

The City Commission of the City of Canyon held a work session for PID's / Public Improvement Districts at 3:30, and then 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, Cody Jones, Roger Remlinger and Paul R. Lyons.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Jon Behrens, Planning and Development Director Danny Cornelius, Chief of Police Dale Davis, Police Captain Ray Resendez, Utility Superintendent Eric Whitten, Safety Director Tony Lawson, Librarian Janice Doan, Finance Director Chris Sharp, Fire Chief Mike Webb, and City Attorney Chuck Hester.

Work Session on PID's / Public Improvement Districts. 3:30 to 4:30 pm

Mayor Gary Hinders called the Work Session to order at 3:33 pm.

Assistant City Manager Jon Behrens presented information about the implementation of a Public Improvement District (PID). Mr. Behrens stated a developer had asked for the City of Canyon to consider a PID. Mr. Behrens stated staff had met with Jason Hughes, Managing Director of Hilltop Securities in Dallas, and then had a meeting with the developers of the Spring Canyon subdivision along with Mr. Hughes to share information. Mr. Hughes then made a presentation to the Commission and answered questions.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:46 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 Lyons.

Item 4. Approval of Minutes of the Meeting of January 7, 2019.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger to approve the minutes of January 7, 2019 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

Wade Davis – 11 Northridge Dr. Canyon, Texas. Mr. Davis expressed disagreement with the decision during the January 7, 2019 meeting to not put the Farm Lease up for bid again for 2020, instead extending the current lease.

Item 6. City Managers Report.

City Manager Randy Criswell updated the Commissioners on the following:

- Mr. Criswell introduced the new Canyon Area Librarian, Janice Doan.
- Lone Star Dairy Producers Wastewater, stating discharge limitations are being controlled.
- LA Fuller & Sons Progress on North Wastewater Extension Project. Mr. Criswell said the project would not be completed by the completion date, but LA Fuller & Sons were working diligently to get it done as soon as possible.
- Brown Road Wellfield Progress.
- WTAMU/Russell Long Blvd. Projects. Mr. Criswell said he had informed TxDOT / WTAMU the City of Canyon would not take ownership of Russell Long Blvd. until all the construction was completed.
- Brush Site Update. Mr. Criswell said the brush site was re-opened at the gate of the Landfill and the new incinerator was in operation and worked great.

Item 7. Consider and Take Appropriate Action on Resolution No. 01-2019, Adopting an Annexation Calendar as Requested by Canyon Capital Group, LLC, A Texas Limited Liability Company, Acting by and Through its Duly Authorized President, Jonathan R. Lair.

City Manager Randy Criswell presented Resolution No. 01-2019 for consideration. After discussion, Commissioner Remlinger moved, duly seconded by Mayor Pro-Tem Richardson to adopt Resolution No. 01-2019 as presented. Motion carried unanimously.

RESOLUTION NO. 01-2019

A RESOLUTION OF THE CITY OF CANYON, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS AND PROVIDING FOR NOTICE OF PUBLIC HEARINGS IN REGARD TO THE PROPOSED ANNEXATION OF PROPERTY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CANYON AT THE REQUEST OF CANYON CAPITAL GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH ITS DULY AUTHORIZED PRESIDENT, JONATHAN R. LAIR.

Item 8. Consider and Take Appropriate Action on the Canyon Police Department 2018 Racial Profiling Report and Annual Report.

Chief Dale Davis presented the 2018 Annual Racial Profiling Report and Annual Report for consideration. Mayor Hinders commended the Canyon Police Department for a good job and pointed out that Canyon had been named the 6th safest city in the State of Texas. Chief Davis said the company that puts that report out gets their information from the Annual Report.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones to approve the Canyon Police Department 2018 Racial Profiling Report and Annual Report as presented. Motion carried unanimously.

Item 9. Consider and Take Appropriate Action on the 2018 Annual Planning and Development Report.

Planning and Development Director Danny Cornelius gave a summary of activity in the Planning and Development Department for 2018.

After discussion, Commissioner Remlinger moved, duly seconded by Mayor Pro-Tem Richardson to approve the 2018 Annual Planning and Development Report as presented. Motion carried unanimously.

Item 10. Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1101, An Ordinance Amending the Code of Ordinances of the City of Canyon, chapter 156, Zoning Code, by Amending Section 5.08 Accessory Building Regulations.

Planning and Development Director Danny Cornelius presented Ordinance No. 1101 for consideration. Mr. Cornelius stated discussion of this item was tabled at the January 7, 2019 meeting to give the City Commissioners time to study the Ordinance. Mr. Cornelius stated the Canyon Planning and Zoning Commission had considered the Ordinance over a span of 3 meetings and unanimously recommended adoption by the City Commission. Mayor Hinders stated that after looking at the photos of properties with large out buildings he could see neighbors being unhappy. Mr. Cornelius stated the P&Z came up with the height regulations by talking to Sisemore Traveland and learning that a 16' wall would accommodate an RV of maximum legal height. Commissioners inquired about the requirement of masonry siding if visible from the street. Mr. Cornelius stated there had been minimal conversation about requiring masonry siding if visible from the street but it never took hold. Mayor Hinders asked Mr. Cornelius if the Ordinance was adopted, would he be willing to get the P&Z Commission to consider stricter restrictions for having siding or brick, especially on the larger sized buildings. Mr. Cornelius said he would. City Manager Randy Criswell said since there were concerns with the wall heights and siding, the best bet would be to send the Ordinance back to the P&Z with the concerns. Mr. Criswell stated it would take a super majority vote by the City Commission to make any changes to the Ordinance. Commissioner Lyons stated he didn't want to see more restrictions since it would prevent a very nice building being built as some have already done. Mr. Cornelius stated on average there are maybe 5 outbuildings a year of varying sizes built.

Mayor Hinders opened the public hearing. There being no comments, Mayor Hinders closed the public hearing.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger to adopt Ordinance No. 1101 amending the maximum height to allow 10' sidewall.

Commissioner Jones asked why this issue was brought up in the first place. Mayor Hinders said he had asked for it to be considered. Commissioners asked Mr. Cornelius if there had ever been any complaints on any of the buildings built. Mr. Cornelius answered none that he knew of. Commissioner Jones asked where the P&Z began the discussion of regulations. Mr. Cornelius stated it was centered around RV Storage since that was the reason most of the buildings with 16' sidewalls were built. Commissioner Jones asked if a 10' wall height was set, could someone get a variance. Mr. Cornelius stated yes but a hardship would have to be proven to the board. Commissioner Lyons stated the tax payers needed to be considered.

Mayor Hinders called for a vote on the motion on the table. Commissioners Lyons and Jones voted against and Mayor Hinders, Mayor Pro-Tem Richardson and Commissioner Remlinger voted for (2 against and 3 for). It was explained to the Commission that with that vote, unless another motion was made or a super majority vote was cast, the recommendation from the Planning and Zoning Commission to adopt Ordinance No. 1101 would automatically carry. No other motions were made, therefore the recommendation carried.

ORDINANCE NO. 1101
Accessory Buildings

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS: AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANYON, CHAPTER 156, ZONING CODE, BY AMENDING SECTION 5.08 ACCESSORY BUILDING REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

- Item 11. Consider and Take Appropriate Action on Resolution No. 06-2018, Regarding All Matters Incident and Related to the Financing of a New Brush Truck for the Fire Department Through Government Capital Corporation.

Finance Director Chris Sharp and Fire Chief Mike Webb presented Resolution No. 06-2018 for consideration. Mr. Sharp stated the Brush Truck could have been through the Capital Equipment Fund, but staff felt it would deplete the fund too low. Mr. Sharp recommended financing the truck through Government Capital. Chief Webb stated the truck is a 4X4 freightliner chassis and will replace a 1994 GMC.

After discussion, Commissioner Remlinger moved, duly seconded by Commissioner Jones to approve Resolution No. 06-2018 as presented. Motion carried unanimously.

RESOLUTION NO. 06-2019

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING A "FIRE TRUCK AND RELATED EQUIPMENT".

- Item 12. 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 Mayor Pro-Tem moved, duly seconded by Commissioner Remlinger to approve the Quarterly Finance Report as presented. Motion carried unanimously.

- Item 13. 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 Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones to approve the Quarterly Investment Report as presented. Motion carried unanimously.

Item 14. Consider and Take Appropriate Action on Resolution No. 05-2019, Ordering a General Election to be Held on the 4th Day of May, 2019, for the Purpose of Electing Five (5) Members of the Canyon City Commission (Mayor Place 1, and Places 2, 3, 4, and 5).

After discussion, Commissioner Remlinger moved, duly seconded by Commissioner Jones to adopt Resolution No. 05-2019 as presented. Motion carried unanimously.

RESOLUTION NO. 05-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON THE 4TH DAY OF MAY 2019, FOR THE PURPOSE OF ELECTING FIVE (5) MEMBERS OF THE CANYON CITY COMMISSION (MAYOR PLACE 1 AND PLACES 2, 3, 4, AND 5); DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 15. Executive Session Pursuant to §551.072 Real Property.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 6:33 pm.

Item 16. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 6:46 pm, no action was taken.

Item 17. Adjourn.

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

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary