

**REGULAR MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M, JANUARY 19, 2021**

Canton City Hall  
201 N. Buffalo, Canton, Texas 75103

**NOTICE REGARDING PUBLIC PARTICIPATION**

**In an effort to reduce in-person meetings that assemble in large groups of people, due to the COVID-19 public health emergency, Governor Abbott has granted a temporary suspension of certain rules, including portions of the Texas Open Meetings Act to allow for public meetings by telephone or video-conference.**

**In an effort to reduce the spread of the virus for the January 19, 2021, City Council meeting, individuals will be able to listen to the meeting on KWJB 95.1 FM & 1510 AM and will be able to address the Council via Facebook Live at <https://www.facebook.com/CantonTexas/>. **DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY, PUBLIC ACCESS TO CITY HALL WILL BE LIMITED IN ORDER TO ALLOW FOR SOCIAL DISTANCING.****

**MINUTES**

The Canton City Council met at the above-named date and time in the Canton City Hall. Members present were Mayor Lou Ann Everett and Councilmembers Blake Fowler, Jim Fuller, Chase Melton, Nathan Moore, and Randon Sumner.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Teri Pruitt, Director of Operations Peter Lamont, Municipal Judge Lilia Durham and CEDC Director Julie Seymore.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett called the meeting to order and declared a quorum present at 6:06 p.m.
2. INVOCATION was given by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Mayor Everett.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS FILING FOR OFFICE

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK ON MATTERS RELATING TO CITY GOVERNMENT

## CONSENT AGENDA

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR SEPTEMBER AND OCTOBER, 2020
9. CONSIDER APPROVAL OF MINUTES FOR DECEMBER 15, 2020 CITY COUNCIL MEETING
10. CONSIDER APPROVAL OF AMENDMENT TO LETTER AGREEMENT WITH BROWN & HOFMEISTER DESIGNATING DAVID RITTER AS CITY ATTORNEY
11. CONSIDER APPROVAL OF RESOLUTION NO. 2021-3 AUTHORIZING PARTICIPATION IN THE TEXAS COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM TRUST – Councilmember Moore made a motion to approve the Consent Agenda. Councilmember Sumner seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Approve  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

## INDIVIDUAL CONSIDERATION

12. CONSIDER ADOPTION OF ORDINANCE NO. 2021-1 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 1, 2021, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCILMEMBERS; PROVIDING FOR NOTICES, VOTING EQUIPMENT AND A JOINT ELECTION WITH CISD; AND DESIGNATING THE POLLING PLACES AND TIMES FOR EARLY VOTING AND ELECTION DAY - Councilmember Sumner made a motion to adopt Ordinance No. 2021-1. Councilmember Moore seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Approve  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

13. CONSIDER ADOPTION OF ORDINANCE NO. 2021-2 ANNEXING APPROXIMATELY 20.006 ACRES OF LAND IN THE Q.C. NUGENT SURVEY, A-618, VAN ZANDT COUNTY, TEXAS, OWNED BY BETTY WILKERSON, EDWARD DEARING, DORIS BUTLER, AND THE ESTATE OF JOYCE CRABTREE – Councilmember Sumner made a motion to postpone Items 13 and 14 to the next regular meeting on February 16, 2021. Councilmember Fowler seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Approve  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

14. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2021-3 GRANTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT ON THAT APPROXIMATELY 20.06 ACRE TRACT OF LAND IN THE Q.C. NUGENT SURVEY, A-618, LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION OF HWY 19 AND I-20, CURRENTLY UNDER CONSIDERATION FOR ANNEXATION INTO THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY EDWARD DEARING, BETTY WILKERSON, DORIS BUTLER, AND THE ESTATE OF JOYCE CRABTREE
15. DISCUSSION REGARDING SCHEDULE FOR QUARTERLY CITY COUNCIL WORK SESSIONS – Council instructed staff to cease calling the quarterly meetings until further instruction.
16. CONSIDER APPOINTING A COMMITTEE TO RECOMMEND A SELECTION FOR CITIZEN OF THE YEAR AWARD – Mayor Everett appointed Debra Johnson, Cindy Malouf, Blake Fowler, and Randon Sumner on the Committee.
17. CONSIDER ACCEPTANCE OF PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 1.72 ACRES OF LAND IN THE C. BECKETT SURVEY, A-93, VAN ZANDT COUNTY, TEXAS, OWNED BY ZANBAKA USA LLC. – Councilmember Moore made a motion to accept the petition for voluntary annexation from Zanbaka USA, LLC. Councilmember Sumner seconded.

Council Member - Nathan Moore: Approve  
 Mayor Pro Tem - Randon Sumner: Approve  
 Council Member - Chase Melton: Approve  
 Council Member - Blake Fowler: Approve  
 Council Member - Jim Fuller: Approve

Ms. Johnson announced the public hearing would be held February 16 and the final consideration at the March 16 Council meeting.

18. DISCUSSION AND CONSIDERATION OF APPROPRIATE ACTION REGARDING THE CITY OF CANTON'S RESPONSE TO THE URGENT PUBLIC NECESSITY CONCERNING COVID-19, INCLUDING BUT NOT LIMITED TO:
  - A. SOCIAL DISTANCING AND NECESSARY PRECAUTIONS RELATED THERETO;
  - B. POTENTIAL CANCELLATION / RESCHEDULING OF UPCOMING CITY EVENTS;  
AND
  - C. BUDGET ADJUSTMENTS
19. CITY MANAGEMENT REPORTS
  - A. FIRST MONDAY – Brent Stewart said First Monday was up \$16,000 from last January. For the year, First Monday revenue was up a little over \$100,000 more than last year.
  - B. MARKETING – Austin Melton reported the half marathon was successful. They had 330 runners. He said FaceBook reached around 2.6 million.

- C. OTHER ITEMS – Mr. Cluck reported Sanitation Solutions would start the distribution of the poly-carts to trash customers in February and the customers would have the charge on their bills beginning in March. He said we would advertise the change on Facebook and run an ad in the paper. Sanitation Solutions would pick up the poly-cart and up to five bags or five bundles. Mr. Cluck said the annual audit would begin in February.

### **EXECUTIVE SESSION**

Council convened into Executive Session at 7:00 p.m.

**In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.**

20. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) REGARDING THE FOLLOWING:

Section 551.087 – to deliberate commercial or financial information the CEDC has received from a business prospect, and to deliberate the offer of a financial or other incentive for Project Bluegreen Development, and other business prospects, including but not limited to, a mixed-use development project, a local business retention and expansion project, a local capital investment project, a downtown retail rent subsidy prospect, and recruitment of new commercial, industrial, retail, restaurant, hospitality, and family entertainment prospects.

21. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) REGARDING ONGOING LITIGATION INVOLVING CITY OF CANTON VS. JERRY L. HARRELL, CAUSE NO. 20-00121, PENDING IN THE 294<sup>TH</sup> JUDICIAL DISTRICT COURT OF VAN ZANDT COUNTY; AND DUSTIN REYNOLDS VS. MICHAEL KING ET AL, CAUSE NO. 4:20-CV-691, IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
22. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY (Section 551.071)
23. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

### **RETURN TO OPEN SESSION**

24. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 7:30 p.m.
25. FIRST READING OF RESOLUTION NO. 2021-1 APPROVING AND AUTHORIZING A CHAPTER 380 AGREEMENT WITH BURNETT TRAIL APARTMENTS, LLC.
26. SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2021-1 APPROVING AND AUTHORIZING A CHAPTER 380 AGREEMENT WITH BURNETT TRAIL APARTMENTS, LLC. – Councilmember Sumner made a motion to adopt Resolution No. 2021-1. Councilmember Sumner seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Approve  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

27. FIRST READING OF RESOLUTION NO. 2021-2 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT BY AND BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND KAUFMAN DEVELOPMENT & CONSTRUCTION, LLC

28. SECOND READING AND CONSIDER APPROVAL OF RESOLUTION NO. 2021-2 APPROVING AND AUTHORIZING A PERFORMANCE AGREEMENT BY AND BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND KAUFMAN DEVELOPMENT & CONSTRUCTION – Councilmember Moore made a motion to approve Resolution No. 2021-2. Councilmember Melton seconded.

Council Member - Nathan Moore: Approve  
Mayor Pro Tem - Randon Sumner: Approve  
Council Member - Chase Melton: Approve  
Council Member - Blake Fowler: Approve  
Council Member - Jim Fuller: Approve

29. ITEMS FOR FUTURE AGENDAS

30. ADJOURN - There being no further business to discuss, the meeting was adjourned by Mayor Everett at 7:06 p.m.