. The hearing was then closed.

7. DISCUSS AND CONSIDER ADOPTION OF ORDINANCE AUTHORIZING AND APPROVING THE CREATION OF THE CANTON ECONOMIC DEVELOPMENT CORPORATION AND APPROVING THE CORPORATION'S ARTICLES OF INCORPORATION AND BYLAWS -- The Council's discussion on the ordinance, articles of incorporation and bylaws for the Canton Economic Development Corporation focused on the the Council's ability to maintain adequate control of the Corporation's operations and spending. The Council concluded the control measures contained therein were sufficient. Specifically, that included the Council's authority (1) to dissolve the Corporation and its board at any time, (2) to make the annual appointments to the Board, and (3) to form (and change) the policies under which the Corporation's Board would operate. That included establishing the percent of tax revenue to be allocated for community enhancements versus economic development projects.

   It was also clarified that the Economic Development Board could select the date and time of its regular meetings, but Article 3, Section 3 of the Bylaws required one meeting be held each year on the third Monday in May during which the Board must elect its officers. Johnny Mallory explained the date followed City Council elections, giving the new Council an opportunity to first appoint the new members to the Economic Development Board. Mr. Mallory further suggested the Council set two-year terms for the Board members, appointing four members in the year the City elects three Councilmen, and appointing three members to the Board in the year the City elects two Councilmen and the Mayor. Bob Alexander made the motion to adopt the ordinance

establishing the Canton Economic Development Corporation, to adopt the Articles of Incorporation and the Bylaws. Ron Sanford seconded and all were in favor.

8. DISCUSS AND CONSIDER APPOINTMENT OF DIRECTORS TO THE ECONOMIC DEVELOPMENT CORPORATION--The Council discussed appointing the four members from the previous Economic Development Board who are still eligible under the new Corporation's bylaws. Ron Sanford, Johnny Mallory and Joe Groves were also proposed, completing a seven-person board. Jimmy Peace then made the motion to appoint Ron Sanford, Johnny Mallory, Joe Groves, Bob Alexander, David King, Ben Shirey and Al Campbell as directors of the Canton Economic Development Corporation. Ronnie Fugate seconded the motion and all were in favor.

9. DISCUSS AND CONSIDER ACCEPTING RENOVATION OF SLUDGE DRYING BED (TWDB SRF PROJECT NO. 2236-01-02, CONTRACT NO. CN-028) AS COMPLETED--Johnny Mallory reported the project was complete to his satisfaction. Ron Sanford made the motion to accept the renovation of the sludge drying bed project as completed. Bob Alexander seconded and all were in favor.

10. DISCUSS AND CONSIDER ALLOCATING LOCAL MATCH FUNDS FOR THE EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT-- After presentation by Johnny Mallory and a brief discussion, the Council unanimously voted to pay $444 to the East Texas Council of Governments for Canton's share of the matched funding for the East Texas Economic Development District. The motion was made by Bob Alexander and seconded by Ron Sanford.

11. CALL OF GENERAL ELECTION FOR MAY 3, 1997 TO ELECT A MAYOR AND TWO COUNCILMEMBERS--Ron Sanford made the motion to call a general election on May 3, 1997, to elect a mayor and two councilmembers. Jimmy Peace seconded and all were in favor.

12. DISCUSS AND CONSIDER AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE TO APPLY FOR A THREE YEAR FEDERAL GRANT TO EMPLOY AN ADDITIONAL POLICE OFFICER--Johnny Mallory explained that the City had an opportunity to apply for a $66,000 federal grant to employ a new police officer for the next three years. The grant required a total of $22,000 from the City in matching funds over the three-year period, $4,200 of which would come from the current annual budget. Upon confirmation that the funds were in the budget, Jimmy Peace made the motion to apply for the federal grant. Ronnie Fugate seconded and all were in favor.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS TO INCLUDE THE RECONSTRUCTION OF VARIOUS STREETS--Johnny Mallory reported that all taps except one six-inch tap were completed on Woodland Drive. He said he had visited with the homeowners and all the problems had been worked out so far. Even though the street was a mess, he had received no complaints. He also said the City closely monitored Woodland's condition, especially during the rain, and continued to add rock to the driveways to maintain residents' access to their homes.

    Mr. Mallory reported that he still lacked a few more signatures from homeowners on Big Rock. He said he believed the City could construct a thirty-four foot street within current right-of-ways.

    Mr. Mallory asked the Council to approve an approximated $50,000 expenditure for the following street projects: (1) to overlay College Street from Athens to Buffalo, (2) to overlay and curb and gutter Watercrest at an estimated cost of $22,000 (engineering already requested), (3) to overlay Mill Creek from Murray Street to Etheridge Road, (4) to overlay Groves Street, and (5) to overlay Terrell Street. Ron Sanford made the motion to approve the projects. Charles Lide seconded and all were in favor.

Bob Alexander asked Mr. Mallory to check on the condition of the edges and potholes on College Street east of Big Rock. He also asked about the section of Old Kaufman Road which had been rebuilt two years prior. Mr. Mallory said there were approximately ten soft spots in that road which the City planned to dig out, fill in, and seal-coat in June when the weather was more suitable.

Charles Lide asked about the guardrail damage on College Street near the nursing home. Pete Lucas said Earl Reed told him he would put up the guardrail.

14. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS -- Johnny Mallory asked the Council to schedule a salary scale work session. The meeting was set for Saturday, March 1, 1997, at 8:00 a.m. in the Council Chambers.

    Bob Alexander asked the Parks Committee to consider developing an open basketball court at the Old City Lake Park. He suggested a double court with all-weather goals, a four-inch concrete slab, and taking advantage of the tennis court lighting. Mr. Alexander was concerned that the tennis courts would be torn up by kids rollerblading. He said an open basketball court would give residents a place to play basketball, hold tournaments and rollerblade. Ronnie Fugate and Jimmy Peace said they would look into it and put it on the agenda for the next meeting.

15. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL SALE OF REAL PROPERTY (Section 551.072) -- Mayor Etheridge closed the meeting to executive session at 7:15 p.m. to discuss the potential sale of real property.

16. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSIONS IN EXECUTIVE SESSION -- The meeting was reopened at 7:32 p.m. with no action taken.

17. ADJOURN -- There being no further business to discuss, Bob Alexander made the motion to adjourn the meeting at 7:32 p.m. Jimmy Peace seconded with all in favor.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
8:00 A.M., SATURDAY, MARCH 1, 1997

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

Also present were City Manager Johnny Mallory, First Monday Manager Al Campbell, Chief of Police Ron Carroll, and City Secretary Rhita Koches.

Discussion and action were as follows:

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

3. WORKSHOP SESSION PERTAINING TO CITY EMPLOYEES' SALARY SCHEDULE - City Manager Johnny Mallory reviewed the "City of Canton Salary Chart - Proposal A" which had been distributed to the Council. Mr. Mallory noted that the proposal provided for an average payroll increase of 6.8% .

   In response to Council questions, Chief Carroll explained that a "Patrolman 2" category was proposed to encompass officers who had training status. The classification is to be based on merit and not on longevity.

   Following a discussion and comparison of specific employees' Level/Step classifications, the Council requested updated job descriptions for City employees.

   The Council discussed longevity pay and the process used by other employers in establishing such. The Council briefly compared the City's law enforcement pay to that of Van Zandt County.

   Mr. Mallory noted that the proposed payroll increases could be offset by recent increases to some fees as well as a savings in insurance premiums under the recently negotiated coverage.

   The Council then discussed the re-classification of an employee to a supervisory position which would not pay overtime. The Council instructed the City Manager to review the employee's compensation paid over the last two years and re-assign that employee to a step which would insure no income reduction as a result of re-classification.

   The Council also noted that the salary chart has not been adjusted in approximately four years. Therefore, with cost of living increases, a 6% increase only catches up with inflation.

   Councilman Sanford advised the Council that the City Manager is underpaid and suggested that the Council check the statistics relating to compensation of City Managers.

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

Jack Etheridge, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MARCH 11, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Pro Tem Ronnie Fugate

2. MAYOR'S WELCOME - On behalf of Mayor Etheridge, Ronnie Fugate offered apologies for the mayor's absence. The mayor was with his mother who was gravely ill and not expected to live.

3. INVOCATION by Councilman Charles Lide

4. GUEST ITEMS - None

5. DISCUSSION AND UPDATE PERTAINING TO CONSTRUCTION OF PAVILION AND RESTROOM FACILITIES - Al Campbell presented the specifications for the site work on the new pavilion and informed the Council he had asked Velvin & Weeks to prepare the specifications for a ninety foot by two hundred sixty foot (90'x260') metal structure. He said he was also waiting on the electrical specifications. He asked the Council to authorize advertising for bids for the site work, metal structure, side paving, the adjacent road and the electrical as specifications for each become available. Ron Sanford made the motion so stated. Bob Alexander seconded and all were in favor.

   Al Campbell then presented the plans for two proposed restrooms--one women's only near the existing brown bathroom and the other men's/women's restroom in the 2000 section. Mr. Campbell endorsed two changes suggested earlier by Bob Alexander: (1) to reverse the women's room so that patrons exited on the south side guiding the traffic flow toward the top of the hill, and (2) to decrease the storage area containing the electrical panel allowing space for two more facilities in the ladies' side of the men's/women's restroom. Mr. Campbell said Mr. Carver, an architect/engineer, recommended metal versus cinder block structures because they were durable and could be constructed rapidly. He reported he was hiring Mr. Carver to prepare the specifications incorporating the changes as discussed, after which he would seek bids for the construction of the restrooms. Guests in the audience voiced concerns about the durability of metal buildings. Ronnie Fugate explained that the facilities would have a finished interior and would be properly maintained. Al Campbell added that he was pleased with Mr. Carver's work on designing the Canton Civic Center and he believed the City would also be satisfied with what Mr. Carver recommended on the restroom projects.

6. DISCUSS AND CONSIDER DESIGNATION OF PERMISSIBLE AREAS FOR OPEN STRUCTURES AND REGULATIONS THEREOF - Al Campbell proposed that the permissible areas for open structures discussed at the last meeting be expanded to include "the horseshoe" near the main gate, except for the lots along Groves Street. He also presented revised guidelines for the approval and building of structures. He pointed out the provision to raise the rent for lots under structures by fifty percent (50%) above the going rate, and suggested that if the vendor wished to remove the structure and did so in a manner acceptable to management, that the rent would revert back to the going rate. Bob Alexander asked that Richard Davis add a disclaimer allowing the guidelines to be changed at any time without notice. Mr. Alexander made the motion to approve the designated areas for open structures and to adopt the guidelines with the changes that were discussed. Ron Sanford seconded with all in favor.

   Pursuant to discussion of "the horseshoe" and main gate area, Al Campbell reported the main gate beautification project had been delayed while the City resolved several problems created by recent storms. He indicated he would begin work on the project soon. Mr. Alexander asked if he planned to hire contractors to build the retaining wall. Mr. Campbell said he had witnessed a similar project and felt confident City workers could do the job. For the purpose of beautification, Ronnie Fugate and Ron Sanford asked that no parking be permitted between Groves Street and the main gate office. Ron Sanford also suggested that at some time in the future the City consider removing the current main gate office and rebuilding another in the southwest corner of the lot.

7. DISCUSS AND CONSIDER PROPOSED SALARY CHART - Johnny Mallory presented a new salary chart for Council approval. He reported the average overall increase in salaries was approximately 6.53%. Bob Alexander said it was the first general salary chart adjustment in four

years. Ron Sanford said the new chart actually just adjusted salaries enough to catch up with the 3% per year cost of living increase occurring over the past several years. The old chart allowed for 2% step increases. Step raises in the new chart are approximately 2.5%. Bob Alexander made a motion to adopt the proposed salary chart, seconded by Ron Sanford. The motion carried with all in favor. Mr. Mallory confirmed the new salary chart was effective March 1, 1997.

Bob Werner, a First Monday vendor, asked if the salary increase would affect lot rental rates. Johnny Mallory said lot rates would not be affected. He explained that salary increases were possible within the current budget because insurance premiums were lower than anticipated. Joe Melia asked why the City did not have merit raises. Mr. Mallory told Mr. Melia that employees were evaluated two times a year. If the evaluation was favorable they received a step increase or merit raise. If it was not favorable, they did not.

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

Mayor Pro Tem Ronnie Fugate recognized Joe Melia who asked why the City did not stick with First Monday items on the second Tuesday agenda and other City business on the third Tuesday agenda. Ron Sanford responded that meetings were divided for that general purpose, but any business is taken care of as the need arises. Carmen Wagner also addressed the Council with several complaints: (1) the rope on a flag pole at Highway 19 snapped during the last First Monday creating a dangerous situation, (2) she asked management to stop the illegal distribution of flyers on the grounds, and (3) she was concerned about medical aid during the summer season and asked what was the best way to get aid. Mr. Mallory told her to call 9-1-1 for emergencies or look for a First Monday employee in a red shirt.

8. ADJOURN - There being no further business to discuss, Mayor Pro Tem Ronnie Fugate adjourned the meeting at 7:02 p.m.

Jack Etheridge, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MARCH 18, 1997

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

Discussion and actions were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Pro Tem Ronnie Fugate called the meeting to order and announced that a quorum was present.

2. MAYOR'S WELCOME - Mayor Pro Tem Ronnie Fugate welcomed the Council members, City staff and guests present and explained the reason for the absence of Mayor Jack Etheridge.

3. INVOCATION - Councilman Bob Alexander gave the invocation.

4. GUEST ITEMS - Joe Collins of the Canton Chamber of Commerce addressed the Council regarding the proposed Van Zandt County Day in Austin on April 21 and 22, 1997. Mr. Collins presented the Council a sample schedule of similar trips by other communities on meetings with legislators in Austin. Mr. Collins explained that the contact person for this trip is Brian Bowman of Senator David Cain's local office. Tyler recently sent approximately 150 people, and Kaufman County had over 250 people attend a similar function. Van Zandt County representatives would like to have 30 to 50 people from the area attend. Reservations have been made at Double Tree Inn, which is within walking distance of the Capitol. Through arrangements with Sen. Cain's office, individuals will be available to answer specific questions as requested by the assembly. Councilman Alexander asked Mr. Collins to come back to the next Council Meeting to discuss specific financial arrangements for the trip. Councilman Alexander also questioned problems which might arise in the event three or more councilmen attend. City Manager Johnny Mallory explained that he did not think that would be a problem. Councilman Alexander noted that there are a number of specific issues brought to the attention of the Council through the Texas Municipal League which could be addressed by representatives in Austin. Mr. Collins explained that specific items may be discussed with the appropriate individuals if Sen. Cain's office is given some idea in advance of the areas to be addressed.

5. CONSIDER PROCLAIMING APRIL, 1997, AS CHILD ABUSE PREVENTION MONTH - A proposed Proclamation was read by Johnny Mallory. Councilman Ron Sanford moved that April 1997 be proclaimed as Child Abuse Prevention Month in the City of Canton. Councilman Charles Lide seconded and all were in favor. Mayor Pro Tem Ronnie Fugate presented the Proclamation to Van Zandt County CPS Board member Tammie Harp.

6. CONSIDER PROCLAIMING APRIL, 1997, AS "SELECTIVE SERVICE SYSTEM AWARENESS MONTH - A proposed Proclamation was read by Johnny Mallory. Councilman Lide moved that April 1997 be proclaimed as Selective Service System Awareness Month in the City of Canton. The motion was seconded by Councilman Ron Sanford and all were in favor.

7. CONSIDER RESOLUTION AGAINST PROPOSED LEGISLATION WHICH WOULD AFFECT LOCAL DIRECTION OF ECONOMIC DEVELOPMENT FUNDS - Johnny Mallory reminded the Council that there is apparently a movement in Austin to control economic development funds, initially by reporting requirements. It was noted that this topic might be addressed during the Van Zandt County Day in Austin. Councilman Alexander moved that the proposed Resolution be approved, Charles Lide seconded and all were in favor.

8. CONSENT AGENDA - Bob Alexander moved to approve the following items on the consent agenda: Minutes of meetings held February 18, 1997, March 1, 1997, and March 11, 1997; Appointment of Mary Wages as Election Judge for May 3, 1997, General Election and authorize her to hire three (3) clerks; and Texas Local Government Investment Pool ("TEXPOOL") Resolution amending authorized representatives naming Johnny Mallory, Cathy Cummins and Rhita Koches as authorized representatives. Councilman Sanford seconded and all were in favor.

9. CONSIDER APPROVAL OF FEBRUARY 1997 FINANCIAL STATEMENTS - The February 1997 Financial Statements were read by Johnny Mallory. Councilman Alexander moved to accept the financial statements as submitted. Councilman Sanford seconded and all were in favor.

10. CONSIDER ACCEPTANCE OF 1995-1996 FINANCIAL AUDIT - Independent auditor Donna Hester, CPA presented her report on the 1995-1996 audit and summarized the various reports included in the audit. Mrs. Hester noted considerable progress this year versus last year due to the efforts of Accountant Cathy Cummins. It was further noted that First Monday computers are in the process of being installed which should alleviate the auditor's notations as to First Monday accounting. Councilman Sanford moved to accept the audit. Jimmy Peace seconded and all were in favor.

11. CONSIDER ADOPTION OF AN ORDINANCE ANNEXING PROPERTY LOCATED AT 315 CURRY PETITIONED BY LAKESIDE BAPTIST CHURCH - Johnny Mallory reminded the Council that the two public hearings on this annexation have been conducted and recommended approval of the annexation. Councilman Charles Lide moved that the annexation be approved and that Ordinance 97-02 be adopted. Councilman Alexander second and all were in favor.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS - Johnny Mallory updated the Council on the progress of various street repairs. He noted that work on Woodland has been temporarily suspended due to rain. Mr. Mallory reported on the status of the overlay work on Little, Groves, Wills Point and Grand Saline Streets. Councilman Sanford inquired about the status of the Big Rock street project. Johnny Mallory reported that, although the project has not been forgotten, there has been no change in the status.

The Council discussed mosquito problems in the Sleepy Hollow area. Johnny Mallory explained that the City's equipment puts out a heavy fog. The cost for a machine that mists from the back of a vehicle costs approximately $5,000.

13. DISCUSS AND CONSIDER ROAD AND ENTRY COLUMN IMPROVEMENTS TO HILLCREST CEMETERY - Mayor Pro Tem Fugate told the Council he has received a letter regarding the entrance to the cemetery. The City will be doing some concrete work in that area at the First Monday entrance. The Council discussed tearing down the columns, pouring new concrete pads, re-bricking the columns, and constructing an all-weather road of crushed rock or pea gravel. Discussion was also held regarding a future cost share with the Hilliard family on the cemetery's metal overhead signs. The City has shared the cost of maintenance on a 50-50 basis with the Hilliards. Johnny Mallory suggested using two to three inches of oil sand for the road. It was also noted that some of the graves need to be re-filled which could be done at the same time the road work is done. Councilman Alexander suggested using community service volunteers for that project. Johnny Mallory reported that the Probation Office will have community service volunteers for City work the last Saturday in March. The Council then discussed the decreasing use of the cemetery and the entrances on Groves and Highway 19. Councilman Alexander moved that an all-weather road of either rock or oil sand be laid, that two concrete pads for columns be poured and the columns be reconstructed. Ron Sanford seconded and all were in favor.

14. DISCUSS AND CONSIDER AIRPORT REPAIRS, MAINTENANCE, AND IMPROVEMENTS - Johnny Mallory informed the Council that the Texas Department of Transportation has recently inspected the airport and noted several areas for improvement including wash on the west side of runway, repair to windsocks, repair to the parking apron, and the re-location of power lines. Mr. Mallory said he has reviewed the inspection report with Mr. Don Hackney. In response to the inspection findings, Mr. Mallory reported that the windsocks have been replaced. He informed the Council that rock is not recommended to re-surface the area due to potential propeller damage. Mr. Mallory said that TU Electric will have to be contacted about moving the power lines. It was further noted that the surface in parking area will have to be re-done. Runway lights have been ordered.

Mayor Pro Tem Fugate suggested the possibility of obtaining a grant from the State of Texas such as the grant for airport work recently awarded to the City of Gilmer. Don Hackney explained that, in the past, he has been told that there is no money available for this airport because there is not enough land. He suggested that the City make the repairs which can be made and then invite the Texas Department of Transportation representative back out to discuss the repairs. It was noted that the Department should be made aware that the airport was constructed with private funds only. Councilman Alexander asked if charges or fees were assessed for using the airport. Mr. Hackney said that the only charge is the $35 per month fee for hanger space. The hanger at the back of the property is on private property, and the owner is not being charged. Mayor Pro Tem Fugate asked whether the Wood County airport charged a landing fee. Don Hackney said, generally, only larger cities like Dallas and Houston charge a landing fee. He also noted that the Wood County airport was built with grant funds while the Canton Hackney Airport is a sportsman's field built with private funds. There is no deadline to respond to the inspection report. The penalty for failing to make the cited repairs would be bad publicity in pilot and airfield publications stating that the airport is an unsafe place to land. Mr. Hackney indicated that the tarmac should be repaired as soon as possible. Johnny Mallory reported that plans have been made to proceed with those repairs.

15. DISCUSS AND CONSIDER PARKS AND RECREATION COMMITTEE REPORT ON IMPROVEMENTS AND PROPOSED BASKETBALL COURT - Mayor Pro Tem Fugate discussed building a slab with four basketball goals behind the softball fields. Johnny Mallory said he had looked at the area and it did not appear to be large enough for a full court. Councilman Alexander reminded the Council that one of the purposes of the basketball court was to move the roller-bladers off the tennis courts. He will get the dimensions of a basketball court. Mayor Pro Tem Fugate requested that this matter be put on next month's agenda. He also requested that pricing be determined for a full court facility as well as a half court with a first class slab. Councilman Alexander and Mayor Pro Tem Fugate agreed that they would rather build a smaller slab of better quality that would not crack.

16. DISCUSS AND CONSIDER REVISIONS TO PERMIT FEES FOR SCHOOLS AND CHURCHES - Johnny Mallory reported to the Council that he has received a request for the reduction of permit fees for schools and churches. Mr. Mallory reported that he would not oppose such a reduction. Councilman Sanford asked whether the City makes money from these fees or just covers costs. Mr. Mallory reported that it varies according to the size of the job. Councilman Alexander noted that churches do not pay any property or sales taxes. Mayor Pro Tem Fugate noted that a school construction could take up a lot of man hours, and Mr. Mallory reminded the Council of the Wal-Mart construction which was before the permit fee structure now in place. The permit for a job of that size should have cost $20,000, but their permit at that time cost only $5. After discussion, the Council agreed to review the permit fee, upon request, on a case-by-case basis.

17. DISCUSS AND CONSIDER REQUEST BY AL RICH FOR WATER TAP OUTSIDE THE CITY LIMITS AT FM 1255 AND FM 17 - Johnny Mallory directed the Council's attention to the request and recommended approval of the request. Councilman Alexander moved that the request be approved. Councilman Lide seconded. Councilman Peace asked if there was water in that area now. Johnny Mallory indicated that a six-inch line will be needed soon out beyond this property. Councilman Peace then asked if this request was also for sewer. Mr. Mallory said no, but development further out Highways 17 or 1255 may require a sewer lift. The Council then discussed the possibility of future annexation from of property from Highway 1255 to the Interstate. Councilman Lide noted the situation on Cherry Creek where houses are in and out of the city limits. Johnny Mallory reviewed the annexation policies providing that if a city is providing water and/or sewer then annexation may be forced. Mayor Pro Tem Fugate asked whether any boring across Highway 1255 would be required in approving this request. Johnny Mallory reported that it would not. The Council also discussed the desire of citizens in that area for sewer and Lone Star Gas. It was noted that in the past, Lone Star Gas has been unwilling to provide service to that area. A Lone Star Gas representative has indicated to Councilman Alexander that the company's policy has been liberalized and expanded. There being no further discussion on the motion, all voted in favor.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - After discussion, no items were requested for future agendas.

19. ADJOURN - Councilman Alexander moved to adjourn. Councilman Sanford seconded, and the motion carried.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, APRIL 8, 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. Councilman Jimmy Peace was absent.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Jack Etheridge
2. MAYOR'S WELCOME by Jack Etheridge
3. INVOCATION by Councilman Ronnie Fugate
4. GUEST ITEMS - None
8. DISCUSS AND CONSIDER PARTICIPATION IN VAN ZANDT COUNTY DAY IN AUSTIN - The Council received the report on the Van Zandt County Day in Austin early in the agenda so that Mr. Joe Collins could leave for another meeting. He informed the Council that Tuesday, April 22, will be proclaimed as Van Zandt County Day in Austin. Mr. Bryan Bowman, in Tyler, Texas, is preparing the trip's agenda for April 21 and 22 which already includes meetings on tourism, transportation, Dept. of Aging, a tour of the Capital, and visitation with secretaries in areas of expressed interest. He also said that Lone Star Gas, Sprint, TU, GTE and Southwestern Bell have pledged donations and their participation. The donations and disbursements to individuals needing financial assistance is being coordinated by a sub-committee chaired by Lettie Clark of Wills Point. He invited everyone interested in the trip to attend a planning meeting at noon on Tuesday, April 15, at the Van Zandt County Library. He also recommended four to five young people be invited on the trip to act as pages.
5. DISCUSS AND CONSIDER PROPOSAL FROM JCK CUSTOM EMBROIDERY FOR LICENSING FIRST MONDAY TRADE DAYS LOGO - Mr. Al Campbell presented JCK's request to license the First Monday logo for the purpose of selling First Monday souvenir products. Mr. Campbell endorsed the idea as a new source of revenue for the City but advised caution in entering into a licensing contract. With the consent of the

Council, Mr. Campbell will seek the advice of the City's trademark attorney and present a proposal for consideration at a future meeting.

6. DISCUSS AND CONSIDER AWARDING BID FOR SITE WORK ON PAVILION FOR FIRST MONDAY GROUNDS - Al Campbell reported that of four or five potential bidders, only one bid was returned. Joe Lewis Concrete turned in a bid of $32,520.00 based upon an estimated 3400 c.y. at $5.30/c.y. Velvin & Weeks endorsed the company and the bid. Al Campbell explained the unit price is firm, but the quantity may vary. He recommended a pre-construction hearing with Joe Lewis Concrete to work out the details of the project. Ron Sanford made the motion to accept the bid based on a $5.30/c.y. unit price from Joe Lewis Concrete for the site work on the new pavilion. Ronnie Fugate seconded and all were in favor.

   Al Campbell reported he has received the preliminary bid package for the concrete work on the pavilion and suggested the City include addenda for options it may want to consider.

7. DISCUSS AND CONSIDER ACCEPTING A PETITION FROM ST. THERESA CATHOLIC CHURCH FOR ANNEXATION OF PROPERTY LOCATED ON HIGHWAY 859 - Johnny Mallory presented the request for annexation. He advised the property located across from the west entrance to the First Monday Trade Days Park is already on City water and has City sewer available to it. Ronnie Fugate made the motion to accept the petition. Ron Sanford seconded and all were in favor. The annexation hearings were set for May 13 and May 20, 1997.

9. DISCUSS MOTORCYCLE LEASE AND PURCHASE OF EQUIPMENT FOR CANTON POLICE DEPARTMENT - In the interests of public safety, greater visibility within the community and improved response times in heavy traffic (primarily during First Monday), Police Chief Ron Carroll asked the Council to approve the addition of a motorcycle for the Canton Police Department. He said Lone Star Harley-Davidson in Tyler, Texas offered the best price: a one-year lease package at a cost of $275.00 per month, with a new replacement motorcycle at no charge upon renewal of the lease. He also requested a one-time expenditure of approximately $3900 to equip the motorcycle with the police package ($2190 for lights, siren, etc., $1000 for radar and approximately $700 for radio). The Chief said the order takes four to six months to fill so the funds will come from the next year's budget. The Council discussed the savings of lease versus purchase, the costs of insurance and maintenance, extending the life of existing patrol cars through a reduction in mileage, and the future addition of a second motorcycle. Bob Alexander then made the motion to authorize the lease of a 1998 Harley-Davidson motorcycle from Lone Star Harley-Davidson at a cost of $275.00 per month, and the expenditure of approximately $3900 to equip the motorcycle with the police package. Ron Sanford seconded and all were in favor.

10. DISCUSS AND CONSIDER GTE REQUEST TO BURY FIBER OPTIC CABLE WITHIN CITY LIMITS - Johnny Mallory explained GTE's proposal to bury fiber optic cable from its office on Athens Street to Interstate 20. Mr. Mallory said he did not recommend allowing GTE to go underground because the potential for problems was high and the right-of-ways were already overcrowded with other utilities. Based upon his

recommendation, Bob Alexander made the motion to deny GTE's request. Ronnie Fugate seconded and all were in favor.

11. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Johnny Mallory asked that all agenda items for the next meeting be turned in by Thursday morning.

Charles Lide and Johnny Mallory discussed Granada Square and a soft spot on Mill Creek.

Larry Cox, a member of the audience, asked about the status of the renovation of the First Monday Main Gate. Al Campbell said the project had been delayed by weather, but the trees were scheduled to be removed this week and the retaining wall and sidewalk would follow soon thereafter.

Al Campbell directed the Council's attention to the list of special events scheduled on the First Monday grounds and to an economic impact report for a recent RV rally. He also let the Council know the First Monday computer is being installed and employee training will begin April 14.

Johnny Mallory informed the Council he was sending a letter to the post office telling them they could not drive their trucks on Bois D'Arc and Old Kaufman Road. Truck access to the post office will have to be from Highway 64.

Mr. Mallory said Park Street will be repaired from Big Rock to Athens using material removed from the highway reconstruction project.

12. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:30 p.m. by unanimous vote following a motion from Bob Alexander and a second from Ron Sanford.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING

6:30 P.M., TUESDAY, APRIL 15, 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, Jimmy Peace, Ron Sanford and Bob Alexander.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Jack Etheridge

2. MAYOR'S WELCOME by Jack Etheridge

3. INVOCATION by Councilman Ronnie Fugate

4. GUEST ITEMS - None

5. CONSIDER APPROVAL OF MARCH 1997 FINANCIAL STATEMENTS - The March 1997 Financial Statements were read by City Manager Johnny Mallory. Councilman Alexander moved to accept the financial statements as submitted. Councilman Sanford seconded and all were in favor.

6. DISCUSS AND CONSIDER REQUEST FROM WHITECO OUTDOOR ADVERTISING FOR ADOPTION OF NEW SIGN ORDINANCE AND TO LIFT MORATORIUM FOR OFF-PREMISE SIGNS - Agenda Item No. 6 was taken out of order to await the arrival of Whiteco's representative, Michael Paul Grace.

7. DISCUSS AND CONSIDER GTE REQUEST TO BURY FIBER OPTIC CABLE WITHIN CITY LIMITS - Bob Buford of GTE addressed the Council and introduced local GTE manager, David Nino. Mr. Buford outlined the request submitted to the Council to install a conduit system. He stated that the conduit will be placed by directional boring at a minimum depth of eight feet. Johnny Mallory reminded the Council that prior objections to buried cable were based on the problems encountered when working on water and sewer lines. He reported that, with a directional bore eight feet deep, there should not be a problem.
Mr. Buford told the Council that he should have a bid back from the contractor in two to three weeks. In the event they are unable to go eight feet deep, he will not proceed and will instead look at aerial lines. Councilman Alexander stated his concerns about potential damage to Tyler Street which was just re-constructed a year ago. Mr. Buford stated that they will attempt to return the street to the same condition. He stated that there may be some discoloration, but they will restore it to the best of their ability. Mr. Buford further agreed to keep a GTE inspector on the job at all times.

   The Council then questioned whether this work would upgrade the services presently offered by GTE and the availability of local access calling to additional areas. Mr. Nino and Councilman Alexander explained the limitations on expanding local access calling due to pending litigation. Mr. Nino reported that while caller ID is available, it can only identify local numbers and cannot show the name of the caller. Long distance caller ID is not available. Mr. Nino stated that the expense for additional advanced calling features is too great to expand right now but may be available within the next 24 months.

   Mr. Buford stated that when the conduit is in, they will take cable down Highway 19 in order to be able to provide more lines. GTE will be spending $250,000 this year for upgrading cabling and to provide more lines in Canton.

   Councilman Alexander moved to allow GTE to bury cable pursuant to the revised proposal presented at this meeting. Councilman Sanford seconded, and all were in favor. Mr. Nino will notify the City Manager when GTE begins the directional boring.

8. DISCUSS AND CONSIDER PARKS AND RECREATION COMMITTEE REPORT ON IMPROVEMENTS AND PROPOSED BASKETBALL COURT - Johnny Mallory reported on the proposed location of the new basketball court behind the tennis courts. The slab for the courts is to be 109 feet by 60 feet, with rebar. The cost for the new court will be approximately $12,000.00. The Council discussed installing durable basketball goals. It was further noted that funding for this project will come from the amounts budged for playground equipment. Councilman Ronnie Fugate moved that the City proceed with the project as outlined. Councilman Ron Sanford seconded, and the motion carried unanimously.

6. DISCUSS AND CONSIDER REQUEST FROM WHITECO OUTDOOR ADVERTISING FOR ADOPTION OF NEW SIGN ORDINANCE AND TO LIFT MORATORIUM FOR OFF-PREMISE SIGNS - Mayor Etheridge recognized Michael Grace of Whiteco Outdoor Advertising who updated the Council on the construction of a sign on Highway 19. Mr. Grace acknowledged that he was unaware of the City's most current ordinance and the moratorium and that the initiation of construction without obtaining current ordinance information was a complete oversight. He stated that, pursuant to the City's prior ordinance, a state permit was obtained. Mr. Grace requested that the City review its current ordinance pertaining to off-premise signs and presented ordinances from Longview and Terrell for the Council's consideration. He further requested authorization to complete construction of the sign Whiteco has started on Highway 19. Mr. Grace stated that the sign is wind resistant and will have full safety features. All of Whiteco's contractors are licensed and bonded with two million dollars in liability insurance coverage. Mr. Grace offered his assistance in preparing a new ordinance. Mr. Grace introduced Charlotte Drummond, Vice President and General Manager of Whiteco's Tyler office.

   Councilman Alexander stated that the moratorium was declared because the Council had been informed of some problems with recent legislation dealing with off-premise signs. Mr. Grace acknowledged that there are a lot of "gray areas" in the current law such as the 42 ½ foot height requirement. The law requires that the height not exceed 42 ½ feet from the grade level of the road from which the sign is to be viewed. However, in the case of an intersection or an overpass, it does not clarify which road is to be considered in making that determination. Mr. Grace also explained that the sign at the intersection of Highways 64 and 19 was constructed by and acquired from another company. It was poorly constructed and did not have adequate safety features, and Whiteco determined that it was more economical to just put a new head on it.

   Johnny Mallory notified the Council that they would be in violation of their own ordinance if they allowed the completion of the sign. He recommended that the Council look at a proposed new ordinance, such as the one from Terrell, at their next meeting.

   After discussing the potential advertisers for Whiteco's signs, the Council agreed to review a new ordinance to be drafted by Johnny Mallory. Mayor Etheridge notified Mr. Grace that the Council would take about thirty days to look at a new ordinance and advised him to go through Johnny Mallory to offer Whiteco's assistance.

9. DISCUSS AND CONSIDER ANNEXATION OF INTERSTATE HIGHWAY 20 FROM TEXAS HIGHWAY 64 TO FM 1255 - Johnny Mallory explained to the Council that much of

Interstate 20 is already inside the City Limits. Mr. Mallory reviewed the benefits of the annexation. Councilman Fugate moved to proceed with annexation. Councilman Jimmy Peace seconded, and all were in favor.

10. DISCUSS AND RECONSIDER BRUSH AND LEAVES PICK UP SERVICES POLICY ADOPTED JANUARY 14, 1997 - Johnny Mallory outlined the Council's current policy for pick up services quarterly with a fee charged for pickups during the interim. Prior to adopting that policy, brush and leaves were picked up every other week with a maximum of nine bags. Councilman Fugate noted that Canton citizens may carry brush and leaves out to the transfer station at no charge. Public Works Director Pete Lucas informed the Council that pick up takes approximately two and one-half days with a minimum of four men. Councilman Fugate moved to pick up brush and leaves monthly. Councilman Alexander seconded, and the motion carried unanimously. After further discussion, it was announced that pick up would begin April 23, 1997, and continue thereafter on the third Wednesday of each month.

11. DISCUSS AND CONSIDER RESOLUTION ESTABLISHING GUIDELINES FOR THE CANTON ECONOMIC DEVELOPMENT CORPORATION - Councilman Sanford moved that the Resolution be adopted as presented. Councilman Peace seconded, and all were in favor.

12. DISCUSS AND CONSIDER JOB DESCRIPTION FOR POSITION OF EXECUTIVE DIRECTOR OF ECONOMIC DEVELOPMENT - Councilman Fugate stated his concerns that a salary for this position could consume as much as one-fourth of the funds available. He indicated that he would prefer to see those funds utilized for a project. Councilman Alexander noted that the Articles of Incorporation and Bylaws for the Canton Economic Development Corporation already authorize the Corporation to hire an employee. Councilman Alexander added that the Corporation, on its own, would probably not be able to offer hospitalization insurance and retirement benefits. However, as a City employee, the Executive Director will be eligible for those benefits. Johnny Mallory stated that, in order to function properly, the Corporation will have to have an employee. Mr. Mallory further stated that the sales tax revenue for the Corporation has been estimated at $400,000, and he does not anticipate the position of Executive Director to cost $100,000. Councilman Alexander said that it will be necessary to have someone to go out and sell Canton and to be the focal point for inquiries. He acknowledged that Al Campbell served the Canton Industrial Development board in that capacity unofficially. Councilman Alexander moved that the job description for an Executive Director of Economic Development be approved. Councilman Sanford seconded, and all were in favor.

13. DISCUSS AND CONSIDER REQUEST FROM JOE MELIA - Mayor Etheridge recognized Joe Melia, and the Council heard comments from Mr. Melia regarding the fence on the City's First Monday grounds. Mr. Melia referred to the fence as a "spite fence" and stated that he had talked to other vendors who felt the fence had hurt the market. He asked the Council what it would take to have the fence removed and suggested a petition, a picket line at City Hall or throwing some money on the table before City employees. Councilman Sanford, a member of the Council's First Monday Committee, responded that the fence was erected to

control vehicular traffic which control had been requested by numerous vendors. Councilman Sanford said he had received many compliments from vendors who appreciate the City's efforts to control traffic through the grounds. Johnny Mallory reiterated the City's concern regarding vehicular traffic and the complaints of vendors about such traffic. Mr. Mallory said he had heard concerns about the ability of emergency vehicles to travel across the grounds. He stated that the fence was constructed so as to allow the ambulance golf cart through the fence. He added that every First Monday employee has a key to the gates. Upon questioning from Mr. Mallory, Mr. Melia stated that the term "spite fence" was a term he believed had been supplied by a Tyler newspaper article after a loss in the courthouse. Upon further questioning from Mr. Mallory as to what loss Mr. Melia was referring to, Mr. Mallory stated that there had been no such loss.

14. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Councilman Alexander asked that, in order to assist the City staff in handling requests to appear before the Council, the Council confirm that it is the prerogative of the Council to hear First Monday matters at the Council's meeting on the second Tuesday of the month and to hear city matters on the third Tuesday of each month. Councilman Peace requested that a no wake rule be placed on the Council's next city agenda.

15. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:45 p.m. by unanimous vote following a motion from Councilman Ronnie Fugate, seconded by Councilman Charles Lide.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
5:00 P.M., TUESDAY, MAY 6, 1997

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

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Jack Etheridge called the meeting to order.

2. INVOCATION was given by Councilman Ronnie Fugate.

3. CANVASS MAY 3, 1997 GENERAL ELECTION RETURNS - The Council canvassed the election returns for the May 3, 1997 election of the Mayor and two Council members. After the Council canvassed the results of the election, Bob Alexander made a motion to accept the returns as presented by the Election Judge with the results being as follows:

CANDIDATE	OFFICE	# OF VOTES
Don Hackney	Mayor	249
Tom Giles	Council member	103
Doug Grimes	Council member	71
Ronnie Fugate	Council member	204
Ron Sanford	Council member	233
TOTAL NUMBER OF VOTES CAST:		332

Charles Lide 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.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 13, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Jack Etheridge

2. MAYOR'S WELCOME by Jack Etheridge

3. INVOCATION by Councilman Ronnie Fugate

4. OATH OF OFFICE ADMINISTERED TO ELECTED COUNCIL MEMBERS AND MAYOR BY MUNICIPAL COURT JUDGE BRENDA SANFORD -- Judge Brenda Sanford administered the oath of office to newly elected Mayor Don Hackney and re-elected Council members Ron Sanford and Ronnie Fugate. Mr. Fugate then presented a plaque to Mr. Jack Etheridge and

thanked him for his service as Mayor and earlier as a Council member for the City of Canton. Mr. Etheridge said he enjoyed every minute of it, and it was with mixed emotions that he left. He said he would continue to be active, but he felt it was time to give someone else a chance to see what they could do for the City. Mr. Etheridge turned the meeting over to Mayor Don Hackney who began his term by welcoming friends and neighbors. He said, "It is my intent to try to see that the we have controlled growth and prosperity for the City. I grew up in this community, my children grew up in this community, and some of my grandchildren are growing up in this community. I would like to see them have the best, as I had for me. When I go out, I would like to be able to say, as the Boy Scouts' saying goes, that I left it a little better place than I found it."

5. APPOINTMENT OF MAYOR PRO TEM -- Ronnie Fugate was unanimously elected as Mayor Pro Tem on a motion made by Ron Sanford and seconded by Bob Alexander.

6. GUEST ITEMS -- Ms. Jessie Wynne Smith requested to be placed on the next meeting's agenda to discuss installation of approved sewer service to four people in the Wynne community.

7. APPROVAL OF MINUTES OF THE MARCH 18, APRIL 8, APRIL 15, AND MAY 6, 1997 MEETINGS -- There being no corrections or comments from the Council, the minutes were considered approved as written.

8. DISCUSS AND CONSIDER FIRST MONDAY LOT RENTAL RATES -- On behalf of the First Monday Committee, Al Campbell presented a proposal for an increase in the First Monday lot rental rates. The rate increase was requested to help offset growing utility usage and rates, the cost of inflation since the last rate increase, added expenses of opening the market a day earlier, and an increased value of services for the vendors and shoppers.

The proposal contained the following tiered-rate structure based upon observed traffic flow patterns: Level One-$65, Level Two-$55, Level Three-$45, Level Four-$40, Food Concessions-$200, and RV Spaces: full hookup-$20, water/electric hookup-$12. No electricity charges except in cases of abnormal usage as determined by First Monday management. Vendors building individual structures would pay one and one-half times the effective lot rate. Vendors with existing agreements for covered lots would pay the current rate for four years before increasing to one and one-half times the effective rate.

Bob Alexander said the City had made significant improvements to the grounds and had increased services to the vendors and shoppers which raised the value of the market and the lots. He pointed out that the streets on the grounds had all been rebuilt or resurfaced, the City had contributed funds to the improvements along Highway 19 including the building of the East Gate Entrance, the City contributed funds for a concrete entrance and street by East Gate Marketplace, a major renovation project had begun on the old Main Gate, construction was scheduled to begin soon on two new restrooms, a police sub-station was placed on the grounds, additional police officers had been hired to patrol the grounds and assist with First Monday traffic, the City bought a new fire truck stationed on the grounds, First Monday operations had been extended one day earlier requiring additional staffing, more restroom attendants had been hired, the Canton Civic Center was constructed for antiques vendors, and advertising had been increased. He said he believed rates had not been raised in at least eight years and he suggested the fairest way to raise rates was to place a premium value on the lots with higher traffic. Ron Sanford said he felt the City had earned the increase and justified it with plans for continued improvements. The First Monday Committee urged the Council to act on the proposal immediately and to implement the rate change October 1. Bob Alexander stressed that the new rates reflected fair market value for the lots. Bob Werner, a First Monday food concessionaire asked the Council to postpone action

and allow others to observe the traffic patterns and recommend modifications. Bob Alexander said that Level One included Dealers Row, Row 11, East Gate Road, and the rows adjoining the pavilions. He stressed that the committee was very conservative in selecting Level One lots and that Level Four was purposely left at the current rate for vendors who could not afford an increase. Ron Sanford added that the committee had watched traffic patterns for six months and stood behind the proposal. He indicated if the Council approved tiered pricing, modifications to the map could be made later. Ronnie Fugate voiced his concerns about remaining competitive with other markets. Bob Alexander responded that the City's main competition was with the other pavilions and structures and that the City's property still monopolized the traffic flow. He added that the City could later roll back the rates if necessary, but he felt the City was on solid ground. Bob Alexander made the motion to implement the proposed tiered pricing rate structure effective October 1, 1997. Bob Werner asked if the concessions in the pavilions would be affected. Mr. Campbell informed him that the pavilions were privately owned and it would be up to the owners. Carmen Wagner said that she thought the unreserved section had the heaviest traffic and felt it should be at a higher rate than $45. She also suggested that the Council wait until after the new pavilion was built before setting new rates. Ron Sanford said that adjustments could be made after the construction if traffic patterns changed. He seconded Bob Alexander's motion. The motion passed with Councilmen Bob Alexander, Ron Sanford and Jimmy Peace in favor and Ronnie Fugate opposed.

9. DISCUSS AND CONSIDER REQUEST FROM DALLAS RC THUNDERBOATS--Al Campbell introduced Dino Giles from the Dallas RC Thunderboats Club. Mr. Giles asked the Council's permission to construct a permanent drivers stand and launching pad at the Old City Lake. The Club holds several Club races and a Canton Classic at the lake every year which attracts visitors and local citizens. He said his Club would build the structures at their expense and carry the City of Canton as an additional insured on its one million dollar liability policy. He wanted to build the stand approximately 200 feet down from the pier. The floating launching pad would be built two feet above water level next to the stand. In addition to improving safety at their races, he suggested the City might find the structures useful for other events. Al Campbell offered to donate surplus power poles for supports if the Council approved construction. Ron Sanford made the motion to allow the Dallas RC Thunderboats to build the drivers stand and launching pad. Ronnie Fugate seconded and all were in favor. Ronnie Fugate asked Mr. Giles to ask participants to slow down vehicular traffic along the lake. Ron Sanford thanked the Club for leaving the area in good condition each time they visited.

10. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 2.75 ACRE TRACT LOCATED ON HIGHWAY 859 OWNED BY ST. THERESA CATHOLIC CHURCH--The Mayor opened the hearing. No comments were made and the hearing was closed.

11. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF INTERSTATE HIGHWAY 20 FROM TEXAS HIGHWAY 64 TO FM 1255--Opened and closed without comments.

12. DISCUSS AND CONSIDER REQUEST FROM DONALD NEWMAN TO CHANGE THE ZONING OF PROPERTY LOCATED AT 602 SOUTH TRADE DAYS BOULEVARD FROM RESIDENTIAL (R1) TO LOCAL BUSINESS DISTRICT (B-1)--Bob Alexander stated that he has a client involved in this matter and possible future involvement himself, so he would abstain from the discussion and voting on this issue. Johnny Mallory reported that owners from five neighboring properties were against the zoning change and one for it. The Mayor indicated the issue needed an affirm vote of four councilmen to pass, and only three were present to vote. He

recommended the Council send the request back to the Planning and Zoning Committee. Local realtor Mary Pitts asked why it needed to return to Planning and Zoning. It was her understanding that Planning and Zoning had a standing recommendation in favor of zoning changes to commercial along Highway 19. The mayor responded that the other businesses granted the zoning change had been professional and the potential buyer in this case had not disclosed the nature of his business. Ms. Pitts said she did not have a specific buyer, but needed a zoning decision so that she would know what kind of property she was selling. He suggested sending it to Planning and Zoning to discuss Residential/Professional and Commercial Zoning options. The Council then discussed the issue of Residential/Professional Zoning. Neighboring homeowner Faughlette Hilliard addressed the Council with concerns from several residents opposed to the zoning change. Homeowner Joe Fitch said he was not opposed to an office at the location, but was definitely opposed to any business that operated after regular business hours. The mayor asked for a recommendation from the Council. Ronnie Fugate made the motion to send the request to the Planning and Zoning Committee to consider rezoning the entire area along Highway 19 between Elm and North Streets. Jimmy Peace seconded the motion. Ronnie Fugate, Jimmy Peace and Ron Sanford voted in favor, Bob Alexander abstained, none against.

13. DISCUSS AND CONSIDER REQUEST FROM WORD OF VICTORY OUTREACH CENTER FOR REDUCTION OF BUILDING PERMIT FEE--Johnny Mallory informed the Council that they had researched other cities' fees and permits before proposing the fees adopted by the Council in October 1996. He said they have learned after receiving this request that most other cities also have a maximum, which was not included in Canton's plan. He asked the Council to allow the City to draw up a new permit fee proposal which takes this into consideration. He approximated the fee after restructuring to be around $3,000 for the Word of Victory Outreach Center's new $1 million dollar building. He said the Word of Victory Outreach Center had already bought a permit for $1534 to enclose the building, and was now ready to complete it. Gary Norrell represented the Word of Victory Outreach Center. He told the Council that he was not asking for a special reduction as a Church organization, but because his research showed Canton's fees for major construction projects were much higher than in other cities. He said he would like to see a balance achieved for all businesses. Bob Alexander made the motion to table the item until the next week's agenda when they would consider a new proposal from the staff. Ron Sanford seconded and all were in favor.

14. DISCUSS AND CONSIDER AWARDING BIDS FOR SALE OF EQUIPMENT AND ITEMS ADVERTISED BY CANTON POLICE DEPARTMENT - Bid sheets for the items taken during drug raids or confiscated by the police were located in the Council packets. Upon the recommendation from Police Chief Ron Carroll, Ronnie Fugate made the motion to accept the high bid on each item. Jimmy Peace seconded and all were in favor.

15. DISCUSS AND CONSIDER APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION - Mr. Mallory reported that terms were expiring for two members on the committee: Mr. Orvil Denny and Mr. Jimmy Burroughs. He said Mr. Denny's position had to be filled and Mr. Burroughs could be reappointed. Ronnie Fugate made the motion to reappoint Jimmy Burroughs to the Committee. Bob Alexander seconded and all were in favor. The Council decided to fill the other position at the next meeting.

16. DISCUSS AND CONSIDER APPOINTMENTS TO THE BOARD OF ADJUSTMENT - Mr. Mallory reported that Don Hackney's position was open and Walter Clements' term had expired. Don Hackney recommended Larry Roe to fill his position. Bob Alexander made a motion to

reappoint Walter Clements and to appoint Larry Roe to the Board of Adjustment. Ronnie Fugate seconded and all were in favor.

17. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL SALE OF REAL PROPERTY (Section 551.072) - The Council adjourned into Executive Session at 8:00 p.m. to discuss the potential sale of a City property. At 8:25 p.m. they returned into open session with no action taken.

18. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Ron Sanford requested an update on the streets and on Big Rock. Johnny Mallory reminded the City Secretary to place building permits on the next agenda.

19. ADJOURN - There being no further business to discuss, the meeting was adjourned by unanimous vote following a motion from Ron Sanford and a second from Jimmy Peace.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, MAY 20, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. GUEST ITEMS - None

5. CONSIDER APPROVAL OF APRIL 1997 FINANCIAL STATEMENTS - The April 1997 Financial Statements were read by City Manager Johnny Mallory. Councilman Alexander moved to accept the financial statements as submitted. Councilman Sanford seconded and all were in favor.

6. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 2.75 ACRE TRACT LOCATED ON HIGHWAY 859 OWNED BY ST. THERESA CATHOLIC CHURCH - Mayor

Hackney opened the hearing at 6:35 p.m. No one was present to address the issue. The hearing was then closed.

7. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF INTERSTATE HIGHWAY 20 FROM TEXAS HIGHWAY 64 TO FM 1255 - Mayor Hackney opened the hearing at 6:36 p.m. No one was present to address the issue. The hearing was then closed.

8. DISCUSS AND CONSIDER REQUEST BY SHRINERS FOR SOLICITATION AUGUST 30, 31, AND SEPTEMBER 1, 1997 - Don Moore of the Hella Shrine Temple in Mesquite addressed the Council and requested authorization to solicit funds on the streets of Canton on August 29, 30, 31, and September 1. Mr. Moore explained that the fundraising project will benefit Shriners Hospitals which treat children free of charge. Mr. Moore stated that all solicitors will be volunteers. The Shriners will provide liability insurance and provide the City of Canton with a "hold harmless" agreement.

   After questioning by the Council, Mr. Moore explained that the Shriners are proposing to stand on a corner with a bucket. He said that, although they may wave to people, the solicitation will be primarily passive. They would locate four solicitors at an intersection and possibly have two other solicitors at the First Monday Main Gate. The Shriners will provide locations and the names of solicitors to the City in advance.

   The Council asked City Manager Johnny Mallory for his recommendation. Mr. Mallory stated that he could see no problem with the solicitation requested until police officers arrive to assist traffic through the intersection in the late afternoon. Mr. Moore agreed that the Shriners did not intend to interfere with the flow of traffic and would readily move upon arrival of the officers.

   Councilman Ron Sanford moved that the Shriners be authorized to solicit funds on August 29, 30, 31, and September 1 pursuant to the request filed and as more particularly explained by Mr. Moore. Councilman Bob Alexander seconded the motion and all were in favor.

9. DISCUSS AND CONSIDER APPLICATION FOR SOLICITOR'S PERMIT FILED BY GARRY BONSAL - Mayor Don Hackney asked for comments on the application filed. No one was present to address the Council in support of the application. Councilman Bob Alexander moved that the application be disapproved. Councilman Ronnie Fugate seconded the motion, and all were in favor.

10. DISCUSS AND CONSIDER REVISIONS TO BUILDING PERMIT FEES - City Manager Johnny Mallory reviewed the proposed adjustments to the schedule of building fees:

Building permits:	
$1,000 to $300,000	$5.00 per thousand
$300,001 to $600,000	$3.00 per thousand
$600,001 and up	$2.00 per thousand

Delete electrical license fees

Boiler inspections:	
0-15,000 BTU	$ 7.50
15,001 - 330,000 (10 BHP)	$15.00
330,001 BTU (10 BHP) - 1,165,000 (BHP)	$22.50
1,165,001 BTU (52BHP) - 3,300,000 (98BHP)	$37.50
Over 3,300,000 BTU (98 BHP)	$52.50

Councilman Bob Alexander moved that the new fees be approved as submitted. Councilman Ronnie Fugate seconded the motion, and all were in favor.

11. DISCUSS AND CONSIDER SEWER TO WYNNE COMMUNITY PROPERTIES - Mrs. Jessie Wynne Smith addressed the Council to request the installation of sewer line to alleviate problems with wastewater in the Wynne Community. City Manager Johnny Mallory advised the Council that all city services, except sewer, were presently being provided to the annexed properties in the Wynne Community. He also informed the Council that the necessary sewer line from the I-20 service road down VZ 312 will be approximately 3,000 feet at a cost of approximately $65,000. The Council then discussed various routes for placement of sewer lines, the possible utilization of lift stations, and the recovery of the cost of previous sewer lines. Mrs. Smith stated that she thought other residents would be willing to share the cost of the line due to the present unhealthy conditions caused by wastewater.

Councilman Alexander asked how many houses there were in the area to access the line. He then suggested that the City initially incur the expenses of installation and charge each resident or business approximately $2,500 to $2,800 as a sewer tap is installed. Councilman Fugate noted that, in the beginning, some residents may bear the majority of the cost while other residents tapping onto the line ten years later will incur only the City's regular sewer tap fees. Mrs. Smith concurred.

Johnny Mallory explained that funds for this project would not be available in the current fiscal year's budget. However, the expense could be budgeted for the 1997-1998 fiscal year. He also noted that, once the sewer line was installed, more residents would want to tap onto the line.

Councilman Alexander explained to Mrs. Smith that the Council will begin budget preparations in June and adopt a budget in September for the fiscal year which begins October 1, 1997. He asked Mrs. Smith to canvass the area to see how many residents might be recruited to cost share on the proposed sewer line. He explained that the information would then be used to budget the anticipated recovery of the cost of the line. Mrs. Smith indicated that there were approximately sixteen residences along the line, and she will attempt to get commitments from approximately ten. Councilman Fugate inquired as to the availability of grants to fund this project. Mr. Mallory explained that most grants are awarded on a point system with points allotted for local contribution, or taxes. Since the City of Canton has no ad valorem property taxes, any grant application would receive no credit for local contribution. Discussion followed as to the possibility of Van Zandt County applying for such a grant. Mr. Mallory will address the matter with County Judge Rick Lawrence.

12. DISCUSS AND CONSIDER REPLACEMENT AND EXPANSION OF EMERGENCY SIREN SYSTEM - Police Chief Ron Carroll advised the Council that the four emergency sirens are beyond repair. The company which manufactured the sirens is now out of business. Chief Carroll introduced Officer Steve Thompson who reviewed the condition of the siren system.

The Council reviewed the bids received:

Deaton's Communications Winnsboro	Install VHF Receiver with 5 Tone Decoder Power supply Relay System 4 @ $2440.00 (AC contractor box already installed. Price includes setting up console for 5 tone encoding)	$9760
Deaton's Communications	Set up civil defense siren system for	$16200

Winnsboro	airport and high school Includes: 50' metal pole, slab, red light, federal siren, electric meter, radio unit, outside weather-proof box and civil defense orange paint with danger sign 2@ $8100.00	
Deaton's Communications Winnsboro	Set up new pole, weather-proof box, and siren head at church	$5660
Brown's Communications Henderson	RF Package 5/8 wave antenna/new boxes Skyline Consulting (interface engineering) Installation, civil defense decals, 240 volt relays - $4,100 x 4 sites	$16400

Officer Thompson recommended that the City replace the electronic portion at each site and install a new system at the First Baptist Church site. He noted that the siren at the Church site was manufactured in the 1930s. Councilman Jimmy Peace concurred that it was an old siren and suggested that it should be preserved by the City. Mr. Mallory explained that the City needs a system that can be activated by the Police Department dispatcher.

Councilman Alexander moved that the City expend the sum of $9,760 to Deaton's Communications of Winnsboro for upgrade and repairs to the emergency siren system and the sum of $5,660 to Deaton's Communications for new equipment at the First Baptist Church site. Councilman Ron Sanford seconded. During discussion, Councilman Ronnie Fugate requested that the fire siren currently located at the First Baptist Church site be installed, for preservation purposes, on the old water tower. The motion carried with all in favor.

13. DISCUSS AND CONSIDER POLICE DEPARTMENT POLICY OF UNLOCKING VEHICLES - Councilman Peace informed the Council that he has been approached by area locksmiths who felt the Police Department's policy of unlocking vehicles was taking money out of their pockets. Chief Ron Carroll advised that his officers unlock 85 to 115 vehicles per month. Councilman Peace stated that, at 15 minutes per call, officers were spending a considerable amount of time unlocking vehicles and, further, that the City was incurring liability in this endeavor. Two local locksmiths in the audience informed the Council that they charge $25 to $30 to unlock vehicles. The Council asked Chief Carroll how the calls would be handled, and he indicated that the dispatcher would give callers the telephone numbers for area locksmiths. He asked that any locksmiths in the area give their numbers to his office and to area stores such as Wal-Mart and Brookshires so they can direct people accordingly. The locksmiths in the audience assured the Council that they are available 24 hours per day and would be available on First Monday weekends. They also advised the Council that they do not charge for unlocking vehicles when a child or dog is locked inside the vehicle. Chief Carroll stated that a child locked inside a vehicle would be considered an emergency, and the Police Department would continue to answer those calls. The Council further requested that the Police Department assist any caller who notifies the Department that they have been unable to get a locksmith out after an hour.

Councilman Ron Sanford moved that the Canton Police Department suspend the policy of opening locked vehicles, except in emergency cases, effective May 29, 1997. Councilman Jimmy Peace seconded, and all were in favor.

14. DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AND IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY - Johnny Mallory explained to the Council that an Ordinance had been drafted based on the ordinance adopted by the City of Terrell. The proposed Ordinance establishes a more restrictive central business district and will replace any prior ordinance regarding signs. Mark Grace of Whiteco Outdoor Advertising addressed the Council and reviewed provisions of the proposed Ordinance. Councilman Alexander proposed the following amendments to the proposed Ordinance:

Page 5, Section II, B. - delete "bench signs"

Add provision: "No sign may be placed on a utility or traffic control pole."

Page 9, Section VI, E. - add "or posted" after the word constructed

Page 9, Section VII, A. - Add "No sign presently in the right of way shall be allowed to operate as non-conforming under the provisions of this section."

The Council discussed vendors selling from the right of way and the removal of signs currently posted in the right of way. It was announced that the Public Works Department will remove those signs. Police Chief Ron Carroll also noted that selling in the right of way promotes parking in areas designated as no parking.

Councilman Fugate proposed the following amendments to the proposed Ordinance:

Page 6, Section III, B. - Delete the word "not" and add that construction must be of a uni-pole or bi-pole, steel or wood nature.

Page 6, Section III, D. - After the word gyrate, add "by electric or mechanical means"

Councilman Ron Sanford moved that the proposed ordinance be adopted as amended. Councilman Jimmy Peace seconded, and all were in favor.

A member of the audience, Jim Taylor, addressed the Council and indicated that approximately two months ago he had requested a permit for a sign on his property located on Highway 19 and was told there was a moratorium. He wanted to know if the Council would "grandfather" anything he puts up. The Council advised that more information would be necessary in making any determination. Councilman Alexander suggested that, within the next sixty days, the Council consider any such request, along with the applicable state permits, on a case-by-case basis. Mr. Taylor stated that he just wanted to be on record as to what he had requested, and he will pursue it later.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS - City Manager Johnny Mallory updated the Council on the progress of improvements on Woodland, overlay of all streets in the area of the Senior Citizens Center, and reclaiming off Highway 243. Improvements on Woodland should be completed within the next 90 days depending on weather conditions. He reported that the engineer is working on plans for Mill Creek. Councilman Lide noted drainage problems on Mill Creek behind Granada Square. Mr. Mallory stated that curb and gutter on Mill Creek should resolve those drainage problems.

Improvements on Big Rock were then discussed. Mr. Mallory reported that plans for the street have been reduced to 34 feet, but the signatures of some residents have still not been obtained. Mayor Hackney asked how long it would be before a contractor could begin work. Mr. Mallory stated that water and sewer lines would have to be replaced so it would probably be three months before the

contractor could begin work. He also stated that bid specifications are ready to advertise. Councilman Ron Sanford moved that the City seek bids for improvements to Big Rock. Councilman Charles Lide seconded, and all were in favor.

Councilman Jimmy Peace excused himself from the meeting to attend to a prior commitment.

16. DISCUSS AND CONSIDER APPOINTMENT TO FILL VACANCY ON BOARD OF DIRECTORS OF CANTON ECONOMIC DEVELOPMENT CORPORATION - Councilman Ron Sanford moved that Kenneth Pruitt be appointed to fill the unexpired term of Bob Alexander. Councilman Alexander seconded, and Councilman Fugate, Councilman Sanford, and Councilman Alexander voted in favor. Councilman Lide voted against the motion. The motion carried.

17. DISCUSS AND CONSIDER APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION - Councilman Alexander moved that this matter be tabled to the Council's next meeting. Councilman Sanford seconded, and Councilman Alexander, Councilman Sanford, and Councilman Lide were in favor. Councilman Ronnie Fugate was temporarily absent from the room at the time the vote was taken.

18. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS -None as of this meeting.

19. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:55 p.m. by unanimous vote following a motion from Councilman Ron Sanford, seconded by Councilman Ronnie Fugate.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 10, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Don Hackney presiding. Attending were Councilmen Ronnie Fugate, Ron Sanford, Jimmy Peace and Bob Alexander. None absent.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney
2. MAYOR'S WELCOME by Don Hackney. Mayor Hackney asked everyone on the agenda to limit their comments to three minutes due to the length of the agenda and the number of people signed up to speak under guest items.
3. INVOCATION by Councilman Ronnie Fugate
4. GUEST ITEMS - All guest items concerned First Monday lot rates (Agenda Item 6) and, therefore, were postponed until that time.

5. DISCUSS AND CONSIDER REQUEST FROM BRIAN WERNER, TIGER MISSING LINK FOUNDATION, TO DISPLAY TIGER DURING FIRST MONDAY WEEKENDS - Mr. Brian Werner, Director and Founder of the Tiger Missing Link Foundation informed the Council about his foundation. The foundation's goal is tiger conservation, documenting the U.S. tiger population and assisting procreation. He has traveled across the nation exhibiting cubs twelve months old or younger to educate the public and to raise funds for his research. He said he plans to build a $3 million facility in East Texas.

Mr. Werner asked the Council to allow him to exhibit his cub in Canton or on the grounds during First Monday weekend, qualifying as an exception to the Animal Control Ordinance (89-16) under Section 8.3 (a) as a bona fide publicly or privately owned zoological park, or (b) a bona fide research institution using animals for scientific research. The mayor asked if he was affiliated with any zoos or research programs. He indicated he was a zoo, but was not directly affiliated with other zoos. He said he was, however, endorsed by the National Zoo in Washington, D.C. and had the support of Ron Tilson of the Minnesota Zoo. When asked how many tigers he had, he said he worked with one cub at a time, turning it over to a zoo after it was a year old. It was also established that his documentation program was independent of other national research. Mayor Hackney recommended the Council deny Mr. Werner's request based upon liability issues and a concern for the safety of First Monday visitors, saying that one incident would be too many. Councilman Bob Alexander noted that even if an exception were made to the animal control ordinance, he had other obstacles -- (1) he would have to rent a lot which cannot be used to exhibit or sell animals according to the First Monday rules, and (2) Canton has another ordinance prohibiting soliciting on the grounds. After further discussion, the mayor recommended the Council deny Mr. Werner's request. He told Mr. Werner he had nothing against the foundation, only in the use of the First Monday grounds. Ron Sanford made a motion that the request be denied. Ronnie Fugate seconded and all were in favor.

6. DISCUSS AND CONSIDER FIRST MONDAY LOT RENTAL RATES AND TIER STRUCTURE - Barry and Marilyn Burrage told the Council they were concerned with the potential effects of the rate increase, not only as dealers, but also as citizens of Canton. Mr. Burrage said he felt the increase would harm First Monday, and that many dealers would move to Mr. Lewis's market and Old Mill Marketplace. He said that profits for most dealers were declining and although traffic on Row 94 was heavy at times, it had decreased in June and would continue to decrease through September. He also said he had receipts proving his lot rent increased from $175 to $205 in November 1992, not eight years ago as proclaimed.

Mrs. Burrage said that unless you're vending, you don't really know what is happening. She pointed out that because of the weather, vendors only get six good months a year, if they are lucky. She estimated that one-third of the business left her area when the City swapped land with Henry Lewis, more business left when the civic center was built, and she expected more to leave with the rate increase. Mrs. Burrage explained that most of her business (food concession) was with vendors in the area, and not associated with foot traffic because most shoppers pass by in route to another area. Her warning was that the rate increase would kill what First Monday is all about.

Brad Whittier, vendor on Rows 30 and 31 at Row 94, told the Council he had been a vendor since March 1981 when the City operated the entire First Monday market. He said he has seen Mr. Lewis, Old Mill Marketplace, the civic center and now a new pavilion take business away from the area. He said it seemed the City was trying to make up for lost business with a rate increase on the remaining vendors. He predicted that the City would have a 50% vacancy rate after January 1998. He did commend the City for having a good market, good traffic, and a good crew, but a rate increase would force vendors to move out. He said his records indicate that his sales

were off 4.2% in 1995, 11% in 1996, and 8.6% in 1997, using 1994 as a base year. And, June 1997 was off 11% from June 1994. He said he was probably more fortunate than others because he had a good location, but agreed that most traffic was passing by--to and from the Lewis pavilions to the Arbors or restrooms. He advised that it is not good management to raise rates when the vacancy rate is high. Decrease the vacancy rate, then consider a rate increase.

Mr. Whittier also suggested that the best lots were under the trees in the unreserved section and the City should consider making it a reserved area. He said the City could keep the unreserved area on the east side of the Civic Center and increase the unreserved lot rent, giving those vendors an incentive to get reserved lots. He also suggested making Rows 3, 4, 5 and 6 unreserved with lower rent, or making it preferred dealer parking.

Joe Melia signed up to speak, but passed, saying his points had already been made by the other speakers.

Jim Turner, a vendor first on Row 16, now on Row 14, said he watched the foot traffic in his area decline two-thirds since 1994. He said he had built up his business, so his sales had not decreased. He complained that the hill was a parking lot, and large canopies had effectively blocked the view of Row 14. He reminded the Council that they promised to move the cars in May, which they did, but the situation returned in June. He felt paying lot rent gave all vendors the right to try to sell to anyone who walked down the row. He asked the City to clear out the cars so he could be seen down his row and have a fair shot at the shoppers who passed in the area.

Mr. Turner also turned in the licence plate of a furniture van with an Arbor vendors tag that parked illegally by the bandstand in June. He said he informed the main gate office at the time, but the staff said they could not do anything about it. He did not expect the young helpers at the gate to be able to handle all situations, and suggested the City should, therefore, have someone at the location with the authority to make decisions and act on complaints.

Mr. Turner also expressed his opinion that even though owners prefer pavilions, he knew a lot of vendors and shoppers who preferred the outdoor sections.

Mr. Bob Werner, food concession vendor on Row 1, said that in March 1997, he asked the Council if the 3% employee pay raise would have an impact on the lot rates. At that time he was told no, the funds for the increase came from a budget surplus on insurance expenses. He asked why the lot rates went up just two months later. Don Hackney assured him that the pay increase was not the reason for the lot increase. Mr. Werner reminded the Council that he had also asked them to postpone their decision on the rate increase until after the vendors looked at the proposal. He said he had talked to the vendors on Row 2 this past month, and many said they were going to leave. He told the Council that they were pushing vendors out of the City property, creating an opportunity for entrepreneurs to offer to build a pavilion in the area. He said the City's development was exceeding its income and it was the Council's responsibility to restrict growth. He asked the Council to reconsider the rate increase. Mr. Werner also warned that re-cutting a row through Row 1, as rumored, would be detrimental.

Georgia Phillips, food concession vendor in the unreserved section, asked the City to provide information on how many cars park in the west parking lot. She also complained that the highway department signs directed traffic other directions than FM 859. Another problem she saw was that Canton's signs on the highway were so old that it made Canton look like a ghost town and discouraged people from stopping in Canton. Ms. Phillips said the food concessions had experienced decreasing profit margins over the past few years because of rising materials costs. She said they had maintained low food prices to encourage people to come back to First Monday and to help lower expenses for other dealers, but now would be forced to raise prices.

Councilman Charles Lide said he had listened to the guests' concerns, but defended that much of the growth was the result of free enterprise and out of the Council's control.

Don Hackney thanked the guests for their comments saying the Council had a lot to think about.

Richard Graham, vendor in the audience, asked the Councilmen to work with him during the next First Monday so they could learn what was wrong with First Monday.

After several other comments from the audience and having heard from everyone who signed up to address the Council, the Mayor indicated that the meeting needed to proceed. He invited anyone with additional comments to come back to the next First Monday Council meeting and sign up under guest items.

7. DISCUSS AND CONSIDER STATUS OF FIRST MONDAY MAIN GATE IMPROVEMENTS - Al Campbell reported that the retaining wall was nearly complete and would be finished upon delivery of additional bricks expected by the end of the week. He hoped to have the benches and lamp posts in before the next First Monday. To avoid damage from heavy concrete trucks, he said he was not paving the driveway until after the concrete had been poured for the new pavilion.

8. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Bob Alexander asked when construction would begin on the new restrooms. Mr. Campbell reported that Mr. Carver had just completed new plans which he would present to the Council then advertise for bids. He also reported that concrete bids on the new pavilion were due June 12.

9. ADJOURN - After a few more comments from the audience regarding First Monday lot rates, Mayor Hackney thanked all of the guests for attending the meeting and said they had given the Council a lot to digest. He agreed to stay after the meeting to meet with anyone who wished to speak with him. Bob Alexander offered to visit First Monday vendors at their lots on Sunday morning during First Monday weekend if they would give him their lot numbers after the meeting. There being no further business to discuss, the meeting was adjourned at 7:35 p.m. by unanimous vote following a motion from Bob Alexander and a second from Charles Lide.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JUNE 17, 1997

The Canton City Council met at the above-named date and time in the City Hall Council Chambers with Mayor Don Hackney presiding. Those present were Ronnie Fugate, Charles Lide, and Ron Sanford. Jimmy Peace and Bob Alexander were absent; however Mr. Alexander later joined the Council during discussion of Agenda Item No. 5.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

At the request of guest speaker Gerald Turner, the Council considered Agenda Item No. 12 out of order.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO VAN ZANDT COUNTY SOLID WASTE DISPOSAL DISTRICT - Gerald Turner, President of the Van Zandt County Waste Disposal District's board of directors, addressed the Council to explain the District's plan to establish a Type 1 landfill for Van Zandt County. Mr. Turner explained that the District has consulted an engineering firm to plan the facility and investment advisors to coordinate funding through a bond election. The issue will be before voters in the August 9, 1997, general election and provides for a three cent tax per $100 real property valuation to develop and fund the operation of the landfill. Development of a 100 acre site which would last 35 to 50 years is estimated to cost $2.2 million. The proposed landfill would provide employment for five full-time positions. Mr. Turner stated that hauling firms are currently charging $12 to $14 per cubic yard. The District is proposing to charge a $1 per cubic yard tipping fee. Mr. Turner told the Council the District is seeking support in this endeavor and further requesting that the City keep this information in mind in future negotiations with carriers. In response to a question from Councilman Lide, Mr. Turner informed the Council that a site for this facility has not yet been determined or secured.

5. CONSIDER APPROVAL OF MAY 1997 FINANCIAL STATEMENTS - The May 1997 Financial Statements were read by City Manager Johnny Mallory. Mr. Mallory noted that a substantial bond payment will be due in July. Councilman Alexander joined the Council at this time. Councilman Sanford moved to accept the financial statements as submitted. Councilman Fugate seconded and all were in favor.

6. APPROVAL OF MINUTES OF THE MAY 13 AND MAY 20, 1997 MEETINGS - Councilman Ronnie Fugate moved that the Minutes of the May 13, 1997, and May 20, 1997, meetings be approved as presented. Council Sanford seconded, and all were in favor.

7. DISCUSS AND CONSIDER AWARDING BID FOR CONCRETE WORK ON PAVILION FOR FIRST MONDAY GROUNDS - First Monday Manager Al Campbell reported that a tabulation of the bids received has been provided to the Council; however, the engineer was not yet ready to make a recommendation on the bids received. Mr. Campbell stated that, upon receipt of that recommendation, a special meeting of the Council would be called or this item would be placed on the next regular meeting agenda.

8. DISCUSS AND CONSIDER PURCHASE OF 9-1-1 RECORDER EQUIPMENT - Police Chief Ron Carroll reported that GTE's upgraded 9-1-1 system went on line last week. The equipment has been updated and is currently working. ETCOG paid for the equipment. Chief Carroll explained that the present recorder is old and is having problems. ETCOG has agreed to fund up to $8,500 for a four channel recording device. Chief Carroll suggested that the City purchase a larger recording system, at a cost of $15,290, which would record all telephone lines, as well as radio, fire and ambulance calls. This system will also note the date and time of any recording, and has a security device to prevent tampering. Chief Carroll anticipates that Mother Frances Hospital may also contribute toward the cost of this system, but that has not yet been confirmed. Therefore, Chief Carroll requested that the Council include $6,790 in the 1997-98 budget for the purchase of this equipment. Councilman Sanford moved that Chief Carroll's request be approved. Councilman Fugate seconded, and all were in favor.

9. DISCUSS AND CONSIDER LIMITATION ON HANDICAP PARKING IN DOWNTOWN AREA - Chief Carroll informed the Council that he has received complaints from citizens that the four handicap parking spaces around the square are full. It has been suggested that the two hour parking limit be extended to also include the handicap spaces. Upon questioning from the Council, Chief Carroll stated that the handicap parking is apparently being used by Courthouse employees. After discussion, Councilman Fugate moved that parking in handicap spaces around the Courthouse square be limited to two hours. Councilman Alexander seconded, and all were in favor. The Police Chief requested that the City Secretary provide written notice of this action to all elected officials in the Van Zandt County Courthouse.

10. DISCUSS AND CONSIDER INSTALLATION OF STOP SIGNS ON GROVES STREET TO CREATE A FOUR-WAY STOP AT INTERSECTION OF GROVES AND CAPITOL STREET - City Manager Johnny Mallory reminded the Council that there is presently a stop sign on Capital Street at Groves. Chief Carroll reported that he has received complaints of speeding traffic on Groves since recent repairs and overlay. Chief Carroll said he felt a stop sign would break the traffic flow and reduce speeds. Councilman Alexander moved to make the intersection a four-way stop. Councilman Sanford seconded, and all were in favor.

11. DISCUSS AND APPROVE APPOINTMENT TO PLANNING AND ZONING COMMISSION - Councilman Ronnie Fugate moved that Tommy Eubank be appointed to serve a two-year term on the Planning and Zoning Commission. Councilman Lide seconded, and all were in favor.

13. CONSIDER ADOPTION OF AN ORDINANCE ANNEXING 2.75 ACRE TRACT LOCATED ON HIGHWAY 859 OWNED BY ST. THERESA CATHOLIC CHURCH - Johnny Mallory reminded the Council that the two public hearings on this annexation have been conducted with no response. Councilman Alexander moved that the annexation be approved and that Ordinance 97-04 be adopted. Councilman Sanford second and all were in favor.

14. CONSIDER ADOPTION OF AN ORDINANCE ANNEXING INTERSTATE HIGHWAY 20 ROADWAY FROM TEXAS HIGHWAY 64 TO FM 1255 - Johnny Mallory reminded the Council that the two public hearings on this annexation have been conducted with no response. Councilman Sanford moved that the annexation be approved and that Ordinance 97-05 be adopted. Councilman Lide second and all were in favor.

15. DISCUSS AND CONSIDER ANNEXATION OF 80 ACRE TRACT LOCATED IN THE JESSE STOCKWELL SURVEY OWNED BY THE CITY OF CANTON - Councilman Alexander moved to proceed with annexation of the subject tract, including Cherry Creek Drive all the way to Old Kaufman Road. Councilman Sanford seconded, and all were in favor.

16. DISCUSS AND CONSIDER GTE REQUEST TO BURY FIBER OPTIC CABLE WITHIN CITY LIMITS AT INTERSECTION OF HIGHWAYS 243 AND 198 AND AT INTERSECTION OF HIGHWAY 19 AND I-20 ON NORTH SERVICE ROAD - Johnny Mallory recognized GTE representative Bobby Buford who read from his June 12, 1997, proposal to bury fiber optic cable at the intersection of I-20 and Highway 19 at a minimum depth of four feet and at the intersection of Buffalo and Highway 243 at a minimum depth of five feet. Johnny Mallory informed the Council that there should be no problem with this installation if GTE can go to a depth of eight feet due to gas, water, and sewer lines already in place in most intersections. It was also pointed out that, due to the adoption of Ordinance No. 97-05, the entire project planned along the north service road of I-20 would now be inside the city limits. Councilman Alexander noted that it would be in GTE's best interest to avoid the possibility of cuts in a fiber optic line. Councilman Alexander moved that GTE's

request to bury fiber optic cable be approved at a minimum depth of seven feet. Councilman Fugate seconded, and all were in favor.

Mr. Buford told the Council that, in the future, he will be proposing the removal of all aerial lines in the downtown area and replacement with underground cables. He anticipates coming back to the Council on that project before the end of the year.

17. DISCUSS AND CONSIDER STAFF REPORT ON TALL GRASS, RUBBISH, JUNK VEHICLE AND ZONING COMPLAINTS - Johnny Mallory directed the Council's attention to the report which had been forwarded to them and noted that the report does not necessarily reflect all contacts. Some complaints are investigated by the Building Inspector and resolved without the necessity of a certified letter. The Council then discussed various problem sites and the administrative process necessary in filing a lien when the City incurs expenses in hauling and mowing to resolve complaints. Mayor Hackney noted that, due to recent storms, a large number of trees and limbs were down across the City. Johnny Mallory stated that monthly brush pick-up was scheduled to begin the next day. Citizens were urged to contact the utility service center or City Hall for specific location pick-ups. It was also noted that tree limbs could be delivered to the transfer station. Public Works Director Pete Lucas stated that brush pick-up will probably take five to six days.

18. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET IMPROVEMENTS - City Manager Johnny Mallory updated the Council on street improvements as follows:

Woodland - Work has been delayed considerably due to rain. Rock has been laid in one particularly bad area and the contractor has begun spreading lime again. It is anticipated that, if there is no rain for about three weeks, the contractor should be able to proceed with curb and gutter.

Mill Creek, Forrest, Debbie and Oak Streets - The engineering firm is working on plans for improvements.

Big Rock - Plans have been drawn, but bid specifications are not yet ready.

The Mayor recognized the efforts of the Lakeside Baptist Church youth group who painted the benches and restrooms at Old City Park. It was requested that a letter of appreciation be forwarded to Youth Director Butch Smith. Councilman Alexander inquired about the maintenance schedule at the park and requested that park workers make a daily inspection due to high usage during the summer months.

Johnny Mallory reported that concrete for the basketball court has been poured and materials have been ordered for the goals.

19. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - City Manager Johnny Mallory informed the Council that it will be necessary to conduct a budget workshop. A special meeting will be scheduled for Saturday, July 19, 1997, at 8:00 a.m.

4. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

20. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:50 p.m. by unanimous vote following a motion from Councilman Sanford, seconded by Councilman Alexander.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 8, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate

4. GUEST ITEMS - Mrs. Marilyn Burrage registered to address the Council under Guest Items in order to thank Ron Sanford and Bob Alexander for visiting her booth on Sunday of the July First Monday weekend, even though she felt the meeting was brief and not very productive.

5. APPROVAL OF MINUTES OF THE JUNE 10 AND JUNE 17, 1997 MEETINGS - Bob Alexander moved that the minutes of the June 10 and June 17, 1997, minutes be approved as written. Ron Sanford seconded and all were in favor.

6. DISCUSS AND CONSIDER REQUEST FROM WAYNE AND SHARON TIPPS FOR AUTHORITY TO CONDUCT MOBILE SNO-CONE/COTTON CANDY SALES INSIDE CITY LIMITS - Wayne and Sharon Tipps asked the Council to grant them permission to operate a sno-cone/cotton candy business from a van (1-ton, step-side) on the streets of Canton, much like a standard neighborhood ice-cream truck. They said they intended to operate only in residential areas, primarily between 1:00 p.m. and 5:00 p.m., traveling in a different section each day. Councilman Alexander asked about vehicle safety features. The Tipps' indicated the van is well maintained with good tires, brakes, and safety mirrors providing complete visibility on all sides. They said they will both be in the vehicle to carefully watch pedestrian and vehicular traffic. Carnival-like music will be played to notify residents of their presence, and the van is equipped with reverse alarms. Proof of liability insurance will be provided to the City. And, they will secure a food service permit from the Canton Dept. of Health. After satisfying the Council's safety concerns and promising no door-to-door solicitations, Bob Alexander made a motion to approve their request. Charles Lide seconded and all were in favor. Operations will begin immediately upon receipt of the food permit.

7. DISCUSS AND CONSIDER FIRST MONDAY RATES, RULES AND REGULATIONS - Mr. Clifford Frantz submitted a written request to be included on the agenda. Mayor Don Hackney asked Mr. Frantz if he was a resident of the City of Canton, if he was a vendor at First Monday, and if he had a problem, had he previously discussed it with Mr. Campbell, the general manager. Mr. Frantz answered "no" to all of the questions. As such, the Mayor asked Mr. Frantz to first go through proper channels and try to resolve his problems with the general manager before coming to the Council. Mr. Frantz said he was acting president of the First Monday Grievance Committee. The Mayor then indicated that Mr. Frantz take his seat and go through proper channels.

   Mr. Al Campbell proposed revising the new fee structure for First Monday lot rent as follows: to elevate the $40 lots to $50; offering no discounts for multiple lots; increasing food concession lots from $145 to $160 for 110 users, and $200 for 220 users; increasing the fee for pre-approved lot transfers to $500 per lot; charging $10 per day for RVs (motor homes and travel trailers) on

rented lots; raising full hook-ups for RVs from $15 to $20 per night and water/electric hook-ups to $15 per night; with all rates effective October 1, 1997.

Councilman Bob Alexander reported that the First Monday Committee talked to each vendor on Sunday of the July First Monday weekend who, at the last Council meeting, requested a meeting to discuss their concerns about the rate structure. All were visited except one who was not at his booth. He received some emotional responses, some reasoned, and all were taken into consideration when revising the proposed rate structure. Management, in his opinion, had been responsive to the vendors' objections to tiered-pricing, and provided a fair compromise. Councilman Ron Sanford agreed, stating that most vendors he talked to felt it was a good middle ground and could live with the revised pricing. Councilman Ronnie Fugate said he did not like increases, but knew it was necessary. He reaffirmed the revised rate proposal reached more than a fair compromise.

Ron Sanford moved that the fee structure be revised as proposed by Mr. Campbell effective with the October sale. Bob Alexander seconded and all were in favor.

In an effort to stop subleasing, Mr. Campbell also asked the Council to approve a grace period for vendors to step forward and provide proof of payment and operation on subleased lots. As an incentive, with adequate proof, management would take the lots away from the subleasor and put them in the name of the vendor currently operating on the lots. The Mayor recommended adopting the grace period for 90 days beginning October 1. Ron Sanford made the motion, Bob Alexander seconded and all were in favor.

Councilman Ronnie Fugate thanked the vendors for their patience, asked them to stay with the City, and encouraged them to work together with the City in a positive direction to help make First Monday the best grounds.

8. DISCUSS AND CONSIDER AWARDING BID FOR CONCRETE WORK ON PAVILION FOR FIRST MONDAY GROUNDS - Mr. Campbell reviewed the bids for the concrete work on the new pavilion: Hoffman Concrete Construction at $151, 848.15; Hasty Contractor Service, Inc. at $173, 383.25; The Haycon Group, Inc. at $181,581.25; Dan Johnson Concrete at $208,851.25; and Tri-Con Services, Inc. at $215,795.00. The low bidder, Hoffman Concrete Construction, received Velvin & Weeks, Engineers' recommendation. Mr. Campbell requested the Council award the bid to Hoffman Concrete Construction. Ronnie Fugate so moved, Ron Sanford seconded and all were in favor. Mr. Campbell said the project could begin within ten days of the contract signing.

9. DISCUSS AND CONSIDER ALLOWING ANIMAL VENDORS IN DESIGNATED AREAS - In an attempt to attract shoppers and business to the hill area, Mr. Campbell proposed the City allow the sale of small, domestic pets (primarily dogs and cats) in a designated area only--on Rows 4,5 and 6, between Row 1a and the bandstand. He suggested that given the history of First Monday, promoting the sale of small animals in the "original" section was a sound marketing strategy which might revitalize the hill area. Charles Lide was concerned about odors. Mr. Campbell countered that the City will provide barrels and change the liners daily. Vendors will be responsible for keeping the lots clean. The Mayor voiced his concerns about potential negative publicity from the SPCA and similar organizations. Ron Sanford supported the idea if it was limited to household pets. He said it cost nothing to try and it might solve the problems on the hill. Ronnie Fugate asked that the City prohibit exotic animals. Bob Alexander suggested that the general manager be given full discretion on what could be sold in the area for any reason whatsoever. He further suggested the general manager be responsible for a promotional campaign to attract vendors and shoppers, including rate discounts and other incentives if necessary. Ron Sanford made the motion to accept the proposal, to give Al Campbell

responsibility for marketing and setting rates, and the authority to accept or reject vendors at his discretion. Charles Lide seconded and all were in favor. Jimmy Peace asked if the area would be restricted to animals only. Mr. Campbell suggested he might require 50% of the merchandise on a lot be animals.

10. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR CHANGE OF ZONING OF PROPERTY LOCATED AT 602 SOUTH TRADE DAYS BOULEVARD FROM RESIDENTIAL (R1) TO RESTRICTED PROFESSIONAL OFFICE (RPO) - Mr. Johnny Mallory reminded the Council the property in question had been discussed at an earlier meeting and was sent to the Planning and Zoning Committee for its recommendation. The response was a unanimous recommendation to rezone the property to RPO. He also indicated that most adjoining property owners are agreeable to RPO zoning on this property. Ron Sanford made a motion to accept the recommendation to rezone the property located at 602 South Trade Days Boulevard to RPO. Ronnie Fugate seconded. The motion carried with Ronnie Fugate, Charles Lide, Jimmy Peace and Ron Sanford voting for RPO zoning. None were against. Bob Alexander abstained from discussion and voting due to a financial interest in the pending sale of the subject property.

11. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Bob Alexander requested the staff develop a complaint form/work order for vendors to fill out and return to the staff for appropriate action. He suggested the form be given to all vendors as they renewed their lots, and to be available in all of the offices. He also asked the staff to inventory the condition of every restroom on the First Monday grounds, listing needed repairs and estimated costs for discussion at the next meeting.

    Mayor Don Hackney informed the Council that Van Zandt County was planning its sesquicentennial celebration for March 20, 1998. He asked the item be placed on the next agenda so the Council could discuss supporting the county's endeavors.

    Bob Alexander again offered to visit First Monday vendors on Sunday morning of the next First Monday weekend. Vendors were directed to turn in requests to Rhita Koches or Julie Jackson.

12. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:20 p.m. on a motion from Bob Alexander, seconded by Charles Lide. All were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JULY 15, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

5. CONSIDER APPROVAL OF JUNE 1997 FINANCIAL STATEMENTS - City Manager Johnny Mallory read the totals from the June Financial Statements. Councilman Bob Alexander moved that the financial statements be approved as presented. Councilman Ron Sanford seconded, and all were in favor.

6. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR CHANGE OF ZONING OF 4.91 ACRE TRACT IN J. STOCKWELL SURVEY (HIGHWAY 64 WEST) OWNED BY JAMES H. FULLER FROM RESIDENTIAL (R1) TO GENERAL BUSINESS (B-2) - Councilman Ronnie Fugate moved that the Council accept the recommendation of the Planning and Zoning Commission to change the zoning of the subject tract from R1 to B2. Councilman Bob Alexander seconded, and all were in favor.

7. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 80 ACRE TRACT LOCATED IN THE JESSE STOCKWELL SURVEY OWNED BY THE CITY OF CANTON AND CHERRY CREEK DRIVE FROM OLD KAUFMAN ROAD TO THE NORTHWEST CORNER OF THE ABOVE-REFERENCED 80 ACRE TRACT - Mayor Hackney opened the public hearing at 6:38 p.m. No one was present to address the issue. The hearing was then closed.

8. DISCUSS AND CONSIDER APPROVAL OF HOME OCCUPATION PERMIT APPLICATION AND ESTABLISHING FEE FOR PERMIT - The Council discussed the criteria set out in the Zoning Ordinance for issuing a home occupation permit. Councilman Alexander suggested an amendment to Section 16-7(4)(a) of the Ordinance to allow an existing detached garage to be utilized for purposes of a home occupation. Mr. Mallory explained the procedure for amending the Zoning Ordinance. The Council indicated that, while it should not allow a citizen to build a separate building or move in a portable building to conduct business, the Ordinance should allow the use of an existing detached garage.

   Councilman Fugate moved to adopt the application form as presented, establish a fee of $15, and refer the Council's suggested amendments to the Planning and Zoning Commission. Councilman Sanford asked about the procedure for citizens already conducting a home occupation. The Council indicated that those citizens should be asked to register their home occupations at no charge. Councilman Sanford seconded the motion, and all were in favor.

9. DISCUSS AND CONSIDER ADOPTION OF ORDINANCE AUTHORIZING AND ALLOWING RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM - Mr. Mallory explained the provisions of recent legislation which would allow employees to obtain credit for prior service with certain other employers. Mayor Hackney recommended that the Council adopt the proposed Ordinance. Councilman Fugate moved that Ordinance 97-06 be adopted. Councilman Peace seconded, and all were in favor.

10. DISCUSS AND CONSIDER ADOPTION OF RESOLUTION REGARDING BOND PROPOSITIONS OF THE VAN ZANDT COUNTY SOLID WASTE DISPOSAL DISTRICT - Mayor Hackney recommended adopting a resolution in support of the Van Zandt County Waste

Disposal District's bond election propositions. Councilman Sanford moved that the proposed Resolution be adopted. Councilman Lide seconded, and all were in favor.

11. DISCUSS AND CONSIDER REQUESTS FOR WATER TAPS OUTSIDE THE CITY LIMITS: A) MICHAEL W. BRYAN ON OLD KAUFMAN ROAD (.7 MILES NORTH OF TENNIS COURTS), B) JOHN CROW PONTIAC GMC (CORNER OF HIGHWAY 243 AND HIGHWAY 64, AND C) GLORY HOME HEALTH CARE SERVICES, INC. (VZ COUNTY CR 3101, OFF FM 859) - A) Public Works Director Pete Lucas informed the Council that the City has a two inch water line in front of Mr. Bryan's property. Councilman Fugate moved that Mr. Bryan's request be approved. Councilman Lide seconded, and all were in favor. B) Mr. Mallory informed the Council that the City has water at the intersection of Highway 243 and Arnold Paul Road. Mr. Crow's request is for water to an area within the certificated area of Little Hope Moore Water Supply Company. Mr. Mallory also stated that Mr. Crow would also like to eventually have the property annexed into the city limits. Councilman Alexander moved that Mr. Crow's request be granted subject to obtaining a release from Little Hope Moore Water Supply Company. Councilman Sanford seconded. Mr. Mallory explained that Mr. Crow will pay the cost of running a two inch line down to his property. Councilman Alexander asked whether this additional line would require the installation of a fire hydrant. Mr. Lucas stated that a hydrant was already in place at the corner of Arnold Paul Road, and the State establishes certain requirements for the placement of fire hydrants. The vote was then taken, and all were in favor. C) Mr. Lucas informed the Council that the City has a 1½ inch water line in front of the property owned by Glory Home Health Care Services, Inc. The property owner is requesting three separate taps. Councilman Fugate moved that the request be approved. Councilman Lide seconded, and all were in favor.

12. DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE ADOPTING THE CURRENT EDITION OF THE NATIONAL ELECTRIC CODE - Mr. Mallory explained that the National Electric Code should have been included in the Ordinance adopted August 20, 1996, but was inadvertently left out. Councilman Alexander moved that Ordinance No. 97-07 be adopted. Councilman Peace seconded, and all were in favor.

13. DISCUSS AND CONSIDER APPROVAL OF MUNICIPAL MAINTENANCE AGREEMENT WITH THE STATE OF TEXAS (TEXAS DEPARTMENT OF TRANSPORTATION) AND ADOPTION OF ORDINANCE APPROVING THE AGREEMENT - Mr. Mallory explained that the State routinely updated its maintenance agreements with cities for the maintenance of state highways. Mayor Hackney recommended that the Ordinance be adopted. Councilman Lide moved that Ordinance 97-08 be adopted. Councilman Fugate seconded, and all were in favor.

14. DISCUSS AND CONSIDER AMENDMENT TO ORDINANCE 97-03 (REGULATING THE USE AND CONSTRUCTION OF SIGNS) TO ESTABLISH AN INTERSTATE 20 CORRIDOR AREA AND REGULATIONS PERTAINING TO SIGNS IN THAT AREA - Mr. Mallory reviewed the provisions of the existing sign ordinance pertaining to signs in the Interstate 20 area. Councilman Fugate moved that the amendments to Ordinance No. 97-3 be adopted. Councilman Sanford seconded, and all were in favor.

15. DISCUSS AND CONSIDER AN ORDINANCE REQUIRING THE DISPLAY OF HOUSE NUMBERS - By consensus of the Council, Agenda Item No. 15 was tabled to a future meeting.

16. DISCUSS AND CONSIDER FIRST MONDAY "COMMENTS/WORK REQUEST" FORM - First Monday Manager Al Campbell reviewed the proposed form with return postage paid and indicated that forms would be available at all First Monday offices. Councilman Sanford expressed concern

about the expense involved in handing out the request forms in bulk. Councilman Alexander reminded the Council that survey cards were distributed several years ago and hundreds were returned at a cost of only about $80 to $90 per month. Councilman Fugate suggested that the cards be distributed to vendors when they rent their lots. He also suggested that drop boxes be set up on the grounds at exits. The Council directed Mr. Campbell to implement usage of the request forms.

17. DISCUSS AND CONSIDER FIRST MONDAY BATHROOM FACILITIES INVENTORY - Mr. Campbell referred the Council to a written inventory of repairs and improvements proposed for each bathroom facility on the First Monday grounds. Councilman Alexander questioned whether the proposed improvements could be made within the current budget. Mr. Campbell explained that Councilman Sanford has been able to secure labor from inmates at the Van Zandt County Jail. Therefore, improvements are being made at the cost for materials only. Councilman Alexander expressed his appreciation to Mr. Campbell for the comprehensive inventory and research.

18. DISCUSS AND CONSIDER STATUS OF CITY OF CANTON WEB PAGE - Mr. Campbell recognized City employees Julie Jackson an Aaron King for their efforts in creating the City's website. He explained that all documentation has been created for the City's web page and delivered to Van Zandt Internet. Mr. Campbell reported that a determination will need to be made about using the existing cantontx domain which is currently used by the Chamber of Commerce or setting up a separate domain. Councilman Alexander suggested that Mr. Campbell be authorized to get the web page on the internet, obtain a separate domain if necessary, and contract with Van Zandt Internet. The Council then noted that advertising is in Mr. Campbell's domain and noted that he would have leeway in activating the web page. Councilman Alexander complimented Al Campbell, Julie Jackson, and Aaron King on the quality and appearance of the web page.

19. DISCUSS AND CONSIDER STATUS OF NEW BASKETBALL COURT - Public Works Director Pete Lucas reported to the Council that the goals should be in place at the new court by Friday afternoon. Councilman Fugate noted that signs should be placed on the basketball court authorizing basketball and rollerblading only and that another sign should be placed on the tennis courts prohibiting rollerblading.

20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING PENDING LITIGATION (Section 551.071) - The Council adjourned into Executive Session at 8:15 p.m. to consult with City Attorney Richard Davis regarding pending litigation.

21. RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - At 9:05 p.m. the Council returned into open session with no action taken.

22. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - None as of this meeting.

23. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:10 p.m. by unanimous vote following a motion from Councilman Sanford, seconded by Councilman Alexander.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
8:00 A.M., TUESDAY, JULY 19, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Members present were Mayor Don Hackney, Ronnie Fugate, Charles Lide, Ron Sanford, Bob Alexander and Jimmy Peace.
Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mayor Hackney called the meeting to order.

2. INVOCATION - Councilman Ronnie Fugate gave the invocation.

3. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 80 ACRE TRACT LOCATED IN THE JESSE STOCKWELL SURVEY OWNED BY THE CITY OF CANTON AND CHERRY CREEK DRIVE FROM OLD KAUFMAN ROAD TO THE NORTHWEST CORNER OF THE ABOVE-REFERENCED 80 ACRE TRACT - Mayor Hackney opened the public hearing at 8:06 a.m. No one was present to address the issue. The hearing was then closed.

4. DISCUSSION AND WORKSHOP PERTAINING TO PROPOSED 1997-1998 BUDGET - City Manager Johnny Mallory explained to the Council that it will probably be necessary to raise certain rates and hire some new employees to maintain the services expected by the citizens. Also, additional state mandates on water and sewer will go into effect during the 1997-98 fiscal year. Mr. Mallory further advised the Council that he is anticipating a necessity for the purchase of two new police cars, a new dump truck, at least one small truck, and a boring machine. It will be necessary to lay a considerable amount of water line which could be installed by city staff with more employees. Mr. Mallory stated that city salaries are approximately $1.2 million. He said he felt the city had a good group of people who worked very hard.

Mr. Mallory suggested that it may be necessary to raise water rates in all areas. In the past, the city has only increased rates at the top end, to those with high usage. It appears that it will be necessary to raise the bottom rates as well. Public Works Director Pete Lucas advised the Council that two years ago the City's water and sewer rates were approximately 40% lower than any of the other cities in the county. After a rate increase at that time, the rates were approximately 30% lower than any other city in the county. Revenue in water and sewer does not cover the bond payments and expenses incurred. Funds must be transferred from First Monday. Mr. Mallory stated that First Monday will need to have some funds put back into its operations. Mr. Mallory also pointed out that repairs will be necessary to the water and sewer plants and the state is lowering the turbidity rates. He indicated that it may be necessary to charge for each RV hookup. Councilman Ron Sanford and Mayor Hackney indicated that those hookup fees should be included in this budget.

The Council was also informed that the present fees for water and sewer taps are not in line with the City's expenses incurred in connection with making the taps. Mr. Lucas outlined the equipment and manpower involved. Mr. Mallory stated that water and sewer are treated as an enterprise in other towns.

Mr. Mallory requested that the Council consider establishing a contingency fund. He indicated that the fund balance remains substantially the same from year to year, but it should be increasing. Councilman Bob Alexander pointed out that the fund balance appears to have decreased slightly over a period of approximately four years. The Council discussed that in 1990 the City began to set aside the sum of $15,000 each month to establish a contingency fund. Those funds were spent on the Van Zandt County Library.

Councilman Alexander expressed his pride in the progress on street improvements in the last two years. He asked that the upcoming budget include sufficient funds to maintain those improvements. Mr. Mallory reminded the Council of the Street Classification/Survey prepared by Stokes & Associates in 1986 and the long range plan for street improvements.

Mr. Mallory stated that new police cars are considered capital improvements. Councilman Alexander stated that several years ago the Council had asked the Police Department to plan for vehicle usage so that the City would only need to purchase one car per year. Mr. Mallory said that had been done; however, when there were insufficient funds available, the annual purchase of a police car was an easy place to reduce expenditures.

Mr. Mallory pointed out to the Council the City will need a new City Hall. He estimated that the City is spending approximately $50,000 per year in building rentals. Mayor Hackney asked how the debt service on a new building would relate to current expenditures. Mr. Mallory stated that a new facility should last approximately thirty years and could accommodate a town population of 15,000. The first ten years would cost more than current rental expenses, but for the following twenty years the City would just need to maintain the facility. Mr. Mallory told the Council about the new municipal complex he and Mr. Campbell recently toured in Mount Pleasant. He said that it had a relatively small Council Chambers, and meetings with a large audience are moved the civic center. The Council generally liked the idea of a smaller Council Chambers. Mr. Mallory also suggested an executive session room so that the Council could retire into executive session instead of asking the audience to leave. Mr. Mallory told the Council that the Mount Pleasant facility had a records room and drive-through window.

The Council then discussed the possibility of contracting out meter reading. Mr. Mallory stated that, based on prior discussion, TU Electric is not interested in contracting for that service. He explained to the Council that equipment is available which would allow the meter reader to enter readings into a hand-held device and then download readings into the computer system. Mayor Hackney stated that he agreed it would be necessary to raise water and sewer rates. Councilman Ronnie Fugate asked Mr. Mallory the percentage of retired people living in Canton. Mr. Mallory estimated that 35% of the City's residents are retired.

Mr. Mallory outlined the debt service necessary for existing bonds. He stated that sales tax projections for this fiscal year may fall short by about $25,000.

First Monday Manager Al Campbell outlined the ongoing improvements on the First Monday grounds and the necessity for continued improvements. He stated that the First Monday office staff has been operating with two full-time and one part-time employee. Also, the new computer system is now operational. Mr. Campbell stated that First Monday is the largest market to ever use this system, and it has tested the system and the supplier. Mr. Campbell said the improvements to the main gate will be completed in this budget year.

Mr. Mallory stated that the Council will probably need to meet again to review a draft of the budget.

5. ADJOURN - Councilman Sanford moved that the meeting be adjourned. Councilman Alexander seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
5:30 P.M., THURSDAY, JULY 24, 1997

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

Discussion and action were as follows:

CALL MEETING TO ORDER - Mayor Hackney called the meeting to order.

DISCUSS AND CONSIDER RESIGNATION OF COUNCILMAN BOB ALEXANDER - Mayor Hackney announced that the Council had received the written resignation of Councilman Bob Alexander who has accepted the position of Executive Director of the Canton Economic Development Corporation. Councilman Ron Sanford moved that the resignation be accepted. Councilman Jimmy Peace seconded, and Councilman Lide, Councilman Peace, and Councilman Sanford voted in favor. Councilman Alexander abstained from voting.

DISCUSS AND CONSIDER APPOINTMENT TO FILL UNEXPIRED TERM OF COUNCILMAN BOB ALEXANDER - Councilman Sanford stated that he would like to appoint someone who had served on the Council before and could be an immediate help in all fields. Councilman Sanford then moved that Jack Etheridge be appointed to fill the unexpired term of Councilman Bob Alexander. Councilman Peace seconded. Councilmen Sanford and Peace voted in favor, Councilman Lide voted against, and the motion carried.

ADJOURN - Councilman Lide moved that the meeting be adjourned. Councilman Peace seconded, and all were in favor.

Don Hackney

Don Hackney, Mayor

ATTEST:

Rhita Koches

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
8:00 A.M., TUESDAY, JULY 29, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Members present were Mayor Pro Tem Ronnie Fugate, Ron Sanford, and Jimmy Peace. Mayor Don Hackney and Councilman Charles Lide were absent.

Discussion and action were as follows:

CALL MEETING TO ORDER - Mayor Pro Tem Ronnie Fugate called the meeting to order.

OATH OF OFFICE ADMINISTERED TO APPOINTED COUNCILMAN JACK ETHERIDGE City Secretary Rhita Koches administered the Oath of Office to newly appointed Councilman Jack Etheridge.

INVOCATION - Mayor Pro Tem Fugate called on Councilman Etheridge to give the invocation.

DISCUSS AND CONSIDER AWARDING BID FOR PHASE II FIRST MONDAY PAVILION CONSTRUCTION - First Monday General Manager Al Campbell presented a tabulation of the bids received, noting that the low bid appeared be that of IDG Services, Inc. of Richardson, Texas. Mr. Campbell reported that he and the engineer, John Carver, have met with the local representatives of IDG, Dyde Manning and Rick Wilson of Wills Point, to review the bid specs and view buildings they have constructed. Mr. Campbell recommended that the IDG bid be accepted and that Alternate No. 1 for the overhang addition in the amount of $13,865 be dropped. The resulting bid from IDG would be $106,735 less $13,865 for a total bid of $92,870. Councilman Etheridge moved that the bid from IDG be accepted as presented by Mr. Campbell. Councilman Sanford seconded, and all were in favor.

ADJOURN - Councilman Sanford moved that the meeting be adjourned. Councilman Etheridge seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 12, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Don Hackney presiding. Attending were Councilmen Ronnie Fugate, Charles Lide, Ron Sanford, and Jack Etheridge. Councilman Jimmy Peace was absent.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney
2. MAYOR'S WELCOME by Don Hackney.
3. INVOCATION by Councilman Charles Lide.
4. PLEDGE OF ALLEGIANCE led by Miss Jennifer Knowles, 1997 valedictorian at Canton High School and recipient of the City's First Monday scholarship.
5. GUEST ITEMS - First Monday vendor Marilee McLemore signed up under guest items in order to bring a few matters to the Council's attention: (1) vendors had been setting up and selling merchandise off the new sidewalk at the main gate entrance; (2) the vendor by the bridge regularly sets-up on the bridge forcing pedestrians to walk through his booth to cross the creek; and (3) shoppers were seen more frequently with loose pet snakes supposedly purchased on the Lewis property. Al Campbell said that it was against City ordinance to have a snake on the grounds and he would notify the First Monday staff to watch for snakes and to respond to complaints by escorting anyone with a snake off the grounds. He confirmed that dealers should not be on the

sidewalk or bridge crossings, and he promised to investigate both problems during the next month and take appropriate action.

6. DISCUSS AND CONSIDER APPROVAL OF FIRST MONDAY "VENDOR INFORMATION" BROCHURE SETTING OUT RULES AND REGULATIONS - Mr. Al Campbell presented the revised Vendor Information brochure which contains the new lot rates effective October 1997, the procedures and schedule for renting and renewing lots, the First Monday Policies & Procedures, and information on RV hook-ups and local accommodations. After a brief discussion, the staff was instructed to modify the Policies & Procedures to include the selling of small, domestic pets in designated areas, and to address the selling of pre-packaged foods. The item was placed on the August 19 agenda.

7. DISCUSS AND CONSIDER INSTALLATION OF NEW ROADWAY(S) ON FIRST MONDAY GROUNDS - Mr. Campbell informed the Council of the installation of a new road cutting across from Row 1 to Row 3 ending at the center area of the new pavilion. This roadway replaces others eliminated by the construction of the Arbor Atrium and the new pavilion. He said seven lots would be affected, but the new road should create good replacement lots and he did not foresee a problem with the vendors.

8. DISCUSS AND CONSIDER FEES FOR RVs ON VENDOR LOTS - In response to considerable reaction from vendors during the previous First Monday, Mr. Campbell proposed that the charge of $10 per day ($40 maximum) for RVs on vendor lots be removed from the new rate structure. Ron Sanford also having visited with the vendors, made the motion to delete the $10 fee for RVs on vendor lots. Jack Etheridge seconded and all were in favor.

9. DISCUSS AND CONSIDER STATUS OF FIRST MONDAY MAIN GATE IMPROVEMENTS - Mr. Campbell reported that the piers and beams had been dug on the new pavilion and the concrete should be finished right after the September First Monday weekend; therefore, paving at the main gate could begin without fear of damage from heavy concrete trucks. He planned to have the paving and monument inlaid at the main gate by the October First Monday. He said that he had postponed work on the retaining wall on the west side of the entrance until after the entrance was paved which might affect the entrance boundaries. For safety reasons he did not want to have incomplete soil excavation during First Monday weekend.

   Councilman Charles Lide said he was proud of First Monday and excited about the project when it began, and he would like to see it completed as soon as possible. He also hoped to see the statue erected on Highway 19 before the March 1998 Van Zandt County sesquicentennial celebration.

10. DISCUSS AND CONSIDER LEASE/PURCHASE OF TWO 1997 FORD POLICE VEHICLES - Chief Ron Carroll asked the Council to approve the lease/purchase of two new 1997 Ford patrol vehicles. He reported that all of the current vehicles had over 100,000 miles and were needing frequent repairs. He received two bids:

Payton Wright Ford:	$38,182.00 Lease/Purchase 6.4% APR 24 months at $1,690.13 per month Buyout $1.00
Phillpot Ford:	$38,738.00 Lease/Purchase 6.475% APR 24 months at $1,725.39 per month Buyout $1.00

Chief Carroll indicated he had given specifications to Don Barrier at the Canton Ford Dealership but received no response, possibly because he was not able to get the vehicles. The Council discussed the fact that Ford is currently the only manufacturer offering vehicles with the police

package. And, also that the 1998 models would not be significantly better and would not be available until December, but they would be considerably more expensive.

Johnny Mallory recommended the lease/purchase of two vehicles from Payton Wright Ford who have the vehicles in stock. With delivery on September 1, only one month's payment would come from the current budget. Upon the Chief's request and Mr. Mallory's recommendation, Jack Etheridge made the motion to approve the 24 month lease/purchase of two 1997 Ford vehicles with the police package from Payton Wright Ford for $1,690.13 per month and a $1.00 buyout at the end of two years. Ron Sanford seconded and all were in favor.

11. CONSIDER ADOPTION OF AN ORDINANCE ANNEXING 80 ACRE TRACT LOCATED IN THE JESSE STOCKWELL SURVEY OWNED BY THE CITY OF CANTON AND CHERRY CREEK DRIVE FROM OLD KAUFMAN ROAD TO THE NORTHWEST CORNER OF THE ABOVE-REFERENCED 80 ACRE TRACT - Councilman Lide asked if the area was in the flood plain. Mr. Mallory responded that drainage runs through the property, but it was not in the flood plain. Councilman Ronnie Fugate said he would like to see the area around the lake designated for park use only. Johnny Mallory was asked to find out what the City needed to do to insure that the area around the lake (dictated by the terrain) remained for park use only. Ronnie Fugate made the motion to adopt the ordinance annexing the above-referenced property. Jack Etheridge seconded and the proposal carried unanimously.

12. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Jack Etheridge asked that the issue regarding a parks-only designation around the lake be placed on the September 16 agenda. At the Council's pleasure, Mr. Mallory called a budget meeting on August 26 at 6:30 p.m.

13. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:15 p.m. on a motion from Ron Sanford, seconded by Jack Etheridge. All were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 19, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. PLEDGE OF ALLEGIANCE - Mayor Hackney called on Canton High School Senior Paige Phillips to lead the pledge.

5. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

6. PRESENTATION OF PLAQUE TO BOB ALEXANDER - Mayor Hackney presented a plaque to Bob Alexander in recognition of his dedication and service to the citizens of Canton as a City Councilman from 1990-1992 and 1994 - 1997.

7. CONSIDER APPROVAL OF MINUTES OF MEETINGS HELD JULY 8, JULY 15, JULY 19, JULY 24, AND JULY 29, 1997 - Councilman Fugate noted that the proposed Minutes of the July 29, 1997 meeting should be revised to reflect the absence of Mayor Don Hackney. City Manager Johnny Mallory noted that such revisions should also reflect that Mayor Pro Tem Ronnie Fugate presided at the July 29th meeting. Councilman Fugate moved that the proposed Minutes be approved as amended. Councilman Etheridge seconded, and all were in favor.

8. CONSIDER APPROVAL OF JULY 1997 FINANCIAL STATEMENTS - City Manager Johnny Mallory read the totals from the July Financial Statements. Councilman Etheridge moved that the financial statements be approved as presented. Councilman Lide seconded, and all were in favor.

9. DISCUSS AND CONSIDER GTE STEERING COMMITTEE RESOLUTION - Bob Alexander reminded the Council that several years ago GTE approached the City regarding re-negotiating its franchise agreement. Because the proposed agreement was so one-sided, the City of Canton joined a Steering Committee of other cities having similar problems with GTE. Mr. Alexander informed the Council that legislation was introduced in the last session which would standardize franchise agreements across the state. He said that, although the legislation did not pass, an interim committee was appointed to study the issue which will be presented again. As a result, the Steering Committee has drafted a resolution calling for the development of a Request For Proposals for the purpose of attracting competitive advanced telecommunications service providers. Mr. Alexander recommended that the Council adopt the Resolution as presented. Scott Westfall, owner of Van Zandt Internet, advised the Council that, in order to attract businesses to the community, the City needs a telecommunications structure which will provide data facilities in addition to standard services. Mr. Westfall commended the local GTE representatives and stated that the problem appears to be the level of service corporate GTE is willing to provide the area. He asked that the Council convey to corporate GTE the demand for services. Joe Collins, Executive Director of the Canton Chamber of Commerce, told the Council that he regularly receives request for demographic information about the City of Canton as a result of ongoing growth in the area. He also acknowledged the cooperation of local GTE representatives. Mr. Collins asked about the availability of expanded calling services which are available in Will Point and Grand Saline but not in Canton. He stated that GTE advertises numerous services they offer; however, most of those services are not available in Canton. He also expressed frustration in his repeated attempts to speak with someone at GTE about his requests. Councilman Fugate moved that Resolution 97-06 be passed as presented. Councilman Etheridge seconded, and all were in favor. The Mayor then reaffirmed Mr. Alexander's appointment as the City's liaison with the GTE Steering Committee.

10. DISCUSS AND CONSIDER REQUEST FROM GTE REQUEST TO BURY FIBER OPTIC CABLE WITHIN CITY LIMITS AT INTERSECTION OF INTERSTATE HIGHWAY 20 AND HIGHWAY 17 - GTE representative Bobby Buford addressed the Council and explained that GTE was requesting authorization to bore under Interstate Highway 20 at its intersection with Highway 17 at a depth of four feet. At the request of Mayor Hackney for a recommendation, City Manager Johnny Mallory stated that he had no problem with the request at the stated location and depth. Mr. Mallory

suggested that, in light of previous presentations to the Council, that the request be granted with notice to GTE that no future requests would be considered until a GTE representative meets with the City regarding service problems. Bob Alexander addressed the Council and stated that he agreed with earlier speakers' commendations of local GTE representatives. He stated, however, that the local GTE employees were restrained by corporate GTE. Mr. Alexander stated that he agreed with allowing the pending request and send word to corporate GTE that the City needs to talk to someone. Councilman Etheridge moved that the request be allowed. Councilman Sanford seconded, and all were in favor.

Bobby Buford then presented a map to the Council illustrating the $1.5 million to $2 million being spent by GTE in Canton this year. When the Council asked Mr. Buford for the name of a contact person, local GTE Manager David Nino asked to address the Council. Mr. Nino said that he had taken local concerns to District GTE at a budget meeting two months ago. He stated that he would contact the appropriate GTE representatives to schedule a meeting with the City. He was instructed to make such arrangements through City Manager Johnny Mallory.

11. DISCUSS AND CONSIDER ANNEXATION OF LAKE MEADOW SUBDIVISION - Councilman Etheridge moved to proceed with annexation of the proposed Lake Meadow Subdivision tract. Councilman Lide seconded, and all were in favor.

12. DISCUSS AND CONSIDER REQUEST BY BRUCE CONGLETON FOR WATER TAP OUTSIDE THE CITY LIMITS ON VAN ZANDT COUNTY ROAD 2204 - City Manager Johnny Mallory informed the Council that a six inch water line has recently been installed in the vicinity of the tap requested. Councilman Etheridge moved that the request be granted. Councilman Fugate seconded, and all were in favor.

13. DISCUSS AND CONSIDER AWARDING BID FOR WATER AND SEWER IMPROVEMENTS ON BIG ROCK STREET - City Manager Johnny Mallory presented a bid evaluation prepared by Velvin & Weeks Engineering. The apparent low bidder was Morton Construction of Jacksonville. Councilman Fugate moved that the bid be awarded to Morton Construction. Councilman Etheridge seconded, and all were in favor.

14. DISCUSS AND CONSIDER APPROVAL OF FIRST MONDAY "VENDOR INFORMATION" BROCHURE SETTING OUT RULES AND REGULATIONS - First Monday Manager Al Campbell outlined the revisions to the brochure which had been made subject to the Council's instructions at its meeting of August 12, 1997. Revisions had been made to provisions regarding food concessions and provisions had been included regarding the sale of animals in designated areas. Councilman Lide questioned the enforcement of the proposed policy providing that the City would not be responsible for the condition of any animals sold on the grounds. Mr. Campbell stated that the City's animal control officer would maintain jurisdiction just as he already does in other First Monday areas where animals are sold. Councilman Sanford moved that the brochure and all regulations, policies and procedures contained therein be adopted. Councilman Fugate seconded, and all were in favor.

15. DISCUSS AND CONSIDER ACTION OF PLANNING AND ZONING COMMISSION ON REQUEST FOR ZONING CHANGE FROM FMB-A1 TO FMB-A2 TO ALLOW ANIMAL VENDORS IN DESIGNATED FIRST MONDAY AREAS - First Monday Manager Al Campbell reported to the Council that the Planning and Zoning Commission considered the requested zoning change at its meeting on August 14, 1997, and tabled the matter to its August 26th meeting. He conveyed the Commission's concerns that another property owner's request for FMB-A2 zoning several years ago was not granted. Mr. Campbell stated that the Commission was afraid of setting a precedent

for allowing all requests for FMB-A2 zoning. It was the consensus of the Council to pursue the requested zoning change.

17. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Prior to the Council's adjournment into Executive Session, City Manager Johnny Mallory announced a budget workshop meeting on Tuesday, August 26, 1997, at 6:30 p.m.

16. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL SALE OF REAL PROPERTY (Section 551.072) - The Council adjourned into Executive Session at 7:17 p.m. to consider the proposed sale of real property owned by the City of Canton. At 7:55 p.m. the Council returned into open session with no action taken.

18. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:56 p.m. by unanimous vote following a motion from Councilman Etheridge, seconded by Councilman Lide.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, AUGUST 26, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Members present were Mayor Don Hackney, Ronnie Fugate, Charles Lide, Ron Sanford, Jimmy Peace, and Jack Etheridge.

Discussion and action were as follows:

CALL MEETING TO ORDER - Mayor Hackney called the meeting to order.

DISCUSS AND CONSIDER ESTABLISHMENT OF A BOY SCOUT EXPLORER POST TO BE ASSOCIATED WITH THE CANTON POLICE DEPARTMENT - Police Chief Ron Carroll addressed the Council and introduced Patrolman Brad Allison. Chief Carroll announced that rules and regulations have been developed for organizing an Explorer Post. Any youth between the ages of 14 and 21 who might be interested in a career in law enforcement and meet established guidelines will be eligible. Participants will be instructed in directing traffic, booking prisoners, communications, and First Monday patrol.

Patrolman Allison informed the Council that the Boy Scouts of America provides personal injury liability coverage in the amount of $15 million. Explorers will buy their own uniforms. While they will have an emblem identifying the Explorer Post, Explorers will not be issued or carry badges. Explorers participate in area competitions focusing on the skills they learn from working within their local police departments. Patrolman Allison will serve as the "law enforcement advisor" for the Post which will meet twice a month at the Police Department. Mayor Hackney stated that this would be a worthwhile endeavor. Patrolman Allison stated that he was not requesting comp time and that other officers have also agreed to donate time. He stated that they would like to set up a small academy for training Explorers. He also clarified

that participants in Explorers do not have to be currently enrolled in Boy Scouts. Standard operating procedures for the post requires that school-age Explorers must be enrolled in school and maintain a C average. All participants must have an acceptable driving record with no criminal history above a Class C misdemeanor. The program is open to both boys and girls.

DISCUSS AND CONSIDER CONSTRUCTION OF "THE TRADE" MONUMENT AT THE EAST ENTRANCE TO THE FIRST MONDAY GROUNDS - Councilman Fugate stated that, with the upcoming celebration of the Sesquicentennial, this is the ideal time for the City to finalize the erection of "The Trade" monument. He reminded the Council that the estimated cost for a life-sized monument is $80,000 with an estimated six-month completion time. He also reminded the Council that funds had been expended to build a site for the monument on Highway 19. Councilman Fugate expressed that, while there may be some people who think the money could be spent somewhere else, he would like to show the City's pride in First Monday. He stated that, once the full-sized monument was in place, sales of the miniature monuments should improve substantially and proceeds from those sales could be used to offset the cost of the monument. It was noted that the City now owns full rights to the monument.

Councilman Lide agreed that the City has spent funds to set up a place for the monument, and that place now looks like a picture frame with no painting in it. Councilman Sanford stated that, while not totally opposed, he felt that the funds could be used to build another building, another restroom, rest areas, or even a mini-pavilion. He stated that, rather than spend $80,000 for a monument at one gate, perhaps large bronze plaques could be placed at each gate. Councilman Peace agreed that there should be plaques or some recognition of the history of First Monday; however, he felt that a lot of people would object to spending $80,000. Councilman Fugate thanked the other councilmen for their comments. He stated that this project has been budgeted in the past.

Councilman Fugate moved that "The Trade" monument be built. Councilman Etheridge seconded the motion. The motion carried with Councilmen Fugate, Lide, and Etheridge voting in favor of the motion and Councilmen Peace and Sanford voting against.

DISCUSSION AND WORKSHOP PERTAINING TO PROPOSED 1997-1998 BUDGET - City Manager Johnny Mallory presented a comparison of the proposed 1997-1998 budget to the current fiscal year budget. The Council was informed that sales tax receipts increased by approximately 5.8% this year. The proposed budget allows for a one-step raise for employees which averages less than 3%.

Mayor Hackney noted that no new police vehicles were purchased this year resulting in the necessity for two this year. He asked whether departments were avoiding purchasing equipment until there was a crisis. Mr. Mallory stated that substantial equipment had been replaced in the last few years. He pointed out that the proposed budget provides for the purchase of a dump truck, new water and sewer lines, and continued manhole restoration. Mayor Hackney expressed the need for a budget that departments can live within without compromising long-term goals.

Mr. Mallory pointed out that the proposed budget provides for an increase in water and sewer rates to raise approximately $100,000. He informed the Council that Canton's rates were lower than any in Van Zandt County as well as most towns of the same size across the state. He stated that other cities' sewer rates are as much as two or three times the rates charged by the City of Canton. He indicated that he was particularly concerned about the rates currently charged to customers outside the city limits, and expressed that those rates should probably be one and a half times the rate charged to citizens of Canton.

Councilman Lide questioned the proposed reduction in expenditures for water and streets. Mr. Mallory explained that, in the water department, much of the manhole restoration has been completed, and, in the

street department, the budget does not provide for any capital improvements. Such improvements would be paid from bond funds. Councilman Fugate asked about prior discussions regarding the purchase of a new maintainer. He said he realized it had not been addressed in the proposed budget. Mr. Mallory said he would like to purchase a maintainer if the City plans to continue to do maintenance; however, there does not appear to be funds available in this budget.

Mayor Hackney asked whether other events at the First Monday park generate sufficient funds to cover expenses. First Monday Manager Al Campbell stated that most of the events barely covered expenses but they also generated sales tax.

Mr. Mallory expressed a desire to build sidewalks beside Hillcrest Cemetery; however, at an approximate cost of $30,000 he did not think those improvements would be possible.

Mayor Hackney asked about grants for police department employees. Chief Carroll stated that two of the grants are for three years and one is for five years. Mr. Mallory stated that the five year grant provides for an increased contribution from the City through the life of the grant.

Mr. Mallory announced that the public hearing on the budget will be scheduled for September 16, 1997.

ADJOURN - Councilman Jack Etheridge moved that the meeting be adjourned. Councilman Ron Sanford seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

Special Called Meeting
Canton City Council
Tuesday, September 2, 1997 8:00 a.m.
290 East Tyler Street, Canton, Texas 75103

The Canton City Council met at the above stated date, time, and place with the Honorable Don Hackney, Mayor, presiding. Councilmen Ronnie Fugate, Charles Lide, and Jack Etheridge were present.

1. CALL TO ORDER - Mayor Don Hackney called the meeting to order and announced that a quorum was present.

2. INVOCATION - Invocation was given by Councilman Ronnie Fugate.

3. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FINANCING OF FIRST MONDAY IMPROVEMENTS AND AUTHORIZING FIRST MONDAY MANAGER AND CITY MANAGER TO SIGN FINANCING DOCUMENTS - City Manager Johnny Mallory explained to the Council that, pursuant to previous authority from the Council, construction had begun on a new pavilion structure at the First Monday park. In connection with that construction, financing had been arranged through the Bank of Van Zandt. Mr. Mallory requested authorization from the Council for City officials to execute the appropriate documentation necessary to complete the financing process.

Councilman Fugate moved that City Manager Johnny Mallory be authorized to execute any and all documents necessary in connection with such financing and that First Monday Manager Al Campbell be authorized to act as general contractor for the project. Councilman Lide seconded the motion, and all were in favor.

4. ADJOURN - There being no further business to come before the Council, Councilman Etheridge moved that the meeting be adjourned. Councilman Fugate seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 9, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Don Hackney presiding. Attending were Councilmen Ronnie Fugate, Charles Lide, Ron Sanford, Jimmy Peace and Jack Etheridge.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney
2. MAYOR'S WELCOME by Don Hackney.
3. INVOCATION by Councilman Ronnie Fugate.
4. PLEDGE OF ALLEGIANCE led by Lance Byers from the Boy Scout Troop 378.

5. GUEST ITEMS - Joe Shepherd, owner of a food concession stand outside the main gate and a local restaurant, presented a signed petition to place "The Trade" statue on city property (preferably the main gate) instead of on private property (the entrance by Taco Bell.) He said the main gate did not look like one, and suggested "it should have presentation" and should not be used for employee parking. He liked the work so far, but hoped to see it completed soon. Mr. Shepherd also reported that the concesus among vendors he talked to was that it was not a good idea to spend $80,000 on a statue. It was their opinion if a statue were to be commissioned, it should be placed on City property. He said the City's priorities appeared to be on "subsidizing some private properties and cutting others off with fences." He also told the Council it looked bad for the City to make decisions then reverse them (referring to the recent rate changes) and that it was usually the result of management having a bad source of information or not having studied the situation well enough.

   Mr. Bob Werner, a food concession vendor, told the Council he appreciated their listening to vendors' concerns and responding by lowering the new rates for lot rent.. He also said if the City were spending public funds on a statue, it should be placed on public property where it would most benefit the City. He felt the emphasis should be on attracting the public to the original area rather than the entrance off Hwy. 19. As guest items, the Council took the gentlemen's remarks under advisement, but did not discuss or take any action.

6. UPDATE ON STATUS OF FIRST MONDAY IMPROVEMENTS - Al Campbell reported on the refurbishing of the restrooms as follows: The green and brown restrooms are repainted inside and out. They are currently working on the blue restroom. And, work is to begin on the grey restroom in October. He said the outside colors were changed subtly to modernize the look of the restrooms, while maintaining the color identity of each one. The interior walls and floors were all painted a lighter color. Flourescent lighting was being installed. Some partitions and fixtures were being replaced. And, new mats were being placed in the shower areas.

   Mr. Campbell told the Council they are replacing the utility lines this week at the main gate entrance. They will begin building the wall on the west side of the entrance the middle of the following week. Then, they will pour the concrete drive and set benches and lamp posts. He recommended they forego inlaying the granite monument in the drive because the slick surface could not be altered.

7. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR CHANGE OF ZONING OF THAT CERTAIN 2.66 ACRE TRACT KNOWN AS 503 HIGHWAY 243 LOCATED IN THE STOCKWELL SURVEY (A-760) LOCATED AT THE CORNER OF HIGHWAY 243 AND BIG ROCK STREET IN THE CITY OF CANTON CURRENTLY OWNED BY GERALD MOORE FROM B-1 TO B-2 - Following a brief discussion, upon Planning and Zoning's recommendation, the motion to change the zoning from B-1 to B-2 for the abovementioned property was made by

Jack Etheridge, seconded by Ron Sanford and unanimously approved by the Council.

8. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR CHANGE OF ZONING OF THAT CERTAIN TRACT KNOWN AS ROWS 4, 5, 6, AND 7 FROM ROW 1A NORTH TO AND INCLUDING THE AREA AROUND RESTROOM NO. 2, SAID PROPERTY CURRENTLY OWNED BY THE CITY OF CANTON FROM FMB-A1 TO FMB-A2 - Al Campbell relayed Planning and Zoning's recommendation to rezone the designated portion of First Monday property from FMB-A1 to FMB-A2 to allow for the sale of animals. He also handed out a section of the City's animal ordinance on the care, sale and transport of animals which he said would be given to each animal vendor and would be fully enforced on the grounds. He indicated fifty to seventy-five lots were involved in the stated area. After a brief discussion, Ron Sanford made the motion to grant the zoning change mentioned above. Charles Lide seconded and all were in favor.

9. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR CHANGE OF ZONING OF THOSE CERTAIN PORTIONS OF A 4.65 ACRE TRACT LOCATED ON HIGHWAY 64 WEST IN THE CITY OF CANTON CURRENTLY OWNED BY BILLY JACK DEEN FROM RA AND R-1 TO B-1 - The Council clarified the location of the property and discussed its zoning history. A major portion of the property already zoned B-1, Planning and Zoning was recommending rezoning to B-1 on the remaining portion. Jack Etheridge so moved, Ronnie Fugate seconded and all were in favor.

10. DISCUSS AND CONSIDER AWARDING BID FOR WATER AND SEWER IMPROVEMENTS ON BIG ROCK STREET - Mr. Mallory reported the bid had previously been awarded to Morton Construction Co. Mr. Morton since advised Velvin & Weeks Engineers he had made a mistake. Rather than holding him to a contract where he would loose money and possibly not provide his best service, Mr. Mallory recommended rejecting the bid from Morton Construction Co. and re-awarding the bid to the next lowest bidder--McKinney & Moore, Inc. Mr. Mallory said he decided to use City employees on the oil sand patches, thus reducing the McKinney & Moore bid from approximately $213,000 to $200,000. The project encompasses Big Rock Street from Hwy. 243 to College Street. The Council discussed the work involved in the oil sand patches. When asked about the placement of water and sewer, Mr. Mallory confirmed the water was in the easement, sewer was down the middle of the street and would be stubbed out to the vacant lots. Jack Etheridge then made the motion to reject Morton Construction Co.'s bid and award the contract to McKinney & Moore. Ronnie Fugate seconded and all were in favor.

11. FIRST PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 46.744 ACRE TRACT LOCATED IN THE J. DOUTHIT SURVEY OWNED BY LAKE MEADOW JOINT VENTURE - The public hearing was opened by Mayor Hackney at 6:52 p.m. Johnny Mallory confirmed that the City would be able to provide adequate police protection. He said the area used ariation and would not

require City sewer service. There being no further questions or discussion, the hearing closed at 6:54 p.m.

12. DISCUSS AND CONSIDER AWARDING BID FOR TWO (2) POLICE PATROL VEHICLES - Mr. Mallory asked the Council to re-award the bid for the purchase of two police patrol vehicles from Payton Wright Ford. Mr. Mallory informed the Council that bid packets had been sent out to local and surrounding dealers prior to their earlier decision, but a formal advertisement had not been run in the local paper, which was required. He has since run the print advertisement and received no new bids. Jack Etheridge made the motion to award the bid to Payton Wright Ford to purchase/lease two police patrol vehicles for 24 months at 6.4 % APR, with payments of $1690.13 per month and a $1.00 buyout. Ron Sanford seconded and all were in favor.

13. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Ronnie Fugate said Mr. Everett, of Everett Steele, had informed him his neighbor had removed his truck, but he was still concerned about the trash and garbage.

    Charles Lide mentioned several items he wanted to be addressed: (1) the progress on the bridge railing on College Street, (2) the brick columns and road to the cemetery on Hwy. 19, (3) the street repairs at Lakeside Baptist Church, (4) the sewer line to Lakeside Baptist Chuch, (5) the 3-way stop sign at Groves & Capital, (6) and the air conditioner for the senior citizens building.

14. ADJOURN - There being no further business to discuss, the meeting was adjourned at 6:55 p.m. on a motion from Jack Etheridge, seconded by Jimmy Peace. All were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

CALLED CITY COUNCIL MEETING
8:00 A.M., SATURDAY, SEPTEMBER 13, 1997

The Canton City Council met at the above named date and time in the City Hall Council Chambers. Members present were Mayor Don Hackney, Ronnie Fugate, Charles Lide, Ron Sanford, and Jack Etheridge.

Discussion and action were as follows:

CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Hackney called the meeting to order and declared that a quorum was present.

EXECUTIVE SESSION FOR CONFERENCE WITH EMPLOYEES TO RECEIVE INFORMATION AND/OR QUESTION EMPLOYEES (Section 551.075) - The Council adjourned into Executive Session at 8:05 a.m. 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 551.075. During this briefing, members of the Council heard presentations and questioned employees regarding street improvements and repairs, water and sewer matters, and ordinance violations.

The Council returned to open session at 9:35 a.m. with no action taken. During this meeting, members of the Council did not deliberate public business or agency policy which affected public business.

ADJOURN - There being no further business to come before the Council, Councilman Jack Etheridge moved that the meeting be adjourned. Councilman Ron Sanford seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, SEPTEMBER 16, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. PLEDGE OF ALLEGIANCE

5. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

6. PRESENTATION ON SCHOOL BOND ELECTION BY REPRESENTATIVE OF PARTNERS IN EDUCATION - Mayor Hackney recognized Mr. Paul Bridgefarmer, representing Partners in Education, who outlined the proposed school bond issue set for election on Saturday, September 27, 1997.

7. APPROVE MINUTES OF AUGUST 12, AUGUST 19, AUGUST 26, AND SEPTEMBER 2, 1997 MEETINGS - Councilman Etheridge moved that the proposed Minutes be approved. Councilman Fugate seconded, and all were in favor.

8. APPROVE FINANCIAL STATEMENTS FOR AUGUST, 1997 - Mayor Hackney read the totals from the August Financial Statements. Councilman Etheridge moved that the financial statements be approved as presented. Councilman Sanford seconded, and all were in favor.

9. PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 1997 AND ENDING SEPTEMBER 30, 1998 - Mayor Hackney opened the public hearing at 6:45 p.m. and called for public comments. Mayor Hackney noted that only one speaker had signed up to speak and recognized Donna Thompson, representing the Canton Merchants Association. Mrs. Thompson requested that the City's budget be amended to allow that a portion of the hotel/motel tax be allocated to the Canton Merchants Association. The Association prints a brochure of Canton businesses and services for distribution to newcomers and visitors. Comet Printing's estimate for reprinting 30,000 brochures will be $2,433.29. Mayor Hackney requested that the proposal be placed on the agenda for the Council's next meeting for consideration and a possible budget amendment. Mrs. Thompson was in agreement and stated that the Association was only requesting a budget amendment.

10. DISCUSS AND CONSIDER ADOPTION OF 1997-1998 PROPOSED BUDGET - The Council discussed that no changes to the proposed budget reviewed at the Council's August 26th workshop had been requested. Councilman Etheridge moved that the budget and corresponding Ordinance No. 97-10 be adopted. Councilman Sanford seconded, and all were in favor.

11. DISCUSS AND CONSIDER REQUEST BY GLADYS C. PIERCE FOR WATER TAP OUTSIDE THE CITY LIMITS ON HIGHWAY 64 EAST - Mayor Hackney stated that a six inch water line has recently been installed in the vicinity of the tap requested. Public Works Director Pete Lucas confirmed that water was available to the requested location. Councilman Etheridge moved that the request be granted. Councilman Fugate seconded, and all were in favor.

12. SECOND PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF 46.744 ACRE TRACT LOCATED IN THE J. DOUTHIT SURVEY OWNED BY LAKE MEADOW JOINT VENTURE - Mayor Hackney opened the hearing at 6:55 p.m. No one was present to address the issue. The hearing was then closed.

13. DISCUSS AND CONSIDER ACCEPTANCE OF PRELIMINARY PLAT OF LAKE MEADOW SUBDIVISION - City Secretary Rhita Koches explained that the subject property was in the process of annexation; however, the City's subdivision regulations require the Council's approval of platted subdivisions in the City's extraterritorial jurisdiction as well as those located inside the city limits. Upon questioning by the Council, developer Danny Neal informed the Council that the streets in the subdivision would be 2 1/2 inches of asphalt over an eight inch flex base with concrete curb and gutter. Councilman Etheridge moved that the preliminary plat be approved. Councilman Sanford seconded, and all were in favor.

14. DISCUSS AND CONSIDER APPROVAL OF WATER LINE REIMBURSEMENT AGREEMENT BETWEEN LAKE MEADOW JOINT VENTURE AND THE CITY OF CANTON - Upon questioning by Mayor Hackney, City Secretary Rhita Koches confirmed that the proposed agreement was similar to another water line reimbursement agreement entered into by the City and that the agreement provided for payment of any water tap fee charged by the City in addition to a $1,200 payment to the developer, Lake Meadow Joint Venture. Councilman Etheridge moved that the agreement be approved. Councilman Sanford seconded, and all were in favor.

15. DISCUSS AND CONSIDER AWARDING BID FOR CONSTRUCTION OF FIRST MONDAY RESTROOMS - First Monday Manager Al Campbell informed the Council that four bids had been received for the proposed new restroom facilities. Mr. Campbell stated that, in budgeting for capital improvements, the engineer had estimated the cost of these two new facilities to be $160,000. The bids received ranged from $202,761 to $293,900. Mr. Campbell stated that he still felt the improvements were necessary and recommended that the project be referred back to the engineer for suggestions in cutting out $20,000 in each restroom. Mr. Campbell stated that this project will be scheduled during the winter months and an additional thirty day delay should not matter. Mr. Campbell said one of the bidders was present at the bid opening and indicated that there was no problem with the specifications provided. The bidder stated that the plumbing alone amounted to $60,000.. Councilman Etheridge moved that the Council's consideration of bids for this project be tabled. Councilman Sanford seconded, and all were in favor.

16. DISCUSS AND CONSIDER ALLEGED ORDINANCE VIOLATION ON CLAY STREET - Mayor Hackney asked Police Chief Ron Carroll to address the circumstances regarding the alleged violations at 1155 Clay Street. Chief Carroll stated that the vehicle complained of had been moved, and the property owner appeared to be in compliance regarding that particular violation. Chief Carroll stated that he understood the complaining party, Mr. Everett Still, had requested that this matter be considered by the

Council and that he would be present. Mayor Hackney asked if any of the parties involved in this matter were present, and Mr. Elree Smithart addressed the Council. Mr. Smithart stated that he was the owner of the property and was having ongoing problems with Mr. Still's various complaints to the City. Mr. Smithart said he did not know the name of the man living in the house next door. Mr. Smithart stated that if the Council would tell him any areas wherein he was in violation of a City ordinance, he would correct the problem. Councilman Lide stated that he had seen debris along the back of the property. Mr. Smithart stated that the debris had been removed. Councilman Fugate then informed Mr. Smithart and the Council that Mr. Still had contacted him numerous times. Councilman Fugate also explained to Mr. Smithart that it was the City's position to enforce ordinances. Mr. Smithart again stated his willingness to correct any violation. Councilman Etheridge noted his long-standing acquaintance and stated that he believed Mr. Smithart to be a man of his word. There being no further discussion on this matter, and in light of the complaining party's failure to appear, the Council took no action.

Mayor Hackney noted that agenda items 17 through 21 had been addressed by City staff during the Council's staff briefing on September 13, 1997.

17. DISCUSS AND CONSIDER STATUS OF SEWER LINE AND STREET REPAIRS AT LAKESIDE BAPTIST CHURCH

18. DISCUSS AND CONSIDER STOP SIGN/RED LIGHT AT GROVES AND CAPITAL - Public Works Director Pete Lucas stated that the light had been ordered and a portion had already been received.

19. DISCUSS AND CONSIDER REPAIRS AND IMPROVEMENTS TO COLUMNS AND ROAD WAY AT HILLCREST CEMETERY - Councilman Fugate stated that Mrs. Mae Stanford had informed him that the columns at the entrance to the cemetery had been erected in 1938. It was noted that the roadway into the cemetery had been repaired. Mr. Lucas stated that he would be looking into options for reinforcing the columns. He said that perhaps the columns could be repaired when the concrete work is done at the First Monday Main Gate. Councilman Fugate added that, according to Mrs. Stanford, the archway over the cemetery entrance had been purchased in Terrell and erected in 1938.

20. DISCUSS AND CONSIDER REPAIRS TO BRIDGE RAILING ON COLLEGE STREET - In response to questions by Councilman Lide regarding Agenda Item No. 20, Public Works Director Pete Lucas stated that repairs had been made and barricades had been left where holes were backfilled. He stated that the standards still need to be painted. Councilman Lide expressed concern that the bridge could not withstand a heavy rain such as those anticipated this winter. Mr. Lucas indicated that a concrete footing could be installed.

21. DISCUSS AND CONSIDER REPAIR/REPLACEMENT OF AIR CONDITIONER AT SENIOR CITIZENS CENTER CERAMIC ROOM - It was noted that the air conditioning unit at the Center has been replaced.

22. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - None as of this meeting.

23. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:45 p.m. by unanimous vote following a motion from Councilman Fugate, seconded by Councilman Etheridge.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

Special Called Meeting
Canton City Council
Tuesday, September 30, 1997 6:30 p.m.
290 East Tyler Street, Canton, Texas 75103

The Canton City Council met at the above stated date, time, and place with the Honorable Don Hackney, Mayor, presiding. Councilmen Ronnie Fugate, Charles Lide, Jimmy Peace, and Ron Sanford were present. Councilman Jack Etheridge was out of town.

CALL TO ORDER - Mayor Don Hackney called the meeting to order and announced that a quorum was present.

DISCUSS AND CONSIDER ADOPTING ORDINANCE LEVYING TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 1997, AND ENDING SEPTEMBER 30, 1998 - City Manager Johnny Mallory announced that the proposed tax rate was $0.00 per $100.00 valuation against all taxable property in the City of Canton, Texas. Councilman Ronnie Fugate moved that Ordinance No. 97-11 be adopted establishing such tax rate. Councilman Lide seconded, and all were in favor.

DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION FOR AMENDMENTS TO SECTION 16-7(4) OF THE ZONING ORDINANCE REGARDING HOME OCCUPATIONS - Mr. Mallory reminded the

Council that it had earlier considered the home occupation permit application and made suggestions to the Planning and Zoning Commission for revisions to the standards and criteria for the permit. Councilman Ronnie Fugate moved that the revisions to Section 16-7(4) of the Zoning Ordinance, as recommended by the Planning and Zoning Commission, be adopted. Councilman Lide seconded, and all were in favor.

ADJOURN - There being no further business to come before the Council, Councilman Ron Sanford moved that the meeting be adjourned. Councilman Jimmy Peace seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

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

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Don Hackney presiding. Attending were Councilmen Ronnie Fugate, Charles Lide, Jimmy Peace and Jack Etheridge. Councilman Ron Sanford was absent.

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney
2. MAYOR'S WELCOME by Don Hackney.
3. INVOCATION by Councilman Ronnie Fugate.
4. PLEDGE OF ALLEGIANCE
5. GUEST ITEMS - none
6. UPDATE ON STATUS OF FIRST MONDAY IMPROVEMENTS - Al Campbell gave the report on the First Monday improvement projects. (1) Remodeling the restrooms: They finished painting inside, including floors, replaced some fixtures and changed to florescent lighting which brightened the inside considerably. He received numerous compliments on the facilities. (2) Main Gate Project: They received the block to finish the retaining wall, would finish removing the asphalt

the next day, then six days would be needed to lay the concrete drive. It should be in order by the next First Monday. (3) New Pavilion: The framework should be complete on Wednesday. It would take Thursday and Friday to trim out the structure. The insulation would then take a week. An electrician was scheduled to begin Monday week and work five to seven days to complete the electrical. Then the contractor would take two days to finish up. The project would be nearly complete by the next First Monday and would be occupied in December. (4) New Restrooms: The architect/engineer, John Carver, had reviewed the plans to determine why the bids were $40,000 above estimated costs. The problem was with a $65,000 expense on plumbing and fixtures. The restroom on the hill was also affected by $5,000 to $6,000 in elevation work. The engineer was unable to find cost savings under current specifications, other than reducing the size of the facility. Al Campbell suggested they proceed with the restroom in the 2000 section and postpone the new restroom on the hill until the success or affects of the new animal section could be determined. Mayor Don Hackney expressed his concern over the restrooms costing $100 per sq. ft. Referring to a manual of standardized costs published by Marshall & Swift, he indicated water closets should cost $500 each, as opposed to the bids that they received at $2,000 each. He asked Mr. Campbell to provide a breakdown of expenses at the next meeting to explain the elevated expenses to the Council.

7. DISCUSS AND CONSIDER CONTROL OF ILLEGALLY PARKED VEHICLES AT FIRST MONDAY PARK - Mr. Campbell informed the Council that the staff and Canton Police Department cracked down on illegally parked vehicles during the previous First Monday. He referred to the Rules and Regulations authorizing the towing and/or ticketing of illegally parked vehicles. He said the staff had vehicles towed when possible, and Chief Ron Carroll had one or two officers on the grounds ticketing the remaining vehicles parked illegally on vendor lots. The Council discussed the enforceability of the tickets, the required fines (set by the Judge) and towing procedures. Al Campbell said that vehicles are towed to the cage or the warehouse, and owners are usually charged $35 to $50 by the tow truck.

8. DISCUSS AND ACT ON ADOPTION OF AN ORDINANCE ANNEXING LAKE MEADOW SUBDIVISION - Mr. Mallory reported that two public hearings on the proposed annexation had been held. He referred the Council to the proposed annexation ordinance and the service plan for the area located in the Council packets. Jack Etheridge then made the motion to adopt Annexation Ordinance 97-12 annexing Lake Meadow Subdivision into the City of Canton. Ronnie Fugate seconded. The motion passed with Councilmen Ronnie Fugate, Charles Lide and Jack Etheridge voting in favor, and Jimmy Peace voting against.

9. DISCUSS AND CONSIDER APPROVAL OF FINAL PLAT OF LAKE MEADOW SUBDIVISION - The final plat of the Lake Meadow Subdivision was presented by Johnny Mallory. Councilman Charles Lide asked about deed restrictions. Mr. Mallory indicated the plat met the requirements of the subdivision ordinance. There being no further discussion, Jack Etheridge made the motion to

approve the final plat. Ronnie Fugate seconded. The motion passed with Councilmen Ronnie Fugate, Charles Lide and Jack Etheridge in favor, and Jimmy Peace against.

10. DISCUSS AND CONSIDER ADOPTION OF CANTON HERALD AS OFFICIAL NEWSPAPER OF CITY OF CANTON - Johnny Mallory explained that the Local Government Code requires the City to adopt an official newspaper for publishing notices. Ronnie Fugate made the motion to adopt THE CANTON HERALD as the City's official newspaper. Jack Etheridge seconded and all were in favor.

11. DISCUSS AND ACT ON REQUEST OF CANTON ECONOMIC DEVELOPMENT CORPORATION FOR WAIVER OF FEE FOR ZONING CHANGE - On behalf of the Economic Development Corporation, Johnny Mallory asked the Council to waive the fee for a zoning change from RA to B2 on the property known as the Malouf Building (1111 E. Tyler). Jack Etheridge made the motion to waive the fee, Charles Lide seconded and all were in favor.

12. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Mayor Hackney recommended the City Council hold one regular Council meeting per month in November and December. All agreed. The meetings were set for the third Tuesday of each month. No other requests were made.

13. ADJOURN - There being no further business to discuss, the meeting was adjourned at 6:52 p.m. on a motion from Ronnie Fugate, seconded by Charles Lide. All were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, OCTOBER 21, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. PLEDGE OF ALLEGIANCE

5. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

6. APPROVE MINUTES OF SEPTEMBER 9, 13, 16, AND 30, 1997 MEETINGS - Councilman Etheridge moved that the proposed Minutes be approved. Councilman Lide seconded, and all were in favor.

7. APPROVE FINANCIAL STATEMENTS FOR SEPTEMBER 1997 - City Manager Johnny Mallory read the totals from the September Financial Statements. Councilman Etheridge moved that the financial statements be approved as presented. Councilman Fugate seconded, and all were in favor.

8. DISCUSS AND CONSIDER TERMINATION OF LEASE OF PROPERTY AT 150 W. TERRELL - City Manager Johnny Mallory informed the Council that the current tenant, Robert L. Coomer, has requested, in writing, that the lease be terminated effective November 30, 1997. Mr. Mallory stated that there should not be a problem in re-leasing the property and recommended that the Council release Mr. Coomer from the lease. Councilman Etheridge moved that the lease be terminated effective November 30, 1997. Councilman Fugate seconded, and all were in favor.

9. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING & ZONING COMMISSION REGARDING CHANGE OF ZONING FROM RA TO B2 FOR 1111 EAST TYLER STREET, CANTON, TEXAS - City Manager Johnny Mallory explained that this property was under contract for purchase by the Canton Economic Development Corporation. Pursuant to the agreement of the owner of the property and the CEDC, the requested zoning change is to be effective only upon closing of the sale of the property to the CEDC. Councilman Etheridge moved that the recommendation of the Planning and Zoning Commission be adopted changing the zoning of the 4 acre tract from RA to B2. Councilman Fugate seconded, and all were in favor.

10. DISCUSS AND CONSIDER FIRST MONDAY RESTROOM IMPROVEMENTS - First Monday General Manager Al Campbell presented a breakdown from IDG Services. The Council discussed obtaining opinions from other contractors to compare the feasibility of a masonry structure as opposed to a steel building. Mayor Hackney stated that obtaining such information would be helpful even if there was a fee for reviewing the specifications. Councilman Fugate concurred and stated that a masonry

block building would fit in with existing facilities. It was the consensus of the Council that Mr. Campbell should meet with another contractor for further advice and options.

11. DISCUSS AND CONSIDER REQUEST FOR RATE INCREASE BY LAIDLAW - City Manager Johnny Mallory informed the Council that he had received a request from Laidlaw for a 1.2% increase effective November 1, 1997. Mr. Mallory explained that the request reflected the rise in the CPI as set out in the City's contract with Laidlaw. Mr. Tony Cain from Laidlaw addressed the Council and heard the complaints about garbage pickup which have been brought to the attention of the Council. Public Works Director expressed concern about Laidlaw's cooperation during First Monday weekends. Upon questioning by the Council, Johnny Mallory advised that the requested increase appears to be in line with the provisions of the contract. He further explained that the contract states that such rate increase will not be unduly denied or withheld. Councilman Jack Etheridge moved that the increase be granted. Councilman Fugate seconded, and all were in favor.

12. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - City Manager Johnny Mallory announced that the City Staff would be available for a staff briefing with the Council on Saturday, October 25, 1997, at 8:00 a.m. After conferring with the Council, Mayor Hackney announced that the Council will meet only on the third Tuesday in November and December, 1997.

13. ADJOURN - There being no further business to discuss, the meeting was adjourned by unanimous vote following a motion from Councilman Peace, seconded by Councilman Etheridge.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

SPECIAL CALLED MEETING
CANTON CITY COUNCIL
SATURDAY, OCTOBER 25, 1997 8:00 A.M.
290 EAST TYLER STREET, CANTON, TEXAS 75103

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

Discussion and action were as follows:

CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Hackney called the meeting to order and declared that a quorum was present.

EXECUTIVE SESSION FOR CONFERENCE WITH EMPLOYEES TO RECEIVE INFORMATION AND/OR QUESTION EMPLOYEES (Section 551.075) - The Council adjourned into Executive Session at 8:05 a.m. 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 551.075. During this briefing, members of the Council heard presentations and questioned employees regarding street improvements and repairs, water and sewer matters, and ordinance violations.

The Council returned to open session at 9:47 a.m. with no action taken. During this meeting, members of the Council did not deliberate public business or agency policy which affected public business.

ADJOURN - There being no further business to come before the Council, Councilman Ronnie Fugate moved that the meeting be adjourned. Councilman Jack Etheridge seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

SPECIAL CALLED MEETING
CANTON CITY COUNCIL
MONDAY, NOVEMBER 10, 1997 5:30 P.M.
290 EAST TYLER STREET, CANTON, TEXAS 75103

The Canton City Council met at the above stated date, time, and place with Ronnie Fugate, Mayor pro tem presiding. Councilmen Charles Lide, Ron Sanford and Jack Etheridge were present. Mayor Don Hackney and Councilman Jimmy Peace were absent.

1. CALL TO ORDER - Mayor pro tem Ronnie Fugate called the meeting to order and announced that a quorum was present.

2. INVOCATION - Invocation was given by Councilman Charles Lide.

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 FOR DELIBERATIONS REGARDING POTENTIAL SALE OF REAL PROPERTY (Section 551.072) - The Council adjourned into Executive Session at 5:42 p.m. to consider the proposed sale of real property owned by the City of Canton.

5. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSIONS IN EXECUTIVE SESSION - At 6:17 p.m. the Council returned into open session with no action taken.

6. ADJOURN - There being no further business to come before the Council, Councilman Etheridge moved that the meeting be adjourned. Councilman Sanford seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, NOVEMBER 18, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Dane Reynolds, son of City of Canton employee Cathy Reynolds and Roger Reynolds.

5. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

The Meeting Agenda was mis-numbered, and there was no Item No. 6.

7. APPROVE MINUTES OF OCTOBER 14, 21, 25, 1997 AND NOVEMBER 10, 1997 MEETINGS - Councilman Etheridge moved that the proposed Minutes be approved. Councilman Fugate seconded, and all were in favor.

8. APPROVE FINANCIAL STATEMENTS FOR OCTOBER 1997 - City Manager Johnny Mallory read the totals from the October Financial Statements. Councilman Etheridge moved that the financial statements be approved as presented. Councilman Lide seconded, and all were in favor.

9. DISCUSS AND CONSIDER CONSTRUCTION OF BUILDINGS BY VENDORS AT FIRST MONDAY PARK - First Monday General Manager Al Campbell reported that it has come to the attention of the First Monday Committee that numerous vendors would like to construct buildings in the First Monday park pursuant to guidelines previously adopted by the Council. However, it is difficult to obtain financing for such projects without a long-term lease. It was suggested that a five-year lease with an option for an additional five years be drafted for consideration. A lease of that type would enable a vendor to seek funding from a financial institution. Councilman Etheridge indicated that the First Monday row and lot numbers should suffice as a description without the necessity of surveying out the lots under lease. Discussion was had regarding the consequences should a vendor default on a bank loan. Councilman Fugate stated that provisions for removal of the building or assumption of the lease in the event of default should be set out in the lease. Councilman Fugate also noted that the construction of buildings adds a new look to the First Monday park. Mayor Hackney asked Mr. Campbell to come back to the Council with a proposed lease.

10. DISCUSS AND CONSIDER FIRST MONDAY RESTROOM IMPROVEMENTS - Mayor Hackney announced that only one of the costs compilations has been received, and he wanted to table the matter until the second review is received.

11. DISCUSS AND CONSIDER REQUEST OF FRIENDS OF THE LIBRARY CHRISTMAS WALK 1997 TO CLOSE BUFFALO STREET FROM ELM TO HIGHWAY 64 ON SATURDAY, DECEMBER 6, 1997, FROM 1:00 P.M. TO 8:00 P.M. - Mayor Hackney recognized Dorisene Groves, representative of Friends of the Library. Mrs. Groves explained the plans for the December 6th Tour of Homes and carriage rides along South Buffalo. She said the request to close the street is primarily a safety concern. Mayor Hackney noted that South Buffalo is a state highway. Mrs. Groves stated that the route to be closed could be moved down to Church Street beside the Police Department. Mr. Mallory stated that barricades would have to be used to close the street to through traffic but not restrict people who lived on Buffalo. Mr. Mallory and Chief of Police Ron Carroll stated that they did not see any problem with the street closure from Church Street to Elm Street. Mrs. Groves noted that contacts with churches and the schools on Buffalo had enabled them to designate parking in those lots and avoid parking on the street. Councilman Fugate moved that South Buffalo Street be closed on Saturday, December 6,

1997, from 1:00 p.m. to 8:00 p.m. from Church Street to Elm Street, with the Police Chief and his department to monitor access. Councilman Etheridge seconded, and all were in favor.

12. DISCUSS AND CONSIDER REQUEST FROM MELINDA HLAVENKA REGARDING $500 PER LOT TRANSFER FEE - First Monday concession vendor Melinda Hlavenka addressed the Council to convey her displeasure at the way information is disseminated to vendors. She stated that, due to health reasons, she was attempting to sell her business. A buyer had been located; however, the sale did not go through when she learned that the transfer fee would be $500 per lot. It had been her understanding that the transfer fee was $500 per business. Mrs. Hlavenka read a quote to the Council from the "The Guide" which stated that the fee was $500 to transfer a business. Mrs. Hlavenka stated that she has six lots and asked for the Council's consideration. Mayor Hackney asked that the matter be addressed by the First Monday Committee. Councilman Ron Sanford stated that, when the transfer fee was increased, vendors were brokering lots. Councilman Fugate stated that a $500 per lot transfer fee may be excessive for some businesses. Councilman Lide stated that he remembered voting in favor of the $500 per lot transfer fee because of the problem with people "selling" their lots. Councilman Peace agreed that in some cases the transfer fee may be steep but something has to be done to control the transfers. On behalf of the First Monday Committee, Councilman Sanford recommended that the transfer fee to reduced to $500 for the first lot and $250 each for any additional adjacent lots. Mr. Campbell said that he had been approached by several vendors who said they understand what the Council is trying to accomplish and they suggested a transfer fee of $500 per business location. Councilman Sanford moved that the transfer fee be set at $500 for the first lot at each separate location and $250 for any lots adjoining that first lot. Councilman Etheridge seconded. During discussion, Councilman Fugate asked that the staff let every vendor know of this rate change. Mr. Campbell said that an announcement can be included in "The Guide" and handbills can be distributed with renewals whether in person or by mail. All members of the Council voted in favor of Councilman Sanford's motion. When Councilman Lide asked whether the revised fee would be retroactive, Mr. Campbell stated that no transfers had been made since the new rate had taken effect.

13. DISCUSS AND CONSIDER FRANK STRINGER/CRAIG MATTINGLY EXCHANGE OF PROPERTY FOR STREET RIGHT OF WAY AT 1809 MILL CREEK - City Manager Johnny Mallory explained the plat which had been distributed to the Council. According to a recent survey, an alley in the Mill Creek Homes Subdivision was not actually constructed as it was originally platted. Consequently, the alley crosses Lot 6 owned by Craig and Amy Mattingly, and a portion of the original platted alley has been fenced by Mr. Stringer as a part of his Lot 7. Mr. Stringer has now sold his property to Linda A. Davis, and the title insurance company is requiring deeds to clarify ownership of the tracts involved. Councilman Sanford moved that the City quitclaim that portion of the dedicated alley not used in the actual alley to Linda A. Davis (the purchaser of Mr. Stringer's property) in exchange for a quitclaim deed from Craig and Amy Mattingly for that portion of the alley as constructed across their Lot 6. Jimmy Peace seconded, and Councilmen Lide, Peace, Fugate, and Sanford voted in favor. Councilman Etheridge abstained from voting due to a potential conflict. The motion carried.

14. DISCUSS AND CONSIDER RECOMMENDATION OF PLANNING AND ZONING COMMISSION ON ZONING CHANGE ON TWO TRACTS AT 1150 SOUTH BUFFALO

FROM R1 TO B1 AND B2 - Mr. Mallory informed the Council that the Planning and Zoning Commission had met to consider the request of Mr. George Yarbrough to change the zoning of two tracts located at 1150 South Buffalo. With the consent of Mr. Yarbrough, the Commission voted to zone the northern tract identified by the Van Zandt County Appraisal District as Tract 513-01 as B2 and the southern tract identified as Tract 514 as B1. Councilman Fugate moved that the zoning of these two tracts be changed pursuant to the recommendation of the Planning and Zoning Commission. Councilman Lide seconded, and all were in favor.

15. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS - Councilman Lide stated that he would like to have the issue of house numbering considered by the Council. Mr. Mallory explained that the Police Department's Explorer Scout Post has initiated a fundraising project to stencil house numbers on curbs. Councilman Lide stated that emergency personnel would be unable to locate many residents due to failure to identify their house numbers. Police Chief Ron Carroll stated that perhaps the local news agencies could encourage residents to identify their house numbers. Mayor Hackney suggested that the police and other emergency personnel monitor the situation and send letters to those houses where addresses are not displayed. Mr. Mallory announced that a staff briefing with the Council will be held Saturday, November 22, 1997, at 8:00 a.m.

16. ADJOURN - There being no further business to come before the Council, Councilman Etheridge moved that the meeting be adjourned. Councilman Sanford seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

SPECIAL CALLED MEETING
CANTON CITY COUNCIL
SATURDAY, NOVEMBER 22, 1997 8:00 A.M.
290 EAST TYLER STREET, CANTON, TEXAS 75103

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

Discussion and action were as follows:

CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Hackney called the meeting to order and declared that a quorum was present.

EXECUTIVE SESSION FOR CONFERENCE WITH EMPLOYEES TO RECEIVE INFORMATION AND/OR QUESTION EMPLOYEES (Section 551.075) - The Council adjourned into Executive Session at 8:10 a.m. 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 551.075. During this briefing, members of the Council heard presentations and questioned employees regarding street improvements and repairs, water and sewer matters, and ordinance violations.

The Council returned to open session at 9:30 a.m. with no action taken. During this meeting, members of the Council did not deliberate public business or agency policy which affected public business.

ADJOURN - There being no further business to come before the Council, Councilman Ron Sanford moved that the meeting be adjourned. Councilman Jack Etheridge seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, DECEMBER 16, 1997

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

Discussion and action were as follows:

1. CALL TO ORDER AND ANNOUNCE QUORUM - Mayor Don Hackney

2. MAYOR'S WELCOME by Mayor Don Hackney.

3. INVOCATION by Councilman Ronnie Fugate.

4. PLEDGE OF ALLEGIANCE

5. GUEST ITEMS - Mayor Hackney announced that there were no guest items for this meeting.

6. PRESENTATION OF PLAQUE OF APPRECIATION TO WALLY COOK – EMS – Mayor Hackney recognized Trinity Mother Frances EMS Director Donnie Martin. Mr. Martin announced that Wally Cook was leaving to accept the position of Youth Director with his church. Mr. Martin introduced the new supervisor, Clint Walker. Mayor Hackney presented a plaque from Mother Frances and the City of Canton to Mr. Cook recognizing his contribution to the community.

7. APPROVE MINUTES OF NOVEMBER 18 AND 22, 1997 CITY COUNCIL MEETINGS – Councilman Etheridge moved that the proposed Minutes be approved. Councilman Sanford seconded, and all were in favor.

8. APPROVE CITY OF CANTON FINANCIAL STATEMENTS FOR NOVEMBER, 1997 - City Manager Johnny Mallory read the totals from the November Financial Statements. Councilman Etheridge moved that the financial statements be approved as presented. Councilman Lide seconded, and all were in favor.

9. DISCUSS AND CONSIDER NAMING NEW FIRST MONDAY PAVILION FACILITY – First Monday General Manager Al Campbell asked to Council to consider naming the City's new pavilion structure. Mr. Campbell related several names which had been suggested to him, including First Monday Trade Center and First Monday Pavilion #1. Councilman Sanford moved that the facility be named First Monday Pavilion #1. Councilman Etheridge seconded, and all were in favor.

10. DISCUSS AND CONSIDER LONG-TERM LEASE OF LOTS FOR VENDORS CONSTRUCTING BUILDINGS IN FIRST MONDAY PARK – Mr. Campbell asked the

Council to continue their review of the proposed lease document and notify staff of any suggestions. Councilman Sanford suggested that the document be reviewed by a few vendors as well as local bankers.

11. DISCUSS AND CONSIDER APPROVAL OF MUTUAL AID AGREEMENT BETWEEN DALLAS, KAUFMAN, AND VAN ZANDT COUNTIES LAW ENFORCEMENT AGENCIES – Mr. Mallory explained that a Mutual Aid Agreement has been executed for the last two or three years to coordinate local law enforcement efforts as necessary, and he recommended its approval. Police Chief Ron Carroll explained to the Council that this Agreement is the same as the agreement between the law enforcement agencies for the last three years. Councilman Fugate moved that the proposed Mutual Aid Agreement be approved. Councilman Lide seconded, and all were in favor.

12. DISCUSS AND CONSIDER REQUEST OF MRS. EMMA TRAIL REGARDING WATER BILLING – Due to the absence of Mrs. Emma Trail, this item was not considered.

13. DISCUSS AND CONSIDER REQUEST OF DANA PUTNAM FOR WATER TAP OUTSIDE CITY LIMITS – Councilman Fugate moved that the request of Dana Putnam for a water tap outside the city limits be approved. Council Lide seconded, and all were in favor.

14. DISCUSS AND CONSIDER SALE OF UNIMPROVED ALLEY LOCATED BETWEEN 130 BEARD STREET AND 210 BEARD STREET – Mr. Mallory explained that an adjoining property owner has inquired about purchasing the referenced alley. He stated that no alley has been constructed and there appeared to be no benefit in retaining the property. Mr. Mallory recommended obtaining an appraisal on the property and offering it for sale to all of the adjoining property owners, with any survey costs to be the responsibility of the purchaser. Councilman Etheridge moved that Mr. Mallory's recommendation be approved by the Council. Councilman Fugate seconded, and all were in favor.

15. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF 1111 E. TYLER (MALOUF BUILDING) FROM RA TO B2 – Mr. Mallory informed the Council that the Planning and Zoning Commission had recommended the change of zoning on a tract of approximately 8 acres located at 1111 E. Tyler Street from RA to B2. Councilman Sanford moved that the zoning be changed from RA to B2 as recommended by the Planning and Zoning Commission. Councilman Fugate seconded, and all were in favor.

16. DISCUSS AND CONSIDER CHANGE OF ZONING OF 46.744 ACRE TRACT ON FM 2909 (LAKE MEADOW SUBDIVISION) FROM RA TO R1 – Mr. Mallory explained that the subject property had recently been annexed into the city limits and should be zoned according to its intended use. The Planning and Zoning Commission had recommended a zoning change from RA to R1. Councilman Fugate moved that the zoning be changed from RA to R1 as recommended by the Planning and Zoning Commission. Councilman Lide seconded, and all were in favor.

17. DISCUSS AND CONSIDER CHANGE OF ZONING OF 2.75 ACRE TRACT ON FM 859 (SAINT THERESA CATHOLIC CHURCH) FROM RA TO B1 - Mr. Mallory explained that the subject property had recently been annexed into the city limits and should be zoned according to its intended use. The Planning and Zoning Commission had recommended a zoning change from RA to B1. Councilman Fugate moved that the zoning be changed from RA to B1 as recommended by the Planning and Zoning Commission. Councilman Etheridge seconded, and all were in favor.

18. DISCUSS AND CONSIDER ANNEXATION OF TWO TRACTS LOCATED ON HIGHWAY 64 EAST AND TWO TRACTS LOCATED ON FM 17 OWNED BY FRANK CORRY, INCLUDING ANY CONTIGUOUS ROADWAY AND RIGHT-OF-WAY – Mr. Mallory presented the petition of the property owners for the Council's consideration. Councilman Sanford moved that the petition be accepted. Councilman Etheridge seconded, and all were in favor.

19. DISCUSSION PERTAINING TO OLD BUSINESS AND NEW BUSINESS TO BE PLACED ON FUTURE AGENDAS – Councilman Fugate requested that Mr. Mallory visit with the County Judge regarding the City's acceptance of animals from the County and that such be placed on a future agenda in the event there was an interest from the County. Mayor Hackney reminded City staff that the proposed long-term lease discussed under Item No. 10 should be included in the next agenda.

20. ADJOURN - There being no further business to come before the Council, Councilman Sanford moved that the meeting be adjourned. Councilman Etheridge seconded, and all were in favor.

Don Hackney, Mayor

ATTEST:

Rhita Koches, City Secretary

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Rhita Koches, City Secretary