

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., APRIL 19, 2016**

Canton City Hall
290 E. Tyler, Canton, Texas 75103

MINUTES

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

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Fire Chief Bud Sanford, Police Chief Brad Allison, Municipal Judge Lilia Durham, CEDC Executive Director Julie Seymore and Assistant City Attorney David Ritter.

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 led by Dan Tarno of Grace Fellow BibleShip.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME – Mayor Everett welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. RECOGNIZE CITY EMPLOYEES VOTED AS BEST IN THEIR CATEGORY BY VAN ZANDT NEWS SUBSCRIBERS
 - KARL SMITH (1ST YEAR) – BEST FIREFIGHTER IN VAN ZANDT COUNTY
 - SGT. STEVE HALL (3RD YEAR) – BEST POLICE OFFICER IN VAN ZANDT COUNTY
 - RITA RAGSDALE (3RD YEAR) – BEST CITY WORKER IN VAN ZANDT COUNTY

Brad Blakemore presented certificates to Rita Ragsdale as the Best City Worker in Van Zandt County, to Sgt. Steve Hall as Best Police Officer of Van Zandt County and acknowledged Karl Smith had been named Best Firefighter in Van Zandt County by the readers of the Van Zandt County newspapers.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Sam Elizonde spoke to Council about the group of veterans who would be riding through town on May 22 and stopping at the Veterans Memorial Plaza. Brad Blakemore, Van Zandt newspaper Group, spoke to Council about the new leadership training program to be conducted by the Chamber of Commerce.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE MARCH 15, 2016 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF MARCH 2016 FINANCIAL STATEMENTS

Councilmember Malouf made a motion to approve Items 8 and 9 on the Consent Agenda. Councilmember Perkins seconded.

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

INDIVIDUAL CONSIDERATION

10. QUARTERLY REPORT FROM MAIN STREET – Mayor Everett passed on this item due to the absence of Tam Erwin.
11. QUARTERLY REPORT FROM CANTON VISITORS BUREAU – Austin Melton spoke about the various events and advertising efforts made by the Canton Visitors Bureau.
12. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Linda Boston reported First Monday revenue was up \$13,000 from last April and \$67,000 from last year because of the beautiful weather in February and March.
 - B. CHAMBER BANQUET – Ms. Johnson announced the Chamber banquet would be held April 21, 2016, at 6:00 p.m.
 - C. MOSQUITO SPRAYING – Mr. Cluck reported mosquito spraying would start once the weather was a little drier.
 - D. TREE PLANTING AT OLD KAUFMAN PARK APRIL 22 @ 10 AM – Ms. Johnson said Canton Oaks donated two trees to the City and would conduct a ceremony on Friday, April 22, 2016, to present the trees.
 - E. STATUS ON HOTEL ON I-20 – Julie Seymore reported a general contractor had been hired and work had begun on the project.
 - F. OTHER ITEMS – Mr. Cluck said the City only picked up a third of what they usually did during the city-wide cleanup. He hoped that was because people took advantage of getting rid of their bulk items during the year during the regular pickups. Ms. Johnson said the employee picnic was successful with 83 in attendance. Lonny Cluck introduce the new Assistant City Manager, Andy Wolfe.
13. CONSIDER CHANGING RATES FOR CITY OF CANTON'S DRY CREEK LANDING – Councilmember Perkins made a motion to reduce the rates on the Canton Dry Creek Landing lock and leave building .25 per square foot (\$1.25/s.f. for corner spaces and \$1.00/s.f. for interior spaces). Councilmember Odic seconded.

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

14. CONSIDER GRANTING APPROVAL TO JEFF AND NANCY CLEVELAND TO CONSTRUCT A LOCK & LEAVE BUILDING ON THE CITY'S FIRST MONDAY GROUNDS – Mr. Cluck explained the Clevelands wished to build in an area which was not rented frequently. It was the consensus of Council to move forward with the proposed lease for approval.
15. CONSIDER AWARD OF CONTRACT FOR MANAGEMENT SERVICES FOR SIDEWALK PROJECT – Councilmember Moore made a motion to award the contract for Management Services to Gary Traylor & Associates. Councilmember Perkins seconded.

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

16. CONSIDER AWARD OF CONTRACT FOR ENGINEERING SERVICES FOR SIDEWALK PROJECT – Councilmember Perkins made a motion to award the contract for engineering services to H&B Engineering. Councilmember Odic seconded.

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

17. CONSIDER ADOPTION OF RESOLUTION NO. 2016-03 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S PERFORMANCE AGREEMENT WITH THE CITY OF CANTON TO PROVIDE FINANCIAL ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$45,000 FOR THE CONSTRUCTION AND INSTALLATION OF A SIDEWALK AND RELATED IMPROVEMENTS ON DALLAS STREET BETWEEN GRAND SALINE AND BUFFALO STREETS - Councilmember Odic made a motion to adopt Resolution No. 2016-03. Councilmember Malouf seconded.

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

18. CONSIDER ADOPTION OF RESOLUTION NO. 2016-04 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S LOAN AGREEMENT WITH FDI-WESTVIEW, LTD. TO PROVIDE FINANCIAL ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$47,608 FOR AN AFFORDABLE HOUSING PROJECT – Councilmember Perkins made a motion to adopt Resolution No. 2016-04. Councilmember Odic

seconded.

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

19. CONSIDER ADOPTION OF RESOLUTION NO. 2016-05 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S AGREEMENT TO PROVIDE FINANCIAL ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$5,000 FOR THE VAN ZANDT COUNTY VETERANS MEMORIAL "KNEELING SOLDIER" STATUE - Councilmember Malouf made a motion to adopt Resolution No. 2016-05. Councilmember Perkins seconded.

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

20. CONSIDER ADMINISTRATIVE RULES FOR HILLCREST CEMETERY – Ann Moore presented a set of proposed rules for administration of the Hillcrest Cemetery. The Committee still needed to add language about where any money that came in from the cemetery would be used. Mr. Cluck stated it was the staff's recommendation the money go to the Hillcrest Cemetery committee. The rules would be brought up to Council at a later meeting for approval.

21. CONSIDER ADOPTION OF ORDINANCE NO. 2016-07 ADOPTING MINIMUM STANDARDS FOR BUILDINGS, PROVIDING FOR NOTICE PROVISIONS, AND ESTABLISHING PUBLIC HEARING PROCEDURES PURSUANT TO CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE, AND AMENDING THE SUBSTANDARD BUILDINGS PROVISIONS OF CHAPTER 151 OF THE CITY OF CANTON CODE OF ORDINANCES - Councilmember Malouf made a motion to adopt Ordinance No. 2016-07. The motion was seconded by Councilmember Moore.

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

22. CONSIDER ADOPTION OF ORDINANCE NO. 2016-08 AMENDING ORDINANCE NO. 2015-10 TO PROVIDE FOR FINES IN AN AMOUNT UP TO \$2,000 PER VIOLATION FOR VIOLATIONS OF THE INTERNATIONAL AND NATIONAL MODEL CODES PREVIOUSLY ADOPTED BY THE CITY OF CANTON IN ACCORDANCE WITH CHAPTER 54 OF THE TEXAS LOCAL GOVERNMENT CODE, AND PROVIDING FOR AMENDMENTS TO THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE PREVIOUSLY ADOPTED BY THE CITY OF CANTON - Councilmember Perkins made a motion to adopt Ordinance No. 2016-08 and Councilmember Moore seconded.

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

23. CONSIDER PARKING ISSUES FOR DOWNTOWN AREA - Councilmember Malouf made a motion to have two-hour parking on both sides of Dallas Street between Buffalo Street and Grand Saline Street. Councilmember Odic seconded.

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

24. DISCUSS COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2016-17 PROPOSED BUDGET; APPROVE FISCAL YEAR 2016-2017 BUDGET CALENDAR - Ms. Johnson requested Council forward any changes to the goals to staff for inclusion in final draft.

25. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL - Mr. Cluck reported they had gone out for bids on painting the historic water tower with an eagle on one side and the FM logo on the other. Council could change what they wanted on the tower at a later date. Mr. Cluck also reported all work was done on the old City Hall. It had passed the ADA inspection. They were through with the work on the new cell tower except for removing the pole and moving the microwave antenna. Mr. Cluck reported the insulation and framework was done on the new city hall and the electricians were pulling wire and the plumbers were laying the pipe.

Mayor Everett called a brief recess at 7:51 p.m. Council convened into Executive Session at 7:59 p.m.

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.

26. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)

a. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas
b. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County

27. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE/RECEIPT OR LEASE OF REAL PROPERTY (Section 551.072)

RETURN TO OPEN SESSION

28. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 8:36 p.m. with no action taken.
29. ITEMS FOR FUTURE AGENDAS
30. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:37 P.M.