

**REGULAR MEETING OF THE CANTON CITY COUNCIL**

**6:00 P.M., TUESDAY, JANUARY 21, 2014**

City Hall Council Chambers

290 East Tyler Street

Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Marilyn Burrage, Elisa Heard, Cary Hilliard, Shawn Stewart and Jerry Yarbrough. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, Police Chief Mike Echols, Fire Chief Bud Sanford, City Attorney Ron Stutes, and Assistant City Secretary Debra Johnson were also in attendance. Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. INVOCATION was given by Judge Lilia Durham.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Stewart.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed students attending the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA - None

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 10 AND 17, 2013 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF DECEMBER 2013 FINANCIAL STATEMENTS
10. CONSIDER ADOPTION OF RESOLUTION NO. 2014-01 REQUIRING COUNCIL APPROVAL ON ALL NEW LEASES OR EXTENDING EXISTING LEASES FOR INDIVIDUAL BUILDINGS ON FIRST MONDAY TRADE DAYS GROUNDS

Mayor Lawrence postponed Item No. 10 to the next regular meeting. Items 8 and 9 of the Consent Agenda were unanimously approved upon motion by Councilmember Heard and second by Councilmember Hilliard.

**INDIVIDUAL CONSIDERATION**

11. CONSIDER ADOPTION OF RESOLUTION NO. 2014-02 DECLARING SUPPORT FOR THE PROPOSED OAKS OF WESTVIEW DEVELOPMENT (CURRENTLY WESTVIEW

APARTMENTS) LOCATED AT 1201 WEST COLLEGE, CANTON, TEXAS, A JOINT HOUSING TAX CREDIT AND HOME FUNDS APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE YEAR 2014 – Councilmember Burrage made a motion to adopt Resolution No. 2014-02. Second was made by Councilmember Yarbrough.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

12. CONSIDER ADOPTION OF RESOLUTION NO. 2014-03 ACKNOWLEDGING THE CITY OF CANTON HAS MORE THAN TWICE THE STATE AVERAGE OF UNITS PER CAPITA SUPPORTED BY HOUSING TAX CREDITS, DECLARING SUPPORT FOR THE PROPOSED OAKS OF WESTVIEW DEVELOPMENT (CURRENTLY WESTVIEW APARTMENTS) LOCATED AT 1201 WEST COLLEGE, CANTON, TEXAS, APPROVING THE ACQUISITION AND REHAB OF THE DEVELOPMENT, AND AUTHORIZING AN ALLOCATION OF HOUSING TAX CREDITS – Councilmember Hilliard made a motion to adopt Resolution No. 2014-03. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

13. CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH VAN ZANDT COUNTY FOR CANTON TO PROVIDE FIRE SUPPRESSION SERVICES IN CANTON'S EXTRATERRITORIAL JURISDICTION – Councilmember Hilliard made a motion to approve the agreement with Van Zandt County. Councilmember Stewart seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

14. REPORT ON FIRE CODE AND FIRE HYDRANT INSPECTIONS AND COMPLIANCE – Chief Bud Sanford gave a report on the buildings in the City and the compliance with the Fire Code as well as a status report on the fire hydrants within the City.

15. CONSIDER ADOPTION OF ORDINANCE NO. 2014-01 AMENDING THE SIGN ORDINANCE – No motion. Item postponed by Mayor Lawrence.

16. CONSIDER SCHEDULING CALLED MEETING FOR PLANNING & ZONING TRAINING SESSION – Council agreed to have a Planning & Zoning training session on February 21, 2014, from 1 p.m. to 5 p.m.

17. CONSIDER SCHEDULING AND PROCEDURES FOR CITY MANAGER'S EVALUATION – Mayor Lawrence requested all councilmembers complete the evaluation form presented to each of them and to return it to him within thirty days. They would then schedule a special meeting to review the evaluation with Mr. Cluck.

## 18. COMMITTEE MEETING REPORTS

- A. NEW CITY HALL – no report
- B. HOSPITAL DEVELOPMENT – Mayor Lawrence asked Ms. Seymore to set up a meeting with the representatives from Trinity Mother Frances and the local physicians.
- C. WATER / WASTEWATER PLANNING – Councilmember Yarbrough requested Ms. Seymore schedule a meeting of the committee. He requested members come to the meeting with ideas for conserving water.
- D. MILL CREEK LAKE PARK TRAILS – Ms. Seymore said she has not yet received the contract from Texas Parks & Wildlife.
- E. PARKS – No report
- F. FIRST MONDAY – No report
- G. FIRST MONDAY TRAFFIC CONTROL PLAN – Councilmember Hilliard said the committee was waiting on work from Mark McLanahan from TxDOT to give us suggestions on possible solutions.
- H. FIRST MONDAY AUDIT TASK FORCE – Councilmember Burrage said the task force had met the night before but had not yet had a chance to prepare an action plan. Mr. Stutes agreed to review any action plan suggested by the task force.
- I. STREETS/PUBLIC WORKS – No report
- J. PUBLIC SAFETY – Councilmember Heard expressed gratitude that the police had been monitoring speeding on West College Street.
- K. FINANCE / AUDIT – No report

## 19. CITY MANAGEMENT REPORTS

- A. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck reported the sidewalk project had begun. He was not sure if they were going to remove the awnings, as originally planned. Councilmember Stewart suggested a temporary ramp be placed in front of the last business on Tyler Street to give more direct access.
- B. FIRST MONDAY LOCK & LEAVE BUILDING – Mr. Cluck reported they were probably going to be able to eliminate pouring friction piers, which would save money. Councilmember Hilliard asked if a metal floor would save money on the building. Mr. Cluck said they would have some alternatives in the bid to give more building options.
- C. WATER TOWER – Mr. Cluck reported they had started welding the metal around the water tower. It would still be June or July before they were finished.

Mr. Cluck said Mr. Stutes had prepared a drug testing policy. Staff had to contact the people doing the drug test for their input. He hoped to begin in the next month.

### EXECUTIVE SESSION

In accordance with the authority contained in Section 551.071 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING CITY OF CANTON, TEXAS V. ZANBAKA USA, LLC (Section 551.071) - Mayor Lawrence convened Council into Executive Session at 7:51 p.m.
21. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING REAL PROPERTY MATTERS (Section 551.071)

### RETURN TO OPEN SESSION

22. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 8:16 PM. Councilmember Hilliard made a motion to instruct Ron Stutes to write a letter to Mr. Gillis asking that his client reimburse the City of Canton for legal fees incurred as a result of the lawsuit. Councilmember Yarbrough seconded. Councilmember Stewart offered an amendment asking that the letter suggest a reimbursement through a contribution to a local Canton charity of Mr. Zoubi's choice. Councilmember Hilliard declined the amendment. Councilmember Heard suggested an amendment to instruct Ron Stutes to write a letter to Mr. Zoubi's attorney asking for reimbursement of legal fees by making a contribution to the City of Canton organization or ongoing project of his choice which benefits the citizens of Canton. Councilmember Hilliard accepted the amendment. Councilmember Yarbrough seconded the amendment.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

23. ITEMS FOR FUTURE AGENDAS – Councilmember Yarbrough asked that Council discuss and possibly take action to not have First Monday property owners serving on Council.
24. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:29 p.m.

Richard W. Lawrence, Mayor

ATTEST:

Julie H. Seymore, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, FEBRUARY 18, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Marilyn Burrage, Elisa Heard, Cary Hilliard, Shawn Stewart and Jerry Yarbrough. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, Police Chief Mike Echols, City Attorney Ron Stutes, CEDC Director Albert Gonzalez, and Assistant City Secretary Debra Johnson were also in attendance. Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Judge Durham.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Yarbrough.
4. MAYOR'S WELCOME – Mayor Lawrence introduced Albert Gonzalez, new CEDC director. Julie Seymore introduced new administrative employee Bristol Lewis.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATION RECOGNIZING LONNIE AND ELVIRA BROWNING FOR THEIR CONTRIBUTIONS TO CANTON'S BUSINESS COMMUNITY FOR 42 YEARS – Mayor Lawrence read the proclamation and thanked the Brownings for their contribution to the community.

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Ray Murphree updated Council on his efforts to bring a movie theater to Canton. Helen Gammon expressed displeasure about the expansion of the disc golf course and that clearing the trees exposed houses in the neighborhood to unwanted visitors and loud music. Mayor Lawrence asked Mr. Cluck and Chief Echols to examine the situation and report back to Council. Jimmy Hair said he could not locate the agenda for the long-range water committee on the website.

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE JANUARY 21, 2014 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF JANUARY 2014 FINANCIAL STATEMENTS
10. CONSIDER ACCEPTANCE OF THE ANNUAL RACIAL PROFILING REPORT
11. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT WITH CANTON INDEPENDENT SCHOOL DISTRICT FOR MAY 10, 2014 GENERAL ELECTION

12. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR MAY 10, 2014 GENERAL ELECTION
13. CONSIDER ADOPTION OF RESOLUTION NO. 2014-04 APPOINTING DEPUTY CITY SECRETARIES

Councilmember Hilliard made a motion to approve the items on the Consent Agenda. Councilmember Burrage seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

#### INDIVIDUAL CONSIDERATION

14. CONSIDER ADOPTION OF ORDINANCE NO. 2014-02 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 10, 2014, FOR THE PURPOSE OF ELECTING THREE CITY COUNCILMEMBERS; PROVIDING FOR NOTICES, VOTING EQUIPMENT AND A JOINT ELECTION WITH CISD; AND DESIGNATING THE POLLING PLACES AND TIMES FOR EARLY VOTING AND ELECTION DAY – Councilmember Yarbrough made a motion to adopt Ordinance No. 2014-02. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

15. RECEIVE PRESENTATION OF TWO CERTIFIED PETITIONS CIRCULATED BY THE VAN ZANDT COMMITTEE FOR ECONOMIC GROWTH FOR (1) A LOCAL OPTION ELECTION TO LEGALIZE THE LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY IN THE CITY OF CANTON AND (2) A LOCAL OPTION ELECTION TO LEGALIZE THE LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY IN THE CITY OF CANTON – Julie Seymore presented certification of the petitions. She reported 259 signatures were needed on the petitions. 323 signatures had been verified on the petition for the legal sale of beer and wine for off-premise consumption and 318 for the petition for the legal sale of mixed beverages in restaurants by food and beverage certificate holders.
16. CONSIDER ADOPTION OF ORDINANCE NO. 2014-03 CALLING A SPECIAL LOCAL OPTION LIQUOR ELECTION TO BE HELD ON MAY 10, 2014, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS TWO PROPOSITIONS TO LEGALIZE: (1) THE LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY IN THE CITY OF CANTON AND (2) THE LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY IN THE CITY OF CANTON; PROVIDING FOR NOTICES, VOTING EQUIPMENT AND A JOINT ELECTION WITH CISD; AND DESIGNATING THE POLLING PLACES AND TIMES FOR EARLY VOTING AND ELECTION DAY – Councilmember Hilliard made a motion to adopt Ordinance No. 2014-03. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

17. CONSIDER ADOPTION OF RESOLUTION NO. 2014-05 APPOINTING ELECTION JUDGE, ALTERNATE ELECTION JUDGE, AND EARLY VOTING BALLOT BOARD JUDGE FOR MAY 10, 2014 GENERAL AND SPECIAL ELECTIONS – Councilmember Yarbrough made a motion to adopt Resolution No. 2014-15. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

18. CONSIDER ADOPTION OF RESOLUTION NO. 2014-01 REQUIRING COUNCIL APPROVAL ON ALL NEW VENDOR BUILDINGS AND NEW, MODIFIED OR EXTENDED LEASES FOR INDIVIDUAL BUILDINGS, ON CITY'S FIRST MONDAY TRADE DAYS PROPERTY – Councilmember Hilliard made a motion to adopt Resolution No. 2014-01. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

Mayor Lawrence recognized the Boy Scouts in the audience.

19. CONSIDER ADOPTION OF RESOLUTION NO. 2014-06 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S FINANCIAL SUPPORT FOR THE PROPOSED AFFORDABLE HOUSING PROJECT THE OAKS OF WESTVIEW DEVELOPMENT (CURRENTLY WESTVIEW APARTMENTS) LOCATED AT 1201 WEST COLLEGE, CANTON, TEXAS, SUBMITTED BY K.F. WESTVIEW LTD. – Councilmember Hilliard made a motion to adopt Resolution No. 2014-06. Councilmember Stewart seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

20. CONSIDER AUTHORIZING SOUTHWEST SECURITIES TO TAKE BIDS FOR THE REFUNDING OF THE CITY'S 2003 CO'S\_- Councilmember Stewart made a motion to authorize Southwest Securities to go out for bids for refunding the City's 2003 CO's. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve

Councilmember - Elisa M. Heard: Approve  
Councilmember - Shawn Stewart: Approve  
Councilmember - Jerry "Yogi" Yarbrough: Approve

21. CONSIDER APPOINTING A COMMITTEE TO RECOMMEND A SELECTION FOR CITIZEN OF THE YEAR AWARD – Councilmembers Hilliard and Burrage and staff member Debra Johnson were appointed to the committee.

22. COMMITTEE MEETING REPORTS

- A. NEW CITY HALL – No report from the Committee. Councilmember Hilliard said another citizen approached him about the new city hall and he had passed that information on to Councilmember Burrage.
- B. HOSPITAL DEVELOPMENT – Councilmember Hilliard said they were scheduling another meeting. Ms. Seymore said it would be February 24 or March 4.
- C. WATER / WASTEWATER PLANNING – Councilmember Yarbrough said a meeting was scheduled for February 20 at 6:00 p.m.
- D. MILL CREEK LAKE PARK TRAILS – Councilmember Stewart said he and Councilmember Burrage met with Meghan Deen and Mark Spencer and walked around the lake to identify the layout of the trail. Councilmember Stewart felt everyone would be able to have a use for this trail. Mr. Spencer would create a contract for engineering services and contact Austin about getting the funding issue resolved. Ms. Seymore said the delay was due to Texas Department of Parks & Wildlife's new administrative processes for the grant. Councilmember Stewart said this project would be a great volunteer project for everyone, including the Boy Scouts.
- E. PARKS – Mayor Lawrence requested Councilmember Stewart coordinate with the Parks Committee about the issue brought up by Ms. Gammon. Councilmember Hilliard thought they were doing a really good job at the disc golf course laying out the new holes. He said Mr. Cluck instructed volunteers to stay at least 100 feet from any houses. He felt the lack of privacy now was due to the leaves being off the trees. He felt the disc golf course would bring more people to Canton. It would enhance the park. Councilmember Hilliard thought security issues in the park could be resolved. Mr. Cluck said the bushes that were cut out were going to be burned on site. Councilmember Hilliard said the new golf holes were a good place to walk as well as to play disc golf. Councilmember Heard said she had an issue with people coming onto her property because she lived on the lake, but she could put up a privacy fence if it was too much of a problem. She said a privacy fence could help keep people away from any property by the disc golf course. Mr. Cluck said he had asked those working on the golf course to keep a greenbelt and to keep a distance of at least 100 feet from the property on the other side. Councilmember Burrage felt the City might be able to plant bushes to create more privacy for those houses. Councilmember Heard said once the leaves came in, the privacy would not be an issue.
- F. FIRST MONDAY – Mr. Cluck said they were scheduling a meeting soon.
- G. FIRST MONDAY TRAFFIC CONTROL PLAN – Councilmember Hilliard said TxDOT was getting information together and thought they could have a meeting in the next couple weeks.

- H. FIRST MONDAY AUDIT TASK FORCE – Councilmember Burrage reported the task force had held several meetings with staff and had another planned for Thursday. She complimented Mr. Cluck, Ms. Boston and Ms. Seymore about how great they had been during this process.
- I. STREETS/PUBLIC WORKS – No report
- J. PUBLIC SAFETY – No report
- K. FINANCE / AUDIT – No report

### 23. CITY MANAGEMENT REPORTS

- A. HWY 19 WATER LINE – Mr. Cluck reported they should open bids on the Highway 19 water line by the end of the month.
- B. WATER TOWER – Mr. Cluck said they started sandblasting the tower and were getting ready to start painting.
- C. FIRST MONDAY LOCK & LEAVE BUILDING – Mr. Cluck said the bids would go out in early March and be back the middle of April.
- D. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck said he had an emergency meeting yesterday with Mr. Burton about this matter because the construction crew had quit. Mr. Burton was going to write them a letter to get them started again. Mr. Cluck said they were originally going to remove the awnings or hang them from the buildings. The contractor was then instructed to leave the posts for the awnings in the sidewalk. The additional cost to work around the posts would be \$1800-2000. He wanted Council to be aware of this. Councilmember Hilliard asked who wanted the posts to remain. Mr. Cluck said it was the building owners who did not want to pay to have the awnings suspended. Councilmember Stewart said this had not been discussed by the Main Street board. They did not have another meeting for three weeks. Mr. Cluck said there was enough money in the grant to cover the additional cost. Ms. Seymore said they could get cost estimates for taking down the awnings. Councilmember Yarbrough agreed this should be something the Main Street board should review. Mr. Cluck said this was originally a Main Street project led by Ms. Kitchens. Mayor Lawrence recommended letting the committee review this and bring it back to Council.
- E. EMPLOYEE RANDOM DRUG TESTING PROGRAM – Ms. Seymore said the city attorney drafted procedures and Ingram Chiropractic had reviewed them. Staff had selected a random sampling program, but still needed to notify the employees before testing could proceed.
- F. SALES TAX REPORT – Ms. Seymore said the City was down 1.4% in sales taxes year-to-date. She said staff was watching the trend and would make budget adjustments, as necessary.

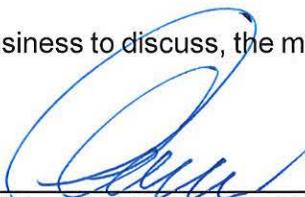
### EXECUTIVE SESSION

**In accordance with the authority contained in Section 551.071 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

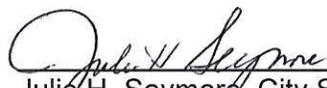
24. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING PROPOSAL TO RESTRICT FIRST MONDAY PROPERTY OWNERS FROM ELIGIBILITY FOR CITY OFFICE (SECTION 551.071) – Mr. Yarbrough said he had looked into this matter and felt like it could not be done. He recommended not convening into Executive Session.

**RETURN TO OPEN SESSION**

25. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION
26. ITEMS FOR FUTURE AGENDAS - Ms. Seymore reminded everyone next month was the beginning of the budget process. She requested Council review the budget goals so they could provide updates.
27. ADJOURN – There being no further business to discuss, the meeting was adjourned at 7:04 p.m.

  
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 Richard W. Lawrence, Mayor

ATTEST:

  
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 Julie H. Seymore, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, MARCH 18, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Marilyn Burrage, Elisa Heard, Cary Hilliard, Shawn Stewart and Jerry Yarbrough. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, Police Chief Mike Echols, City Attorney Ron Stutes, and Assistant City Secretary Debra Johnson were also in attendance.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Councilmember Yarbrough.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Hilliard.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – None

## 6. PROCLAMATIONS AND ANNOUNCEMENTS

- A. PROCLAMATION OBSERVING APRIL AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF CANTON
- B. RECOGNIZE CITY EMPLOYEES VOTED AS BEST IN THEIR CATEGORY BY VAN ZANDT NEWS SUBSCRIBERS -
- CHIEF BUD SANFORD – BEST FIREFIGHTER IN VAN ZANDT COUNTY
  - SGT. STEVE HALL – BEST POLICE OFFICER IN VAN ZANDT COUNTY
  - RITA RAGSDALE – BEST CITY WORKER IN VAN ZANDT COUNTY

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – None

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE FEBRUARY 18, 2014 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF FEBRUARY 2014 FINANCIAL STATEMENTS - Councilmember Yarbrough made a motion to approve the items on the Consent Agenda. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

**INDIVIDUAL CONSIDERATION**

10. CONSIDER REQUEST FROM JASON AND JENNIFER CRUM FOR A DOOR-TO-DOOR SOLICITATION PERMIT ON BEHALF OF HANDY MAN HONEY DO'S, A HOME REPAIR BUSINESS – Councilmember Hilliard made a motion to approve the request from Jason and Jennifer Crum for a door-to-door solicitation permit. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

11. CONSIDER APPROVAL OF CONTRACT WITH MHS PLANNING & DESIGN, LLC FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE MILL CREEK LAKE TRAIL – Councilmember Yarbrough made a motion to approve the contract with MHS Planning & Design, LLC contingent upon funding. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve

Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

12. CONSIDER AWARDING BID FOR 12" WATER MAIN ON HIGHWAY 19 FROM DALLAS STREET TO WYNNE ROAD – Ray Brumley reported the following bids were received:

4M Construction	\$404,275.56
7H Construction Company	\$410,480.45
Doughtie Construction	\$449,519.90
Haltom Construction	\$462,433.30
Capps-Capco Construction	\$465,828.45
AAA Sanitation	\$533,398.80
McKinney & Moore	\$533,898.94
A&M Constructions	\$608,724.00
Duplicchain Contractors	\$622,428.50
Baker's Contracting	\$648,593.30

Councilmember Hilliard made a motion to award the bid to 4M Construction for the amount of \$404,275.56 as recommended by Mr. Brumley. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

13. CONSIDER ADOPTION OF ORDINANCE NO. 2014-04 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF CANTON, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BOND; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT - Councilmember Stewart made the motion to award the bid to American National Bank. Councilmember Burrage seconded. After some discussion, Councilmember Stewart amended his motion to choose Option 1 Debt Services and Savings Schedule and to adopt Ordinance 2014-04. Councilmember Burrage seconded the amendment.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

14. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-05 AMENDING THE 1985 ZONING ORDINANCE FOR THE CITY OF CANTON, TEXAS, AS HERETOFORE AMENDED, RELATING TO PERMITTED USES BY RIGHT AND SPECIFIC USE PERMITS IN THE GENERAL INDUSTRIAL DISTRICT (GI-1) ZONING – Mayor Lawrence opened a public hearing at 6:40 p.m. There being no comments, the public hearing was closed at 6:41 p.m.

Councilmember Hilliard made a motion to adopt Ordinance No. 2014-05. Councilmember Yarbrough seconded.

After some discussion, Councilmember Stewart made a motion to table a decision on the item until later in the meeting. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

This item was later discussed following item 18. Councilmember Stewart made a motion to take Item 14 off the table. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

Councilmember Hilliard made a motion to adopt Ordinance 2014-05 with Option 2. Councilmember Stewart seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

15. CONSIDER APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE CANTON ECONOMIC DEVELOPMENT CORPORATION – Councilmember Stewart made a motion to reappoint Johnny Blevins and Kevin Deibert to the CEDC. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

Councilmember Hilliard made a motion to appoint Steven Dye to the CEDC. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

16. DISCUSS COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2014-15 PROPOSED BUDGET; APPROVE FISCAL YEAR 2014-15 BUDGET CALENDAR – Councilmember Hilliard made a motion to approve the recommended changes to the goals and objectives and to approve the fiscal year 2014-2015 budget calendar. Councilmember Yarbrough seconded. Councilmember

Hilliard amended his motion to approve the fiscal year 2014-2015 budget calendar. Councilmember Yarbrough seconded the amendment.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

## 17. COMMITTEE MEETING REPORTS

- A. NEW CITY HALL – Councilmember Burrage requested Ms. Seymore schedule a meeting for this committee.
- B. HEALTH SERVICES DEVELOPMENT – Councilmember Hilliard said the committee met and discussed the range of options. Their goal was to one day have a larger medical facility with emergency services. It was not economically feasible right now for Mother Frances. The hours of operation at the clinic had been expanded. The committee had decided there should be a link on the City website to outline the medical services available to residents. Ms. Seymore was the point of contact. Mayor Lawrence said the idea was the more everyone utilized medical services here, the more likely additional medical services would be brought into town.
- C. WATER / WASTEWATER PLANNING – Councilmember Stewart said the committee met and had a good conversation about drilling wells and other objectives of the Region D Water Planning Board. There was a consensus that the City should immediately spread the word on conservation and to get information on drilling a new well. The City was approved for one new well already and they would request permission for one more. Councilmember Yarbrough said they also discussed using the lake as much as possible in order to save groundwater. He felt conservation was the first thing that needed to be done. He also felt the City should dredge the lake and feeder creeks and should start to include that in the budget each year. Councilmember Hilliard requested Ms. Seymore write the Region D planning group to ask that another well be included in their next five-year plan. Councilmember Yarbrough said the new well did not have to be drilled right away, but the City could try to get approval for another one now.
- D. MILL CREEK LAKE PARK TRAILS – Councilmember Stewart said they were waiting on funding.
- E. PARKS – Councilmember Stewart said he had looked into the concerns of the residents about the disc golf course and its proximity to homes on Curry Lane. He felt the golfers had stayed at least 100 feet from any property line. Although he understood the concerns of the neighbors, there would be some foot traffic there because it was a park. Mr. Cluck said he and Chief Echols had also looked into the matter and felt there was little trouble in the area at this time, but would address the matter if that changed. Councilmember Stewart said one of the woman admitted it was not the disc golfers she was concerned about, but teenagers who went into the park after dark. The disc golfers treated the property as though it were their own. Councilmember Burrage said the area would soon fill up with undergrowth. Councilmember Hilliard said the disc golfers now had ten or eleven holes completed. Mr. Cluck said they had done most of the work without help from the City.

- F. FIRST MONDAY – Mr. Cluck reported some people had been soliciting for a veterans' group on Hwy. 19 during the last First Monday. Lt. Allison said there was no state law against it. He later confirmed the City had an ordinance that prohibited it and the Police Department would enforce this in the future.
- G. FIRST MONDAY TRAFFIC CONTROL PLAN – Councilmember Hilliard said he attended a meeting with TxDOT employees Randy Hopson and Mark McLanahan. They were still doing studies on this issue and they would meet again in a few weeks.
- H. FIRST MONDAY AUDIT TASK FORCE – Councilmember Burrage said the committee met that day. They were not yet ready for a report. She appreciated the staff's help in gathering information.
- I. STREETS/PUBLIC WORKS – Councilmember Heard said they were waiting to see what happened with the water line after the new water tower was in operation before they discussed what streets should be upgraded.
- J. PUBLIC SAFETY – Councilmember Heard said she and Councilmember Hilliard had not met since shortly after the election. She felt the City should be proactive in case citizens voted to sell beer and wine. She felt it would have a direct effect on the police and fire departments. The police department might need to get a new patrol car and increase its staff to handle problems if the propositions passed. Chief Echols did not feel it would affect his department much because they would not be consuming alcohol on the property. If anyone had alcohol at First Monday, they pretty much kept it hidden. They had to respond to some calls on the grounds, but not a lot. It was usually after hours. Councilmember Heard felt the police officers and first responders would get the brunt of problems that occurred. She said Council wanted to get educated about what to expect and asked Chief Echols to help educate them on the issue. Chief Sanford felt it would be very minimal for his department. Municipal Court Judge Lilia Durham felt education in the school and getting proactive on programs would be key. Ms. Seymore said Council would review ordinances at the April meeting to determine if any changes needed to be made. Councilmember Hilliard said they needed to look at the impact this might have on the budget.
- K. FINANCE / AUDIT – Ms. Seymore said the auditors would have a copy of the audit to staff by the end of the week. Council would meet on March 26 to review the audit. She suggested the Finance/Audit Committee meet on Monday to review the audit before it was presented to Council.

#### 18. CITY MANAGEMENT REPORTS

- A. SPRING CLEANUP – Mr. Cluck reported April 14-17 were tentative dates for the Spring Clean-up. The City would run ads in the paper and put the information on the website and radio.
- B. WATER TOWER – Mr. Cluck said they had put paint thinner on the graffiti painted on the water tower. They would repaint those places. The tower should be raised in about a week.
- C. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck said the new crew was making progress. He hoped to finish the project soon.

- D. FY 2013 AUDIT – Ms. Seymore said there would be a Council meeting on March 26 at 6:00 p.m. to review and accept the audit.
- E. MAY 10, 2014 GENERAL AND SPECIAL ELECTIONS – Ms. Seymore announced early voting would be April 28 through May 2 from 8 am to 5 pm and on May 5 -6 from 7 am to 7 pm at the City Office Complex. The election would be May 10. Those interested in voting had to be registered by April 10. The deadline to apply for a mail ballot was May 1.
- F. EMPLOYEE DRUG TESTING IMPLEMENTATION – Ms. Seymore reported the guidelines were distributed to employees and staff was waiting on receipt of the acknowledgments prior to testing.

Council revisited item 14. See subsequent action under that item.

### EXECUTIVE SESSION

**In accordance with the authority contained in Section 551.071 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

- 19. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING RAMIFICATIONS OF WET/DRY ELECTION (SECTION 551.071) – Mayor Lawrence convened Council into Executive Session at 7:51 p.m. to discuss the ramifications of a wet/dry election.

### RETURN TO OPEN SESSION

- 20. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 8:12 p.m.

Councilmember Hilliard made a motion to instruct the city attorney to explain the ramifications of Propositions 1 and 2 passing. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

Ron Stutes explained that the confidentiality of his advice belongs to City and Councilmember Hilliard gave a good reason for it to be waived in this instance. He said his opinion was that the State of Texas entrusted alcohol regulation to TABC in the Texas Alcoholic Beverage Code. This had been upheld by the Texas Supreme Court in a case where the City of Dallas tried to enact strict alcohol regulations using the zoning powers of a city. This created a conflict with state law and the Texas Supreme Court found in favor of TABC and said regulation of alcohol belongs to the TABC. As the law stands today, the city cannot enact zoning regulations that are more strict for an establishment that sells alcohol than for an establishment that does not sell alcohol. There are some exceptions to that and The City has enacted most of those. Even though it is not legal to sell alcohol in Canton, it's already in the books that a person can't sell beer in residential areas as well as within certain distances from schools and hospitals. Those ordinances are valid and will

apply. What the City also has the power to do is control its own property. It can, through its leases with the entities it leases its property to, control what that entity can do under that lease. If the City wants to say you can't sell food, that's permissible. That's the control you have because you are the property owner. That's not regulatory power, that's property owner power which is not limited by TABC. Similarly, if someone owned a piece of property in downtown Canton and suddenly it was wet and that person leases to a restaurant but he doesn't want them to sell alcohol, he can do that. That's the difference. The fact is there are parts of First Monday that the City of Canton is not the owner of the land, and there the City is limited as a regulatory entity. It can't tell other landowners that they cannot sell alcohol. The sale of alcohol in those instances cannot be regulated. Regarding the idea of consumption of alcohol in public parks, that power is not affected by a wet/dry election. The City can regulate consumption of alcohol in parks. Councilmember Hilliard asked hypothetically if the propositions pass and if the property owner has First Monday property and he allows restaurants to sell alcohol, is there nothing the City can do? Mr. Stutes responded there is nothing the City could do as far as he can see. Councilmember Hilliard pointed out it was possible that a large part of First Monday could sell alcohol and the City could do nothing about it. It is probable there would be a wet part of First Monday and a dry part.

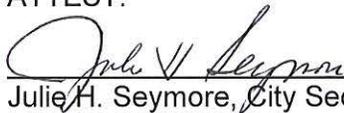
21. ITEMS FOR FUTURE AGENDAS – Councilmember Yarbrough asked for a discussion regarding an ordinance against texting while driving within the city. Councilmember Heard asked that the possibility of recycling glass be added to the agenda.
22. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:25 p.m.




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Richard W. Lawrence, Mayor

ATTEST:




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Julie H. Seymore, City Secretary

### **CALLED MEETING OF THE CANTON CITY COUNCIL**

**6:00 P.M., WEDNESDAY, MARCH 26, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

### **MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Pro Tem Cary Hilliard, Councilmembers Marilyn Burrage, Elisa Heard, Shawn Stewart, and Jerry Yarbrough. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, and City Accountant Kimberly Kroha were also in attendance.

Discussion and action were as follows:

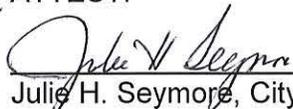
1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Pro Tem Cary Hilliard at 6:01 p.m.
2. PRESENTATION AND CONSIDER ACCEPTANCE OF 2012-2013 FISCAL YEAR AUDIT – Neil Conway, Conway Company CPAs, presented the FY 2012-2013 audit. Councilmember Yarbrough made a motion to accept the 2012-2013 fiscal year audit. Councilmember Burrage seconded.  
  
Mayor Pro Tem - Cary Hilliard: Approve  
Councilmember - Marilyn Burrage: Approve  
Councilmember - Elisa M. Heard: Approve  
Councilmember - Shawn Stewart: Approve  
Councilmember - Jerry "Yogi" Yarbrough: Approve
3. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart asked that a fence related to the disc golf neighbors be added to the agenda. Councilmember Hilliard said the woman needed to speak with Mr. Cluck before the meeting. He requested Mr. Cluck contact the woman.
4. ADJOURN – There being no further business to discuss, the meeting was adjourned at 6:37 p.m.




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Richard W. Lawrence, Mayor

ATTEST:




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Julie H. Seymore, City Secretary

## REGULAR MEETING OF THE CANTON CITY COUNCIL

**6:00 P.M., TUESDAY, APRIL 15, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

### MINUTES

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Marilyn Burrage, Elisa Heard, Cary Hilliard, Shawn Stewart and Jerry Yarbrough. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, City Attorney Ron Stutes, Municipal Judge Lilia Durham, CEDC Director Albert Gonzalez, First Monday Operations Supervisor Linda Boston, and Assistant City Secretary Debra Johnson were also in attendance.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.

2. INVOCATION was led by Councilmember Yarbrough.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Hilliard.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. PRESENTATION OF ANNUAL SCHOLARSHIPS PROVIDED BY SANITATION SOLUTIONS – Josh Bray, Sanitation Solutions, said his company had agreed to provide \$500 scholarships annually to two seniors from Canton ISD. The recipients had not yet been selected.

#### **CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Cindia Malone, a First Monday vendor, expressed her unhappiness with the way the weather situation was handled during the March First Monday. Her husband, Pat Malone, asked that the City look for ways to help the vendors instead of penalizing them. Councilmember Burrage said the First Monday Task Force had conducted a survey of First Monday vendors this past month and the bad weather situation was a major issue for everyone.

#### **CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE MARCH 18 AND 26, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF MARCH 2014 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF CONTRACT WITH PYRO SHOWS FOR JULY 4<sup>TH</sup> 2014 FIREWORKS DISPLAY
11. CONSIDER APPROVAL OF NATIONAL RECREATIONAL TRAILS FUND AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE MILL CREEK LAKE TRAILS PROJECT

Councilmember Heard made a motion to approve the items on the Consent Agenda with the correction to the minutes. Councilmember Stewart seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

#### **INDIVIDUAL CONSIDERATION**

12. CONSIDER SELECTION OF CITY OF CANTON'S CITIZEN OF THE YEAR AWARD TO BE PRESENTED AT THE CANTON TEXAS CHAMBER OF COMMERCE GALA –

Councilmember Heard made a motion to approve the recommendation made by the committee. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

13. CONSIDER HELEN GAMON'S REQUEST FOR THE CITY TO ERECT A PRIVACY FENCE BETWEEN CHERRY CREEK PARK AND HER PROPERTY ON CURRY LANE – Councilmember Heard made a motion to postpone the item to the next meeting to gather more information. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

14. CONSIDER ALL MATTERS RELATED TO THE FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2, INCLUDING APPROVAL TO MOVE FORWARD WITH THE PROJECT, AUTHORIZATION FOR THE EXPENDITURES, AND DECIDING ON THE SOURCE OF FUNDING – Councilmember Hilliard made a motion to move forward with the project and to give authorization for expenditures. Councilmember Yarbrough seconded. Councilmember Stewart made a point of order that we should specify the source of funding in the motion. Councilmember Hilliard withdrew his motion. Councilmember Yarbrough agreed to the withdrawal. Councilmember Hilliard made a motion to move forward with the project and to borrow the necessary funds to complete the project.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

15. CONSIDER AWARDING BID FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – UTILITY RELOCATION – The following bids were received:

4M Construction Services	\$57,925.25
Duplicchain Contractors	\$63,132.50

Councilmember Yarbrough made a motion to award the bid for the First Monday Lock and Leave Building No. 2 – Utility Relocation to 4M Construction Services for \$57,925.25. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

16. CONSIDER AWARDING BID FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – FOUNDATION AND SITE WORK – The following bids were received:

Athens Steel Buildings	\$191,121.75
Henderson Concrete	\$220,112.50

Councilmember Yarbrough made a motion to award the bid for the First Monday Lock and Leave Building No. 2 to Athens Steel Buildings for \$191,121.75. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

17. CONSIDER AWARDING BID FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – METAL BUILDING – The following bids were received:

Athens Steel Buildings	\$ 32,389.02
Van Zandt Steel	\$391,061.09
Gila Constructions	Bid did not qualify

Councilmember Hilliard made a motion to award the bid for the First Monday Lock and Leave Building No. 2 – Metal Building to Athens Steel Buildings for \$32,389.02. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

18. CONSIDER AWARDING BID FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – ELECTRICAL – The following bids were received:

Athens Steel Buildings	\$46,173.00
Hallsburg Fabrication & Electrical	\$47,860.00
ARK-LA-TEX I&E	\$49,265.00

Councilmember Hilliard made a motion to award the bid for the First Monday Lock and Leave Building No. 2 – Electrical to Athens Steel Buildings for \$46,173.00. Councilmember Yarbrough seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

19. CONSIDER AWARDING BID FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – FIRE SPRINKLER SYSTEM – The following bids were received:

Athens Steel Buildings	\$17,750
Fire-Tech Protection System	\$19,800
Service Fire	\$20,500

Councilmember Yarbrough made a motion to award the bid for the Fire Monday Lock and Leave Building No. 2 – Fire Sprinkler System to Athens Steel Buildings at \$17,750.00. Councilmember Hilliard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Disapprove  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

*Councilmember Yarbrough left the room at 7:13 p.m.*

20. DISCUSS GLASS RECYCLING PROGRAMS –  
*Councilmember Yarbrough returned to the meeting at 7:15 p.m.*

After a brief discussion, Mayor Lawrence postponed this item so Josh Bray of Sanitation Solutions could obtain more information regarding the cost, location, etc. for a recycling station.

21. CONSIDER ESTABLISHMENT OF GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS BY THE CITY OF CANTON – Councilmember Stewart made a motion to establish the guidelines and criteria governing tax abatements as recommended by CEDC. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
 Councilmember - Marilyn Burrage: Approve  
 Councilmember - Elisa M. Heard: Approve  
 Councilmember - Shawn Stewart: Approve  
 Councilmember - Jerry "Yogi" Yarbrough: Approve

22. DISCUSS ADOPTING AN ORDINANCE PROHIBITING TEXTING WHILE DRIVING IN THE CITY OF CANTON – Mayor Lawrence postponed the item to give time for research by the Public Safety Committee and so an ordinance could be drafted.

23. CONSIDER ADOPTION OF RESOLUTION NO. 2014-06 REQUIRING CITY COUNCIL APPROVAL OF ALL NEW VENDOR BUILDINGS; NEW, MODIFIED, AND EXTENDED LEASES FOR INDIVIDUAL BUILDINGS ON THE CITY'S FIRST MONDAY TRADE DAYS PROPERTY; AND AUTOMATIC TERM RENEWALS OF EXISTING FIRST MONDAY BUILDING LEASES – Councilmember Burrage asked to postpone the item until after the internal audit was completed.

24. CONSIDER AUTHORIZING PAYMENT OF TRAVEL EXPENSES RELATED TO COUNCILMEMBER YARBROUGH'S SERVICE ON TEXAS MUNICIPAL LEAGUE'S REGULATION OF DEVELOPMENT POLICY COMMITTEE AND WATER COMMITTEE – Councilmember Hilliard made a motion to authorize payment of the travel expenses for Councilmember Yarbrough when in service to TML's policy committees. Councilmember Heard seconded.

Mayor Pro Tem - Cary Hilliard: Approve  
Councilmember - Marilyn Burrage: Approve  
Councilmember - Elisa M. Heard: Approve  
Councilmember - Shawn Stewart: Disapprove  
Councilmember - Jerry "Yogi" Yarbrough: Approve

## 25. COMMITTEE MEETING REPORTS

- A. NEW CITY HALL – Councilmember Burrage said Ms. Flowers was going to send her some dollar amounts for her properties. Ms. Seymore said she would schedule a committee meeting once that information was received.
- B. HEALTH SERVICES DEVELOPMENT – No report
- C. WATER / WASTEWATER PLANNING – No report
- D. MILL CREEK LAKE PARK TRAILS – Councilmember Stewart said they had approved the contract with the State. MHS Planning was starting with an archaeological survey. A historical resources study would be done to ensure no historical artifacts were disturbed. They could then proceed with the trail. William Spencer said they would only research the area where the trail went and not do a survey of the entire area. They planned to do the layout before it got too hot and then they would have someone walk the trail. Councilmember Heard asked why the original plan for the trail was scrapped. She had heard it was much longer and went all the way around the lake. Ms. Seymore clarified the extension all the way around the lake was for future phases of the original design. Council had redirected the trail so it wasn't in the swampy area. In response to questions about any legal problems, Ms. Seymore said the trail was always designed on city-owned property with no easement restrictions. Some believed part of the property was restricted for water containment only; however, that was related to an easement on existing Douthit property and not on the property the city bought from them. Councilmember Stewart said Council decided to turn the trail back at the compost pile and bring it back rather than go too close to the Douthit Cemetery. It became an out-and-back trail rather than a point-to-point. Councilmember Hilliard said it was a mutual decision between Council and the citizens group. They agreed to keep the trail on higher ground.
- E. PARKS – Councilmember Stewart said the City would be getting a donation on the marathon fundraiser he did.
- F. FIRST MONDAY – No report
- G. FIRST MONDAY TRAFFIC CONTROL PLAN – Councilmember Hilliard said he was still waiting to hear from TxDOT.
- H. FIRST MONDAY AUDIT TASK FORCE – Lawrence Greer said he was surprised there had never been an internal audit of First Monday. They did find the City was land-locked and there was a limit to how much income could be generated through expansion. That made it very important to improve on what the City had. He also noted it was difficult to find centralized procedures. He recommended development of a First Monday Operations Manual to cover all aspects of First Monday, including job descriptions, trade center operations, vendor recruitment, leasing procedures, advertising, and applicable laws and statues. The City needed a printed manual in a centralized location that anyone could access. He said the committee would develop

a detailed list of recommendations. Councilmember Heard asked if a vendor application could be pulled up on the website. Ms. Johnson said yes. Ron Perkins said in their research on the building leases, they found timing errors which were understandable when doing a lot of leases, and errors made on listings that appeared initially to have incorrect rows listed, which in effect made those leases very interesting for the city attorney and the council. It would take another sixty days to go through the leases. A lot of the leases had been assumed and assigned and extended outside the parameters of the initial leases set up by the City. He said trying to determine when this happened would be one of the issues the task force would bring up in its presentation.

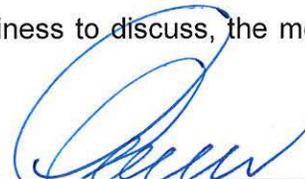
- I. STREETS/PUBLIC WORKS – No report
- J. PUBLIC SAFETY – Councilmember Hilliard said they would discuss texting and driving.
- K. FINANCE / AUDIT – No report

26. CITY MANAGEMENT REPORTS

- A. SPRING CLEANUP – Mr. Cluck reported the city-wide cleanup had begun this week. Citizens were having trouble understanding what to do. If anyone needed assistance getting items to the curb, they should call the City office and we would get them assistance.
- B. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck reported the project was moving slowly.
- C. WATER TOWER PROJECT – Mr. Cluck reported they were welding the bottom of the tank and then would move to the top.
- D. 12" WATER LINE ALONG HIGHWAY 19 – Mr. Cluck said they had about fifteen feet of pipe in the ground. It was a 6000 foot project. It would have to be worked on around the First Monday schedule.

27. ITEMS FOR FUTURE AGENDAS – Councilmember Heard wanted to discuss banning smoking in the parks.

28. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:17 p.m.

  
 Richard W. Lawrence, Mayor

ATTEST:

  
 Julie H. Seymore, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**

**6:00 P.M., TUESDAY, MAY 20, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard and Councilmembers Marilyn Burrage, Elisa Heard, Cary Hilliard, Shawn Stewart and Jerry Yarbrough. Also present were incoming members Cindy Malouf and Scott Perkins. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, City Attorney Ron Stutes, Police Chief Mike Echols, Fire Chief Bud Sanford and Assistant City Secretary Debra Johnson were also in attendance.

Discussion and action were as follows:

4. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:02 p.m.
5. INVOCATIONS were led by Pastors Mark Moore, Dan Tarno, Mike Burns and Mike Roberson.
6. PLEDGE OF ALLEGIANCE was led by Councilmember Hilliard.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting.
5. OFFICIAL CANVASS OF MAY 10, 2014 GENERAL AND SPECIAL ELECTION RETURNS

Mayor Lawrence read the following results from the General Election:

City Council	Marilyn Burrage	392
City Council	Jerry (Yogi) Yarbrough	353
City Council	Shawn Stewart	491
City Council	Scott Perkins	457
City Council	Cindy Malouf	525

Mayor Lawrence then read the following results from the Special Election:

	FOR	AGAINST
Proposition 1	369	510
Proposition 2	427	443

6. CONSIDER ADOPTION OF RESOLUTION NO. 2014-06 DECLARING RESULTS OF MAY 10, 2014 GENERAL AND SPECIAL ELECTIONS – Councilmember Hilliard made a motion to adopt Resolution No. 2014-06 declaring the results of the May 10, 2014 General and Special Elections. Councilmember Heard seconded.

Mayor Pro Tem – Cary Hilliard: Approve  
 Council Member – Marilyn Burrage: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Shawn Stewart: Approve  
 Council Member – Jerry "Yogi" Yarbrough: Approve

7. PRESENTATION TO OUTGOING COUNCIL MEMBERS RECOGNIZING THEIR DEDICATED SERVICE TO THE CITY OF CANTON AND ITS CITIZENS – Plaques were presented by Mayor Lawrence to outgoing Councilmembers Burrage and Yarbrough. Mayor Lawrence expressed his appreciation for their service to the City.
8. ISSUE CERTIFICATES OF ELECTION, ADMINISTER STATEMENTS OF ELECTED OFFICER AND THE OATHS OF OFFICE TO NEWLY ELECTED OFFICIALS – The newly-elected officials Cindy Malouf, Scott Perkins and Shawn Stewart were sworn in by Julie Seymore and were issued certificates of election. The new councilmembers took their places on the dais.
9. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
10. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. PROCLAMATION HONORING MR. ROB TOUPS UPON HIS RETIREMENT AS DIRECTOR OF BANDS AND FINE ARTS FOR THE CANTON INDEPENDENT SCHOOL DISTRICT – Mayor Lawrence presented the proclamation to Mr. Toups.
  - B. PRESENTATION TO RECIPIENTS OF CITY OF CANTON FIRST MONDAY SCHOLARSHIP AND RAYFORD HUTCHERSON MEMORIAL SCHOLARSHIP – Madison Risner was awarded the Rayford Hutcherson Memorial Scholarship. Christian Tatum was awarded the First Monday Scholarship.
  - C. PRESENTATION TO RECIPIENTS OF ANNUAL SCHOLARSHIPS PROVIDED BY SANITATION SOLUTIONS – Josh Bray presented Catherine “Khaki” Carr and Ty Parker with \$500 scholarships on behalf of Sanitation Solutions.
  - D. ANNOUNCEMENT OF CITY OF CANTON'S BOND RATING UPGRADED TO A+ BY STANDARD AND POOR'S RATINGS SERVICES – Ms. Seymore announced the City had gone through a recent review by Standard and Poor's Rating Services and had been upgraded from an “A” to an “A+” rating as a result.

(Councilmember Hilliard advised those present of several Memorial Day events scheduled for the weekend.)

#### **CITIZENS FORUM**

11. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA - None

#### **CONSENT AGENDA**

12. CONSIDER APPROVAL OF MINUTES OF THE APRIL 15, 2014 CITY COUNCIL MEETING
13. CONSIDER APPROVAL OF APRIL 2014 FINANCIAL STATEMENTS
14. CONSIDER ADOPTION OF RESOLUTION NO. 2014-07 DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM

15. CONSIDER APPROVAL OF APPLICANTS FOR FIRST MONDAY HIGHWAY 64 CONTRACT PARKING
16. CONSIDER REQUEST FROM CANTON FIRE DEPARTMENT FOR SOLICITOR'S PERMITS TO COLLECT DONATIONS AT THE INTERSECTION OF BUFFALO AND DALLAS STREETS AUGUST 29-31, 2014, FOR MDA AND NOVEMBER 28-30, 2014 FOR THE CHRISTMAS FOR KIDS PROGRAM

A motion to approve the Consent Agenda was made by Councilmember Stewart. A second was made by Councilmember Hilliard.

Mayor Pro Tem – Cary Hilliard: Approve  
 Council Member – Marilyn Burrage: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Shawn Stewart: Approve  
 Council Member – Jerry “Yogi” Yarbrough: Approve

#### **INDIVIDUAL CONSIDERATION**

17. CONSIDER APPOINTMENT OF MAYOR PRO TEM – Upon the recommendation of Mayor Lawrence, Councilmember Perkins made a motion to appoint Shawn Stewart as Mayor Pro Tem. Councilmember Hilliard seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

18. CONSIDER RECYCLING PROGRAM ALTERNATIVES – Mayor Lawrence postponed this item to the next meeting.
19. CONSIDER YOLANDA ROMINE’S REQUEST FOR THE CITY TO ERECT A PRIVACY FENCE BETWEEN CHERRY CREEK PARK AND HER PROPERTY ON CURRY LANE – The matter was not discussed because Ms. Romine was not present.
20. DISCUSS CELL COVERAGE IN CANTON – Councilmember Hilliard reported on the inability to use cell phones during First Monday. Mr. Cluck outlined several recent enhancements to local services which should help the situation. Councilmember Stewart suggested a cell tower option be discussed during upcoming budget meetings.
21. CONSIDER THIRD AMENDMENT TO NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO AT&T MOBILITY TEXAS, LLC – Councilmember Stewart made a motion to approve the third amendment to the New Cingular Wireless PCS, LLC, Successor in Interest to AT&T Mobility Texas, LLC. Councilmember Heard seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

22. DISCUSS FINANCING OPTIONS FOR FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2 – Ms. Seymore advised the City could not obligate future funds without a tax-backed debt instrument or reverse bond. It could only take out a short-term loan if it contained a clause in the loan documents stating the City would take its best efforts to reallocate the funds every year. The expense of borrowing \$250,000 for five years or less was too costly. Another option was to obtain a \$250,000 local loan for five years with no payoff penalties which would also require a clause that the City's best efforts would be made to fund it each year. Mr. Cluck advised they had not heard back from Verizon on moving the cables. Ms. Seymore said the delay might enable the City to budget the cost of the project across two fiscal years without a loan. Mr. Cluck said it might be four to six weeks before Verizon came to move the cable. Ms. Seymore advised the City wait to make a decision on the financing until it knew more from Verizon because the project could now not be completed before October. She said they should have the information from Verizon in a couple weeks and would present it in the proposed budget on July 1.
23. DISCUSS IMPLEMENTING A BAN ON SMOKING IN PUBLIC PARKS – Councilmember Heard expressed an interest in enacting a ban on cigarettes in public parks. She suggested the matter be referred to the Parks committee. Councilmember Stewart suggested Chief Echols and Chief Sanford be involved in the discussions as far as enforcement.
24. CONSIDER APPROVAL OF REVISED MILL CREEK LAKE TRAILS PLAN – Councilmember Stewart made a motion to approve the final revisions for the Mill Creek Lake Trails Plan. Councilmember Malouf seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

25. CONSIDER ADOPTION OF ORDINANCE NO. 2014-06 AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANTON, CHAPTER 116, ALCOHOLIC BEVERAGES, §116.07 (A) TO REQUIRE PERMIT RENEWALS EVERY 24 MONTHS INSTEAD OF 12 MONTHS CONFORMING TO STATE LICENSING RENEWAL PERIODS – Councilmember Malouf made a motion to adopt Ordinance No. 2014-06. Councilmember Heard seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

26. CONSIDER APPOINTMENTS TO THE PLANNING & ZONING COMMISSION – Councilmember Hilliard made a motion to reappoint Jerry Martin and Clay Nicklas. Scott Perkins seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

27. CONSIDER APPOINTMENTS TO THE BOARD OF ADJUSTMENT – Councilmember Hilliard made a motion to appoint Gerald Reed to replace the position Mr. Brockman was vacating and to reappoint Bob Moore and Buddy Jacobs. Councilmember Stewart seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

Councilmember Hilliard made a motion to appoint Jerry Yarbrough as alternate to the Board. Councilmember Malouf seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Approve  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

28. TEXAS MUNICIPAL LEAGUE COMMITTEE ON REGULATION OF DEVELOPMENT REPORT – Jerry Yarbrough said Councilmember Hilliard had been accepted as his replacement on the committee. Mr. Stutes advised the agenda did not allow Council to vote on the matter at this time.

29. CONSIDER ADOPTING REPORTING RULES FOR COUNCIL COMMITTEES, TASK FORCES, AND OTHER APPOINTED BODIES – Councilmember Stewart made a motion that committee reports be made in writing over the committee members' signatures and submitted to the City Secretary no later than one week prior to the Council meeting. Councilmember Malouf seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Disapprove  
 Council Member – Cary Hilliard: Disapprove  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

30. DISCUSS COMMITTEE MEETING REPORTS – Councilmember Stewart made a motion to move Item 30 to the next agenda. Councilmember Perkins seconded.

Councilmember Stewart made an amended motion to hear all committee reports with the exception of Item H. Councilmember Perkins seconded.

Mayor Pro Tem – Shawn Stewart: Approve  
 Council Member – Elisa M. Heard: Approve  
 Council Member – Cary Hilliard: Disapprove  
 Council Member – Cindy Malouf: Approve  
 Council Member – Scott Perkins: Approve

A. NEW CITY HALL – No report

B. HEALTH SERVICES DEVELOPMENT – No report

- C. WATER / WASTEWATER PLANNING – No report
  - D. MILL CREEK LAKE PARK TRAILS – Councilmember Stewart reported they were moving forward with the project.
  - E. PARKS – Councilmember Stewart reported they had received a second grant from the Parks & Wildlife Department to help connect Cherry Creek Park through the soccer fields to Old Kaufman Park and across the dam. Canton's application scored third out of 82 applicants.
  - F. FIRST MONDAY – Councilmember Stewart said the committee met and discussed the funding for the new lock and leave and the bids for the buildings and properties that may or may not be for sale. He said some items needed to be discussed during budget meetings.
  - G. FIRST MONDAY TRAFFIC CONTROL PLAN – No report
  - H. FIRST MONDAY AUDIT TASK FORCE
  - I. STREETS/PUBLIC WORKS – Councilmember Heard said they were still waiting until the water tower went on line before many of the streets were repaired. Mr. Cluck added they were also working on the sidewalk on Capitol Street.
  - J. PUBLIC SAFETY – Councilmember Heard said she met with Chief Echols about distracted driving and what measures the City could take about texting while driving. Chief Echols felt an ordinance would be beneficial to the City because so many were being hurt and killed across the state. Committee members agreed education on the dangers of texting was their primary goal.
  - K. FINANCE / AUDIT - No report
31. CITY MANAGEMENT REPORTS
- A. FIRST MONDAY LOCK AND LEAVE BUILDING NO. 2
  - B. CAPITOL STREET SIDEWALK PROJECT
  - C. WATER TOWER PROJECT – Mr. Cluck said they were moving along well. The tower should be ready by the middle of June.
  - D. 12" WATER LINE ALONG HIGHWAY 19 – Mr. Cluck said a 12" water line was being installed and they were about to start boring, which would slow down the project for a time.

#### EXECUTIVE SESSION

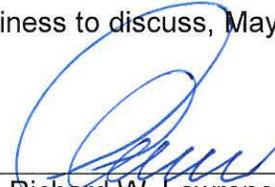
**In accordance with the authority contained in Section 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

32. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072) – Mayor Lawrence convened Council into

Executive Session at 8:17 p.m. for deliberations regarding the potential purchase of real property.

**RETURN TO OPEN SESSION**

33. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open session at 9:03 a.m. with no action taken.
34. ITEMS FOR FUTURE AGENDAS - None
35. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 9:03 p.m.



Richard W. Lawrence, Mayor

ATTEST:



Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**

**6:30 P.M., WEDNESDAY, JUNE 4, 2014**

City Hall Council Chambers

290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, Shawn Stewart. City Manager Lonny Cluck, City Secretary / Finance Officer Julie Seymore, City Attorney Ron Stutes, and Assistant City Secretary Debra Johnson were also in attendance.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:37 p.m.
2. CONSIDER APPROVAL OF VERIZON PROPOSAL TO RELOCATE CABLES ON FIRST MONDAY GROUNDS AND DISCUSS ANY ASSOCIATED ISSUES RELATED TO CONSTRUCTION OF THE LOCK & LEAVE BUILDING – Councilmember Hilliard made a motion to accept the Verizon contract bid. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Disapprove  
 Council Member - Scott Perkins: Disapprove  
 Council Member - Cindy Malouf: Disapprove

### EXECUTIVE SESSION

In accordance with the authority contained in Sections 551.074 and 551.071 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

3. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING PERSONNEL MATTERS – CITY SECRETARY / FINANCE OFFICER (SECTION 551.074) – Mayor Lawrence convened Council into Executive Session at 7:00 p.m. to discuss the personnel matters regarding the City Secretary/Finance Officer position and to consult with counsel regarding the vendor leases at First Monday.
4. EXECUTIVE SESSION FOR CONSULTATION WITH CITY ATTORNEY REGARDING VENDOR LEASES AT THE FIRST MONDAY TRADE DAYS MARKET (SECTION 551.071)

### RETURN TO OPEN SESSION

5. RECONVENE TO OPEN SESSION AND CONSIDER ANY NECESSARY ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, INCLUDING ESTABLISH CITY POLICIES REGARDING VENDOR LEASES AND LEASE RENEWALS – Council reconvened into open session at 7:38 p.m. Councilmember Heard made a motion to approve the change in the City's policy: (1) to not produce new lease agreements at the time of renewals; (2) from now on to require vendors to give notice according to the terms of the lease, if they intended to renew; and (3) to establish a policy that the City would send vendors written notice when their term was subject to renewal and would provide a form for that notice. Councilmember Stewart seconded.

Councilmember Heard amended her motion to direct staff to continue with the lease renewals on those who have been waiting while this matter was under consideration of Council. Councilmember Stewart seconded such amendment.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

6. CONSIDER APPROVAL OF AMENDED ORGANIZATIONAL CHART – Councilmember Malouf made a motion to amend the organizational chart and to appoint Debra Johnson as City Secretary and Kimberly Kroha as Financial Director. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

7. ITEMS FOR FUTURE AGENDAS – Mayor Lawrence requested councilmembers e-mail him regarding their preference in serving on the various City committees.
8. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:44 p.m.




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 Richard W. Lawrence, Mayor

ATTEST:




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 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, JUNE 17, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Mike Echols, Fire Chief Bud Sanford, CEDC Executive Director Julie Seymore, and Municipal Judge Lilia Durham.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:02 p.m.
2. INVOCATION was led by Judge Durham.
3. PLEDGE OF ALLEGIANCE was led by Chief Bud Sanford.
4. MAYOR'S WELCOME AND INSTRUCTIONS – Mayor Lawrence set forth his procedural guidelines for conducting the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – Councilmember Heard declared a conflict of interest on Items 19 and 20. Councilmember Malouf declared a conflict on Item 18 on the agenda. Councilmembers Malouf and Perkins presented letters of opinion from their attorneys regarding their potential conflicts of interest.
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Lawrence presented Julie Seymore with a plaque in appreciation of her twenty years of service with the City.

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA - None

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE MAY 20, 2014 CITY COUNCIL MEETING

9. CONSIDER APPROVAL OF MAY 2014 FINANCIAL STATEMENTS
10. CONSIDER ADOPTION OF RESOLUTION NO. 2014-08 DESIGNATING AUTHORIZED SIGNERS ON ALL CITY OF CANTON ACCOUNTS WITH AMERICAN NATIONAL BANK OF TEXAS
11. CONSIDER ADOPTION OF RESOLUTION NO. 2014-09 DESIGNATING PERSONS AUTHORIZED TO EXECUTE TREASURY MANAGEMENT AGREEMENTS WITH AMERICAN NATIONAL BANK AND TO DESIGNATE THOSE PERSONS WHO MAY TRANSACT BUSINESS ON BEHALF OF THE CITY
12. CONSIDER ADOPTION OF RESOLUTION NO. 2014-10 AMENDING AUTHORIZED REPRESENTATIVES ON ALL CITY ACCOUNTS WITH TEXPOOL
13. CONSIDER ADOPTION OF ORDINANCE NO. 2014-07 ADOPTING AN UPDATED WATER CONSERVATION PLAN
14. CONSIDER ACTION REGARDING MAYOR'S AUTHORITY TO ISSUE KEYS TO THE CITY
15. CONSIDER APPROVAL OF ENGAGEMENT LETTER WITH CONWAY COMPANY, CPAS FOR FISCAL YEAR 2013-2014 AUDIT SERVICES - Councilmember Hilliard made a motion to approve all items on the Consent Agenda with the exception of Item 14, which he wanted to consider individually. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

Councilmember Stewart made a motion to rescind the prior Council action and to once again allow the mayor to issue keys to the City. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### INDIVIDUAL CONSIDERATION

16. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT FROM NICK PRITCHETT TO MARKET TXU/SMI DOOR-TO-DOOR – Councilmember Heard made a motion to approve the Solicitor's Permit for Nick Pritchett to market TXU/SMI door-to-door for a six-month period. Councilmember Stewart seconded.
- Mayor Pro Tem - Shawn Stewart: 2nd  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

17. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT FROM RACHEL HOYNE, THE SOUTHWESTERN COMPANY, TO MARKET CHILDREN'S BOOKS AND WEBSITE DOOR-TO-DOOR – Councilmember Perkins made a motion to grant the request for a solicitor's permit from Rachel Hoyne, The Southwestern Company, to market children's books and website door-to-door for a six-month period. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

18. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-08 APPROVING A SPECIFIC USE PERMIT FOR A COMMUNICATIONS TOWER IN A GENERAL BUSINESS DISTRICT (B-2) ON THAT TRACT OF LAND LOCATED AT 1503 NORTH TRADE DAYS BLVD., IN CANTON, TEXAS, CURRENTLY OWNED BY STARSHIP CANTON, LP.

*Councilmember Malouf left the room at 6:23 p.m.*

Mayor Lawrence opened a public hearing at 6:30 p.m. Greg Yokum, RF Engineer for St. Charles Tower, said they proposed a 100' monopole telecommunications tower behind the RV lot at 1503 N. Trade Days Boulevard. Mayor Lawrence announced there were five letters sent to neighboring property owners. One response was received in opposition. He said they agreed to the restrictions to obtain an FAA license and to have a six to eight-foot sight-proof fence surrounding the tower. Mayor Lawrence closed the public hearing at 6:31 p.m.

Councilmember Stewart made a motion to approve the adoption of Ordinance 2014-08 with the contingencies that they obtain FAA approval and they construct a six to eight-foot fence around the tower. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Abstain

*Councilmember Malouf returned to the room. Councilmember Heard left council chambers at 6:33 p.m.*

19. CONSIDER APPROVAL OF PRELIMINARY PLAT OF SUBWAY NORTH ADDITION CONTAINING 1.32 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 2001 NORTH TRADE DAYS BLVD., IN CANTON, TEXAS, OWNED BY CJK PROPERTIES LTD. – Councilmember Malouf made a motion to approve the preliminary plat of the Subway North Addition. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Abstain  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

20. CONSIDER APPROVAL OF FINAL PLAT OF SUBWAY NORTH ADDITION CONTAINING 1.32 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 2001 NORTH TRADE DAYS BLVD., IN CANTON, TEXAS, OWNED BY CJK PROPERTIES LTD. – Councilmember Perkins made a motion to approve the final plat of the Subway North Addition. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Abstain  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

*Councilmember Heard returned to chambers at 6:35 p.m.*

21. DISCUSS DOWNTOWN PARKING – Mayor Lawrence requested Mr. Cluck work on signage and how to best direct courthouse visitors to the appropriate parking lots.
22. CONSIDER SANITATION SOLUTIONS CONTRACT RENEWAL FOR GARBAGE COLLECTION SERVICES - Councilmember Malouf made a motion to approve the contract renewal for garbage collection services with Sanitation Solutions. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

23. CONSIDER APPROVAL OF A RECYCLING PROGRAM – Councilmember Heard made a motion to approve the recycling program and to obtain one recycling container from Sanitation Solutions. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

24. CONSIDER AUTHORIZING STAFF TO OBTAIN RENDERINGS AND SPATIAL DESIGNS FOR A NEW CITY HALL BUILDING – Councilmember Stewart made a motion to authorize staff to obtain renderings and spatial designs for a new city hall building. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

25. DISCUSS ANY AND ALL ASPECTS OF CITY'S PLANS TO BUILD NEW BUILDINGS OR MODIFY CURRENT BUILDINGS AT FIRST MONDAY TRADE DAYS PARK – Mayor Lawrence requested any discussions regarding the City's plans for First Monday and any

future buildings on the grounds go through the First Monday committee who would in turn make recommendations to Council.

26. CONSIDER IMPLEMENTING PROGRAM FOR DIRECT DEPOSIT OF PAYROLL CHECKS – After a brief discussion, this matter was postponed so it could be more thoroughly discussed in budget work sessions.
27. CONSIDER SETTING DATE AND TIME FOR CITY MANAGER'S EVALUATION – Councilmember Malouf suggested Ms. Johnson email councilmembers with proposed dates for the evaluation. Councilmember Hilliard requested the evaluations of Marilyn Burrage and Jerry Yarbrough also be considered.
28. CONSIDER APPOINTMENTS TO THE CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Malouf made a motion to appoint John McKeehan to the Canton Economic Development Corporation board of directors upon recommendation of the Board. Councilmember Hilliard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

29. CONSIDER ESTABLISHING A SUNSET PROVISION FOR ALL AD HOC COMMITTEES – Councilmember Stewart made a motion to establish a sunset provision for all ad hoc committees as proposed by Mayor Lawrence. Councilmember Perkins seconded.

Councilmember Stewart amended his motion to establish a sunset provision for all ad hoc committees as follows: Every ad hoc committee ceases to exist either upon adoption of the City's annual budget or upon completion of the committee's work, unless further action of the City Council is taken to extend the life or work of the ad hoc committee. The term "ad hoc committee" refers to all task specific, temporary, short term, council-appointed advisory citizen committees, task forces or other ancillary entities or bodies appointed by the City Council. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

30. CONSIDER APPOINTING THE MAYOR AS CHAIR AND THE MAYOR PRO TEM AS VICE-CHAIR OF ALL AD HOC COMMITTEES – Mayor Lawrence postponed this item in order to consult with the city attorney and to further develop the policy.
31. CONSIDER ALL MATTERS PERTAINING TO THE APPOINTMENT OF STANDING AND AD HOC COMMITTEES – Mayor Lawrence appointed the following committees:

City Development and Finance (formerly Finance and Audit Committee - to include new City Hall committee; Vocational/Trade School/Regional Firefighter/EMT Training Center committee) Councilmember Cindy Malouf  
 Councilmember Scott Perkins

First Monday (to include First Monday Traffic Control and First Monday Audit Task force)	Councilmember Scott Perkins Councilmember Cary Hilliard
Parks and Recreation (to include walking and running trails)	Councilmember Elisa Heard Councilmember Cindy Malouf
Public Works and Safety (combining the Streets/Public Works and Public Safety committees and to include the Water/Wastewater Development, Long-term Water Planning Committee, and Hospital ER/Medical Services committees)	Councilmember Cary Hilliard Councilmember Elisa Heard

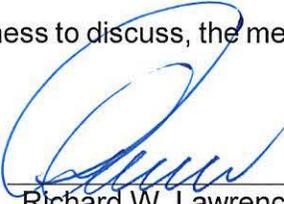
32. REVIEW COMMITTEE REPORTS - None

33. CITY MANAGEMENT REPORTS

- A. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck reported the project was almost finished and should be through by the end of June.
- B. WATER TOWER PROJECT – Lonny Cluck said they were still doing the electrical work and the piping but it should be done by the end of June.
- C. 12" WATER LINE ALONG HIGHWAY 19 – Mr. Cluck said this project should also be completed by the end of the month.
- D. WATER PLANT HIGH SERVICE PUMPS – Mr. Cluck said they hoped to get through with the pumps in the next 30-45 days.

34. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart requested matters pertaining to use of the Senior Citizens committee be on the next agenda. Councilmember Hilliard requested the City Manager give a full accounting of the money, final costs and engineering, including man hours of city employees, on the lock and leave building.

35. ADJOURN – There being no further business to discuss, the meeting was adjourned at 8:13 p.m.

  
Richard W. Lawrence, Mayor

ATTEST:

  
Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**  
**9:00 A.M., SATURDAY, JULY 12, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Pro Tem Shawn Stewart and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, and Scott Perkins. Mayor Richard Lawrence was absent. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Mike Echols, CEDC Executive Director Julie Seymore, and Municipal Judge Lilia Durham. Also in attendance were Operations Supervisors Linda Boston, Al Campbell, and Rick Malone; Building Inspector Dwight Lancaster; and Parks Supervisor Brent Stewart.

Discussion and action were as follows:

1. CALL TO ORDER –The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 9:06 a.m.

**WORK SESSION**

2. DISCUSS FIRST MONDAY AUDIT TASK FORCE REPORT – Lawrence Greer presented results of his portion of the First Monday Audit Task Force report. Mr. Greer recommended an internal audit of First Monday and a First Monday workshop once a year. The report also recommended conducting vendor surveys twice a year. Mr. Greer suggested each area of First Monday be made a profit center to determine how much money each area made. During the annual workshop, Mr. Greer suggested Council review all aspects of First Monday to see any potential area for improvement. Mr. Greer said the biggest vendor complaints were how bad weather was handled and the lack of advertising. He suggested City staff work with CEDC on advertising for First Monday. In the survey, vendors complained rules were not applied equally across the board. He suggested a First Monday manual be prepared setting out all the rules and regulations. Mr. Greer said some vendors complained like merchandise was sold in the Trade Centers which created competition among the vendors. Another recommendation was vendor recruitment. Ms. Boston said she had one employee who did online research and visited two to three other venues per month to recruit new vendors. Another recommendation in the report was to have a ticket system for the parking lots or for someone to physically count the cars in the lots. Councilmember Perkins pointed out the revenue from the parking lots had increased over the years. Mr. Greer pointed out a parking lease for the Deen property cost the City \$60,000 per year. Mr. Cluck said if we did not have that lease we would lose access to the road from Highway 64. Mr. Greer said staff needed to be involved in the decisions about First Monday. He suggested staff be sent to training on tourism. Mayor Pro Tem Stewart thanked Mr. Greer and the Task Force members for their work.

*Mayor Pro Tem Shawn Stewart called a recess at 10:26 a.m. The meeting resumed at 10:36 a.m.*

Ron Perkins said the goal of the Audit Task Force was to present recommendations to Council that would improve the efficiency and increase revenue to citizens of Canton. He said the City had a First Monday Master Plan which outlined procedures and gave the city manager authority to implement the policies and guidelines. Mr. Perkins said the First

Monday Master Plan did not give the city manager authority to approve thirty-five year leases. Council had never approved thirty-five year leases. Mr. Perkins felt food vendors who took up more than a 12'x20' area for food preparation should be charged additional for the extra space. Mr. Cluck said one advantage the City had with food vendors in buildings versus food vendors in concession stands was the vendors in buildings paid for their own electricity. Mr. Perkins said the City's Number 1 priority should be to closely monitor and approve First Monday operations, as it was by far the largest revenue producer. A minimum of eight hours should be devoted to a workshop. He felt all future leases should be reviewed by a board certified contract attorney to be sure the lease protected the City of Canton and was fair to vendors. The First Master Plan should be reviewed annually by Council. Any new buildings and renewal extensions should be approved by Council. Mr. Perkins recommended terms of leases should be strictly enforced. All vendors, scooter rentals, and tarp, table and canopy installers should have liability insurance naming the City of Canton as the certificate holder. Mr. Cluck agreed a good First Monday workshop was a good idea. Mayor Pro Tem Stewart read clarifications from City staff regarding the reports of the audit task force. Councilmember Hilliard said Council was not involved in the decision to have thirty-five year leases. Councilmember Malouf pointed out the city manager was given the autonomy and authorization to implement the plan. Marilyn Burrage suggested the names omitted in the task force report be revealed. Mayor Pro Tem Stewart responded members of the task force were free to put whatever they liked in their report.

*Mayor Pro Tem Stewart called a lunch recess at 12:18 p.m. The meeting resumed at 1:16 p.m.*

3. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 – Lonny Cluck introduced the supervisors in attendance and then asked if they could be excused from the meeting.

*Judge Durham, Linda Boston, Brent Stewart, Dwight Lancaster, Rick Malone and Al Campbell left the meeting.*

Kimberly Kroha reviewed the upcoming meetings. She said the first public hearing on the tax rate would be August 26, 2014. The second public hearing on the tax rate and budget would be September 2, 2014, and the budget would be adopted September 9, 2014. Mr. Cluck explained how he would like to implement an equipment replacement fund for each department. Ms. Kroha gave an overview of the funds and accounts. Ms. Kroha said they had not built water and sewer rate increases into the budget. Council might want to consider small increases in both. She said two new positions were requested – one part-time Animal Shelter employee and a part-time WWTP laborer. The SRO position was omitted. Ms. Kroha said they had 3% COLA and 2% merit increases in the budget. They were going to continue the 12.02% TMRS contribution instead of the required 11.95% to lower the unfunded liability. Ms. Kroha said there was a 5.1% increase in medical insurance coverage.

Ms. Kroha listed some of the capital projects included in the budget: four computers for squad cars for \$15,000; kitchen renovation at fire station for \$25,000; patch truck for streets for \$34,000; and asphalt for road back to CYRA grounds for \$6,000. Ms. Kroha said \$50,000 was needed for instruments to measure water clarity which were required by TCEQ. Mr. Cluck said they needed \$230,000 for the water main from the water plant to the north side of Highway 243; \$90,000 for a new water line from the high pressure pumps which fed water into the city from the water plant and tied into the new line we ran five years ago; and \$88,000 for a backhoe with an attachment to replace one that was ten

years old. Mr. Cluck said capital projects for the wastewater plant included \$249,000 for a new UV system because they could not buy parts for the existing system; \$6,000 for an upgrade to the SCADA system; \$30,000 for rotor replacement; \$129,000 for another phase of the East Outfall, which was funded by CEDC; \$50,000 for the West Outfall; \$51,000 for the South Outfall; and \$27,000 to bypass the incoming line to the wastewater plant. Ms. Kroha said proposed capital projects for the First Monday fund were \$50,000 to resurface roads; \$25,000 for an electrical upgrade for one row in the RV park; \$20,000 for the retaining wall in the creek; \$25,000 to reface the remaining two sides of the Civic Center; and \$10,000 for the perimeter fence. The grant projects in the budget were \$215,570 for the Mill Creek Lake trail; \$316,250 to remove architectural barriers at City Hall and \$127,160 for the Cherry Creek trail. Ms. Seymore explained the grant for City Hall was to make the interior ADA compliant. From the beginning, the project was scheduled to be funded in 2015.

Ms. Kroha said \$41,000 was allocated for a new patrol vehicle from the Forfeiture Fund. Mr. Cluck said he proposed a certificate of obligation for \$3 million to build a new city hall, for street improvements to Sides Circle, to paint the old water tower and for a new cell tower. The last monthly report he saw showed a rate of 3.42%. Council asked Ms. Kroha to find out the terms for a new certificate of obligation. Mr. Cluck said he preferred to have one for a longer term so the City would not be obligated. Mr. Cluck said they could go as high as \$4 million on the certificate of obligation and use the extra money for streets.

Mayor Pro Tem Stewart introduced Ray Reed, owner of Reed Design Group. Mr. Reed requested \$6,000 to pay for musical entertainment for Friday Night live held once a month around the square. He also invited everyone to attend the meeting for development of the pocket park downtown.

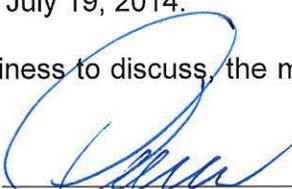
Ms. Kroha listed other notable projects in the proposed budget: \$10,000 to update the City's website, \$10,000 for planning services on a New City Hall; \$10,000 for airport maintenance; \$4,000 for electronic tablets for Council; \$11,000 for building permit software plus annual fees; \$10,000 to paint the communications tower which was carried over from this year; \$10,000 to paint the police station; \$1,200 for a new cooler door at the Animal Shelter; \$1,850 for a new electric heater at the Animal Shelter; and \$1,860 for a stainless steel tub with a sink at the Animal Shelter. The budget also contained \$4,200 for a computer server at the Fire Department; \$3,000 for new computers at the Fire Department; \$2,000 for I-pads & software for hydrant maintenance recordkeeping; \$10,000 for improvements to the Douthit Cemetery Road; \$6,000 to rebuild both docks at City Lake; \$5,000 to repair the porch floor at the Blackwell Museum and to paint the floor in the gazebo; \$5,000 for shelving at the Plaza Museum; \$4,000 for additional flooring in the library; and \$5,000 for a bathroom partition in the library. Other projects included were \$6,000 for water bill assistance at the Van Zandt Memorial Plaza; \$1,600 to extend the septic system at CYRA; \$9,600 for contract maintenance of Hillcrest Cemetery; \$7,000 for marker restoration at Hillcrest Cemetery; \$5,000 for grounds improvements at Hillcrest Cemetery; \$2,500 to redo the tin at the Utility Service Center; \$10,000 for replacements of meters and boxes; \$60,000 for regular maintenance on the water mains and lines; and \$10,000 for regular maintenance of fire hydrants. Other projects were \$4,000 for an air conditioner at the WWTP; \$50,000 for general plant maintenance at the WWTP; \$22,000 for clarifier #2 drive rehabilitation; \$10,000 for regular maintenance of sewer lines and mains; \$5,475 for recycling bins and service; \$40,000 for marketing funds to CEDC/Marketing Department; \$13,000 for the annual fireworks display and \$100,000 for building and grounds maintenance. Ms. Kroha explained items which could be depreciated were included in capital projects. The rest were listed as other projects.

Mr. Cluck said at this point they had balanced the budget plus \$204,000. The closer to the end of the year they got, they would have a more exact number. Instead of \$385,000 in the fund balance, it should be closer to \$600,000. Some of the money should be in the equipment replacement fund, which would bring the balance lower.

Ms. Kroha said \$50,000 from the Sanitation Fund would be transferred into the General Fund.

Ms. Seymore explained the November, December, January and February water usage numbers were used to calculate a winter averaging for residential sewer. Mr. Cluck said the State of Texas was under voluntary water conservation right now or greater. Mayor Pro Tem Stewart pointed out the best way to have someone conserve water was in their checkbook.

4. ITEMS FOR FUTURE AGENDAS – Mayor Pro Tem Stewart announced the next meeting would be the regular Council meeting on July 19, 2014.
5. ADJOURN - There being no further business to discuss, the meeting was adjourned at 3:23 p.m.

  
Richard W. Lawrence, Mayor

ATTEST:

  
Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, JULY 15, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Mike Echols, CEDC Executive Director Julie Seymore, and Municipal Judge Lilia Durham.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:03 p.m.
2. INVOCATION was led by Lonny Cluck.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Malouf.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone and set forth the procedure for public participation in the meeting and Council deliberation.

5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – Councilmember Malouf declared a conflict of interest in Item 10 on the agenda.
6. PROCLAMATIONS AND ANNOUNCEMENTS

#### CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Red Montgomery thanked Council for their assistance with the Van Zandt Veterans Memorial. Jimmy Hair said he attended the Water Board meetings and he had not seen anything about Canton obtaining a permit for a new well.

#### CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JUNE 4 AND 17, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JUNE 2014 FINANCIAL STATEMENTS – Councilmember Stewart made a motion to approve all items on the consent agenda. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### INDIVIDUAL CONSIDERATION

10. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-09 APPROVING A SPECIFIC USE PERMIT FOR A BED & BREAKFAST IN A GENERAL BUSINESS DISTRICT (B-2) ON THAT TRACT OF LAND LOCATED AT 503 W. HWY 243, IN CANTON, TEXAS, CURRENTLY OWNED BY WYVONNE PITTS – *Councilmember Malouf left the council chambers at 6:09 p.m.* Mayor Lawrence opened a public hearing at 6:09 p.m. There being no comments, the public hearing was closed at 6:10 p.m. Councilmember Hilliard made a motion to adopt Ordinance No. 2014-09. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Not present

*Councilmember Malouf returned to Council chambers at 6:10 p.m.*

11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-10 APPROVING A CHANGE OF ZONING AT 710 W. DALLAS STREET FROM MULTI-FAMILY 1 (MF-1) TO GENERAL BUSINESS DISTRICT (B-2) CURRENTLY OWNED BY LUCIA AND BILLY JACK DEEN – Mayor Lawrence opened a public hearing at 6:16 p.m. There being no comments, the public hearing was closed at 6:17 p.m. A motion was made by Councilmember Perkins to adopt Ordinance No. 2014-10. Councilmember Hilliard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

12. CONSIDER COMMITTEE COMPOSITION AND APPOINTMENTS – Mayor Lawrence postponed this item to a future agenda.
13. CONSIDER ALL MATTERS PERTAINING TO THE PURPOSE, COMPOSITION, STRUCTURE AND APPOINTMENT OF ALL STANDING AND AD HOC COMMITTEES - Mayor Lawrence postponed this item to a future agenda.
14. APPOINTMENT OF AD HOC COMMITTEE TO ADVISE THE CITY COUNCIL REGARDING THE ESTABLISHMENT OF A VOCATIONAL/TRADE SCHOOL AND REGIONAL FIREFIGHTER/EMS TRAINING CENTER - Mayor Lawrence postponed this item to a future agenda.
15. CONSIDER ALL MATTERS PERTAINING TO USE OF SENIOR CITIZENS BUILDING – Virginia Garrison Jones, a member of the Canton Senior Citizens group since 1993, gave a brief history of the group and their activities at the Senior Citizens building. Councilmember Stewart clarified he added this item to the agenda at the request of two citizens who were looking to expand the opportunity of using the Senior Citizens building to other groups. He did not intend to reduce benefits of anyone currently using the building. He was trying to educate himself on the availability of the building. He was in favor of extending any help they could to the groups involved. Councilmember Stewart said the people who had made the request to him were not present. He did not intend to scale back the services. Ms. Jones said a total of 2080 people per year played dominoes on Tuesdays and 2600 attended the dances. Mayor Lawrence reiterated that Councilmember Stewart had made no proposals or motions regarding activities at the Senior Citizens building. Since the citizens requesting the item were not present, he felt there was nothing further to discuss at this time.
16. REVIEW COMMITTEE REPORTS
  - A. FIRST MONDAY TASK FORCE – Ross Maris gave a brief history of his building on the First Monday grounds. He said the City had given him a lease and he had built the building for the Baked Potatoe at the cost of \$40,000. He and his wife paid for their own electricity at the building they now owned, Tasty Treats. The rent the City received from the buildings was all profit. They had no overhead on the buildings at all. The buildings were placed in locations the City never would have built. The buildings had been a great deal for the City. Lawrence Greer said he had given his report Saturday. He said his main concern was that a workshop be held which covered all aspects of First Monday, including the Senior Citizens building. Mr. Greer felt there had been a miscommunication on the task force about when the report would be presented to Council. Mr. Greer felt the report he turned in was complete. Mr. Greer did not know if the other part of the task force had finished their portion of the report. Lonnie Brown stated he and Mr. Greer worked on the report together. He was in complete agreement with the report they submitted. Others were still working on some areas. They read his report with Mr. Greer and said they did not conflict with the report they submitted. Mr. Browning said he worked with the other part of the task force the next day on the addendum. He had no conflict with the total report. It was a complete report. Ron Perkins said the portion of the task force report that was not complete

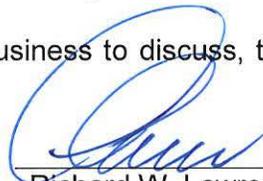
was the part on vendor lease buildings. Mayor Lawrence said the members of the task force were Ron Perkins, Lawrence Greer and Lonnie Browning. He hoped they could resolve whatever issues they had concerning the report. Councilmember Hilliard said before the meeting he passed out a portion of the task force report naming any councilmembers mentioned in the report. Councilmember Hilliard commended the members of the task force for their work. He said the city manager was given the authority to lengthen the term of the vendor leases. It was not something decided upon by Council. He felt committees should make recommendations to Council, not make decisions. Councilmember Malouf said there was a 2006 resolution done by Council authorizing the city manager to sign all contracts and First Monday leases. Mayor Lawrence urged council to move forward. Councilmember Malouf said she had reviewed all Council minutes from 2005-2009. In every scenario mentioned in the task force report, there was only one vendor on the Council, Ross Maris. Former councilmember Raymond Pruitt had a son who was a vendor. In every instance where a decision was made about First Monday leases, Mr. Maris and Mr. Pruitt left the room prior to any discussion.

#### 17. CITY MANAGEMENT REPORTS

- A. CAPITOL STREET SIDEWALK PROJECT – Lonny Cluck said the side passed ADA inspection.
- B. WATER TOWER PROJECT – Mr. Cluck reported the water tower project was moving along. Mr. Cluck said the bore was done under FM 859. They did not lack much in finishing. The lights were not up at this point.
- C. 12" WATER LINE ALONG HIGHWAY 19 – Mr. Cluck said the line had been pressured up for several days and everything was moving along.
- D. WATER PLANT HIGH SERVICE PUMPS – Mr. Cluck reported they hoped to finish the pumps in 45 days.
- E. COSTS RELATED TO PROPOSED LOCK AND LEAVE BUILDING - Councilmember Hilliard announced the expenses for the proposed lock and leave up to the point of the project cancellation equaled almost \$50,000.

18. ITEMS FOR FUTURE AGENDAS – Councilmember Hilliard requested a report from the Fire Chief on the status of fire plugs around the City. Councilmember Hilliard asked to have a discussion regarding ongoing workshops.

19. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:19 p.m.



Richard W. Lawrence, Mayor

ATTEST:



Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**  
**5:30 P.M., TUESDAY, JULY 29, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, and CEDC Executive Director Julie Seymore.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 5:33 p.m.

**WORK SESSION**

2. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015

- A. *Fund balance review*
- B. *Property tax rate*
- C. *Water and wastewater rates*
- D. *Debt Service*
- E. *Employment/Salary raises/Benefits*
- F. *Projects / Tradeoffs*
- G. *Changes / questions*

Kimberly Kroha reminded everyone there would be a work session August 5; the CEDC budget would be presented August 12; another work session would be held after the regular meeting on August 19, if needed; the first public hearing on the tax rate would be August 26; the second public hearing on the tax rate would be September 2; the budget and tax rate would be adopted September 9, 2014

Ms. Kroha explained because we received our property effective tax rate the balances increased in the budget about \$50,000. The effective tax rate calculated by the Van Zandt County Appraisal District was 0.40721066. The reason it was lower than last year was because the City decreased its amount of debt. The goal was to get the same amount of tax used in the previous year to run your city. If Council adopted the same tax rate used this fiscal year, there would be increased revenue of \$30,593. It was technically considered a tax increase because it was higher than the effective tax rate. Councilmember Stewart said if the property value increased, taxes citizens paid would increase because of the value of the property, not because of an increase to the tax rate. Ms. Kroha agreed there would be no change in the tax bill if the property value did not change. The average home value went up \$287 in Van Zandt County. There was new property in the City in the amount of \$3.5 million, which added tax revenue of \$14,367. Ms. Kroha said if we kept the same tax rate, the total tax revenues would increase 1.17%. The average homeowner would be paying an increase of \$5 for every \$100 of value in their home if the proposed tax rate were adopted instead of the effective tax rate.

Ms. Kroha reviewed the amount of debt owed by the City. \$329,000 would fall off the books after the upcoming fiscal year when the Highway 64 property was paid off. She received estimates for a certificate of obligation, but no commitments had been made.

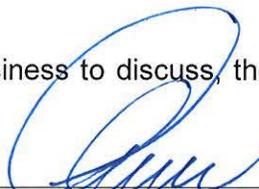
Ms. Kroha reviewed the current water/wastewater rates compared to other cities. Canton was below average in rates on water consumption of low end users and above on higher end users. Canton was below average on its sewer rates. Mr. Cluck said TCEQ recommended charging higher rates for high-end users to encourage conservation. Councilmember Hilliard pointed out Canton was higher on commercial rates already when compared against surrounding cities. Councilmember Malouf thought Canton rates should be compared to other cities our size, not just in our area. The TML survey showed Canton was 6.6% lower on sewer and 1.6% higher on water. Councilmember Malouf said the philosophy of the City was the enterprise funds should pay for themselves. Sanitation was the one only doing that. She thought the intent was to raise them incrementally each year as opposed to one big jump. Councilmember Stewart felt conservation was key at this point. The way to encourage that was through billing. He wanted to leave the base rate the same and break out additional bands in the 25,000-100,000 range. Councilmember Malouf said some businesses would be unable to conserve more water because of the nature of their business. She did feel they should be closer to a breakeven point. Councilmember Heard questioned why First Monday could not be used to subsidize the other funds. Councilmember Malouf said revenue from First Monday was supposed to go to capital improvements. Mr. Cluck said last year they went up \$1 on sewer and \$.50 on water. One reason the residential sewer rate was lower was winter averaging. Councilmember Stewart said First Monday subsidized water and wastewater almost \$500,000 this year. Ms. Seymore said that was due to the number of capital improvements that had to be done at both the water and wastewater plants. Mayor Lawrence requested Ms. Kroha create more bands in the water consumption to see how that would affect the rates. Councilmember Stewart suggested leaving the base rate alone on residential and commercial. He also wanted to leave everything under 25,000 gallons alone for both commercial and residential then develop additional tiers over 25,000 to determine a pricing plan. Councilmember Hilliard did not think raising rates on high end commercial users would conserve any water. Heidle Baskin did not understand why his water rates would increase more than the COLA increase to employees. He said he owned a laundromat and the only thing he could do to offset his increased rates would be to increase the cost to his customers.

Councilmember Malouf suggested calculating increases of either 3% or .50 per hour, whichever was higher. Mr. Cluck said the 2% merit was given based on supervisor evaluations and recommendations. Last year some got the merit increase and some did not. Mayor Lawrence requested Mr. Cluck provide numbers regarding hiring a Public Works Director and a First Monday Director. Ms. Kroha said two new positions were added – a part-time person for the Animal Shelter and a part-time person for the wastewater plant. The SRO position was removed from the budget because CISD wanted to hire someone on their own.

Ms. Kroha went over the proposed capital projects again. Ms. Seymore explained the renovation of city hall was always planned for 2015. Councilmember Stewart said a large portion of the Mill Creek trail 20% match by the City would be from private donations. Ms. Kroha reviewed the notable projects.

Ms. Seymore explained the tax rate would remain stable even with a new certificate of obligation because it would replace retired debt. Councilmember Hilliard felt we should get a competitive bid for securities companies for the certificate of obligation.

3. ITEMS FOR FUTURE AGENDAS
4. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:23 p.m.

  
Richard W. Lawrence, Mayor

ATTEST:

  
Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**  
**5:30 P.M., TUESDAY, AUGUST 5, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, and CEDC Executive Director Julie Seymore.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 5:33 p.m.

**WORK SESSION**

2. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 – Kimberly Kroha presented changes made to the budget since the last meeting. She made assumptions based on Council's indication to use the same tax rate as last year. Councilmember Hilliard asked to remove the \$1.7 million for streets out of the capital improvements section of the budget because we already allocated a certain amount to streets every year. He did not feel this amount was warranted. Councilmember Stewart said he preferred to keep the amount in so we could borrow up to that amount, if necessary. Mr. Cluck said we would have the money available if we needed to fix a lot of the streets after the water tower went on line.

Ms. Kroha said there was a 2.15% increase in tax revenue if the proposed rate was used instead of the effective tax rate. The average home value had increased by \$287. The amount of new property added to the tax roll was \$3,528,268. Adopting the proposed tax rate would constitute a tax increase and two public hearings would be necessary. The amount of transfers shown from First Monday had decreased since the last meeting because the proposed tax rate had shown more revenue generated, therefore less money had to be transferred from First Monday.

Ms. Kroha explained the City had nine months' worth of cash in the general fund. It was required we have at least three months of operating expenses. Mr. Cluck said the auditors preferred us to have six months of operating expenses in the general fund. He recommended we have an equipment replacement fund established for each fund in order to replace equipment as needed.

Ms. Kroha said there was basically a \$30,000 difference when using the proposed tax rate versus the effective tax rate.

Councilmember Stewart felt rates on sewer have been too low. Mr. Cluck said several adjustments had been made at the water and wastewater plants that would lower the operating costs. Councilmember Heard said she had no problem with First Monday supplementing the wastewater plant if we had to have a larger plant to accommodate First Monday visitors. Mr. Cluck said he would try to get the city water metered so they could determine the usage in the parks, city buildings and First Monday. Although she agreed First Monday should pay its fair share, Councilmember Malouf pointed out First Monday brought sales tax revenue into the city and increased the tax base for a lot of different things. It was an economic driver in and of itself.

Council asked staff to verify the water and sewer rates of other cities shown on the comparison chart and bring that information to the next meeting. Councilmembers Stewart and Malouf felt it was difficult to compare Canton to other cities because they did not have First Monday. Mr. Cluck pointed out cities with higher water rates were cities that were growing. Councilmember Stewart wanted more tiers which he felt would help the average user. Mayor Lawrence asked Council to send staff their suggestions for scenarios before the next meeting.

Council agreed all full-time employees would receive the greater of 3% or 50 cent per hour COLA salary increase. Part-time employees would receive a 50 cent per hour increase. They also agreed to allocate 2% for a merit increase and an additional 2% for market adjustments. Councilmember Malouf brought up the idea of having a wellness program for staff as a benefit.

### **INDIVIDUAL CONSIDERATION**

3. **CONSIDER PROPOSAL TO ADOPT 2014 TAX RATE AND SCHEDULE PUBLIC HEARINGS** – Councilmember Malouf made a motion to place a proposal to adopt a tax rate of .42033200 on the agenda of the 6:00 p.m., September 9, 2014, City Council meeting, and to schedule two public hearings – one at 7:00 p.m. on Tuesday, August 26, 2014, and a second at 6:00 p.m. on Tuesday, September 2, 2014. Councilmember Stewart seconded.

Council Member - Elisa M. Heard: Disapprove  
 Council Member - Cary Hilliard: Disapprove  
 Council Member - Cindy Malouf: Approve  
 Council Member - Scott Perkins: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve

### **EXECUTIVE SESSION**

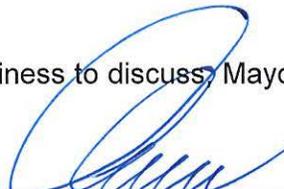
**In accordance with the authority contained in Section 551.071 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

4. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072) – Councilmember Malouf declared a conflict of interest and left the meeting. Mayor Lawrence convened Council into Executive session at 7:20 p.m.

#### RETURN TO OPEN SESSION

Council reconvened into open session at 8:06 p.m. Councilmember Malouf returned to chambers. No action was taken.

5. ITEMS FOR FUTURE AGENDAS – Councilmember Hilliard asked that the First Monday Committee report be discussed.
6. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:08 p.m.



Richard W. Lawrence, Mayor

ATTEST:



Debra Johnson, City Secretary

#### CALLED MEETING OF THE CANTON CITY COUNCIL

**5:30 P.M., TUESDAY, AUGUST 12, 2014**  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103

#### MINUTES

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, and CEDC Executive Director Julie Seymore,

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 5:31 p.m.

#### INDIVIDUAL CONSIDERATION

2. CONSIDER AWARDED BID FOR PHASE VII OF EAST OUTFALL - Councilmember Heard joined the meeting at 5:36 p.m. Mr. Cluck advised Council the following bids were received:

Bids received:

JDR Contracting LP	\$103,851.25
4M Construction	\$113,431.65

Capps Capco Construction Inc.	\$115,450.05
AAA Sanitation	\$125,152.50
Duplichain Contractors LP	\$171,085.50
FNH Construction LLC	\$162,245.20
SYP Construction Co. Inc.	\$216,749.50

Councilmember Perkins made a motion to award the contract to JDR Contracting for the amount of \$103,851.25. Councilmember Hilliard seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Elisa Heard: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Cindy Malouf: Approve  
 Council Member - Scott Perkins: Approve

### WORK SESSION

3. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 – Julie Seymore gave a presentation on the budgets for CEDC / Main Street / Marketing. Mr. Cluck said he had in the budget a pickup truck for First Monday that had not been listed on the notable projects. Mayor Lawrence urged Mr. Cluck to put another position in the budget for First Monday administration.

Kimberly Kroha said the public hearings on the tax rate would be held August 26 and September 2. She had developed new water and wastewater base rate scenarios. Council had gone with a tax rate of 0.430332. Council needed to decide tonight whether or not to have a certificate of obligation issuance.

Mr. Cluck said staff was working on changes to the fee schedule which would be presented to Council at a later date.

Councilmember Heard proposed removing the \$1.7 million for street improvements from the budget since we were building a city hall and would have possible water line issues. She felt it was a burden on the community to put a vague, non-specific loan on the books. We could adjust the budget at a later date, if needed. She was not comfortable borrowing \$2 million and paying the debt service if we were not going to use the money. Mr. Cluck said we would not borrow the money until the decisions were made about what streets to improve. It was less expensive to get the CO at one time because of the amount of the fees. Mayor Lawrence said the consensus was to leave the \$1.7 million in the budget.

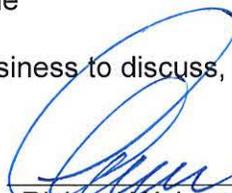
Councilmember Hilliard asked who approved the pay scale. Ms. Johnson said it was approved by the Council along with the budget. The individual raises would be approved by supervisors and the city manager. Councilmember Hilliard felt the salary structure should be approved by Council. Mr. Cluck said a salary chart would be reviewed by Council if changes were made.

Council reviewed the suggestions for rate increases to water and wastewater rates. The consensus was to change commercial water rates to 25,000-50,000 gallons at \$5.00; 50,000-100,000 gallons at \$5.05; 100,000-300,000 gallons at \$5.10; and 300,000+ gallons at \$5.15 with no base rate change.

Water residential bands would be the same as commercial. They would consolidate 50,000-100,000 at \$5.05; 100,000-300,000 at \$5.10; and 300,000+ would be \$5.15. Outside residential users would have the same bands. They wanted to increase the base

rate 10% for outside residential from \$27.55 to \$29.98. Wastewater rates would be reconsidered at the next meeting. They asked staff to create tiers of 50,000-100,000 100,000-300,000 and 300,000+. They wanted to increase the base rate \$1.00 on residential and commercial. They agreed on increases of 10,000-15,000 gallons to \$2.95; 15,000-25,000 gallons to \$3.00; 25,000-50,000 gallons to \$3.05; 50,000-100,000 gallons to \$3.10; 100,000-300,000 gallons to \$3.15 and 300,000+ gallons to \$3.20. Outside residential would keep the same tier rates to new rates. The residential outside sewer base rate would remain the same at \$28.25 but have same tiers as inside residential. Commercial wastewater would increase the same as residential for both inside and outside the city limits. The base rate would increase on inside commercial customers by 10% and outside commercial customers by 20%.

4. ITEMS FOR FUTURE AGENDAS - None
5. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:10 p.m.



Richard W. Lawrence, Mayor

ATTEST:



Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, AUGUST 19, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Mike Echols, Fire Chief Bud Sanford, Municipal Court Judge Lilia Durham and CEDC Executive Director Julie Seymore.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Mike Burns.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Heard.
4. MAYOR'S WELCOME - Mayor Lawrence welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None

6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Lawrence read the proclamation declaring September 7-13, 2014 as National Assisted Living Week in the City of Canton

#### **CITIZENS FORUM**

7. CITIZENS FORUM – Carlos Mora thanked those who served on the First Monday Audit Task Force. Sharon Stehsel requested the City allow the ABC Room to use the city-owned property by the Justice Center for their building.

#### **CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE JULY 12, 15 AND 29, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JULY 2014 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF 9-1-1 DATABASE MAINTENANCE INTERLOCAL CONTRACT WITH EAST TEXAS COUNCIL OF GOVERNMENTS – Councilmember Stewart made a motion to approve the items on the Consent Agenda. Councilmember Heard seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### **INDIVIDUAL CONSIDERATION**

11. CONSIDER REQUEST FROM SPCA OF VAN ZANDT COUNTY FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS AT THE DALLAS/BUFFALO INTERSECTION – Mayor Lawrence postponed this item to a later agenda since the requesting parties were not present.
12. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-12 GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF A RESTAURANT-PRIVATE CLUB IN GENERAL BUSINESS DISTRICT (B-2) ON A TRACT OF LAND SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 30176 STATE HIGHWAY 64 (ON THE SAME LOT AS DUKE'S TRAVEL PLAZA) IN CANTON, TEXAS, CURRENTLY OWNED BY VAN ZANDT HOLDING CO., LLC – Mayor Lawrence opened a public hearing at 6:17 p.m. There being no comments, the public hearing was closed at 6:17 p.m. Councilmember Hilliard made a motion to adopt Ordinance No. 2014-12. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

13. CONSIDER LEASE AGREEMENT WITH COMMUNITY INTERNET PROVIDERS LLC (CIP) FOR LEASING ANTENNA SPACE ON THE WATER TOWER ON HWY. 243 –

Councilmember Hilliard made a motion to approve the contract with CIP at the rate of \$300 per month. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

14. CONSIDER ADOPTION OF ORDINANCE NO. 2014-11 PROVIDING FOR PROCEDURES FOR THE OPERATION OF CITY OF CANTON'S FIRST MONDAY TRADE DAYS – Mayor Lawrence postponed this item until after the First Monday workshop.
15. FIRST READING OF RESOLUTION NO. 2014-11 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE AGREEMENT FOR ECONOMIC DEVELOPMENT WITH MILLWOOD CABINETS, LLP. – Mayor Lawrence read Resolution No. 2014-11 approving the incentive agreement with Millwood Cabinets, LLP for economic development.
16. SECOND READING OF RESOLUTION NO. 2014-11 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE AGREEMENT FOR ECONOMIC DEVELOPMENT WITH MILLWOOD CABINETS, LLP. - Mayor Lawrence read for a second time the Resolution No. 2014-11 approving the incentive agreement with Millwood Cabinets, LLP for economic development.
17. CONSIDER ADOPTION OF RESOLUTION NO. 2014-11 APPROVING AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND MILLWOOD CABINETS, LLP – Councilmember Malouf made a motion to adopt Resolution No. 2014-11. Councilmember Heard seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

18. DISCUSS DRAFT ORDINANCE PROHIBITING CELL PHONE USE WITHIN CITY LIMITS – Chief Echols presented a draft ordinance prohibiting cell phone use within the city limits. He suggested the city attorney review the ordinance before Council had a final vote.
19. REVIEW COMMITTEE REPORTS - None
20. CITY MANAGEMENT REPORTS
  - A. CAPITOL STREET SIDEWALK PROJECT – Mr. Cluck said the project was finished.
  - B. WATER TOWER PROJECT – Mr. Cluck reported they were working on the SCADA and waiting for ONCOR to hang the transformer.
  - C. 12" WATER LINE ALONG HIGHWAY 19 – Mr. Cluck said the water line had passed all the tests and was in service.

- D. WATER PLANT HIGH SERVICE PUMPS – Mr. Cluck reported they had three new high service pumps at the water plant. Two were now in and operational. The next one should be installed within the next couple weeks.

### EXECUTIVE SESSION

**In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

21. EXECUTIVE SESSION FOR DELIBERATIONS WITH ATTORNEY REGARDING POTENTIAL PURCHASE, LEASE OR SALE OF REAL PROPERTY (Sections 551.072)

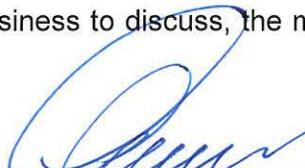
### RETURN TO OPEN SESSION

22. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - *Ron Stutes, Judge Durham, Chief Echols, and Chief Sanford left the meeting at 6:48 p.m.*
23. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 – Kimberly Kroha said she added a First Monday Director position in the budget at the direction of Council. She also added a grant for the fire department in the amount of \$102,000. Mr. Cluck explained the grant was for two emergency sirens on the First Monday grounds. The City would be reimbursed for the cost.

Ms. Kroha said there were be no base rate increase for residential or commercial customers and they had expanded tiers for users of over 5,000 gallons. She said they had a \$1.00 base rate increase on the residential wastewater rates and a 10% increase on the base rate for commercial users. Both categories had expanded tiers. Mayor Lawrence felt they had a consensus on the water and wastewater rates.

Mr. Cluck said the new First Monday position proposed by Council had an estimated salary of \$60,000. He said they would have to develop someone for that position. He wanted time to consider how he wanted to fill the position. Mayor Lawrence said it was too much for the City operations, First Monday operations and City Manager responsibilities to be on one person. This new position was a step in dividing out those duties. Ms. Kroha said with the last changes to the budget, they had a surplus of \$205,056.

24. ITEMS FOR FUTURE AGENDAS – Mayor Lawrence asked that the ABC Room request be on the next agenda.
25. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:08 p.m.



Richard W. Lawrence, Mayor

ATTEST:



Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**

**7:00 P.M., TUESDAY, AUGUST 26, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also in attendance were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, and CEDC Executive Director Julie Seymore.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 7:00 p.m.

**INDIVIDUAL CONSIDERATION**

2. PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015 – Mayor Lawrence opened a public hearing at 7:01 p.m. There being no comments, the public hearing was closed at 7:01 p.m. Mayor Lawrence announced the second public hearing on the tax rate and the public hearing on the budget would be held September 2, 2014, at 6:00 p.m.
3. CONSIDER AGREEMENT WITH THE ABC ROOM FOR USE OF CITY PROPERTY FOR PLACEMENT OF BUILDING – This matter was postponed to the next meeting.
4. CONSIDER DOWNTOWN STREET CLOSURES FOR AUTUMN STROLL FESTIVAL OCTOBER 10 AND 11, 2014 – Councilmember Stewart made a motion to approve the downtown street closures for the Autumn Stroll Festival. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

5. CONSIDER ADOPTION OF "WALKING CAPITAL OF TEXAS" LOGO – Councilmember Stewart made a motion to approve the "Walking Capital of Texas" logo as presented. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

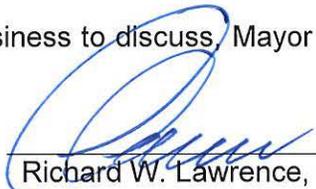
### EXECUTIVE SESSION

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

6. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OR SALE OF REAL PROPERTY (Sections 551.072) – Mayor Lawrence convened Council into Executive Session at 7:07 p.m. At 7:12 p.m., Councilmember Malouf left the meeting.

### RETURN TO OPEN SESSION

7. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 7:47 p.m.
8. ITEMS FOR FUTURE AGENDAS – Councilmember Hilliard requested a report on the status of fire hydrants.
9. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 7:49 p.m.

  
Richard W. Lawrence, Mayor

ATTEST:

  
Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M., TUESDAY, SEPTEMBER 2, 2014  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103**

### MINUTES

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Councilmember Elisa Heard was absent. Also in attendance were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, and CEDC Executive Director Julie Seymore.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.

### INDIVIDUAL CONSIDERATION

2. SECOND PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015 - At 6:00 p.m.,

Mayor Lawrence opened the public hearing. There being no comments, Mayor Lawrence closed the public hearing at 6:00 p.m.

3. PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 - Mayor Lawrence opened the public hearing at 6:01 p.m. There being no comments, Mayor Lawrence closed the public hearing at 6:02 p.m. Mayor Lawrence announced a final public hearing and vote on the budget and tax rate would be taken at the 6 pm city council meeting on Tuesday, September 9, 2014.
4. CONSIDER AGREEMENT WITH THE ABC ROOM FOR USE OF CITY PROPERTY FOR PLACEMENT OF BUILDING – Mayor Lawrence postponed this item to the next meeting.
5. CONSIDER REQUEST FROM NETWORK USA TO BURY FIBER OPTIC CABLE UNDERGROUND INSIDE THE CITY LIMITS - Councilmember Hilliard made a motion to approve the request from NetWork USA to bury fiber optic cable underground inside the city limits. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

6. DISCUSS PROPOSAL TO CONVENE THE FULL CITY COUNCIL IN OPEN MEETING FOR THE PURPOSE OF REGULAR WORKSHOPS TO RESOLVE MATTERS HERETOFORE ADDRESSED BY COMMITTEES – Mayor Lawrence postponed a decision on this matter to the next meeting.

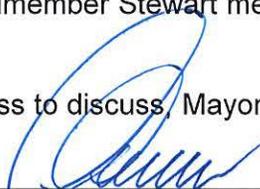
#### EXECUTIVE SESSION

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

7. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL LEASE, PURCHASE OR SALE OF REAL PROPERTY (Sections 551.072) - None

#### RETURN TO OPEN SESSION

8. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION
9. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart mentioned speed bumps on Short Street.
10. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 6:57 p.m.

  
 Richard W. Lawrence, Mayor

ATTEST:

  
 Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, SEPTEMBER 9, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. Proclaim October 2014 as Crime Prevention Month

**INDIVIDUAL CONSIDERATION**

3. CONSIDER ADOPTION OF ORDINANCE NO. 2014-13 APPROVING PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 – Councilmember Stewart made a motion to adopt Ordinance No. 2014-13 approving the proposed budget for fiscal year beginning October 1, 2014, and ending September 30, 2015. Councilmember Heard seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

4. CONSIDER ADOPTION OF ORDINANCE NO. 2014-14 LEVYING THE TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 – Councilmember Perkins made a motion to adopt Ordinance No. 2014-14 levying the tax rate for fiscal year beginning October 1, 2014, and ending September 30, 2015. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Disapprove  
 Council Member - Elisa M. Heard: Disapprove  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

5. CONSIDER ADOPTION OF ORDINANCE NO. 2014-15 ADOPTING THE FEE SCHEDULE, INCLUDING WATER AND SEWER RATES, FOR THE CITY OF CANTON, TEXAS – Councilmember Malouf made a motion to adopt Ordinance No. 2014-15 adopting the fee schedule, including water and sewer rates, for the City of Canton, Texas. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Disapprove  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

6. CONSIDER ADOPTION OF RESOLUTION NO. 2014-11 APPROVING THE CANTON ECONOMIC DEVELOPMENT CORPORATION / CVB / MAIN STREET BUDGETS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 – Councilmember Heard made a motion to adopt Resolution No. 2014-11 approving the Canton Economic Development Corporation, CVB and Main Street budgets for fiscal year beginning October 1, 2014, and ending September 30, 2015. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

7. CONSIDER AGREEMENT WITH THE ABC ROOM FOR USE OF CITY PROPERTY FOR PLACEMENT OF BUILDING – Councilmember Perkins made a motion to approve the agreement with the ABC Room for a minimum of one year and thereafter to terminate upon ninety days' notice by either party with the location of the building to be approved by the City Manager. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

8. CONSIDER PROPOSAL TO CONVENE THE FULL CITY COUNCIL IN OPEN MEETING FOR THE PURPOSE OF REGULAR WORKSHOPS TO RESOLVE MATTERS HERETOFORE ADDRESSED BY COMMITTEES – Councilmember Stewart made a motion to have Council hold regular quarterly, or more frequently as necessary, workshops to discuss items currently addressed by committees, excluding the Main Street Board, Planning & Zoning Commission and Board of Adjustment. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

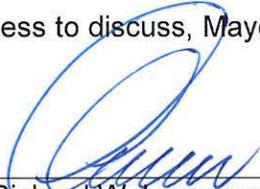
#### EXECUTIVE SESSION

**In accordance with the authority contained in Sections 551.072 and 551.074 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

9. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE, LEASE OR SALE OF REAL PROPERTY (Sections 551.072) – Mayor Lawrence convened Council into Executive Session at 6:42 p.m.

**RETURN TO OPEN SESSION**

10. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 7:10 p.m. with no action taken.
11. CITY MANAGEMENT REPORTS
  - A. HIRING OF DIRECTOR OF PUBLIC WORKS – Mr. Cluck said he conducted interviews for a Director of Public Works. He had one gentleman he wanted to hire in the \$60,000-70,000 range who was a professional engineer. He felt hiring a professional engineer would save the City on engineering fees.
12. ITEMS FOR FUTURE AGENDAS - None
13. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 7:07 p.m.

  
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Richard W. Lawrence, Mayor

ATTEST:

  
\_\_\_\_\_  
Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M., TUESDAY, SEPTEMBER 16, 2014  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103**

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Finance Director Kimberly Kroha, Police Chief Mike Echols, and Public Works Director Walt Lehmann.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Lonny Cluck.
3. PLEDGE OF ALLEGIANCE was led by Scott Perkins.

4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting and those listening on KWJB.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – Councilmember Heard declared a conflict of interest on Items 14, 15 and 16.
6. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. Proclaim October 18, 2014, First United Methodist Church Lord's Acre Fall Festival Day

#### **CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Jimmy Hair asked about the City's plans for drilling a new water well.

#### **CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE AUGUST 5, 12, 19, AND 26, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF AUGUST 2014 FINANCIAL STATEMENTS
10. CONSIDER ADOPTION OF RESOLUTION NO. 2014-14 DESIGNATING THE CANTON HERALD AS THE OFFICIAL NEWSPAPER FOR THE CITY OF CANTON
11. CONSIDER APPROVAL OF DESIGN FOR MILL CREEK LAKE TRAIL

Councilmember Hilliard requested Item 11 be discussed separately. Councilmember Stewart made a motion to approve Items 8, 9 and 10 of the Consent Agenda. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

After a brief discussion, Councilmember Stewart made a motion to approve Item 11 of the Consent Agenda. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### **INDIVIDUAL CONSIDERATION**

12. CONSIDER ADOPTION OF RESOLUTION NO. 2014-17 FUNDING THE TEXAS DEPARTMENT OF AGRICULTURE MAIN STREET PROGRAM – Councilmember Heard made a motion to adopt Resolution No. 2014-17. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

13. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-16 AMENDING THE FY 2013-2014 ANNUAL BUDGET – Mayor Lawrence postponed this item to the next regular meeting.
14. FIRST READING OF RESOLUTION NO. 2014-15 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE AGREEMENT FOR ECONOMIC DEVELOPMENT WITH CJK PROPERTIES, LTD. – Councilmember Heard left the room at 6:18 p.m. Mayor Lawrence read Resolution No. 2014-15.
15. SECOND READING OF RESOLUTION NO. 2014-15 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE AGREEMENT FOR ECONOMIC DEVELOPMENT WITH CJK PROPERTIES, LTD. – Mayor Lawrence gave a second reading of Resolution No. 2014-15.
16. CONSIDER ADOPTION OF RESOLUTION NO. 2014-15 APPROVING AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND CJK PROPERTIES, LTD. – Councilmember Malouf made a motion to adopt Resolution No. 2014-15. Councilmember Stewart seconded. *Councilmember Heard left the room at 6:19 p.m.*

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Absent  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

*Councilmember Heard re-entered the room at 6:24 p.m.*

17. CONSIDER ADOPTION OF RESOLUTION NO. 2014-16 APPROVING THE CANTON ECONOMIC DEVELOPMENT CORPORATION'S AGREEMENT WITH CYNTHIA GODFREY FOR THE CANTON-HACKNEY AIRPORT RENOVATION FEASIBILITY STUDY – Councilmember Malouf made a motion to adopt Resolution No. 2014-16. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

18. CONSIDER CONTINUATION OF HILLCREST CEMETERY COMMITTEE – Councilmember Stewart made a motion to continue the Hillcrest Cemetery Committee. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve

Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

19. CONSIDER APPROVAL OF LOCATION, DESIGN, FLOOR PLAN AND AUTHORIZATION TO PROCEED WITH BID PACKAGE FOR A NEW CITY HALL, INCLUDING DISCUSSION AND CONSIDERATION OF ALL ASPECTS OF THE DECISION WHETHER TO BUILD A NEW CITY HALL – Councilmember Stewart made a motion the site of the new city hall be downtown underneath the old water tower. Councilmember Hilliard seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

Councilmember Malouf made a motion to authorize staff to have a design developed suited to the selected site for the city hall for review by Council. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### EXECUTIVE SESSION

**In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

20. EXECUTIVE SESSION FOR DELIBERATIONS WITH ATTORNEY REGARDING TAX EXEMPT STATUS OF CITY-OWNED PROPERTY (Sections 551.071) – None

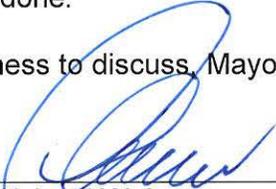
#### RETURN TO OPEN SESSION

21. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION
22. CITY MANAGEMENT REPORTS
- A. WATER TOWER PROJECT – Mr. Cluck introduced the Director of Public Works, Walt Lehmann. Mr. Cluck said there was a leak in the water tower which they were trying to correct. They had to make a decision when the new water tower should be put on line.
- B. WATER PLANT HIGH SERVICE PUMPS – Mr. Cluck said the pumps were installed. They were probably two weeks from completing that project.

C. FIRE HYDRANT UPDATE – Mr. Cluck said the report was submitted to Council in their packets. Chief Sanford was unable to be at the meeting tonight. He said all the numbers would change in the report once the new water tower was operational.

23. ITEMS FOR FUTURE AGENDAS - Councilmember Hilliard requested the City Manager evaluation be on the next agenda. Mayor Lawrence stated he needed all the evaluations completed before the evaluation could be done.

24. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 7:43 p.m.




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Richard W. Lawrence, Mayor

ATTEST:




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Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M., TUESDAY, OCTOBER 7, 2014  
City Hall Council Chambers  
290 East Tyler Street, Canton, Texas 75103**

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Operations Supervisor Linda Boston and Civic Center Coordinator Ron Hammack.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.

**EXECUTIVE SESSION**

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

2. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING REAL PROPERTY MATTERS (Section 551.071) – Mayor Lawrence convened Council into Executive Session at 6:01 p.m.

### RETURN TO OPEN SESSION

3. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into Open Session at 7:02 p.m.
4. CONSIDER ADOPTION OF RESOLUTION NO. 2014-18 APPROVING THE SALE OF CITY RIGHT-OF-WAY NO LONGER NEEDED FOR ROW TO ADJACENT OWNER AS PROVIDED BY TEXAS LOCAL GOVERNMENT CODE §271.001(b) – A motion was made by Councilmember Heard to adopt Resolution No. 2014-18. Councilmember Perkins seconded. Councilmember Heard amended her motion to adopt Resolution No. 2014-18 to have the amount of \$10.00 inserted in the blank for closing costs. Councilmember Perkins approved the amendment.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

5. CONSIDER APPROVING THE SALE OF CITY RIGHT-OF-WAY NO LONGER NEEDED FOR RIGHT OF WAY TO ADJACENT OWNER AS PROVIDED BY TEXAS LOCAL GOVERNMENT CODE §271.001(b) – Mr. Cluck advised if the City received a survey showing the easement and brought any other supporting paperwork, the City would consider deeding the right-of-way to the owner.

### WORK SESSION

6. WORK SESSION ON FIRST MONDAY
  - A. FIRST MONDAY POLICIES/GUIDELINES – Mr. Cluck reviewed the proposed changes to the policies, which primarily dealt with early entry fees, disposal of cardboard at recycling stations; climate-controlled lodging fees; set-up times and use of generators.
  - B. FIRST MONDAY LEASES ON LOCK AND LEAVE BUILDING – Mr. Cluck explained the vendors in Dry Creek Landing had annual leases. The staff recommended discontinuing the leases to make it easier for vendors to share the spaces. They would all go to a month-by-month rental. Mayor Lawrence asked the matter be placed on the next agenda for a vote. Mr. Cluck advised rent would stay the same per square foot.

### INDIVIDUAL CONSIDERATION

7. CONSIDER ADOPTION OF ORDINANCE NO. 2014-11 PROVIDING FOR PROCEDURES FOR THE OPERATION OF CITY OF CANTON'S FIRST MONDAY TRADE DAYS – Councilmember Malouf made a motion to adopt Ordinance No. 2014-11. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve

Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

8. ITEMS FOR FUTURE AGENDAS – Councilmember Malouf requested Council discuss the process by which they would evaluate the City Manager. Councilmember Stewart requested Mr. Cluck give an update on the process for bids for the new city hall. Mayor Lawrence asked Council discuss the water tower, the new tower for antennas and the city hall.
9. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:15 p.m.




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Richard W. Lawrence, Mayor

ATTEST:




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Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, OCTOBER 21, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Finance Director Kimberly Kroha, Police Chief Mike Echols, Fire Chief Bud Sanford, Municipal Judge Lilia Durham, and Public Works Director Walt Lehmann.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Chief Bud Sanford.
3. PLEDGE OF ALLEGIANCE was led by Judge Lilia Durham.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone in attendance and listening on the radio.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

### CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA - Jim Fuller reminded Council of the problem of substandard buildings in town. He asked Council to become familiar with Chapter 151 of the City ordinances regarding what should be done about the problem.

### CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE SEPTEMBER 2, 9, AND 16, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF SEPTEMBER 2014 FINANCIAL STATEMENTS  
Councilmember Stewart made a motion to approve all items on the Consent Agenda. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

### INDIVIDUAL CONSIDERATION

10. CONSIDER ADOPTION OF RESOLUTION NO. 2014-20 APPROVING THE CITY OF CANTON'S 2014 TAX ROLL AS SUBMITTED BY THE VAN ZANDT COUNTY APPRAISAL DISTRICT - Councilmember Malouf made a motion to approve Resolution No. 2014-20. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2014-16 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 - Mayor Lawrence opened the public hearing at 6:09 p.m. There being no comments, the public hearing was closed at 6:09 p.m. Councilmember Perkins made a motion to adopt Ordinance No. 2014-16 with the correction of the dates from 2011-2012 to 2013-2014 as stated.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

12. CONSIDER REQUEST FROM VERIZON WIRELESS TO LEASE SPACE ON THE CITY-OWNED PAVILIONS TO INSTALL SMALL CELL TECHNOLOGY – Council-member Stewart made a motion to proceed with contract negotiations between Verizon personnel, city staff and the City Attorney so documents could be presented to Council for consideration and approval. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

13. CONSIDER APPOINTMENT TO FILL A VACANCY ON THE CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Hilliard made a motion to appoint Terri Pruitt. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

14. CONSIDER ADOPTION OF RESOLUTION NO. 2014-19 AUTHORIZING INDIVIDUALS TO SIGN CONTRACTUAL DOCUMENTS ASSOCIATED WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY'S HOMELAND SECURITY GRANT (EMW-2014-SS-00029) - Councilmember Perkins made a motion to adopt Resolution No. 2014-19. Councilmember Hilliard seconded.

Council Member - Cary Hilliard: Approve  
Council Member - Elisa M. Heard: Approve  
Mayor Pro Tem - Shawn Stewart: Approve  
Council Member - Scott Perkins: Approve  
Council Member - Cindy Malouf: Approve

15. CONSIDER STREET CLOSURES FOR FRIDAY NIGHT LIVE DURING FIRST MONDAY WEEKENDS – Ray Reed requested they be allowed to use three parking spaces on the west side of the courthouse during the Friday Night Live nights on First Monday weekends. Mr. Cluck felt the band in the parking spaces would bring people out to the street. Councilmember Stewart said he requested the item be on the agenda so they could have a discussion. He felt one compromise was to block off Tyler Street during busy months and on Buffalo Street during the slower First Mondays. He did not want people to get hit by a car. Councilmember Perkins suggested the band play in the pocket park. Councilmember Stewart said merchants preferred to have the band on the corner of Buffalo and Hwy. 64 because of the visibility of the band for pedestrians. Mr. Cluck felt the crowds would go anywhere the band was playing. Mr. Reed said the month they had the band at the pocket park they did not have the same amount of traffic. He thought the music carried the best from the other location. Councilmember Malouf suggested they rope off the parking spaces on the west side of the courthouse and see if there were any complaints. Mayor Lawrence said they needed to educate people so they would not step out into the street.

16. CONSIDER ADOPTION OF ORDINANCE NO. 2014-17 PROHIBITING CELL PHONE USE WITHIN CITY LIMITS - Councilmember Hilliard made a motion to adopt Ordinance No. 2014-17 with the change in the caption to indicate it was a texting ban and the wording be changed regarding City's public roads. Councilmember Heard seconded. Councilmember Hilliard amended his motion to add that the matter be reviewed by Council every six months and that it was not a jailable offense. Councilmember Heard approved the amendments.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

17. CONSIDER PROCEDURE FOR RENTAL OF SPACES IN DRY CREEK LANDING LOCK AND LEAVE – Councilmember Malouf made a motion to have month-to-month rentals in lieu of leases for the Dry Creek Landing spaces. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

18. CONSIDER SETTING AN ANNUAL FIXED ALLOWANCE FOR THE MAYOR AND COUNCILMEMBERS TO COVER CITY-RELATED BUSINESS TRAVEL, TRAINING AND OTHER EXPENSES – Councilmember Malouf made a motion to have a cap of \$1000 per councilmember for travel, training and other expenses from May to June and to allow the city manager to approve up to that amount and to have Council approval required on anything above that amount. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

19. DISCUSS PROCESS FOR CITY MANAGER EVALUATIONS – Councilmember Malouf said she became confused when trying to fill out the evaluation. She wanted to talk about the purpose of the evaluation and how it would be used. She felt if they used it as a training-and-teaching tool, it was a great thing. She did not feel it should be used just to blast someone. Councilmember Hilliard said the last one done was for Mr. McCuiston. They suggested areas of improvement and complimented him on areas in which he was doing well. Councilmember Malouf said she would like a clear plan of action. She felt it was incumbent on Council to tell the city manager how they saw things were going and to get straightforward answers about any questions they had of him. Councilmember Stewart said something should be done. Mr. Cluck's contract was up December 2015. Mayor Lawrence said the evaluation would include comments from all councilmembers with whom Mr. Cluck had worked. Councilmember Hilliard said Council voted in January to have an evaluation. Everyone at that time submitted an evaluation while they were on Council. Ms. Chambless and Ms. Benson were not on Council at that time and he did not feel their evaluations should be included. Councilmember Malouf suggested they only use evaluations from the current Council. Mayor Lawrence said the matter could be

placed on the next agenda for a vote. Councilmember Heard said the only voices heard during the evaluation would be those in the room. Councilmember Stewart said the current Council could give the evaluations from former councilmembers whatever weight it wanted. Councilmember Malouf asked if the City had a formal evaluation process. Mayor Lawrence said it did not. Councilmember Malouf suggested they vote at the next meeting about the evaluation process. Mayor Lawrence requested Councilmember Malouf work with him on gathering information.

## 20. CITY MANAGEMENT REPORTS

- A. NEW WATER TOWER PROJECT – Mr. Cluck reported the water tower had been filled but had a couple leaks. If they kept having problems, they would take the tower off the system until after First Monday. He said they would not release final payment on the tower until it was done.
- B. NEW CITY HALL PROPOSED PLANS – Mr. Cluck presented the footprint and site plan for the new city hall. He suggested a variance be obtained so they could move the building closer than the 25-foot setback. Mr. Cluck suggested having an entryway over the street at the beginning of the block to have the area stand out looking north from south Buffalo Street.
- C. NEW CELL TOWER FOR ANTENNAS CURRENTLY ON HISTORIC WATER TOWER – Mr. Cluck said they would have to take the antennas off the historic water tower to paint it. He suggested having a new tower put up in another location and relocate the antennas there. He had spoken with AT&T and they were going to come look at the proposed location. They had the packet ready to go for bids on the water tower. He did not want to send it out until the decisions had been made.

## EXECUTIVE SESSION

**In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

- 21. EXECUTIVE SESSION FOR DELIBERATIONS WITH CITY ATTORNEY REGARDING POTENTIAL SALE, PURCHASE, LEASE OR VALUE OF REAL PROPERTY (Sections 551.072) - Mayor Lawrence convened Council into Executive Session at 8:20 p.m.

## RETURN TO OPEN SESSION

- 22. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into open session at 9:00 p.m.
- 23. ITEMS FOR FUTURE AGENDAS – Councilmember Hilliard requested Council discuss a policy whereby Council was informed if an employee was out on a long-term medical leave or if key personnel were out.
- 24. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 9:03 p.m.




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 Richard W. Lawrence, Mayor

ATTEST:




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 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, NOVEMBER 18, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Finance Director Kimberly Kroha, Municipal Judge Lilia Durham, CEDC Executive Director Julie Seymore, Building Inspector Dwight Lancaster, and Public Works Director Walt Lehmann.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. INVOCATION was led by Judge Lilia Durham.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Perkins.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed members of the Leadership Group from Canton High School who were in attendance.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA - None

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE OCTOBER 7 AND 21, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF OCTOBER 2014 FINANCIAL STATEMENTS

Councilmember Malouf made a motion to approve items on the Consent Agenda. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### INDIVIDUAL CONSIDERATION

10. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 2014-19 AMENDING THE CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE ON TRACT OF LAND LOCATED AT 203 BOIS D'ARC, CITY OF CANTON, FROM RESIDENTIAL TO RETAIL - Mayor Lawrence opened the public hearing at 6:05 p.m. Cynthia Davis, 203 Bois D'arc, requested the zoning on her property be changed so she could operate her business. She requested Clay Nicklas be recused from any discussions regarding her business. Ms. Davis said she lived directly across from a commercial business. Her office hours were 8 am to 4 pm. The people who worked in her office were very professional. This location was directly across the street from the Sheriff's Department and another bail bonds office. She was not bringing anything to the neighborhood that was not already there. Councilmember Stewart asked Ms. Davis if anything had changed since the last time she had requested a change of zoning. She said nothing had changed. Ms. Davis said she averaged three to four people coming into her office daily. On court days, there might be up to ten. Councilmember Heard said her concern was that it was a residential street and it would have the business traffic. The other business across from Ms. Davis fronted on Highway 64. Councilmember Hilliard clarified our former city attorney had previously advised Council that Mr. Nicklas had no conflict of interest on issues regarding the zoning of Ms. Davis' property. Chrissy Brown said people would walk over from the jail to the store on Highway 64 and cash their checks and use the phone. They were in the area anyway. Councilmember Perkins stated he was afraid to set a precedent by changing the zoning at this location. Mayor Lawrence closed the public hearing at 6:11 p.m.

Councilmember Hilliard made a motion to deny Ordinance No. 2014-19 changing the comprehensive plan. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

11. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 2014-20 EFFECTING A ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO LOCAL BUSINESS DISTRICT (B-1) ON A TRACT LOCATED AT 203 BOIS D'ARC IN THE CITY OF CANTON, TEXAS, OWNED BY CYNTHIA DAVIS – Mayor Lawrence opened a public hearing at 6:17 p.m. There being no comments, the public hearing was closed at 6:17 p.m. No motion was made.

12. CONSIDER REQUEST FROM VAN ZANDT COUNTY HUMANE SOCIETY FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS AT THE DALLAS/BUFFALO INTERSECTION DURING MARCH AND JUNE 2015 TRADE DAYS (FEBRUARY 27-28, 2015 AND MAY 29-30, 2015) - Councilmember Heard made a motion to grant the request from the Van Zandt County Humane Society. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

13. CONSIDER ADOPTION OF ORDINANCE NO. 2014-18 ADOPTING THE FEE SCHEDULE, INCLUDING WATER AND SEWER RATES, FOR THE CITY OF CANTON, TEXAS – Councilmember Hilliard made a motion to adopt Ordinance No. 2014-18. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

14. CONSIDER APPROVAL OF CONTRACT WITH VERIZON WIRELESS TO LEASE SPACE ON THE CITY-OWNED PAVILIONS TO INSTALL SMALL CELL TECHNOLOGY – Councilmember Stewart made a motion that the contract with Verizon Wireless be approved contingent upon approval of the contract by the City Attorney and approval of the locations and terms by the City Manager. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Disapprove  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

Mayor Lawrence convened Council into executive session at 6:32 p.m.

15. CONSIDER INCREASE IN RATES FOR ON GROUNDS PARKING, HILL PARKING AND THE ELECTRICAL RATE FOR 50 AMP RV'S ON FIRST MONDAY GROUNDS – Councilmember Stewart made a motion to increase the rates for the regular spaces in On Grounds Parking and Hill Parking to \$15 and for trailer/two-unit spaces to \$30 per show and to increase the rates for RV's which require 50 amp plugs by \$5 per day per show. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

16. CONSIDER FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER TOWER, AND DESIGN/CONSTRUCTION OF NEW CITY HALL – Councilmember Malouf made a motion to instruct the City Manager to move forward with the architectural plans and bid process for the new city hall before Council decided about financing.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

Mayor Lawrence requested a work session regarding financing of projects on the First Monday grounds be scheduled for November 26, 2014, at 9:00 a.m.

17. DISCUSS FORMAT OF CITY MANAGER EVALUATION – Mayor Lawrence requested the evaluation of the city manager be done at the meeting scheduled for November 26, 2014.
18. DISCUSS COMMUNICATION POLICY REGARDING EXTENDED ABSENCES OF STAFF MEMBERS – Council established that they should only be made aware if employees at the City Manager or City Secretary level (ones they dealt with on a daily or weekly basis) were out for an extended period of time. It was not necessary for them to know about other employee absences.
19. CITY MANAGEMENT REPORTS
- A. NEW WATER TOWER PROJECT – Mr. Cluck said they had filled the water tower up five times unsuccessfully. He had spoken to the engineer and inspector and they were trying to determine what needed to be done. He did not intend to make any more payments until the problem was resolved
- B. THANKSGIVING LUNCH FOR EMPLOYEES/FAMILIES – NOVEMBER 21, 2014 – Ms. Johnson invited Councilmembers to the employee Thanksgiving lunch on November 21, 2014.

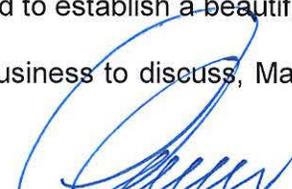
#### EXECUTIVE SESSION

**In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.**

20. EXECUTIVE SESSION FOR DELIBERATIONS WITH ATTORNEY REGARDING POTENTIAL PURCHASE, LEASE OR SALE OF REAL PROPERTY (SECTIONS 551.072) - Mayor Lawrence convened Council into Executive Session at 6:32 p.m.

**RETURN TO OPEN SESSION**

21. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 6:43 p.m.
22. ITEMS FOR FUTURE AGENDAS – Mayor Lawrence requested a workshop on dilapidated buildings in town. He wanted to establish a beautify Canton campaign.
23. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:53 p.m.




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 Richard W. Lawrence, Mayor

ATTEST:




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 Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL**  
**9:00 A.M., WEDNESDAY, NOVEMBER 26, 2014**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson and Building Inspector Dwight Lancaster.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 9:01 a.m.

**WORK SESSION**

2. COUNCIL WILL RECESS AND RELOCATE FOR WORK SESSION AT FIRST MONDAY GROUNDS (SOUTH END, TRADE CENTER IV) TO DISCUSS AREAS FOR IMPROVEMENT / EXPANSION - Mayor Lawrence recessed at 9:01 a.m. for Council to relocate at the First Monday grounds. Council resumed the meeting at 9:08 a.m. Councilmember Perkins joined the meeting at 9:11 a.m. Council had a general discussion about the proposed extension and improvements to Trade Center IV. Mayor Lawrence called a recess at 9:35 a.m. Council reconvened into session at City Hall at 9:44 a.m.

**INDIVIDUAL CONSIDERATION**

3. RECONVENE AT CITY HALL TO CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF

NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL – Councilmember Stewart made a motion to authorize the City Manager and First Monday staff to move forward with the design, cost and layout of the extension of Trade Center IV down to Row 21 and to obtain engineering and other costs to get that accomplished. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve

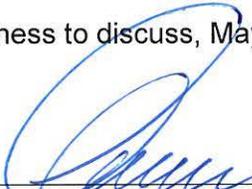
Council Member - Elisa M. Heard: Approve

Mayor Pro Tem - Shawn Stewart: Approve

Council Member - Scott Perkins: Approve

Council Member - Cindy Malouf: Approve

4. DISCUSS AND CONSIDER THE DEVELOPMENT AND IMPLEMENTATION OF A FIRST ANNUAL "BEAUTIFY CANTON CAMPAIGN" AND THE ENFORCEMENT OF CITY ORDINANCES PERTAINING TO NEGLECTED / ABANDONED BUILDINGS – Dwight Lancaster joined the meeting at 9:45 a.m. Mayor Lawrence instructed the City Manager to post a full-time code enforcement position to see if any qualified applicants applied. He wanted the posting to include enforcement of ordinances and development of a campaign to keep Canton beautiful.
5. DISCUSS CITY MANAGER GOALS / OBJECTIVES – Dwight Lancaster left the meeting at 11:10 a.m. Mayor Lawrence postponed this item to a later meeting due to time constraints.
6. ITEMS FOR FUTURE AGENDAS - Councilmember Stewart suggested they discuss the nonprofit organization which could accept donations on behalf of the Mill Creek Trails project.
7. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 11:15 a.m.




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Richard W. Lawrence, Mayor

ATTEST:




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Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**

**6:00 P.M., TUESDAY, DECEMBER 16, 2014**

City Hall Council Chambers

290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Finance Director Kimberly Kroha, Fire Chief Bud Sanford and Public Works Director Walt Lehmann.

Discussion and action were as follows:

1. CALL TO ORDER – The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:00 p.m.
2. INVOCATION was led by Bud Sanford
3. PLEDGE OF ALLEGIANCE was led by Councilmember Stewart.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – Councilmember Heard declared a conflict of interest on Items 13 and 14.
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

#### **CITIZENS FORUM**

7. CITIZENS FORUM – Jim Fuller spoke about maintenance of the old fire truck and requested Council find a permanent home for it to be on display. Jerry Yarbrough expressed his concern about the use of lake water.

#### **CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE NOVEMBER 18 AND 26, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF NOVEMBER 2014 FINANCIAL STATEMENTS - Councilmember Stewart made a motion to approve the items on the Consent Agenda. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

#### **INDIVIDUAL CONSIDERATION**

10. CONSIDER ISSUANCE OF COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION – No motion was made.
11. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL – No motion was made.

12. DISCUSS USE OF EAST TEXAS COMMUNITIES FOUNDATION (ETCF) FOR MILL CREEK LAKE TRAIL DONATIONS – Mayor Lawrence postponed this item to the next regular meeting.
13. CONSIDER APPROVAL OF PRELIMINARY PLAT OF SOUTHERN MULTIFOODS ADDITION CONTAINING 1.48 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 1999 N. TRADE DAYS BLVD., IN CANTON, TEXAS, OWNED BY CJK PROPERTIES LTD. AND SOUTHERN MULTIFOODS INC. - Councilmember Heard left the council room at 7:17 p.m. Councilmember Malouf made a motion to approve the preliminary plat. Councilmember Hilliard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Not Present  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

14. CONSIDER APPROVAL OF FINAL PLAT OF SOUTHERN MULTIFOODS ADDITION CONTAINING 1.48 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 1999 N. TRADE DAYS BLVD., IN CANTON, TEXAS, OWNED BY CJK PROPERTIES LTD. AND SOUTHERN MULTIFOODS INC. – Councilmember Perkins made a motion to approve the final plat. Councilmember Hilliard seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Not Present  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

Councilmember Heard entered the council room at 7:24 p.m.

15. CONSIDER AWARDING GRANT MANAGEMENT SERVICES CONTRACT FOR 2014 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG #7214069) – Mr. Cluck advised only one bid was received. Councilmember Hilliard made a motion to award the Grant Management Services Contract to Gary Traylor & Associates, Inc. for amount not to exceed \$30,000. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

16. CONSIDER APPOINTMENTS TO MAIN STREET ADVISORY BOARD - Councilmember Stewart made a motion to reappoint Anna McDaniel, Johnny McDaniel and Lanette Thomas and to appoint Chelsie Cannon, Amy Melton and Jan Adamson. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve

Council Member - Cindy Malouf: Approve

17. CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH EVENT APPS OF TEXAS LLC FOR PROMOTION OF CANTON, LOCAL BUSINESSES, AND FIRST MONDAY TRADE DAYS – Councilmember Perkins made a motion to approve the Memorandum of Understanding with Event Apps of Texas LLC. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve  
 Council Member - Elisa M. Heard: Approve  
 Mayor Pro Tem - Shawn Stewart: Approve  
 Council Member - Scott Perkins: Approve  
 Council Member - Cindy Malouf: Approve

18. CITY MANAGEMENT REPORTS

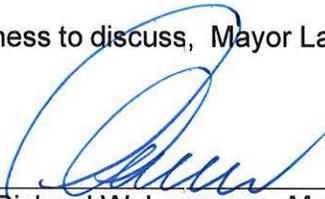
A. NEW WATER TOWER – Mr. Cluck said the professionals felt the water on the side of the water tower was condensation. We have not made the final payments. The warranty period had not yet started. He would wait to see. The water tower has been in service over three weeks. There have been two breaks so far.

B. FIRST MONDAY – Mr. Cluck reported the revenue was up a little bit. December was a good show.

C. CHRISTMAS LUNCH FOR EMPLOYEES – DECEMBER 19, 2014 – Debra Johnson invited councilmembers to attend the Christmas employee lunch on Friday.

19. ITEMS FOR FUTURE AGENDAS

20. ADJOURN – There being no further business to discuss, Mayor Lawrence adjourned the meeting at 7:50 p.m.

  
 Richard W. Lawrence, Mayor

ATTEST:

  
 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL**  
**6:00 P.M., TUESDAY, JANUARY 20, 2015**  
 City Hall Council Chambers  
 290 East Tyler Street, Canton, Texas 75103

**MINUTES**

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, City Attorney Ron Stutes, Finance Director Kimberly Kroha, Police Chief Mike Echols, Municipal Court Judge Lilia Durham and Public Works Director Walt Lehmann.

Discussion and action were as follows:

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. INVOCATION was led by Judge Lilia Durham.
3. PLEDGE OF ALLEGIANCE was led by Chief Mike Echols.
4. MAYOR'S WELCOME HONORED WITH PRESENCE OF STUDENT LEADERSHIP – Mayor Lawrence welcomed those students attending from Canton High School and welcomed the audience in attendance and those listening on the radio.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - Councilmember Perkins declared a conflict on Item 20 of the agenda.
6. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. PROCLAMATION OBSERVING APRIL AS FAIR HOUSING MONTH IN THE CITY OF CANTON – Mayor Lawrence read the Proclamation designating April 2015 as Fair Housing Month.

#### **CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – None.

#### **CONSENT AGENDA**

8. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 16, 2014 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF DECEMBER 2014 FINANCIAL STATEMENTS

Items on the consent agenda were unanimously approved upon motion by Councilmember Stewart and second by Councilmember Heard.

#### **INDIVIDUAL CONSIDERATION**

10. DISCUSS USE OF EAST TEXAS COMMUNITIES FOUNDATION (ETCF) for MILL CREEK LAKE TRAIL donations – Kyle Penney, President of East Texas Community Funds, explained the various options available to the City to receive donations for the Mill Creek Trail project.
11. CONSIDER ADOPTION OF RESOLUTION NO. 2015-2 DECLARING SUPPORT FOR THE PROPOSED OAKS OF WESTVIEW DEVELOPMENT (CURRENTLY WESTVIEW APARTMENTS) LOCATED AT 1201 WEST COLLEGE, CANTON, TEXAS, A JOINT HOUSING TAX CREDIT AND HOME FUNDS APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE YEAR 2015 –