

**CALLED MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, AUGUST 25, 2015**

NEW LOCATION: Canton Municipal Courtroom
24980 Hwy 64 East, Canton, Texas 75103

MINUTES

The Canton City Council met at the above-named date and time in the Canton Municipal Courtroom. Members present were Mayor Lou Ann Everett and Councilmembers Shawn Stewart, Nathan Moore, Cindy Malouf, and Scott Perkins. Councilmember Odic was absent. 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 City Attorney Ron Stutes.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 6:00 p.m.
2. INVOCATION was given by John Thornsbury.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME – Mayor Everett welcome everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST: None
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. PROCLAMATION HONORING POLICE CHIEF MIKE ECHOLS – Mayor Everett presented Chief Echols with a Proclamation honoring him for his distinguished service to the City of Canton.

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 – Ann Moore requested Council budget \$70,000 for a nice fence at the Hillcrest Cemetery. She invited everyone to visit the cemetery to see the improvements to the grounds. Carol Whatley, Van Zandt County Humane Society President, spoke out against the increase in fees at the Animal Shelter. She requested the City budget an earmark for community education. Jim Fuller thanked Council for funding the rehab of the electrical services in front of the Civic Center.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JULY 11 AND 21, 2015 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JULY 2015 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF 9-1-1 INTERLOCAL PSAP AGREEMENT WITH EAST

TEXAS COUNCIL OF GOVERNMENTS

11. CONSIDER APPROVAL OF 9-1-1 DATABASE MAINTENANCE INTERLOCAL CONTRACT WITH EAST TEXAS COUNCIL OF GOVERNMENTS

Councilmember Malouf made a motion to approve Items 8-11 on the Consent Agenda. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

INDIVIDUAL CONSIDERATION

12. PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016 – Mayor Everett opened a public hearing on the proposed tax rate at 6:17 p.m. There being no comments, the public hearing was closed at 6:18 p.m. Mayor Everett announced the next public hearing on the tax rate would be Tuesday, September 1, 2015.

13. CONSIDER REQUEST FROM EAST TEXAS SHRINERS FOR SOLICITORS' PERMIT TO COLLECT DONATIONS FOR SHRINERS HOSPITAL FOR CHILDREN AT THE DALLAS/BUFFALO INTERSECTION ON SEPTEMBER 30 - OCTOBER 2, 2016, AND SEPTEMBER 29 - OCTOBER 1, 2017 – Councilmember Perkins made a motion to grant the request from East Texas Shriners. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

14. CONSIDER AWARDED CONTRACT FOR CONSTRUCTION OF EAST OUTFALL SANITARY SEWER MAIN – The following bids were received:

Atkins Brothers	\$232,140.00
4M Construction	\$110,834.85

Councilmember Malouf made a motion to award the contract to 4M Construction in the amount of \$110,834.85. Councilmember Moore seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

15. CONSIDER AWARDED CONTRACT FOR ASBESTOS ABATEMENT AT EXISTING CITY HALL – The following bids were received:

Air Quality Associates	\$7,383
Whole Environmental	\$9,991

Councilmember Moore made a motion to award the contract to Air Quality Associates in the amount of \$7383. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Cindy Malouf: Approve
 Council Member - Connie Odic: Absent
 Council Member - Nathan Moore: Approve

16. CONSIDER AWARDING CONTRACT FOR REMOVAL OF ARCHITECTURAL BARRIERS AT EXISTING CITY HALL – The following bids were received:

Fisher-Poirier Construction	\$217,827.73
Denco Construction	\$255,224.81
Sherrill Construction	\$331,748.94

Councilmember Stewart made a motion to award the contract to Fisher-Poirier Construction in the amount of \$217,827.73. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Cindy Malouf: Approve
 Council Member - Connie Odic: Absent
 Council Member - Nathan Moore: Approve

17. CONSIDER LIFTING MORATORIUM ON NEW BUILDINGS ON FIRST MONDAY GROUNDS AND PROCESS FOR GIVING PERMISSION TO BUILD – Councilmember Stewart made a motion to postpone the matter until Council could conduct a First Monday workshop. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Cindy Malouf: Approve
 Council Member - Connie Odic: Absent
 Council Member - Nathan Moore: Approve

18. CONSIDER ADOPTION OF ORDINANCE NO. 2015-12 PROVIDING FOR PROCEDURES FOR THE OPERATION OF CITY OF CANTON'S FIRST MONDAY TRADE DAYS – Councilmember Stewart made a motion to adopt Ordinance No. 2015-12 with the increase of 30 amp RV spaces from \$30 per night to \$35 per night and the 50 amp. RV spaces to \$40 per night and the words "First Monday committee be stricken from Section 3. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Scott Perkins: Abstain
 Council Member - Cindy Malouf: Approve
 Council Member - Connie Odic: Absent

Council Member - Nathan Moore: Approve

19. CONSIDER DOWNTOWN STREET CLOSURES FOR AUTUMN STROLL FESTIVAL OCTOBER 10, 2015 – Councilmember Stewart made a motion to approve the street closures. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

20. DISCUSS DESIGN FOR CHERRY CREEK PARK TRAIL – Councilmember Stewart made a motion to send out a RFP/RFQ for someone to design the Cherry Creek Park project. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

21. DISCUSS PROPOSED CHANGES TO GATEWAY DISTRICT ZONING CLASSIFICATION – Ms. Johnson reported the Planning & Zoning Commission had met to discuss possible changes for allowable uses in the Gateway District. Bob Reese said he had counted approximately 52 businesses and/or residences in this area. He felt several of them were tear downs. Seventeen of the fifty-two were not in compliance with the Gateway District landscaping requirements. Ms. Johnson said she would arrange a joint meeting with the Planning & Zoning Commission and Council.

22. CONSIDER PROCEDURE FOR CLEARING EASEMENTS IN BLOCK 1, WHISPERING OAKS SUBDIVISION (LAZY U STREET) – Councilmember Stewart made a motion to proceed as discussed with a personal visit and a follow-up letter to the property owners about the structures on the easement. Councilmember Moore seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

Mayor Everett called a brief recess at 7:21 p.m. Council reconvened at 7:31 p.m.

23. CONSIDER CHANGES TO PERSONNEL POLICY RE EMPLOYEE DISCOUNTS – Councilmember Malouf made a motion to adopt the change to the personnel policy. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent

Council Member - Nathan Moore: Approve

24. CONSIDER GRANTING AUTHORIZATION FOR CITY MANAGER TO NEGOTIATE, FINANCE AND PURCHASE A NEW FIRE TRUCK FOR FIRE DEPARTMENT – Councilmember Stewart made a motion to authorize the City Manager to negotiate, finance and purchase a new fire truck for the Fire Department. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

25. 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 Perkins made a motion to accept the recommendations of the design committee as presented. Councilmember Stewart seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Absent
Council Member - Nathan Moore: Approve

26. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Mr. Cluck said First Monday was down \$3,000 for the year.
- B. NEW CITY HALL – Mr. Cluck reported the plumbing work was in at the new city hall and they were working on the electrical. They had not yet received final approval of the archaeological study for the new cell tower. Bids were to be opened on the tower September 9, 2015.
- C. CITY HALL RENOVATION / NEW CELL TOWER
- D. MILL CREEK TRAIL BID OPENING ON AUGUST 26
- E. FINANCIAL- Kim Kroha gave a report on the financial condition of the City. First Monday revenue was good. Sales tax revenue was up 7.9%. They received \$227,500 from the sale of fire truck.
- F. WW TREATMENT PLANT – Mr. Cluck reported they were going out for bids on the UV Upgrade.
- G. BURN BAN – Mr. Cluck reported there was a county-wide burn ban in effect. The City would follow the county's lead on any burn ban.
- H. OTHER ITEMS – Mr. Cluck said the last payment on the Hwy. 64 property had been made.

WORK SESSION

27. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2015-2016

- A. CHANGES / QUESTIONS – Ms. Kroha said she incorporated the increases to the water and sewer base rates in the budget, added a shed which should have been included in the First Monday capital improvements, removed the funding for the hotel out of the budget, which left a surplus of \$106,693. There was a brief discussion regarding the increase in fees for the Animal Shelter. Mr. Cluck said he would re-evaluate the fees and let Council address it at the next meeting. Mr. Cluck said he had a \$55,000 quote on an ornamental fence for the cemetery. Ms. Kroha said she had not added the fence to the budget. A budget amendment could be done later, if necessary.
28. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart mentioned a group was interested in the City hosting a half marathon in April 2016. Mr. Cluck said Mr. Fuller requested a change to the ordinance on wrecker service incident management vehicles.
29. ADJOURN – There being no further business to discuss, the meeting was adjourned at 8:07 p.m.