

The City Commission of the City of Canyon at 3:30 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 Cody Jones, Paul R. Lyons, Randy Ray, and Kelsey Ward.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, Finance Director Joel Wright, IT Director Shaun Holtman, Communications Director Megan Nelson, Director of Human Resources Hector Mendoza, Director of Public Works Dan Reese, Fire Chief Dennis Gwyn, Director of Planning and Development Danny Cornelius, Chief of Police Steve Brush, Director of Business and Community and Development Evelyn Ecker, Canyon Economic Corporation Board Member Jim Bryan, Canyon Economic Utility Superintendent Eric Whitten, Wastewater Superintendent John Poole, City Engineer Adolpho Garcia, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 3:35 p.m.

Item 2. Invocation.

Mayor Pro-Tem Jones gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Ray

Item 4. Approval of Minutes of the Meeting of September 20, 2021.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to approve the minutes of September 20, 2021 as presented. Motion carried unanimously.

Item 5. Executive Session Pursuant to §551.071 Consultation with Attorney, §551.087 Economic Development Negotiations, §551.0072 Deliberations about Real Property, §551.074 Board Appointments (Board of City Development and Planning and Zoning Commission).

Mayor Hinders indicated the City Commission would adjourn into Executive Session at 3:37 pm.

Item 6. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 4:45 pm, the following action was taken.

Mayor Pro-Tem Cody Jones moved, duly seconded by Commissioner Lyons to appoint Tom Howell to the vacated seat of Cory Collier on the Planning and Zoning Commission. Motion carried unanimously.

Item 7. Public Comment – Comments from Interested Citizens. (4:30 pm)

No Public Comment was made.

Item 8. Consider and Take Appropriate Action on a Development Agreement for Extraterritorial Jurisdiction Development Between the City of Canyon and Property Owner Alan Anderson Homes, LLC, Known as Stone Creek.

City Manager Joe Price presented a development agreement between the City of Canyon and Property owner, Alan Anderson Homes, LLC, (Stone Creek) for a development in the ETJ without annexation. Mr. Price stated the property is located to the east of I-27, north of Country Club Road and White Fence Road. Mr. Price stated this subdivision will incur the 5% review and inspection fees with the City of Canyon performing the inspections of the public improvements.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commission Ward to adopt the ETJ Development Agreement for Stone Creek Subdivision. Motion carried unanimously.

Item 9. Consider and Take Appropriate Action on Ordinance No. 1140 Lowering the Speed Limit Along FM 2590, An Ordinance of the City of Canyon, Texas, Amending §71.30(A)(2)(d) of the Traffic Code to Provide for Prima Facie Speed Limits Established for Motor Vehicles Within the Corporate Limits of the City of Canyon as Provided in This Ordinance, Providing for Penalty and an Effective Date.

Director of Public Works Dan Reese presented Ordinance No. 1140 for consideration. Mr. Reese state with the continued growth and related increase in traffic along FM 2590, multiple entities and voiced concern over the speed limit. Mr. Reese stated the opening of Spring Canyon Elementary was the catalyst for bringing this to TxDOT's attention. Mr. Reese stated Texas State Transportation Code requires all speed limit changes on State roadways to have a TxDOT traffic speed study, and State Commission approval. Mr. Reese stated with both of these requirements met and a 5 mph reduction for the entire road from US 60 to State Loop 335 including. Mr. Reese said TxDOT has said there will be another study possibly within the next year or so as traffic increases with the continued growth.

After discussion, Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to adopt Ordinance No. 1140 as presented. Motion carried unanimously.

ORDINANCE NO. 1140
AN ORDINANCE OF THE CITY OF CANYON, TEXAS,
AMENDING §71.30(A)(2)(d) OF THE TRAFFIC CODE TO
PROVIDE FOR PRIMA FACIE SPEED LIMITS ESTABLISHED
FOR MOTOR VEHICLES WITHIN THE CORPORATE LIMITS OF
THE CITY OF CANYON AS PROVIDED IN THIS ORDINANCE
PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

Item 10. Consider and Take Appropriate Action on the City of Canyon Comprehensive Plan Implementation Matrix and Annual Report.

Director of Planning and Development Danny Cornelius and Assistant City Manager Jon Behrens gave an update on the progress of the City of Canyon Comprehensive Plan adopted by the City of Canyon in 2019.

Informational only, no action required by the City Commission.

Item 11. Presentation from City Engineer Updating Status of Current Public Works Projects.

City Engineer Adolfo Garcia of Brandt Engineers updated the City Commission on current projects, completed projects, and projects to be addressed in the future his firm is working on.

Informational only, no action required by the City Commission.

Item 12. Consider and Take Appropriate Action on City Engineer Contract.

City Manager Joe Price presented an updated contract for the City of Canyon City Engineer. Mr. Price stated the amendments reflected practical changes that the City Engineer has evolved into with the majority of the changes expanding existing services in the current contract. Mr. Price a couple changes included:

- Expanding the City Engineer's role in new development adding more detail to the role of the City Engineer.
- Addition of a 5% development fee for review and inspection services.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to accept the proposed changes to the City Engineer Contract with Brandt Engineers. Motion carried unanimously.

Item 13. Consider and Take Appropriate Action on Resolution No. 38-2021, A Resolution of the City Commission of the City of Canyon, Texas, Establishing a Special Revenue Fund Known as Local Truancy Prevention and Diversion Fund and Other Matters Properly Relating Thereto.

Finance Director Joel Wright presented Resolution No. 38-2021 for consideration. Mr. Wright stated the establishment of a special revenue fund is required by Texas Local Government Code Section 134.151 (Maintenance Funds and Accounts) in order to account for the receipt and expenditure of Local Truancy Prevention and Diversion fees provided for by Texas Local Government Code Section 134. 156 to be collected by the City of Canyon Municipal Court. Mr. Wright said the funds are to be used to finance the salary, benefits, training, travel expenses, office supplies and other necessary expenses relating to the position of juvenile case manager. Mr. Wright stated a Juvenile Case Manager for Canyon Municipal Court was designated by the City Commission with the adoption of Resolution No. 03-2021 in February 2021.

After discussion Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to adopt Resolution No. 38-2021 as presented. Motion carried unanimously.

RESOLUTION NO. 38-2021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, ESTABLISHING A SPECIAL REVENUE FUND KNOWN AS LOCAL TRUANCY PREVENTION AND DIVERSION FUND AND OTHER MATTERS PROPERLY RELATING THERETO.

- Item14. Consider and Take Appropriate Action on Resolution No. 39-2021, 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 Bent Creek, LLC, A Texas Limited Liability Company, Acting by and Through Its Duly Authorized Member, Stanley H. Ware.

City Attorney Chuck Hester presented Resolution No. 38-2021 for consideration. Mr. Hester stated City Staff has been working the Canyon Midwest Housing Partners L.P. on a proposed development to be known as Canyon Lofts. Mr. Hester said the landowner has requested voluntary annexation as a first step in the development including a signed petition for annexation. Mr. Hester presented an annexation calendar scheduling required public hearings and adoption of the annexation. Mr. Hester stated the proposed meeting dates to adopt the Annexation Ordinance as presented by Bent Creek, LLC were attached to Resolution No. 39-2021. Planning and Development Director stated the proposed plan for Canyon Lofts was to build a 72 unit complex to meet low income housing needs in Canyon.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to adopt Resolution No. 39-2021 adopting an annexation calendar setting a date, time and place for public hearings and notice of public hearings. Motion carried unanimously.

Item 15.

RESOLUTION NO. 39-2021

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 BENT CREED, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH ITS DULY AUTHORIZED MEMBER, STANLEY H. WARE.

Please Note: Mayor Hinders indicated the Commission would retire back into Executive Session at 6:06 pm to continue discussion from Executive Session earlier in the same meeting.

Upon returning from Executive Session at 7:30 pm, no action was taken.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary