

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, Mayor Pro-Tem Justin Richardson, Cordell Jones, Roger Remlinger and Paul R. Lyons.

Also present were the following City Staff: City Manager Randy Criswell, City Secretary Gretchen Mercer, Assistant City Manager for Special Projects Jon Behrens, Public Works Director Dan Reese, Fire Chief Mike Webb, Planning and Development Director Danny Cornelius, Parks Director Brian Noel, Safety Director Tony Lawson, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 5:32 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 Lyons.

Item 4. Approval of Minutes of the Dual Meeting of April 2, 2018 with the CEDC.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones, to approve the minutes of the dual meeting with the CEDC April 2, 2018 as presented. Motion carried unanimously.

Item 5. Approval of Minutes of the Meeting of April 2, 2018.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger, to approve the minutes of April 2, 2018 as presented. Motion carried unanimously.

Item 6. Public Comment – Comments From Interested Citizens.

There was no comments made.

Item 7. Update from Mayor Hinders on Arbor Day Efforts.

Mayor Hinders gave a brief update on funds raised for planting trees in Canyon. Mayor Hinders commended the Canyon Noon Lions Club for their pledge of \$3,000 and Mayor Pro-Tem Justin Richardson said Canyon Rotary Club would be pledging as well. Mayor Hinders stated with the City of Canyon's 3-1 match approximately 40 trees would be planted in the City of Canyon. Mayor Hinders said he liked the structure WTAMU used for their Arbor Day activities and would look to it when structuring Canyon's Arbor Day festivities.

- Item 8. Conduct Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1079 to Rezone the Proposed Canyon East Unit No. 6 to SF-S (Single-Family Suburban Residential District) from SF-A (Single-Family Agricultural Residential District).

Planning and Development Director Danny Cornelius presented Ordinance No. 1079 for consideration. Mr. Cornelius stated Daryl Furman, representing Gary Kuhlman, submitted a plat for Canyon East Unit No. 6 with an application for a change in zoning. Mr. Cornelius stated the proposed use of the property is single-family dwellings and the proposed zoning is for Single-Family Suburban Residential District. Mr. Cornelius stated letters were sent to 16 property owners within 200 feet with one response received in favor of the request.

Commissioner Lyons moved, duly seconded by Commissioner Jones to adopt Ordinance No. 1079 as presented.

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

After further discussion, the motion to adopt Ordinance No. 1079 as presented was voted on. Motion carried unanimously.

ORDINANCE NO. 1079

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, REZONING CANYON EAST UNIT NO. 6, AN ADDITION TO THE CITY OF CANYON, RANDALL COUNTY, TEXAS, PROVIDING THAT THE ZONING CLASSIFICATION BE POSTED UPON THE ZONING DISTRICT MAPS OF THE CITY OF CANYON, PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE EXPRESSLY REPEALED, AND PROVIDING FOR AN EFFECTIVE DATE.

- Item 9. Consider and Take Appropriate Action on a Plat for Canyon East Unit No. 6.

Planning and Development Director Danny Cornelius presented a plat submitted for Canyon East Unit No. 6. Mr. Cornelius stated the Canyon Planning and Zoning Commission voted unanimously to recommend approval of the plat to the City Commission.

After discussion, Commissioner Remlinger moved, duly seconded by Commissioner Jones to approve the plat for Canyon East Unit No. 6 as presented. Motion carried unanimously.

- Item 10. Conduct Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1080, Rezoning 31 Hunsley Road to RC-2 (Commercial District) from RC-1 (Retail District).

Planning and Development Director Danny Cornelius presented Ordinance No. 1080 for consideration. Mr. Cornelius stated Toot-n-Totum proposed to build a convenience store at this location that would include a car care center and car wash. Mr. Cornelius stated the car care center would not be allowed in the RC-1 district. Mr. Cornelius said 15 letters were sent to property owners within 200 feet with 6 responses received - 2 in support and 4 opposing. Mr. Cornelius stated the Planning and Zoning Commission considered the responses in opposition and felt the opposition was directed in general to a convenience store, which he noted, was allowed within the current zoning. The issue was the car care center, hence the request for rezoning. The Planning and Zoning Commission voted unanimously to recommend approval of the zoning request. Mr. Cornelius advised that since over 20 percent of the responses were opposed, a Super Majority Vote of the City Commission would be necessary to approve the zoning change.

Commissioner Jones moved, duly seconded by Commissioner Remlinger to adopt Ordinance No. 1080 as presented.

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

After further discussion, the motion to adopt Ordinance No. 1080 as presented was voted on. Motion carried unanimously.

ORDINANCE NO. 1080
Rezoning 31 Hunsley Road

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, REZONING 31 HUNSLEY ROAD, ALSO DESCRIBED AS LOTS 7 AND 8, BLOCK 7, MADISON PARK UNIT NO. 2, AN ADDITION TO THE CITY OF CANYON, RANDALL COUNTY, TEXAS, PROVIDING THAT THE ZONING CLASSIFICATION BE POSTED UPON THE ZONING DISTRICT MAPS OF THE CITY OF CANYON, PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE EXPRESSLY REPEALED, AND PROVIDING FOR AN EFFECTIVE DATE.

Item 11. Consider and Take Appropriate Action on Ordinance No. 1081, An Ordinance for the Implementation of a Fire Hazard Mitigation Plan for the City of Canyon.

Fire Chief Mike Webb presented Ordinance No. 1081 for consideration. Chief Webb stated the Ordinance would implement a Fire Hazard Mitigation Plan reducing the potential threat of wildfires to the city as discussed at the March 5, 2018 Commission meeting. Chief Webb stated prescribed burns and general brush cleanup would be conducted within the city limits and ETJ (Extraterritorial Jurisdiction) of the City of Canyon with land owner permission, to promote more successful control in the case of wildfires. Commissioner Lyons expressed appreciation of working with and respecting landowners.

After discussion, Commissioner Jones moved, duly seconded by Mayor Pro-Tem Richardson to approve Ordinance No. 1081 as presented. Motion carried unanimously.

ORDINANCE NO. 1081

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, ADDING A NEW SECTION 94.02 OF THE CODE OF ORDINANCES ADOPTING A FIRE HAZARD MITIGATION PLAN AND AUTHORIZING IMPLEMENTATION BY THE CANYON FIRE DEPARTMENT AND RELATED DEPARTMENTS; AMENDING SECTION 94.01, 307.1.1 OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Item 12. Consider and Take Appropriate Action on Quarterly Finance Report.

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

Item 13. Consider and Take Appropriate Action on Quarterly Investment Report.

City Manager Randy Criswell 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 14. Executive Session Pursuant to §551.072 Deliberation of Real Property and §551.074 Personnel Matters (City Manager Contract).

Mayor Hinders indicated the Commission would adjourn into Executive Session at 6:01 p.m.

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

Upon returning from Executive Session at 6:45 pm, the following action was taken.

Mayor Pro-Tem Richardson Moved, duly Seconded by Commissioner Jones to authorize City Manager Randy Criswell to negotiate a contract with the JT Haynes Group not to exceed \$665,000 for the purchase of groundwater rights. Motion carried unanimously.

Item 16. Adjourn.

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

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary