

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, Business and Community Development Director Evelyn Ecker, Director of Public Works Dan Reese, Safety Director Tony Lawson, Chief of Police Dale Davis, 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.

Commissioner Jones 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 October 29, 2018.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger, to approve the minutes of October 29, 2018 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No Comments were made.

Item 6. Update From City Manager Randy Criswell on Designated 15 Minute Parking Spots Around the Square and Progress of North Sewer Expansion Project.

City Manager Randy Criswell updated the Commission on 15 minute parking around the square and presented images of the signs and poles to be posted in 7 designated spots.

Mr. Criswell updated the Commission on the progress of the North Sewer Expansion Project and reported things were going well.

Item 7. 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 3 and 4 making the following points:

- Highlighted future land use / development.

- Discussed the Land Use Map and the important role it will play as a tool with decisions made by the Planning and Zoning Commission and City Staff.
- Discussion on how the Land Use Map could and should be changed anytime zoning is updated.
- Commissioner Lyons again voiced his opposition to Impact Fees and Parkland Dedication Ordinances being included in the Comprehensive Plan. Mr. Lyons commended City Manager Criswell and City Staff on doing a great job running the City of Canyon. Commissioner Lyons said he looked into the City of Lubbock's consideration of Impact Fees and found the discussion includes the possibility of the city paying part of the fees to make homes cheaper for homeowners. Commissioner Lyons cited several areas in the Proposed Comprehensive Plan that he felt were contradictory to imposing Impact Fees and hurting residential building.
- Mayor Hinders felt that the brick streets in Canyon shouldn't all be replaced and needed investigating for alternatives.
- Commissioners discussed landscaping requirements and implementation of new construction and current lots. Staff stated there could be an ordinance adopted that would trigger standards if changes made to established property.
- Commissioner Jones asked if Police Chief Davis had studied the thoroughfare map and stated he would like the Police Chiefs input before making recommendations.

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 5.

A five minute break was taken at this time.

Item 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.

Public Works Director Dan Reese presented bids opened Thursday, October 25, 2018 for the award of the Brown Road Wellfield well piping transmission line and pumps for wells 34 thru 37. Mr. Reese stated this would complete the new Brown Road wellfield and allow Wells 34-37 to be placed into service. Mr. Reese said Xcel Energy was working on the design for getting power to the wells and hoped to have the cost estimate very soon. Mayor Hinders asked what the pumping capacity would be for each well. Mr. Reese responded each well would be set at 265 gpm as regulated by district rules. Mr. Reese stated the low bidder was received from Scott Wampler Construction and Services in the amount of \$817,900. Commissioner Lyons asked if the City had worked with Mr. Wampler before with Mr. Reese stating the City has and they have proven to be good.

BID TABULATION SHEET FOR BROWN ROAD WELL FIELD:

Scott Wampler Construction	\$ 817,900.	210 days
Amarillo Utility Contractors	\$ 916,140	180 days
West Texas Utility	\$ 996,778	300 days
Spiess Construction	\$1,043,830	300 days
L.A. Fuller and Sons	\$1,086,190	330 days
MH Civil Constructors, Inc.	\$1,359,000	270 days

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger to award the bid for the Brown Road Well Field well piping, transmission line and pumps for water wells 34, 35, 36, and 37. Motion carried unanimously.

Item 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.

City Manager Randy Criswell and City Attorney Chuck Hester presented Ordinance No. 1100 for consideration. Mr. Criswell stated as discussed in the Comprehensive Plan, with the growth occurring outside the City Limits but in the ETJ of Canyon, it is recommended authority be given to the City of Canyon to enforce all applicable Codes within the ETJ. Mr. Criswell said the City already has plat approval and the City of Canyon has a good working relationship with the Texas Health Department concerning water and septic. Mr. Criswell confirmed the City will have no zoning authority.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Remlinger to approve Ordinance No. 1100 as presented. Motion carried unanimously.

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.

Item 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.

Chief of Police Dale Davis presented Ordinance No. 1098 for consideration. Chief Davis stated the Canyon Postmaster of the United States Postal Service had requested to limit parking in front of curb side delivery mailboxes. Chief Davis stated the City of Amarillo has a similar ordinance. Chief Davis said the public would be educated through social media, newspaper and possibly water bill stuffers before any tickets would be issued. Mayor Hinders questioned the need of an ordinance. Chief Davis said the USPS rules prevent drivers from exiting their vehicles, so when a vehicle is blocking a curbside mailbox, that resident doesn't get their mail.

After discussion Commissioner Remlinger moved, duly seconded by Commissioner Jones to adopt Ordinance No. 1098 as presented. Motion carried unanimously.

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.

Item 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.

City Manager Randy Criswell presented Ordinance No. 1099 for consideration. Mr. Criswell said with the recent legalization of alcohol in Canyon with a Special Event Permit, there had been interest expressed by the Commission to further discuss other facilities and parks at some point. Mr. Criswell said a high number of people renting the Cole Community Center ask about serving alcohol at their event, and when they are told it is prohibited, they either break the rules or go elsewhere for their function. Mr. Criswell stated he felt this was an issue that should be addressed. Chief Dale Davis was asked what he thought about allowing alcohol at the community center, his response was people are drinking over there already. They just aren't telling the City, but staff finds evidence of it on a consistent basis. Chief Davis said by adopting Ordinance No. 1099, it would ensure a Police Officer is present during events with alcohol. Commissioner Lyons stated he didn't feel taxpayers wanted alcohol in city facilities. Mayor Hinders stated he felt we should move slow with allowing alcohol at events. City Attorney Chuck Hester stated again that alcohol is here and it's important the City can regulate it which would be easier to do with a permitted event requiring the presence of Law Enforcement.

No action was taken due to the lack of a motion.

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.

Item 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.

Fire Chief Mike Webb presented plans to purchase new AED's to replace old ones in service for a total of \$34,116.37. Chief Webb stated the AEDs in the emergency vehicles were nine years old with the ones in city facilities over ten years old. Chief Webb said support and parts for these units are no longer available through the manufacturer. Chief Webb said they planned to place the old units in other city vehicles to be used until they no longer work at all. Commissioner Jones stated he thought it would be good to use the old ones, but make plans to replace those once they were out as well.

After discussion, Commissioner Jones moved, duly seconded by Commissioner Remlinger to approve the purchase of AED's to replace old ones and to amend the 2018-2019 Budget to accommodate the purchase. Motion carried unanimously.

Item 13. 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 6:28 pm.

Item 14. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 7:15 pm, no action was taken.

Item 15. Adjourn.

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

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Gary Hinders, Mayor

ATTEST:

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Gretchen Mercer, City Secretary