PLANNING AND ZONING COMMITTEE
Tuesday, January 15, 1991
1:00 p.m.

The Planning and Zoning Committee met at Canton City Hall with Chairman Orvil Denny presiding. Members present were Anita Wilson, Johnny Higginbotham and John Crow. Bill Loven was absent.

Following a brief review of Mrs. Ellis Clark's request to change zoning on 1.42 acres off Highway 243 from Agriculture to Residential 1, John Crow motioned to recommend such a change to the Canton City Council pending annexation. Anita Wilson seconded the motion and all were in favor.

There being no further items for consideration, the meeting adjourned.

PLANNING AND ZONING COMMITTEE
Monday, May 20, 1991
1:00 p.m.

The Planning and Zoning Committee met in the Canton City Council Chambers at 1:00 p.m. on Monday, May 20, 1991. Chairman Orvil Denny presided and those present were Anita Wilson, John Crow, and Bill Loven. Johnny Higginbotham as absent.

Chairman Denny called the meeting to order and the Committee discussion a request from Mr. Lettrial Heddins to change the zoning on two (2) acres of his property on Highway 64 and Old Kaufman Road from Residential to Business 1.

Mr. Heddins explained that the Postal Service is interested in contracting the two acres out for the construction of a new post office which the Postal Service would in turn lease from the owner. The two acres are located across the east end of Mr. Heddins property with approximately 200 ft. frontage on Highway 64 and 200 ft. frontage on Old Kaufman Road.

John Crow motioned to recommend that the two acres across the east end of Mr. Heddins property be re-zoned from Residential to Business 1. Bill Loven seconded the motion and all were in favor.

The recommendation will be brought before the Canton City Council during their May 21, 1991 Regular Meeting.

There being no further items for consideration, Chairman Denny adjourned the meeting.

PLANNING AND ZONING COMMITTEE
Thursday, November 7, 1991
1:00 p.m.

The Planning and Zoning Committee met for a Called Meeting in Canton City Hall. Members present were Chairman Orvil Denny, Bill Loven, Anita Wilson, and John Crow. Johnny Higginbotham was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Denny

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM COMET PRINTING (MR. McCREARY), 920 S. HIGHWAY 19, FROM RESIDENTIAL TO BUSINESS 1 - Mr. McCreary was present to discuss his request with the Committee. He submitted a proposal as to the type of structure he would like to build sometime in the next three to four years for the expansion of his business, Comet Printing. City Manager Johnny Mallory explained that although Mr. McCreary is conducting business at this location, he is doing so under the Non-Conforming Use clause of the Zoning Ordinance and no expansion or additional construction can be permitted while the property is zoned residential.

   The Committee discussed a previous request in this area which was denied due to a recommendation from the East Texas Council of Governments encouraging them to avoid "spot zoning".

   Bill Loven motioned to table this request until further review could be conducted. Anita Wilson seconded and all were in favor. Mr. McCreary was asked to obtain additional information and contact the City Secretary for the scheduling of another meeting.

3. ADJOURN - There being no further items for discussion, the meeting adjourned.

PLANNING AND ZONING COMMITTEE
Thursday, January 9, 1992
1:00 p.m.

The Planning and Zoning Committee met at the above named date and time in City Hall. Members present were Bill Loven, John Crow, Anita Wilson, and Orvil Denny. Johnny Higginbotham was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Orvil Denny

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM GILMER COIL, 202 E. GOSHEN STREET, FROM RESIDENTIAL TO BUSINESS 1 - The Committee reviewed a request from Mr. Coil to re-zone his property at 202 E. Goshen from Residential to Business 1. Mr. Coil is trying to sell the property, however, the prospective buyer, Mr. Nolen Black, wishes to operate a business at said location. The property has been classified as Non-Conforming Use and has not been vacant of a business for a period of one year.

   Several property owners from this area were present and spoke to the Committee opposing the zoning change. They expressed concerns with parking and the different types of businesses which would be allowed to operate at 202 E. Goshen should the zoning be changed. None of the property owners present seemed opposed to Mr. Black's business, however, they were concerned with the next business should Mr. Black sell the property. Sixteen property owners were notified by mail of the request. Of those responding by mail, two were in favor and eight were opposed. Petitions against the zoning change were also presented to the Committee.

   As the property has not been vacant of a business for a period of one year, Mr. Coil also has the option of requesting a continuance of the Non-Conforming Use from the Board of Adjustment. This would allow the property owners to voice their opinion each and every time the type of business changed at said location.

   Bill Loven made a motion to postpone any action at this time and allow Mr. Coil the opportunity to pursue other options. John Crow seconded and all were in favor.

3. ADJOURN - The property owners were informed they would again be contacted should Mr. Coil request a continuance from the Board of Adjustment. There being no further business, the meeting adjourned.

PLANNING AND ZONING COMMITTEE
Tuesday, March 24, 1992
1:00 p.m.

The Planning and Zoning Committee met for a called meeting at the above named date and time in Canton City Hall. Chairman Orvil Denny presided and members present were Anita Wilson and Johnny Higginbotham. Those absent were John Crow and Bill Loven.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Orvil Denny

2. CONSIDER REQUEST RECEIVED FROM MR. FRANK DUMAS TO CHANGE THE ZONING FROM RESIDENTIAL 1 TO RESIDENTIAL 2 ON HIS LOT LOCATED ON THE CORNER OF COLLEGE AND BIG ROCK STREETS - Mr. Frank Dumas was present to discuss his request with the Committee. Although the original application requested a change to Residential 2, the actual zoning request was intended to be Multiple Family Residential (MF-1). Mr. Dumas plans to construct a duplex on said lot should the zoning be changed. Discussion was held pertaining to the property set-backs and parking conditions. Mr. Dumas presented a plat showing his proposed structure which included an additional driveway for the occupant's vehicles to back out prior to exiting on College. All set-backs were within the zoning requirements. Questions from the audience, Ms. Riney and Ms. Graham, were answered to the residents satisfaction.

   Although seventeen (17) property owners were contacted, only two (2) sent a written reply, which were both opposed. Ms. Graham, being one of the opposed parties, reversed her opposition during the meeting.

   Following further discussion, Johnny Higginbotham made a motion that the Planning & Zoning Committee's recommendation to the Canton City Council be in favor of changing the zoning on said property from Residential 1 to Multiple Family Residential (MF-1). Anita Wilson seconded the motion and all were in favor.

   Said recommendation will be considered by the Canton City Council during their next regularly scheduled Council Meeting.

3. ADJOURN - There being no further business, Chairman Denny adjourned the meeting.

PLANNING AND ZONING COMMITTEE
Monday, October 12, 1992
1:00 p.m.

The Planning and Zoning Committee met at the above named date and time in Canton City Hall. Members present were Chairman Orvil Denny, Phillip Matthews, and Bill Loven. Those absent were Anita Wilson and Johnny Higginbotham.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Denny

2. CONSIDER REQUEST RECEIVED FROM L.W. McCREARY, RAYMOND KENNEDY, AND WILLIAM ADAMSKI FOR A ZONING CHANGE FROM RESIDENTIAL 1 TO BUSINESS 1 ON PROPERTY LOCATED ON S. HIGHWAY 19 - Van Zandt County Chief Appraiser Ron Groom was present to answer questions from the Committee. Mr. Groom informed those present that property is evaluated and taxed at what is considered it's highest and best use, not necessarily by business or residential zoning. Should residential property be re-zoned to business, the present use would be considered it's highest and best use until which time it is sold and operated as a business.

   The Committee reviewed the request from Mr. McCreary dba Comet Printing, Raymond Kennedy and William Adamski. The properties in question are located on South Highway 19 between Elm and Foster Streets. Eighteen (18) property owners were notified and responses received were as follows:

   Six (6) Opposed totaling 2.07 acres
   Five (5) in Favor totaling 4.77 acres

   The Committee also discussed possible requests in the future for zoning changes along Highway 19 and the allowable business operations in Business 1 and Business 2.

   Bill Loven made a motion to recommend to the Canton City Council that the request be granted for a zoning change to Business 1 (B1). Motion to include a standing recommendation to the Council that any request for a zoning change to Business 1 (B1) on properties abutting Highway 19 between Highway 64 and Elm Street be granted.

   Mr. Loven's motion would not eliminate the requirement to contact all property owners within 200 feet of the requested change, however, the request would be directed immediately to the Council upon the Committee's standing recommendation.

   Phillip Matthews seconded the motion and all were in favor.

   Said recommendation will be presented to the Canton City Council during the regular meeting October 20, 1992.

3. ADJOURN - There being no further items for discussion, Chairman Denny made a motion to adjourn. Bill Loven seconded and all were in favor. Meeting adjourned.

PLANNING AND ZONING COMMITTEE
Monday, March 1, 1993
1:00 p.m.

The Planning and Zoning Committee met at the above named date and time in the Canton City Hall Council Chambers. Members present were Bill Loven, Anita Wilson, Johnny Higginbotham, and Phillip Matthews. Chairman Orvil Denny was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Bill Loven called the meeting to order following the committee's request of him to serve as chairman during Chairman Denny's absence.

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM MR. DAVID METZGER, E. TYLER STREET, FROM AGRICULTURAL TO FIRST MONDAY BUSINESS 2 - City Manager Johnny Mallory reviewed Mr. Metzger's request with the committee. Mr. Mallory informed all present that the property is presently zoned agricultural and could not be zoned anything but agricultural or First Monday Business due to the flood plain. The present zoning allows the keeping of animals/livestock on the property, however, not the selling or trading of animals/livestock. It is presently used for the selling and/or trading of animals/livestock under the non-conforming use clause which basically grandfathered certain uses when the zoning ordinance was adopted. Mr. David Metzger requested the committee to recommend the zoning change to coincide with the use of the property over the past 12 years.

   All property owners within 200 feet of the requested change were notified, a total of eleven (11). Six (6) responses were received, four (4) with a total of 3.03 acres were opposed and two (2) with a total of 10.60 acres were in favor. Mrs. Rubye Cox and Mrs. Faulette Hilliard Jackson were present and spoke strongly against the zoning change. Mr. Tim McLemee, a prospective buyer of the property, addressed all present and reviewed his plans for the property. Mr. McLemee explained his desire to clean up the property and stated that the area closest to Live Oak Street would be used solely for parking. He also expressed his desire to work closely with the City in order to comply with all restrictions and ordinances.

   The Planning & Zoning Committee desired two (2) weeks to further review and consider this request. A Called Meeting was scheduled for Monday, March 15, 1993, at 1:00 p.m. in City Hall. Bill Loven informed Mr. Metzger and Mr. McLemee that the committee's recommendation to the City Council would not be considered until the Regular City Council Meeting on Tuesday, March 16, 1993.

3. ADJOURN - There being no further items for discussion, the meeting adjourned.

PLANNING AND ZONING COMMITTEE
Monday, March 15, 1993
1:00 p.m.

The Planning and Zoning Committee met at the above named date and time in the Canton City Hall Council Chambers. Members present were Bill Loven, Anita Wilson, and Phillip Matthews. Chairman Orvil Denny and Johnny Higginbotham were absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Bill Loven called the meeting to order.

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM MR. DAVID METZGER, E. TYLER STREET, FROM AGRICULTURAL TO FIRST MONDAY BUSINESS 2 - City Manager Johnny Mallory again reviewed Mr. David Metzger's request with the Committee. Responses, to date, from the property owners within 200 feet, are two (2) in favor with a total of 10.60 acres and five (5) opposed with a total of 13.74 acres. Several property owners opposed to the change were present and voiced their opposition. Mr. Tim McLemee, prospective buyer of the property, again reviewed his plans of improvement to the property should the zoning be changed.

   Following further discussion, Phillip Matthews made a motion that the committee's recommendation to the City Council be to deny the requested zoning change. Anita Wilson seconded and all were in favor. The recommendation will be placed before the Canton City Council during the March 16, 1993 Regular Meeting.

3. ADJOURN - There being no further items for consideration, the meeting adjourned.

PLANNING AND ZONING COMMITTEE
Thursday, May 20, 1993
1:00 p.m.

The Planning and Zoning Committee met at the above named date and time in the Canton City Hall Council Chambers. Chairman Orvil Denny presided and members present were Bill Loven, Phillip Matthews and Johnny Higginbotham. Anita Wilson was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER -Chairman Denny

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM MR. LETTRIAL HEDDIN FROM RESIDENTIAL 1 TO BUSINESS 2 ON 2 ACRES LOCATED ON W. HIGHWAY 64 - City Manager Johnny Mallory informed the Committee of the above stated request being for the possible sale of the property to Shaw Concrete Company. Notices were sent to fourteen (14) property owners and the office had received only three (3) responses, two (2) against and one (1) in favor.

   Ms. Betty Hadley and Mr. Barrentine addressed the Committee, voicing their opposition to the request. They expressed their concerns of the type of business being unsightly, noisy, and causing sand and dirt to continually blow on adjoining property structures.

   Mr. Shaw informed the Committee that he would keep the property as attractive as possible, planning to use the frontage for display of concrete yard products.

   The Committee asked if Business 2 would be the proper district for this type of business or if it would come under Industrial. Johnny Mallory informed the Committee of Mr. Shaw's business being borderline however, a zoning to Industrial would definitely open up a variety of operations should the property ever be re-sold.

   Mrs. Shaw informed the Committee that she did not want to create problems and would rather remain in her present location as she felt there would be constant problems should the zoning change take place and her business relocate.

   Chairman Denny called for a vote on the matter. Chairman Denny and Phillip Matthews voted against the zoning change. Bill Loven and Johnny Higginbotham abstained. Said results to be taken before the City Council should the property owner wish to proceed with the request.

   Mr. Lettrial Heddin withdrew said request.

3. ADJOURN - There being no further items for discussion, the meeting adjourned.

PLANNING & ZONING COMMITTEE
Thursday, January 6, 1994
1:00 p.m.

The Canton Planning and Zoning Committee met at the above named date and time in the Canton City Hall Council Chambers. Chairman Orvil Denny presided and members present were Anita Wilson and Phillip Matthews. Those absent were Johnny Higginbotham and Mike Trice.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Denny

2. DISCUSS AND CONSIDER A ZONING CHANGE REQUEST RECEIVED FROM MR. & MRS. JAMES HILLIARD, FROM RESIDENTIAL (R1) TO BUSINESS (B1) AT 611 S. HIGHWAY 19 - City Manager Johnny Mallory informed the Committee that fifteen (15) property owners within 200 feet of the property at 611 S. Highway 19 were notified of the request. Only three (3) responses were received which were all in favor. Mr. Hilliard was present and informed the Committee he would like to change the property from rental to an antique shop and the neighbors he had spoken with were also in favor.

   The Committee opted to discuss the next item and take action on all at the same time.

3. DISCUSS AND CONSIDER ZONING CHANGE FROM AGRICULTURAL TO BUSINESS (B2) ON RECENTLY ANNEXED PROPERTIES TO INCLUDE THOSE ALONG THE I-20 SOUTH SERVICE ROAD, SOUTHEAST CORNER OF INTERSTATE 20 AND HIGHWAY 19, AND 47.30 ACRES ON EAST HIGHWAY 243 - Mr. Mallory explained the location of the above mentioned properties being those along the south service road of Interstate 20 from the VFW to property which was formerly Shaw's Restaurant, excluding Canton Motors; properties which have now been developed for McDonalds and Overland Express on the corner of Highway 19 and Interstate 20; and property on East Highway 243 which in part is planned for WalMart Super Center. Mr. Mallory also explained that as property is annexed into the city limits, according to the Planning and Zoning Ordinance, it is zoned Agricultural; therefore the procedures for a change in zoning are required. All of the above mentioned properties were annexed into the city limits during 1993.

4. DISCUSS AND CONSIDER ZONING CHANGE FROM AGRICULTURAL TO RESIDENTIAL (R1) ON RECENTLY ANNEXED PROPERTY ADJOINING LAKESIDE BAPTIST CHURCH ON OLD KAUFMAN ROAD - Mr. Mallory explained that all property owned by Lakeside Baptist Church on Cherry Creek and Old Kaufman Road has been annexed to include the Church. Residential 1 zoning does include churches and all property surrounding is zoned Residential 1.

   There being no objections received to any of the above stated requests, Anita Wilson made a motion to recommend each of the zoning changes to the Canton City Council. Phillip Matthews seconded and all were in favor. The recommendations will be brought before the City Council during the January 18, 1994 Council Meeting.

5. ADJOURN - There being no further items for discussion or consideration, the meeting adjourned.

CANTON PLANNING & ZONING COMMITTEE
1:00 P.M., TUESDAY, MAY 17, 1994
CANTON CITY HALL COUNCIL CHAMBERS

The Canton Planning & Zoning Committee met at the above named date and time. Chairman Orvil Denny presided and members present were Anita Wilson Boyd and Phillip Matthews. Those absent were Mike Trice and Johnny Higginbotham.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Denny

2. DISCUSS AND CONSIDER ZONING CHANGE REQUEST RECEIVED FROM VENITA MORGAN FROM RESIDENTIAL (R1) TO BUSINESS (B1) AT 1040 S. TRADE DAYS BLVD. (S. HWY. 19) - The Committee reviewed responses received from notified property owners pertaining to the request. Three property owners (2.170 acres) responded in favor and seven property owners (4.791 acres) responded against the re-zoning. The Committee was informed of the property owners responses who were present at the meeting originally called for May 10, 1994. Said meeting was rescheduled due to the lack of a quorum. Mr. Clarence Teague and Mrs. Mary Frances Ashworth were present and voiced their opposition and concerns. Realtor Claudette Anderson spoke on behalf of Ms. Morgan addressing concerns of parking, traffic, and property valuation. Mrs. Anderson restated Ms. Morgan's plans to reconstruct parking to prevent the need to back out onto Highway 19, expressed belief that any property along Highway 19 would be difficult to sell as residential, and that only the property re-zoned would be taxed as business.

   Following further discussion, Anita Wilson Boyd expressed her desire to see the business allowed however, could not vote to do so due to the number of adjoining residents opposed. Phillip Matthews and Chairman Denny both voiced concerns regarding the number of residents opposed. Mrs. Boyd made a motion that the recommendation to the City Council be against the zoning change. Phillip Matthews seconded and all were in favor. Chairman Denny informed all present of the City Council's ability to overturn the Committee's recommendation during their 6:30 p.m. Council Meeting on the same day.

   Anita Wilson Boyd verbally informed the Committee of her resignation from the Committee effective the end of May, 1994 due to moving out of town. Michelle Wilson informed the Committee of Mike Trice's resignation due to his working out of town and inability to attend any meetings during the week. Phillip Matthews also informed the Committee of his need to resign as he has recently moved outside the city limits. The City Council will make new appointments to fill the vacancies.

3. There being no further items for consideration, the meeting adjourned.

See #5

CALLED CITY COUNCIL MEETING
6:30 P.M., TUESDAY, OCTOBER 11, 1994

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Lawrence presiding. All members were present as follows: Bob Alexander, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Councilman Ronnie Fugate

3. PUBLIC HEARING ON CONTEMPLATED ANNEXATION OF PROPERTY BELONGING TO THE NEW HOPE BAPTIST CHURCH ON COUNTY ROAD 3120 (WYNNE ROAD) - Mayor Lawrence opened the aforementioned public hearing. No persons were present to speak in favor or against the contemplated annexation. Mayor Lawrence closed the public hearing and informed the Council of the 2nd public hearing scheduled for October 18, 1994 during their regular meeting and action to be taken during the November regular meeting.

4. CONSIDERATION OF A REQUEST FROM THE CANTON CHAMBER OF COMMERCE FOR OFFICE SPACE - Mr. Joe Collins, Manager of the Chamber of Commerce, informed the Council that the Chamber is having to relocate their office within 30 to 90 days. Mr. Collins discussed the past locations of the Chamber office, four that he was aware of the in the past five or six years and the Chamber's fairly limited budget. He expressed the Chamber's desire for a location which could be considered more permanent. Following approval of the Chamber's Board of Directors, Mr. Collins had sent a letter to the Mayor and Council requesting consideration to locate the Chamber office in the Blackwell House. Following is the letter in it's entirety:

October 5, 1994

Honorable Mayor and City Council
City of Canton
Canton, Texas

The Canton Chamber of Commerce is being required to vacate its present "home" on or before January 1, 1995. The staff and board members have been searching for a suitable location for its operation.

Should the City of Canton consider entering into an agreement with the Chamber of Commerce and permit the Chamber to locate their offices in the Blackwell House, be advised of the following:

The office of the Chamber is open Monday through Friday from 8 a.m. to 5 p.m. The main objective of the Chamber is to promote business. Business includes promoting events that take place in and around Canton. Tourism is paramount in the daily operation of the Chamber. We work with the City of Canton, East Texas Tourism Association, North East Texas Tourism Association in all their endeavors. We are active members of the Texas Convention and Visitors Bureau, promoting Canton at every opportunity.

The Blackwell House would be ideal for the headquarters of the Chamber to continue its operations. Membership in the Chamber is now in excess of 200 with active committees working in many areas.

As occupants of the Blackwell House it would be a part of the daily operations to welcome visitors to this historic site as well as cooperate with any tour group that might wish to tour the house. There also appears to be ample room for small groups to conduct meetings. Presently, we make available our current location to The Women's League, Garden Club and others that wish permission to use the facility for meetings.

The Board of Directors and Staff has full understanding of the usage intent of the Blackwell House and would cooperate fully with those intentions by being responsible for conducting tours and accepting visitors. An enlarged volunteer staff would be recruited and made available when needed for special tours.

The Board of Directors has authorized me to appear on their behalf at your called meeting of October 11, 1994. I would therefore request to be placed on the agenda and would field any questions from the Council or any visitor to the meeting.

Respectfully submitted
Joe Collins, Manager

Mayor Lawrence informed the Council of a telephone conversation with Mr. Rebel Blackwell. As Mr. Blackwell nor a representative would be able to attend the meeting, he asked the Mayor to convey the Blackwell family's feelings that allowing the Chamber to office in the home would be contrary to the intent of the gift from the Blackwell family to the City of Canton. Mr. Blackwell stated the home should be used only as a museum and historical park. Mayor Lawrence concluded by stating the Blackwell family is strongly opposed to such use as requested by the Chamber of Commerce.

Richard Davis, Attorney at Law, informed the Council of his review of the deeds and restrictions contained therein. Mr. Davis discussed the two different restrictions, both applying to one part of the property which he believed contained the house and one applying to the other. Mr. Davis stated the restriction forbidding any First Monday use of the property could present a potential problem if the Chamber's primary function is to promote First Monday, this being not just a part of their function. He also stated the restriction stating the property would be used as a historical park did not prohibit the type of use of the Chamber as the Chamber had stated in their correspondence their desire to comply by giving tours. Mr. Davis stated the restrictions both come to a "fact" question regarding the Chamber's request. He also informed the Council the only restrictions they must deal with are those in the deed, stating the letter dated December 13, 1988 from Mr. Rebel Blackwell outlined the family's wishes for the future of the property. Mr. Davis concluded by expressing his opinion that the deed restrictions are not so inclusive that nothing else, besides a museum/historical park, can be done with the property.

Bob Alexander questioned whether the restrictions could be removed by condemning the property. Mr. Davis informed the Council that being able to condemn the property would depend on what the intended use would be as the law is explicit in the reasons for condemnation.

Mayor Lawrence asked the Council if the City did not have an obligation to fulfill the requirements of the deed and/or the wish list by completing the restoration prior to granting requests to use the property. The Council was in agreement the restoration would not be delayed or abandoned. Joe

Collins again stressed the Chamber's willingness to comply with restrictions of touring, educating, and "showing off" the Blackwell Homeplace as they would be very proud of the property; informed the Council that usually two and no more than three employees/volunteers would be in the office five days a week, stated the Chamber owned very few office furnishings and would certainly not take away from the homeplace appearance, and discussed the average number of visitors on a per day basis and small community groups who would all be able to view the homeplace.

Bob Alexander made a motion to proceed with allowing the Chamber of Commerce to occupy the Blackwell House for Chamber of Commerce business and purposes. Jack Etheridge seconded. Mayor Lawrence again questioned the moral obligation of completing the restoration prior to granting any use of the facility. Mr. Mallory stated the restoration could possibly be complete by the first of the year. Ronnie Fugate expressed his feelings that nobody wants to discount the City's appreciation of the gift from the Blackwells, and that all wanted to utilize the gift to the benefit of the entire community while maintaining its intent. Kenneth Pruitt stated the last two family members to live in the home were both teachers and he felt the Chamber's occupancy would allow teaching to continue by having personnel available to present the history of the home to visitors. The Council was collective in their opinion the Chamber's use would be the best way to meet the intent of the gift.

Mayor Lawrence called for a vote on the motion. All were in favor with the exception of John Crow who abstained due to his position of President of the Chamber of Commerce. Motion carried.

5. CONSIDERATION OF A REQUEST TO CHANGE THE ZONING FROM RESIDENTIAL (R1) TO BUSINESS (B1) ON PROPERTIES LOCATED AT 635 S. TRADE DAYS BLVD. AND 657 S. TRADE DAYS BLVD. - Mr. Mallory reviewed the request for a zoning change on the two stated properties. He explained seventeen (17) notifications were mailed of which eleven (11) were returned in favor, one (1) envelope was returned undeliverable, and no responses were received against the change. Mr. Mallory also reminded the Council of the Planning and Zoning Committee's standing recommendation to approve any request to change the zoning to B1 on properties along Highway 19 north of Elm.

John Crow made a motion, seconded by Bob Alexander, to approve the zoning change to Business 1 at 635 and 657 S. Trade Days Blvd. All were in favor with the exception of Jack Etheridge who abstained.

6. CONSIDERATION OF PROPOSAL TO CO-SPONSOR FALL FESTIVAL WITH THE MINISTERIAL FELLOWSHIP - Mayor Lawrence expressed a request from the Ministerial Fellowship for the City to join them in co-sponsoring the Fall Festival to be held on Halloween night. Co-sponsoring to include utilizing the Civic Center for the activities which would provide the youth a place to congregate. Ronnie Fugate made a motion, with Jack Etheridge seconding, to co-sponsor this event. All were in favor. Joe Collins offered to address the Chamber Board of Directors during their upcoming meeting to join in the efforts of the Fall Festival. The Council thanked Mr. Collins and asked him to contact the Ministerial Fellowship.

7. CONSIDER THE ADOPTION OF AN ORDINANCE ESTABLISHING GENERAL AND SPECIFIC RULES AND REGULATIONS PERTAINING TO THE PUBLIC USE OF MILL CREEK RESERVOIR, ALSO KNOWN AS LAKE CANTON, AND ADJOINING CITY OWNED PROPERTY - Mr. Mallory informed the Council the proposed ordinance was primarily a combination of two which have been used and referred to in the past. Changes were made to prohibit the use of personal watercraft, designate duck hunting, and prohibit the use of trotlines. Ronnie Fugate asked the Council to consider limiting the number of personal watercraft rather than prohibiting and made

reference to other sections which would allow enforceability. Councilman Fugate also requested the ordinance include no swimming in the boat ramp area and include canopies and picnic tables in the section titled DAMAGE TO SIGNS, MARKERS. Bob Alexander asked that hours of operation be addressed as he did not see a need of being on the property after dark.

Mayor Lawrence suggested the ordinance be presented at the next regular meeting with alternate wording addressing the aforementioned items for the Council's consideration. John Crow made a motion to table this item until the next meeting. Jack Etheridge seconded and all were in favor.

8. ADJOURN - There being no further items for discussion, the meeting adjourned at 7:25 p.m.

B. DISCUSSION PERTAINING TO PERSONNEL

23. RECONVENE TO OPEN SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened to open session at 10:00 p.m. with no action taken.

24. ADJOURN - The meeting adjourned at 10:01 p.m.

Richard W. Lawrence, MAYOR

ATTEST:

Michelle Wilson, City Secretary

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, DECEMBER 13, 1994

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Lawrence presiding. All members were present as follows: Bob Alexander, Ronnie Fugate, John Crow, Kenneth Pruitt, and Jack Etheridge. See #10

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Lawrence

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes of the November 15, 1994 Regular Meeting as written. John Crow seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Jack Etheridge made a motion to approve the November 30, 1994 Financial Statements. Kenneth Pruitt seconded and all were in favor.

5. RESIGNATION OF MAYOR LAWRENCE - Mayor Richard Lawrence read an open letter resigning his office of Mayor of the City of Canton due to his elected office of Van Zandt County Judge. Mayor Lawrence thanked past and present Councilmembers and staff for their support and handed the gavel to Mayor Pro-tem Jack Etheridge.

   Mayor Pro-tem Etheridge presented Richard Lawrence with an appreciation gift from the City of Canton.

6. APPOINTMENT TO FILL VACANCY CREATED BY RESIGNATION OF THE MAYOR AND TO MAKE APPOINTMENT TO FILL VACANCY ON CITY COUNCIL IF DETERMINED BY THE CITY COUNCIL TO BE NECESSARY - Kenneth Pruitt made a motion to appoint Jack Etheridge to fill the Mayor's unexpired term. John Crow seconded and all were in favor. Mayor Jack Etheridge was sworn into office by Municipal Court Judge Brenda Sanford.

   Bob Alexander made a motion to appoint former Councilmember Don Hackney to fill the unexpired term of Jack Etheridge's Council seat. Kenneth Pruitt seconded and all were in favor. As Mr. Hackney was unable to attend the meeting, he will be sworn into office during the next meeting.

7. GUEST ITEMS - Mr. Richard Haynes of the Bank of Van Zandt addressed the Council with the Bank's desire to assist with annexation of the Wynne Community. He requested the City undertake any and all efforts needed to determine the cost of providing services to this area as the cost figures were needed in the Bank's efforts toward financial assistance.

   Mr. Mallory stated the procedures are underway and figures should be available by the end of January.

8. DISCUSS AND CONSIDER REQUEST FROM THE CHAMBER OF COMMERCE TO ENDORSE THE EXPANDED TOLL-FREE CALLING AREA - Mr. Joe Collins of the Canton Chamber of Commerce discussed the expanded toll-free calling area program and the interest expressed by many Canton and Van Zandt County exchange residents. Mr. Collins explained the Chamber would be presenting the petitions for this service to the Public Utility Commission and requested the Council's endorsement of the program and inclusion in the presentation. The telephone company would issue ballots in each phone bill for persons in the exchanges of 567, 829, 833, 848, and 479. Should the issue pass by 70% of the ballots cast, the adopted exchanges would be billed $3.50 per month on all residential and $7.00 per month on each business line. The exchanges would be able to call toll-free to other exchanges within a 22 mile radius of the exchange.

   Bob Alexander stated he had mixed emotions concerning this matter as he could see the savings for businesses yet was concerned with the residential rate of $3.50 being a temporary rate which the telephone company could petition PUC for an increase should this rate not cover the expense in providing the service.

   Following further discussion, John Crow made a motion to endorse the program based on the interest shown by 300+ Canton residents. Kenneth Pruitt seconded and all were in favor. The Council stated the endorsement was made to allow the citizens the opportunity to vote on the program.

9. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE CANTON INDUSTRIAL BOARD - MR. RICHARD INGRAM - Mr. Richard Ingram, Chairman of the Canton Industrial Board, informed the Council of four vacancies on the Board and asked permission to fill two with persons who have personally expressed interest and to assist with the other two appointments. Councilman Pruitt explained the Council has been discussing the different boards and committees and has some ideas which will be discussed during the January meeting. No action was taken.

10. DISCUSS AND CONSIDER REQUEST FOR A ZONING CHANGE FROM RESIDENTIAL (R1) TO BUSINESS (B1) AT 840 S. TRADE DAYS BLVD. (HWY. 19) - MR. RICHARD INGRAM - This request was brought before the Council with a standing recommendation from the Planning & Zoning Committee for approval as the property is located on Highway 19 between Elm and Highway 64. Fourteen (14) property owners within 200 feet had been notified, with written responses being nine (9) in favor and three (3) opposed.

    Councilman Fugate asked Mr. Ingram his intent pertaining to traffic and access off Pacific Street as some residents had expressed concerns. Mr. Ingram informed the Council that the home would continue to be used as residential with only the garage being converted to a show room for wall paper. He explained there would be no commercial vehicles utilizing Pacific and there would be no need for a commercial dumpster.

    Ronnie Fugate made a motion to approve the zoning change to Business 1. Bob Alexander seconded and Mayor Etheridge opened the floor for discussion.

    Mr. Paul Norris and Mr. Athol Emerson, residents on Pacific Street, addressed the Council with concerns regarding future use of the property if it was zoned for business use. They discussed previous problems with a dumpster located at the rear of this property. Mr. Ingram stated his understanding of their concerns regarding the future and again assured them of his intent for the present use.

    Councilman John Crow asked if a restriction of no commercial vehicles using the rear access to the property off Pacific would satisfy the concerns. Discussion was then held pertaining to the definition of commercial vehicles.

    Ronnie Fugate withdrew his original motion, followed by a motion to approve the zoning change with a restriction of no commercial vehicles, being those classified greater than a light duty vehicle, be allowed access of the rear entrance off Pacific. Bob Alexander seconded and all were in favor.

11. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE REQUEST FROM THE SENIOR CITIZENS FOR THE USE OF THE PARKING LOT - Kenneth

Pruitt informed the Council of his meeting with the Senior Citizen's Advisory Board and the City's offer of allowing the Senior Citizens to utilize the parking lot on Tyler Street east of City Hall on Fridays and Saturdays of First Monday weekends. The Board asked for time to take this matter to the Senior Citizens for consideration and formation of a committee and chairman to operate the lot. Kenneth Pruitt asked that this item be carried to the January meeting with hopes of the Senior Citizens to begin operating the parking lot in February.

12. CONSIDERATION OF THE FOLLOWING REQUESTS FOR WATER TAPS OUTSIDE THE CITY LIMITS:

a)	DARRELL McEVERS	COUNTY ROAD 2202
b)	TRAVIS WILLIAMS	CORNER OF COUNTY ROADS 1255 & 4126
c)	BARRY BURRAGE	COLLEGE STREET

Johnny Mallory recommended the request for water taps outside the city limits made by Darrell McEvers and Barry Burrage be approved. He explained the request from Travis Williams was in an area which the Council has denied other requests until the distribution to the area is upgraded.

John Crow made a motion to approve the requests of Darrel McEvers and Barry Burrage and to deny the request of Travis Williams with the understanding Mr. Williams will be notified when the distribution is upgraded and allowed to present another request for consideration. Ronnie Fugate seconded. All were in favor with the exception of Bob Alexander who abstained.

13. REVIEW AND APPROVAL OF CORRESPONDENCE TO THE BLACKWELL FAMILY - The Council reviewed the following letter drafted by former Mayor Richard Lawrence to the Blackwell family.

December 13, 1994

Mr. Rebel Blackwell & family

3129 Bryn Mawr

Dallas, Texas 75225

Dear Mr. Blackwell & family,

By way of this letter, the City of Canton wishes to express its appreciation to the Blackwell family for the spirit of cooperation which we have enjoyed as we near completion of the renovations being made to the Blackwell House.

Please be assured that the City recognizes the historical significance of the Blackwell House and it respects the intent of the family's gift...to provide, for all our citizens and visitors to enjoy, a glimpse of the past, the flavor of life as it used to be. In whatever secondary use the City may make of the facility, it shall always endeavor to preserve the ambiance of the Blackwell heritage and to protect the integrity of the gift.

With Kindest Regards,

Richard W. Lawrence, Mayor

City of Canton

Bob Alexander made a motion to approve the correspondence. Ronnie Fugate seconded and all were in favor with the exception of John Crow who abstained.

14. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO DOWNTOWN PARKING - Johnny Mallory informed the Council some cooperation had been received from the Courthouse employees in not parking on the square however, it is not entirely County employees violating the abusing the downtown parking. Ronnie Fugate stated this has always been a problem and his experience when he previously had a business on the square was that when strict enforcement and tire marking began, his business was adversely affected. No action was needed or taken on this matter.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET LIGHTING AND TRAFFIC ON TRADE DAYS BLVD. - HIGHWAY 19 - Mr. Mallory informed the Council that TU Electric could place forty foot (40') lighted poles with extended arms using sodium vapors on the east side of Highway 19 from Wynne Road south to the existing lights at a cost to the City of approximately $600.00 per month. Bob Alexander made a motion to have the lighted poles installed on Highway 19 from Highway 64 north to Interstate 20. John Crow seconded and all were in favor.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRE DAMAGED PROPERTIES ON BOIS D' ARC AND SHADY LANE - Mr. Mallory informed the Council he had spoken with both property owners. Mr. Barrentine will begin tearing down the structure on Bois D'Arc after the first of the year. Mr. Mallory stated he will place a placard on the structure on Shady Lane and will need to do the same to a structure at 1212 Big Rock. He plans to begin these proceedings during January. No action was required or taken.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRST MONDAY PARKING LOT OFF FM RD. 859 TO INCLUDE PROPOSED GUIDELINES - Kenneth Pruitt informed the Council of the First Monday Committee meeting and the Committee's preference in not changing the guidelines and regulations at this time. The drawing for the organizations to obtain parking assignments for the upcoming year will be conducted Thursday, December 15, 1994 at 3:30 p.m.

    The Council was made aware of the request from the Senior Citizens to participate in the drawing. Discussion was held pertaining to the upcoming awarding of a parking lot to the Senior Citizens. Bob Alexander stressed the need of written criteria and qualifications for the organizations utilizing the parking lot program as fund raisers. He asked Mr. Campbell to prepare such with direct benefit to children, youth, and school organizations.

18. DISCUSSION AND UPDATE PERTAINING TO STATUS OF STREET PROJECTS - Mr. Mallory informed the Council that approximately 500 feet of curb and gutter had been poured on Curry and Curry Lane last week. The project is slowed now by the rain and as soon as the ground dries, the remaining curb and gutter can be completed.

19. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Johnny Mallory presented a written agreement to be considered between the City and Chamber of Commerce for the Chamber's use of the Blackwell House. The Council chose to have a called meeting Monday, December 19, 1994, at 12:00 noon.

    John Crow requested consideration pertaining to the placement of the First Monday monument be placed on the January agenda. All matters pertaining to committees and terms will also be placed on the January agenda.

20. ADJOURN - There being no other items for consideration, the meeting adjourned at 8:10 p.m.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson

Michelle Wilson, City Secretary

Sec # 6

REGULAR CITY COUNCIL MEETING
6:30 P.M., TUESDAY, JANUARY 17, 1995

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Pro Tem Kenneth Pruitt presiding. Members present were Ronnie Fugate, Don Hackney, John Crow, and Bob Alexander. Mayor Jack Etheridge was absent.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Pro Tem Kenneth Pruitt

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Bob Alexander made a motion to approve the minutes of the December 13, 1994 Regular and the December 19, 1994 Called meetings as written. John Crow seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following an oral review by City Manager Johnny Mallory, Bob Alexander made a motion to approve the December 31, 1994 Financial Statements. Don Hackney seconded and all were in favor.

5. GUEST ITEMS - None

6. DISCUSS AND CONSIDER REQUEST FROM MR. & MRS. BARRY BURRAGE TO DISANNEX A PORTION OF THEIR PROPERTY LOCATED ON COLLEGE STREET - Mr. Mallory informed the Council of the Burrage's request to place a mobile home on the west side of their property on College Street. Mr. Mallory explained the property is inside the city limits and zoned Residential 1, prohibiting the placement of a mobile home. He further explained an attempt to rezone the property to a Mobile Home Park District would be considered spot zoning, which could not legally be done.

   Mrs. Burrage explained she would rather not disannex if there was anything else that could be done to permit the mobile home. She also informed the Council the 16' x 80' mobile home would be placed on a slab and could not definitely state how long it's need would be, although not forever.

   Following the Council's discussion of possible options, Ronnie Fugate made a motion to enter into an agreement for the temporary placement of the mobile home, to include a permanent residence to be placed in seven (7) years. Don Hackney seconded and all were in favor.

7. DISCUSS AND CONSIDER REQUEST FROM MR. STEVE GRAHAM PERTAINING TO THE RENTAL OF THE CIVIC CENTER FOR THE PURPOSE OF A BENEFIT FOR THE CANTON VOLUNTEER FIRE DEPARTMENT - Mr. Steve Graham addressed the Council concerning a benefit scheduled for March 18, 1995 in the Canton Civic Center. The net funds from the benefit would be given to the Canton Volunteer Fire Department toward the purchase of a piece of equipment they are needing. Mr. Graham asked the Council to waive the $450.00 rental for this event, explaining he would handle all set-up and clean-up for the event.

   First Monday General Manager Al Campbell expressed his concern in waiving the rent, being the setting of a precedence for other events. The Council also expressed this concern stating the benefit is for a worth-while project, however understanding there are other organizations who may make the same request for needed endeavors.

   Ronnie Fugate questioned the possibility of applying the $450.00, or a part thereof, to the Fire Department. Kenneth Pruitt suggested Mr. Graham approach other organizations for co-sponsorship and Bob Alexander suggested printing a small program with advertisement spaces for sale. Following further discussion the Council asked Mr. Graham to try the aforementioned suggestions, returning to the Council if no other assistance could be found.

8. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE REQUEST FROM THE SENIOR CITIZENS FOR THE USE OF THE PARKING LOT -

Kenneth Pruitt informed the Council that a Senior Citizens Advisory Board had incorporated as a non-profit corporation. The Board asked Mr. John Huff to head a committee to operate the Tyler Street Parking Lot on Fridays and Saturdays each First Monday weekend. Mr. Huff presently has sixteen (16) volunteers and will begin in February. The funds derived from the parking lot will be managed by the incorporated board.

9. DISCUSS AND CONSIDER ALL MATTERS, INCLUDING APPOINTMENTS, TO CITY APPOINTED BOARDS AND COMMITTEES - Kenneth Pruitt stated the Council appointed Senior Citizens Advisory Board presently has two (2) vacancies. He asked the Council's views on filling the vacancies by Council appointments or by allowing the Senior Citizens to hold an election as suggested by the Board. Following further discussion, Bob Alexander made a motion to set the Council appointed Senior Citizens Advisory Board to be a ten (10) member board comprised of the Mayor, two (2) elected members, and the remaining seven (7) to be Council appointed. Ronnie Fugate seconded and all were in favor with the exception of John Crow who abstained.

Kenneth Pruitt informed the Council of vacancies on the Canton Industrial Development Board. Previous members wishing to remain on the Board are Richard Ingram, Al Campbell, and Emmett Paul. Mayor Pro Tem Pruitt also reminded the Council of recent action appointing David King to the Board and asked the Council's consideration in appointing Bob Hutson to fill one of the remaining three vacancies.

Bob Alexander made a motion to appoint Bob Hutson to the Canton Industrial Development Board. Don Hackney seconded and all were in favor.

Mr. Richard Ingram was present and introduced Mr. Bob Hutson and Mr. Dan Nino, who has also expressed interest in serving on the Board. Kenneth Pruitt explained the Council has had other inquiries which they would like to review prior to filling the two (2) remaining vacancies, which will be considered during the next regular meeting. Bob Alexander asked Mr. Ingram to have the Board members draw for terms and to report the results to the City Secretary.

10. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO COST STUDY FOR SEWER UTILITIES IN WYNNE COMMUNITY - Mr. Mallory reviewed the cost study with the Council reporting a projected cost of $386,250.00 for approximately seventy (70) connections in the Wynne Community. Mr. Mallory stated the figure was an inflated estimate and the project could possibly be completed for $275,000.00. Mr. Mallory will hand deliver the estimate to the Bank of Van Zandt for their further pursuit of available grant funds in order to make loans in the area on a need basis.

11. DISCUSS AND CONSIDER REQUEST FROM GTE TO BURY CABLE ON HIGHWAY 19 FROM WYNNE ROAD TO INTERSTATE 20 - Mr. Mallory explained he had recently stopped GTE from burying cable along Highway 19 as a request had not been approved to bury the cable. The location was also where a future water line will be required. GTE then contacted Mr. Mallory and explained they presently have an old cable buried five feet (5') from the right-of-way, offering to remove the existing cable and bury the new one two feet (2') from the right-of-way if approved. Mr. Mallory informed the Council he did not have a preference on the burying or hanging of the cable as long as it did not interfere with the placement of the water line.

Bob Alexander expressed concern that GTE would not have an inspector on site to verify the placement of the cable nor did he feel they could or would remove the old cable. Following further discussion, Don Hackney made a motion to deny the request. Bob Alexander seconded and all were in favor.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE DEVELOPMENT OF THE HIGHWAY 19 FIRST MONDAY ENTRANCE - Don Hackney excused himself from the Council Chambers wishing to abstain from any discussion and/or action on this item due to a conflict of interest.

The Council reviewed a proposal from H & T Parking, Inc. for the construction of an entrance on the east side of the First Monday Park off Highway 19, including an area for the placement of the life-size bronze monument. The total cost being $30,633.21 of which one-half H & T Parking, Inc. would absorb.

Following discussion, Bob Alexander made a motion to accept the proposal and the City pay one-half the cost. Ronnie Fugate seconded. All were in favor with the exception of Don Hackney who earlier abstained.

13. DISCUSS AND CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING SPEED LIMITS ON STATE HIGHWAY 19 NORTH - Johnny Mallory reviewed the ordinance proposed by the Department of Transportation altering speed limits on portions of Highway 19 from the north city limits to the south city limits. Following the Council's review, Don Hackney made a motion to adopt the following captioned ordinance:

    AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF CANTON AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

    Ronnie Fugate seconded the motion and all were in favor. The ordinance shall be numbered 95-01 and filed in accordance with City and State law.

14. DISCUSS AND CONSIDER THE ADOPTION OF AN ORDINANCE ESTABLISHING THE PERMITTING AND ENFORCEMENT OF STATE LAW AND STATE RULES FOR FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, MOBILE FOOD UNITS, ROADSIDE FOOD VENDORS, AND TEMPORARY FOOD SERVICE ESTABLISHMENTS - Mr. Mallory asked the Council to table this item for further review. As there were no objections from the Council, this item shall appear on the February 21, 1995 agenda.

15. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE FIRST MONDAY FOOD CONCESSION POLICY - Bob Alexander expressed concern with food concession vendors paying for one food concession space and setting up an additional stand on an adjoining space at the adjoining space rate. Al Campbell stated there are probably ten (10) such instances and suggested an inventory during the upcoming sale, bringing the results back to the Council. The Council was in favor of the inventory before taking any action.

    Bob Alexander also informed the Council of complaints he has heard of people having to stand in long lines at the food concessions. He questioned whether the City might be at a point of allowing additional food concessions on the grounds. Kenneth Pruitt asked that a study be completed identifying how many lots the City operated at the time the limit was placed on food concessions compared to the number of lots presently operated by the City. Bob Alexander asked that the study also take into consideration the increased number of visitors to First Monday.

16. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO REFUNDING AND REFINANCING 1985 CERTIFICATES OF OBLIGATION - Johnny Mallory reviewed material received from Mr. Ed Moore with Southwest Securities pertaining to the refunding of Series 1985 Certificates of Obligation. Mr. Mallory explained the Series could be paid off with a refunding bond issue and refinanced at a lower rate, saving the City approximately $25,000.00 over the next five (5) years. John Crow made a motion to pursue the refunding bond issue. Ronnie Fugate seconded and all were in favor.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE PLACEMENT OF THE FIRST MONDAY BRONZE MONUMENT AND SALES

OF THE MINIATURES - The Council reviewed a report reflecting to date sales of the miniatures, total being 57 of which 28 were sold by the Chamber of Commerce. John Crow informed the Council the promotion of the miniatures by the Chamber of Commerce has been slow as they were waiting for determination of the life-size monument's location. As the location has been set for the Highway 19 entrance to First Monday, the Chamber of Commerce will be more able to finalize their promotion plan and increase sales. Kenneth Pruitt suggested contacting the Chamber of Commerce for specifics of their plan for sales.

18. DISCUSS AND CONSIDER APPROVAL OF THE CITY'S COST SHARE IN THE EAST TEXAS DEVELOPMENT DISTRICT - Mr. Mallory briefly discussed the advantages of participating in the East Texas Development District, primarily enabling the City eligibility for grant funds and tools to assist in industrial development. Don Hackney made a motion to participate by approving the City of Canton's share of $1,000.00. Ronnie Fugate seconded and all were in favor.

19. DISCUSSION AND UPDATE PERTAINING TO STATUS OF STREET PROJECTS - Mr. Mallory informed the Council that despite the rain, all curbs have been poured on Curry and Curry Lane. Weather permitting, drive way approaches will begin this week followed by the tearing out of the middle of the streets. Ronnie Fugate commended the residents in the Curry Addition for their patience and cooperation.

    Bob Alexander expressed his wish that engineering be prepared by April with work to begin in June for any street project(s) planned for 1995.

20. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Along with items from this meeting to be carried to the February agenda, Bob Alexander requested the proposed Personnel Policy be considered in February with copies given to each Councilman prior to the meeting for review.

    A closed or executive session will follow pursuant to the provisions of the Open Meetings Law, Article 6252-17, Vernon's Texas Civil Statutes, in accordance with the authority contained in Section 2(g).

21. EXECUTIVE SESSION - The Council retired to executive session at 8:45 p.m. for discussion of personnel matters.

22. RECONVENE TO OPEN SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION - The Council reconvened to open session at 9:32 p.m. Bob Alexander made a motion to activate the position of Public Works Director on the City of Canton's Organization Chart. John Crow seconded and all were in favor.

23. ADJOURN - There being no further items for discussion, the meeting adjourned.

Jack Etheridge, Mayor

ATTEST:

Michelle Wilson, City Secretary

CANTON PLANNING & ZONING COMMISSION
1:00 p.m.., Thursday, May 11, 1995

The Canton Planning & Zoning Commission met at the above named date and time in the City Hall Council Chambers with the following members present: Johnny Higginbotham, Lynn Etheridge, and Clifford Caviness. Members absent were Orvil Denny and Jeff White.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - City Manager Johnny Mallory welcomed the committee and guests. He called the meeting to order explaining the first item for business would be the election of a chairperson for the committee.

2. APPOINTMENT OF THE BOARD CHAIRMAN - Johnny Higginbotham made a motion to elect Mrs. Lynn Etheridge as Chairperson. Clifford Caviness seconded and all were in favor.

3. ELECTION OF BOARD MEMBER TERMS - Mr. Mallory explained the City Council's need of designating uniform term dates on all appointed boards and committees to more efficiently maintain timely appointments. It was unanimously agreed that the terms of Johnny Higginbotham and Orvil Denny would expire May, 1996, as they were the longest standing members of the committee. The terms of Lynn Etheridge, Clifford Caviness, and Jeff White shall expire May, 1997.

4. DISCUSSION PERTAINING TO THE PLANNING & ZONING ORDINANCE - Mr. Dan Nino of Century 21 Real Estate Office addressed the committee requesting a review and consideration be made into amending the zoning ordinance to include a Residential 3 type zoning designed for smaller lots than those in a Residential 1 or Residential 2 zoning. He explained his original intent was to request a zoning change on property in the annexation process located off Mill Creek Road and consisting of 24.31 acres. This request was withdrawn as the proposed develop found the required lot sizes and adherence to the sub-division ordinance to be cost prohibitive. Mr. Nino explained the property would be annexed however, a zoning change would not be requested as it would remain Agriculture until which time it is sold or developed. He further stated the proposed developer of the property explained to him that the present zoning requirements would've only allowed three and one-half units per acre where he felt it should allow six units per acre, approximately 5,000 square foot lots.

   Chairperson Etheridge expressed concern with smaller lots located behind the larger lots on Mill Creek Road, explaining she did not feel the property owners wanted the smaller homes in that particular area. Further discussion was held on ways to entice development while protecting the interest of existing property owners.

   Mr. Mallory stated he felt if another zoning district was needed, it would be for townhomes. He informed the committee he would research an amendment to the ordinance.

5. ADJOURN - There being no further items for discussion, the meeting adjourned.

CANTON PLANNING & ZONING COMMISSION
1:00 P.M., TUESDAY, JUNE 13, 1995

The Canton Planning & Zoning Commission met at the above named date and time in the City Hall Council Chambers with Madam Chairman Lynn Etheridge presiding. Members present were Clifford Caviness and Orvil Denny. The Commission had one vacancy due to an expired term to be filled by the City Council June 20, 1995, and another arose from Mr. Jeff White's recent resignation.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Madam Chairman Lynn Etheridge

2. DISCUSS AND CONSIDER REQUEST FROM MR. J. T. LEMLEY TO CHANGE ZONING FROM RESIDENTIAL (R1) TO MULTI- FAMILY RESIDENTIAL (MF-1) ON LOTS 6, 7, 8, AND 9 IN THE ROSS ADDITION - City Manager Johnny Mallory reviewed the application with the Commission. Mr. Lemley has four (4) vacant lots located in the Ross Addition off Old Kaufman Road presently zoned Residential 1 (R1). Ten property owners within two hundred (200) feet of the lots were notified and only three (3) responses were received; two (2) opposed and one (1) in favor of the request to rezone.

   Mr. Billy Jack Deen, the prospective buyer of the lots, informed the Commission he would like to buy the lots if the zoning could be changed to allow him to build duplexes for rental to senior citizens. He explained he would abide by the zoning regulations pertaining to construction and set-backs. He would design a drive entering from Old Kaufman into a cul-de-sac through the middle of the lots, having no interest in developing the "Ross Drive" that was platted at one time. Mr. Deen further stated he did not plan to develop the total number of duplexes immediately, possibly one or two now and additional ones in the future.

   Mr. David Ross, representing Mrs. Audrey Ross, one of the opposing property owners, informed the Commission Mrs. Ross has no intention of developing Ross Drive and that her opposition was due to concern of rental property and its possible effect on property value. He further stated such a zoning change, if granted, would not create a life or death situation on Mrs. Ross or her family.

   Mr. Orvil Denny made a motion to recommend the zoning change to the City Council. Clifford Caviness seconded and all were in favor.

3. ADJOURN - There being no further items for discussion, the meeting adjourned.

CANTON PLANNING & ZONING COMMISSION
1:00 P.M., TUESDAY, JULY 11, 1995

The Canton Planning & Zoning Commission met at the above named date and time in the City Hall Council Chambers. Madam Chairman Lynn Etheridge presided and those present were Clifford Caviness, Betsy McCarty, and Jessie Smith. Orvil Denny was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Madam Chairman Etheridge called the meeting to order and informed all present she would be abstaining from discussion and action on the remainder of the agenda due to her relationship, by marriage, with a daughter of one of the sellers.

   Responses from notified property owners within 200 feet of the request were reviewed by the Committee. One was received in favor and one in opposition.

   Mrs. Smith stated she would be in favor of tabling the following request due to short notice and the need to obtain additional information. City Manager Johnny Mallory informed the Commission the scheduling of the meeting did meet the requirements of the law and that it was scheduled a little quicker than most as there were only two (2) property owners within 200 feet of the proposed change who were required to be notified. As the sellers, Mrs. Chaney and Mrs. Emma Fowler, and the prospective buyers, Mr. Larry Dunn, Mr. Danny Culp, and Mr. Dennis Henson, were present to discuss the future plans of the property, the floor was opened to discussion.

2. DISCUSS AND CONSIDER REQUEST FROM MR. B.E. CHANEY TO CHANGE ZONING FROM COMMERCIAL (B2) TO FIRST MONDAY BUSINESS (FMB-A1) ON LOT 10, BLOCK 618 IN Q.C. NUGENT SURVEY ON N. TRADE DAYS BLVD. (HWY. 19) - Mr. Larry Dunn addressed the board members with the buyers' intentions to develop the thirteen (13) acres with two open air pavilions on the front portion of the property (frontage being North Trade Days Blvd./Hwy. 19) while utilizing the remainder for parking. Mr. Dunn further stated the present Century 21 building would not be removed from the property and the parking area would be developed probably with white rock and not asphalt. Mr. Dennis Henson stated the buyers are presently discussing drainage needs with the State to get water under Highway 19. Mr. Henson added that approximately twelve (12) acres would be used for parking while trying to keep the land in as much of its natural state as possible.

   Mr. Jessie Smith expressed concerns of increased traffic and traffic speed through the Wynne Community and that the proposed parking area abuts said Community providing no privacy between the two. Mr. Henson stated a privacy fence would be placed if it became necessary and that contact could be made to the proper authorities to place and enforce speed limit signs on Wynne Road. Mr. Dunn expressed the buyers' plans to not do anything that would hurt Wynne Community. Mr. Danny Culp also expressed his enthusiasm for the project comparing Canton to Branson and stating that no matter what, Canton and First Monday are going to experience continued growth over the next several years.

Mr. Clifford Caviness expressed his thoughts that no matter who buys the property, it would eventually be developed and that under the present Business (B2) zoning, almost any type of business would be allowed. Mrs. Betsy McCarty asked for clarification of the need to rezone from B2 for this type of activity. City Manager Johnny Mallory explained the intention of the ordinance in designating First Monday zoning to encompass the proposed activity. Also explaining the difference between First Monday A1 and A2 being that A2 allowed for the sale and trade of animals. He further stated the proposed type of operation could possibly qualify under B2 if the pavilions were completely enclosed.

Mr. Culp assured the Committee that all vendors would be placed under the pavilions, preventing tarps and other temporary set-ups. The pavilions are planned for arts and crafts merchandise only and said vendors would have high criteria to meet. Mr. Henson then asked if the this request and plans met all criteria for a First Monday zone. Mr. Mallory stated it was all within the First Monday zoning requirements.

Clifford Caviness made a motion to recommend the request for a zoning change from Business (B2) to First Monday (FMB-A1) be approved. Betsy McCarty seconded. Those in favor were Mr. Caviness and Mrs. McCarty. Mrs. Smith was opposed and Mrs. Etheridge abstained. Said vote shall be carried to the City Council during the July 18, 1995 Regular Meeting.

3. DISCUSS AND CONSIDER THE SITE PLAN FOR DEVELOPMENT ON HIGHWAY 19 - The Committee reviewed the proposed site plan for the development. Mr. Mallory stated his concerns regarding drainage are being addressed with the proper agencies and that he discouraged any entrance or exits on the south end of the property due to bottlenecking with existing accesses to Highway 19.

   Mr. Caviness made a motion to approve the proposed site plan. Mrs. McCarty seconded. Those in favor were Mr. Caviness and Mrs. McCarty. Mrs. Smith was opposed and Mrs. Etheridge abstained.

4. ADJOURN - There being no further items for discussion, the meeting adjourned.

CANTON PLANNING & ZONING COMMISSION
1:00 P.M., TUESDAY, OCTOBER 17, 1995

The Canton Planning & Zoning Commission met at the above named date and time in the City Hall Council Chambers. Chairperson Lynn Etheridge presided and all members were present as follows: Betsy McCarty, Jessie R. Wynne Smith, Clifford Caviness, and Orvil Denny.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairperson Etheridge

2. DISCUSS AND CONSIDER REQUEST FROM MR. BONNY SUMNER TO RE-ZONE HIS PROPERTY LOCATED ON HIGHWAYS 19 AND 64 FROM BUSINESS 2 TO FIRST MONDAY BUSINESS 2 - The committee reviewed Mr. Sumner's request and discussed concerns of FMB-2 zoning in it's allowance of animals. Mr. Sumner informed the committee he did not intend to open the area to animals however, didn't want to turn away someone who might want to sell a few puppies in their merchandise booth. Mr. Sumner stated he would not be opposed to zoning of FMB-1 instead.

   There were no written or oral responses received from the property owners within 200 feet who were notified of the request.

   Betsy McCarty made a motion to recommend the City Council change the zoning on the requested property from Business 2 to First Monday Business 1. Jessie Smith seconded and all were in favor. The recommendation will be taken before the City Council at 6:30 p.m. during their meeting on this same date.

4. ADJOURN - Prior to adjourning, the committee discussed the need for revisions and amendments to the Zoning Ordinance. A workshop will be scheduled in the near future to discuss needed changes and clarifications. The meeting then adjourned.

Sec #8

REGULAR MEETING
6:30 P.M., TUESDAY, OCTOBER 17, 1995

The Canton City Council met at the above named date and time in the City Hall Council Chambers with Mayor Etheridge presiding. All members were present as follows: Ronnie Fugate, Ron Sanford, John Crow, Kenneth Pruitt, and Bob Alexander.

Discussion and action were as follows:

1. MAYOR'S WELCOME - Mayor Jack Etheridge

2. INVOCATION - Councilman Ronnie Fugate

3. CONSIDERATION TO APPROVE MINUTES - Kenneth Pruitt made a motion to approve the minutes as written. Ron Sanford seconded and all were in favor.

4. CONSIDERATION TO APPROVE FINANCIAL STATEMENTS - Following Johnny Mallory's oral review, Bob Alexander made a motion to approve the September 30, 1995 Financial Statements. Kenneth Pruitt seconded and all were in favor.

5. GUEST ITEMS - Mayor Etheridge and Police Chief Ron Carroll presented retiring Police Officer Gene Wilhite with plaques from the City and Police Department in appreciation of his dedicated service.

   Mr. Steve Sweetman of Real Deal Outlet addressed the Council with concerns of signs placed on Interstate 20 during First Monday Weekend directing traffic to exits other than Highway 19, hindering his business located on Highway 19. Mr. Sweetman expressed his understanding that safety must be the first concern, however, felt the redirection created bottlenecking on Highways 64 and 17. He also expressed concerns regarding the method of constructing the new bridge in future plans. Councilman Pruitt stated the number of accidents on Highway 19 at Interstate 20 had dropped from 160 to 0 since the placement of the traffic lights and re-striping. He and Mr. Mallory deliberated on the State's plans and present traffic studies and invited Mr. Sweetman to attend the next meeting with local officials and the State pertaining to traffic control and safety.

   Mr. Howard Buck and his son informed the Council the new street work done on the "hill" of the First Monday Park has not helped to entice shoppers to the "older area." Mr. Buck offered some suggestions such as placing unreserved vendors in the area. Councilman Alexander assured Mr. Buck the First Monday Committee is presently in some negotiations which should enhance the area, and that if the negotiations fell through, other options would be considered.

6. DISCUSS AND CONSIDER REQUEST FROM THE CANTON SOFTBALL LEAGUE TO NAME THE FIELD AT THE CITY LAKE PARK - Councilman John Crow explained the Fire Department Softball League would like to name the large lighted field at the Old City Park in memory of Ron Anderson, the fireman who recently died in an automobile accident. Ronnie Fugate made a motion to name the field Anderson Field. John Crow seconded and all were in favor.

7. DISCUSS AND CONSIDER REQUEST FROM MR. BONNY SUMNER TO CHANGE THE ZONING FROM BUSINESS TO FIRST MONDAY BUSINESS 2 ON PROPERTY LOCATED ON HIGHWAYS 64 AND 19 - Johnny Mallory informed the Council of the Planning & Zoning

Committee's recommendation to change the zoning to First Monday Business 1 on the requested property. Mr. Sumner was present and stated the First Monday Business 1 was satisfactory with him. Ron Sanford made a motion to change the zoning from Business to First Monday Business 1 on Mr. Sumner's property north on Highway 19 from the intersection at Highway 64 and east on Highway 64 from the same intersection. Ronnie Fugate seconded and all were in favor.

8. DISCUSS AND CONSIDER REQUEST FROM MR. & MRS. CHARLES DUKE TO CHANGE THE ZONING FROM RESIDENTIAL TO BUSINESS 1 AT 901 S. HIGHWAY 19 - Mr. Mallory reviewed the aforementioned request, and stated the request is located in the strip along Highway 19 which has a standing recommendation from the Planning & Zoning Committee to change the zoning to Business 1. Councilman Fugate expressed concern from one property owner on Pacific on commercial traffic. Mr. Mallory explained an ordinance is recorded pertaining to weight limits on residential streets and primary access to the property is off Highway 19. Bob Alexander made a motion to approve the zoning request and Ron Sanford seconded. All were in favor and Ronnie Fugate asked that the property owner be made aware of the weight limits and also to place a sign pertaining to such on Pacific Street.

9. DISCUSS AND CONSIDER AN ORDINANCE PASSED MARCH 16, 1982 PERTAINING TO PUBLIC AMUSEMENT AND THE POSSIBILITY OF AMENDING SUCH - Johnny Mallory brought to the Council's attention an ordinance on the city books pertaining to permits, inspections, etc. for businesses housing any type of coin vending game machines, coin operated pool tables, etc. Mr. Mallory explained there are businesses presently falling under this ordinance which have not been required to obtain permits. He also asked the Council's direction in either enforcement of the ordinance or amending the ordinance. Ronnie Fugate moved to table this item and have the staff review and present needed and/or proposed amendments. Bob Alexander seconded and all were in favor. Bob Alexander also suggested a permit fee of $10.00 for those businesses with less than three coin operated games.

10. DISCUSS AND CONSIDER ACCEPTING A PETITION FOR ANNEXATION OF 2 ACRES LOCATED ON THE NORTHEAST CORNER OF INTERSTATE 20 AND HIGHWAY 19 - MR. CHARLES FEATHERSTON - Mr. Mallory explained the property is located just north of the Texaco on Highway 19. Bob Alexander made a motion to accept the petition and begin annexation proceedings. Ronnie Fugate seconded and all were in favor.

11. DISCUSS AND CONSIDER AMENDING ORDINANCE #93-12 PERTAINING TO WATER RATES AND THE ASSESSMENT OF AN AMBULANCE SERVICE FEE - Mr. Mallory presented a proposed ordinance amending water rates by decreasing the minimum from 3,000 gallons to 1,500 gallons, charging $2.10 per thousand for usage of 1,501 to 10,000 gallons, and $2.20 per thousand for usage or 10,000 gallons. The ordinance also included the ambulance fee presently charged to customers on city water. Ron Sanford made a motion to adopt the ordinance. Kenneth Pruitt seconded. Those in favor were Ron Sanford, Kenneth Pruitt, and John Crow. Those opposed were Ronnie Fugate and Bob Alexander. Motion carried.

12. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO THE POLICY OF INTERSECTION SOLICITATIONS - Police Chief Ron Carroll asked the Council to consider prohibiting any solicitations at all intersections within the city, expressing concern of safety. Chief Carroll stated the Highway Department had previously recommended the same. Bob Alexander asked the staff to prepare a written recommendation/policy for the next Council meeting, and that the Council members contact the staff with their input. The remaining Council members agreed.

13. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO FIRST MONDAY PARKING AND RIGHT OF WAY USAGE - Councilman Alexander expressed concern with vendors setting up canopies, tents, etc. on the right-of-ways, with primary concern being on Highway 64 and Highway 19. He expressed a need to control such inside the city limits in hopes of also discouraging the right-of-way use outside the city limits. The Council was in agreement to enforce the existing ordinance.

14. DISCUSS AND CONSIDER A POSSIBLE EMPLOYEE HEALTH & WELLNESS PROGRAM - Councilman Alexander suggested the City look into a Health & Wellness program offered by Mother Frances Hospital and to consider paying up to a given amount for employees wishing to participate in a program to quit smoking on a one time basis. The Council asked Julie Jackson to contact Mother Frances Hospital and obtain information on the program and cost.

15. DISCUSS AND CONSIDER PASSING A RESOLUTION REQUESTING THE STATE OF TEXAS TO QUIT-CLAIM INTEREST AND RELEASE SURPLUS RIGHT OF WAY ON STATE HIGHWAY 243 - Mr. Mallory explained the surplus right-of-way is located along Highway 19 in the Pizza Hut/Sonic area. When questioned, Mr. Mallory confirmed the property in question did not extend North across the entrance to the shopping center. Kenneth Pruitt made a motion to approve the resolution. John Crow seconded and all were in favor.

16. DISCUSS AND CONSIDER PASSING A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION WITH OTHER GTE CITIES IN AN EFFORT TO DRAFT AND NEGOTIATE A MUNICIPAL FRANCHISE ORDINANCE - Mr. Mallory explained the GTE/Contel Cities Steering Committee formed in a coalition to draft a new GTE Franchise Ordinance and by joining forces, the group would have more negotiation power with GTE. Mr. Mallory recommended the City do so at a cost of $150.00. Bob Alexander made a motion to approve the expenditure and the resolution authorizing the city's participation. Ronnie Fugate seconded and all were in favor. Mayor Etheridge appointed Bob Alexander to serve on the committee as Canton's authorized representative.

17. DISCUSS AND CONSIDER ALL MATTERS PERTAINING TO STREET PROJECTS - Mr. Mallory updated the Council as to the status of improvements on Dodson Street and a meeting was scheduled for October 28, 1995, at 9:00 a.m. for the Street Committee to review and consider upcoming projects.

18. DISCUSSION PERTAINING TO OLD AND NEW BUSINESS FOR PLACEMENT ON FUTURE AGENDAS - Kenneth Pruitt asked for an update on everything the City has asked legal counsel to review, draft, amend, etc. Johnny Mallory informed the Council of the need for a work session in the near future concerning building, electrical, fire, and plumbing codes. The staff also informed the Council the proposed Firework Ordinance amendment would be ready for consideration during the November meeting.

A closed or executive session will follow pursuant to TEX. REV. CIV. STAT. ANN. ART. 6252.17 Sections 2(f) and 2(g).

19. EXECUTIVE SESSION - The Council retired to executive session at 8:02 p.m. for discussion on the following:

    A. DISCUSSION PERTAINING TO LEASE PROPERTY MATTERS
    B. DISCUSSION PERTAINING TO PERSONNEL MATTERS

20. RECONVENE TO OPEN SESSION TO TAKE ANY ACTION REQUIRED PURSUANT TO DISCUSSION IN EXECUTIVE SESSION - The Council reconvened at 8:30 p.m. Bob Alexander made a motion to authorize the City Manager to execute a lease with the radio station on 2.36 acres of land in the Industrial Park as opposed to the previous lease of 1.50 acres. Ronnie Fugate seconded and all were in favor.

21. ADJOURN - There being no further items for discussion, the meeting adjourned at 8:35 p.m.

CANTON PLANNING & ZONING COMMISSION
1:00 p.m., Tuesday, November 28, 1995

The Canton Planning & Zoning Commission met at the above named date and time in the City Hall Council Chambers. Member Orvil Denny presided as Chairwoman Lynn Etheridge was absent. All other members were present, Jessie Smith, Betsy McCarty, and Clifford Caviness.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Mr. Orvil Denny

2. DISCUSS AND CONSIDER REQUEST FROM MR. GARY GUTIERREZ TO RE-ZONE HIS PROPERTY LOCATED AT 951 W. DALLAS FROM RESIDENTIAL (R1) TO BUSINESS (B1) - The Committee reviewed the responses from property owners within 200 feet. Eight property owners were notified, two responded in favor and one opposed. Following a brief discussion, Betsy McCarty made a motion to recommend the zoning change to the City Council. Clifford Caviness seconded the motion and all were in favor.

   The recommendation will be taken before the City Council during their 6:30 p.m. meeting on this same date.

3. DISCUSS AND CONSIDER SCHEDULING A WORK SESSION TO REVIEW AND RECOMMEND CHANGES TO THE ZONING ORDINANCE - The Committee discussed the need of a zoning district for professional services separate from the types of business allowed in Business 1 and Business 2. They also discussed the need of a more in-depth definition pertaining to multiple-family, more restrictions in First Monday zoning, etc. They asked the City Secretary to obtain zoning ordinance copies from other cities pertaining to townhomes, flea markets, business districts, etc. to be further discussed and reviewed at a called meeting after the first of the year.

4. ADJOURN - There being no further items for discussion, the meeting adjourned at 1:35 p.m.