

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 Alexander presided over the meeting with the following Commissioners in attendance. Mayor Pro-Tem Gary Hinders, Commissioners David Logan and Joseph Shehan. Commissioner Justin Richardson was unable to attend.

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, Director of Code Enforcement Danny Cornelius, Public Works Director Dan Reese, Business and Community Development Director Evelyn Ecker, Parks Director Brian Noel and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Alexander called the meeting to order at 5:34 p.m.

Item 2. Invocation.

Mayor Pro-Tem Hinders gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Brayson Potter and Caleb Tunnell, 4th Grade students from Reeves-Hinger Elementary.

Item 4. Approval of Minutes of the Meeting of October 3, 2016.

Commissioner Shehan moved, duly seconded by Commissioner Logan, to approve the minutes of October 3, 2016 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from In Interested Citizens.

Mr. Mike Callahan – 4 Havenwood Lane, Canyon, Texas. Mr. Callahan addressed the Commission and asked if anything had been determined on if the ordinance for trash service in Hunsley Hills contained a penalty for not returning trash containers to the curb the day of trash pickup. City Manager Randy Criswell responded and said the ordinance has been looked at and staff found there is not a penalty for leaving trash roll-offs in the street after pickup. Mr. Criswell said staff was working on adding a standard violation fee to the ordinance to help address the issue of people leaving trash roll-offs in the street. Mayor Alexander thanked Mr. Callahan for coming to the Commission meeting and addressing the issue. Staff stated they hoped to have an updated ordinance for the next commission meeting.

Item 6. First Reading of Resolution No. 15-2016 With Regards to the Purchase of Property Located at 202 N. 13th Street, Canyon, Texas by the Canyon Economic Development Corporation.

Business and Community Development Director Evelyn Ecker presented Resolution No. 15-2016 for the first of two required readings. Ms. Ecker said the property consisted of 66,000 square feet

with a 20X40 metal building with a purchase price of \$165,000. Ms. Ecker stated the property is located in close proximity to the Tex Randall property and is being purchased for economic development purposes. Ms. Ecker said the current property owner will remove the metal building with 180 days. Ms. Ecker stated the Canyon Economic Development Corporation met and held a public hearing on Thursday, October 13, 2016 with no opposition. The closing date is set for December 8, 2016.

RESOLUTION NO. 15-2016
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF A TRACT IN SECTION 34, BLOCK B-5,
H.&G.N R.R. CO. ORIGINAL CANYON CITY SURVEY, RANDALL COUNTY,
TEXAS, BY THE CANYON ECONOMIC DEVELOPMENT CORPORATION.

- Item 7. First Reading of Resolution No.16-2016 With Regards to the Purchase of Property Located at 1312 W. Hwy 60, Canyon, Texas, by the Canyon Economic Development Corporation.

Business and Community Development Director Evelyn Ecker presented Resolution No. 16-2016 for consideration. Ms. Ecker said this property is located adjacent to the Tex Randall property, and will be purchased \$57,888.00 to be used for economic development purposes. Ms. Ecker said the property is approximately 19,500 square feet with a 4,397 sf building. Ms. Ecker said the current owner has agreed to have all asbestos legally removed from the building and provide certification of the removal. Once the asbestos is removed, the building will be cleared creating a pad site for development. Ms. Ecker said the Canyon Economic Development Corporation held a public hearing on Thursday, October 13, 2016 with no opposition.

RESOLUTION NO. 16-2016
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF PROPERTY LOCATED AT 1312
HIGHWAY 60, RANDALL COUNTY, TEXAS, BY THE CANYON ECONOMIC
DEVELOPMENT CORPORATION.

- Item 8. Consider and Take Appropriate Action on Report from City Engineer on Ongoing Water and Wastewater System Studies.

City Engineer Dwight Brandt gave a progress report of the studies being done for the City of Canyon water and wastewater systems. Mr. Brandt highlighted current water availability, projected water needs and projected water availability. He advised the Commission that the calculations are all based on current supplies with projected population growth numbers from the Texas Water Development Board. He stated these are "worse case" scenario calculations that don't take into account any of the water rights currently undeveloped, or any future water rights that will be purchased or developed.

He stated that he is about a month away from having the Water Distribution Study complete, and about two months away from having the Wastewater Study complete.

Item 9. Hold Public Hearing and Consider and Take Appropriate Action on Plat for Southwind Addition Unit No. 4.

Code Enforcement Director Danny Cornelius presented a Plat received from Larry Wilhite for Southwind Addition Unit No. 4 south of Canyon, west of Hwy 87 between Rice Road and Pondaseta Lane. Mr. Cornelius said this was a replat of lots 1, 2, 3, 4, and 5, combining them into 3 larger lots instead of the original 5 lots. Mr. Cornelius said even though the property is not within the City Limits of Canyon, the city has authority to approve plats within the 1 mile Extraterritorial Jurisdiction (ETJ). Mr. Cornelius stated the Planning and Zoning Commission voted unanimously to recommend approval of the plat to the City Commission.

Mayor Alexander opened the public hearing.
There being no comment, Mayor Alexander closed the public hearing.

After discussion, Mayor Pro-Tem Hinders moved, duly seconded by Commissioner Logan to approve the plat for Southwind Addition Unit No. 4 as recommended by the Canyon Planning and Zoning Commission. Motion carried unanimously.

Item 10. Consider and Take Appropriate Action on Ordinance No. 1052 Concerning the 2015-2016 Budget Amendment.

Assistant City Manager Chris Sharp presented Ordinance No. 1052 for consideration. Mr. Sharp went over each expense that occurred that were not a part of the original 2015-2016 budget.

After discussion, Commissioner Logan moved, duly seconded by Commissioner Shehan to adopt Ordinance No. 1052 as presented. Motion carried unanimously.

ORDINANCE NO. 1052

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 AS ADOPTED BY ORDINANCE 1025; PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS AND TRANSFER OF CERTAIN FUNDS; PROVIDING THAT PRIOR PARTS OF ORDINANCE 1025 INCONSISTENT WITH OR IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY EXPRESSLY REPEALED TO THE EXTENT OF ANY SUCH INCONSISTENCY OR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 11. Consider and Take Appropriate Action on Quarterly Finance Report by Finance Director Chris Sharp.

Assistant City Manager Chris Sharp presented the Quarterly Finance Report. After discussion Commissioner Shehan moved, duly seconded by Mayor Alexander to approve the Quarterly Finance Report as presented. Motion carried unanimously.

Item 12. Consider and Take Appropriate Action on Quarterly Investment Report by Finance Director Chris Sharp.

Assistant City Manager Chris Sharp presented the Quarterly Investment Report. After discussion Commissioner Shehan moved, duly seconded by Commissioner Logan to approve the Quarterly Investment Report as presented. Motion carried unanimously.

Item 13. Consider and Take Appropriate Action on Canyon Family Aquatic Center – Change Order #001.

Assistant City Manager for Special Projects Jon Behrens presented Change Order # 1 for the Canyon Family Aquatic Center. Mr. Behrens said the Change Order was for a total deduction of \$481,686 from the original contract sum of \$6,037,777 bringing the new contract sum to \$5,556,901.00. Mr. Behrens said a preconstruction meeting was held Monday October 10, 2016 with JC Commercial and Kimley-Horn and a Notice to Proceed would be issued the week of October 17, 2016. Commissioner Shehan asked if further cuts would be explored and Mayor Pro-Tem Hinders asked if cuts would be considered as the project moves forward. Mr. Behrens said if further costs reductions could be discovered, they would be pursued.

After discussion, Mayor Pro-Tem Hinders moved, duly seconded by Commissioner Logan to approve Change Order #1 from JC Construction Inc., resulting in a deduction of \$481,686.00 for the construction of the Family Aquatic Center; and to authorize the City Manager to execute the Change Order on behalf of the City of Canyon. Motion carried unanimously.

Item 14. Executive Session Pursuant to Texas Government Code §551.071 Consultation with Attorney, §551.072 Deliberation Real Property.

Mayor Alexander indicated the Commission would adjourn into executive session at 6:56 pm.

Item 15. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from executive session at 8:21 pm, the following action was taken.

Commissioner Shehan moved, duly seconded by Mayor Pro-Tem Hinders to direct city staff and the City Attorney to begin eminent domain proceedings for the property located at 1001 WTAMU Drive, Canyon, Texas 79015. Motion carried unanimously.

Commissioner Logan moved, duly seconded by Mayor Pro-Tem Hinders to authorize the City Manager to enter into a lease agreement with Donnie King for property located at 200 HWY 60 West, Canyon, Texas, for \$6,000 per month with an automatic 3% lease escalation from 2018 to 2021; maintenance, taxes and insurance to be paid by the property owner; a purchase option for \$750,000 or appraised value at the end of the lease, whichever is less; damages caused by the city to be repaired by the city; and survey to be provided by Donny King. Motion carried unanimously.

Item 16. Adjournment

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

Quinn Alexander, Mayor

ATTEST:

Gretchen Mercer, City Secretary