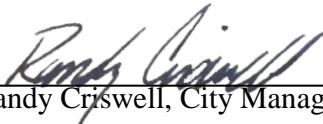


AGENDA

NOTICE OF MEETING

Notice is hereby given that the governing body of the City of Canyon will meet at 5:30 p.m. on the 2nd day of April 2018, in the Commission Chambers of City Hall at 301 16th Street in the City of Canyon to discuss the following agenda items:

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Approval of the Minutes of the Meeting of March 19, 2018.
5. Public Comment – Comments from Interested Citizens.
6. Present Proclamation for CASA.
7. Consider and Take Appropriate Action on Ordinance No. 1077, An Ordinance Prohibiting Engine Brakes Within the City Limits of Canyon Texas.
8. Consider and Take Appropriate Action on Ordinance No. 1078, An Ordinance Reducing the Speed Limit on Valley View Drive and a portion of Country Club Drive to 25 mph.
9. Consider and Take Appropriate Action on Update from Fire Chief Mike Webb as to The Status of Wild Fire Mitigation Plan.
10. Executive Session Pursuant to §551.072 Deliberation of Real Property.
11. Consider and Take Appropriate Action on Items Discussed in Executive Session.
12. Adjourn.


Randy Criswell, City Manager

I certify that the above Notice of Meeting was posted on the bulletin board of the Civic Complex of the City of Canyon, Texas on the 30th day of March 2018.


Gretchen Mercer, City Clerk

The City Commission of the City of Canyon met in regular session at 5:30 p.m. in the City Commission Chambers of the Civic Complex. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Cordell Jones, Roger Remlinger and Paul R. Lyons. Mayor Pro-Tem Justin Richardson was unable to attend.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Chris Sharp, Assistant City Manager for Special Projects Jon Behrens, City Attorney Chuck Hester, Business and Community Development Director Evelyn Ecker, Parks Director Brian Noel, Safety Director Tony Lawson, and Water Superintendent Eric Whitten.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 5:31 p.m.

Item 2. Invocation.

Commissioner Jones gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Remlinger.

Item 4. Approval of Minutes of the Special Meeting March 5, 2018.

Commissioner Remlinger moved, duly seconded by Commissioner Jones, to approve the minutes of March 5, 2018 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments From Interested Citizens.

There was no comment.

Item 6. Consider and Take Appropriate Action on Resolution No. 09-2018 Requesting the Transfer of Spur 48 (Russell Long Boulevard) From TxDOT to the City of Canyon

City Manager Criswell introduced this item. He reminded the Commission of a recent presentation by Dr. Wendler and Randy Rikel of WTAMU describing and visually demonstrating the University's vision for Spur 48. That vision is much easier to attain if TxDOT no longer controls the roadway. Mr. Criswell stated that staff had met with TxDOT and WT officials, and they believe that if the roadway were a City street, there is much more flexibility for WT to accomplish their vision for the University. TxDOT has agreed to do some rehabilitation of the roadway, and Mr. Criswell stated he felt this would be a "win" for all involved. He stated that TxDOT would need a Resolution from the City stating a desire to possess the roadway to start the process. Mr. Criswell recommended adoption of Resolution No. 09-2018.

Commissioner Jones moved, duly seconded by Commissioner Remlinger, to approve Resolution No. 09-2018 as presented. Motion carried unanimously.

Item 7. Consider and Take Appropriate Action on Possible Matching Funds for Arbor Day Tree Planting.

Mayor Hinders stated that he had been discussing an Arbor Day in Canyon, and had visited with the Canyon Noon Lions Club and the Canyon Rotary Club about conducting an Arbor Day in Canyon. He said he felt that if the City would be willing to match private funds raised, a substantial project to plant trees could be possible. He had been involved in an Arbor Day event at WT last year and wanted to do something like that for the City. Mandy Williams, President of the Canyon Noon Lions Club, and James Barrington, President of the Canyon Rotary Club, were in attendance and stated that they believed money could be raised through private donations to further this effort. Mayor Hinders stated he felt a 3:1 match from the City would be a reasonable target and would incentivize the private sector to raise money.

After further discussion, Commissioner Jones moved, duly seconded by Commissioner Lyons, to agree to match privately raised funds at a level of 3:1, with a cap of \$25,000 by the City. Motion carried unanimously.

Item 8. Consider and Take Appropriate Action on 2016-2017 Audit as Presented by Doshier, Pickens, & Francis.

John Marris, representing Doshier, Pickens & Francis, presented the FY 2017 Audit. Mr. Marris stated the Audit was a "clean" audit, and was very complimentary of Finance Director Chris Sharp and his staff, and the work that had been done to prepare for the Audit as well as the work done during the audit process. Mr. Marris went over the highlights of the Audit and allowed for questions.

After questions and discussion, Commissioner Remlinger moved, duly seconded by Commissioner Jones, to approve the Audit as presented. Motion carried unanimously.

Item 9. Consider and Take Appropriate Action on Appointment of Auditor for City of Canyon's Fiscal Year 2017-2018.

Assistant City Manager Chris Sharp recommended that Doshier Pickens & Francis be appointed the City's auditor for FY 2018.

Commissioner Jones moved, duly seconded by Commissioner Remlinger, to appoint Doshier Pickens & Francis as auditor for FY 2018. Motion carried unanimously.

Item 10. Executive Session Pursuant to §551.072 Real Property.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 6:36 p.m.

Item 11. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 6:41 pm, no action was taken.

Item 12. Adjourn.

There being no further business, Commissioner Lyons moved this meeting be adjourned.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary

To: Randy Criswell; City Manager

From: Dale Davis, Chief of Police

Date: April 2, 2018

Re: Consider and Take Appropriate Action on Ordinance No. 1077, an Ordinance Prohibiting Engine Brakes Within the City Limits of Canyon, Texas.

To address noise concerns of our community, an ordinance has been brought before you to restrict the use of engine brakes, also known as "Jake Brakes" within the city limits.

The use of this braking device have an overwhelming loud roar which can be quite disturbing to folks living near major highways. The primary use for an engine brakes, is to assist in slowing large trucks travelling on roadways having a significant declining grade. These locations, inside the city limits of Canyon, are limited to non-existent. There is no valid reason to utilize engine brakes in Canyon.

It is my belief that the restricted use of engine brakes, with the exception of emergency situations, will eliminate the occurrence of unreasonable noise.

It is my recommendation to approve Ordinance No. 1077 to restrict the use of engine brakes.



Dale Davis
Chief of Police

ORDINANCE NO. 1077

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING CHAPTER 70 OF THE TRAFFIC CODE BY PROHIBITING THE USE OF ENGINE BRAKES (ALSO KNOWN AS “JAKE BRAKES”); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Canyon finds that it is in the public interest to regulate the use of engine brakes on large trucks within the City limits; and, the City Commission further finds that it would be in the best interest of the public to reduce unnecessary noise by prohibiting use of such equipment within the corporate limits of the City; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS THAT:

SECTION 1.

The Code of Ordinances, Title VII, Traffic Code is amended by adding a new Section 70.08 to provide as follows:

Engine Brakes

1. Engine Brakes. This Ordinance applies to the use or operation of an auxiliary or compression engine brake (also known as “Jake Brake”) which produces any noise in addition to the normal operating engine noise is prohibited within the city limits. This provision is not intended to prohibit the passage of vehicles equipped with engine brakes or “Jake Brakes” in posted areas but rather prohibit the use of such equipment in posted areas.
2. It shall be unlawful for any driver of a truck or truck-tractor to activate or use the unit’s engine brake within the city limits except in an emergency situation.
3. The term “emergency situation”, for the purposes of this ordinance, shall mean one in which there is imminent danger of collision with property, persons or animals.
4. Emergency vehicles are exempt from the Jake Brake ordinance.

B. Penalty

Any person, or persons, violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, not less than one dollar (\$1.00), or more than five hundred (\$500.00) dollars, for each offense.

SECTION 2.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as required by §5.13 of the municipal charter.

ADOPTED on the 2nd day of April, 2018.

GARY HINDERS, Mayor

ATTEST:

GRETCHEN MERCER, City Secretary

To: Randy Criswell; City Manager

From: Dale Davis, Chief of Police

Date: April 2, 2018

Re: Consider and take appropriate action on Ordinance No. 1078, An Ordinance Reducing the Speed Limit on Valley View Drive and a Portion of Country Club Drive to 25 mph.

To address safety concerns of our community, an ordinance has been brought before you to reduce the speed along two roadways within the incorporated city limits of Canyon. These roads are:

1. Valley View Drive. Decrease the speed from 30 mph to 25 mph.
2. Country Club Drive from a point starting at Country Club Drive and Village north to the intersection of Country Club Drive and Griffin. (Entrance to Palo Duro Creek Golf Course). Reduce the speed from 30 mph to 25 mph.

It is my belief that the reduction of speed at the above two locations will enhance the safety for both motorist, and pedestrians along those roadways.

It is my recommendation to approve Ordinance 1078 to reduce the speeds on Valley View Drive and along a specific point on Country Club Drive.



Dale Davis
Chief of Police

ORDINANCE NO. 1078

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING §71.30(A)(2)(d) OF THE TRAFFIC CODE TO PROVIDE FOR PRIMA FACIE SPEED LIMITS ESTABLISHED FOR MOTOR VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF CANYON AS PROVIDED IN THIS ORDINANCE, PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Canyon has determined that public safety requires the adoption of an ordinance to regulate the maximum speed limit of traffic on public streets located within the incorporated limits of the City of Canyon and that such speed regulations should be enforced in the same manner as other speed regulations on the speed of vehicles within the City of Canyon; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS;

SECTION 1:

§71.30(A)(2)(d) of the Traffic Code is amended by adding subsection 5, to provide as follows:

“Twenty Five miles per hour on Valleyview Drive for the entire length of the street.”

SECTION 2:

§71.30(A)(2)(d) of the Traffic Code is amended by adding subsection 6, to provide as follows:

“Twenty Five miles per hour on Country Club Drive from the intersection of Country Club Drive and Village Drive, north to the intersection of Country Club Drive and Griffin Drive.”

SECTION 3:

The provisions of this Ordinance shall be effective upon its adoption and publication as required by §5.13 of the municipal charter.

SECTION 4:

It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional

by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ADOPTED ON April 2, 2018.

ATTEST:

GARY HINDERS, Mayor

Gretchen Mercer, City Clerk

To: Mayor and City Commission
From: Randy Criswell, City Manager
Date: April 2, 2018
Re: Consider and Take Appropriate Action on Update from Fire Chief Mike Webb as to The Status of Wild Fire Mitigation Plan.

I have asked Chief Webb for an update on his efforts to investigate and develop a strategy for mitigating wildfires that might threaten the City. I expect to have a memo from him prior to the meeting but don't have it at this time.