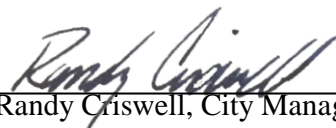


AGENDA

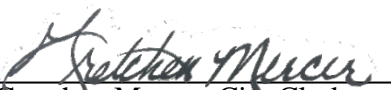
NOTICE OF MEETING

Notice is hereby given that the governing body of the City of Canyon will meet at 4:30 p.m. on the 5th day of November 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 October 29, 2018.
5. Public Comment – Comments from Interested Citizens.
6. Update From City Manager Randy Criswell on Designated 15 Minute Parking Spots Around the Square and Progress of North Sewer Expansion Project.
7. Comprehensive Plan Workshop.
8. Consider and Take Appropriate Action on Bids Received for Water System Improvements – Brown Road Wellfield – Well Piping, Transmission Line & Pumps for Wells 34-37.
9. Consider and Take Appropriate Action on Ordinance No. 1100 Enforcing All Pertinent City Ordinances Applicable and Enforceable Within the ETJ of the City of Canyon.
10. Consider and Take Appropriate Action on Ordinance No. 1098 Amending the City of Canyon Code of Ordinances, Section 72.01, Limiting Parking by Curbside Mailboxes.
11. Consider and Take Appropriate Action on Ordinance No. 1099, An Ordinance Amending the City of Canyon Code Of Ordinances, Sections 98.13 and 98.15, Relating to Events at the Cole Community Center Where Alcohol Is To Be Allowed.
12. Consider and Take Appropriate Action on Purchase of New AED's for Emergency Response Vehicles and Various City Facilities, With Such Action Also Approving a Required Budget Amendment.
13. Executive Session Pursuant to §551.071, Consultation with Attorney, and §551.072, Real Property.
14. Consider and Take Appropriate Action on Items Discussed in Executive Session.
15. 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 2nd day of November 2018.


Gretchen Mercer, City Clerk

The City Commission of the City of Canyon met in regular session at 4:30 pm in the City Commission Chambers of the Civic Complex. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Mayor Pro-Tem Justin Richardson, Cordell Jones, Roger Remlinger and Paul R. Lyons.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Chris Sharp, City Secretary Gretchen Mercer, Assistant City Manager for Special Projects Jon Behrens, Planning and Development Director Danny Cornelius, Director of Public Works Dan Reese, Golf Course Manager John Haun, Director of Golf Casey Renner, Utility Superintendent Eric Whitten, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:32 p.m.

Item 2. Invocation.

Mayor Pro-Tem Richardson gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Remlinger.

Item 4. Approval of Minutes of the Meeting of October 1, 2018.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones, to approve the minutes of October 1, 2018 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No Comments were made.

Item 6. Comprehensive Plan Workshop.

City Manager Randy Criswell and Assistant City Manager Jon Behrens presented a final Draft of the City of Canyon Comprehensive Plan for discussion. Commissioners discussed Chapters 1 and 2 making the following points:

- Talked about future growth and population.
- Interest in facts of the high percent of population holding degrees.
- Found notable with work distribution that Canyon has a lot of service businesses, not much manufacturing or sales businesses.
- Commissioner Lyons voiced his opposition to Impact Fees and Parkland Dedication Ordinances being included in the Comprehensive Plan. He said that as a local builder adding these fees increases the builders cost and would hurt local businesses because prospective homeowners will purchase cheaper homes in South Amarillo taking “rooftops” away from Canyon. Mr. Lyons said this will make it harder for already struggling local businesses to make it. Mr.

Lyons said he predicts if the fees are implemented in Canyon there wouldn't be any more developments in Canyon. Commissioner Jones asked if the developer doesn't pay Impact Fees, who pays for expansion of utilities to serve the development, Mr. Criswell stated the taxpayers of Canyon would pay for it through service fees. Mr. Criswell also stated that it was important to remember that the proposed Plan simply recommends the Study of impact fees, and does not contain a mandate that they be implemented.

Mr. Behrens stated that the recommendations of the Comprehensive Plan are a result of citizen input and detailed study by the Comprehensive Plan Advisory Committee.

Commissioners agreed to pick up discussion of a few more chapters of the final draft of the Comprehensive Plan at the next meeting beginning with Chapter 3.

A five minute break was taken at this time.

Item 7. Consider and Take Appropriate Action on Palo Duro Creek Golf Course New Car Proposal.

Palo Duro Creek Golf Course Director Casey Renner presented a modified proposal for the purchase of new golf cars. At the meeting on August 6, 2018, the City Commission approved the purchase of golf cars with lithium batteries, but after that meeting, it was discovered that the pricing was misunderstood and would cost more than was approved. Staff then reevaluated proposals based on the purchase amount that was approved, and have a new recommendation. Mr. Renner stated it was staff's recommendation to purchase the EZ Go cars with traditional lead-acid batteries for \$195,912.00. City Manager Randy Criswell stated staff felt it was important to bring this back to the City Commission for approval since the award would need to be different than the original award.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger to authorize the purchase of EZ Go Lead Acid cars for \$195,912.00. Motion carried unanimously.

Item 8. Consider and Take Appropriate Action on Resolution No. 07-2018, Approving the City of Canyon's Investment Policy.

Assistant City Manager Chris Sharp presented the City of Canyon Investment Policy for annual approval. Mr. Sharp stated the only change made to the Investment Policy was the deletion of the City of Canyon's stated preferred fund balance of 50% of the annual operating costs, due to the fact that when we were being re-rated by S&P, they wanted to use that preferred target against us, and when we've dropped below that value they wanted to claim we were violating our own policy. Mr. Sharp said staff had to explain that the 50% was a goal of the City and not a requirement. City Manager Randy Criswell expressed appreciation to Mr. Sharp and his hard work and the time he spent fighting to keep the City of Canyon bond rating the same.

After discussion, Commissioner Remlinger moved, duly seconded by Commissioner Jones to approve Resolution No. 07-2018, City of Canyon Investment Policy, as presented. Motion carried unanimously.

RESOLUTION NO. 07-2018
**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON,
RANDALL COUNTY, TEXAS, ADOPTING RULES GOVERNING THE
INVESTMENT OF FUNDS OF THE CITY, AND DESIGNATING THE DIRECTOR OF
FINANCE TO BE RESPONSIBLE FOR THE INVESTMENT OF CITY FUNDS.**

Item 9. Consider and Take Appropriate Action on Quarterly Finance Report by Finance Director Chris Sharp.

Finance Director Chris Sharp presented the Quarterly Finance Report for consideration. After discussion Commissioner Jones moved, duly seconded by Mayor Pro-Tem Richardson to approve the Quarterly Finance Report as presented. Motion carried unanimously.

Item 10. Consider and Take Appropriate Action on Quarterly Investment Report by Finance Director Chris Sharp.

Finance Director Chris Sharp presented the Quarterly Investment Report for consideration. After discussion Commissioner Remlinger moved, duly seconded by Commissioner Jones to approve the Quarterly Investment Report as presented. Motion carried unanimously.

Item 11. Executive Session Pursuant to §551.071, Consultation with Attorney, and §551.072, Real Property.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 6:30 pm.

Item 12. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 8:05 pm, no action was taken.

Item 13. Adjourn.

There being no further business, Mayor Pro-Tem Richardson moved this meeting be adjourned.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary

To: Randy Criswell, City Manager
From: Dan Reese, Public Works Director
Date: October 31, 2018
Re: Consider and Take Appropriate Action on Bids Received for Water System Improvements – Brown Road Wellfield – Well Piping, Transmission Line & Pumps for Wells 34-37.

This project will be the completion of the new Brown Road wellfield. Once constructed, this project will allow Wells 34-37 to be placed in service. If you will recall, the wells were drilled, cased, test pumped and secured w/ fencing on a previous project.

Last Thursday, October 25, we opened bids on the project and six bids were received. The bids received ranged from approximately \$818,000 to \$1,359,000. The engineer's estimate was a little over \$998,000. The low bid was submitted by Scott Wampler Construction & Services of Canyon in the amount of \$817,900.00. The time that was bid to complete the project was 210 calendar days.

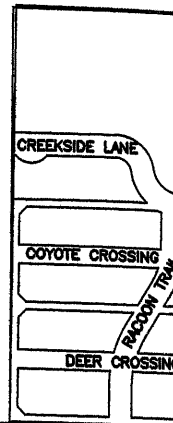
Another large expense to be added to this project will be construction or power lines to each of the sites. I have spoken w/ Xcel, their project is under design and they have not come up with a cost estimate at this time. Hopefully, we'll have that number prior to the meeting.

Funding for this project is proposed to come from the water bond funds. A sketch of the project, bid tabulation sheet and award recommendation from the Engineer is attached.

The public works department concurs with the Engineer and recommends awarding the Brown Rd. wellfield transmission line project to Scott Wampler Construction & Services in the amount of \$817,900.00.

BID TABULATION SHEET
Water System Improvements
Brown Road Well Field
Well Piping, Transmission Line & Pumps For
Water Well No. 34, 35, 36 & 37
Canyon, Texas
October 25, 2018
2:00 PM

Item No.	BASE BID Description	Estimated Quantity	Unit	Scott Wampler Construction		Amarillo Utility Contractors		West Texas Utility		Spiess Construction		L.A. Fuller and Sons		MH Civil Constructors, Inc.	
				Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount
1	Mobilization/demobilization	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 38,000.00	\$ 38,000.00	\$ 35,766.00	\$ 35,766.00	\$ 45,000.00	\$ 45,000.00	\$ 43,604.00	\$ 43,604.00	\$ 105,054.00	\$ 105,054.00
2	Water Well No. 4 Demolition	1	LS	\$ 9,500.00	\$ 9,500.00	\$ 10,000.00	\$ 10,000.00	\$ 10,311.00	\$ 10,311.00	\$ 15,000.00	\$ 15,000.00	\$ 14,900.00	\$ 14,990.00	\$ 33,000.00	\$ 33,000.00
3	Disinfect Well	4	EA	\$ 500.00	\$ 2,000.00	\$ 700.00	\$ 2,800.00	\$ 633.75	\$ 2,535.00	\$ 4,000.00	\$ 16,000.00	\$ 692.00	\$ 2,768.00	\$ 430.00	\$ 1,720.00
4	Test Pump Well	4	EA	\$ 600.00	\$ 2,400.00	\$ 800.00	\$ 3,200.00	\$ 724.50	\$ 2,898.00	\$ 5,000.00	\$ 20,000.00	\$ 865.00	\$ 3,460.00	\$ 550.00	\$ 2,200.00
5	50 HP Motor, Pump, & Column Pipe For Well #34	1	LS	\$ 27,000.00	\$ 27,000.00	\$ 35,000.00	\$ 35,000.00	\$ 31,179.00	\$ 31,179.00	\$ 40,000.00	\$ 40,000.00	\$ 46,284.00	\$ 46,284.00	\$ 28,000.00	\$ 28,000.00
6	50 HP Motor, Pump, & Column Pipe For Well #35	1	LS	\$ 27,000.00	\$ 27,000.00	\$ 36,000.00	\$ 36,000.00	\$ 31,771.00	\$ 31,771.00	\$ 40,000.00	\$ 40,000.00	\$ 46,942.00	\$ 46,942.00	\$ 27,000.00	\$ 27,000.00
7	50 HP Motor, Pump, & Column Pipe For Well #36	1	LS	\$ 27,000.00	\$ 27,000.00	\$ 34,000.00	\$ 34,000.00	\$ 30,555.00	\$ 30,555.00	\$ 40,000.00	\$ 40,000.00	\$ 45,320.00	\$ 45,320.00	\$ 26,000.00	\$ 26,000.00
8	50 HP Motor, Pump, & Column Pipe For Well #37	1	LS	\$ 27,000.00	\$ 27,000.00	\$ 34,000.00	\$ 34,000.00	\$ 30,100.00	\$ 30,100.00	\$ 40,000.00	\$ 40,000.00	\$ 44,780.00	\$ 44,780.00	\$ 25,000.00	\$ 25,000.00
9	Well Piping, Valves, Fittings & all accessories	4	EA	\$ 26,500.00	\$ 106,000.00	\$ 22,000.00	\$ 88,000.00	\$ 31,107.25	\$ 124,429.00	\$ 30,000.00	\$ 120,000.00	\$ 27,320.00	\$ 109,280.00	\$ 68,000.00	\$ 272,000.00
10	Site Work at Water Well No. 34	1	EA	\$ 12,500.00	\$ 12,500.00	\$ 11,000.00	\$ 11,000.00	\$ 21,732.00	\$ 21,732.00	\$ 25,000.00	\$ 25,000.00	\$ 28,655.00	\$ 28,655.00	\$ 25,000.00	\$ 25,000.00
11	Site Work at Water Well No. 35	1	EA	\$ 12,500.00	\$ 12,500.00	\$ 11,000.00	\$ 11,000.00	\$ 21,732.00	\$ 21,732.00	\$ 25,000.00	\$ 25,000.00	\$ 24,722.00	\$ 24,722.00	\$ 25,000.00	\$ 25,000.00
12	Site Work at Water Well No. 36	1	EA	\$ 12,500.00	\$ 12,500.00	\$ 11,000.00	\$ 11,000.00	\$ 21,732.00	\$ 21,732.00	\$ 25,000.00	\$ 25,000.00	\$ 32,709.00	\$ 32,709.00	\$ 25,000.00	\$ 25,000.00
13	Site Work at Water Well No. 37	1	EA	\$ 12,500.00	\$ 12,500.00	\$ 11,000.00	\$ 11,000.00	\$ 21,732.00	\$ 21,732.00	\$ 25,000.00	\$ 25,000.00	\$ 24,503.00	\$ 24,503.00	\$ 25,000.00	\$ 25,000.00
14	Electrical Equipment for Water Well - 50HP	4	EA	\$ 28,500.00	\$ 114,000.00	\$ 33,750.00	\$ 135,000.00	\$ 31,927.00	\$ 127,708.00	\$ 40,000.00	\$ 160,000.00	\$ 29,839.00	\$ 119,356.00	\$ 30,000.00	\$ 120,000.00
15	Controls for Wells	4	EA	\$ 14,250.00	\$ 57,000.00	\$ 18,000.00	\$ 72,000.00	\$ 15,921.50	\$ 63,686.00	\$ 25,000.00	\$ 100,000.00	\$ 3,241.00	\$ 12,964.00	\$ 12,500.00	\$ 50,000.00
16	6" PVC C900 DR18 Pipe	2,370	LF	\$ 25.00	\$ 59,250.00	\$ 28.00	\$ 66,360.00	\$ 32.00	\$ 75,840.00	\$ 16.00	\$ 37,920.00	\$ 26.70	\$ 63,279.00	\$ 53.00	\$ 125,610.00
17	12" PVC C900 DR18 Pipe	1,860	LF	\$ 35.00	\$ 65,100.00	\$ 45.00	\$ 83,700.00	\$ 51.00	\$ 94,860.00	\$ 27.00	\$ 50,220.00	\$ 52.50	\$ 97,650.00	\$ 60.00	\$ 111,600.00
18	14" PVC C900 DR25 Pipe	1,250	LF	\$ 45.00	\$ 56,250.00	\$ 51.00	\$ 63,750.00	\$ 58.00	\$ 72,500.00	\$ 35.00	\$ 43,750.00	\$ 66.40	\$ 83,000.00	\$ 68.00	\$ 85,000.00
19	6" Gate Valve and Box	1	EA	\$ 1,800.00	\$ 1,800.00	\$ 2,100.00	\$ 2,100.00	\$ 1,496.00	\$ 1,496.00	\$ 2,000.00	\$ 2,000.00	\$ 1,842.00	\$ 1,842.00	\$ 2,400.00	\$ 2,400.00
20	12" Gate Valve and Box	2	EA	\$ 2,600.00	\$ 5,200.00	\$ 3,200.00	\$ 6,400.00	\$ 2,983.50	\$ 5,967.00	\$ 4,000.00	\$ 8,000.00	\$ 3,388.00	\$ 6,776.00	\$ 4,400.00	\$ 8,800.00
21	Ductile Iron Fittings	4,190	LBS	\$ 6.00	\$ 25,140.00	\$ 5.00	\$ 20,950.00	\$ 5.00	\$ 20,950.00	\$ 2.00	\$ 8,380.00	\$ 5.70	\$ 23,883.00	\$ 6.00	\$ 25,140.00
22	2" Air Release Valve Assembly	4	EA	\$ 7,500.00	\$ 30,000.00	\$ 4,300.00	\$ 17,200.00	\$ 11,040.75	\$ 44,163.00	\$ 9,000.00	\$ 36,000.00	\$ 5,727.00	\$ 22,908.00	\$ 14,000.00	\$ 56,000.00
23	Pressure Sustaining Valve Assembly	1	LS	\$ 38,500.00	\$ 38,500.00	\$ 51,000.00	\$ 51,000.00	\$ 23,338.00	\$ 23,338.00	\$ 35,000.00	\$ 35,000.00	\$ 31,365.00	\$ 31,365.00	\$ 38,000.00	\$ 38,000.00
24	Chlorination System Modifications	1	LS	\$ 23,500.00	\$ 23,500.00	\$ 18,000.00	\$ 18,000.00	\$ 17,506.00	\$ 17,506.00	\$ 20,000.00	\$ 20,000.00	\$ 35,686.00	\$ 35,686.00	\$ 55,000.00	\$ 55,000.00
25	Water Line Utility Markers	2	EA	\$ 100.00	\$ 200.00	\$ 60.00	\$ 120.00	\$ 386.50	\$ 773.00	\$ 500.00	\$ 1,000.00	\$ 114.00	\$ 228.00	\$ 460.00	\$ 920.00
26	Access Road	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 23,543.00	\$ 23,543.00	\$ 30,000.00	\$ 30,000.00	\$ 47,267.00	\$ 47,267.00	\$ 34,000.00	\$ 34,000.00
27	Culvert and Grading	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 8,000.00	\$ 8,000.00	\$ 10,745.00	\$ 10,745.00	\$ 2,000.00	\$ 2,000.00	\$ 6,715.00	\$ 6,715.00	\$ 13,000.00	\$ 13,000.00
28	Cattle Guard	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 8,000.00	\$ 8,000.00	\$ 14,971.00	\$ 14,971.00	\$ 3,000.00	\$ 3,000.00	\$ 11,742.00	\$ 11,742.00	\$ 10,000.00	\$ 10,000.00
29	Trench Safety	5,560	LF	\$ 1.00	\$ 5,560.00	\$ 1.00	\$ 5,560.00	\$ 1.00	\$ 5,560.00	\$ 1.00	\$ 5,560.00	\$ 1.00	\$ 5,560.00	\$ 0.10	\$ 556.00
30	Erosion Controls	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,400.00	\$ 1,400.00	\$ 20,000.00	\$ 20,000.00	\$ 44,400.00	\$ 44,400.00	\$ 1,500.00	\$ 1,500.00
31	Traffic Controls	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 5,300.00	\$ 5,300.00	\$ 5,000.00	\$ 5,000.00	\$ 3,552.00	\$ 3,552.00	\$ 1,500.00	\$ 1,500.00
BASE BID				TOTAL	\$ 817,900.00	TOTAL	\$ 916,140.00	TOTAL	\$ 996,778.00	TOTAL	\$ 1,043,830.00	TOTAL	\$ 1,086,190.00	TOTAL	\$ 1,359,000.00
CALENDAR DAYS TO COMPLETE THE BASE BID PROJECT					210		180		300		300		330		270



U.S. HIGHWAY 60

EXISTING 12" TRANSMISSION LINE
EXISTING WATER WELL NO. 4

PROPOSED TRANSMISSION LINE "A"

EXISTING 14" TRANSMISSION LINE

PROPOSED CHLORINATION MODIFICATIONS

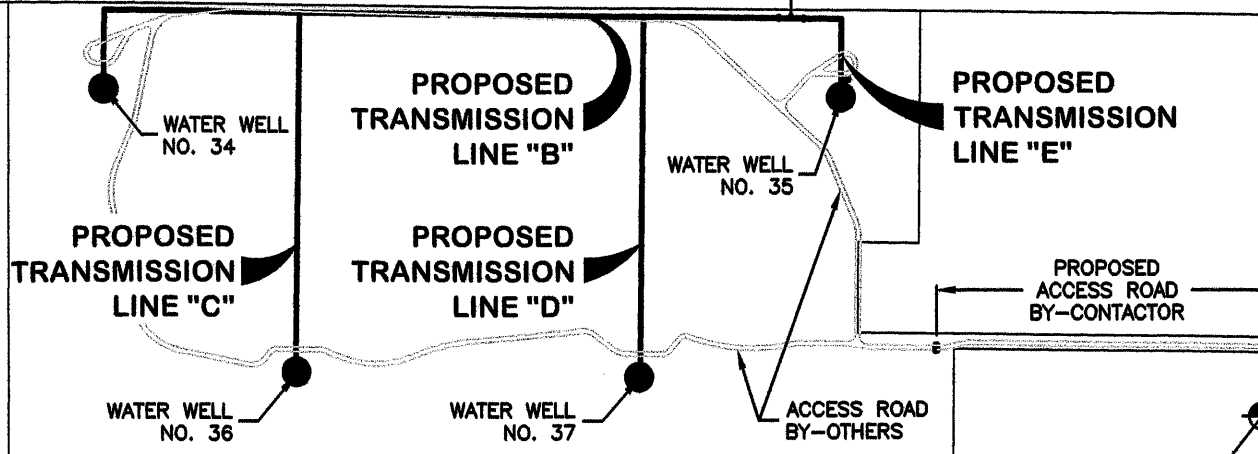
NORTH 2ND AVENUE

BENCHMARK #1

B.N.S.F. R.R.

CONTROL POINT #1

1ST AVENUE



PROPOSED TRANSMISSION LINE "B"

PROPOSED TRANSMISSION LINE "E"

WATER WELL NO. 34

WATER WELL NO. 35

PROPOSED TRANSMISSION LINE "C"

PROPOSED TRANSMISSION LINE "D"

PROPOSED ACCESS ROAD BY-CONTACTOR

WATER WELL NO. 36

WATER WELL NO. 37

ACCESS ROAD BY-OTHERS

PROPERTY LINE

CONTROL POINT #2

BROWN ROAD

WEST 4TH AVENUE

WEST 6TH AVENUE

WEST 7TH AVENUE

WEST 8TH STREET

WEST 7TH STREET

WEST 5TH STREET

WEST 3RD STREET

WEST 2ND STREET

SANTA FE RAILROAD

OREGON TRAIL

BUTTERFIELD TRAIL

CHISOLM TR

SANTA FE TRAIL

1ST STREET

2ND STREET

3RD STREET

4TH STREET

5TH STREET

6TH STREET

3RD AVENUE

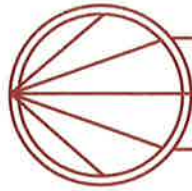
4TH AVENUE

5TH AVENUE

6TH AVENUE

7TH AVENUE

8TH AVENUE



**BRANDT
ENGINEERS®**

TBPE REGISTRATION No. 4174

4537 CANYON DRIVE, AMARILLO, TEXAS 79110

OFC: 806/353-7233

FAX: 806/353-7261

October 26, 2018

The Honorable Gary Hinders, Mayor and City Commission
City of Canyon
301 16th Street
Canyon, Texas 79015

Re: Bid Award Recommendation
Water System Improvements
Brown Road Well Field
Well Piping, Transmission Line & Pumps
for Water Well No. 34, 35, 36 & 37
Canyon, Texas

Mayor and Commission:

Bids were opened on October 25, 2018, for the above referenced project. The bid tabulation sheet is attached.

The lowest bid for the project was submitted by Scott Wampler Construction & Services, LLC, of Canyon, Texas in the amount of \$817,900.00 and 210 calendar days to complete the construction.

It is recommended that the contract be awarded to Scott Wampler Constructions & Services, LLC, in the amount of \$817,900.00 and to be completed in 210 calendar days be accepted.

If you have any questions, please do not hesitate to call.

Sincerely,

BRANDT ENGINEERS


Oscar Ostos

OO:mp

enclosure

To: Mayor and City Commission
From: Randy Criswell, City Manager
Date: November 5, 2018
Re: Consider and Take Appropriate Action on Ordinance No. 1100 Enforcing All Pertinent City Ordinances Applicable and Enforceable Within the ETJ of the City of Canyon.

As was discussed in the Comprehensive Plan redevelopment, with the growth that is occurring outside the City Limits but within the ETJ, we felt it would be appropriate to recommend to you that we grant ourselves the authority to enforce all applicable Codes within the ETJ. This could solve a lot of problems and headaches as the area continues to develop, and could be greatly beneficial moving forward.

Chuck has prepared Ordinance No. 1100 for this purpose.

It is staff's recommendation that Ordinance No. 1100 be adopted.

ORDINANCE NO. 1100

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, EXTENDING SUBDIVISION REGULATIONS TO THE EXTRATERRITORIAL JURISDICTION (“ETJ”) OF THE CITY OF CANYON AS DETERMINED IN ACCORDANCE WITH CHAPTER 42, LOCAL GOVERNMENT CODE; EXTENDING MUNICIPAL ORDINANCES RELATING TO PUMPING, EXTRACTION, AND USE OF GROUNDWATER BY PERSONS OTHER THAN RETAIL PUBLIC UTILITIES AS DEFINED BY SECTION 13.002 WATER CODE TO THE ETJ; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subchapter A of Chapter 212, Texas Local Government Code affords municipalities the option to extend regulations relating to subdivisions to the extraterritorial jurisdiction (ETJ) of the municipality as defined by Chapter 42, Texas Local Government Code; and,

WHEREAS, Subchapter A of Chapter 212, Texas Local Government Code affords municipalities the option of extending application of its ordinances relating to pumping, extraction and use of groundwater to its ETJ to the extent the pumping, extraction and use is not regulated by the State; and,

WHEREAS, the City Commission finds that the passage and enforcement of the terms of this ordinance is in the public interest and is necessary to promote public health, safety and the general welfare of the City and the safe, orderly and healthful development of the municipality; NOW THEREFORE:

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

SECTION 1:

The provisions of the Code of Ordinances relating to subdivision planning and development, including, without limitation, §155.001 et seq. of the code shall apply to the territory comprising the ETJ of the City of Canyon as determined by Chapter 42, Texas Local Government Code. The City shall be entitled to appropriate injunctive relief in district court to enjoin a violation of ordinances or codes applicable in the ETJ.

SECTION 2:

The provisions of all ordinances relating to pumping, extraction and use of groundwater, including, without limitation, §51.03 of the code shall apply to the territory comprising the ETJ of the City of Canyon as determined by Chapter 42, Texas Local Government Code to the extent such

pumping, extraction and use is not regulated by a State agency. The City shall be entitled to appropriate injunctive relief in district court to enjoin a violation of ordinances or codes applicable in the ETJ.

SECTION 3:

Severability. If any provision, section, subsection, clause, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision continued herein shall become inoperative or fail by any reasons of the unconstitutionality of any other portion or provision.

SECTION 4:

Repealer. All ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the 5th day of November, 2018.

GARY HINDERS, Mayor

ATTEST:

Gretchen Mercer, City Clerk

To: Mayor and City Commission
From: Chuck Hester, City Attorney
Date: November 1, 2018
Re: Consider and Take Appropriate Action on Ordinance No. 1098 Amending the City of Canyon Code of Ordinances, Section 72.01, Limiting Parking by Curbside Mailboxes.

Chief Davis received a request from the Canyon Postmaster to limit parking in front of curb side delivery mailboxes. Amarillo has a similar ordinance provision. The proposed change would add the language which appears as a new Section 72.01(B)(2)(f).

It is my recommendation to adopt proposed Ordinance No. 1098.

ORDINANCE NO. 1098

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING §72.01 OF THE CODE OF ORDINANCES OF THE CITY OF CANYON BY ADDING A NEW §72.01(B)(2)(f); AND, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the passage, promulgation, and enforcement of the provisions herein contained are determined necessary and advisable for the promotion of the general welfare of the community and to carry out the governmental powers delegated to and possessed by the City of Canyon; NOW, THEREFORE,

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

SECTION 1:

Section 72.01 of the Code of Ordinances is amended by adding subsection B(2)(f) to provide as follows:

“(f.) In front of and 10 feet on either side of a street side delivery mail box between 8:00 a.m. and 6:00 p.m. on Monday through Saturday, except on official postal holidays.”

SECTION 2:

Severability. If any provision, section, subsection, sentence, clause, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of the unconstitutionality of any other portion or provision.

SECTION 3:

This Ordinance shall be effective following its publication as required by law. The general penalty prescribed in Section 10.99 of the Code of Ordinances shall apply to any violation under this Section.

ADOPTED ON November 5, 2018.

GARY HINDERS, Mayor

ATTEST:

Gretchen Mercer, City Clerk

To: Mayor and City Commission
From: Randy Criswell, City Manager
Date: November 5, 2018
Re: Consider and Take Appropriate Action on Ordinance No. 1099, An Ordinance Amending Code Of Ordinance Sections 98.13 and 98.15, Relating to Events at the Cole Community Center Where Alcohol Is To Be Allowed.

Over the past few years, we've had more and more citizens ask if they can consume or serve alcohol at the Cole Community Center. When the rules for the CCC were approved many years ago, alcohol was prohibited. However, we all know alcohol is being consumed at functions and events even though the Rental Agreement specifically prohibits such.

We thought this might be a subject to revisit, especially now that the voters have approved alcohol inside the City Limits of Canyon. Dale, Chuck, and I have discussed this, and we felt it would be appropriate to see if the Commission had any interest in looking at this issue. We didn't want to ask you about it without having something you could see that would be in place if you felt it appropriate, so Dale and Chuck have worked together to prepare Ordinance Number 1099 for your review.

We are looking for guidance from you with regard to this matter. If you decide that a change is appropriate, the Ordinance is here for your review, comment, and/or action. If not, we won't bring it up again.

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ORDINANCE NO. 1099

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING SECTIONS 98.13 CODE OF ORDINANCES RELATING TO EVENTS WITH ALCOHOL AT COLE COMMUNITY CENTER; AMENDING SECTION 98.15 RELATING TO CONDITIONS OF PERMITS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission finds it to be in the public interest to clarify and further define the use or possession of alcohol on City property or public rights of way under the control of the City; NOW THEREFORE,

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

SECTION 1:

Section 98.13 of the Code is amended to provide as follows:

(A.) The sponsor of any event providing for alcohol sales or consumption shall have a valid permit or license to sell or serve alcoholic beverages issued by the Texas Alcoholic Beverage Commission and shall follow all TABC rules and regulations associated with the permit. (Ord. 1021, sec. 2, passed 3-23-15)

(B.) “At any such event the event sponsor shall designate an area for the use of members of the public who elect to bring their own beer or wine to the event and do not purchase beer or wine from the licensee. Members of the public of lawful age may bring beer or wine to special events provided that no glass containers are permitted and no alcohol consumption is permitted in the Canyon Aquatic Park or on playgrounds.”

(C.) “Alcohol consumption at the Cole Community Center is authorized long as the sponsor discloses the desire to include alcohol consumption in the Community Center Rental Agreement, and prior approval is obtained from the Chief of Police. Special conditions are outlined in Sec. 98.15 of this code.” (Ord. 1021, Sec. 2, passed 3-12-15; Ord. 1088, sec. 2, passed 6-18-18).

SECTION 2:

Section 98.15 of the Code is amended to provide as follows:

(A.) In addition to other requirements set forth herein, the applicant shall furnish suitable evidence of his or her intention and ability to comply with all conditions included in event application and this chapter. (Ord. 1021, sec. 2, passed 3-23-15; Ord. 1088, sec. 3, passed 6-18-18)

(B.) “Events having an attendance of 100 persons or less shall require one off duty police officer to work security. Events of more than 100 persons in attendance shall require two off duty officers. The event sponsor shall pay the cost of the security officer or officers assigned at an

hourly rate per officer that is set by the Chief of Police. The Chief of Police shall have discretion to waive the security requirement. The hours of consumption by members of the public is 12:00 Noon to 11 PM. In the event of drunken, unruly or disorderly conduct by event participants, the City Manager or his designee may immediately revoke the permit and order the ejection of all event participants from the area.

(C.) “Events at the Cole Community Center, where consumption of alcohol is permitted, shall have an off-duty officer as security at an hourly rate set by the Chief of Police. The Chief of Police shall determine the number of off-duty officers to provide security at the event depending on the number expected in attendance and type of event. The Chief of Police shall have the discretion to waive the security requirements. No glass beer bottles are authorized at any event at the Cole Community Center. Wine and Champagne bottles are allowed as long as the sponsor has a designated server in attendance.” (Ord. 1021, sec. 2, passed 3-23-15; Ord. 1088, sec. 3, passed 6-18-18).

SECTION 3:

Severability. If any provision, section, subsection, clause, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision continued herein shall become inoperative or fail by any reasons of the unconstitutionality of any other portion or provision.

SECTION 4:

Repealer. All ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the 5th day of November, 2018.

GARY HINDERS, Mayor

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Randy Criswell, City Manager
From: Mike Webb, Fire Chief
Date: November 2, 2018
Re: Consider and Take Appropriate Action on Purchasing New AEDs for
Emergency Response Vehicles and Various City Facilities, With Such Action
Also Approving a Required Budget Amendment.

Emergency Response Vehicles

Fire Department – 9

Police Department – 7

City Facilities

City Hall (Outside Planning)

Golf Course (Club House)

Library

Cole Community Center

Commission Chambers (Addition)

Canyon Main Street Office (Addition)

The AEDs for the emergency vehicles have been in service for nine years. The units currently in use at the city facilities are over ten years old. Support and parts for these units are no longer available through the manufacturer.

Cost - \$1,516.79 per unit

AED Trainer - \$446.99

Wall Mount (2) - \$150.00 ea.

Total: \$34,116.37

It is the recommendation of the staff that the purchase be approved.