

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., JANUARY 17, 2017**

Canton City Hall
201 N. Buffalo, 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, Connie Odic, and Scott Perkins.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Fire Chief Bud Sanford, Police Chief Brad Allison, Public Works Director Walt Lehmann, Executive Director of CEDC Julie Seymore and Assistant City Attorney David Ritter were also in attendance.

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 Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME – Mayor Everett welcomed everyone to the first meeting at the new City Hall.
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 DECEMBER 20, 2016 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF DECEMBER 2016 FINANCIAL STATEMENTS

Items 8 and 9 of the Consent Agenda were unanimously approved upon motion by Councilmember Stewart and second 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

INDIVIDUAL CONSIDERATION

10. CONSIDER ADOPTION OF ORDINANCE NO. 2017-01 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF CANTON, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION, SERIES 2017; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SAME – Councilmember Malouf made a motion to adopt Ordinance No. 2017-01. 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. CONSIDER ADOPTION OF ORDINANCE NO. 2017-02 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO 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. 2017-02. 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

12. CONSIDER APPOINTING A COMMITTEE TO RECOMMEND A SELECTION FOR CITIZEN OF THE YEAR AWARD – Mayor Everett appointed Jim Fuller, Debra Johnson and Councilmembers Malouf and Moore to the committee. Ms. Johnson said the deadline for entries was March 10, 2017.

13. CONSIDER USE / RENTAL / SALE OF CITY BUILDING AT 290 E. TYLER – Council asked staff to research the amount that could be charged for the rental of the property.

14. CONSIDER PROPOSAL FOR CEDC TO MANAGE THE PROPERTY AT 24980 HIGHWAY 64 EAST AS A BUSINESS INCUBATOR – Julie Seymore proposed the property be used as a business incubator to allow various businesses to utilize the old police department offices as shared office space. Ms. Seymore said she already had one person interested in renting the loading dock area. The police department building would not need much in the way of updating and CEDC could pay for those changes. The City would need to check the roof on the other building with the loading dock to determine what would be necessary to fix the leaks.

15. CONSIDER LEASING THE FACILITIES AT 24980 HIGHWAY 64 EAST, TO JOHNNY BLEVINS FOR SMALL WAREHOUSING AND DISTRIBUTION FACILITIES AND/OR OTHER USES FOR PROPERTY – Ms. Seymore said Johnny Blevins was interested in running a small warehousing business out of the property. They would be willing to wait four to six months to allow the City to move the records. There would need to be an upgrade to the gate. The business would install their own electric meter. She proposed a two-year

lease from the City for \$900 a month without the record space and \$1100 with the record space. The business offered to do some renovation projects in exchange for rent. The City would need to check the roof, the water and gas heaters to see if there were any problems. They would love to have access by the end of February. Councilmember Odic said she would be interested in selling the area to Mr. Blevins to pay off some debt. Ms. Seymore said Mr. Blevins was only interested in leasing the property. CEDC might be interested in buying it or swapping the property. She said there were eight rentable spaces and two common areas in the office building. Ms. Seymore said she would get more information and come back to Council.

16. CONSIDER CHILDREN AT PLAY SIGN ON SIDES CIRCLE – Council expressed an interest in having speed bumps on Sides Circle when it was renovated.

17. CITY MANAGEMENT REPORTS

A. FIRST MONDAY – Linda Boston reported the record was broken for January with revenue over \$200,000. They had a small RV rally on the grounds this week.

B. FINANCIAL REPORT – Liz Saegert reported First Monday income was up \$50,000 but so were the transfers. Sales tax was down 3/10th of 1% but was projected to come in at 9% over budget.

C. BUILDING INSPECTIONS – Andy Wolfe reported we mailed letters to all businesses on the First Monday grounds which needed certificates of occupancy. Code Enforcement was trying to focus on five businesses which seemed to be in the worst shape. Councilmember Malouf requested staff look into grant opportunities to help residents fix up their property.

D. CODE ENFORCEMENT MATTERS

E. SIDEWALK PROJECT – Mr. Cluck said the groundbreaking for the new sidewalk in front of 3D's would be Friday at 10 a.m. Work on the project would begin on Monday.

F. ELECTION - Debra Johnson announced the election would be May 6, 2017. Early voting would be at the new City Hall. Election day voting would be at the Junior High. She had packets available for pick-up.

G. FOUR CITY PROJECTS (WATER TOWER, CITY HALL, CELL TOWER, TCIV) – Mr. Cluck said they borrowed \$2.5 million and pulled money out of the fund balance for four projects. The water tower was done and cost \$151,000; City Hall cost \$1,225,000; and the extension for Trade Center 4 was about \$1,241,000. They were not quite through with some things at City Hall and Trade Center IV, but would be \$100,000-150,000 under the estimated costs.

H. OTHER ITEMS – Mr. Cluck thanked Council for the new City Hall facility.

18. CONSIDER AUTHORIZATION FOR USE OF SPACE AT THE POLICE DEPARTMENT – Councilmember Perkins made a motion to authorize use of space at the Police Department building for the Game Warden. 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 FUTURE HOME FOR DINO (DRUG DOG) AFTER HIS RETIREMENT FROM THE CANTON POLICE FORCE – Councilmember Malouf made a motion to allow Dino, after his retirement as drug dog for the City, to reside with Sgt. Steve Hall. 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

20. CONSIDER SIGNS TO BE CONSTRUCTED AT MILL CREEK PARK TRAIL – Councilmember Stewart made a motion to invest in three map signs and a recognition sign for First State Bank of Ber Wheeler at Mill Creek Trail. 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 TYPE/NUMBER OF FLAGS TO BE ERECTED AT CITY HALL BUILDING, 201 N. BUFFALO – Councilmember Perkins made a motion to authorize Lonny Cluck to obtain three flags, poles and lighting with an \$8500 cap on cost. 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

Mayor Everett called a recess at 8:10 p.m. Council reconvened at 8:20 p.m.

22. DISCUSS REGULATIONS REGARDING USE OF PARKS AND PARK TRAILS – Judge Durham said the definition for “roadway” needed to be added to the ordinance. Councilmember Stewart asked was concerned about people driving across the new trail. He suggested having something on the signs that indicated pets should be on leash.

23. CONSIDER ADDING ADDITIONAL EMPLOYEE HOLIDAY – Councilmember Odic made a motion to add three additional holidays to the nine already given employees, for a total of twelve. 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

24. CONSIDER ADOPTION OF RESOLUTION NO. 2017-01 IN OPPOSITION TO SENATE BILL 2 – Councilmember Stewart made a motion to adopt Resolution No. 2017-01 in opposition to Senate Bill 2 as it is currently constructed. 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

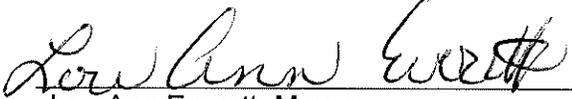
EXECUTIVE SESSION

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.

25. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – Council convened into Executive Session at 9:21 p.m.
26. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)
27. 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

28. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session with no action taken at 10:00 p.m.
29. 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 – This item was postponed upon request of CEDC.
30. ITEMS FOR FUTURE AGENDAS – Councilmember Stewart announced the Half Marathon would be May 13 this year. They should consider closing Cherry Creek about 1-1/2 hours that Saturday morning. Councilmember Malouf said she would like to pursue the idea of a grant in conjunction with Tyler regarding the rehabilitation of housing. Councilmember Odic asked to have the resurfacing of the tennis courts on the agenda next month.
31. ADJOURN – There being no further business to discuss, the meeting was adjourned at 10:06 P.M.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M., FEBRUARY 21, 2017**

Canton City Hall
 201 N. Buffalo, 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, Connie Odic, and Scott Perkins.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Assistant City Attorney David Ritter, Municipal Judge Lilia Durham, Public Works Director Walt Lehmann, CEDC Executive Director Julie Seymore were also present.

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 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 – Mayor Everett announced Main Street was hosting an open house for City Hall on March 9, 2017.

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 – Jimmy Hair felt the City should not spend money pursuing a new lake, but on drilling a new water well to meet its long-term water goals.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JANUARY 17, 2017 CITY COUNCIL MEETING

9. CONSIDER APPROVAL OF JANUARY 2017 FINANCIAL STATEMENTS
10. CONSIDER APPOINTMENT OF MAIN STREET ADVISORY BOARD MEMBERS – Councilmember Stewart made a motion to approve the items on 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

11. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2017-04 FOR CHANGE OF ZONING FROM LOCAL BUSINESS DISTRICT (B-1) TO GENERAL BUSINESS DISTRICT (B-2) LOCATED AT 1089 W. DALLAS, CANTON, TEXAS, AND CURRENTLY OWNED BY Z&S CORP. (LUCKY FOOD MART) - Mayor Everett opened a public hearing on Item 11 at 7:55 p.m. There being no comments, the public hearing was closed at 7:55 p.m.

Councilmember Malouf made a motion to adopt Ordinance No. 2017-04 for a change of zoning from Local Business District to General Business District at 1089 W. Dallas. 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 REQUEST FROM VAN ZANDT VETERANS MEMORIAL GROUP FOR SOLICITOR'S PERMITS TO COLLECT DONATIONS AT THE INTERSECTION OF BUFFALO AND DALLAS STREETS ON APRIL 15, 2017 AND OCTOBER 14, 2017, FOR THE VETERANS MEMORIAL – Councilmember Perkins made a motion to grant the request from Van Zandt Veterans Memorial Group for solicitors' permits for April 15, 2017 and October 14, 2017. 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

13. CONSIDER APPROVAL OF PLANS FOR STREET AND UTILITY IMPROVEMENTS ON SIDES CIRCLE AND AMY STREET - Ray Brumley said the street project would take about six months to complete, dependent on weather. Keri Townsend, a resident on Sides Circle, said she was against speed bumps on the street. Mr. Cluck suggested the City building the street without speed bumps and wait to see if narrowing the road would slow down traffic.

Item 24 was taken out of order at this time.

14. CONSIDER WAIVING ADOPTION AND SPAY/NEUTER FEES FOR ANIMAL SHELTER – Councilmember Stewart made a motion to have “Save a Friend” month two times a year at the Animal Shelter and have the City take the animal to the vet and pay the spay/neuter fees not to exceed the amount of \$15,000 received from other cities for use of the shelter. The new owner will pick the animal up after the procedure is done. 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. DISCUSS GRANTS AVAILABLE FOR HOUSING RENOVATION – Council instructed Mr. Ritter to research whether or not it is possible for the City to have some type of grant program for property improvement.

16. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported First Monday had broken a record for the highest revenue in February on record. So far, they were up \$33,000 over last year. They had the fireman’s banquet, a gun show and a national retirees rally scheduled in March.
- B. FINANCIAL REPORT – Elizabeth Saegert reported sales tax revenue was down a bit. Utilities revenue was also down a little bit. First Monday revenue was up.
- C. TOPOGRAPHICAL MAP FOR WATER RIGHTS – Mr. Cluck said the City started this project a long time ago. The study done in 2008 was to determine the best options for the long-range water plan. They had looked at building a pipeline for water and building a lake. The study concluded it was much less expensive to build a lake than a pipeline if all the obstacles could be overcome. The purpose of the topographical map was to find out if the lake was a viable option. The topo map would tell us whether or not it was feasible and where dam sites could be located. Otherwise, the City would have to look at other options.
- D. WATER REUSE PERMIT – Mr. Cluck explained water reuse. We were still in the process of obtaining a reuse permit. The primary strategy for the City was to drill wells and obtain a reuse permit. The secondary option was to build a lake. Those options were in the existing plan with Region D. Mr. Cluck said the City had done several test wells in the past only to find the water was not good.
- E. PLAZA MUSEUM / OLD CITY HALL ROOF REPAIRS – Mr. Cluck said he had new coatings put on the roof of the Plaza Theater and the building at 290 E. Tyler to fix the leaks.
- F. CODE ENFORCEMENT MATTERS – Andy Wolfe said Church’s Chicken expressed an interest in demolishing their building. They would stop issuing citations as long as Church’s owners met the City’s deadlines.
- G. SIDEWALK PROJECT – Mr. Wolfe reported Morrow Construction had started on the project. The project was on schedule.

- H. MILL CREEK TRAIL – Walt Lehmann reported they were working on solving the erosion problem at the trail. The trail was in good shape. They were also working on items recommended by the ADA inspector. There had been problems with people driving over the trail around the boat ramp area.
- I. ELECTION – MAY 6, 2017 – Debra Johnson asked if Council was in favor of changing election day voting location to city hall since the school was going to cancel its election. They were not opposed to the change.
- J. INTRODUCTION OF NEW DRUG DOG – Officer Deville introduced Mita, the new dog in service.
- K. OTHER ITEMS – Kid Fish – Mr. Cluck announced the Kid Fish had 100-150 kids involved and it was a good event.

Mayor Everett called a brief recess at 7:53 p.m. Council reconvened at 8:02 p.m.

- 17. CONSIDER ADOPTION OF RESOLUTION NO. 2017-04 REGARDING CITY'S PUBLIC RADIO AND SECURITY SYSTEM – Councilmember Stewart made a motion to adopt Resolution No. 2017-04. 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

- 18. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT WITH CANTON INDEPENDENT SCHOOL DISTRICT FOR MAY 6, 2017 GENERAL ELECTION - Councilmember Stewart made a motion to approve the Joint Election Agreement with Canton ISD. 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

- 19. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR MAY 6, 2017 GENERAL ELECTION - Councilmember Stewart made a motion to approve the election equipment contract with Van Zandt County. 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

- 20. CONSIDER ADOPTION OF RESOLUTION NO. 2017-03 APPOINTING ELECTION JUDGE, ALTERNATE ELECTION JUDGE, AND EARLY VOTING BALLOT BOARD JUDGE FOR MAY 6, 2017 GENERAL ELECTION - Councilmember Moore made a motion to adopt Resolution No. 2017-03. 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 ADOPTION OF RESOLUTION NO. 2017-02 APPOINTING DEPUTY CITY SECRETARIES - Councilmember Malouf made a motion to adopt Resolution No. 2017-02. 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

22. CONSIDER ADOPTION OF ORDINANCE NO. 2017-05 REGARDING USE OF PARKS AND PARK TRAILS - Councilmember Malouf made a motion to adopt Ordinance No. 2017-05. 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

23. CONSIDER APPROVAL OF CONTRACT WITH PYRO SHOWS FOR JULY 4TH 2017 FIREWORKS DISPLAY – Councilmember Malouf made a motion to approve contract with Pyro Shows for July 4th 2017 fireworks display. 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

24. CONSIDER RESURFACING TENNIS COURTS – Councilmember Odic made a motion to resurface the tennis courts using Dobbs Sports Courts Company for the amount of \$188,000. Councilmember Malouf seconded. Councilmember Stewart amended to the motion to go out for bids for the tennis courts for a comprehensive reconstruction. Councilmember Odic agreed to the amendment.

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: Disapprove

25. CONSIDER EXTENSION OF WATER AND SEWER SERVICE TO SILVER SPUR RESORT AT 13785 HIGHWAY 19 – Council opened up a dialogue with Jeff Durham, a representative of Silver Spur Resorts, as far as getting payment for the water lines after they had annexed into the City. No vote was taken.

26. CONSIDER EXTENSION OF CCN - Council requested Mr. Ritter give them an idea of what steps were involved and an estimated cost for expanding the CCN.
27. CONSIDER APPROVAL OF FIRST MONDAY LEASE FOR CONCESSIONS IN TRADE CENTER IV – Councilmember Malouf made a motion to approve the First Monday lease as presented with the amendment to change the insurance amount from \$100,000 to \$500,000. 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

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

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

Council convened into Executive Session at 8:53 p.m.

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

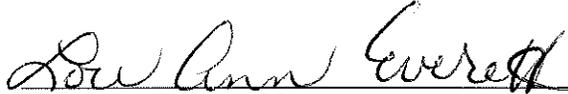
The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

30. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – 9:23 p.m. - Council reconvened into Open Session with no action taken.
31. ITEMS FOR FUTURE AGENDAS - None
32. ADJOURN - There being no further business to discuss, Mayor Everett adjourned the meeting at 9:24 p.m.

ATTEST:


 Debra Johnson, City Secretary


 Lou Ann Everett, Mayor

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, MARCH 21, 2017**

Canton City Hall
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MINUTES

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Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Fire Chief Bud Sanford, Police Chief Brad Allison, Public Works Director Walt Lehmann, Municipal Judge Lilia Durham, Executive Director of CEDC Julie Seymore and Assistant City Attorney David Ritter were also in attendance.

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 given 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 proclaimed the week of March 19-25, 2017 as Poison Control Week. She announced Canton was honored with an award from Preservation Texas for the work at Hillcrest Cemetery. Mayor Everett also recognized Sgt. Steve Hall as Best Police Officer in Van Zandt County; Bud Sanford as Best Firefighter in Van Zandt County and Tim Cox as Best City Worker in Van Zandt County.

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 – Perry Marker, 4420 Bluffview, Dallas, Texas, wanted 75% masonry on his buildings in Deer Meadow. Mr. Cluck said Mr. Marker had been asked to go through the zoning process to have this done. Jerry Bass requested he be allowed to run a kayak rental business at the old city lake. He will present the information to Council at the next regular meeting. Robin Houston of the TVCC Nursing Program, gave a presentation on abuse.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE FEBRUARY 21, 2017 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF FEBRUARY 2017 FINANCIAL STATEMENTS

10. CONSIDER ADOPTION OF RESOLUTION NO. 2017-05 DESIGNATING AUTHORIZED SIGNERS ON ALL CITY OF CANTON ACCOUNTS WITH AMERICAN NATIONAL BANK OF TEXAS
11. CONSIDER ADOPTION OF RESOLUTION NO. 2017-06 DESIGNATING PERSONS AUTHORIZED TO EXECUTE TREASURY MANAGEMENT AGREEMENTS WITH AMERICAN NATIONAL BANK AND TO DESIGNATE THOSE PERSONS WHO MAY TRANSACT BUSINESS ON BEHALF OF THE CITY
12. CONSIDER ADOPTION OF RESOLUTION NO. 2017-07 AMENDING AUTHORIZED REPRESENTATIVES ON ALL CITY ACCOUNTS WITH TEXPOOL – Councilmember Stewart made a motion to approve Items 8, 10, 11 and 12 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

13. CONSIDER ADOPTION OF ORDINANCE NO. 2017-06 AMENDING ORDINANCE NO. 2017-02 DESIGNATING THE POLLING PLACE FOR ELECTION DAY – Councilmember Malouf made a motion to adopt Ordinance No. 2017-06. 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

14. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported April should be a strong month. They were hosting the National Retirees RV Rally at the Civic Center this week.
- B. FINANCIAL REPORT – No report
- C. CODE ENFORCEMENT MATTERS – Andy Wolfe reported the owner of Church's had a contract to have the building demolished and the owner of Kingfish had obtained a partial demolition permit.
- D. SIDEWALK PROJECT – Andy Wolfe reported they had setbacks on moving the utilities for the sidewalk project from the rain.
- E. MARKETING REPORT – Julie Seymore reported the methods used by her office to market First Monday.
- F. OTHER ITEMS – Mayor Everett suggested Council have a nominee to be considered for appointment to the Van Zandt County Appraisal District Board.

15. CONSIDER AWARDING BID FOR BANK DEPOSITORY CONTRACT - Bids packets were received from Prosperity Bank, American National Bank, Texas Bank & Trust and City National Bank.

Councilmember Stewart made a motion to award the bank depository contract to American National Bank. 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

16. CONSIDER APPROVAL OF AGREEMENT WITH SILVER SPUR RESORT FOR EXTENSION OF WATER AND SEWER SERVICE TO 13785 HIGHWAY 19 - Councilmember Stewart made a motion to approve the agreement, as proposed. The motion was 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: Absent

17. CONSIDER EXTENSION OF CCN – Mr. Ritter reported it was not expensive to expand the CCN if the area was not under someone else’s jurisdiction. Council requested he proceed with the process.

18. CONSIDER ADOPTION OF ORDINANCE NO. 2017-07 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 – Mayor Everett passed on Item 18 until the next meeting.

19. DISCUSS COUNCIL’S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2017-2018 PROPOSED BUDGET – Ms. Johnson requested Council review the goals to determine if they wanted to amend them for the next budget.

20. DISCUSS GRANTS AVAILABLE FOR HOME IMPROVEMENT INCENTIVES – Council discussed various options available as far as incentives for home improvements for citizens. Council instructed Mr. Ritter to obtain more information.

21. CONSIDER POSSIBLE STREET CLOSURES OF DOWNTOWN STREETS TO BE USED FOR HALF MARATHON ON MAY 13, 2017 – Councilmember Malouf made a motion to close the downtown streets and portions of Cherry Creek Road and Old Kaufman Road for the half marathon on May 13, 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: Absent

22. 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 approve the selection of the Committee's recommendation as Citizen of the Year. 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: Absent

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

23. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) – Mayor Everett convened Council into Executive Session at 7:47 p.m. after a brief recess.
24. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

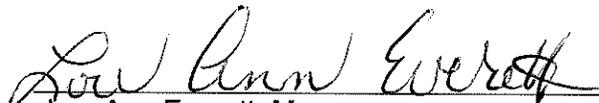
The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

25. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 8:35 p.m.
26. CONSIDER OBTAINING APPRAISAL ON 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 – There was no motion on this item.
27. CONSIDER LEASING THE FACILITIES AT 24980 HIGHWAY 64 EAST, TO JOHNNY BLEVINS FOR SMALL WAREHOUSING AND DISTRIBUTION FACILITIES AND/OR OTHER USES FOR PROPERTY – Mayor Everett postponed this item to a later meeting
28. ITEMS FOR FUTURE AGENDAS
29. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:38 p.m.

ATTEST:


Debra Johnson, City Secretary


Lou Ann Everett, Mayor

SPECIAL MEETING OF THE CANTON CITY COUNCIL

10:00 A.M, MARCH 29, 2017

Canton City Hall
201 N. Buffalo, 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, Connie Odic, and Nathan Moore. Councilmember Scott Perkins was absent.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, and Executive Director of CEDC Julie Seymore.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 10:01 a.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

2. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING LEGAL ADVICE ON CITY CONTRACT WITH C&E GROUP, INC. (Section 551.071)
Council convened into Executive Session at 10:02 a.m.
3. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, OR PURCHASE OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

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

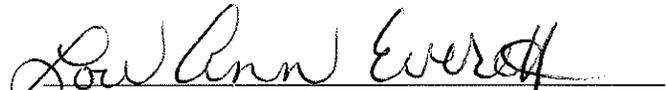
Mr. Cluck left the meeting at 10:30 a.m.

Council reconvened into Open Session at 10:49 a.m.

5. CONSIDER OBTAINING APPRAISAL ON 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
6. CONSIDER DISPOSITION OR LEASE OF CITY-OWNED REAL PROPERTY LOCATED AT 24980 HIGHWAY 64 EAST – Councilmember Moore made a motion to approve the proposed contract to lease the premises for a six-month period at the rate of \$1,100 per month and to waive the first month's rent in lieu of adding electrical to the facility. 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: Approve

7. ITEMS FOR FUTURE AGENDAS
8. ADJOURN – There being no further business to discuss, the meeting was adjourned at 11:01 a.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M, APRIL 18, 2017**

Canton City Hall
 201 N. Buffalo, 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, Connie Odic, and Scott Perkins.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Police Chief Brad Allison, Public Works Director Walt Lehman, Canton Economic Development Executive 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 6:02 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 - 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 – John Elston voiced his objections against the City pursuing the Saline Creek project. Ray Murphey suggested turning the College Street nursing home into a drug treatment facility and Canton becoming sister cities with John Wayne's birthplace in Iowa. Jimmy Hair felt the City should go back to drilling water wells and not pursuing a new lake.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE MARCH 21 AND 29, 2017 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF FEBRUARY 2017 FINANCIAL STATEMENTS

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

INDIVIDUAL CONSIDERATION

10. CONSIDER ACCEPTANCE OF 2015-2016 FISCAL YEAR AUDIT - Councilmember Malouf made a motion to accept the 2015-2016 Fiscal Year Audit as presented. 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 REQUEST OF JERRY BASS TO HAVE KAYAK RENTAL AT OLD CITY LAKE – This matter was passed on in the absence of Mr. Bass.
12. CITY MANAGEMENT REPORTS

- A. **FIRST MONDAY** – Andy Wolfe reported the April First Monday was down from last year about \$6,500 due to weather. They were still up \$27,000 in revenue over this time last year. Since Trade Center IV has been extended, they felt it could be one of the best Trade Centers on the grounds.
 - B. **FINANCIAL REPORT** – Lisette Williams reported the February 2017 sales tax revenue was down 1.4%. Sales tax revenue was estimated to be more than budgeted. Sales tax figures since the sale of alcohol started have not yet been released.
 - C. **CODE ENFORCEMENT MATTERS** – Andy Wolfe reported this was a busy time for code enforcement because they were working on the certificates of occupancy for First Monday and grass was growing. The architectural plans for Kingfish had been rejected because they were incomplete. They were moving forward with daily citations on Church’s Chicken.
 - D. **WYNNE ROAD** – Mr. Cluck said there was a small part of Wynne Road that was in the City. He was in conversations with the new County Commissioner and Mark McLanahan with TxDOT about how to share in the cost of maintaining the road.
 - E. **CHRISTUS MOTHER FRANCES** – Julie Seymore said she and Mr. Cluck met with representatives from Christus Trinity Mother Frances. They had increased the number of specialists who saw patients and planned on adding parking spaces at their current location. They discussed the need for emergency care in Canton and wanted to show Council and the Economic Development Board one of their facilities in Tyler. The date for May 10 was set for a visit.
 - F. **MARKETING REPORT** – Austin Melton gave a presentation on the efforts he was making on social media to promote First Monday. The marketing committee has discussed doing live streaming on the grounds.
 - G. **ANIMAL SHELTER SPAY/NEUTER PROGRAM** – LaDeania Jones, Animal Control Officer, announced August would be the first month the City would pay to spay and neuter animals adopted at the shelter to start off the Friends of Animals program. She said they have taken in more aggressive or unhealthy animals which were less adoptable since the agreements with other cities in the county. They have also seen an increase in the number of animals dumped.
 - H. **OTHER ITEMS** – Debra Johnson reminded Council early voting started April 24 and ran through May 2. The election was May 6. All voting would be at the new City Hall.
13. **CONSIDER ADOPTION OF ORDINANCE NO. 2017-08 REGULATING ALL ASPECTS OF FIRST MONDAY-RELATED BUSINESS INCLUDING, BUT NOT LIMITED TO, BUILDINGS, POLICIES, SOLICITATION ON THE GROUNDS AND FUTURE PLANS** - Councilmember Moore made a motion to adopt Ordinance No. 2017-08. 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

- 14. CONSIDER APPOINTMENTS TO CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Malouf made a motion to reappoint Teri Pruitt, Robert Jaeckle, John McKeehan and Carolyn Hargrove to the Canton Economic Development Corporation’s Board of Directors. 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 ADOPTION OF RESOLUTION NO. 2017-08 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR AND AUTHORIZING PAYMENT OF 11 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC – Councilmember Stewart made a motion to adopt Resolution No. 2017-08. 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

- 16. CONSIDER AWARD OF CONTRACT FOR HWY 243 UTILITY RELOCATION

The following bids were received:

<i>JDR Contracting</i>	<i>\$113,833.08</i>
<i>7H Construction</i>	<i>\$142,460.70</i>
<i>Morrow Construction</i>	<i>\$172,129.50</i>
<i>AAA Sanitation</i>	<i>\$176,455.25</i>
<i>4M Construction</i>	<i>\$180,011.50</i>
<i>ANA Site Construction</i>	<i>\$194,354.90</i>

Councilmember Moore made a motion to award the contract to JDR Contracting in the amount of \$113,833.08. 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

- 17. CONSIDER AWARD OF CONTRACT FOR SIDES CIRCLE AND AMY STREET UTILITY RELOCATION

The following bids were received:

<i>JDR Contracting</i>	<i>Original Bid</i>	<i>Alternate Bid</i>
	<i>\$360,630.42</i>	<i>\$357,907.42</i>

AAA Sanitation	\$454,977.67	\$451,366.67
Morrow Construction	\$458,221.25	\$446,281.25
ANA Site Construction	\$469,688.10	\$465,439.10
B. Bray Construction Co.	\$505,370.92	\$505,370.93
7H Construction	\$513,458.33	\$504,133.39
A&M Construction	\$587,052.09	\$583,304.09

Councilmember Perkins made a motion to award the contract to Morrow Construction based on the Alternate Bid in the amount of \$446,281.25.

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 AWARD OF CONTRACT FOR RENOVATION OF TENNIS COURTS AT OLD KAUFMAN PARK

The following bids were received.

	TransTexas	Dobbs
4" base bid	\$163,557	\$175,000
+\$2,500 engineering	\$166,057	
+1.5% Performance/Payment Bond	\$168,510	
5" base bid	\$177,454	\$188,000
+\$2,500 engineering	\$179,954	
+1.5% Performance/Payment Bond	\$182,616	

Councilmember Odic made a motion to award the contract to TransTexas for the 4" post tension slab at \$168,510. She then amended the motion to award the contract to TransTexas for the 5" post tension slab for \$182,616. 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: Disapprove

19. CONSIDER APPROVAL OF AGREEMENT WITH SILVER SPUR RESORT FOR EXTENSION OF WATER AND SEWER SERVICE TO 13785 HIGHWAY 19 – Councilmember Malouf made a motion to approve the water and sewer agreement with a limit of three years and the exclusion of water and sewer lines on private property and the inclusion of language that the lines on public property would be the property of the City. 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

20. CONSIDER COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2017-2018 PROPOSED BUDGET - Councilmember Stewart made a motion to approve the Council goals and objectives as presented. 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

21. CONSIDER NOMINATION FOR APPOINTMENT TO VAN ZANDT COUNTY APPRAISAL DISTRICT'S BOARD OF DIRECTORS – Councilmember Stewart made a motion to ask Larry Morgan if he would like to serve and to nominate him for appointment to the board. 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

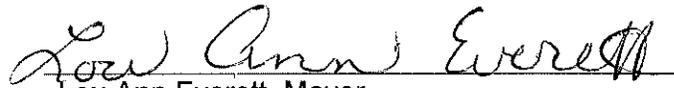
In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

22. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) Mayor Everett called a brief recess at 7:50 p.m. and Council convened into Executive Session at 7:59 p.m.
- A. C&E GROUP
 - B. CONDEMNATION OF LEWIS PROPERTY
 - C. JOHNSON VS. CITY OF CANTON AND HALL; Cause No. 6:15CV1140, Eastern District of Texas
 - D. CHURCH'S CHICKEN
23. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087)
24. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

25. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:28 p.m. with no action taken.
26. CONSIDER FUTURE USE OF 290 E. TYLER OFFICE \$PACE
27. CONSIDER FUTURE USE OF PROPERTY AT 24980 HWY 64 EAST
28. CONSIDER FUTURE USE OF PROPERTY AT 17770 I-20 N. SERVICE ROAD
29. ITEMS FOR FUTURE AGENDAS – Debra Johnson reminded Council Senator Bob Hall was holding a town meeting at 290 E. Tyler at 2:00 p.m. on Saturday.
30. ADJOURN - There being no further business to discuss, Mayor Everett adjourned the meeting at 9:30 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**SPECIAL MEETING OF THE CANTON CITY COUNCIL
 3:00 P.M, MAY 10, 2017**

Christus Mother Frances Hospital – South Tyler
 3839 S. Broadway, Tyler, Texas

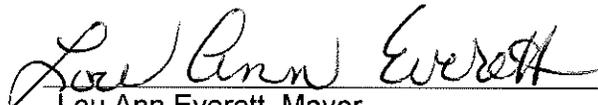
MINUTES

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, Connie Odic, and Shawn Stewart. Councilmembers Nathan Moore and Scott Perkins were absent.

Also in attendance were City Secretary Debra Johnson and CEDC Executive Director Julie Seymore as well as members of the Canton Economic Development Board, John McKeegan, Kevin Deibert, and Steve Dye.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Council met with staff from Christus Mother Frances Hospital – South Tyler for a tour of the facility. They were shown the emergency room area, the day surgery and waiting room areas and the lab / testing facilities. The facility was open twenty-four hours a day, seven days a week. Doctors rotated their schedules with other Christus Mother Frances locations. Christus Mother Frances staff expressed an interest in adding onto the existing facility in Canton to build a similar clinic. They said the decision would be made by their management staff.

2. ADJOURN - There being no further business to discuss, the meeting was adjourned at 4:07 p.m.



Lou Ann Everett, Mayor

ATTEST:



Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, MAY 16, 2017**

Canton City Hall
201 N. Buffalo, 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, Connie Odic, and Scott Perkins. Councilmembers Nathan Moore and Shawn Stewart were absent.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Municipal Judge Lilia Durham, Fire Chief Bud Sanford, Police Chief Brad Allison, CEDC Executive Director Julie Seymore, Public Works Director Walt Lehmann 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 6:02 p.m.
2. INVOCATION was led by Brother John Bell from First Baptist Church of Canton beginning at 6:00 p.m.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – None
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. PRESENTATION TO CITY OF CANTON FROM VAN ZANDT COUNTY MEMORIAL GROUP – Representatives of the Van Zandt County Memorial Group presented Council with a photo of the memorial in appreciation of the City's support. Mayor Everett read a letter from the Secretary of State expressing his condolences for the losses during the recent tornado.

CITIZENS FORUM

7. CITIZENS FORUM – Ray Murphey expressed his appreciation for reaching the \$1 million mark for scholarships for families of fallen soldiers. Jim Fuller requested anyone who was willing to continue the tradition of the Western Swing to contact him.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE APRIL 18, 2017 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF MARCH 2017 FINANCIAL STATEMENTS

Councilmember Malouf made a motion to approve items 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: Absent

INDIVIDUAL CONSIDERATION

10. OFFICIAL CANVASS OF MAY 6, 2017 GENERAL ELECTION RETURNS Mayor Everett read the unofficial totals of the May 6, 2017, General Election:

	Early Voting	Election Day	Total
Mayor			
Lou Ann Everett	111	80	191
Roy J (Yogi) Yarbrough	68	67	135
Councilmember			
Nathan Moore	110	92	202
Connie Odic	101	86	187

11. CONSIDER ADOPTION OF RESOLUTION NO. 2017-10 DECLARING RESULTS OF MAY 6, 2017 GENERAL ELECTION - Councilmember Malouf made a motion to adopt Resolution No. 2017-10. 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: Absent

12. ISSUE CERTIFICATES OF ELECTION, ADMINISTER STATEMENTS OF ELECTED OFFICER AND OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS – Judge Lilia Durham administered the oaths of office to Mayor Everett and Councilmember Odic.
13. CONSIDER APPOINTMENT OF MAYOR PRO TEM – Councilmember Malouf made a motion to appoint Councilmember Stewart as Mayor Pro Tem. 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: Absent

14. CONSIDER ADOPTION OF ORDINANCE NO. 2017-09 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP - Councilmember Perkins made a motion to adopt Ordinance No. 2017-09. 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: Absent

15. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported First Monday was up \$24,000 over last year. The last month’s First Monday revenue was down about \$2,500 due to poor weather.
- B. FINANCIAL REPORT – Lisette Williams reported sales tax revenue was down by 2.2% at this time, but sales tax was projected to be \$140,000 more than budgeted. The Water revenue was down \$9,000 and the WWTP was up \$8,100. The Sanitation Fund was increased by \$21,000.
- C. CODE ENFORCEMENT MATTERS – Andy Wolfe reported they were still trying to gain compliance around Canton.
- D. TOPOGRAPHICAL MAP OF PROPOSED LAKE AREA – Joe Hart of Johnson & Pace presented a topographical map of the area for a proposed lake. He said no houses would be affected by having the lake in this area. Mr. Hart believed it was more cost efficient for the City to go through the process of obtaining water rights and building a lake than obtaining water from other sources in the future. A hydrology study was being prepared which would give more information about a potential lake. He should be able to present that at the next regular council meeting.
- E. PROGRESS ON TENNIS COURT RENOVATION – Mr. Wolfe said the renovation of the tennis courts was underway. The grading had been done and they would pour on Saturday and Tuesday.
- F. OTHER ITEMS - Walt Lehman said a little over two miles of the perimeter fence at Mill Creek Lake had been destroyed by the tornado. Estimated repair costs were around \$40,000. It would not be covered by insurance. The City did receive a \$10,000 grant from the Sabine River Authority to help with the storm damage recovery. Julie Seymore reported the BalloonFest Relief had raised \$15,000-20,000. Chief Allison said the Animal Shelter had 89 animals at the shelter at one point. The animals had to be held for one month in order to allow the owners to claim them. Chief Sanford reported the City moved out of the emergency

management phase into recovery management in just a few days after the tornado through an overall effort from the community.

16. CONSIDER AWARD OF CONTRACT FOR SIDES CIRCLE AND AMY STREETS IMPROVEMENTS – The following bids were received:

Reid Construction, Inc.	\$1,552,555.50
Fritcher Construction Services	\$1,276,683.45
Longview Bridge & Road	\$2,002,925.50
Morrow Construction	\$1,395,479.00

Councilmember Malouf made a motion to award the contract to Fritcher Construction Services in the amount of \$1,276,683.45. 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: Absent

17. CONSIDER APPROVAL OF STRUCTURE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC. ON CELL SITE D2128 – A motion was made by Councilmember Perkins to approve the structure lease agreement as presented. The motion was seconded by Councilmember Malouf. After some discussion, Councilmember Malouf rescinded her second to the motion and Councilmember Perkins rescinded his motion. Mayor Everett postponed this item to the next regular meeting in order to obtain more information from AT&T.
18. CONSIDER APPOINTMENTS TO THE BOARD OF ADJUSTMENT – Councilmember Perkins made a motion to reappoint Terrica Stowell, Candice Benson and Gerald Reed to the Board of Adjustment. 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: Absent

19. CONSIDER APPOINTMENTS TO THE PLANNING & ZONING COMMISSION – Councilmember Malouf made a motion to reappoint Juanita Hackney, Sandra Perry and Betsey McCarty to the Planning & Zoning Commission. 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: Absent

20. CONSIDER ADOPTION OF RESOLUTION NO. 2017-9 ADOPTING THE CITY'S INVESTMENT POLICY - Councilmember Perkins made a motion to adopt Resolution No. 2017-9 adopting the City's Investment Policy. 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: Absent

Mayor Everett called a recess at 7:24 p.m. Council convened into Executive Session at 7:30 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. 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)
 - A. C&E GROUP
 - B. CONDEMNATION OF LEWIS PROPERTY
 - C. JOHNSON VS. CITY OF CANTON AND HALL; Cause No. 6:15CV1140, Eastern District of Texas
 - D. CHURCH'S CHICKEN
 - E. FORCED ANNEXATION
22. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087)
23. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

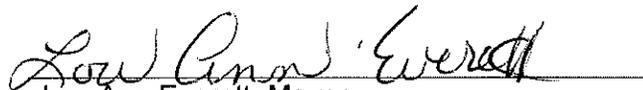
The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

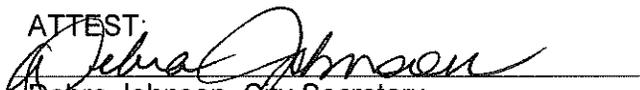
24. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 7:55 p.m. with no action taken.
25. CONSIDER FUTURE USE OF 290 E. TYLER OFFICE SPACE
26. CONSIDER FUTURE USE OF PROPERTY AT 24980 HWY 64 EAST
27. CONSIDER FUTURE USE OF PROPERTY AT 17770 I-20 N. SERVICE ROAD

28. ITEMS FOR FUTURE AGENDAS

29. ADJOURN – There being no further business to discuss, the meeting was adjourned at 7:55 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

REGULAR MEETING OF THE CANTON CITY COUNCIL

6:00 P.M., JUNE 20, 2017

Canton City Hall

201 N. Buffalo, 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, Cindy Malouf, Nathan Moore, Connie Odic, Scott Perkins and Shawn Stewart.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Police Chief Brad Allison, CEDC Director Julie Seymore, Public Works Director Walt Lehmann, Judge Durham, Linda Boston,

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 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
 - A. PRESENTATION TO RECIPIENTS OF CITY OF CANTON FIRST MONDAY SCHOLARSHIP AND RAYFORD HUTCHERSON MEMORIAL SCHOLARSHIP – Mayor Everett presented the First Monday Scholarship to Juan Ruiz and the Rayford Hutcherson Scholarship to Madelyn Lynch.
 - B. PRESENTATION TO RECIPIENTS OF ANNUAL SCHOLARSHIPS PROVIDED BY SANITATION SOLUTIONS – Mayor Everett presented the Sanitation Solutions' scholarships to Logan Williford and Taylor Tidwell.

CITIZENS FORUM

7. CITIZENS FORUM – Yogi Yarbrough requested Council stop its pursuit of the water rights for a new lake.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE MAY 10 AND 16, 2017 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF APRIL AND MAY 2017 FINANCIAL STATEMENTS - Councilmember Stewart 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: Absent
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

INDIVIDUAL CONSIDERATION

10. CONSIDER APPROVAL OF STRUCTURE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC. ON CELL SITE D2128

Councilmember Odic arrives at 6:14 p.m.

Councilmember Malouf made a motion to approve the structure lease agreement with New Cingular Wireless. Councilmember Stewart made a second.

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 ADOPTION OF RESOLUTION NO. 2017-12 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED – Councilmember Stewart made a motion to adopt Resolution No. 2017-12. 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

12. CONSIDER APPOINTMENTS TO CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Malouf made a motion to approve the appointment of Sam Deen for the term to expire in 2019 and Sarah Clayton for the term to expire in 2018 on the Canton Economic Development Corporation's Board of Directors. 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

13. CONSIDER APPROVAL OF PRELIMINARY PLAT FOR SAVINGS MADE SIMPLE ADDITION - Councilmember Stewart made a motion to approve the preliminary plat for the Savings Made Simple Addition. 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

14. CONSIDER APPROVAL OF FINAL PLAT FOR SAVINGS MADE SIMPLE ADDITION - Councilmember Stewart made a motion to approve the final plat for the Savings Made Simple Addition as submitted. 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 APPROVAL OF REPLAT OF THAT ACRE TRACT OF LAND LOCATED IN THE Q.C. NUGENT SURVEY, A-618, ON THE EAST SIDE OF FM 859 (FIRST MONDAY LANE) IN THE CITY OF CANTON, TEXAS, KNOWN AS CANTON INDUSTRIAL PARK I - Councilmember Malouf made a motion to approve the amended plat of Canton Industrial Park I on FM 859 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

16. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported June revenue was up almost \$2000 from last year at this time and up \$26,000 for the year.
- B. FINANCIAL REPORT – Lisette Williams reported sales tax numbers for April and May were down. Wastewater and Sanitation revenue was up.
- C. CODE ENFORCEMENT MATTERS – Andy Wolfe reported approximately one hundred different code enforcement issues were addressed in May.
- D. MARKETING – Austin Melton reported they were up almost 10% in followers. They were currently working on a weather cam on the First Monday grounds. They were also considering a partnership with Canton Guide for a First Monday app.

- E. PROGRESS ON TENNIS COURT RENOVATION – Andy Wolfe said the concrete had been poured. They would be back in a couple weeks to finish up. There would a ramped entrance.
- F. REPORTS FOR MAIN STREET/CVB – Julie Seymore said they planned on providing written quarterly reports as part of the meeting packet for Council, if that was agreeable with Council.
- G. TOPOGRAPHY MAP – Joe Hart, Johnson & Pace, presented the hydrological study for the proposed lake area. They believed 3.2 to 3.4 million gallons per day could be pulled from the lake. That would double the current city water supply. They had substantiated that the reservoir was the best option for the City. He said the watershed was rather large for this lake.

Mayor Everett called a brief recess at 6:52 p.m. Council reconvened at 6:59 p.m.

- H. MILL CREEK TORNADO DAMAGE – Walt Lehmann said they had over a mile of fence torn down by the tornado. They City received \$10,000 from the Sabine River Authority for damages. Mr. Lehmann said the City had not sustained any other damage from the tornadoes.
 - I. AIRPORT DRAINAGE ISSUE – Walt Lehman reported an old drain pipe at the airport caused erosion under the runway. They filled and plugged the pipe and dug a drainage ditch next to the existing pipe. That pipe was no longer functioning properly. They were trying to determine how to handle the drainage. They would have to install a new base and restore the surface. Mr. Cluck said they needed to make the neighbor get his water off our land. They might have to move twenty-five feet out from the runway and it would be expensive.
 - J. MEET-UP PLACE AT POLICE STATION – Chief Allison announced they had an official “meet-up” place for internet exchange at the new police department location.
 - K. OTHER ITEMS -- None.
17. CONSIDER APPROVAL OF BUILDING TO BE CONSTRUCTED ON ROW 1 OF FIRST MONDAY GROUNDS – Councilmember Moore made a motion to approve the building construction on the First Monday grounds in concept contingent upon a review of the lease agreement and final plans. 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

18. CONSIDER ADOPTION OF ORDINANCE NO. 2017-07 AMENDING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 - Councilmember Stewart made a motion to adopt Ordinance No. 2017-07. 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

19. CONSIDER ETCOG 911 ADDRESSING SYSTEM CHANGING 288 VAN ZANDT COUNTY ADDRESSES ON INTERSTATE 20 – Councilmember Malouf made a motion to approve ETCOG changing the addresses on Interstate 20 to North or South I-20 Service Road. 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

20. CONSIDER APPROVAL OF RESOLUTION NO. 2017-11 AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF TWO CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION – Councilmember Malouf made a motion to approve Resolution No. 2017-11. 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

21. CONSIDER NEW LEASE FOR ROW 46 HOLDINGS, LLC FOR BUILDING ON FIRST MONDAY GROUNDS – Councilmember Stewart made a motion to approve Row 46 Holdings, LLC signing a new standard lease. 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 7:58 p.m. Council convened into Executive Session at 8:08 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

22. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
- A. C&E GROUP
 - B. CONDEMNATION OF LEWIS PROPERTY

C. JOHNSON VS. CITY OF CANTON AND HALL; Cause No. 6:15CV1140, Eastern District of Texas

D. CHURCH'S CHICKEN

23. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087)

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

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

25. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:16 p.m.

26. CONSIDER SALE OF PROPERTY AT 24980 HWY 64 EAST – Councilmember Odic made a motion to sell the property at 24980 Highway 64 East through the bid process with a minimum of \$275,000 with the City retaining the right to reject all bids. Councilmember Malouf seconded.

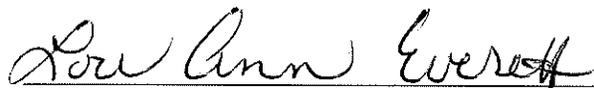
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Connie Odic: Approve
Council Member - Cindy Malouf: Approve
Council Member - Scott Perkins: Approve
Council Member - Nathah Moore: Approve

27. CONSIDER FUTURE USE OF PROPERTY AT 17770 I-20 N. SERVICE ROAD

28. CONSIDER FUTURE USE OF PROPERTY AT 290 E. TYLER

29. ITEMS FOR FUTURE AGENDAS

30. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:19 p.m.



Lou Ann Everett, Mayor

ATTEST:



Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL
10:00 A.M., THURSDAY, JULY 13, 2017
Canton City Hall
201 Buffalo, 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, and Scott Perkins. Councilmembers Connie Odic and Shawn Stewart were absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Police Chief Brad Allison, Captain Brian Horton, Public Works Director Walt Lehmann and Municipal Judge Lilia Durham.

1. CALL TO ORDER – Mayor Everett called the meeting to order at 10:05 a.m.

WORK SESSION

2. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2017-2018
 - A. CAPITAL PROJECTS
 - B. FUND BALANCES
 - C. WATER / WASTEWATER RATES
 - D. GARBAGE RATES
 - E. FEE SCHEDULE
 - F. SALARIES
 - G. PROJECTS / TRADEOFFS
 - H. QUESTIONS / CHANGES

City Manager Lonny Cluck gave an overview of the fund balance and reviewed some of the top capital projects for consideration by the City. He informed Council there was approximately \$200,000 not allocated to anything thus far. Mr. Cluck said in the last five or six years the City had decreased its debt by half and increased the fund balance from \$2 million to \$7 million. In 2012-2013, the City did \$2 million in infrastructure improvements. In 2013-2014, they did approximately \$4 million. In 2015-2016, there were approximately \$5 million in infrastructure improvements and in 2016-2017 the City borrowed \$3 million for major street improvements.

Mr. Cluck said one of the things he thought the City should do in the upcoming budget was allocate \$100,000 to flood the DFW area with First Monday advertising. It would encourage people to come for the day to attend First Monday. Vendors were currently struggling and we needed to increase the number of people coming to First Monday.

Addressing some of Council's requests, Mr. Cluck said the CEDC was working on downtown revitalization. He said the City has talked about having RV storage and apartments on the west side of the grounds but had never allocated money for the project. He felt that we might want to finance extension of the walking trails ourselves because grants were very involved. Mr. Cluck said he had contacted Peoples about the internet service in town. He was also in contact with the County Commissioner about sharing the cost of fixing Wynne Road with the County. He was trying to get numbers on the surveillance cameras at First Monday. Councilmember Odic had requested work be done on Cherry Creek. The portion that needed to be fixed was not in the City. Councilmember Odic had requested LED lights in the park. He did not usually encourage people being in the park after dark and that is why we have never had lights there. The resurface of the basketball court was in the budget for a little under \$10,000. He had done nothing about

putting flagstone in the pocket park because that was owned by CEDC and they have various options in mind for that area. We were working on a weather cam for First Monday.

Mr. Cluck said Councilmember Malouf had requested incentivizing for single-family development. He was also working on getting estimates for big fans in the Trade Centers.

Mr. Cluck said our water rates were \$4.00 under the state average. We had raised the sewer rates up 10% because we were so much lower but we were still behind. The City was close to breaking even on the garbage rates.

Mr. Cluck reminded Council the contract for the ambulance service would expire January 2020. They had to keep that in mind in the next budget year.

Mr. Cluck said First Monday had asked for two more employees. They were going to transfer the two positions - one from the Transfer Station and one from the Municipal Court to reallocate for First Monday. The First Monday / Parks Departments were falling behind trying to keep up with the additional parks and trails and could use extra people.

Mr. Cluck reviewed the route of the new sewer line from the sewer plant to behind Walmart as well as how we were going to progress from there.

Mr. Cluck said they allocated \$30,000 for equipment for two new police vehicles we were purchasing with grant money.

Mr. Cluck said three cities had given us \$5,000 for taking animals at the Animal Shelter. The County was not interested in entering into the same agreement. Mr. Cluck said they were trying to figure out a long-term solution for housing cats at the Shelter.

Mr. Cluck was awaiting information about the Groves Property and about the estimated costs for pursuing water rights.

Mr. Cluck felt one project that should be considered was raising the water tower on Highway 243. The last bid they had for this was three years ago for \$500,000. If the City did not use the money on the Groves property, it could be reallocated for the water tower. It would also cost approximately \$500,000 to drill another water well, which was in the long-term water plan. Another well would enable us to run the City's water on all four wells if the water plant needed to be off line for some reason.

Mr. Cluck reminded Council about the debt owed on the new radio system. It did not look hopeful that we could obtain a grant to help pay for this. We might be able to enter into an agreement with the County to help offset the cost of the system.

Mr. Cluck felt it was important to have in place an equipment replacement fund. They needed some seed money to start the fund.

Mr. Cluck said one of the members of the Hillcrest Cemetery Association asked him to asphalt the road going into the cemetery. That would cost about \$15,000 for that strip of road. The Library had asked for an expansion of the parking lot in the back. That would cost about \$25,000. The solar panels for First Monday would cost approximately \$250,000.

Mayor Everett called a lunch recess at 11:58 p.m. Council reconvened into Open Session at 12:32 p.m.

Mr. Cluck said the estimate for fixing the drainage at the airport would be around \$100,000. Councilmember Moore asked for a list of projects prioritized based on what Mr. Cluck wanted to address first. Mr. Cluck said they thought fixing River Oaks Street would cost \$100,000 but the estimate was at \$149,000. They could take the money allocated for that street and use it to address the drainage problem at the airport. A budget adjustment would need to be done.

Mr. Cluck said he wanted to buy one new vehicle for the Assistant City Manager and buy another to replace the one for the Public Works Director. Both of their vehicles were past their usefulness.

Mr. Cluck also wanted to budget for maintenance for the computer system.

Mr. Cluck said they had started the utilities portion of Sides Circle. He was able to make some field changes and bring the total for that project down \$70,000. Their plan was to focus the \$3 million the City borrowed to fix two different streets. They would then resurface other streets with what was remaining.

Mr. Cluck said the bulldozer we had was a 1982 model. It was getting more difficult to find replacement parts. It would cost about a half million to replace. Councilmember Moore asked if we ever considered cost-sharing on equipment with other cities. Mr. Cluck said he had discussed it with city managers in other cities but most of them had been replaced and he needed to start the process again.

Mr. Cluck said there was a three-inch water line on Highway 19 around the Taco Bell. He wanted to put in a 10-inch water line there which would cost about \$20,000. He was also interested in replacing the aging water lines around the square.

Mr. Cluck said they had to buy a new rotor at the sewer plant every year or so. They rebuilt one and bought a new one every other year. They also needed to continue changing out the manholes which were \$7,000-12,000 apiece.

Mr. Cluck said the proposed budget included \$50,000 for improving First Monday streets and \$30,000 for dirt work and crushed rock. The \$50,000 would also include installing some more retaining wall in the creek. He also proposed cutting down the hill at the South Gate entrance for more visibility to the First Monday grounds from Highway 64. Councilmember Malouf thought we should go ahead with the project in this year's budget. Councilmember Moore said he would rather do that project than the basketball court.

Mr. Cluck reviewed his long-range plan for First Monday. He also wanted to make Row 3 an exit lane and Row 1 an entrance lane to cut down on congestion at the Main Gate. He wanted to purchase a small vehicle for First Monday to replace the Trailblazer. He said he needed to increase the amount for equipment at First Monday from \$5,000 to \$20,000 to purchase another zero turn and more weed eaters.

There was a short discussion regarding the results Ron Hammaçk had from attending shows to bring new vendors to First Monday. They requested a report on how many vendors he had come to First Monday as a result of his trips. There was a suggestion about having high school kids do a survey about where visitors to First Monday were from and their impressions of the market.

Mr. Cluck said for several years they have been trying to have the water and sewer plants support themselves. The goal had been for several years to keep raising water and sewer rates until they plants were self-sufficient so they could quit the transfers from First Monday and First Monday could be used for capital improvements.

Councilmember Perkins left the meeting at 1:58 p.m. Councilmember Malouf asked for a report on sales tax revenue.

3. ITEMS FOR FUTURE AGENDAS
4. ADJOURN - There being no further business to discuss, the meeting was adjourned at 2:00 p.m.



Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

REGULAR MEETING OF THE CANTON CITY COUNCIL

6:00 P.M, JULY 18, 2017
Canton City Hall
201 N. Buffalo, 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, and Shawn Stewart. Councilmembers Connie Odic and Scott Perkins were absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Public Works Director Walt Lehmann, 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 6:09 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 – Mayor Everett read a letter she had received thanking Dwight Lancaster for his participation in the damage assessment team after the tornadoes on April 29.

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 JUNE 20, 2017 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JUNE 2017 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF 9-1-1 INTERLOCAL PSAP AGREEMENT WITH EAST TEXAS COUNCIL OF GOVERNMENTS

Councilmember Stewart made a motion to approve Items 8 and 10 of the Consent Agenda. Councilmember Moore seconded.

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

INDIVIDUAL CONSIDERATION

11. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY
 - B. FINANCIAL REPORT
 - C. CODE ENFORCEMENT MATTERS
 - D. PROGRESS ON TENNIS COURT RENOVATION
 - E. OTHER ITEMS
12. PRESENTATION OF RETAIL ATTRACTIONS PROPOSAL FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES – Rickey Hayes presented his proposal to Council regarding his background and the benefits CEDC could get for the information and contacts his company could make with regards to economic development.
13. FIRST READING OF RESOLUTION NO. 2017-13 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES CONTRACT WITH RETAIL ATTRACTIONS – Councilmember Malouf read Resolution No. 2017-13.
14. SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-13 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES CONTRACT WITH RETAIL ATTRACTIONS - Councilmember Malouf read the caption for

Resolution No. 2017-13. Councilmember Malouf made a motion to adopt Resolution No. 2017-13 approving the CEDC Expenditure of Type B Sales Tax Revenue for economic developing consulting services contract with Retail Attractions. Councilmember Moore seconded.

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

15. CONSIDER APPROVAL FOR CANTON VISITORS BUREAU TO PURSUE DEVELOPMENT OF FIRST MONDAY MOBILE APPLICATION - Councilmember Stewart made a motion to approve the Canton Visitors Bureau's pursuit of a First Monday Mobile Application. Councilmember Moore seconded.

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

16. CONSIDER APPROVAL OF CANTON ECONOMIC DEVELOPMENT CORPORATION'S AMENDED ORGANIZATIONAL CHART AND CONVERSION OF ONE PART-TIME POSITION TO FULL-TIME - Councilmember Malouf made a motion to approve the amended organizational chart for CEDC. Councilmember Stewart seconded.

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

17. CONSIDER ADOPTION OF RESOLUTION NO. 2017-14 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATIONS AMENDED BUDGETS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017 - Councilmember Stewart made a motion to adopt Resolution No. 2017-14. Councilmember Malouf seconded.

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

18. CONSIDER APPROVAL OF 100TH ANNIVERSARY INCORPORATION PROJECT - Councilmember Moore made a motion to approve the 100th Anniversary Project with pictures of previous mayors and current mayor to hang in Council Chambers. Councilmember Stewart seconded.

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

Council Member - Nathan Moore: Approve

Mayor Everett called a recess at 7:19 p.m. Council convened into Executive Session at 7:30 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

19. TO DELIBERATE COMMERCIAL OR FINANCIAL INFORMATION RECEIVED FROM A BUSINESS PROSPECT, AND TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT
20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
 - A. C&E GROUP
 - B. CONDEMNATION OF LEWIS PROPERTY
 - C. CHURCH'S CHICKEN
21. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

22. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 8:26 p.m. with no action taken.
23. CONSIDER FUTURE USE OF PROPERTY AT 290 E. TYLER Mayor Everett postponed this item until more information could be obtained.

David Ritter left the meeting at 8:38 p.m.

WORK SESSION

24. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2017-2018
 - A. CAPITAL PROJECTS
 - B. FUND BALANCES
 - C. WATER / WASTEWATER RATES
 - D. GARBAGE RATES
 - E. FEE SCHEDULE
 - F. SALARIES
 - G. PROJECTS / TRADEOFFS
 - H. QUESTIONS / CHANGES

Council agreed to have the meeting on July 25, 2017, at noon.

Councilmember Stewart questioned Page 35 of the budget regarding \$7000 for the Animal Shelter. Mr. Cluck said he would have to research the number. There was a difference of \$68,000 between the amount that was realized and the amount budgeted. Mr. Cluck said some of the expenses were greater because of the 105 animals kept there after the tornadoes. Council requested the fixed costs for the shelter. They thought the budget should be less because we were dealing with less animals. Mr. Cluck said it had been an abnormal year.

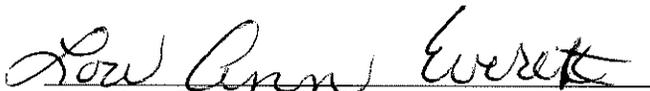
Mr. Cluck said Brad Castleberry, the attorney dealing with our water rights, was going to speak to Council once he had spoken to the engineers about the estimated cost to file the permit.

Mr. Cluck mentioned some of the projects in mind for First Monday – the store & stay; the new tram; and moving the location of the RV park. Council requested a list of possible projects with priorities listed.

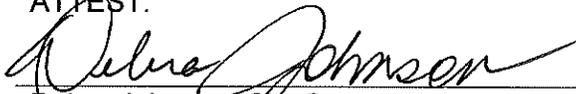
Council discussed whether or not to increase water and sewer rates. He mentioned Sanitation Solutions' rates were going to increase at least 3%. We would have to raise the City's rates also. They decided to increase the sewer rate by \$4.55 and to increase the garbage rates .45.

25. ITEMS FOR FUTURE AGENDAS

26. ADJOURN – There being no further business left to discuss, Mayor Everett adjourned the meeting at 10:03 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL
12 NOON, TUESDAY, JULY 25, 2017
Canton City Hall
201 N. Buffalo, Canton, Texas 75103**

MINUTES

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

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

1. CALL TO ORDER – Mayor Pro Tem called the meeting to order and declared a quorum present at 5:01 P.M.

INDIVIDUAL CONSIDERATION

2. DISCUSSION RE SALINE CREEK PROJECT

Councilmember Odic entered at 5:04 p.m.

3. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT FROM SOUTHWESTERN ADVANTAGE TO MARKET EDUCATIONAL MATERIAL DOOR-TO-DOOR – Councilmember Nathan Moore made a motion to grant the request for a solicitor's permit until August 14, 2017. Councilmember Perkins seconded.

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

4. CONSIDER SALE OF CITY PROPERTY LOCATED AT 290 E. TYLER, CANTON, TEXAS – Councilmember Odic made a motion to open the sale of the property at 290 E. Tyler for sale with a minimum bid of \$165,000. Councilmember Perkins seconded.

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

5. CONSIDER RELOCATION OF "THE TRADE" STATUE TO CITY PROPERTY – Councilmember Perkins made a motion to send a letter to the property owner to notify him the City will remove the statue from its current location. Councilmember Moore seconded.

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

WORK SESSION

6. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2017-2018

A. CAPITAL PROJECTS

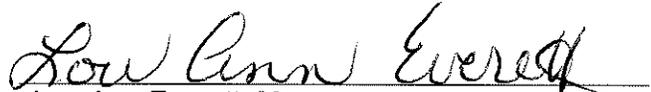
B. TAX RATE

7. CONSIDER PROPOSAL TO ADOPT 2017 TAX RATE AND SCHEDULE PUBLIC HEARINGS – Councilmember Moore made a motion to place a proposal to adopt a tax rate of .4203320 on the agenda at the 6:00 p.m., September 5, 2017, City Council meeting, and to schedule two public hearings – one at 12 p.m. on Tuesday, August 22, 2017, and a second at 5:00 p.m. on Tuesday, August 29, 2017. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Approve
 Council Member - Cindy Malouf: Absent
 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 08:00:16 PM (02:59:13)


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

5:00 P.M., TUESDAY, AUGUST 1, 2017

Canton City Hall

201 N. Buffalo, Canton, Texas 75103

MINUTES

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

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

- 1. CALL TO ORDER – Mayor Pro Tem Stewart called the meeting to order and declared a quorum present at 5:01 p.m.

INDIVIDUAL CONSIDERATION

- 2. DISCUSSION RE SALINE CREEK PROJECT – *Councilmember Odic entered at 5:04 p.m.*

Lawrence Greer questioned why a qualified demographer been never been consulted about how the population would expand and whether or not Canton would have a water shortage. Mr. Cluck said Gary Burton’s first study had a group which predicted the population which was the information upon which Mr. Burton based his study. Joe Marshall, CR 1222, asked if there were any other intended purposes for the lake, such as recreation or building subdivisions. Mayor Pro Tem Stewart said nothing had been decided on the issue other than the allocation of funds for the hydrological and topographical studies. Councilmember Moore said the State would dictate how the lake could be used. Mayor Pro Tem Stewart added that the Mill Creek Lake was limited to a recreational lake only and was primarily just a water reservoir. Mr. Marshall asked about the estimated cost of a new lake. Mayor Pro Tem Stewart said he could not speculate about the estimated cost of a lake which might not be built for 40-60 years. He added he did not think the lake would happen in his lifetime. The lake would only happen where the State of Texas allowed and only if the population drove the need for a lake. No one in Forney predicted

the 160% growth in population that it had. All the City has done thus far was to have a study done to see if the lake was feasible. Joe Hart, Johnson & Pace, stated the proposed lake would cover 1,600 acres within the areas of the high water mark. It would depend on the State whether or not private property could abut the lake or the top of the dam. Joe Marshall asked about a timeline. Mayor Pro Tem Stewart said the City was only addressing what it would cost to apply for the water rights at this time. He was unsure of the process after that. Councilmember Moore stated we had secured the water rights in 1929 for the Old City Lake. The City obtained water rights for the current city lake in 1950, but it was not built until 1976. The process took a long time and what the City was dealing with now was having the water rights available in the future if a lake were needed. Mr. Cluck added the lake was not our primary source of new water. Our primary source for more water was to add more wells. Councilmember Moore said the lake was only one piece of a long-term water strategy.

Cary Hilliard said he was told in 2011 it would take four years and \$400,000 to procure the water rights. No doubt that amount was more now. Mr. Hilliard said Dr. Steve Murdock, head of the U.S. Census had spoken to Council previously and totally refuted the 2004 Comprehensive Plan population numbers. Canton has been growing at less than 30% for thirty years. To say Canton would be 34,000 was ridiculous. The Region D Water Board only projected 5,329 for Canton in 2070.

Joe Hart responded his firm was not hired to do a population projection. He had been hired to determine if a lake was feasible in the Grand Saline Creek. Their number one objective was to do a yield analysis and determine how much water the State would permit. They then determined the State would permit the City to pump out 224 gallons per person per day and divided that into the yield of the lake to determine the population which could be served by the lake. They were not saying the population would be 24,000. It was hard to determine the rate of growth because of First Monday because it directly affected the water usage.

Mr. Hilliard repeated that all the information from the 2004 population study was wrong. He said the lake they had discussed four years ago was closer to 5,000 acres. He wanted to know how many houses would be taken in under the new lake. The City had other options, such as a reuse permit. Mr. Hilliard asked how the City was going to compensate water landowners once they had the water rights. He asked whether anyone in the City government asked them to bring a strong case for the lake. Mayor Pro Tem Stewart said he was just trying to do some smart planning. It was an important issue.

Jimmy Hair, off County Road 1213, said the lake would cover County Road 1213, which was his way in and out of his property. He thought it would take \$10 million to move the Edgar Davis Substation. Mr. Hair questioned why his notes had not been put in the minutes. Mr. Cluck said Council had decided several years ago to only have action minutes and that was why his notes had not been included. Mr. Hair questioned what anyone had done in reference to the EPA about getting their blessing for the lake.

Paula Marshall asked who would make the final decision on whether or not to build the lake. Would it be brought to a vote by the citizens of Canton? Mayor Pro Tem Stewart said the State would determine whether or not a lake was built. Councilmember Moore said the State would determine whether the City could obtain the water rights and then the City would have to try to figure out the way to pay for building a lake.

Yogi Yarbrough asked what percentage of water was coming out of the current lake. He thought the City should spend \$40,000 to remove the sediment because we were losing

the lake we had. The life of the current lake could be extended by twenty years for a lot less money.

Mayor Pro Tem Stewart invited everyone to stay for the budget work session.

David Phillips, County Road 1215, expressed concern about whether or not Canton would annex the property along the lake. He also wanted to know whether the water from the lake would be for the communities surrounding the lake. Mr. Cluck said that would depend on the CCN that covered a particular area. All those decisions would be made several steps from now.

Mike Huron asked if Grand Saline city limits would play a role. Mayor Pro Tem Stewart said he did not know. He asked if the City did not know the answers to so many questions, why was it so important to push this matter. Councilmember Odic asked who he would like to see have the water rights. If Canton did not obtain them, it would have to get water from another source. Council was just trying to secure the water rights in the future, whether it was twenty or forty years down the road.

Joe Hart mentioned the City of Canton had resolutions from three other cities supporting the water rights project. Mayor Pro Tem Stewart said the reservoir was included in the five-year plan at Region D Water Board. The primary sources of future water were primarily wells, conservation and reuse. The reservoir was Plan B.

Mr. Cluck explained the figures from Mr. Hart did not project a population of 12,000. He was stating how many people a lake of that size could support. Mr. Hart said no one had predicted there would be 24,000 people in the city.

Jimmy Hair said Forney was forty miles closer to Dallas than Canton. That was where the population was going to grow.

3. CONSIDER REQUEST FOR A SOLICITOR'S PERMIT FROM SOUTHWESTERN ADVANTAGE TO MARKET EDUCATIONAL MATERIAL DOOR-TO-DOOR – Councilmember Moore made a motion to grant the request for a solicitor's permit until August 14, 2017. Councilmember Perkins seconded.

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

4. CONSIDER SALE OF CITY PROPERTY LOCATED AT 290 E. TYLER, CANTON, TEXAS – Councilmember Odic made a motion to open the sale of the property at 290 E. Tyler for sale with a minimum bid of \$165,000. Councilmember Perkins seconded.

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

5. CONSIDER RELOCATION OF "THE TRADE" STATUE TO CITY PROPERTY – Councilmember Perkins made a motion to send a letter to the property owner to notify him the City will remove the statue from its current location. Councilmember Moore seconded.

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

WORK SESSION

6. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2017-2018

A. CAPITAL PROJECTS

B. TAX RATE

Mr. Cluck explained going with the effective tax rate would not account for any property growth. That would leave approximately \$70,000

Mr. Cluck said he wanted to add an item to the schedule. Chief Brad Allison spoke about the abuse of security alarms and requested a fee be charged for any false alarms over three for residential and commercial properties. A fee would not be charged for legitimate calls.

Mr. Cluck said he had an estimate of \$50,000 to concrete the pocket park. Mr. Cluck said they had not received the grant for surveillance cameras at First Monday. We would not be able to cover much land with just a few cameras. He was still trying to obtain information about the solar panels for the Trade Centers. If grants could not be acquired for the panels, it could be up to a fifteen-year payout. Mr. Cluck said Councilmember Malouf was interested in giving incentives to contractors for single-family development. Mayor Pro Tem Stewart suggested these be looked on case-by-base. A budget amendment could be done, if necessary.

Mr. Cluck explained the first year for financing the new radio system was interest free. No payments would be due for the first two years. The first payment was \$130,000 on the principal. He suggested investing the money to allow it to draw interest until it was time to make a payment.

Councilmember Odic thought the estimated \$50,000 to concrete the pocket park was too high. She wanted to explore other options. Mr. Cluck said it would cost \$69,358 to stamp the concrete. Mayor Pro Tem Stewart said the property belonged to CEDC and the matter should be discussed with them. Julie Seymore said CEDC put \$60,000 in their budget for the pocket park. There also had to be drainage underneath any concrete in that area. She suggested CEDC come up with a plan to present to Council involving pavers, greenspace and tables.

Councilmember Odic asked about paving Cherry Creek Road before Wynne Road because it had more traffic. Mr. Cluck said they were only going to help pave the part of Wynne Road which was in the city. Cherry Creek Road was not all in the city either. Mr. Cluck said he would speak with the County about a cost-sharing agreement.

Doing Wynne Road would probably only cost \$15,000. Mr. Cluck was in favor of raising the Hwy. 243 water tower. He also was in favor of building another water well, although there was a lot of uncertainty when drilling a new well. Mr. Cluck thought changing water and sewer lines around the square was an important project. At First Monday, he thought the biggest priority was dredging the creek for \$50,000. Mr. Wolfe thought the First Monday crew should be able to dredge out some of the creek to save some money. Mr. Cluck said it would take a total of \$125,000 to finish the retaining wall. He also was interested in making Row 3 and Row 1 one-way streets to alleviate congestion at the Main Gate.

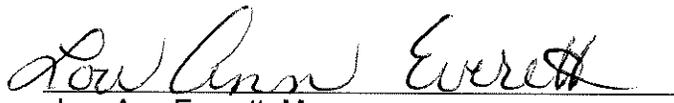
Councilmember Moore suggested having a project list to refer to whenever money was available in the future. The projects ought to be prioritized.

7. CONSIDER PROPOSAL TO ADOPT 2017 TAX RATE AND SCHEDULE PUBLIC HEARINGS – Councilmember Moore made a motion to place a proposal to adopt a tax rate of .4203320 on the agenda at the 6:00 p.m., September 5, 2017, City Council meeting, and to schedule two public hearings – one at 12 p.m. on Tuesday, August 22, 2017, and a second at 5:00 p.m. on Tuesday, August 29, 2017. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Connie Odic: Approve
 Council Member - Cindy Malouf: Absent
 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 8:00 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M., AUGUST 15, 2017**

Canton City Hall
 201 N. Buffalo, 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, Nathan Moore, and Shawn Stewart. Councilmember Connie Odic was absent.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Public Works Director Walt Lehman, Municipal Judge Lilia Durham, 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 given by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – None
Councilmember Malouf enters the meeting at 6:02 p.m.
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 13, 18, AND 25, 2017 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF 9-1-1 DATABASE MAINTENANCE INTERLOCAL CONTRACT WITH EAST TEXAS COUNCIL OF GOVERNMENTS - Councilmember Stewart 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: Absent
 Council Member - Cindy Malouf: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Nathan Moore: Approve

INDIVIDUAL CONSIDERATION

10. CONSIDER REQUEST FROM LANCE WALKER RE FINANCIAL INCENTIVES FROM CITY FOR RENOVATION OF 901 W. COLLEGE STREET, CANTON, TEXAS - Dustin Walker said he and his brother were interested in tearing down the building at 903 W. College and building ten or twelve houses in its place. The price of the property was \$50,000 and back taxes were \$20,000. Mr. Walker asked permission to use roll-offs from Lindale to haul off building debris. He also asked the City to waive permit fees and sewer and water tap fees. Councilmember Malouf said the cost per lot for the taps was about \$1,500, including permits. Mr. Cluck said it would be \$1,500 to \$2,000. Mr. Walker proposed building 1,500-2,000 square foot, three bedroom, two bath homes. Mr. Cluck said the City had a contract to use Sanitation Solutions from Paris on roll-offs. Mr. Cluck

said he would work with Mr. Walker and bring a proposal back to Council. Ms. Johnson advised the address on the property had been changed by ETCOG to 673 W. College.

Mayor Everett called Council into Executive Session at 6:15 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

11. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
 - A. C&E GROUP
 - B. CHURCH'S CHICKEN
12. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

13. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 7:15 p.m. with no action taken.
14. CONSIDER APPOINTMENTS TO CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Moore made a motion to appoint Larry Morgan to fill the vacancy on the CEDC Board ending March 2018 and to appoint Lace Deibert to fill the vacancy on the CEDC Board ending March 2019. 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

15. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY -- Linda Boston showed Council an RV travel book showing First Monday on the back page. There was also an article in a recent D Magazine which was very favorable to First Monday. The Texas Bucket list TV show filmed at First Monday and spoke with several vendors. Ms. Boston said reservations were looking good for the upcoming month, but it would all depend on the weather. Councilmember Stewart asked what was needed to beef up business in Trade

Center I. Mr. Cluck said he thought cutting down the hill at the south gate entrance would help bring vendors to that area. It might also help to run a walkway in that direction. Mr. Wolfe said he was getting bids on knocking down the hill at the south gate. The project should be completed by October. Ms. Boston presented Council with a list of contacts made by Ron Hammack at different shows and how many had vendors there had come to First Monday. She said they would keep the list updated for Council.

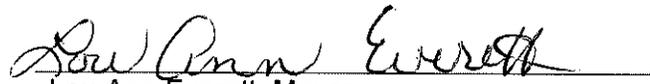
- B. FIRST MONDAY CONTACTS REPORT
 - C. FINANCIAL REPORT – NONE
 - D. CODE ENFORCEMENT MATTERS – Mr. Wolfe said Captain Horton addressed 82 violations in July and issued seven citations. Church's had been taken care of from the "Top 5" list and they hoped to resolve 901 W. College. There was a code enforcement meeting scheduled for tomorrow on Kingfish. There was a conflict between the engineering reports as to whether or not the building should be torn down or repaired.
 - E. MARKETING - Austin Melton gave a presentation on the August marketing. The Facebook followers had grown. He showed the analysis of how many people were visiting the City's website.
 - F. PROGRESS ON TENNIS COURT RENOVATION – Mr. Wolfe reported the courts had been put on hold because of the weather. The basketball court would be bright blue with gray accents.
 - G. OTHER ITEMS – Mr. Wolfe said they would spray Aquashade on the lake. Mr. Cluck said they were putting together a plan to start watering the soccer fields from the lake.
16. DISCUSSION REGARDING SALINE CREEK PROJECT – No discussion.
 17. CONSIDER DISPOSITION OF CODE ENFORCEMENT FINES ASSESSED AGAINST CHURCH'S CHICKEN – Mayor Everett passed on this item.
 18. CONSIDER ACCEPTANCE OF BID AND APPROVAL OF SALE OF PROPERTY AT 24980 HWY 64 EAST, CANTON, TEXAS – Councilmember Perkins made a motion to accept the bid from Black and White Consulting – Johnny Blevins to purchase the property at 24980 Highway 64 East, Canton, Texas, contingent on the City working out an agreement regarding easements, etc. 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

Mayor Everett called a recess at 7:53 p.m.

BUDGET WORK SESSION

19. WORK SESSION ON PROPOSED BUDGET FOR FISCAL YEAR 2017-2018 – Ms. Johnson announced the first public hearing on the tax rate would be noon on August 22, 2017; the second public hearing on the tax rate and the first public hearing on the budget would be 5:00 p.m. on August 29, 2017; and the budget and tax rate would be adopted at 6:00 p.m. on September 5, 2017.
- A. CAPITAL PROJECTS
- B. CEDC BUDGET - Julie Seymore presented the proposed budgets for the CEDC, the CVB and Main Street. Austin Melton presented the marketing plan. There was a discussion regarding the right mix of media to spend the additional \$100,000 for "daytrippers" to come to Canton.
- C. PROJECTS / TRADEOFFS – Mr. Cluck listed the following projects in the budget at this point: downtown utility replacement; Row 3; First Monday retaining wall; prepay \$250,000 on radio system; \$50,000 for pocket park; the money for selling the property on Highway 64 could go toward building a new water well. Mr. Cluck said he had estimated \$385,000 in the budget to try to get the water well drilled.
- D. QUESTIONS
20. ITEMS FOR FUTURE AGENDAS
21. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:22 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL
12:00 NOON, TUESDAY, AUGUST 22, 2017
Canton City Hall
201 N. Buffalo, 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 Shawn Stewart. Councilmembers Nathan Moore and Connie Odic, were absent.

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

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 12:11 p.m.
2. FIRST PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018 - Mayor Everett opened the public hearing at 12:12 p.m. There being no comments, the public hearing was closed at 12:12 p.m.
3. CONSIDER PLACEMENT OF "THE TRADE" STATUE AFTER RELOCATION – Mr. Cluck reported a letter had been sent to Mr. Lewis about relocation of the statue. After a brief discussion of various locations, Mr. Cluck said he and Mr. Wolfe would select a few possible locations for Council consideration.
4. DISCUSSION REGARDING SALINE CREEK PROJECT – No discussion

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

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

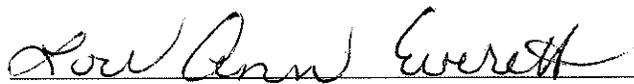
RETURN TO OPEN SESSION

6. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – No Executive Session
7. CITY MANAGEMENT REPORTS

A. OTHER ITEMS

Mr. Wolfe reported the basket court was complete. They had one more line on the tennis courts and then they would put up the nets. It should be completed this afternoon. Mr. Cluck reported the AT&T tower was raised 50 feet. They would be testing signals around town and making adjusted.

8. ITEMS FOR FUTURE AGENDAS
9. ADJOURN - There being no further business to discuss, Mayor Everett adjourned the meeting at 12:27 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

CALLED MEETING OF THE CANTON CITY COUNCIL

5:00 p.m., TUESDAY, AUGUST 29, 2017

Canton City Hall
201 N. Buffalo, 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 Connie Odic, Scott Perkins, Nathan Moore, and Shawn Stewart. Councilmember Scott Perkins was absent.

Also in attendance were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, and CEDC Director Julie Seymore

1. CALL TO ORDER AND DECLARE QUORUM PRESENT - Mayor Everett called the meeting to order and declared a quorum present at 5:00 p.m.
2. SECOND PUBLIC HEARING ON PROPOSED TAX RATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018 – Mayor Everett opened a public hearing at 5:01 p.m. There being no comments, the public hearing was closed at 5:02 p.m.
3. PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 – Mayor Everett opened a public hearing at 05:02 p.m. Arin Spruiell, Friends of the Library, requested Council keep in mind that the library could use additional parking for all the visitors it has during the year. *Councilmember Malouf entered the meeting at 5:05 p.m.*

There being no further comments, the public hearing was closed at 5:07 p.m.

4. CONSIDER ADOPTION OF ORDINANCE NO. 2017-10 REGARDING SMALL WIRELESS FACILITY SITING - Councilmember Malouf made a motion to adopt Ordinance No. 2017-10. 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

5. DISCUSSION REGARDING SALINE CREEK PROJECT – Mr. Cluck reported a meeting he had with Wood County Electric about their substation. They said they might have to move one pole for the proposed lake. He also met with representatives from Frieze & Nichols who would give an outline of what to do. He would also be setting up meetings with the Sabine River Authority and Region D members.
6. CONSIDER PLACEMENT OF "THE TRADE" STATUE AFTER RELOCATION - Councilmember Stewart made a motion to move "The Trade" statue to the site in front of Dry Creek Landing as shown in the presentation. 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

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

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

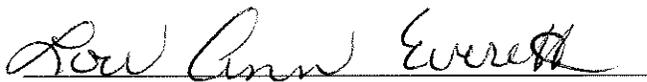
RETURN TO OPEN SESSION

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

A. OTHER ITEMS

Mr. Cluck said the budget was ready to print. He wanted to make council aware there was \$1 million more spent in the budget than revenue received because money was being taken from the fund balance. Also, there was a house on Slaughter and Athens Streets that had overgrown weeds and debris on the property. He was contacting our city attorney to determine the process to clean up the property and place a lien on the property. Councilmember Stewart made a point that the money taken from the fund balance was being used on the City's infrastructure.

10. ITEMS FOR FUTURE AGENDAS
11. ADJOURN - There being no further business to discuss, the meeting was adjourned at 5:45 p.m.



Lou Ann Everett, Mayor

ATTEST:



Debra Johnson, City Secretary

**CALLED MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, SEPTEMBER 5, 2017**

Canton City Hall
201 N. Buffalo, Canton, Texas 75103

MINUTES

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

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

1. CALL TO ORDER AND DECLARE QUORUM PRESENT – Mayor Pro Tem called the meeting to order and declared a quorum present at 6:00 p.m.
2. PROCLAMATION - SEPTEMBER 10-16, 2017 PROCLAIMED NATIONAL ASSISTED LIVING WEEK FOR 2016 – Mayor Pro Tem Stewart read the proclamation for National Assisted Living Week.
3. CONSIDER RATIFYING THE PROPERTY TAX INCREASE OF \$50,979 REFLECTED IN THE PROPOSED BUDGET, \$8,927 OF WHICH WILL BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL – Councilmember Malouf made a motion to ratify the property tax increase reflected in the FY 2017-2018 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

4. CONSIDER ADOPTION OF ORDINANCE NO. 2017-11 APPROVING PROPOSED BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 - Councilmember Perkins made a motion to adopt Ordinance No. 2017-11 approving the proposed budget for Fiscal Year beginning October 1, 2017 and ending September 30, 2018. 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 ADOPTION OF ORDINANCE NO. 2017-12 LEVYING THE TAX RATE OF 0.4203320 FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 - Councilmember Moore made a motion to adopt Ordinance No. 2017-12 levying the tax rate of 0.4203320 for Fiscal Year beginning October 1, 2017 and ending September 30, 2018. 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. 2017-13 ADOPTING THE FEE SCHEDULE FOR THE CITY OF CANTON, TEXAS - Councilmember Perkins made a motion to adopt Ordinance No. 2017-13 adopting the fee schedule. 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

7. CONSIDER ADOPTION OF RESOLUTION NO. 2017-15 APPROVING THE CANTON ECONOMIC DEVELOPMENT CORPORATION / CVB / MAIN STREET BUDGETS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 – Councilmember Malouf made a motion to adopt Resolution No. 2017-15 approving the Canton Economic Development Corporation / CVB / Main Street budgets for Fiscal Year beginning October 1, 2017 and ending September 30, 2018. 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.

RETURN TO OPEN SESSION

8. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - None
9. CITY MANAGEMENT REPORTS
 A. OTHER ITEMS – Mr. Cluck reported staff had a meeting with the Sabine River Authority tomorrow to get preliminary information on obtaining water rights.
10. ITEMS FOR FUTURE AGENDAS - None
11. ADJOURN - There being no further business to discuss, the meeting was adjourned at 6:09 p.m.

ATTEST:



Debra Johnson, City Secretary


 Lou Ann Everett, Mayor

REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, SEPTEMBER 19, 2017
Canton City Hall
201 N. Buffalo, 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, Nathan Moore, Connie Odic and Shawn Stewart.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Finance Director Lisette Williams, Public Works Director Walt Lehmann, Municipal Judge Lilia Durham, EDC 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 Mayor Everett.
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

CITIZENS FORUM

6. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT - None

CONSENT AGENDA

7. CONSIDER APPROVAL OF MINUTES OF THE AUGUST 1, 15, 22, AND 29, 2017 CITY COUNCIL MEETINGS – Councilmember Stewart made a motion to approve Item 7 of the Consent Agenda. 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

INDIVIDUAL CONSIDERATION

8. CONSIDER APPOINTMENT TO MAIN STREET ADVISORY BOARD – Councilmember Perkins made a motion to appoint Lee Loveless to the Main Street Advisory Board. 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

9. CONSIDER REQUEST FROM EAST TEXAS SHRINERS FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS FOR SHRINERS HOSPITAL FOR CHILDREN AT THE DALLAS/BUFFALO INTERSECTION ON SEPTEMBER 28-30, 2018 AND OCTOBER 4-6, 2019 – Councilmember Perkins made a motion to grant the request from East Texas Shriners for a Solicitor's Permit to collect donations for Shriners Hospital for Children on September 28-30, 2018 and October 4-6, 2019. 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

10. CONSIDER APPROVAL OF ROAD CLOSURES ON OCTOBER 14, 2017 FOR CANTON MAIN STREET AUTUMN FESTIVAL - Councilmember Malouf made a motion to approve the road closures for the Autumn Festival on October 14, 2017, as presented. 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. CONSIDER AWARD OF CONTRACT FOR 2017 SEWER AND WATER IMPROVEMENTS ON GOSHEN STREET - Councilmember Moore made a motion to award the contract to Morrow Construction on the alternate bid price of \$254,342.53. Councilmember Stewart seconded.

Bids received were as follows:

	Original Bid	Alternate Bid
<i>Morrow Construction</i>	\$256,642.53	\$254,342.53
<i>4M Construction</i>	\$265,844.04	\$264,644.04
<i>JDR Contracting</i>	\$332,114.19	\$331,615.25
<i>B. Bray Construction Co.</i>	\$334,775.43	\$333,575.43
<i>Reid Construction</i>	\$374,215.00	\$351,315.00
<i>FH Management Group, Inc.</i>	\$393,470.26	\$394,775.89
<i>ANA Site Construction, LLC</i>	\$401,368.16	\$399,463.16
<i>A&M Construction & Utilities, Inc.</i>	\$404,132.18	\$401,572.18
<i>AAA Sanitation</i>	\$411,923.53	\$408,223.52
<i>Excel Trenching</i>	\$563,272.46	\$562,819.46
<i>Atkins Bros.</i>	\$730,761.06	\$730,761.06

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. DISCUSSION REGARDING SALINE CREEK PROJECT – Mr. Cluck said his meeting with the Sabine River Authority had been postponed due to the hurricane.
13. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Andy Wolfe reported September was down but overall First Monday was up about \$3,500 for the year. There were a lot of weather issues this year.
 - B. FINANCIAL REPORT – No report
 - C. CODE ENFORCEMENT MATTERS – Mr. Wolfe reported there were 107 contacts made regarding code enforcement issues. Thirty-seven of those ended with citations. They were awaiting a consensus on how to handle the Kingfish building.
 - D. MARKETING – Austin Melton reported on the 11% increase in followers on Facebook. He was waiting on Peoples to tell them how to install the weathercam. They were planning a Solar Eclipse Watch Party on April 8, 2024.
 - E. OTHER ITEMS - None
14. CONSIDER APPROVAL OF REPLAT OF LOTS 1, 2 AND 3, OF BLOCK 2 IN THE CHERRY CREEK RANCHETTES SUBDIVISION - Councilmember Stewart made a motion to approve the Cherry Creek Ranchettes Subdivision replat as presented. 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 AMENDMENT OF ORDINANCE NO. 2017-10 REGARDING SMALL WIRELESS FACILITY SITING - No motion to amend was made.
16. DISCUSS ADOPTION OF ORDINANCE NO. 2017-14 REGULATING MINIMUM EXTERIOR STANDARDS FOR ALL STRUCTURES INSIDE THE CITY LIMITS - There was a brief discussion about removing language limiting the amount of Hardi-plank to 50% of the façade. No action was taken.
17. CONSIDER ALL ASPECTS OF THE LOCATION AND BASE DESIGN FOR "THE TRADE" STATUE TO THE CITY FIRST MONDAY GROUNDS – There was a short discussion about the options presented for the base to the statue and various locations. The consensus was it should not be located so sign for Dry Creek Landing was showing behind it. There needed to be something related to First Monday for photo opportunities. The matter was postponed until next month.
18. CONSIDER CONTINUATION OF HILLCREST CEMETERY COMMITTEE – Councilmember Malouf made a motion to continue the Hillcrest Cemetery Committee. 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

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

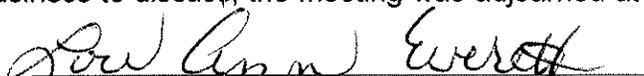
Mayor Everett called a recess at 7:13 p.m. Council convened into Executive Session at 7:18 p.m.

19. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087)
20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
 - A. C&E GROUP
 - B. GROVES PROPERTY
21. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

22. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 7:48 p.m. with no action taken.
23. ITEMS FOR FUTURE AGENDAS - None
24. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:48 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, OCTOBER 17, 2017**

Canton City Hall
201 N. Buffalo, 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, Nathan Moore, Connie Odic and Shawn Stewart.

Also present were City Manager Lonny Cluck, Assistant City Manager Andy Wolfe, City Secretary Debra Johnson, Police Chief Brad Allison, Fire Chief Bud Sanford, Finance Director Lisette Williams, Municipal Judge Lilia Durham, Public Works Director Walt Lehmann, 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 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 - None

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT - None

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE SEPTEMBER 5 AND 19, 2017 CITY COUNCIL MEETINGS
9. CONSIDER ADOPTION OF RESOLUTION NO. 2017-17 DESIGNATING THE CANTON HERALD AS THE OFFICIAL NEWSPAPER FOR THE CITY OF CANTON - Councilmember Stewart made a motion to adopt Items 8 and 9 of the Consent Agenda 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: Approve
Council Member - Nathan Moore: Approve

INDIVIDUAL CONSIDERATION

10. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2017-17 REQUEST FOR CHANGE OF ZONING FROM RURAL AGRICULTURAL (RA) TO MULTI-FAMILY (MF-1) ON THAT CERTAIN LOT, TRACT OR PARCEL(S) OF LAND LOCATED (727 AND 729) BIG ROCK STREET, CANTON, TEXAS, CURRENTLY OWNED BY CHERYL HUDSON - Mayor Everett opened a public Hearing opened at 6:10 p.m. There being no comments, the public hearing was closed at 6:11 p.m. Councilmember Stewart made a motion to deny the request for a zoning change at 727 and 729 Big Rock Street. Councilmember Perkins seconded.

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

11. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2017-16 EFFECTING ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LOCATED AT 570 W. HIGHWAY 243, IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY D.C. AND V.K. ROGERS - Mayor Everett opened a public hearing at 6:06 p.m. The public hearing was closed at 6:11 p.m. after Ms. Johnson explained the City had requested the change of zoning due to the business on the property did not match the zoning but fit the Future Land Use Plan and the surrounding area. Councilmember Malouf made a motion to approve the zoning change at 570 W. Highway 243. 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

12. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2017-15 EFFECTING ZONING CHANGE TO REPLACE THE ORDINANCE NO. 2006-05 ESTABLISHING THE PLANNED DEVELOPMENT FOR DEER MEADOW PLANNED DEVELOPMENT DISTRICT AT THAT CERTAIN 14.25 ACRE TRACT OF LAND LOCATED IN THE J. STOCKWELL SURVEY, A-760 OFF HIGHWAY 243 WEST, IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY ROCKWOOD DEVELOPMENT - Mayor Everett opened a public hearing at 6:10 p.m. There being no comments, the public hearing was closed at 6:11 p.m.

Mayor Everett reopened the public hearing at 6:14 p.m. to hearing comments from Perry Marker, the developer, about the changes he proposed in the Planned Development document. Ms. Johnson explained this was a replacement of the Planned Development document in place. Mr. Ritter said the matter had gone through the Planning & Zoning Commission who recommended approval. Ms. Johnson stated the main changes were to allow the use of hardi-plank on the exterior of the houses and the change of minimum dwelling size from 1500 to 1650 square feet. Mayor Everett closed the public hearing at 6:37 p.m. Councilmember Stewart made a motion to approve Ordinance No. 2017-15. 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

13. CONSIDER ADOPTION OF RESOLUTION NO. 2017-16 ADOPTING YEAR-END AMENDMENTS TO THE CEDC / MAIN STREET AND CVB BUDGETS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 - Councilmember Moore made a motion to adopt Resolution No. 2017-16. 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

14. CONSIDER APPROVAL OF CONTRACT WITH ROW 46 HOLDINGS FOR FIRST MONDAY BUILDING - Councilmember Malouf made a motion to approve the contract with Row 46 Holdings contingent upon working out the final paragraph with Row 46 Holdings. Councilmember Odic 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

15. CONSIDER ADOPTION OF RESOLUTION NO. 2017-18 APPROVING THE CITY OF CANTON'S 2017 TAX ROLL AS SUBMITTED BY THE VAN ZANDT COUNTY APPRAISAL DISTRICT - Councilmember Stewart made a motion to adopt Resolution No. 2017-18. 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

16. CONSIDER SIGN ON MILL CREEK WALKING TRAIL IN APPRECIATION OF FINANCIAL SUPPORT BY CLAYTON FAMILY – Mayor Everett appointed Councilmembers Stewart and Odic to recommend how to honor the Clayton Family and to bring back the recommendation to the next meeting.

17. CONSIDER ADOPTION OF RESOLUTION NO. 2017-19 AUTHORIZING MAYOR TO APPLY FOR GRANT FUNDING FROM OFFICE OF GOVERNOR'S FY 2018 DJ-EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN COORDINATION WITH EAST TEXAS COUNCIL OF GOVERNMENTS TO ENHANCE LAW ENFORCEMENT RESPONSE - Councilmember Malouf made a motion to adopt Resolution No. 2017-19. 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

18. CONSIDER ADOPTION OF ORDINANCE NO. 2017-18 SETTING 2-HOUR PARKING LIMITS ON BOTH SIDES OF BUFFALO STREET BETWEEN TERRELL AND GROVES STREETS AND ON NORTH SIDE OF TERRELL STREET BETWEEN BUFFALO AND GRAND SALINE STREETS - Councilmember Moore made a motion to adopt Ordinance No. 2017-18. 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 APPOINTMENTS TO THE BOARD OF ADJUSTMENT – Councilmember Stewart made a motion to appoint Mack Walling as alternate on the Board of Adjustment to fill the vacancy left by the resignation of Jim Hargrove. 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

20. CONSIDER CITY HIRING BAND TO PROVIDE LIVE MUSIC DURING FIRST MONDAY – Mayor Everett directed Mr. Wolfe, Ms. Boston and Austin Melton to meet with Councilmember Odic during the month to determine the location and guidelines for the live music.

21. CONSIDER ADOPTION OF ORDINANCE NO. 2017-19 REGULATING ALL ASPECTS OF FIRST MONDAY-RELATED BUSINESS INCLUDING, BUT NOT LIMITED TO, BUILDINGS, POLICIES, SOLICITATION ON THE GROUNDS AND FUTURE PLANS – Councilmember Malouf made a motion to adopt Ordinance No. 2017-19. 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

22. DISCUSSION REGARDING SALINE CREEK PROJECT – Mr. Cluck said he met with Wood County Electric, Frieze and Nichols, the Sabine River Authority and the Region D Water Board representatives about the water rights. He would get a report to Council by the next meeting.

23. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Andy Wolfe reported First Monday was the worst October in five years due to the weather. This was the first month with the television ads running in the DFW market.
 - B. CODE ENFORCEMENT MATTERS – Mr. Wolfe listed the number of violations during the month and how many citations had been issued.
 - C. MARKETING – Julie Seymore stated the Facebook followers grew 10% from last month. The website had just under 100,000 page views. There were 133,600 views on Google, 81% from Smart Phones. Ms. Seymore said there were several more months on the contract with WFAA.
 - D. OLD CITY LAKE – Mr. Wolfe reported there were issues with American lotus on the old city lake. His recommendation was add an herbicide to kill off the lotus. It would take a couple years to totally eliminate the problem. Mr. Wolfe said there also problems with hydrilla and they planned to stock the lake with grass carp to alleviate that problem.
 - E. OTHER ITEMS – Mr. Cluck said they were behind on bank reconciliations because of the change in personnel. Once the bank reconciliations were up to date, he planned to have financials back in the packets each month. Councilmember Stewart requested an updated sales tax report.
24. CONSIDER ADOPTION OF ORDINANCE NO. 2017-14 REGULATING MINIMUM EXTERIOR STANDARDS FOR ALL STRUCTURES INSIDE THE CITY LIMITS – Councilmember Stewart made a motion to adopt Ordinance No. 2017-14. 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
25. CONSIDER ALL ASPECTS OF THE LOCATION AND BASE DESIGN FOR "THE TRADE" STATUE TO THE CITY FIRST MONDAY GROUNDS – Mayor Everett suggested placing the statue in the pocket park on the square. She said she would meet with the CEDC about including the statue in their plan for the park.
26. CONSIDER ALL ASPECTS OF LOCATION AND CONTINUATION OF USE OF RECYCLING BIN CURRENTLY AT 24980 HWY 64 EAST - Mayor Everett requested Staff to make a recommendation for a new location at the next meeting.
27. DISCUSS ALTERNATIVES TO RAISING WATER TOWER LOCATED ON HIGHWAY 243 – Mayor Everett said she learned of alternatives to raising the water tower on Highway 243. Mr. Wolfe gave an explanation of the zones that would be needed. He explained this would take a lot of work to get all the information to determine what we would need to do this type of system. Mr. Cluck said he had looked at this alternative previously and the engineer had recommended raising the tower.

Mayor Everett called a brief recess at 8:05 p.m. Council convened into Executive Session at 8:15 p.m.

EXECUTIVE SESSION

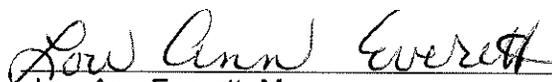
In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

28. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087)
29. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
 - A. C&E GROUP
 - B. NEW BEGINNINGS
 - C. GROVES PROPERTY
30. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

31. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into Open Session at 9:04 p.m. with no action taken.
32. FIRST READING OF RESOLUTION NO. 2017-20 REGARDING APPROVAL OF A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN MINI MELTS OF AMERICA, INC., 2B&B HOLDINGS, CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST – Mayor Everett postponed Items 32 and 33 to the next meeting upon request of CEDC.
33. SECOND READING OF RESOLUTION NO. 2017-20 AND CONSIDER APPROVAL OF RESOLUTION NO. 2017-20 APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN MINI MELTS OF AMERICA, INC., 2B&B HOLDINGS, CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST
34. ITEMS FOR FUTURE AGENDAS
35. ADJOURN - There being no more business to discuss, the meeting was adjourned at 9:04 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
 6:00 P.M, NOVEMBER 21, 2017**

Canton City Hall
 201 N. Buffalo, 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, Nathan Moore, Connie Odic and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Public Works Director Walt Lehmann, 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 Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST – Councilmember Malouf declared a conflict of interest on Item 9.
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mayor Everett announced a retirement reception for Rita Ragsdale on December 6, 2017 from 4:00 to 6:00 p.m. at City Hall.

Lawrence Greer and Benja Mize gave a short presentation about the book they wrote regarding the Hillcrest Cemetery and invited everyone to the book signing on December 10, 2017, from 2:00 p.m. to 4:00 p.m. at Mill Creek Ranch.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT – Reagan Sumner requested Council to give great thought to the ambulance service provided for the citizens of Canton when the current contract expired.

INDIVIDUAL CONSIDERATION

8. CONSIDER APPROVAL OF MINUTES OF THE OCTOBER 17, 2017 CITY COUNCIL MEETINGS – Councilmember Malouf made a motion to approve the minutes, as presented, for October 17, 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: Approve

9. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2017-17 REQUEST FOR CHANGE OF ZONING FROM RURAL AGRICULTURAL (RA) AND GENERAL BUSINESS DISTRICT (B-2) TO MULTI-FAMILY (MF-1) ON THAT CERTAIN LOT, TRACT OR PARCEL(S) OF LAND LOCATED SOUTH OF THE INTERSECTION OF HIGHWAY 243 AND BUFFALO STREET, CANTON, TEXAS, CURRENTLY OWNED BY REAGAN SUMNER AND BONNY SUMNER

Councilmember Malouf left the room at 6:16 p.m.

Mayor Everett opened a public hearing at 6:16 p.m. James Berry, the prospective purchaser of the property, said he would like to rezone to build 14 duplexes on the property. Ms. Johnson said eleven letters had been sent to neighboring property owners and two were received back, both in opposition to the change. She also said the Planning & Zoning Commission voted to recommend the change. Reagan Sumner said he and his father owned the property and had intended to do some type of multi-family units on the property. He has decided to sell the property instead of developing it himself. He asked permission for sixty days to turn the property back to what it was now if the sale did not go through. The public hearing was closed at 6:23 p.m.

Councilmember Moore made a motion to approve the rezone of the property from Rural Agricultural and General Business District to Multi-Family 1 with the understanding that the City will initiate a subsequent rezone of the property within the next 60 days if such a request was received from the current owners – Reagan Sumner and Bonny Sumner. Councilmember Perkins seconded.

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

Councilmember Malouf entered the room at 6:24 p.m.

10. CONSIDER ADOPTION OF RESOLUTION NO. 2017-23 AUTHORIZING THE CREATION OF THE PINEY WOODS 9-1-1 DISTRICT – Councilmember Stewart made a motion to postpone this matter so more information could be obtained. 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 - Nathah Moore: Approve

11. DISCUSS CHANGES TO MILL CREEK RV PARK AND COTTAGE RESORT PLANNED DEVELOPMENT DOCUMENT – Justin Beckham, Wynne & Wynne, summarized the changes from the original Planned Development documents. He said this was a luxury resort environment which also provided public accommodations for classes, weddings, etc. They also had a spa and private club. The proposed ordinance removed any limitations on the length of stay for RV's and cottages. Norm Bissonette said the people who stayed at the resort could not use that address as their permanent address. Mr. Beckham said the term for the cottage leases would not exceed five years. It would not be cost effective to stay there as a permanent residence. Councilmember Stewart said he did not want a permanent RV living arrangement. Councilmember Odic said she did not mind them staying five years because they would be spending money in our town. She said the park owners should be responsible for ensuring people on their grounds were up to code. Councilmember Moore said there needed to be a term length so they did not become permanent structures. He wanted more specific language. Councilmember Perkins said he would be willing to have them stay three to four months at a time. Mr. Ritter said the planned development concept was something different for the RV park that encompassed a transitory idea, but they are bumping that up and it is up to Planning & Zoning and Council to see if they are comfortable with the proposed changes for the planned development and for the land use. Mr. Beckham said the park planned to add an additional 83 sites for the cottages. Chief Sanford raised the question of the number of hydrants available, especially with the number of new residences proposed.

12. CONSIDER AWARD OF CONTRACT FOR GOSHEN STREET ROADWAY IMPROVEMENTS

The following bids were received:

Longview Bridge & Road, Ltd.	\$ 449,698.19
Texana Land & Asphalt	\$ 488,632.21
CDM Holdings	\$ 493,274.47
Highway 19 Construction LLC	\$ 506,022.61
FNH Construction LLC	\$ 527,800.85
B&E Construction, Inc.	\$ 549,988.80
Rayfords Truck & Tractor	\$ 562,987.08
Morrow Construction	\$ 595,140.44
Pierce R&B	\$ 710,422.21
Pavecon Public Works, LP	\$1,170,749.61

Councilmember Malouf made a motion to award the contract to Longview Bridge and Road for the amount of \$449,698.19. 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 - Nathah Moore: Approve

13. CONSIDER APPROVAL OF CONTRACT WITH ROW 46 HOLDINGS FOR FIRST MONDAY BUILDING – Councilmember Odic made a motion to approve the changes in

the contract with Row 46 Holdings for the First Monday building. 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

14. CONSIDER ADOPTION OF RESOLUTION NO. 2017-21 APPROVING SALE OF PROPERTY AT 24980 HWY 64 EAST AND AUTHORIZING MAYOR TO SIGN – Councilmember Malouf made a motion to adopt Resolution No. 2017-21 approving the sale of the property at 24980 Hwy 64 East and authorizing the Mayor sign the necessary documents. 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

15. CONSIDER ADOPTION OF RESOLUTION NO. 2017-22 ALLOCATING VOTES FOR MEMBERS ON THE VAN ZANDT COUNTY APPRAISAL DISTRICT – Councilmember Odic made a motion to assign all 113 votes for the City of Canton to Clay Nicklas. 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

16. CONSIDER ACCEPTANCE OF PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 23.98 ACRES IN THE Q.C. NUGENT SURVEY, ABST. 618, AND THE DAVID TOWNS SURVEY, ABST. 845, VAN ZANDT COUNTY, TEXAS, OWNED BY CORRY-DAVIS MARKETING, LLC – Councilmember Malouf made a motion to accept the petition for voluntary annexation and to direct staff to publish notice of the first and second public hearings for December 19, 2017, and to vote on the matter at the January 16, 2018 meeting. 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

17. DISCUSSION REGARDING SALINE CREEK PROJECT – Mr. Cluck reported Region D indicated we needed another demographic study which included First Monday and the tourism in and out of the city. There was no need to do it in this fiscal year. Councilmember Stewart suggested we get the information from our Water Department about the increased usage during First Monday. Mr. Cluck said we could get the information to Frieze & Nichols and get a recommendation from them on how to proceed.

18. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Linda Boston reported First Monday revenue was down \$4000 after the November show. November was a better show than October and the RV's hit an all-time record high.
- B. SOUTH GATE ENTRANCE (HILL) – Mr. Cluck reported the hill at the South Gate Entrance parking lot was cut down and seemed to make a difference in the visibility to the grounds. If they want to cut it down any more, it would need to be budgeted as a capital improvement project in the future.
- C. WYNNE ROAD – Mr. Cluck reported Wynne Road had been repaired in a joint venture with the County.
- D. CHERRY CREEK ROAD – Mr. Cluck said he was working out an agreement with Commissioner Melton on fixing Cherry Creek Road. There had been a delay until it was determined if there would be an election about the tax rate.
- E. AIRPORT – Walt Lehmann reported they were finished with the airport project. They had replaced the existing drain with a 30-inch concrete reinforced pipe and it was working smoothly.
- F. OLD CITY LAKE - Mr. Lehmann reported TCEQ had inspected the lake in June and written up several things which needed to be corrected. Gary Burton was working on the corrective actions. These items needed to be finished within the next three years.
- G. MARKETING – Julie Seymore reported the First Monday app was in the design process. They had put out two photo booths last month for photo ops. They advertised for the second month on WFAA. They had also hired Brittany Cobb on a six-month basis to take over the Instagram account and create a bi-weekly blog. The Facebook page now had 6,500 followers.
- H. EMS CONTRACT – Mr. Cluck said he met with representatives from Champion EMS a couple weeks ago. Arnie Spears requested to speak to Council next month regarding the contract negotiations. Chief Sanford was gathering information about other services available to us.
- I. OTHER ITEMS – Mr. Lehmann reported they were about to finish the last leg of the sewer line on Sides Circle. Once that was finished, they would do the water. They had started excavation to try to get a firm subgrade and were doing dirt tests. Mr. Cluck said the project was about six weeks behind schedule at this point due to unforeseen delays. Mr. Lehmann explained there were several water lines underground they had not known existed which slowed down the project.

19. CONSIDER APPOINTMENT OF FIRST MONDAY COMMITTEE – Councilmember Malouf made a motion to reinstate the First Monday Committee and for Lonny Cluck and Linda Boston to select members to appoint for the remainder of the year. Councilmember Odic volunteered to be the Council representative. 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

20. CONSIDER ALL ASPECTS OF THE LOCATION AND BASE DESIGN FOR "THE TRADE" STATUE FROM ITS LOCATION ON TRADE DAYS BOULEVARD – Mayor Everett suggested relocating the statue to the pocket park. She had spoken to CEDC about it and they were very interested. Ms. Seymore said she would speak with the Main Street board. Councilmember Odic said she changed her mind about moving the statue at all because of the cost and comments she has received from citizens. Mayor Everett stated she had heard comments in favor of moving the statue.
21. CONSIDER SIGN ON MILL CREEK WALKING TRAIL IN APPRECIATION OF FINANCIAL SUPPORT BY CLAYTON FAMILY - Councilmember Stewart made a motion to approve the language for the sign as presented. 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

22. CONSIDER ALL ASPECTS OF LOCATION AND CONTINUATION OF USE OF RECYCLING BIN CURRENTLY AT 24980 HWY 64 EAST – Mr. Cluck said it was Mr. Wolfe's suggestion to relocate the bin to the area outside the Cage on the First Monday grounds on Flea Market Road.

Councilmember Stewart made a motion to approve the relocation of the bin, as discussed. Councilmember Odic second.

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 recess at 8:56 p.m.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

23. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) - Council convened into Executive Session at 9:07 p.m.
24. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)
- A. C&E GROUP
- B. NEW BEGINNINGS

- C. GROVES PROPERTY
- D. FIRST MONDAY PROPERTY
- 25. EXECUTIVE SESSION FOR DELIBERATIONS/CONSULTATION WITH ATTORNEY REGARDING POTENTIAL SALE, LEASE, PURCHASE OR RECEIPT OF REAL PROPERTY (Section 551.072)

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

- 26. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:33 p.m. with no action taken.
- 27. FIRST READING OF RESOLUTION NO. 2017-20 REGARDING APPROVAL OF A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN MINI MELTS OF AMERICA, INC., 2B&B HOLDINGS, CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST – Mayor Everett postponed this matter until the next regular meeting.
- 28. SECOND READING OF RESOLUTION NO. 2017-20 AND CONSIDER APPROVAL OF RESOLUTION NO. 2017-20 APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN MINI MELTS OF AMERICA, INC., 2B&B HOLDINGS, CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST – Mayor Everett postponed this item to the next regular meeting.
- 29. ITEMS FOR FUTURE AGENDAS - None
- 30. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:34 p.m.


Lou Ann Everett, Mayor

ATTEST:


Debra Johnson, City Secretary

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, DECEMBER 19, 2017**

Canton City Hall
201 N. Buffalo, 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, Connie Odic and Shawn Stewart. Councilmember Scott Perkins 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, and 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 6:00 p.m.
2. INVOCATION was given by Reverend Adam McElroy.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Ms. Johnson announced the sign-up period for the election on May 5, 2018, would begin January 18, 2018, and packets were available for pickup starting next week.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT - None

INDIVIDUAL CONSIDERATION

8. CONSIDER APPROVAL OF MINUTES OF THE NOVEMBER 21, 2017 CITY COUNCIL MEETING – Councilmember Stewart made a motion to approve the Minutes of November 21, 2017, City Council meeting, as stated. Councilmember Moore 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: Approve

9. FIRST PUBLIC HEARING ON PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 23.98 ACRES IN THE Q.C. NUGENT SURVEY, ABST. 618, AND THE DAVID TOWNS SURVEY, ABST. 845, VAN ZANDT COUNTY, TEXAS, OWNED BY CORRY-DAVIS MARKETING, LLC - Mayor Everett opened the public hearing at 6:05 p.m. There being no comments, the public hearing was closed at 6:05 p.m.

10. SECOND PUBLIC HEARING ON PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 23.98 ACRES IN THE Q.C. NUGENT SURVEY, ABST. 618, AND THE DAVID TOWNS SURVEY, ABST. 845, VAN ZANDT COUNTY, TEXAS, OWNED BY CORRY-DAVIS MARKETING, LLC – Mayor Everett opened a second public hearing at 6:05 p.m. There being no comments, the public hearing was closed at 6:05 p.m. Ms. Johnson said the final vote on the annexation would be January 16, 2018.
11. PRESENTATION BY ARNIE SPEARS REGARDING CONTRACT WITH CHAMPION EMS - Arnie Spears, Chief Operations Officer, Stan Holden, CEO, and John Holden, Regional Manager, for Champion EMS attended the meeting. Mr. Spears said Champion EMS had been the ambulance provider for Canton since 1986. They had six ambulances, one quick response vehicle, and one helicopter staged in Van Zandt County. They handled approximately sixty ambulance calls the night of the tornadoes. Canton offered an opt-out on the membership for Champion EMS through its utility services. If you lived outside the City, there was a one-time fee of \$48 per year to be a member. Christus Health recently purchased the company. Mr. Spears felt they had a good relationship with Canton. The County already renewed its contract for five years. The City's contract expired in two years and Champion EMS wanted to start negotiations. If everything stayed the same, there would be no increase in the charge for service. Adding an additional ambulance would cause an increase in the amount charged. The City of Canton by itself did not justify two ambulances here. If a patient were not a member, the amount was billed to their insurance or Medicare. The trip also had to be medically necessary in order for the membership to apply. Mr. Spears estimated 1,000 city water users opted to have the ambulance coverage. Those who could not get service through the city utility service could pay the annual membership fee. Mr. Spears said he would contact Mr. Cluck to begin negotiations for the contract renewal.

David Ritter entered the meeting at 6:20 p.m.

12. CONSIDER ADOPTION OF ORDINANCE NO. 2017-20 AMENDING PLANNED DEVELOPMENT DOCUMENT FOR MILL CREEK RV PARK AND COTTAGE RESORT PLANNED DEVELOPMENT – This matter was postponed to give an opportunity for Owner to go back through the Planning & Zoning Commission.
13. CONSIDER APPOINTMENT TO MAIN STREET ADVISORY BOARD – Councilmember Malouf made a motion to approve the appointment of Jennifer Parker, Jennifer Corden, Jayla Bray, Brandi Weaver, David Cox and Ben Carter for the Main Street Advisory Board. 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: Approve

14. CONSIDER APPOINTMENT OF ASSOCIATE JUDGES TO MUNICIPAL COURT – Councilmember Stewart to appoint Beverly Pearson and Wade McMillan as Associate Judges to the Municipal Court. Councilmember Moore 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: Approve

15. DISCUSSION REGARDING SALINE CREEK PROJECT – Mr. Cluck said CP&Y Engineering had spoken to staff about the Saline Creek project. They would be able to use information from our previous studies and reports. Mayor Everett said other area mayors agreed our pursuit of the water rights was the right course to follow.
16. DISCUSSION REGARDING REVISION TO SIGN ORDINANCE RE POLITICAL SIGNS - Mr. Ritter advised a new Supreme Court case could pose problems with setting limitations on the length of time political signs were posted. The ordinance would be open to challenge.
17. CITY MANAGEMENT REPORTS
 - A. FIRST MONDAY – Mr. Wolfe reported the December First Monday was the best December in five years.
 - B. MARKETING – Austin Melton said Facebook followers were up to 67,089. He was updating the new EDC and Main Street websites. They had increased the WFAA spots for December and gotten extra traffic to First Monday. He was seeking a licensed contractor to install the weather cam at First Monday. He had done a video of the route for the Christmas parade.
 - C. FIRE DEPARTMENT BRUSH TRUCK – Chief Sanford expressed his gratitude to Council for purchasing the new brush truck. It would alleviate the workload on the main engine and increase its longevity.
 - D. LICENSE PLATE MONITORS
 - E. OTHER ITEMS – Mr. Cluck said he received a request from the CISD superintendent, Jay Tullos, to sign a letter to TxDOT for a stop light at the high school in light of the accident yesterday. Mr. Cluck also said Scott Hyde had contacted him about helping the Van Zandt County Appraisal District if they needed help after a natural disaster as far as office space, etc. He told them the City would try to work with them on anything that might occur. Mr. Cluck said he was looking into whether or not there was money left over from other projects to work on Cherry Creek. He would speak with the County Commissioner after the first of the year about cost sharing on the project.

EXECUTIVE SESSION

In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.

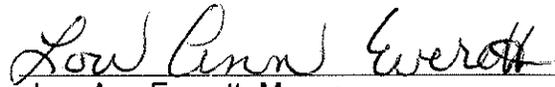
18. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) – Mayor Everett called a short recess at 7:06 p.m. Council convened into Executive Session at 7:13 p.m.
19. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071)

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

The City reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this Agenda, pursuant to Tex. Gov't. Code §551.071.

RETURN TO OPEN SESSION

21. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 7:31 p.m.
22. FIRST READING OF RESOLUTION NO. 2017-20 AUTHORIZING THE EXECUTION OF A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN SPLASH KINGDOM, INC.; BLACK & WHITE CONSULTING, LLC; 2B&B LLC AND MINI MELTS OF AMERICA, INC. AND THE CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST – Mayor Everett postponed this item.
23. SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2017-20 AUTHORIZING THE EXECUTION OF A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN SPLASH KINGDOM, INC.; BLACK & WHITE CONSULTING, LLC; 2B&B LLC AND MINI MELTS OF AMERICA, INC. AND THE CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR INCENTIVES AT 24980 HWY 64 EAST – Mayor Everett postponed this item.
24. CONSIDER ADOPTION OF RESOLUTION NO. 2017-24 APPROVING A LOAN AGREEMENT BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND BUFFALO STREET BARBER SHOP, LLC FOR BUILDING RENOVATIONS – Councilmember Malouf made a motion to adopt Resolution No. 2017-24. 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: Approve
25. CONSIDER POLICY REGARDING CONTACT BY THOSE ENGAGED IN LEGAL PROCEEDINGS WITH THE CITY – Councilmember Stewart was concerned about staff having contact with individuals who might be involved in litigation with the City. There needed to be more awareness about such contact in the future. Mr. Ritter said he would see if other cities had written policies regarding same.
26. ITEMS FOR FUTURE AGENDAS – Ms. Johnson said Council would call the May 5, 2018, election at the next meeting.
27. ADJOURN - There being no further business to be discussed, the meeting was adjourned at 7:41 p.m.


 Lou Ann Everett, Mayor

ATTEST:


 Debra Johnson, City Secretary

SPECIAL MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., JANUARY 22, 2018
 Canton City Hall
 201 N. Buffalo, 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, Nathan Moore, Connie Odic and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Public Works Director Walt Lehmann, 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 6:04 p.m.
2. INVOCATION – The invocation was led by Mayor Everett.
3. PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Debra Johnson announced this was the period to file for City Council. The last day for applications would be February 16 at 5:00 p.m. She also said the Kids Trout Fishing Day was scheduled for February 10, 2018, from 1:00 p.m. to 4:00 p.m.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE MINUTES ON MATTERS RELATING TO CITY GOVERNMENT - Reagan Sumner, Sumner One Properties, asked Council to remember all the First Monday properties zoned First Monday Business were not joined together. He reminded them if they decided to allow alcohol sales on the grounds, it could never be reversed. He asked them to do what was best for First Monday when making their decision.

INDIVIDUAL CONSIDERATION

8. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING - Councilmember Stewart made a motion to approve the minutes of the December 19, 2017, City Council meeting. 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

9. CONSIDER ISSUANCE OF LETTER OF SUPPORT FOR TRAFFIC SIGNAL IN FRONT OF WALMART ON HIGHWAY 243 - Councilmember Stewart made a motion to submit a letter to TxDOT on behalf of Council requesting a signal light on Highway 243 in front of Walmart. 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

10. CONSIDER WHETHER OR NOT TO ALLOW THE SALE OF BEER / WINE ON THE FIRST MONDAY GROUNDS – Councilmember Odic made a motion for the sale of beer and wine on the First Monday grounds. Councilmember Moore seconded. Councilmember Odic made an amended motion to initiate the change in zoning to all First Monday to explore the sale of beer and wine during the First Monday show and all special events on the First Monday grounds. Councilmember Moore seconded the amendment.

After some discussion, Councilmember Malouf made a motion to postpone this matter until the next regular Council meeting. Councilmember Moore seconded the secondary motion.

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

11. CONSIDER ADOPTION OF ORDINANCE NO. 2018-01 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 5, 2018, 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 Malouf made a motion to adopt Ordinance No. 2018-01. Councilmember Odic seconded.

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