

**REGULAR MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M, JUNE 15, 2021**

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 Blake Fowler, Jim Fuller, Chase Melton, and Nathan Moore. Councilmember Randon Sumner was absent.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Teri Pruitt, Fire Chief Bud Sanford, Municipal Court Judge Lilia Durham, City Attorney David Ritter, Director of Operations Peter Lamont, CEDC Director Julie Seymore, Parks Director Brent Stewart.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett opened the meeting at 6:00 p.m. and declared a quorum present.
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 the upcoming Fourth of July celebration.

**CITIZENS FORUM**

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

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR APRIL 2021
9. CONSIDER APPROVAL OF MINUTES FOR MAY 18 AND MAY 26 , 2021, CITY COUNCIL MEETINGS AND MAY 26 COUNCIL WORKSESSION
10. CONSIDER APPROVAL OF ORDINANCE NO. 2021-10 APPROVING YEAR-END BUDGET AMENDMENTS FOR FISCAL YEAR 2020-2021
11. CONSIDER APPOINTMENT OF JENNIFER CLAYTON AND AMY GEORGE TO MAIN STREET ADVISORY BOARD

Councilmember Moore made a motion to approve Items 8 through 11 of the Consent Agenda (with the change on Item 10 from Year-End to Mid-Year Budget Adjustment). Councilmember Fowler seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Absent  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

### **INDIVIDUAL CONSIDERATION**

12. CONSIDER GRANTING SOLICITOR PERMIT APPLICATION FROM A.J. LAWN & TREE FOR SIX-MONTH DOOR-TO-DOOR SOLICITATION PERMIT WITHIN THE CITY OF CANTON – Councilmember Moore made a motion to grant the solicitation permit for A.J. Lawn & Tree for a six-month period. Councilmember Fuller seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Absent  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

13. CONSIDER APPROVAL FOR AWARD OF CONTRACT FOR EXPENDITURE BY CANTON ECONOMIC DEVELOPMENT CORPORATION FOR DOWNTOWN WAYFINDING PROGRAM DESIGN – Councilmember Moore made a motion to award contract to FD2S for the amount bid. Councilmember Melton seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Absent  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

14. DISCUSS AND CONSIDER PRICING CHANGES TO FIRST MONDAY OUTDOOR LOT RENTAL FEES FOR CITY-OWNED LOTS – Councilmember Fowler made a motion to increase the price of outdoor lot rentals from \$50 per lot to \$60 per lot effective September 15, 2021. Councilmember Melton seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Absent  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

15. DISCUSS AND CONSIDER PRICING CHANGES FOR FIRST MONDAY PARKING FEES ON CITY-OWNED PARKING LOTS – Councilmember Moore made a motion to increase the pricing effective September 15, 2021, for First Monday parking on City-owned parking lots as follows:

- South Gate/Charity Parking/West side of grounds – from \$5 per car to \$10 per car (per day)

- VIP Parking at Main Gate – from \$10 per car to \$20 per car (per day)
- On Grounds (OP) Parking – from \$15 to \$25 per day (per First Monday show)
- Hilltop Parking – from \$15 to \$25 (regular spot) AND from \$30 to \$40 (larger spots) per car (for First Monday show)

Councilmember Fowler seconded.

Council Member - Nathan Moore: Approve  
 Mayor Pro Tem - Randon Sumner: Absent  
 Council Member - Chase Melton: Approve  
 Council Member - Blake Fowler: Approve  
 Council Member - Jim Fuller: Approve

16. DISCUSS AND CONSIDER PRICING CHANGES FOR RENTAL FEES CHARGED FOR FIRST MONDAY TABLE/TENT VENDORS ON CITY-OWNED LOTS – Councilmember Fowler made a motion to change rental price from \$50 to \$150 for the first lot and \$60 per additional lots rented to Table/Tent Vendors on City-owned lots effective September 15, 2021. Councilmember Moore seconded.

Council Member - Nathan Moore: Approve  
 Mayor Pro Tem - Randon Sumner: Absent  
 Council Member - Chase Melton: Approve  
 Council Member - Blake Fowler: Approve  
 Council Member - Jim Fuller: Approve

17. DISCUSS AND CONSIDER PRICING CHANGES TO LOT RENTAL CHARGED FOR FIRST MONDAY SCOOTER VENDORS ON CITY-OWNED LOTS – Councilmember Moore made a motion to postpone Item 17 to the next regular Council meeting. Councilmember Melton seconded.

Council Member - Nathan Moore: Approve  
 Mayor Pro Tem - Randon Sumner: Absent  
 Council Member - Chase Melton: Approve  
 Council Member - Blake Fowler: Approve  
 Council Member - Jim Fuller: Approve

18. DISCUSS AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-9 REGARDING POLICIES AND PROCEDURES FOR FIRST MONDAY GROUNDS - Councilmember Melton made a motion to adopt Ordinance No. 2021-9 with changes made pursuant to the above changes to First Monday rental prices. Councilmember Fowler seconded.

Council Member - Nathan Moore: Approve  
 Mayor Pro Tem - Randon Sumner: Absent  
 Council Member - Chase Melton: Approve  
 Council Member - Blake Fowler: Approve  
 Council Member - Jim Fuller: Approve

19. DISCUSSION AND REVIEW OF MUNICIPAL CODE ENFORCEMENT PROCESS – Captain Rob Hutson described the City’s process for investing and enforcing the city ordinances through municipal code enforcement.

20. DISCUSS AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-11 ADOPTING A NEW COMPREHENSIVE SUBDIVISION ORDINANCE FOR THE CITY OF CANTON – Mr. Ritter said the City’s subdivision ordinance would be updated and brought to Council at the next meeting.
21. DISCUSS AMENDMENT TO THE EXISTING MOBILE FOOD TRUCK ORDINANCE - Mr. Ritter explained the State said it would not issue licenses for mobile food trucks if the City was going to issue a permit also. They said they did not have jurisdiction in those cases. It was necessary to review the ordinance in place and present it to Council with the proposed changes.
22. CITY MANAGEMENT REPORTS
  - A. FIRST MONDAY – BRENT STEWART SAID JUNE REVENUE WAS THE HIGHEST IN FIVE-YEARS.
  - B. MARKETING - AUSTIN MELTON REPORTED THE FIRST MONDAY FACEBOOK PAGE HAD REACHED 1.17 MILLION PEOPLE. INSTAGRAM HAD OVER 26,000 FOLLOWERS.
  - C. CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) – MR. CLUCK EXPLAINED SAID THE CITY HAD THE CCN EXPANDED TO INCLUDE AREAS THE CITY WAS ALREADY SERVICING. THEY WOULD NOW HAVE TO GET APPROVAL BEFORE FROM THE PUBLIC UTILITIES COMMISSION TO PROVIDING WATER TO AREAS NOT INCLUDED IN OUR CCN.
  - D. TXDOT WATER LINE – MR. CLUCK REPORTED THE WATER LINE WAS COMPLETE TO THE TXDOT FACILITY. THEY STILL HAD SOME MINOR ISSUES BECAUSE THEY COULD CONNECT TO THE NEW LINE.
  - E. OTHER ITEMS – MR. CLUCK REPORTED THERE WERE TWO PARTS TO THE REUSE PERMIT. THE CITY HAD TO IMPROVE THE WASTEWATER PLANT PRIOR TO FIRST AND THEN WE HAD TO OBTAIN A BETTER WATER SOURCE. HE HOPED TO HAVE THE REUSE PERMIT BEFORE THE END OF THIS YEAR.

Council convened into Executive Session at 7:13 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) REGARDING THE FOLLOWING:

Section 551.087 – 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 for Project Bluegreen Development, and other business prospects, including but not limited to, a mixed-use development project, a local business retention and expansion project, a local capital investment project, a downtown retail rent subsidy prospect, and recruitment of new commercial, industrial, retail, restaurant, hospitality, and family entertainment prospects.

24. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) (ONGOING LITIGATION INVOLVING CITY OF CANTON VS. JERRY L. HARRELL, CAUSE NO. 20-00121, PENDING IN THE 294<sup>TH</sup> JUDICIAL DISTRICT COURT OF VAN ZANDT COUNTY; AND DUSTIN REYNOLDS VS. MICHAEL KING ET AL, CAUSE NO. 4:20-CV-691, IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS)
25. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY (Section 551.071)
26. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

#### **RETURN TO OPEN SESSION**

Council reconvened into Open Session at 7:55 p.m. with no action taken.

27. ITEMS FOR FUTURE AGENDAS
28. ADJOURN - There being no further business to discuss, the meeting was adjourned at 7:55 p.m.