

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M, FEBRUARY 18, 2020**

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 Daniel Deibert, Cindy Malouf, and Randon Sumner. Councilmembers Nathan Moore and Andrew Vaughn were absent.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Teri Pruitt, CEDC Director Julie Seymore, Fire Chief Bud Sanford, Municipal Judge Lilia Durham and Assistant City Attorney David Ritter.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:02 p.m.
2. INVOCATION was led by Remington Zenski.
3. PLEDGE OF ALLEGIANCE was led by Webelo Troop 378.
4. MAYOR’S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. CITY-WIDE CLEANUP – MARCH 23-26, 2020

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK ON MATTERS RELATING TO A CITY GOVERNMENT. SPEAKERS MUST FILL OUT A CARD AND PRESENT IT TO THE CITY SECRETARY PRIOR TO THE START OF THE MEETING AND IDENTIFY WHICH ITEM(S) THEY WISH TO SPEAK ABOUT. SPEAKING TIME WILL BE LIMITED TO NO MORE THAN THREE (3) MINUTES PER SPEAKER.

CONSENT AGENDA

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR AUGUST AND SEPTEMBER, 2019
9. CONSIDER APPROVAL OF MINUTES FOR JANUARY 10 AND 21, 2020 COUNCIL MEETING
10. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT WITH CANTON INDEPENDENT SCHOOL DISTRICT FOR MAY 2, 2020, GENERAL ELECTION

11. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR MAY 2, 2020, GENERAL ELECTION
12. CONSIDER ADOPTION OF RESOLUTION NO. 2020-4 APPOINTING ELECTION JUDGE, ALTERNATE ELECTION JUDGE, AND EARLY VOTING BALLOT BOARD JUDGE FOR MAY 2, 2020, GENERAL ELECTION
13. CONSIDER ADOPTION OF RESOLUTION NO. 2020-5 APPOINTING DEPUTY CITY SECRETARIES - Councilmember Malouf made a motion to approve Items 8-13 of the Consent Agenda. Councilmember Sumner seconded.

Council Member - Cindy Malouf: Approve
 Mayor Pro Tem - Nathan Moore: Absent
 Council Member - Andrew Vaughn: Absent
 Council Member - Daniel Deibert: Approve
 Council Member - Randon Sumner: Approve

INDIVIDUAL CONSIDERATION

14. PUBLIC HEARING ON VOLUNTARY ANNEXATION OF APPROXIMATELY 1.75 ACRES OF LAND IN THE Q.C. NUGENT SURVEY, A-618, VAN ZANDT COUNTY, TEXAS, OWNED BY THE ESTATE OF BRENDA GRIFFIN WASHINGTON

Mayor Everett opened a public hearing at 6:10 p.m. There being no comments, the public meeting was closed at 6:10 p.m. Mayor Everett announced the final vote would be on March 17, 2020.

15. CONSIDER APPROVAL OF CONTRACT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR COST-SHARING FOR WATER LINE EXTENSION TO PROPERTY ON FM 1255 – This item was postponed until March 17, 2020, to allow for the contract to be finalized.
16. DISCUSSION REGARDING PROCESS USED BY CITY FOR ZONING CHANGES - Debra Johnson reviewed the process for a zoning change pursuant to the Zoning Ordinance.
17. 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 25, 2020, AND OCTOBER 17, 2020, FOR THE VETERANS MEMORIAL - Councilmember Sumner made a motion to approve the request from Van Zandt Veterans Memorial Group to collect donations at the intersection of Buffalo and Dallas Streets on April 25, 2020, and October 17, 2020. Councilmember Deibert seconded.

Council Member - Cindy Malouf: Approve
 Mayor Pro Tem - Nathan Moore: Absent
 Council Member - Andrew Vaughn: Absent
 Council Member - Daniel Deibert: Approve
 Council Member - Randon Sumner: Approve

18. CONSIDER APPROVAL OF CONTRACT FOR 2020 WASTEWATER PLANT SLUDGE WASTING IMPROVEMENTS – This matter was postponed to the next regular meeting.

19. CONSIDER APPROVAL OF CONTRACT WITH PYRO SHOWS OF TEXAS, INC. FOR JULY 4, 2020 FIREWORKS DISPLAY - Councilmember Deibert made a motion to approve the proposed contract with Pyro Shows of Texas, Inc. Councilmember Sumner seconded.

Council Member - Cindy Malouf: Approve
Mayor Pro Tem - Nathan Moore: Absent
Council Member - Andrew Vaughn: Absent
Council Member - Daniel Deibert: Approve
Council Member - Randon Sumner: Approve

20. CONSIDER ADOPTION OF RESOLUTION NO. 2020-6 APPROVING AND AUTHORIZING A CHAPTER 381 ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BETWEEN VAN ZANDT COUNTY, CANTON ECONOMIC DEVELOPMENT CORPORATION AND VZCM, INC. – Councilmember Malouf made a motion to adopt Resolution No. 2020-6. Councilmember Sumner seconded.

Council Member - Cindy Malouf: Approve
Mayor Pro Tem - Nathan Moore: Absent
Council Member - Andrew Vaughn: Absent
Council Member - Daniel Deibert: Approve
Council Member - Randon Sumner: Approve

21. CONSIDER ADOPTION OF RESOLUTION NO. 2020-7 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT BETWEEN THE CITY OF CANTON AND CANTON ECONOMIC DEVELOPMENT CORPORATION FOR FINANCIAL ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$250,000 FOR THE EXTENSION OF A WATER LINE ALONG I-20 WITHIN THE CITY OF CANTON, TEXAS - Councilmember Sumner made a motion to adopt Resolution No. 2020-7. Councilmember Malouf seconded.

Council Member - Cindy Malouf: Approve
Mayor Pro Tem - Nathan Moore: Absent
Council Member - Andrew Vaughn: Absent
Council Member - Daniel Deibert: Approve
Council Member - Randon Sumner: Approve

22. CONSIDER APPROVAL OF ORDINANCE NO. 2020-3 UPDATING THE CITY OF CANTON COMPREHENSIVE PLAN – This matter was passed until the next regular meeting.

23. CONSIDER OPTIONS FOR WIFI COVERAGE ON FIRST MONDAY GROUNDS – This item was passed until the next regular meeting.

24. CITY MANAGEMENT REPORTS

A. FIRST MONDAY – Mr. Cluck reported revenues for First Monday were down a little from last year at this time. Friday was a good day and Saturday was excellent. He said it was one of the best February First Mondays in a long time.

- B. **MARKETING** - Austin Melton reported increases in the Instagram and Facebook followers. First Slide Company had done broadcasts which had engaged over 2,000 people. A "Guide to First Monday" had been posted on the website. Mr. Melton reported the Valentine's Dance was one of the biggest ever.
- C. **UPDATE ON REUSE PERMIT** – Mr. Cluck reported on his visit with TCEQ regarding the reuse permit.
- D. **OTHER ITEMS** – Ms. Johnson reminded everyone about nominations for Citizen of the Year.

Council convened into Executive Session at 6:50 p.m.

EXECUTIVE SESSION

- 25. **EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) REGARDING THE FOLLOWING:**
 - A. Ongoing litigation involving the real property located at 673 W. College (a/k/a 901 W. College), including Cause Nos. 6-19-CV-00365-JDK, and 6:19-CV-00177-JDK, pending in the United States District Court for the Eastern District of Texas, and Cause No. 19-00219, pending in the 294th District Court of Van Zandt County
 - B. Executive Session for Consultation with Attorney regarding existing or potential litigation (Section 551.071)
- 26. **EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) REGARDING THE FOLLOWING:**
 - A. To deliberate commercial or financial information the CEDC has received from a business prospect, and to deliberate the offer of a financial or other incentive to business prospects, including but not limited to, "NEC Project" – a mixed-used development project, a local business capital investment project, and recruitment of new commercial, industrial, retail, restaurant, hospitality, and family entertainment prospects

RETURN TO OPEN SESSION

- 27. **RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION** – Council reconvened into Open Session at 7:46 p.m. with no action taken.
- 28. **ITEMS FOR FUTURE AGENDAS**
- 29. **ADJOURN** - There being no further business to discuss, the meeting was adjourned at 7:50 p.m.