

REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, APRIL 21, 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, Finance Director Kimberly Kroha, Municipal Court Judge Lilia Durham, Police Chief Mike Echols, Public Works Director Walt Lehmann, and CEDC Executive Director Julie Seymore. City Attorney Ron Stutes was also in attendance.

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 Judge Lilia Durham.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Shawn Stewart.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed students from Canton High School.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. PROCLAMATION OF MAY 2015 AS NATIONAL HISTORIC PRESERVATION MONTH IN CANTON, TEXAS
 - B. RECOGNIZE CITY EMPLOYEES VOTED AS BEST IN THEIR CATEGORY BY VAN ZANDT NEWS SUBSCRIBERS (2ND YEAR)
 - 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

Mayor Lawrence presented Sgt. Steve Hall with a plaque awarded by Van Zandt County News Subscribers.

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 – Jackie Davis, Canton Disc Golf Club, requested Council's support for expansion of the disc golf course at Cherry Creek Park. She felt it would be beneficial to the City to be able to host more tournaments because it would bring more tourists into town. Councilmember Stewart requested the group give the City Manager an itemized list of what the club was requesting so Council could review it before the

deadline for the July 4 tournament. Councilmember Heard suggested the group also make a presentation to the CEDC to see if they could help them financially because this was an attraction that could bring economic growth to the City.

Jimmy Hair expressed the City did not need a lake. They just needed to drill a new well to meet future water needs. Councilmember Hilliard said the City Manager had asked for a lake in the new five-year water plan. Council had not authorized him to do so. Councilmember Hilliard asked the matter be placed on an agenda so Council could discuss the matter.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE MARCH 2 AND 17, 2015 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF MARCH 2015 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF CONTRACT WITH PYRO SHOWS FOR JULY 4TH 2015 FIREWORKS DISPLAY

All items on the consent agenda were unanimously approved upon motion by Councilmember Stewart and second by Councilmember Perkins.

INDIVIDUAL CONSIDERATION

11. PRESENTATION AND CONSIDER ACCEPTANCE OF 2013-2014 FISCAL YEAR AUDIT – Mike Conway gave a brief presentation on the results of the audit for the 2013-2014 fiscal year. He said the City was in a good, healthy net position. There had been improvement in all material aspects during the last year. Mr. Conway said this was the best the City had done since his firm had been performing the audits. Mayor Lawrence gave credit to the staff for the good condition of the City's finances. Mayor Lawrence recommend the audit report be accepted at the next meeting in order to give councilmembers time to review the CAFR report.
12. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2015-04 AMENDING THE FY 2014-2015 ANNUAL BUDGET – Mayor Lawrence opened a public hearing at 6:45 p.m. There being no comments, the public hearing was closed at 6:43 p.m. Councilmember Perkins made a motion to adopt Ordinance No. 2015-04. 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

13. CONSIDER ADOPTION OF RESOLUTION NO. 2015-05 ADOPTING THE CITY'S INVESTMENT POLICY – Councilmember Malouf made a motion to adopt Resolution No. 2015-05 adopting the City's Investment Policy. 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

14. DISCUSS AND CONSIDER CONSTRUCTION SPEED BUMPS AND/OR SAFETY OR CAUTION SIGNS ON STACEY STREET AND MURRAY STREET – Paulette Vick requested Council look into the speeding on Stacey Street and surrounding streets. Mayor Lawrence requested the Police Department investigate the problem and report back to Council.
15. CONSIDER APPROVAL OF PRELIMINARY PLAT OF DUKES TRAVEL PLAZA CONTAINING 9.26 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 21620 I-20 WEST, IN CANTON, TEXAS, OWNED BY ZANBAKA USA LLC – Councilmember Stewart made a motion to approve the preliminary plat of Duke's Travel Plaza. Councilmember 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

16. CONSIDER APPROVAL OF FINAL PLAT OF DUKES TRAVEL PLAZA CONTAINING 9.26 ACRES SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED AT 21620 I-20 WEST, IN CANTON, TEXAS, OWNED BY ZANBAKA USA LLC – Councilmember Heard made a motion to approve the final plat of Duke's Travel Plaza 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

17. CONSIDER AWARDING CONTRACT FOR CONSTRUCTION OF MILL CREEK PARKS TRAIL – Mr. Cluck requested this item be postponed.
18. CONSIDER AWARDING BID FOR CONSTRUCTION OF WYNNE ROAD NORTH 10" – *Councilmember Stewart left the room at 7:00 p.m.*

The following bids were received:

| | |
|---------------------------------|---------------------|
| <i>4M Construction</i> | <i>\$ 84,632.83</i> |
| <i>Capps-Capco Construction</i> | <i>\$ 99,947.55</i> |
| <i>JDR Contracting</i> | <i>\$100,810.06</i> |
| <i>Reynolds & Kay</i> | <i>\$106,958.73</i> |
| <i>BELT Construction</i> | <i>\$109,757.14</i> |
| <i>Morton Construction Co.</i> | <i>\$111,001.80</i> |
| <i>Crocker Construction</i> | <i>\$114,338.10</i> |
| <i>Duplichain Contractors</i> | <i>\$121,024.83</i> |

| | |
|----------------------------|--------------|
| AAA Sanitation | \$140,391.40 |
| 7H Construction | \$152,306.30 |
| SJ&J Construction | \$238,048.00 |
| Atkins Bros. Equipment Co. | \$275,637.00 |

Councilmember Perkins made a motion to award the bid to 4M Construction in the amount of \$84,632.83. Councilmember Malouf seconded.

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

19. CONSIDER ADOPTION OF ORDINANCE NO. 2015-05 REGULATING JUNKED MOTOR VEHICLES – *Councilmember Stewart re-entered the room at 7:03 p.m.* Councilmember Stewart made a motion to adopt Ordinance 2015-05. Councilmember 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

20. DISCUSS AND CONSIDER ADOPTING ORDINANCE NO. 2015-06 REGARDING MAXIMUM WEIGHT ALLOWED ON CITY STREETS – Councilmember Malouf made a motion to adopt Ordinance No. 2015-06. Councilmember 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

21. DISCUSS AND CONSIDER PROPOSAL FOR SPORTS COMPLEX – Mayor Lawrence postponed this item to the next agenda.

22. DISCUSS AND CONSIDER RESTRICTIONS ON PLACEMENT OF ANTENNAS, COMMUNICATION DEVICES, ETC. ON NEW WATER TOWER IN FM 859 INDUSTRIAL PARK – Mayor Lawrence postponed Item 22.

23. CONSIDER AWARDING CONTRACT FOR CONSTRUCTION OF CITY HALL UTILITIES AND SITE WORK – *Councilmember Hilliard left the Council room at 7:20 p.m. and returned at 7:21.*

The following bids were received:

| | |
|--------------------|--------------|
| 4M Construction | \$81,968.00 |
| 7H construction | \$108,870.00 |
| Fritcher Utilities | \$115,819.00 |
| AAA Sanitation | \$140,248.00 |

Councilmember Malouf made a motion to award the contract for construction of City Hall utilities and site work to 4M Construction in the amount of \$81,968.00. 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

24. 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 – Council had no objection to Mr. Cluck approving bids on the City Hall construction up to an amount of \$50,000. Anything higher would be brought to Council for approval.
25. CONSIDER TEMPORARY AUDIO - VIDEO EQUIPMENT FOR COUNCIL MEETINGS DURING CONSTRUCTION – Council was in favor of moving the audio/video equipment to the temporary meeting place during the construction of the new City Hall and the renovation of the existing City Hall.
26. DISCUSS COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2015-16 PROPOSED BUDGET; APPROVE FISCAL YEAR 2014-15 BUDGET CALENDAR – Mayor Lawrence requested all suggestions to changes in the goals and objectives be sent to staff to be included in the goals for the upcoming fiscal year.
27. CITY MANAGEMENT REPORTS
 - A. MOSQUITO SPRAYING – Mr. Cluck said they had started spraying for mosquitoes and would spray every 15-20 days. Mosquito dunks were also available at the City Office Complex for citizens.
 - B. CHAMBER BANQUET – APRIL 23, 2015 – Ms. Johnson reminded Council of the upcoming Chamber of Commerce banquet.
 - C. WASTEWATER TREATMENT FACILITY – Mr. Cluck reported the plant had done well in a recent surprise inspection.
 - D. MEMBERS OF BOARD OF ADJUSTMENT/PLANNING & ZONING – Ms. Johnson asked Council to consider who they might like to appoint to vacancies in the Board of Adjustment and Planning & Zoning Commission.
 - E. GROUNDBREAKINGS ON MAY 8 - CITY HALL AND MILL CREEK PARK TRAIL – Ms. Johnson announced there would be a groundbreaking ceremony at 10:00 a.m. on Friday, May 8, 2015, at the site of the new City Hall following by a groundbreaking on Arnold Paul Road at the site of the new Mill Creek Park lake trail.
 - F. OTHER ITEMS – Mr. Cluck said Peoples Telephone was running cable to help the City's Wi-Fi connections on the First Monday grounds. There was a problem with lost communications between the buildings during last First Monday.
28. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart requested there be a

discussion regarding long-term water needs.

29. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:48 p.m.