

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., JANUARY 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 Shawn Stewart, Cindy Malouf, Nathan Moore, and Connie Odic. Councilmember Scott Perkins was absent. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Public Works Director Walt Lehmann, Building Inspector Dwight Lancaster, CEDC Executive Director Julie Seymore, 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 Randy Dodd.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

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 – Jim Fuller requested permission to fix the dent in the old fire truck. He also thanked the Canton Fire Department for their help when his wife had a recent medical emergency. Mr. Fuller announced they sold 1566 tickets for the Western Swing last fall and would hold another event in February.

Councilmember Odic entered the meeting at 6:05 p.m.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 8 AND 15, 2015 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF DECEMBER 2015 FINANCIAL STATEMENTS – Councilmember Stewart made a motion to approve items 8 and 9 of the Consent Agenda. Councilmember Malouf seconded.

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

INDIVIDUAL CONSIDERATION

10. APPEAL OF BUILDING OFFICIAL'S DECISION REGARDING THE DEMOLITION OF THE SUBSTANDARD BUILDING AT 901 W. COLLEGE, CANTON, TEXAS – Mr. Stutes explained he had developed the procedures for the appeal. Mr. Lancaster made an Order of Demolition. Under the City's ordinance, the other side had a right to appeal the decision. Council was free to make its own decision based on what was presented to them. Dwight Lancaster presented the photos he had taken of the property, indicating various drainage problems and other deficiencies in the building. Windows had been knocked out and window frames were torn loose. He said the building was not secured. The back entrance doors had been knocked out. There was water damage inside the building. Air conditioning units had been pulled out. There were obvious foundation problems. There was black mold inside the building in the hallways and bathrooms. Pursuant to the City's ordinance, this would qualify as an obsolete building because the cost of the repair would exceed 50% of the value assessed by the County Tax Assessor. Councilmember Moore pointed out an independent inspector had found the foundation and roof to be adequate in December. Councilmember Odic said it did not make sense for the inspection report to say there was no significant movement of the foundation when there were pictures showing bricks sliding out from the wall. Mr. Lancaster said his opinion was the brick problem was not just cosmetic, based on his experience. Raymond Shackelford, counsel for the former owners of the property and former lienholders, asked Mr. Lancaster if he had signed and dated the demolition order. Mr. Lancaster said he had not signed the Order. He did not know if the order had been published in the newspaper. Mr. Lancaster said he was not an appraiser or a structural engineer. He was licensed and experienced as a building inspector. He had not seen an inspection report or a structural engineer's report on the building. Mr. Shackelford said in 2013 the building had been assessed at a value of \$1.3 million. The Van Zandt Appraisal District currently showed a value of the building at \$75,000. Councilmember Malouf pointed out the value of the property at \$1.1 million was when the nursing home was an operating entity. Mr. Lancaster said at the first hearing he told the owner, the City would address the issue after the sale was completed. Mr. Shackelford said if the meeting notice was bad, the whole proceeding should be stopped and a reset button pushed. He did not believe proper notice was given and that the building should not be torn down. Mr. Shackelford said the building was up to Code in 2011. He did not know if there was a different code in place at that time or not. Mr. Lancaster agreed the Owner provided proof of the scope of the work in December. Mr. Lancaster said he sent an order related to the hearing to Mr. Chapman.

Fred Cartwright, member of the Dignity Group and owner of the property at 901 W. College said he provided the City with an inspection report and list of repairs and time schedule in December. Symtec Engineering was supposed to be present tonight with an engineering report. He had no issue with repairing the building. He had not requested a reduction in the value of the building. He thought the tax appraisal value was below value. He was unsure how or why the devaluation occurred. When he came to his first meeting with the City, he thought he was going to get a list of what they required as far as repairs. He said the fire chief had said it was predetermined the building was going to be demolished. His intention was to bring the property up to standards and use it. Mr. Cartwright said it had been disclosed to him that the City was having issues with the property. He thought the purpose of the meeting was to reset the clock. Mr. Cartwright had done his own assessment of the property before the purchase. Mr. Cartwright said he had only asked the inspector for a report regarding the foundation and the roof. Councilmember Odic felt the inspection report was not thorough. It did not address the plumbing or electrical issues. Mr. Cartwright said he paid \$500 for a licensed inspection. He also had an engineering report done by Symtec Engineering. The engineer was supposed to bring that report to

the meeting tonight. Mr. Cluck said the City made inspections based on the schools they attended on building inspections. The City had never been given proof that their assessment was incorrect. Mr. Shackelford said the Local Government Code required a brief description of the conditions in the notice to the owner.

Mayor Everett convened Council into Executive Session at 7:22:19 p.m. under 551.71 for consultation with the City's attorney. Council reconvened into Open Session at 7:41 p.m.

Councilmember Malouf made a motion to push this matter back into Dwight Lancaster's area, reset the clock, and start the process over. Councilmember Stewart seconded.

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

11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-1 CHANGING THE FUTURE LAND USE PLAN AT 449 S. TRADE DAYS BLVD. FROM GENERAL BUSINESS DISTRICT (B-2) TO GATEWAY DISTRICT – Mayor Everett opened a public hearing at 7:40 p.m. There being no comments, the public hearing was closed at 7:43 p.m. Councilmember Stewart made a motion to adopt Ordinance No. 2016-1 changing the future land use plan at 449 S. Trade Days Blvd. from General Business District (B-2) to Gateway District. Councilmember Moore seconded.

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

12. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE 2016-2 CHANGING ZONING AT 449 S. TRADE DAYS BLVD. CANTON, TEXAS, FROM GENERAL BUSINESS DISTRICT (B-2) TO GATEWAY DISTRICT – Mayor Everett opened a public hearing at 7:44 p.m. There being no comments, the public hearing was closed at 7:44 p.m. Councilmember Malouf made a motion to adopt Ordinance No. 2016-2 changing the zoning at 449 S. Trade Days Blvd. from General Business District (B-2) to Gateway District. Councilmember Stewart seconded.

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

13. CONSIDER APPOINTING A COMMITTEE TO RECOMMEND A SELECTION FOR CITIZEN OF THE YEAR AWARD – Mayor Everett appointed Councilmembers Odic and Perkins, Ann Moore and Debra Johnson to a committee to recommend selection for Citizen of the Year.
14. CONSIDER ALL ASPECTS OF FIRST MONDAY-RELATED BUSINESS INCLUDING, BUT NOT LIMITED TO, BUILDINGS, POLICIES, SOLICITATION ON THE GROUNDS

AND FUTURE PLANS – Ms. Johnson explained they had combined all rules regarding First Monday into one policy manual. She requested Council review the draft.

15. 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 – Mr. Cluck reported the cell tower had been built for several months but they were still waiting on the antennas. Ms. Johnson said she had received word that day that the antennas should be here in about a week. Mr. Cluck said the new city hall was in the dry. Trade Center IV was also in the dry. He said they had not finished their assessment of the street repairs yet. The water leak on Old Kaufman road had been repaired. Some bolts had become corroded and water pressure caused a break. He felt the City acting as its own general contractor on the city hall and Trade Center IV projects was saving money for the city. Bids were received as they progressed on the job. All bids thus far were in line with the estimates.
16. DISCUSSION OF POTENTIAL PURCHASE OF REAL PROPERTY – The other party involved was not present at the meeting, so this item was passed.
17. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Mr. Cluck reported First Monday revenue was up \$1,500 from this time last year, but \$5,000 overall for the year. He attributed this to the large amount of rain last year.
 - B. CITY HALL RENOVATION – Mr. Cluck said there were still minor things to be corrected in the building, but the renovation was basically complete.
 - C. MILL CREEK TRAIL – Walt Lehmann said the woods were too wet for any work to be done. They had cleared the areas they could. He requested the contractor mobilize so they could start work at the first opportunity.
 - D. CHERRY CREEK TRAIL - Mr. Lehmann said the trail was progressing nicely. The plans had to be approved by the Texas Department of Parks and Wildlife. Mr. Cluck said Mr. Lehmann and Ray Brumley would oversee the design and construction of the trail.
 - E. FINANCIAL – Kimberly Kroha reported she had not received all the tax payment information prior to the preparation of the last financial report, so some of the money was not included in this month's report. Sales tax revenue had increased 3% for the year. The cash balance was down in the debt service fund due to semi-annual payments made on certain obligations.
 - F. ELECTION – Debra Johnson reported January 20, 2016, was the first day to submit applications for the 2016 election, which would be held May 7. The deadline for filing packets was February 19. The election would be for three councilmembers.
 - G. BOARD OF ADJUSTMENT – Mr. Johnson said Bob Moore had resigned from the committee. There was an alternate in place already. Since both Mr. Moore and Mr. Yarbrough had terms which expired in May, she suggesting waiting

before making the appointment to fill this position. Mayor Everett asked to have a notice placed in the paper about the open position.

- H. PLANS FOR HOTEL ON I-20 – Mr. Cluck said plans received on the hotel were incomplete. Mr. Lancaster informed them of the deficiencies, and they had sent more plans which were still not sufficient. Mr. Lancaster hoped to receive a good set of plans soon so the review could begin.

Mayor Everett called a brief recess at 8:14 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 551.071 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.

18. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING LITIGATION (Section 551.071)
- a. *Bement v. Bradshaw, et. al*, Cause No. 6:15CV391, Eastern District of Texas.
 - b. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas

Mayor Everett convened Council into Executive Session at 8:15 p.m.

19. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072) – Council reconvened into Open Session at 8:58 p.m.

RETURN TO OPEN SESSION

20. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Councilmember Stewart made a motion to grant authorization for the City Manager to make an offer on a piece of property pursuant to the discussions in Executive Session. Councilmember Malouf seconded.

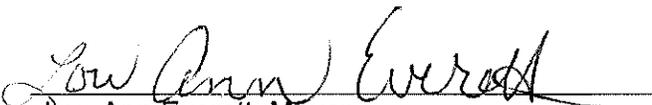
Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Cindy Malouf: Approve
 Council Member – Nathan Moore: Approve
 Council Member - Connie Odic: Approve
 Council Member - Scott Perkins: Absent

21. ITEMS FOR FUTURE AGENDAS

22. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:59 p.m.

ATTEST:


 Debra Johnson, City Secretary


 Lou Ann Everett, Mayor

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., FEBRUARY 16, 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 Shawn Stewart, Cindy Malouf, Nathan Moore, Scott Perkins and Connie Odic.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Public Works Director Walt Lehmann, Building Inspector Dwight Lancaster, CEDC Executive Director Julie Seymore, 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 led by John Chism.
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 – Mayor Everett recognized Josh Mims, who was recently named Firefighter of the Year. She also commended Captain Brian Horton for the job he did during the recent tragedy in Van.

CITIZENS FORUM

7. CITIZENS FORUM – Chris Gamrod requested two hour parking in front of his store, Sun Riot, in the downtown area.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JANUARY 19, 2016 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF JANUARY 2016 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT WITH CANTON INDEPENDENT SCHOOL DISTRICT FOR MAY 7, 2016 GENERAL ELECTION
11. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR MAY 7, 2016 GENERAL ELECTION
12. CONSIDER ADOPTION OF RESOLUTION NO. 2016-01 APPOINTING DEPUTY CITY SECRETARIES

Councilmember Stewart made a motion to approve Items 8 through 12 of the Consent Agenda. Councilmember Moore seconded.
 Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Approve
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

INDIVIDUAL CONSIDERATION

13. STATUS REPORT ON COUNTRY INN AND SUITES - Chad Encheff, President and COO for the C&E Group, gave a brief update on the status of the hotel they were building on I-20.

Mayor Everett convened Council into Executive Session at 6:14 p.m. Council reconvened into open session at 6:52 p.m. with no action taken.

14. CONSIDER APPROVAL OF ASSOCIATES JUDGES FOR MUNICIPAL COURT – Councilmember Malouf made a motion to approve Beverley Pearson and Rachel Ramsey as associate judges for the Municipal Court. Councilmember Perkins seconded.

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

15. CONSIDER ADOPTION OF ORDINANCE NO. 2016-03 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 7, 2016, 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 Stewart made a motion to adopt Ordinance No. 2016-03. Councilmember Perkins seconded.

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

16. CONSIDER APPROVAL OF CONTRACT WITH PYRO SHOWS FOR JULY 4TH 2016 FIREWORKS DISPLAY – Councilmember Perkins made a motion to approve the contract with Pyro Shows for the July 4, 2016, fireworks display as presented with an alternate date of July 9, 2016. Councilmember Stewart seconded.

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

- 17. CONSIDER DESIGNATION OF SURPLUS EQUIPMENT AND AUTHORIZING THE SALE THEREOF - Councilmember Perkins made a motion to designate property listed as surplus equipment. Councilmember Malouf seconded.

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

- 18. CONSIDER ALL ASPECTS OF FIRST MONDAY-RELATED BUSINESS INCLUDING, BUT NOT LIMITED TO, BUILDINGS, POLICIES, SOLICITATION ON THE GROUNDS AND FUTURE PLANS - Council had no changes to the policy as presented.
- 19. 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 – Mr. Cluck said there might be a sixty-day delay on moving the antennas from the historic water tower. Mr. Cluck reported the extension for Trade Center IV was moving along. They were as far as they could go on the metal building. The new section would not be open this First Monday because Oncor might not have the electricity on for another month.
- 20. CONSIDER PERSONNEL BENEFIT TO EMPLOYEES – WATER DISCOUNT – Councilmember Stewart made a motion to amend the employee water discount rate to a flat 20%. Councilmember Malouf seconded.

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

- 21. CONSIDER PLAN FOR CAPITAL STREETS PROJECTS – Walt Lehmann presented the cost of redoing Goshen and Woodland Streets. Council requested an updated street assessment and the cost for redoing the utilities under Goshen Street.
- 22. DISCUSS CHURCH'S CHICKEN PROPERTY/BUILDING – Dwight Lancaster said he would start the process again to make sure all the proper procedures were followed.
- 23. CONSIDER FUTURE USE OF 290 E. TYLER OFFICE SPACE – It was the consensus of Council to keep the building at this time for a future meeting room rental space.
- 24. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Mr. Cluck said it was an outstanding month because the weather was good.
 - B. CITY HALL RENOVATION – Mr. Cluck said the City Hall renovation was not 100% done because there were still issues with the ADA inspection.

- C. MILL CREEK TRAIL – Mr. Cluck reported the Mill Creek Trail was temporarily on hold until the ground was dry enough to bring in the necessary equipment.
- D. CHERRY CREEK TRAIL – Mr. Cluck said the Texas Parks and Wildlife Department was reviewing the proposed plan.
- E. FINANCIAL – Kimberly Kroha said all the funds were doing well. Revenue for First Monday was up about 4%. The sales tax revenue was about the same as it was last year at this time.
- F. CITY WEBSITE – Debra Johnson announced the website had been updated and was now online.
- G. REPORT FROM CHIEF ALLISON, POLICE DEPT. – Chief Allison reported he had done a lot of remodeling on the Police Department building since he took the position on September 1, 2015. Most of the labor was furnished free by trustees. The trustees were also furnishing labor to paint the floor at the animal shelter.
- H. OTHER ITEMS – Mr. Cluck said the Kid Fish had been a great success.

EXECUTIVE SESSION

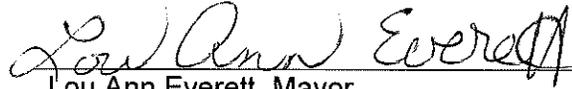
In accordance with the authority contained in Sections 551.071 and 551.074 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

- 25. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
 - A. *Bement v. Bradshaw, et. al*, Cause No. 6:15CV391, Eastern District of Texas.
 - B. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas
 - C. *Stephens v. City of Canton*, Cause No. 14-00288; 294th District Court, Van Zandt County
 - D. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County
- 26. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072) – Council convened into Executive Session at 8:09 p.m.
- 27. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING CONTRACT TO PURCHASE PROPERTY LOCATED ON GROVES STREET IN CANTON, TEXAS, AND POTENTIAL DISPUTES REGARDING THAT CONTRACT. (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 8:30 p.m. with no action taken.

- 29. CONSIDER FINANCING FOR PURCHASE OF REAL PROPERTY – Mayor Everett passed over this item.
- 30. ITEMS FOR FUTURE AGENDAS – Council requested Hillcrest Cemetery, parking around the square and the streets for the half marathon be addressed.
- 31. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:32 P.M.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

10:00 A.M., FEBRUARY 22, 2016
 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 City Municipal Courtroom. Members present were Mayor Lou Ann Everett and Councilmembers Shawn Stewart, Cindy Malouf, Nathan Moore, and Scott Perkins. Councilmember Connie Odic was absent.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, and Finance Director Kimberly Kroha.

- 1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 10:02 a.m.
- 2. 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 – Mr. Cluck reported on the progress of the new cell tower and the extension of Trade Center IV.
- 3. CITY MANAGEMENT REPORTS
 - A. CITY HALL RENOVATION
 - B. OTHER ITEMS – Councilmember Perkins requested the proposed baseball park be on a future agenda.

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.

4. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING PERSONNEL MATTERS – QUALIFICATIONS / EXPERIENCE / EXPECTATIONS REQUIRED FOR THE CITY ATTORNEY (Section 551.074) – Mayor Everett convened Council into Executive Session at 10:13 a.m.
5. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

RETURN TO OPEN SESSION

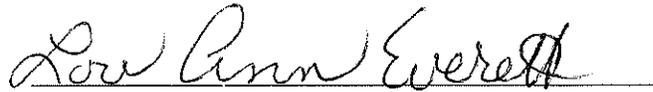
6. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 11:09 a.m.
7. CONSIDER TERMINATION OF RELATIONSHIP WITH CITY ATTORNEY AND QUALIFICATIONS OF POTENTIAL LAW FIRMS TO ACT AS CITY ATTORNEY – Councilmember Moore made a motion to terminate the City's relationship with Potter Minton. Councilmember Perkins seconded.

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

Councilmember Perkins made a motion to hire Brown & Hofmeister as the city attorneys.
 Councilmember Stewart seconded.

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

8. ITEMS FOR FUTURE AGENDAS
9. ADJOURN – There being no further business to discuss, the meeting was adjourned at 11:11 a.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., MARCH 15, 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 Shawn Stewart, Cindy Malouf, Scott Perkins and Connie Odic. Councilmember Nathan Moore was absent.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Public Works Director Walt Lehman, Captain Brian Horton 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 6:01 p.m.
2. INVOCATION was led by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME - Mayor Everett welcome Boys Scouts visiting from Allen, Texas, who were working on their Eagle Citizenship badges.
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 - Sandy Hilliard announced several events scheduled in April in honor of Child Abuse Awareness month.
 - B. PRESENTATION OF GO TEXAS CERTIFIED RETIREMENT COMMUNITY AWARD - Richard De Los Santos presented the Go Texan certified Retirement Community award to Council.
 - C. SPRING CLEAN-UP WEEK – APRIL 11 – 14, 2016
 - D. DINNER ON MAIN STREET – MARCH 19, 2016, 6 PM – This event was postponed until April 9, 2016, due to the bad weather forecast.

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 – John Kendrick requested an exception to the First Monday rule prohibiting sales on days other than Wednesday and Sunday so they could deliver maps ordered by vendors.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE FEBRUARY 16 AND 22, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF FEBRUARY 2016 FINANCIAL STATEMENTS

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

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

INDIVIDUAL CONSIDERATION

10. CONSIDER REQUEST FROM CARY HILLIARD FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS AT THE INTERSECTION OF BUFFALO AND DALLAS STREETS APRIL 16, 2016, FOR THE VETERANS MEMORIAL – Councilmember Malouf made a motion to grant the request from Cary Hilliard for a solicitation permit for April 26, 2016. Councilmember Odic seconded.

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

11. CONSIDER ACCEPTANCE OF CITY SECRETARY'S CERTIFICATION OF UNOPPOSED CANDIDATES IN MAY 7, 2016 GENERAL ELECTION - Councilmember Perkins made a motion to accept the City's Secretary's Certification of Unopposed Candidates. Councilmember Stewart seconded.

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

12. CONSIDER ADOPTION OF ORDINANCE NO. 2016-4 CANCELLING MAY 7, 2016 GENERAL ELECTION AND DECLARING CYNTHIA MALOUF, STEVEN SCOTT PERKINS AND SHAWN STEWART ELECTED TO CANTON CITY COUNCIL FOR TWO-YEAR TERMS - Councilmember Odic made a motion to adopt Ordinance No. 2016-4 cancelling the May 7, 2016 election. Councilmember Malouf seconded.

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

13. CONSIDER FENCE TO BE INSTALLED AROUND HILLCREST CEMETERY – Councilmember Perkins made a motion to proceed with replacing the fence at Hillcrest Cemetery, as budgeted. Councilmember Malouf seconded.

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

14. CONSIDER PARKING ISSUES FOR DOWNTOWN AREA – Councilmember Stewart made a motion to postpone the item to a later date. Councilmember Perkins seconded.

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

15. CONSIDER APPOINTMENTS TO CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Perkins made a motion to reappoint Steven Dye, Kevin Deibert and Johnny Blevins to the Canton Economic Development Corporation's Board of Directors. Councilmember Malouf seconded.

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

16. CONSIDER ADOPTION OF RESOLUTION NO. 2016-02 AUTHORIZING INDIVIDUALS TO SIGN CONTRACTUAL DOCUMENTS ASSOCIATED WITH THE TEXAS CAPITAL MAIN STREET GRANT PROGRAM (7215352) - Councilmember Perkins made a motion to adopt Resolution No. 2016-2. Councilmember Odic seconded.

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

17. CONSIDER POSSIBLE STREET CLOSURES OF DOWNTOWN STREETS TO BE USED FOR HALF MARATHON ON MAY 14, 2016 - Councilmember Perkins made a motion to close Tyler Street from Buffalo to Capital; Capital Street from Dallas Street to Tyler Street; Cherry Creek from Cherry Creek Park to Old Kaufman Road; and one lane of southbound Trade Days Boulevard from Dealers Row to Eubank Street on May 14, 2016, from 8 am to 12 noon on May 14, 2016. Councilmember Odic seconded.

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

Council Member - Nathan Moore: Absent

18. CONSIDER SELECTION OF CITY OF CANTON'S CITIZEN OF THE YEAR AWARD TO BE PRESENTED AT THE CANTON TEXAS CHAMBER OF COMMERCE GALA – Councilmember Stewart made a motion to select the Committee's recommendation as Citizen of the Year. Councilmember Odic seconded.

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

19. CONSIDER ADOPTION OF ORDINANCE NO. 2016-6 SETTING OUT THE OPERATION POLICIES AND PROCEDURES FOR CITY OF CANTON'S FIRST MONDAY TRADE DAYS - Councilmember Stewart made a motion to adopt Ordinance No. 2016-6. Councilmember Perkins seconded.

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

20. CONSIDER USES LISTED UNDER GATEWAY DISTRICT ZONING - The consensus of Council was to leave the uses in the Gateway District zoning as stated in the ordinance.

21. CONSIDER ADOPTION OF ORDINANCE NO. 2016-5 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 - Councilmember Malouf made a motion to adopt Ordinance No. 2016-5. Councilmember Perkins seconded.

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

22. DISCUSS COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2016-17 PROPOSED BUDGET - Ms. Johnson requested Council review the goals to determine what changes they would like for the upcoming budget year.

23. CONSIDER APPROVAL BY COUNCIL TO DELEGATE AUTHORITY TO EXECUTE CONTRACTS UNDER \$50,000 IN VALUE TO APPROPRIATE CITY STAFF, CONSISTENT WITH THE CITY'S PURCHASING POLICY AND PURSUANT TO HB 1295 – Councilmember Malouf made a motion to delegate authority to execute contracts under \$50,000 in value to appropriate City staff, consistent with the City's purchasing policy. Councilmember Stewart seconded.

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

Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Absent

24. CONSIDER PLAN FOR CAPITAL STREETS PROJECTS – Councilmember Stewart made a motion to move forward on the 25 streets proposed as well as Lake Meadows, per the Public Works Director's discretion. Councilmember Perkins seconded.

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

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 – It was the consensus of Council to have the historic water tower repainted silver. They requested more images be presented to them before they determined what image would be painted on the tower.

26. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Mr. Cluck reported he had stopped demolition on the blue bathroom in order to obtain the proper certifications re asbestos.
- B. SMART PHONE METER READING DEVICE / SYSTEM – Mr. Cluck explained the new software he wanted to use for meter reading in the future. The approximate cost would be \$4,000. Would allow the meter readers to enter readings on Smart Phones and have the information automatically loaded into the billing system.
- C. FINANCIAL – Ms. Kroha reported First Monday revenue was up. Sales tax revenue was up 2.7% year-to-date. She anticipated the City would earn 9% more from sales tax than budgeted. There was a decrease in the debt service fund because of the first payment on the tax note.
- D. OTHER ITEMS – Ms. Johnson reminded everyone of the ceremony for the City Hall cornerstone on Thursday. The Chamber banquet was scheduled for April 21 and an employee picnic was set for April 16. Ms. Seymore said several local contractors were scheduled to do work on the new hotel.

Mayor Everett called a brief recess at 8:17 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.

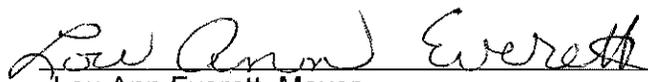
27. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
- a. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas

b. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County

28. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OR LEASE OF REAL PROPERTY (Section 551.072) – Mayor Everett convened Council into Executive Session at 8:17 p.m.

RETURN TO OPEN SESSION

29. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 8:17 p.m. with no action taken.
30. ITEMS FOR FUTURE AGENDAS
31. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:35 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

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 Bishop.
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.

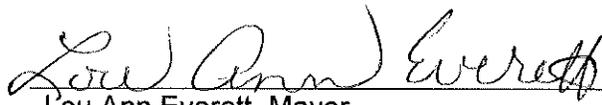
EXECUTIVE SESSION

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.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

12:00 P.M., MONDAY, MAY 2, 2016

Canton Municipal Courtroom
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, Shawn, Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, and Finance Director Kimberly Kroha.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 12:05 p.m.
2. 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
3. CITY MANAGEMENT REPORTS
 - A. OTHER ITEMS
4. CONSIDER POTENTIAL PURCHASE/LEASE OF REAL PROPERTY
 - A. APPROXIMATELY 1 ACRE TRACT OF LAND IN J. STOCKWELL SURVEY ON HWY. 243
 - B. APPROXIMATELY .362 ACRE OF LAND IN THE ORIGINAL TOWN OF CANTON

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

5. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE/LEASE OF REAL PROPERTY (Section 551.072) - Mayor Everett convened Council into Executive Session at 12:27 p.m.

RETURN TO OPEN SESSION

6. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into Open Session at 12:48 p.m. The following motions were made:

Councilmember Moore made a motion to buy the 1.00 acre tract on Highway 243 from Jack Paul for the amount of \$100,000. Councilmember Odic seconded.

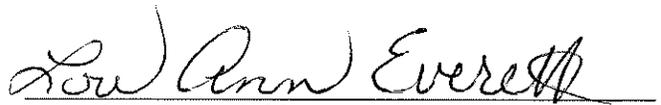
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Connie Odic: Approve
Council Member - Cindy Malouf: Approve
Council Member - Scott Perkins: Approve
Council Member - Nathan Moore: Approve

Councilmember Perkins made a motion to lease the property, Lots 1-4 of Block 24 of the Original Town of the City of Canton from Linda Pohl for a period of ten years at the rate of \$600/month and City to pay property taxes on the property. Councilmember Malouf seconded.

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

7. ITEMS FOR FUTURE AGENDAS

8. ADJOURN - There being no further business to discuss, the meeting was adjourned at 12:57 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., MAY 17, 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, Shawn Stewart and Connie Odic.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Public Works Director Walt Lehmann, Operations Supervisor Linda Boston and Captain Brian Horton. The Assistant City Attorney, David Ritter, was also present.

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 Mayor Lou Ann Everett.

3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None

Councilmember Malouf arrived at 6:01 p.m.

6. PROCLAMATIONS AND ANNOUNCEMENTS - Mayor Everett awarded the First Monday Scholarship to Emily Nicks and the Rayford Hutcherson Scholarship to Jacob Corey. Mayor Everett then presented a Sanitation Solutions' scholarship to Devin Hilsabeck and announced Samantha Oakley would be presented with the second Sanitation Solutions' scholarship. Mayor Everett then proclaimed June 2016 as Fair Housing Practices Month.

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 - None

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE APRIL 19, 2016 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF APRIL 2016 FINANCIAL STATEMENTS - Items 8 and 9 of the Consent Agenda were unanimously approved upon motion by Councilmember Stewart and second by Councilmember Perkins.

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

INDIVIDUAL CONSIDERATION

10. ISSUE CERTIFICATES OF ELECTION, ADMINISTER STATEMENTS OF ELECTED OFFICER AND OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS – Judge Durham gave the Oath of Office to Cindy Malouf, Scott Perkins and Shawn Stewart as newly-elected Councilmembers.
11. CONSIDER APPOINTMENT OF MAYOR PRO TEM – A motion to appoint Councilmember Stewart as Mayor Pro Tem was made by Councilmember Perkins and seconded by Councilmember Odic.

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

12. CONSIDER ACCEPTANCE OF 2014-2015 FISCAL YEAR AUDIT - Jon Watson of BrooksCardiel gave an overview of the audit for fiscal year 2014-2015. Mr. Watson said the City was in good standing financially.
13. QUARTERLY REPORT FROM MAIN STREET – Tam Erwin presented the Quarterly Report from Main Street. Ms. Erwin reported Canton was celebrating fifteen years in the Main Street Program.
14. CONSIDER GRANTING PERMISSION TO ZAYO GROUP TO INSTALL FIBEROPTIC CABLE UNDERGROUND - Councilmember Moore made a motion to grant permission to Zayo Group to install fiber-optic cable underground from Hwy. 19 to Hwy. 17 as indicated on proposed map. Councilmember Odic seconded.

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

15. CONSIDER ACCEPTANCE OF PROPERTY ON INDUSTRIAL BLVD. – John Butler presented a slide presentation about the water which accumulated at the end of Industrial Road near his property. He thought it was an issue created by the City and requested they remedy the problem. Mr. Cluck said, if the City could obtain a temporary easement from Brent Crawford of Core Products, they would scrape the road where the mud had accumulated to see if that helped the situation.
16. CONSIDER ADOPTION OF ORDINANCE NO. 2016-09 APPROVING A NEGOTIATED SETTLEMENT BETWEEN ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP. – A motion to adopt Ordinance No. 2016-09 was made by Councilmember Stewart and seconded by Councilmember Perkins.

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

17. CONSIDER DRAFT LEASE AGREEMENT FOR BUILDINGS ON FIRST MONDAY GROUNDS - Council requested Mr. Ritter review the current lease and develop a draft for any new leases.
18. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Mr. Cluck reported the revenue for the prior month was down due to rain. Revenue was up overall \$50,000 from last year. They would move forward with the completion of the Trade Center IV extension and the new food concessions. Linda Boston said the groundwork had been started at the end of Row 50. She had received feedback that vendors liked the new bathroom.
 - B. FINANCIAL REPORT – Ms. Kroha reported sales tax revenue was up 3.5% year-to-date. The Water, Wastewater and Sanitation funds were up. The new city hall was currently under budget. The cell tower was completed under budget.

- C. STATUS ON HOTEL ON I-20 – Julie Seymore reported work had been held up on the hotel. They planned to pour the slab by mid-June.
- D. ADDRESSING BY ETCOG – Ms. Johnson reported ETCOG was trying to correct addresses that were out of alignment with the rest of the neighborhood. Some residents would have to change their addresses. This is really a matter of safety to keep the 911 addresses good for emergency vehicle response.
- E. OTHER ITEMS – Ms. Johnson requested available dates for the planning and zoning training.

At 8:10 p.m. Mayor Everett called a brief recess.

At 8:20 p.m., Council reconvened into Open Session.

19. CONSIDER APPROVAL OF APPLICANTS FOR FIRST MONDAY HIGHWAY 64 CONTRACT PARKING - A motion to approve the list of applicants, as submitted, was made by Councilmember Perkins and seconded by Councilmember Malouf.

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

20. CONSIDER ADOPTION OF RESOLUTION NO. 2016-06 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S AMENDED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 - A motion to adopt Resolution No. 2016-06 was made by Councilmember Perkins and seconded by Councilmember Odic.

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

21. CONSIDER AWARDED CONTRACT FOR CONSTRUCTION OF REPAINTING OF HISTORIC WATER TOWER

Bids received:

Principle Industrial Services, Inc.	\$127,000.00
Williams Painting & Sandblasting	\$159,900.00
Utility Service Co., Inc.	\$246,000.00
Anchor Contracting LLC	\$259,330.00

Councilmember Perkins made the motion to award the contract to Principle Industrial Services for the amount of \$127,000, which was seconded by Councilmember Stewart.

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

Council Member - Nathan Moore: Approve

22. CONSIDER AWARDING CONTRACT FOR CONSTRUCTION OF CITY PARK TRAIL

Bids received:

5W Contracting	\$154,644.50
HGR General Contractors	\$197,629.30
HWH Industrial	\$222,263.30

Councilmember Stewart made a motion to award the contract to 5W Contracting for the amount of \$154,644.50. The motion was seconded by Councilmember Odic.

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

23. CONSIDER AWARDING CONTRACT FOR 2016 ROAD IMPROVEMENTS

Bids received:

SPI Asphalt LLC	\$124,962.90
D&M Contractors	\$150,552.16
Wes Scott, Inc.	\$181,133.89

A motion to award the contract to SPI Asphalt LLC for the amount of \$124,962.90 was made by Councilmember Stewart and seconded by Councilmember Perkins.

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

24. CONSIDER ADOPTION OF RESOLUTION NO. 2016-10 SETTING A PROCEDURAL SCHEDULE FOR THE GATHERING AND REVIEW OF NECESSARY INFORMATION BY ONCOR ELECTRIC DELIVERY COMPANY, LLC. TO FILE CERTAIN INFORMATION WITH THE CITY OF CANTON - No motion

25. CONSIDER ADOPTION OF RESOLUTION NO. 2016-08 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR - Councilmember Malouf made a motion to adopt Resolution No. 2016-08. Motion was seconded by Councilmember Moore.

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

26. CONSIDER APPOINTMENTS TO THE BOARD OF ADJUSTMENT - Councilmember Malouf made a motion to reappoint Buddy Jacobs; to appoint Jerry Yarbrough as a regular board member; and to appoint Jim Hargrove as alternate. Councilmember Stewart seconded.

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

27. CONSIDER APPOINTMENTS TO THE PLANNING & ZONING COMMISSION – A motion to reappoint Jerry Martin and to appoint Larry Morgan to the Planning & Zoning Commission was made by Councilmember Malouf and seconded by Councilmember Perkins.

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

28. CONSIDER APPOINTMENTS TO CANTON MAIN STREET ADVISORY BOARD – Larry Morgan was appointed to the Main Street Advisory Board upon motion by Councilmember Moore and second by Councilmember Perkins.

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

29. CONSIDER ADDING LIGHTS TO SOCCER FIELD / GIVING PERMISSION FOR COLLEGE AND OUTSIDE TEAMS TO USE FIELDS – A motion to approve the addition of lights to the soccer field and to give permission for outside teams to use the fields was made by Councilmember Perkins and seconded by Councilmember Odic.

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

30. CONSIDER ADOPTION OF ORDINANCE NO. 2016-11 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 - Councilmember Stewart made a motion to adopt Ordinance No. 2016-11 amending the budget. There was a second by Councilmember Odic.

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

Council Member - Nathan Moore: Approve

31. CONSIDER ORDINANCE NO. 2016-12 FOR TWO HOUR PARKING ON DALLAS STREET - Councilmember Perkins made a motion to adopt Ordinance No. 2016-12. A second was made by Councilmember Malouf.

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

32. CONSIDER ADOPTION OF RESOLUTION NO. 2016-07 ADOPTING THE CITY'S INVESTMENT POLICY – Councilmember Stewart made a motion to adopt Resolution No. 2016-07. Councilmember Perkins seconded.

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

33. CONSIDER ENFORCEMENT OF SIGN ORDINANCE IN ETJ - Mayor Everett postponed this item until the next meeting on Monday, May 23.

34. CONSIDER 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 - Councilmember Malouf made a motion approve the Council goals, objectives and special project requests to be included in the Fiscal year 2016-2017 proposed budget and approve the budget calendar for fiscal year 2016-2017. Councilmember Perkins seconded.

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

35. DISCUSS ANNEXATION OF HOUSES LOCATED ON BENTWOOD CIRCLE – Sue Richards requested information about annexing her subdivision into the City and whether or not she would get water and sewer service. It was the consensus of Council that they would accept an annexation petition for the subdivision if the property owners decided to file one.

36. 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 - Councilmember Stewart made a motion to paint the word "Canton" on the water tower in dark green using option 6 of the proposed fonts. Councilmember Moore seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Approve

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

37. CONSIDER ADOPTION OF RESOLUTION NO. 2016-10 ADOPTING CIVIL RIGHTS PROCEDURES FOR CITY'S TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - Councilmember Malouf made a motion to adopt Resolution No. 2016-10. Councilmember Perkins seconded.

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

38. CONSIDER ADOPTION OF CODE OF CONDUCT POLICY FOR CITY'S TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - Councilmember Stewart made a motion to adopt the Code of Conduct policy as proposed. Councilmember Odic seconded.

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

39. CONSIDER ADOPTION OF RESOLUTION NO. 2016-11 DESIGNATING CITY POSITIONS AS SIGNATORIES FOR TXCDBG GRANT 7215352 DOCUMENTS - Councilmember Perkins made a motion to adopt Resolution No. 2016-11. Councilmember Odic seconded.

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

Mayor Everett called a brief recess at 10:06 p.m. Council convened into Executive Session at 10:06 p.m.

EXECUTIVE SESSION

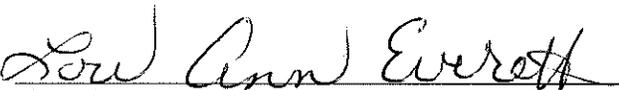
In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

40. 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

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

RETURN TO OPEN SESSION

- 42. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 10:18 p.m. with no action taken.
- 43. ITEMS FOR FUTURE AGENDAS – Item 33 and Church’s Chicken
- 44. ADJOURN – There being no further business to discuss, the meeting was adjourned by Mayor Everett at 10:19 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL
 12:00 P.M., MONDAY, MAY 23, 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, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Public Works Director Walt Lehmann, CEDC Executive Director Julie Seymore and Captain Brian Horton.

- 1. CALL TO ORDER AND PROCLAIM QUORUM PRESENT - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 11:59 p.m.
- 2. 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
- 3. DISCUSS AUDIT MANAGEMENT INTERNAL CONTROL LETTER – Mr. Cluck presented the auditor’s managers control letter.

4. CONSIDER ENFORCEMENT OF SIGN ORDINANCE IN ETJ – Mr. Cluck requested clarification on how to enforce certain areas of the sign ordinance. It was the consensus of Council to require a permit for any permanent signs in the ETJ; temporary signs in the ETJ would not require permits; and the handrail at the intersection of Highways. 64 and 19 would be for signs regarding community events only, not for privately-held events or political signs, and would require a permit.
5. CONSIDER MILL CREEK LAKE TRAIL – Council requested the contractor go as far as they could with the trail until they ran into property that was too wet to continue. They would then reassess the situation. If the contractor was not able to continue, the portion they could not do would be taken out of the invoiced amount.
6. CONSIDER HEALTH AND SAFETY ISSUES RELATED TO PROPERTY GENERALLY LOCATED IN THE Q.C.NUGENT SURVEY, ABSTRACT NO. 618, AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND “THE MOUNTAIN” – Council heard from Debbie Davis Reeves, one of the corporate owners of the Mountain and the Village. She requested a little time in whatever regulations they were given. They wanted to move forward and do it right. Councilmember Odic felt a planned development would be a good idea for that property. Ms. Reeves said she did not create the buildings and infrastructure on the Mountain. Councilmember Malouf said Ms. Reeves had the responsibility because she was the property owner. Councilmember Moore said the City needed to get the development lined out so the Fire Department could have access to the property. Ms. Reeves said she was willing to do what was needed.

Council convened into Executive Session at 1:24 PM.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

7. EXECUTIVE SESSION FOR CONSULTATION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618, AND D. TOWNS SURVEY, ABSTRACT NO. 845, AND GENERALLY LOCATED AT 542 E DALLAS. CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND “THE MOUNTAIN”
8. EXECUTIVE SESSION FOR CONSULTATION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY LOCATED ON INDUSTRIAL ROAD, CANTON, TEXAS

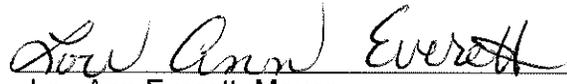
RETURN TO OPEN SESSION

9. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Council reconvened into Open Session at 2:41 p.m. with no action taken.

10. ITEMS FOR FUTURE AGENDAS

11. ADJOURN – There being no further business to discuss, the meeting was adjourned at 2:41 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., JUNE 21, 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 Shawn Stewart. Councilmember Connie Odic was absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Public Works Director Walt Lehmann, Fire Chief Bud Sanford, Police Chief Brad Allison, Municipal Court 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 Andy Wolfe.
3. PLEDGE OF ALLEGIANCE was led by Mayor Lou Ann Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Everett acknowledged a Certification of Appreciation from the City of Van for contributions by the City of Canton during the May 2015 tornado event. Mayor Everett showed cards received from Texas Skies Cub Scout Troop thanking her for visiting with them during the past month.

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 – Jim Fuller expressed concern about the ramps at the Civic Center. He had someone fall in that area and requested the City look into the matter. Some of the locks on the doors did not lock easily and the roof in the Civic Center leaked. He also wanted the City to make improvements to the landscaping.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE MAY 2, 17, AND 23, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF MAY 2016 FINANCIAL STATEMENTS

Councilmember Stewart made a motion to approve Items 8 and 9 of the Consent Agenda. Council Moore seconded.

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

INDIVIDUAL CONSIDERATION

10. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-13 CHANGING THE USES AND ATTRIBUTES OF THE FIRST MONDAY BUSINESS ZONING CLASSIFICATION IN 1985 ZONING ORDINANCE - *Mayor Everett opened the public hearing at 6:12 p.m.*

Reagan Sumner, 170 and 176 Trade Days Blvd., asked for clarification on what would happen to his business if the zoning was changed to allow operations during First Monday only. He allowed two vendors to set up in his pavilion throughout the month. Mr. Cluck said as long as Mr. Sumner continued to run his business the way he did now, he could sell the property and nothing would have to change. If there were no business operations on the property for a year, or if the property was substantially destroyed, it would change. The land use ran with the property not the owner. Mr. Cluck said that applied as long as the business currently on the property was legal as far as the current Zoning Ordinance. The business needed to stay retail. David Ritter said if there was a non-conforming use that was permitted under the old ordinance, the property owner would be grandfathered in as non-conforming unless the use of the property stopped for a year and there was substantial destruction. The property could be sold because the non-conforming use would run with the land, not the person. Councilmember Stewart suggested removing the second sentence under 13-2 of the proposed ordinance.

Mr. Cluck said the ordinance currently required 6 female restrooms per vendor acre and 3 male restrooms per vendor acre. The City currently had 111 women restrooms and 92 for men. Because the City had approximately 32 vendor acres, they were short 81 on the women's side and 4 on the men's. Debbie Davis thought the number for the women's restrooms should be reduced to 4. Councilmember Stewart said the restroom issue was not a problem twelve months out of the year. Councilmember Malouf said 3.4 would be the right number for what the City had now. Debbie Davis requested clarification on the proposed change to the ordinance. Her property had been there since 1994. Ms. Davis said every building on the Mountain was there when they were annexed except for the portable one. Some porches might have been added over the year. Mr. Cluck said when property was non-conforming, no changes were allowed. Ms. Davis said she had developed a new lease and was able to enforce the guidelines for the most part. She insisted the lessees got permits. It was critical to her cash flow to be able to operate during the month. Mr. Ritter said the zoning was fact specific to each building on the Mountain. Retail use was currently permitted by right and B&B's were permitted by

specific use permit. Councilmember Stewart said Council was looking at the safety aspect as far as B&B's were concerned. Ms. Davis said she did have some retail shops open more than just during First Monday. David Ritter said if there was a building on the property running under a permitted use, they could continue doing so, but the buildings themselves or the use of the building could not be expanded. Mr. Ritter also said the RV park was never a legal use in First Monday zoning so it would not be grandfathered. Mr. Cluck said the City would look at each individual business, if requested. *Mayor Everett closed the public hearing at 7:22 p.m.*

The matter was referred back to the Planning & Zoning Commission to determine which items could be added to the list for specific use permits.

11. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston, First Monday Operations Supervisor, said First Monday held level for June. July reservations were normal. A rabbit show was held at the Civic Center recently.
- B. FINANCIAL REPORT – Kim Kroha reported First Monday revenue was up \$50,000 year to date. Sales tax revenue was up over the projected amount. The water and wastewater revenue and sanitation revenues were also more than last year's numbers.
- C. NEW BUILDING FOR POLICE DEPARTMENT – Andy Wolfe reported the building was purchased June 9. He should have a preliminary cost estimate by the end of the week. The building would house the police department and the municipal court.
- D. SUBSTANDARD BUILDINGS – Debra Johnson reported notices were sent to Church's Chicken. Citations would be issued approximately ten days after receipt. Mr. Ritter said it would be up to the jury or judge to assess the fine.
- E. UPDATE OF ELECTRICAL CODE – Mr. Cluck explained the State of Texas had adopted the 2014 Electrical Code. Everything built in the County would have to comply with that standard.
- F. OTHER ITEMS – Mr. Cluck said the City would be spraying for mosquitos. Ads were placed in the paper and notices had been given on the radio. The City had filed a claim for damage done to the Civic Center roof. The insurance company was sending an engineer out to review.

- 12. CONSIDER REQUEST FROM CANTON FIRE DEPARTMENT FOR SOLICITOR'S PERMITS TO COLLECT DONATIONS AT THE INTERSECTION OF BUFFALO AND DALLAS STREETS THE FIRST WEEKEND OF SEPTEMBER FOR MDA AND THE FIRST WEEKEND OF DECEMBER FOR THE CHRISTMAS FOR KIDS PROGRAM - Councilmember Stewart made a motion to grant the request from Canton Fire Department for the first weekend of September and the first weekend of December for the next five years. Councilmember Perkins seconded.

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

Council Member - Nathan Moore: Approve

Mayor Everett called a brief recess at 7:52 p.m. Council reconvened at 7:57 p.m.

13. CONSIDER DRAFT LEASE AGREEMENT FOR PRIVATELY-OWNED BUILDINGS ON FIRST MONDAY GROUNDS - Councilmember Malouf made a motion to approve a draft lease agreement for privately-owned buildings on First Monday grounds with the additional language that construction must commence within twelve months of the lease date. Councilmember Moore seconded.

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

14. CONSIDER ADOPTION OF ORDINANCE NO. 2016-15 ADOPTING FIRST MONDAY POLICY MANUAL – Councilmember Stewart made a motion to adopt Ordinance No. 2016-15 adopting First Monday Policy Manual. Councilmember Perkins seconded.

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

15. CONSIDER APPROVAL OF AN AMENDED AND RESTATED ECONOMIC DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 380 OF THE LOCAL GOVERNMENT CODE WITH C&E GROUP, INC., OR AN AFFILIATE OF THAT CORPORATION, TO SUPPORT THE CONSTRUCTION OF A HOTEL/CONFERENCE CENTER FACILITY - Councilmember Malouf made a motion to approve the Amended and Restated Economic Development Agreement with C&E Group, Inc. Councilmember Perkins seconded.

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

16. CONSIDER APPROVAL OF AMENDED PLAT OF THAT 6.192-ACRE TRACT LOCATED IN THE WM. SHERMAN SURVEY, A-761, ON THE NORTH I-20 SERVICE ROAD IMMEDIATELY TO THE WEST OF SPLASH KINGDOM, IN THE CITY OF CANTON, TEXAS, OWNED BY KINGDOM PERSPECTIVES GP LTD - Councilmember Perkins made a motion to approve the amended plat for Splash Kingdom Addition. Councilmember Stewart seconded.

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

17. CONSIDER APPROVAL OF LEASE AGREEMENT FOR POHL PROPERTY LOCATED ON BLOCK 24, ORIGINAL TOWN, CANTON, TEXAS - Councilmember Moore made a motion to approve the lease agreement with Linda and Michael Pohl for property on Block 24 in the Original Town of Canton. Councilmember Stewart seconded.

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

18. CONSIDER ADOPTION OF ORDINANCE NO. 2016-14 APPROVING MUNICIPAL MAINTENANCE AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION – Councilmember Malouf made a motion to adopt Ordinance No. 2016-14. Councilmember Stewart seconded.

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

19. 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 – Andy Wolfe reported they were texturing the walls at the new City Hall. We hoped to move in by the end of August. The concrete at Trade Center IV would probably be poured next week. Councilmember Stewart asked if there was a way to create a walkway on Row 21 into the bathrooms from Trade Center IV. Mr. Wolfe said they planned to finish the Trade Center IV project by the end of August. He said they would put off the second pour on the Artist Row pavilion until after First Monday. The crew would mobilize next week to start work on painting the historic water tower. The project should be completed by the end of July. Councilmember Moore asked if lighting could be added to the tower if the project came in under budget. Councilmember Stewart said the Cherry Creek Park trail was being turned. It would run from the dam at the old lake to the concrete trail at the new park. His ultimate goal was to connect the two parks. Walt Lehmann reported forty streets with fog sealed with the \$180,000 allocated. That covered approximately 80% of the streets and would extend the life of the streets two to four years. The fog seal should be done every three to four years.

Mayor Everett called a brief recess at 9:09 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.

20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – Council convened into Executive Session at 9:13 p.m.

21. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE/RECEIPT OR LEASE OF REAL PROPERTY (Section 551.072)
22. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

RETURN TO OPEN SESSION

23. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:35 p.m.
24. ITEMS FOR FUTURE AGENDAS
25. ADJOURN – There being no further business to discuss, the meeting was adjourned at 9:36 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

9:00 A.M., SATURDAY, JULY 9, 2016

Canton City Hall

290 East 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, Connie Odic, and Scott Perkins. Councilmember Shawn Stewart was absent.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Fire Chief Bud Sanford and Police Chief Brad Allison.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 9:02 a.m.

INDIVIDUAL CONSIDERATION

- 2. CONSIDER APPROVAL OF SALE OF PRIVATELY-OWNED BUILDING ON CITY'S FIRST MONDAY GROUNDS AND ASSIGNMENT OF LEASE FOR SAME - Councilmember Perkins made a motion to approve sale of building and to allow the assignment of lease. 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

- 3. CONSIDER APPROVAL OF MODIFICATION OF EXISTING PRIVATELY-OWNED BUILDING ON CITY'S FIRST MONDAY GROUNDS – Councilmember Malouf made a motion to allow the modification of an existing privately-owned building on the City's First Monday grounds. Councilmember Odic seconded. Councilmember Perkins declared a conflict of interest on this issue.

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

- 4. 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

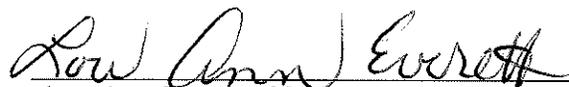
WORK SESSION

- 5. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017

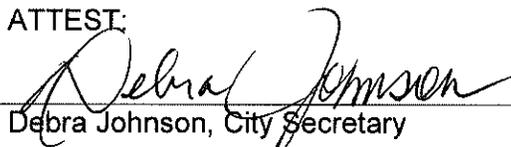
Mayor Everett called a recess at 10:47 a.m.

Mayor Everett called a lunch recess at 12:13 p.m. Council reconvened at 01:22 p.m. Assistant City Manager Andy Wolfe left the meeting at 1:20 p.m.

- 6. ITEMS FOR FUTURE AGENDAS
- 7. ADJOURN – There being no further business to discuss, the meeting adjourned at 2:29 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., JULY 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, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Municipal Judge Lilia Durham, Public Works Director Walt Lehmann, Building Inspector Dwight Lancaster and Assistant City Attorney David Ritter.

1. CALL TO ORDER – Mayor Everett called the meeting to order and declared a quorum present at 6:00 p.m.
2. INVOCATION was led by Mark Roberson of First Baptist Church.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

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

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JUNE 21, 2016 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF JUNE 2016 FINANCIAL STATEMENTS

Councilmember Stewart made motion to approve Items 8 and 9 of Consent Agenda. Council-member Odic seconded.

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

INDIVIDUAL CONSIDERATION

10. PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE NO. 2016-16 AMENDING THE PENALTY CLAUSE IN ORDINANCE NO. 2004-09 REGARDING B&B'S TO PROVIDE FOR \$2000 PER DAY PENALTY - Mayor Everett opened a public hearing at 6:03 p.m. There being no comments, the public hearing was closed at 6:05 p.m.

Councilmember Odic made a motion to approve Ordinance No. 2016-16. Councilmember Perkins seconded.

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

11. PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE NO. 2016-17 AMENDING THE PENALTY CLAUSE OF THE 1985 ZONING ORDINANCE TO PROVIDE FOR A \$2000 PER DAY PENALTY - Mayor Everett opened a public hearing at 6:09 p.m. There being no comments, the public hearing was closed at 6:09 p.m. Councilmember Malouf made a motion to approve Ordinance No. 2016-17. Councilmember Stewart seconded.

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

12. CONSIDER APPROVAL OF CONSTRUCTION OF BUILDING ON CITY FIRST MONDAY GROUNDS BY JEFF AND NANCY CLEVELAND AND RELATED LEASE AGREEMENT - Councilmember Malouf made a motion to approve the lease with the proposed change that vendor can sublease 100% of the building. Councilmember Moore seconded.

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

13. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – There was a discussion about the amount of insurance required by the First Monday lease. Councilmember Stewart said it was standard to require \$100,000. Ms. Johnson said she had modified the lease to require that going forward.
- B. FINANCIAL REPORT – Ms. Kroha reported sales tax revenue was up 5%. She said revenue from water and wastewater was up about \$43,000 year-to-date. The last month for First Monday was down about \$7,000. There was also a drop in the amount of debt service because an annual interest payment had been made.

- C. NEW BUILDING FOR POLICE DEPARTMENT – Andy Wolfe reported the trustees had been working on the building doing demolition. Staff had been making decisions on carpet and paint and they were in the process of obtaining bids.
 - D. TIMES FOR FUTURE BUDGET MEETINGS – Ms. Johnson said the July 26 meeting would be at noon but the August 2 meeting would start at 6:00 p.m.
 - E. SALE OF JUNKED VEHICLES – Ms. Johnson reported approximately \$34,000 was brought in from the sale of junked vehicles and equipment. They planned to prepare more items for auction.
 - F. OTHER ITEMS - Mr. Wolfe reported two legs were finished on the historic water tower. They were fixing holes on top. The company had thirty working days to finish the project. He said the concrete had been poured at Trade Center IV and it was now in the curing stage. The Artist's Row pavilion concrete was poured and the building was built. Mr. Wolfe reported the drop ceiling was in at the new city hall. He said he would check on the security of the building. Councilmember Stewart requested a coned off walkway from Row 20 into the bathrooms at Trade Center IV for First Monday. Mr. Wolfe thought the new Police Department building should be completed in less than two months. They were obtaining bids now. Mr. Cluck said there might be some rust on the inside of the historic water tower that might need to be corrected.
14. 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 – Debra Johnson said she received petition requests on May 3 and issued the petitions for signatures. One petition was for a local option election to legalize the legal sale of beer and wine for off-premise consumption only in the City of Canton and the second was for 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. Both petitions required 244 signatures to be verified. The beer and wine petition had 264 signatures verified and the mixed beverage petition had 273 verified signatures.
15. CONSIDER ADOPTION OF ORDINANCE NO. 2016-18 CALLING A SPECIAL LOCAL OPTION LIQUOR ELECTION TO BE HELD ON NOVEMBER 8, 2016, 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 DESIGNATING THE POLLING PLACES AND TIMES FOR EARLY VOTING AND ELECTION DAY

Councilmember Stewart made a motion to adopt Ordinance No. 2016-18. Councilmember Perkins seconded.

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

Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

16. CONSIDER ADOPTION OF RESOLUTION NO. 2016-12 APPOINTING ELECTION JUDGES, ALTERNATE ELECTION JUDGES, AND EARLY VOTING BALLOT BOARD JUDGE FOR NOVEMBER 8, 2016 SPECIAL ELECTION – Item was not considered.
17. CONSIDER ADOPTION OF RESOLUTION NO. 2016-13 APPOINTING DEPUTY CITY SECRETARIES – Item was not considered.
18. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR NOVEMBER 8, 2016 GENERAL ELECTION - Councilmember Malouf made a motion to approve the contract with Van Zandt County. Councilmember Odic seconded.

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

19. CONSIDER VACANT BUILDINGS WITHIN THE CITY LIMITS - Councilmember Stewart said he had requested the list to identify commercial properties which were vacant and to evaluate the structures. He thought it would be a prudent thing to identify the buildings and go through the process to get them to the minimum level of integrity or be demolished. David Ritter said the City had just instituted some forms to bring violators to court under the Maintenance Code. The process was just getting started and would eventually take less time to complete. Mr. Ritter said the notice letter had been sent to Church's Chicken and its lienholders and they were now at the stage of sending out citations.
20. 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

Mayor Everett recessed at 7:34 p.m. Council convened into Executive Session at 7:45 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

21. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
22. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

RETURN TO OPEN SESSION

23. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at with no action taken.
24. CONSIDER ADOPTION OF ORDINANCE NO. 2016-13 CHANGING THE USES AND ATTRIBUTES OF THE FIRST MONDAY BUSINESS ZONING CLASSIFICATION IN 1985 ZONING ORDINANCE – Mayor Everett postponed this item to the next regular meeting.
25. CONSIDER TIME PERIOD FOR PEOPLE TO OBTAIN SPECIFIC USE PERMITS FOR B&B'S – Mayor Everett said there would be no action on this item at this time due to the fact the City would be sending a letter to the property owner.

WORK SESSION

26. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017
 - A. PROPERTY TAX RATE
 - B. WATER AND WASTEWATER RATES
 - C. PROJECTS / TRADEOFFS
 - D. EMPLOYMENT/SALARY RAISES/BENEFITS
 - E. CHANGES / QUESTIONS

Kimberly Kroha announced there would be budget meetings on August 2 and August 9. The regular meeting would be held on August 16 and a workshop would be held, if necessary. The first public hearing on the tax rate would be August 23. The second public hearing on the tax rate and the public hearing on the budget would be August 30. The budget and tax rate would be adopted on September 6.

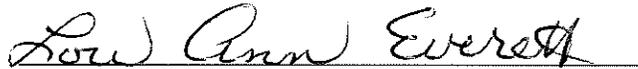
Ms. Kroha said she had changed the amount of the property tax because she received the appraised values from Van Zandt County. The amount of property values was approximately \$9.8 million higher. She had done a transfer from First Monday on the revenue side to increase the amount for the elections. She added \$10,000 for the Douthit Cemetery Road; \$6,000 for the Van Zandt Memorial project; and \$6,000 for new flooring in the library offices.

David Ritter left the meeting at 9:09 p.m.

Ms. Kroha said she adjusted revenue on the First Monday fund for Dry Creek Landing. There would be \$205,530 in funds available with the balanced budget. \$185,000 of that was available for projects. If the effective tax rate were adopted, the amount would decrease by \$66,000. Mr. Cluck said they were not recommending a change in water or wastewater rates. Mr. Cluck said they had found there were not many grants available for tennis courts. He said they could increase the amount of the loan that was being considered to \$2.4 million so tennis courts could be built. They originally looked at a seven year payout on the \$2 million loan. That would not change our debt payments because some debts were dropping off. He wanted to keep enough money in to start an equipment replacement fund.

Mr. Cluck said the garbage rates charged in Canton were lower than other cities in the area. He suggested reviewing those rates to see if any increases should be made. Mr. Cluck said they would gather more information to present at the next meeting.

- 27. ITEMS FOR FUTURE AGENDAS – Councilmember Odic wanted to discuss changing the animal ordinance. Ms. Johnson said she would include an item about the Mountain.
- 28. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:39 p.m.


 Lou Ann Everett, Mayor

ATTEST:

 Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL
 12 NOON, TUESDAY, JULY 26, 2016
 Canton City Hall, 290 East 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, Scott Perkins, Shawn Stewart and Connie Odic. Councilmember Moore was absent.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson and Finance Director Kimberly Kroha.

- 1. CALL TO ORDER – Mayor Everett called the meeting to order and declared a quorum present at 12:05 p.m.

INDIVIDUAL CONSIDERATION

- 2. CONSIDER APPROVAL OF PURCHASE OF PROPERTY AT 202 W. TERRELL, CANTON, TEXAS – Councilmember Malouf made a motion to approve the purchase of property located at 202 W. Terrell, Canton, Texas. Councilmember Stewart seconded.

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

- 3. 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 – There was a brief discussion about the original equipment found on the historic water tower.

4. CITY MANAGEMENT REPORTS

- A. OTHER ITEMS – None

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.

- 5. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION REGARDING POTENTIAL PURCHASE/RECEIPT OR LEASE OF REAL PROPERTY (Section 551.072)
 - None

RETURN TO OPEN SESSION

- 6. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

WORK SESSION

- 7. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017

- A. FEE SCHEDULE
- B. GARBAGE RATES
- C. PROJECTS/TRADEOFFS
- D. QUESTIONS / COMMENTS

Members of the Van Zandt County Veterans Memorial group requested the City continue the \$6000 contribution to assist them with payment of their water bill.

Kimberly Kroha announced the meeting on August 2 would include the marketing budgets from CEDC/CVB and Main Street. She would get a consensus from Council about the tax rate and Council would set the public hearings. August 23 would be the first public hearing on the tax rate and August 30 would be the second public hearing on the tax rate and the public hearing on the budget.

Ms. Kroha said the budget would end the year with an increase of \$86,695. She proposed to add a fee on the fee schedule for plan review. Mr. Cluck said we had gotten into a situation where a company was sending in plans that were wrong and had to be reviewed several times. This was time consuming and the City had to hire individuals to help with the review. Mr. Kroha said she included \$100,000 in capital streets improvements similar to the improvements done this year. Mr. Cluck said he would get recycled material from the State and use it on some less-traveled roads. It would save the City some money on buying asphalt. Mr. Cluck said he was going to do the floors in the library offices with money left over on the project they did this year. The proposed budget had allocated \$10,000 for the carpet. Mr. Cluck said he had added back in \$5,000 to seal the windows on the Blackwell House. Mayor Everett requested the Police Department get enough money to buy the helmets they needed. Mr. Cluck said they were attempting to obtain a grant for that money.

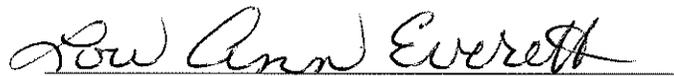
Mr. Cluck pointed out that Council had either spent or earmarked \$750,000 during this fiscal year for items that were not originally budgeted. \$50,000 had been used for the sewer line on Clay Street that collapsed; \$170,000 was allocated to the new police building; \$500,000 was earmarked to buy the Groves property; and some money was used for the City Parks trail. He had pulled \$600,000 out of the budget to raise the water tower on Hwy 243 to put it back in service. He also omitted a new concrete parking lot in front of the library for \$100,000. He deleted \$100,000 to cut down the hill at the South Gate parking lot. Also omitted from the proposed budget was \$400,000 to fix the sidewalk in front of Hilliards' Furniture. They could not apply for a grant for the sidewalk in front of Hilliards until the current sidewalk project was finished.

Ms. Kroha went over the options for the debt issuance for streets. She tried to maintain the debt payments at \$200,000.

Ms. Kroha said Canton was lower on commercial garbage rates in the area, especially on commercial dumpsters. They had made changes to bring us more in line on the commercial dumpsters. Ms. Kroha also said they changed fees for the Animal Shelter to bring in \$30 for each adult animal rather than just charge \$30 for the first animal and \$15 for all others. They had added a fee for a ten-day stay at the facility. The amount for street cuts was increased by \$100 on the water and \$250 on the sewer side. Mr. Cluck said the Mayor would make a presentation to the Commissioners Court on August 5 about the fee to the County for use of the animal shelter. Mr. Cluck said the meter fees increased because the meter prices have almost doubled. Mr. Kroha said the amount of \$98.94 on Page 6 of the Fee Schedule was an error. Customers were actually being charged \$72.71. It was also recommended fees for zoning changes and variances and annexations increase from \$150 to \$200.

The consensus of Council was to calculate a thirteen year payout on the proposed loan. They also felt they would like to continue the contribution to the Veterans Memorial but wanted to review this item annually. Councilmember Stewart said Henry Lewis requested they upgrade the area around the artesian well.

8. ITEMS FOR FUTURE AGENDAS – Councilmember Odic requested the animal ordinance be reviewed.
9. ADJOURN – There being no further business to discuss, Mayor Everett adjourned the meeting at 1:54 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, AUGUST 2, 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, Scott Perkins, Shawn Stewart and Connie Odic. Councilmember Nathan Moore was absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, City Attorney Jeff Moore and CEDC Executive Director Julie Seymore.

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:00 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.

2. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
Henry Lewis v. Jane Cox, Joe Groves and the City of Canton;
 Cause No. 16-00043, 294th District Court, Van Zandt County
3. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072) – Council convened into Executive Session at 6:38 p.m.

RETURN TO OPEN SESSION

4. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into Open Session at 6:38 p.m. with no action taken.

INDIVIDUAL CONSIDERATION

5. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, IMPROVEMENTS TO FIRST MONDAY GROUNDS, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL
6. CITY MANAGEMENT REPORTS
 - A. OTHER ITEMS – Mr. Cluck reported Golden Chick was scheduled to buy the Church's Chicken building and had sent the City a blueprint for the new building.

BUDGET WORK SESSION

7. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017

Jeff Moore left the meeting at 6:40 p.m.

- A. Fund balance review
- B. Property tax rate – Ms. Kroha said the effective tax rate was .3979855. About \$1.9 million was added to the tax roll this year. Average property values went down. If we went with the effective tax rate, the City would lose \$56,000 in revenue.
- C. Fee Schedule – Ms. Kroha said they had changed some things in the fee schedule – a plan review fee was added and the wording for an accessory building was changed.
- D. Debt Service – There was a brief discussion regarding whether or not to borrow money for a capital project and what project(s) would be done. No decision was made. Mr. Cluck was to bring back more information.
- E. Projects / Tradeoffs
- F. CEDC/Main Street/CVB Budgets (at 6:01 p.m.) – Julie Seymore presented the budgets for the CEDC/CVB and Main Street. She said the focus was to get the vacant buildings in town filled. They would be finishing the Dallas Street sidewalk this year and hoped to do the last block on South Buffalo in another year. She was not sure how CEDC would support the community youth sports facility. They did not intend to support it with the sixty acre tract. The CEDC had a \$936,700 balanced budget. 94% of that was from sales tax. They had done a five-year loan with Westview with 3% interest which would close in a few days. They included a 3% increase in operating expenses for personnel. The \$9900 for supplies included a new server for \$8500. They had increased travel and meals to \$12,000 because of the trade shows they had been attending. They included \$10,000 for website improvements. They would spend \$10,000 for refurbishment of the Plaza Museum façade. They budgeted \$25,000 for the Applebee's grant, \$100,000 for recruitment of new business and \$190,000 for property development. They would pay off the I-20 sewer project loan this year.

Ms. Seymore also presented the Canton Visitors Bureau budget. Their objective was to put "heads in beds" and to foster the tourism industry. They wanted to market Canton as a destination. They also planned to develop a historical marker tour map and a walking tour map. They wanted to build up attendance for the BalloonFest and projected it would operate at a profit this year. Ms. Seymore said they would spend about \$50,000 in magazines this year. They planned to advertise in more State magazines this year and less in local ones.

Ms. Seymore said the Main Street budget was very simple. They decided not to do an Autumn Festival this year. The beautification projects they had were to place banners across the tops of buildings; work on the flower beds in front of First Monday; buy new trash containers; coordinate the Keep Canton Beautiful program; fill the vacant buildings and attract retail downtown; take care of people who are here; and they want to start recruiting. They were looking at the vacant building ordinance. They would do another dinner on Main Street in October and another outdoor movie series. Ms. Seymore said they increased the building incentives to \$2500 from \$2000. The building owner had to spend at least \$1000 on the outside of their building to get the grant.

- G. Other

H. Changes / questions

8. CONSIDER PROPOSAL TO ADOPT 2016 TAX RATE AND SCHEDULE PUBLIC HEARINGS – Councilmember Malouf made a motion to place a proposal to adopt a tax of .42033200 on the agenda of the 6:00 p.m., September 6, 2016, City Council meeting and to schedule two public hearings – one at 12:00 p.m. on Tuesday August 23, 2016, and the second at 6:00 p.m. on Tuesday, August 30, 2016. Councilmember Stewart seconded.
9. ITEMS FOR FUTURE AGENDAS – None
10. ADJOURN – There being no further business to discuss, the meeting was adjourned at 8:27 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

REGULAR MEETING OF THE CANTON CITY COUNCIL**6:00 P.M., AUGUST 16, 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, Shawn Stewart and Connie Odic. Councilmembers Nathan Moore and Scott Perkins were absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Fire Chief Bud Sanford, CEDC Director Julie Seymore and Assistant City Attorney David Ritter.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:00 p.m.
2. INVOCATION was led by Dwight Lancaster.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

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 - None

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JULY 9, 19 AND 26, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JULY 2016 FINANCIAL STATEMENTS

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

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

INDIVIDUAL CONSIDERATION

10. CONSIDER COMPLIANCE BY OWNERS OF CODE ENFORCEMENT ISSUES CONCERNING THE MOUNTAIN – Chief Bud Sanford said the owner had developed a plan for access roads and had made a tremendous effort to establish those roads. Ms. Davis had committed to dropping an additional five fire hydrants. The addressing was almost complete. The street signage was 100%. Ms. Davis made contact with Oncor about the lighting, but their work schedule was six weeks out. Mr. Cluck said the City could install one of the hydrants needed on FM 19 in conjunction with a water line they were running in that area. The City could also install a hydrant behind the Taco Shack on Hwy. 64 where there was a City water line. The City would pay for the hydrants on the City's lines, but Ms. Davis would have to purchase the hydrants she needed.
11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-20 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT BUFFALO GIRLS HOTEL; MTN 1, LOT B-1, OPERATED BY SUSAN MATASSA, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC. – Mayor Everett opened a public hearing on Items 11 through 22 at 6:36 p.m. Lawrence Simpson, Circle the Wagons Ministry, said his building been inspected by Captain Horton and Dwight Lancaster and he had been given a list of items to correct. He had been told he could get a temporary permit to carry him through the September market. He understood all items had to be completed by October for a final CO. He was trying to cooperate with the City. He had been operating a B&B for eighteen years and never had a fire. Councilmember Stewart asked if the buildings were something the City could sign off on now. Mr. Cluck said no. Councilmember Stewart said the City needed to be sure there was a consistent process for the business owners to follow. Mr. Lancaster said there were guidelines for them to follow.

Councilmember Malouf made a motion to continue the public hearings and consideration of Items 11 through 22 until the September 20, 2016, Council meeting. Councilmember Stewart seconded.

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

12. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-21 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT BUFFALO GIRLS HOTEL; MTN 1, LOT B-2, OPERATED BY SUSAN MATASSA, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
13. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-22 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 2, LOT M34, ON YUKON VALLEY TRAIL OWNED BY LAWRENCE AND LINDA SIMPSON AND OPERATED BY DEBBIE AND RONNIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
14. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-23 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT L03, ON PALOMINO PASS OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
15. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-24 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 2, LOT M16, ON YUKON VALLEY TRAIL OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
16. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-25 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT X01.5, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
17. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-26 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT J-10, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.

18. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-27 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT Y3, ON ROSE GARDEN LANE OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
19. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-28 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT F15, ON WAGON TRACKS TRAIL OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
20. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-29 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT L08, ON PALOMINO PASS OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
21. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-30 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT R16, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
22. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-31 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT CIRCLE THE WAGONS MINISTRIES B&B; MTN 1, LOT B07, ON THE BOARDWALK OFF RED RIVER ROAD OPERATED BY LAWRENCE AND LINDA SIMPSON, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
23. CONSIDER ADOPTION OF ORDINANCE NO. 2016-13 CHANGING THE USES AND ATTRIBUTES OF THE FIRST MONDAY BUSINESS ZONING CLASSIFICATION IN 1985 ZONING ORDINANCE

Mayor Everett called a brief recess at 7:49 p.m. Council reconvened at 7:59 p.m.

24. CONSIDER ACCEPTANCE OF A PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 10.84 ACRES IN THE WILLIAM SHERMAN SURVEY, A-761, LOCATED AT 19470 I-20, CANTON, CURRENTLY OWNED BY RICKY J. HOLLON - Councilmember Malouf made a motion to accept the petition for voluntary annexation of Ricky J. Hollon. Councilmember Odic seconded.

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

Council Member - Nathan Moore: Absent

25. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported the mini-pavilion they were building on Row 50 would pay for itself in about five years. It had been rented to Walter Flora.
- B. FINANCIAL REPORT – Kim Kroha reported First Monday revenue was down about \$500 from this time last year, but was still up for year-to-date.
- C. NEW BUILDING FOR POLICE DEPARTMENT – Andy Wolfe said they had saved a lot of money on the project by doing the work themselves. They hoped to move within the next sixty days.
- D. LAZY U EASEMENT – Mr. Wolfe said there were some issues with the homeowners building on top of the easements. Most of the buildings had been moved. They were not just waiting on good weather.
- E. PROPOSED STREET PROJECTS – Mr. Cluck said he would discuss that during the budget workshop.
- F. OTHER ITEMS – Mr. Cluck said they were consistently spraying for mosquitos, taking the weather into consideration.

26. CONSIDER ACTION ON CODE ENFORCEMENT MATTERS – Councilmember Stewart expressed his concerns about vacant buildings downtown which were attached to other buildings. He felt those weaknesses would cause the other buildings to collapse. He wanted to keep this as a standard agenda item to keep it on everyone's mind. Mr. Cluck said the Fire Department had gone through most of the commercial buildings in town and given them a checklist. They would focus on the square now because those buildings were attached to each other.

27. CONSIDER APPROVAL OF POLICE POLICY MANUAL – Councilmember Stewart made a motion to approve the Police Policy Manual as presented. Councilmember Malouf seconded.

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

28. CONSIDER AMENDMENTS TO ANIMAL CONTROL ORDINANCE - This matter was postponed to the next regular meeting in order to obtain more information from other cities.

29. CONSIDER APPROVAL OF NIBRS GRANT FOR CANTON POLICE DEPARTMENT – Councilmember Malouf made a motion to approve the application for the NIBRS grant. Mayor Everett read the Resolution regarding same. Councilmember Stewart seconded.

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

Council Member - Nathan Moore: Absent

30. CONSIDER AWARD OF CONTRACT FOR HWY. 64 10" WATER MAIN

The following bids were received:

4M Construction	\$216,962.89
Capps-Capco Construction	\$245,658.25
Morrow Construction	\$262,857.50
AAA Sanitation	\$272,432.00
Horseshoe Construction	\$494,970.00

Councilmember Stewart made a motion to award the contract to 4M Construction at the bid amount of \$216,962.89. Councilmember Malouf seconded.

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

31. CONSIDER AWARD OF CONTRACT FOR HWY 19. WATER WELL 6" WATER MAIN

The following bids were received:

Redco Endeavors Inc.	\$ 93,804.31
4M Construction	\$103,525.73
Morrow Construction	\$112,535.00
Capps-Capco Construction	\$145,201.15
AAA Sanitation	\$212,138.00
Horseshoe Construction	\$291,044.00

Councilmember Malouf made a motion to award the contract to 4M Construction in the amount of \$103,525.73. Councilmember Odic seconded.

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

32. CONSIDER ADOPTION OF ORDINANCE NO. 2016-19 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 – Councilmember Malouf made a motion to adopt Ordinance No. 2016-19. Councilmember Odic seconded.

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

33. 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 said they were done with the historic water tower except adding the logo. They were waiting on good weather to finish.

Mayor Everett called a recess at 8:50 p.m. Mayor Everett called Council into Executive Session at 8:56 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

34. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
35. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

RETURN TO OPEN SESSION

36. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:20 p.m. with no action taken.
37. CONSIDER APPROVAL OF AMENDED PURCHASE AND SALE AGREEMENT REGARDING BLOCK 46, LOTS 1 AND 2, AND BLOCK 25, LOTS 2-02 AND 2-03 OF THE ORIGINAL TOWN OF CANTON – This matter was tabled until the next regular Council meeting.

WORK SESSION

38. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017
- A. PROPERTY TAX RATE
 - B. TENNIS COURT INFORMATION
 - C. CHANGES / QUESTIONS

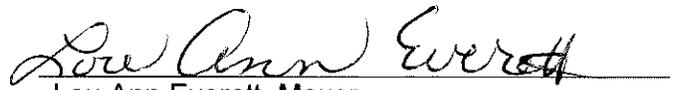
Kim Kroha announced the first public hearing on the property tax rate would be held August 23, 2016; the second public hearing on the property tax rate and the public hearing on the budget were scheduled for August 30; and the budget and tax rate would be adopted on September 6, 2016.

Ms. Kroha said they added \$6,000 for contracting mowing at the soccer fields and CYRA ballpark. Mr. Cluck said the Parks' workers were stretched too thin during the mowing season and this would give them a break. Mr. Cluck said the Police Department renovation would cost approximately a quarter million dollars, including the price of the

property. Mr. Cluck said he had looked at estimates for the proposed streets projects based on the Comprehensive Plan. For all of Goshen Street, the water would cost \$184,000, the sewer \$149,000 and the road \$861,000 for a total of \$1.5 million. For Sides Circle and Amy Street, the cost would be \$2.4 million. Councilmember Stewart wanted to commit to a financial package and then figure out what streets to do. He asked to see the numbers for the streets without doing curbs and gutters. Mr. Kroha said we could borrow \$3 million for thirteen years and keep the debt service about the same. Councilmember Malouf wanted to figure out to figure out how much we could borrow without increasing the payment. Councilmember Stewart said Goshen did not have curb and gutter now. He would keep that the same. His goal was to do as many streets as we could for \$2 million. Mr. Cluck said he would have more information at the next meeting.

Mr. Cluck said the school's tennis courts were open to the public. The school would be okay with the City paying for timers on the lights so people could use the courts at night. He talked to two local concrete people about pouring concrete on top of the existing courts and they said they would not do it. Councilmember Odic said the school courts were not open to the public all the time. Councilmember Malouf said she had trouble paying for new courts if there were six courts at the school that did not get utilized. Councilmember Odic said they were trying to get year round tennis in Canton. People chose the tennis courts on Old Kaufman because they were at the park. Councilmember Malouf suggested looking for a grant to fix the tennis courts.

39. ITEMS FOR FUTURE AGENDAS – None
40. ADJOURN – There being no further business to discuss, the meeting was adjourned at 10:03 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL
12:00 NOON, TUESDAY, AUGUST 23, 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, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, and Finance Director Kimberly Kroha.

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 12:01 p.m.

2. FIRST PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 – Mayor Everett opened the public hearing on the proposed tax rate at 12:02 p.m. There being no comments, the public hearing was closed at 12:02 p.m. Mayor Everett announced the second public hearing on the tax rate would be held at 6:00 pm on Tuesday, August 30, 2016, in these chambers. The final vote on the budget would be taken at 6:00 p.m. on Tuesday, September 6, 2016.
3. CONSIDER APPROVAL OF SALE OF PRIVATELY-OWNED BUILDING ON CITY'S FIRST MONDAY GROUNDS AND NEW LEASE FOR SAME

Councilmember Odic arrived at 12:05 p.m. Councilmember Malouf entered at 12:27 p.m.

Councilmember Stewart made a motion to approve the sale of a privately-owned building and a new lease for same. Councilmember Perkins seconded.

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

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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 CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – Council convened into Executive Session at 12:46 p.m.

RETURN TO OPEN SESSION

5. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 1:26 p.m. with no action taken.
6. CONSIDER APPROVAL OF AMENDED PURCHASE AND SALE AGREEMENT REGARDING BLOCK 46, LOTS 1 AND 2, AND BLOCK 25, LOTS 2-02 AND 2-03 OF THE ORIGINAL TOWN OF CANTON
7. CITY MANAGEMENT REPORTS
 - A. OTHER ITEMS – Mr. Cluck reported another coat would be painted on the historic water tower. He also said the Church's Chicken code enforcement matter had gone to court last week. The future owners attended and said they would cut out the concrete around the existing building and build a new Golden Chick. They planned to bring the City viable plans within five weeks. Mr. Cluck said they were trying to get the cabinets done and the painting completed at the new city hall. He said they were putting insulation in the roof at Trade Center IV. Andy Wolfe said they would pick out the floor covering on the new police station tomorrow. They had started framing on the jail cells. The painting was done.

BUDGET WORK SESSION

8. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017
- A. Property tax rate – Ms. Kroha said the second hearing on the proposed tax rate and the hearing on the budget would be August 30. If we kept the same tax rate, there was no change to the taxpayer's property tax if the value was the same. The bulk of the money for the additional revenue of adopting the proposed tax rate went to M&O for operations.
 - B. Projects / Tradeoffs – Mr. Cluck said if they followed the Comprehensive Plan for the streets, Sides Circle would cost approximately \$2.4 million and Goshen would be \$1.5 million. If they did not follow the Comprehensive Plan, Sides Circle would cost \$1.9 million and Goshen would cost \$1.1 million. Amy Street was included in the cost of the Sides Circle project. There was a discussion on how wide the street would be and the best place to relocate the utilities. Councilmember Odic expressed the need to take care of the parks equipment and tennis courts. She said the tennis courts kept getting put on the back burner. The tennis courts were an eyesore and rough to play on. Improving the tennis courts would bring people to town. They required no maintenance. Councilmember Odic felt there should be a Parks and Recreation fund created. Councilmember Moore said there was already a Parks fund in existence. Councilmember Odic said the tennis courts were always pitted against a new tractor or cemetery fencing. She had located a company that could redo the courts for \$40,000 each. She proposed the two new vehicles for \$90,000 could be pulled from the budget and used toward repair of the courts. Mr. Cluck explained they put four vehicles in the budget. They had applied for a grant to pay for two vehicles. Councilmember Odic thought providing the police department with a new building was enough and they should hold off on purchasing the new vehicles. She also felt the new fire truck could be put off another year since they just bought a new engine last year. Councilmember Odic said she was open to finding alternatives for cutting back in the budget. Councilmember Moore said he hated to spend a lot of money on tennis courts when we had the future opportunity of a sports complex. Mr. Cluck said the high school had offered use of their courts if the City would providing timers for the lights. Councilmember Stewart said he was not in favor of cutting out police and fire vehicles.
 - C. Other
 - D. Changes / questions
9. ITEMS FOR FUTURE AGENDAS - Councilmember Odic asked to have the tennis courts on the next agenda.
10. ADJOURN – There being no further business to discuss, the meeting was adjourned at 2:36 p.m.



 Lou Ann Everett, Mayor

ATTEST:



 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, AUGUST 30, 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, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Fire Chief Bud Sanford, and City Attorney Jeff Moore.

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:00 p.m.
2. SECOND PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 – Mayor Everett opened the public hearing on the tax rate at 6:00 p.m. There being no comments, the public hearing was closed at 6:03 p.m.
3. PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Mayor Everett opened the public hearing on the budget at 6:03 p.m. There being no comments, the public hearing was closed at 6:04 p.m.
4. CONSIDER ADOPTION OF ORDINANCE NO. 2016-31 ADOPTING THE FEE SCHEDULE FOR THE CITY OF CANTON, TEXAS – Councilmember Malouf made a motion to adopt Ordinance No. 2016-31. Councilmember Stewart seconded.

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

5. CONSIDER APPROVAL OF 9-1-1 DATABASE MAINTENANCE INTERLOCAL CONTRACT WITH EAST TEXAS COUNCIL OF GOVERNMENTS – Councilmember Malouf made a motion to approve 9-1-1 database maintenance inter-local contract with ETCOG. Councilmember Moore seconded.
 Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Approve
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: 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.

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

Henry Lewis v. Jane Cox, Joe Groves and the City of Canton;
Cause No. 16-00043, 294th District Court, Van Zandt County

Council convened into Executive Session at 6:07 p.m.

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 6:48 p.m. with no action taken.
8. CONSIDER APPROVAL OF AMENDED PURCHASE AND SALE AGREEMENT REGARDING BLOCK 46, LOTS 1 AND 2, AND BLOCK 25, LOTS 2-02 AND 2-03 OF THE ORIGINAL TOWN OF CANTON – Councilmember Moore made a motion to authorize the City Manager to make a bona fide offer on Block 46, Lots 1 and 2, and Block 25, Lots 2-02 and 2-03 of the Original Town of Canton of the Original Town of Canton, an addition within the City of Canton, Van Zandt County, Texas. Councilmember Stewart seconded.

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

9. CITY MANAGEMENT REPORTS

A. OTHER ITEMS

10. 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
11. CONSIDER REPAIR TO OR CONSTRUCTION OF NEW TENNIS COURTS AT OLD KAUFMAN PARK IN CANTON, TEXAS – Councilmember Odic made a motion to put \$190,000 into the budget for the parks fund and to amend the proposed budget. Motion failed for lack of second.
Jeff Moore left the meeting at 7:48 p.m.
12. CONSIDER OBTAINING LOAN FOR STREET IMPROVEMENTS – Councilmember Malouf made a motion to borrow \$3 million in the upcoming budget for street improvements and to stay consistent with the current debt service. Councilmember Perkins seconded.

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

Council Member - Nathan Moore: Approve

BUDGET WORK SESSION

13. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2016-2017
 - A. Other
 - B. Changes / questions
14. ITEMS FOR FUTURE AGENDAS
15. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:04 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M., TUESDAY, SEPTEMBER 6, 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, Shawn Stewart and Connie Odic. Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha and CEDC Executive Director Julie Seymore.

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:03 p.m.
2. PROCLAMATION - SEPTEMBER 12-16, 2016 PROCLAIMED NATIONAL ASSISTED LIVING WEEK FOR 2016 – Mayor Everett proclaimed the week of September 12-16, 2016, as National Assisted Living Week.
3. FIRST PUBLIC HEARING ON PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 10.84 ACRES IN THE WILLIAM SHERMAN SURVEY, A-761, LOCATED AT 19470 INTERSTATE 20, OWNED BY RICKY HOLLON – Mayor Everett opened a public hearing on this matter at 6:06 p.m. There being no comments, the public hearing was closed at 6:19 p.m. Ms. Johnson said there would be a special Council meeting on September 13, 2016, to vote on the annexation.

4. SECOND PUBLIC HEARING ON PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 10.84 ACRES IN THE WILLIAM SHERMAN SURVEY, A-761, LOCATED AT 19470 INTERSTATE 20, OWNED BY RICKY HOLLON – Mayor Everett opened a public hearing at 6:06 p.m. There being no comments, the public hearing was closed at 6:06 p.m.
5. CONSIDER RATIFYING THE PROPERTY TAX INCREASE OF \$46,356 REFLECTED IN THE PROPOSED BUDGET, \$8,297 OF WHICH WILL BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL – *(This matter taken out of order at 6:15 p.m.)* Cindy Malouf made a motion to ratify the property tax increase reflected in the FY 2016-2017 Budget. Councilmember Perkins seconded.

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

6. CONSIDER ADOPTION OF ORDINANCE NO. 2016-32 APPROVING PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Councilmember Stewart made a motion to adopt Ordinance No. 2016-32 approving the proposed budget. Second was made by Councilmember Moore.

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

7. CONSIDER ADOPTION OF ORDINANCE NO. 2016-33 LEVYING THE TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Councilmember Malouf made a motion to adopt Ordinance No. 2016-33 adopting the proposed tax rate of \$0.4203320. Councilmember Perkins seconded.

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

8. CONSIDER ADOPTION OF RESOLUTION NO. 2016-14 APPROVING THE CANTON ECONOMIC DEVELOPMENT CORPORATION / MAIN STREET / CVB BUDGETS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Councilmember Perkins made a motion to adopt Resolution No. 2016-14. Councilmember Moore seconded.

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

9. CONSIDER ZONING FOR PROPERTY IN GATEWAY DISTRICT ZONING (*This item taken out of order at 6:07 p.m.*) It was the consensus of Council that a pool service / pool supply business would comply with the Gateway District zoning regulations.

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.

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

Henry Lewis v. Jane Cox, Joe Groves and the City of Canton;
Cause No. 16-00043, 294th District Court, Van Zandt County

RETURN TO OPEN SESSION

11. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

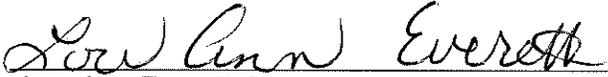
12. CITY MANAGEMENT REPORTS

A. OTHER ITEMS – Mr. Cluck reported First Monday was up approximately \$50,000 from last year at this time. Mr. Cluck said he met with the County Judge about the animal shelter. The Judge said the County was not going to participate in an inter-local agreement. Mr. Cluck said we would run ads in the papers alerting everyone in the County the shelter would no longer take animals from outside the city as of January 1, 2017, unless an inter-local agreement was signed.

13. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS AND NEW CITY HALL – Mr. Cluck said they would get the metal part of Trade Center IV built next week. There was some trouble getting bids for the millwork at City Hall, but they were starting on that soon. Andy Wolfe said he and Brent Stewart toured the parks and took inventory of everything that needed to be addressed. They did not see a lot of safety issues in the park. They would address the issues of cracks at the tennis court. A lot of the playground equipment needed to be repainted. He would look into the possibility of having volunteer groups help with the labor. Mr. Wolfe said he spoke with National Sports Builders Association about the tennis courts. They questioned why we had a post-tension slab. They would come to town to look at the courts and offer a solution. Mr. Cluck said they were supposed to start work at the new City Lake trail on September 15. They were going to let the trail settle at the old City Lake before putting asphalt down. Councilmember Stewart asked about installing a drinking fountain at Cherry Creek park. Mr. Cluck said most people brought water or Gatorade with them. There were some drinking fountains at the soccer fields at one time. Mr. Wolfe said he would ask why the bathroom at the park was taken out of service. Councilmember Odic asked Council to consider installing a canopy for shelter at the soccer fields.

14. ITEMS FOR FUTURE AGENDAS – None

15. ADJOURN - There being no further business to discuss, the meeting was adjourned at 6:44 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

11:00 A.M., TUESDAY, SEPTEMBER 13, 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 Shawn Stewart. Councilmember Connie Odic was absent. Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, and Finance Director Kimberly Kroha.

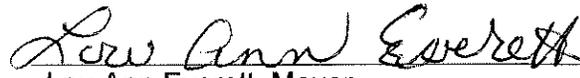
1. CALL TO ORDER AND DECLARE QUORUM PRESENT - Mayor Everett called the meeting to order and declared a quorum present at 11:00 a.m.
2. CONSIDER ADOPTION OF ORDINANCE NO. 2016-34 ANNEXING APPROXIMATELY 10.84 ACRES IN THE WILLIAM SHERMAN SURVEY, A-761, LOCATED AT 19470 INTERSTATE 20, UPON VOLUNTARY PETITION BY OWNER RICKY HOLLON – Councilmember Malouf made a motion to accept the request for annexation. Councilmember Perkins seconded. Councilmember Malouf withdrew her motion and Councilmember Perkins seconded the withdrawal.

Councilmember Stewart made a motion to postpone this item until the next meeting to obtain more information. Councilmember Moore seconded.

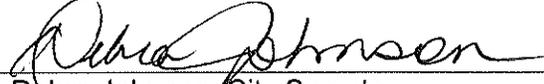
Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Absent
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

3. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS AND NEW CITY HALL – None
4. CITY MANAGEMENT REPORTS
 - A. OTHER ITEMS - None
5. ITEMS FOR FUTURE AGENDAS

6. ADJOURN - There being no further business to discuss, the meeting was adjourned at 11:40 a.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M., SEPTEMBER 20, 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, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Attorney Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Fire Captain Brian Horton, Municipal Court Judge Lilia Durham, Public Works Director Walt Lehmann, CEDC Executive Director Julie Seymore,

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:00 p.m.
2. INVOCATION was led by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Sam Elizalde presented t-shirts to Council in appreciation for their support of the Ride for the Wall.

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 – Ryan Todd gave a presentation on agriculture for a program he was doing for the Texas Farm Bureau.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE AUGUST 2, 16, 23 AND 30, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF AUGUST 2016 FINANCIAL STATEMENTS

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

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

INDIVIDUAL CONSIDERATION

10. CONSIDER REQUEST FROM VAN ZANDT VETERANS MEMORIAL GROUP FOR SOLICITOR'S PERMITS TO COLLECT DONATIONS AT THE INTERSECTION OF BUFFALO AND DALLAS STREETS ON OCTOBER 15, 2016, FOR THE VETERANS MEMORIAL – Councilmember Malouf made a motion to approve the request for a solicitation permit to raise funds for the Veterans Memorial. Councilmember Odic seconded.

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

11. CONSIDER DRAINAGE ISSUE AT 590 W. HWY 243 – Pat Wright said she owned property on Highway 243 and there were drainage issues at the property. Improvements done to the highway had made the problem worse. Mr. Cluck said he had spoken to Ms. Wright several times over the years about this issue. He said it was a problem TxDOT was responsible for and they had it on their list to correct the problem. He would contact Mr. McClanahan once again and speak with him about the matter.
12. CONSIDER COMPLIANCE BY OWNERS OF CODE ENFORCEMENT ISSUES CONCERNING THE MOUNTAIN – Captain Brian Horton said the condition of the Mountain was leaps and bounds better than two months ago. The progress had slowed. Councilmember Malouf said if they were still making measurable progress, Council would be as flexible as they could. Councilmember Moore agreed progress had been made as far as access. It was not yet what Council had requested. He thought vendors could apply pressure to the owner. He felt there had been enough activity they should be allowed to continue. The consensus of Council was to delay this item until the October 18, 2016 meeting. (All but Councilmember Stewart were in agreement.)
13. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-20 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT BUFFALO GIRLS HOTEL; MTN 1, LOT B-1, OPERATED BY SUSAN MATASSA, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY

OWNED BY CORRY DAVIS MARKETING, INC. – Councilmember Malouf made a motion to continue the public hearing on Items 13-24 until the October 18, 2016, meeting. Councilmember Perkins seconded.

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

14. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-21 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT BUFFALO GIRLS HOTEL; MTN 1, LOT B-2, OPERATED BY SUSAN MATASSA, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT 6(FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
15. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-22 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 2, LOT M34, ON YUKON VALLEY TRAIL OWNED BY LAWRENCE AND LINDA SIMPSON AND OPERATED BY DEBBIE AND RONNIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
16. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-23 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT L03, ON PALOMINO PASS OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
17. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-24 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 2, LOT M16, ON YUKON VALLEY TRAIL OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
18. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-25 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT X01.5, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
19. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-26 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT J-10, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.

20. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-27 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT Y3, ON ROSE GARDEN LANE OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
21. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-28 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT F15, ON WAGON TRACKS TRAIL OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
22. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-29 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT L08, ON PALOMINO PASS OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
23. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-30 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT SILVER SPUR INN; MTN 1, LOT R16, ON HORSESHOE BEND OPERATED BY DEBBIE SHARP, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
24. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-31 FOR SPECIFIC USE PERMIT FOR THE OPERATION OF A BED & BREAKFAST AT CIRCLE THE WAGONS MINISTRIES B&B; MTN 1, LOT B07, ON THE BOARDWALK OFF RED RIVER ROAD OPERATED BY LAWRENCE AND LINDA SIMPSON, ON PROPERTY LOCATED AT 542 E. DALLAS (KNOWN AS THE MOUNTAIN), IN CANTON, TEXAS, ZONED FIRST MONDAY BUSINESS DISTRICT (FMB-A1), AND CURRENTLY OWNED BY CORRY DAVIS MARKETING, INC.
25. CONSIDER ADOPTION OF ORDINANCE NO. 2016-13 CHANGING THE USES AND ATTRIBUTES OF THE FIRST MONDAY BUSINESS ZONING CLASSIFICATION IN 1985 ZONING ORDINANCE – Councilmember Stewart made a motion to adopt Ordinance No. 2016-13 with the language for the First Monday overnight accommodation permit added. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve

Council Member - Connie Odic: Approve

Council Member - Cindy Malouf: Approve

Council Member - Scott Perkins: Approve

Council Member - Nathan Moore: Approve

26. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Mr. Cluck reported First Monday was up about \$50,000 from the previous year. Mr. Cluck requested guidance from Council on whether or not they wanted to accept applications for the First Monday charity parking lot from

individual ball teams or just from the ball organizations themselves. He said the main focus for the lots was organizations that helped Canton children. Allowing individual teams might dilute the amount of days teams would be able to work the lot. He wanted Council to consider whether or not that would be allowed some time before the next drawing.

- B. FINANCIAL REPORT – Kimberly Kroha reported First Monday had closed the fiscal year \$50,000 over last year. Sales tax revenue for the City was up 4.3%. The City actually had \$242,000 more in revenue than projected. She said the three-year contract with TXU for electricity was coming up for renewal.
 - C. NEW BUILDING FOR POLICE DEPARTMENT – Andy Wolfe reported the flooring at the new police department building was completed. They were waiting on the completion of the jail cells. They had notified the company about moving the dispatch and were tentatively scheduled for October 17. They would have 72 hours to get dispatch moved into the building.
 - D. PARKS – Lonny Cluck said all the grant money had been used for the Cherry Park project. His suggestion was to fix any bad spots on the trail at this time and then let the trail settle. It would not affect the grant. It would be better to let the trail sit for about a year before applying the asphalt. He thought the asphalt would stay longer if they waited. Walt Lehman said the City had finished its part of the trail in June. The contractor for the Mill Creek Park Trail had not yet come to work. He told them it was unacceptable. He had received a new price from the contractor which was \$21,000 over the bid. Mr. Lehmann suggested changing to three-quarter inch sawyer gravel because it was less expensive than decomposed granite. He has had very little response from the contractor and was ready to notify our legal counsel about the problem. Mr. Cluck said he was concerned if the weather was about to change and it would be too wet to work on the trail again. Mr. Cluck said the engineer had been sent an email stating we would be contacting the bonding company. He was going to send the information to our attorney to take appropriate action. They had asked the grant company to be sure the sawyer gravel would be approved.
 - E. CODE ENFORCEMENT MATTERS – Brian Horton he was still working on code enforcement and some of the buildings Council had concerns with as far as being substandard. He was working with the Judge to execute a search warrant on one of the properties this week8.
 - F. HOLLON ANNEXATION – Mr. Cluck announced Rick Hollon had withdrawn his application to annex into the city.
 - G. OTHER ITEMS – Mr. Cluck said he would be on vacation next month. They were working on an inter-local agreement regarding the use of the animal shelter. He planned to start the new arrangement on January 1, 2017. The mayor was going to write an article to announce the change in the papers. Mr. Cluck said the hotel on I-20 had the plumbing installed but no concrete had been poured.
27. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, AND NEW CITY HALL – Andy Wolfe said they were finishing up the metal on the outside of the building. Mr. Brumley said City Hall would be ready in six to eight weeks. Mr. Cluck said they would not be ready to rent the lots in Trade Center IV for the October show.

28. CONSIDER CONTINUATION OF HILLCREST CEMETERY COMMITTEE – Councilmember Stewart made a motion to continue the Hillcrest Cemetery committee for another year. Councilmember Perkins seconded.

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

29. CONSIDER ADOPTION OF RESOLUTION NO. 2016-15 APPROVING CEDC SALE AND CONVEYANCE OF AN APPROXIMATELY 0.54 ACRE TRACT OF LAND LOCATED WITHIN THE DAVID TOWNS SURVEY, ABST. NO. 845, CITY OF CANTON – Councilmember Moore made a motion to approve the sale by CEDC. Councilmember Stewart seconded.

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

30. CONSIDER AMENDMENTS TO ANIMAL CONTROL ORDINANCE – After some discussion, Mayor Everett postponed this matter to the next regular meeting.
31. DISCUSS PENALTIES FOR ABANDONMENT OF ANIMALS WITHIN CITY LIMITS – Mr. Cluck said the penalty for animal abandonment was a Class A misdemeanor according to state law. The City had zero tolerance for this offense.
32. CONSIDER REPLACEMENT OR REPAIR TO EXISTING TENNIS COURTS AT OLD KAUFMAN PARK – Mayor Everett announced a point of order on this matter. Since it had been defeated in a Council vote at the last meeting, it could not be voted on again for three months pursuant to Resolution No. 2012-11. She postponed this item until the December meeting.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

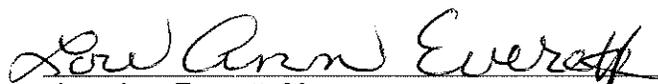
33. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
- a. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas
 - b. *Stephens vs. City of Canton*, Cause No. 14-288; 294th District Court, Van Zandt County
 - c. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County
34. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY

CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

Mayor Everett called a recess at 8:21 p.m. Council convened into Executive Session at 8:26 p.m.

RETURN TO OPEN SESSION

35. 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. with no action taken.
36. ITEMS FOR FUTURE AGENDAS
37. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:00 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

REGULAR MEETING OF THE CANTON CITY COUNCIL 6:00 P.M., OCTOBER 18, 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 Canton City Hall. Members present were Mayor Lou Ann Everett and Councilmembers Cindy Malouf, Nathan Moore, Scott Perkins Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Public Works Director Walt Lehmann, Fire Chief Bud Sanford, Municipal Court Judge Lilia Durham, and Assistant City Attorney David Ritter.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:01 p.m.
2. INVOCATION was led by Walt Lehmann.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME

5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Everett announced Captain Horton had received a Hope Award for helping a survivor of an assault. She also announced October was Breast Cancer Awareness month and t-shirts could be purchased at the Fire Department as a fundraiser for cancer victims.

CITIZENS FORUM

7. CITIZENS FORUM – Christopher Inman spoke about a center in Canton he wanted to put together to provide a community-based resource for those veterans arriving home.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE SEPTEMBER 6, 13 AND 20, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF SEPTEMBER 2016 FINANCIAL STATEMENTS
10. CONSIDER ADOPTION OF RESOLUTION NO. 2016-16 DESIGNATING THE CANTON HERALD AS THE OFFICIAL NEWSPAPER FOR THE CITY OF CANTON - A motion to approve Items 8 and 9 of the Consent Agenda with the correction to the Minutes to correct the name from Ron Todd to Ryan Todd and to adopt Resolution No. 2016-16 was made by Councilmember Stewart, Second was made by Councilmember Odic.

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

INDIVIDUAL CONSIDERATION

11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-20 AMENDING THE REGULATIONS FOR THE HISTORIC PRESERVATION OVERLAY DISTRICT

Mayor Everett opened a public hearing at 7:00 p.m. There being no comments, the public hearing was closed at 7:00 p.m. Councilmember Malouf made a motion to adopt Ordinance No. 2016-20. Councilmember Stewart seconded.

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

12. CONSIDER STOP SIGN AT DESERT WILLOW AND MEADOW DRIVE - Jim Fuller felt there was no need for a stop sign at this intersection. If the trees that blocked the sight at the corner were removed, there would be no issue. Mayor Everett postponed this item as those who requested the item were not present.

13. CONSIDER COMPLIANCE BY OWNERS OF CODE ENFORCEMENT ISSUES CONCERNING THE MOUNTAIN – Chief Bud Sanford said Phase 1 was complete as far as the Fire Department was concerned. Ms. Davis was almost 100% complete with installation of the fire hydrants and the fire access lanes. They were ready to move to Phase 2 which was to provide the vendors and the B&B's with inspections so they could move forward with doing business.
14. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Andy Wolfe reported Trade Center IV would not be open for the November sale. ONCOR still had not completed hooking up the power. The First Monday revenue was down some due to the opening of the State Fair and Round Top.
 - B. FINANCIAL REPORT
 - C. NEW BUILDING FOR POLICE DEPARTMENT – Andy Wolfe reported the Police Department was moving this week. The Municipal Court should be moved by tomorrow.
 - D. PARK – Walt Lehmann reported the contractor had started on the Mill Creek Lake Trail today.
 - E. CODE ENFORCEMENT MATTERS – Debra Johnson reported letters had been written for the Elliott Street property. The deadline for responding was next week. Chief Sanford said Captain Horton had contacted several owners of vacant buildings. Dwight Lancaster said no new plans had been received for the Golden Chick at this time. Mr. Cluck said he had instructed the Code Enforcement Official to concentrate on the vacant buildings that were attached to other buildings at this time.
 - F. OTHER ITEMS – Mr. Cluck said AT&T had been invited to speak at the meeting but had declined. They put up another radio on the tower and another crew was supposed to come in and try to correct the problem.
15. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, AND NEW CITY HALL
16. CONSIDER APPROVAL OF STRUCTURE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC FOR AIR SPACE ON CELLULAR TOWER – Councilmember Malouf made a motion to approve the agreement with New Cingular Wireless subject to the City Attorney working out the language he felt should be changed. Councilmember Moore seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Connie Odic: Approve
Council Member - Cindy Malouf: Approve
Council Member - Scott Perkins: Approve
Council Member - Nathan Moore: Approve
17. CONSIDER LICENSING AND FEES FOR VENDORS WHO SELL ANIMALS – Taken out of order at 6:11 p.m. David Ritter advised the City might have difficulty trying to license

animal vendors located outside the city limits. Bobby Barnett, 3062 Van Zandt County Road 2301, Canton, said he was a vendor on the Curry grounds and was a licensed breeder. As such, he was subject to inspections by the TDLR. Morgan Wood, daughter of Frank and Lisa Elliott, asked Council not to penalize a business because someone did not like it. Councilmember Stewart said it was important to discuss these issues in a public forum because it would inform others. Councilmember Malouf raised the question about the City having the right to have certain commercial rates for the right to animal control. Tim McLemee, Jr. said there were many vicious rumors about Dog Alley. He had done research and had not found one single reported recovery of a stolen animal at First Monday. He did not allow the sale of dogs younger than six months. The stray dog thing was an urban legend. Councilmember Stewart said he welcomed the formation of a panel with the property owners to discuss the issues. Mayor Everett appointed Lonny Cluck, Andy Wolfe and Councilmember Stewart to a panel to discuss any pending issues with the owners of Dog Alley.

18. CONSIDER ADOPTION OF ORDINANCE NO. 2016-21 PROVIDING FOR THE CONTROL OF ANIMALS; THE CARE AND TREATMENT OF ANIMALS OFFERED FOR SALE OR TRADE, PROHIBITING INHUMANE TREATMENT OF ANIMALS; PROHIBITING THE CUSTODY OF DANGEROUS AND VICIOUS ANIMALS; PROHIBITING TETHERING OF ANIMALS, PROVIDING FOR IMPOUNDMENT OF ANIMALS; DECLARING CERTAIN ANIMAL-RELATED NUISANCES; LIMITING THE NUMBER OF CATS AND DOGS PER RESIDENCE; PROHIBITING MAINTAINING LIVESTOCK; PROVIDING FOR RABIES CONTROL AND AMENDING FEES AND PENALTIES; AND PROVIDING FOR THE ADOPTION OF ANIMALS WITHIN THE CITY LIMITS OF CANTON, TEXAS - Councilmember Malouf made a motion to adopt Ordinance No. 2016-21 with the additional language to be added by the City Attorney regarding ownership of the animal. Councilmember Stewart seconded.

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

19. CONSIDER APPROVAL OF INTER-LOCAL AGREEMENTS REGARDING USE OF ANIMAL SHELTER WITH CITIES OF WILLS POINT, GRAND SALINE AND VAN - Councilmember Stewart made a motion to approve the inter-local agreements with Van, Grand Saline and Wills Point. Councilmember Malouf seconded.

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

20. CONSIDER ADOPTION OF RESOLUTION NO. 2016-17 APPROVING THE CITY OF CANTON'S 2016 TAX ROLL AS SUBMITTED BY THE VAN ZANDT COUNTY APPRAISAL DISTRICT – Councilmember Malouf made a motion to adopt Resolution No. 2016-17. Councilmember Perkins seconded.

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

Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

EXECUTIVE SESSION

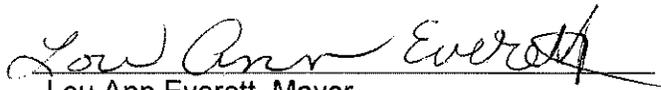
In accordance with the authority contained in Sections 551.071 and 551.072 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

Mayor Everett called a recess at 8:11 p.m.

21. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION - (Section 551.071) – Council convened into Executive Session at 8:15 p.m.
 - a. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas
 - b. *Stephens vs. City of Canton*, Cause No. 14-288; 294th District Court, Van Zandt County
 - c. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County
22. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)
23. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

RETURN TO OPEN SESSION

24. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 8:48 p.m. with no action taken.
25. ITEMS FOR FUTURE AGENDAS – Mr. Cluck suggested discussing advertising for alcoholic beverages in a future meeting. Mr. Cluck also said he would like to discuss the matter of the I-20 hotel.
26. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:09 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

12:00 P.M., OCTOBER 28, 2016

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 City Municipal Courtroom. Members present were Mayor Lou Ann Everett and Councilmembers Cindy Malouf, Nathan Moore, Scott Perkins Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Canton Economic Development Executive Director Julie Seymore and City Attorney Jeff Moore (by phone during Executive Session).

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 12:00 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.

2. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

Mayor Everett convened Council into Executive Session at 12:01 p.m. Councilmember Odic entered the meeting at 12:05 p.m.

3. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY RE POTENTIAL LAWSUIT (SECTION 551.071)

RETURN TO OPEN SESSION

4. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 12:46 p.m. with no action taken.

INDIVIDUAL CONSIDERATION

5. CONSIDER ADOPTION OF ORDINANCE NO. 2016-22 REPLACING ORDINANCE NO. 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AND IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY; PROVIDING FOR NON-CONFORMING USES; IMPLEMENTING A PERMIT REQUIREMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00 PER DAY PER VIOLATION THEREOF; AND ESTABLISHING AN EFFECTIVE DATE – Councilmember Stewart made a motion to approve Ordinance No. 2016-22 subject to the changes in Section G being

addressed and the amendment to Section 2 of the alcohol signage section as discussed. Councilmember Moore seconded.

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

Councilmember Odic left the meeting at 1:01 p.m.

6. CONSIDER ACTION REGARDING AN AMENDED AND RESTATED ECONOMIC DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 380 OF THE LOCAL GOVERNMENT CODE WITH C&E GROUP, INC. OR AN AFFILIATE OF THAT CORPORATION, FOR THE CONSTRUCTION OF A HOTEL/CONFERENCE CENTER FACILITY
7. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, PARKS, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, AND NEW CITY HALL
8. CONSIDER APPROVAL OF PURCHASE OF NEW BRUSH TRUCK FOR FIRE DEPARTMENT – Councilmember Perkins made a motion to approve an increase for the purchase of a brush truck to \$129,400. The motion was seconded by Councilmember Moore.

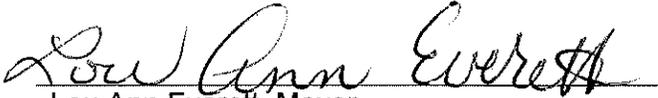
Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Absent
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

9. CITY MANAGEMENT REPORTS

- A. OTHER ITEMS – Mr. Cluck passed out a letter from a citizen regarding the animal shelter.

10. ITEMS FOR FUTURE AGENDAS

11. ADJOURN - There being no further business to discuss, the meeting was adjourned at 1:24 P.M.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., NOVEMBER 15, 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 Canton City Hall. Members present were Mayor Lou Ann Everett and Councilmembers Cindy Malouf, Scott Perkins Shawn Stewart and Connie Odic. Councilmember Moore 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, Finance Director Kim Kroha, and Public Works Director Walt Lehmann.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT - Mayor Everett called the meeting to order and declared a quorum present at 6:00 p.m.
2. INVOCATION was led by Mark Moore.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Everett announced the City Employee Thanksgiving Lunch was Friday.

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 – Jack Woodward, Silver Spur Resort, requested Council give consideration to extending water and sewer services to his property even though it was outside the city limits. The property was located north on Highway 19 and was not eligible for annexation. Jim Fuller gave a presentation about the success of the Honky Tonk festival held at the Civic Center.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE OCTOBER 18 AND 28, 2016 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF OCTOBER 2016 FINANCIAL STATEMENTS

Councilmember Stewart made a motion to approve Items 8 and 9 of the Consent Agenda. Councilmember Odic seconded.

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

Council Member - Nathan Moore: Absent

INDIVIDUAL CONSIDERATION

10. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT FROM NICK PRITCHETT TO MARKET TXU/SMI DOOR-TO-DOOR – Councilmember Stewart made a motion to grant the request for a solicitor's permit for a six-month period to Nick Pritchett. Councilmember Malouf seconded.

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

11. CONSIDER COMPLIANCE BY OWNERS OF CODE ENFORCEMENT ISSUES CONCERNING THE MOUNTAIN - Mr. Cluck said he believed the vendors who owned individual buildings had been pulling permits for work being done and things were moving in a positive direction. Chief Sanford said Captain Horton had been conducting the fire inspections on the Mountain and had reported he was getting compliance.

12. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported the highest November revenue on record this last month. They had been up almost \$17,000 for the month and a total of \$7,000 for the fiscal year. Mayor Everett said there were long lines at the restrooms and asked about bringing in port-a-potties.
- B. FINANCIAL REPORT – Kim Kroha showed an increase in sales tax revenue of 5.4% and an increase in the water fund revenue by 6%. Wastewater revenue was up 17% and the Sanitation Fund revenue decreased 13.83%. She thought the First Monday financials were overstated because \$50,000 of the amount reported should be in the last fiscal year and that would be reflected in the next financials.
- C. PARKS – Walt Lehmann reported the City Lake Park Trail was complete. Texas Parks and Wildlife would be doing a walk-through. The Mill Creek trail was moving right along. There was a hard surface around the first and second loop.
- D. CODE ENFORCEMENT MATTERS – Chief Sanford said they were dealing with the same buildings as before. They issued citations on the Elliott Street property but had no response yet. They inspected the green building on the square and discovered some serious issues with the lack of integrity of the fire walls. The Church's Chicken property sale had not yet gone through and they were going to contact the owner again about the condition of the property.
- E. EMPLOYEE THANKSGIVING LUNCH – Ms. Johnson said the lunch was this Friday at noon.
- F. CANVASS OF ELECTION – Ms. Johnson said they could not canvass the election until a certain number of days after the election and requested a special meeting on November 21.
- G. 40 ACRES NORTH OF AIRPORT – Item not discussed.

H. OTHER ITEMS -- Mr. Cluck said they would speak to the City Attorney about prohibiting signing for tobacco or the sale of other age-restricted items.

- 13. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, AND NEW CITY HALL – Andy Wolfe reported the work on City Hall was almost done. They hoped to be open for business on December 5. Mr. Cluck asked what Council would like to do as far as lighting the building and the water tower. Mr. Wolfe said he would get some pricing. Mr. Wolfe said all but the food court of Trade Center IV would be rented for the next First Monday.
- 14. CONSIDER ADOPTION OF ORDINANCE NO. 2016-23 APPROVING END-OF-YEAR BUDGET AMENDMENTS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 – Councilmember Malouf made a motion to adopt Ordinance No. 2016-23 approving the budget amendments for fiscal year ending September 30, 2016. Councilmember Perkins seconded.

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

- 15. CONSIDER ADOPTION OF ORDINANCE NO. 2016-24 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Councilmember Perkins made a motion to adopt Ordinance No. 2016-24 amending the Budget for fiscal year ending September 30, 2017. Councilmember Stewart seconded.

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

- 16. CONSIDER AWARD OF CONTRACT FOR TEXAS DEPARTMENT OF AGRICULTURE TEXAS CAPITAL MAIN STREET PROGRAM GRANT NO. 7215352 – Ms. Johnson said only one bid was received. Councilmember Stewart made a motion to award the contract for Texas Department of Agriculture Texas Capital Main Street Program Grant No. 7215352 to Morrow Construction for the amount of \$135,690. Councilmember Odic seconded.

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

- 17. CONSIDER AWARD OF CONTRACT FOR CONSTRUCTION OF THE 2016 WATER SYSTEM IMPROVEMENTS: FM 1255 6" WATER MAIN

The following bids were received:

4M Construction

\$63,571.00

Capps Capco	\$74,034.00
JDR	\$85,411.00
AAA Sanitation	\$80,780.40
Morrow Construction	\$61,370.00

Councilmember Malouf made a motion to award the construction for construction of the 2016 water system improvements for the FM 1255 6" water main to Morrow Construction in the amount of \$61,370. Councilmember Odic seconded.

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

18. DISCUSS AMENDMENT TO 1985 ZONING ORDINANCE PROHIBITING USES OF BUILDINGS THAT ALLOW INTERIOR DRIVE-THROUGH SALES OF PRE-PACKAGED FOOD AND/OR BEVERAGES

Mayor Everett called a brief recess at 7:09 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.

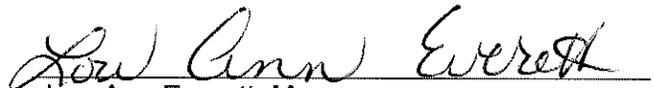
19. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) Council convened into Executive Session at 7:20 p.m.
- a. *Johnson v. City of Canton*, Cause No. 6:15CV1140, Eastern District of Texas
 - b. *Stephens vs. City of Canton*, Cause No. 14-288; 294th District Court, Van Zandt County
 - c. *Henry Lewis v. Jane Cox, Joe Groves and the City of Canton*; Cause No. 16-00043, 294th District Court, Van Zandt County
20. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)
21. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

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 8:20 p.m.
23. DISCUSS AND CONSIDER RESOLUTION NO. 2016-19 AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN PROPERTY CONSISTING OF APPROXIMATELY 1.550 ACRES OF LAND LOCATED WITHIN BLOCK 46, LOTS 1 AND 2, AND BLOCK 25, LOTS 2-02 AND 2-03, OF THE ORIGINAL TOWN OF CANTON, AN ADDITION WITHIN THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS, FOR PUBLIC PARKING LOT PURPOSES – Councilmember Stewart made a motion to approve Resolution No. 2016-19 authorizing the City of Canton, Texas, to use the power of eminent domain to acquire approximately 1.550 acres of land located within Block 46, Lots 1 and 2, and Block 25, Lots 2-02 and 2-03, of the Original Town of Canton, an addition located within the City of Canton, Van Zandt County, Texas, for public parking lot purposes. Councilmember Perkins seconded.

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

24. ITEMS FOR FUTURE AGENDAS
25. ADJOURN - There being no further business to discuss, Mayor Everett adjourned the meeting at 8:23 p.m.


 Lou Ann Everett, Mayor

ATTEST:

 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

12:00 P.M., NOVEMBER 21, 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 Canton City Hall. Members present were Mayor Lou Ann Everett and Councilmembers Cindy Malouf, Nathan Moore, Scott Perkins, Shawn Stewart and Connie Odic.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Fire Chief Bud Sanford and Captain Brian Horton.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT - Mayor Everett called the meeting to order and declared a quorum present at 12:00 p.m.

INDIVIDUAL CONSIDERATION

2. OFFICIAL CANVASS OF NOVEMBER 8, 2016 SPECIAL ELECTION RETURNS – Mayor Everett announced the following results of the Special Election from November 8, 2016:

Proposition 1	The legal sale of beer and wine for off-premise consumption	For	742
		Against	636
Proposition 2	The legal sale of mixed beverages in restaurants by food and beverage certificate holders only	For	814
		Against	552

Mayor Everett announced there were a total of 1378 voters and both Propositions 1 and 2 passed.

3. CONSIDER ADOPTION OF RESOLUTION NO. 2016-18 DECLARING RESULTS OF NOVEMBER 8, 2016 SPECIAL ELECTION – Councilmember Stewart made a motion to adopt Resolution No. 2016-18 declaring results of the November 8, 2016 Special Election. Councilmember Perkins seconded.

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

4. CONSIDERATION AND ACTION ON A RESOLUTION NO. 2016-20 DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

Councilmember Malouf entered the meeting at 12:09 p.m.

Councilmember Stewart made a motion to adopt Resolution No. 2016-20. Councilmember Moore seconded.

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

5. CONSIDER REQUEST FROM FIRE DEPARTMENT / POLICE DEPARTMENT TO PURCHASE A 700 MH RADIO COMMUNICATION SYSTEM FOR CITY – Councilmember Odic made a motion to purchase the 700 MH Radio Communication System from Motorola with the two additional dual band radios at the price of \$967,000. Councilmember Perkins seconded.

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

6. CONSIDER ADOPTION OF ORDINANCE NO. 2016-26 REPLACING ORDINANCE NO. 2016-22 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AND IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY; PROVIDING FOR NON-CONFORMING USES; IMPLEMENTING A PERMIT REQUIREMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00 PER DAY PER VIOLATION THEREOF; AND ESTABLISHING AN EFFECTIVE DATE - This matter was passed with no action.
7. CONSIDER ADOPTION OF ORDINANCE NO. 2016-25 APPROVING END-OF-YEAR BUDGET AMENDMENTS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 - Councilmember Malouf made a motion to to adopt Ordinance No. 2016-25. Councilmember Moore seconded.

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

8. CITY MANAGEMENT REPORTS

- A. OTHER ITEMS – Mr. Cluck reported Reagan Sumner was complimentary of the process for the overnight accommodations in First Monday zoning. Debra Johnson said companies could not apply for alcohol sales permits since the election results had been canvassed.

EXECUTIVE SESSION

In accordance with the authority contained in Sections 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.

9. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

RETURN TO OPEN SESSION

10. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION
11. ITEMS FOR FUTURE AGENDAS

12. ADJOURN - There being no further business to discuss, Mayor Everett adjourned the meeting at 1:30 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M., DECEMBER 20, 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 Canton City Hall. Members present were Mayor Lou Ann Everett and Councilmembers Cindy Malouf, Scott Perkins and Nathan Moore. Councilmembers Odic and Stewart were absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Public Works Director Walt Lehmann, Fire Chief Bud Sanford and Municipal Judge Lilia Durham.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:01 p.m.
2. INVOCATION was led by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME – Mayor Everett welcomed everyone to what will be the last meeting held at this location.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

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

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE NOVEMBER 15 AND 21, 2016 CITY COUNCIL MEETINGS

9. CONSIDER APPROVAL OF NOVEMBER 2016 FINANCIAL STATEMENTS

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

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

INDIVIDUAL CONSIDERATION

10. CONSIDER STOP SIGN AT DESERT WILLOW AND MEADOW DRIVE – Since the citizens requesting the sign were unable to attend, Mayor Everett passed on this item. She recommended the matter not be on the agenda again for three months according to Council's policy.

11. CONSIDER REQUEST FROM VAN ZANDT COUNTY HUMANE SOCIETY FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS AT THE DALLAS/BUFFALO INTERSECTION DURING MARCH AND JUNE 2016 TRADE DAYS (MARCH 3-4, 2017 AND JUNE 2-3, 2017) – Councilmember Perkins made a motion to approve the request from Van Zandt County Humane Society for the dates requested. Councilmember Moore seconded.

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

12. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Andy Wolfe said the December First Monday lot revenue was down because of bad weather. They were up in revenue about \$6,600 due to the Trade Center IV extension. The revenues for Hill parking and the RV's were also up. Mr. Cluck said four parties were contacted about occupying the new concession area.
- B. FINANCIAL REPORT – Kimberly Kroha reported sales tax revenue up 4.7%. The Water Fund was about the same revenue as this time last November. The Wastewater and Sanitation funds were up about 13% compared to this time last year. The Sanitation Fund cash was low about \$60,000 due to two bills being paid in the same month.
- C. PARKS – Walt Lehmann said the Cherry Creek park trail had some washouts from heavy rain. They put in thirty-four feet of concrete on the low water crossings and added a double barrel drain. Mr. Cluck said the State inspected the trail and we had received the final payment. Mr. Cluck said the City had some difficulties getting the Mill Creek Trail started, but the contractor worked hard and did a good job. It was a good trail.
- D. CODE ENFORCEMENT MATTERS – Andy Wolfe said they were having weekly meetings on the code enforcement issues. Captain Horton had sent citations to

Church's Chicken and they had paid off the fine. Mr. Cluck said that property never sold and we would fine the original owner again.

- E. OTHER ITEMS – CITY HALL – Debra Johnson announced the administration office had moved from the City Office Complex on Highway 64 to the new City Hall building. The first Council meeting would be January 17. Mr. Cluck said the new cell tower would have to be raised about 40 feet in order to correct the problems people were having with their service. The cost of raising the tower would be borne by AT&T, not the City, because we had done everything to AT&T's specifications in building the tower.
13. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, AND NEW CITY HALL – Andy Wolfe said he had only been able to obtain one bid for the lights on the water tower. There would be one light on the south side and one on the north. The lights will be on a pedestal. They are LED 400 watt bulbs set at a 15 degree angle. Mr. Wolfe said he was getting bids for signs on the City Hall building. Mr. Cluck said he was getting three bids for the handrails at City Hall. There was a temporary handrail in place at this time. Ms. Johnson said visitors could park on Terrell Street to access the building.
14. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2016-26. AMENDING THE 1985 ZONING ORDINANCE PROHIBITING USES OF BUILDINGS THAT ALLOW INTERIOR DRIVE-THROUGH SALES OF PRE-PACKAGED FOOD AND/OR BEVERAGES

Mayor Everett opened a public hearing at 6:35 p.m. There being no comments, the public hearing was closed at 6:35 p.m. Councilmember Moore made a motion to adopt Ordinance No. 2016-26. Councilmember Perkins seconded.

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

Mayor Everett called a brief recess at 6:37 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.

15. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – Council convened into Executive Session at 6:37 p.m.
16. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

17. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING PROPERTY GENERALLY LOCATED IN THE Q.C. NUGENT SURVEY, ABSTRACT NO. 618 AND D. TOWNS SURVEY, ABSTRACT NO. 845 AND GENERALLY LOCATED AT 542 E. DALLAS, CANTON, TEXAS, AND COMMONLY REFERRED TO AS OLD MILL MARKETPLACE AND "THE MOUNTAIN"

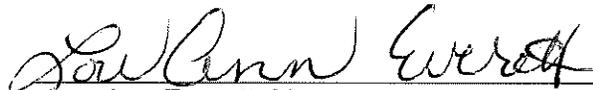
RETURN TO OPEN SESSION

18. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 6:37 p.m.
19. CONSIDER APPROVAL OF ACCEPTANCE OF AN ENDOWMENT AND APPROVAL OF A REAL ESTATE SALES CONTRACT FOR THE CEDC TO PURCHASE AN APPROXIMATELY 40.1 ACRE TRACT OF LAND LOCATED IN THE O.C. NUGENT SURVEY, ABSTRACT NO. 618, CITY OF CANTON, VAN ZANDT COUNTY, TEXAS, AND ADJACENT TO THE CANTON-HACKNEY AIRPORT – Councilmember Perkins made a motion to postpone this item until the January 17, 2017, meeting. Councilmember Malouf seconded.

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

Mayor Everett convened Council into Executive Session again at 8:24:44 PM. Council reconvened into Open Session at 8:33 p.m. with no action taken.

20. ITEMS FOR FUTURE AGENDAS – Mr. Cluck requested the old City Hall building be on the next agenda.
21. ADJOURN – There being no further business to discuss, the meeting was adjourned at 8:37 p.m.



Lou Ann Everett, Mayor

ATTEST:



Debra Johnson, City Secretary