

**REGULAR MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M, APRIL 20, 2021**

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

**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, and Chase Melton, Nathan Moore, and Randon Sumner.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, CEDC Executive Director Julie Seymore, Finance Director Teri Pruitt, Director of Operations Peter Lamont and City Attorney David Ritter.

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT – Mayor Everett opened the meeting and declared a quorum present at 6:09 p.m.
2. INVOCATION was led 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
  - A. *RECOGNIZE CITY EMPLOYEES VOTED AS BEST IN THEIR CATEGORY BY VAN ZANDT NEWS SUBSCRIBERS*
    - *J.P. MARSH – BEST PEACE OFFICER*
    - *BUD SANFORD – BEST FIREFIGHTER*
    - *LONNY CLUCK – BEST CITY WORKER*
  - B. *KID FISH – MAY 15, 2021 FROM 10 AM TO 1 PM AT TWO ACRE LAKE*

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK ON MATTERS RELATING TO CITY GOVERNMENT - None

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR FEBRUARY, 2021
9. CONSIDER APPROVAL OF MINUTES FOR MARCH 16, 2021, CITY COUNCIL MEETING
10. CONSIDER APPROVAL OF AMENDMENTS TO POLICE POLICY MANUAL

11. CONSIDER APPROVAL OF LEASE WITH DAVID HARMON FOR LOTS ON ROW 11, LOTS 1568, 1569, 1570, 1571, 1572 and 1573 ON FIRST MONDAY GROUNDS
12. CONSIDER APPROVAL OF FIRST MONDAY LEASE BETWEEN CITY OF CANTON AND SEAN AND STEFANIE MEDLIN FOR THE BAKED POTATOE
13. CONSIDER AWARD OF CONTRACT FOR ELEVATED STORAGE TANK MODIFICATION ON HIGHWAY 243 WATER TOWER
14. CONSIDER APPROVAL OF APPLICANTS FOR DRAWING FOR FIRST MONDAY PARKING

Councilmember Moore made a motion to approve Items 8-12 and Item 14 of the Consent Agenda. 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

#### **INDIVIDUAL CONSIDERATION**

15. AUDIT PRESENTATION AND CONSIDER ACCEPTANCE OF 2019-2020 AUDIT - Councilmember Sumner made a motion to accept the 2019-2020 audit, as presented. 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

16. DISCUSS AND CONSIDER AMENDED FIRST MONDAY CONTRACT FOR CIVIC CENTER EVENTS

17. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Brent Stewart reported a big First Monday. Revenue was \$297,812. Mr. Cluck said the fact that we no longer had Log Cabin Reserved or Unreserved on open air lots made the numbers look off. There was no First Monday two months of last year which did not give a good basis for comparison. Mr. Cluck said RV revenue was down. You had to look at the individual situations to really see why.
- B. MARKETING – Austin Melton reported Facebook reached 1.2 million. They spent \$14,000 to reach 1.15 million. Instagram reached 66,000. Google had 12,100 clicks. The Easter Egg Hunt was successful. They would work on making it bigger and better next year.

- C. SPORTS COMPLEX – Julie Seymore said she had interest from Billy Martin Jr., an agent for Colton Brewer, to do a private/public partnership with the city for a Sports Complex. They were interested in a four-field complex with AstroTurf and LED lighting, batting tunnels, a pro shop and a meeting place. Canton was a good location because of I-20. It would generate hotel and sales tax revenue. She said the partner would lease the property from the City.
- D. LAKE STATUS – Mr. Cluck said the other items would be discussed at the special meeting to be scheduled soon.
- E. FIRST MONDAY MEETING SCHEDULE
- F. CODE ENFORCEMENT
- G. OTHER ITEMS

### **EXECUTIVE SESSION**

**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.**

- 18. 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.
- 19. 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
- 20. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY (Section 551.071)
- 21. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING POTENTIAL PURCHASE OF REAL PROPERTY (Section 551.072)

Council convened into Executive Session at 6:59 p.m.

### **RETURN TO OPEN SESSION**

Council reconvened into Open Session at 8:12 p.m.

22. CONSIDER ADOPTION OF RESOLUTION NO. 2021-12 APPROVING AND AUTHORIZING THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND KAUFMAN DEVELOPMENT & CONSTRUCTION, LLC CONVEYING APPROXIMATELY 27 ACRES, BEING A PART OF A CERTAIN APPROXIMATE 54.62-ACRE TRACT AT THE END OF BURNETT TRAIL, SITUATED IN THE J. DOUTHIT SURVEY, A-198, OWNED BY CANTON ECONOMIC DEVELOPMENT CORPORATION – Councilmember Moore made a motion to adopt Resolution No. 2021-12. 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

23. CONSIDER ADOPTION OF RESOLUTION NO. 2021-13 APPROVING AND AUTHORIZING THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION, A TEXAS NON-PROFIT CORPORATION, AND KAUFMAN DEVELOPMENT & CONSTRUCTION, LLC, A TEXAS LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, CONVEYING APPROXIMATELY 15 ACRES, BEING PART OF A CERTAIN APPROXIMATE 54.62-ACRE TRACT AT THE END OF BURNETT TRAIL, SITUATED IN THE J. DOUTHIT SURVEY, A-198, OWNED BY THE CANTON ECONOMIC DEVELOPMENT CORPORATION - Councilmember Fowler made a motion to adopt Resolution No. 2021-13. 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

24. CONDUCT FIRST READING AND DISCUSSION OF RESOLUTION NO. 2021-14 APPROVING AND AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE CITY OF CANTON, CANTON ECONOMIC DEVELOPMENT CORPORATION, AND HBIC, LLC REGARDING BLUEGREEN DEVELOPMENT PROJECT

25. CONDUCT SECOND READING AND CONSIDER APPROVAL OF RESOLUTION NO. 2021-14 APPROVING AND AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE CITY OF CANTON, CANTON ECONOMIC DEVELOPMENT CORPORATION, AND HBIC, LLC REGARDING BLUEGREEN DEVELOPMENT PROJECT

26. CONSIDER APPROVAL OF DEVELOPMENT AGREEMENT BETWEEN CITY OF CANTON AND HBIC, LLC. ON 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

27. 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 27 and 28 to the next regular meeting of Council. 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

28. 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 20.006 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

29. CONSIDER APPROVAL OF LICENSE AGREEMENT WITH TRACY ANN CALHOUN FOR CITY/FIRST MONDAY LOGO - Councilmember Fowler made a motion to approve the License Agreement with Tracy Ann Calhoun for the City/First Monday logo. 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

30. ITEMS FOR FUTURE AGENDAS

31. ADJOURN - There being no further business to discuss, the meeting was adjourned at 8:21.