

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, and Cody Jones. Commissioners Roger Remlinger and Paul R. Lyons were unable to attend.

Also present were the following City Staff: Interim City Manager Jon Behrens, City Secretary Gretchen Mercer, Chief of Police Dale Davis, Public Works Director Dan Reese, Planning and Development Director Danny Cornelius, Finance Director Chris Sharp, Business and Community Development Director Evelyn Ecker, Water Superintendent Eric Whitten, Police Captain Ray Resendez, Detective Shelby Davis, Sergeant Matt Coggins, Sergeant Carlos Hernandez, Sergeant Luke Stout, Officer Max White, Officer Jeremy Luetkahans, Officer Anthony Ochoa, Officer Judd Wolfe, Officer Adam Topper, Officer Jaime Bolanos, Corporal Erick Jusiak, Corporal Kody McCarroll, Officer Daniel Roach, Municipal Court Clerk Sheila Roach, Incoming Commissioner Randy Ray and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:34 p.m.

Item 2. Invocation.

Commissioner Jones gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Mayor Pro-Tem Richardson.

Item 4. Approval of Minutes of the Meeting of April 15, 2019.

Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones to approve the minutes of April 15, 2019 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No comment was made.

Item 6. Update from Interim City Manager Jon Behrens.

Interim City Manager Jon Behrens gave a brief update on the status of the following projects.

- Buffalo Stadium Road
- Zoning Code and Subdivision Regulations Diagnostic Report – Joint Meeting June 3
- Bulky Trash and Republic Services
- AMR Project
- Incinerator
- TxDOT Construction Update
- Commercial Trash and Republic Services
- Initial Budget Discussion – Workshop June 3

- Parking on Other Than Improved Surfaces

Item 7. Presentation of the Texas Police Chiefs Association Re-Recognition of the Canyon Police Department.

Police Chief Dale Davis called up Police Captain Ray Resendez and Detective Shelby Davis and presented them with 20 year badges in honor of their serving 20 plus years of dedicated service to the City of Canyon. Commissioners congratulated and commended Captain Resendez and Detective Davis on their dedication and service to Canyon.

Chief Davis then presented a Recognition Certificate awarded to the Canyon Police Department on their re-recognition of outstanding performance and meeting all 166 Texas Law Enforcement Best Practices. Chief Davis stated the Canyon Police Department was the second police agency in the State of Texas to receive recognition status in February 2008. The Recognition designation is held for four years at which time the assessment team, made up of 9 Police Chiefs, formally reviews the department for re-recognition. This is the 3rd designation for the Canyon Police Department. Mayor Hinders thanked the officers for making Canyon such a safe place to live and being instrumental in the designation of one of the top safest cities to live in. Mayor Hinders expressed appreciation for the recent quick apprehension of a criminal committing armed robbery. Mayor Hinders said it just backs up that if you commit a crime in Canyon you will be caught.

Item 8. Consider and Take Appropriate Action on Ordinance No. 1105, an Ordinance of the City of Canyon, Texas, Amending the Code of Ordinances of the City of Canyon, Chapter 95, Sections 95.21 Through 95.28, Regulating Noise Within the City Limits of the City of Canyon; Providing for Severability; Providing for Repealer; Providing for Penalty; Providing for an Effective Date.

Chief of Police Dale Davis presented Ordinance No. 1105 for consideration. Chief Davis stated as directed in previous Commission meetings regarding noise complaints, he had studied ordinances from other cities to draft Ordinance No. 1105 dealing with the regulation of noise within the city limits of Canyon. Chief Davis said Ordinance No. 1105 gives a base for enforcement of excessive noise based on decibels per a decibel meter. Commissioner Jones asked if the ordinance presented to the City of Canyon Commission was pretty consistent with other noise ordinances and if excessive noise would be dealt with on a complaint basis or sought out by officers. Chief Davis said the decibel numbers were consistent with not only ordinances found across Texas, but across the country. Chief Davis said excessive noise would be dealt with on a complaint basis, but if Officers observed a noise nuisance they would be able to address it consistently and fairly with the adoption of the ordinance setting the decibel levels. Commissioners discussed if the proposed decibel levels were too high or too low, could there be adjustment. Mayor Hinders stated he thought it would be good to monitor the process as presented and requested Chief Davis come back in 6 months and report how it's going.

After discussion, Commissioner Jones moved, duly seconded by Mayor Pro-Tem Richardson to approve Ordinance No. 1105 as presented.

Mayor Pro-Tem Richardson thanked Chief Davis for putting Ordinance No. 1105 together in a way that is respectful to both citizens and business.

Mayor Hinders called for a vote on the motion, the motion carried unanimously.

ORDINANCE NO. 1105

Noise

AN ORDINANCE OF THE CITY OF CANYON, TEXAS; AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANYON, CHAPTER 95, SECTIONS 95.21 THROUGH 95.28, REGULATING NOISE WITHIN THE CITY LIMITS OF THE CITY OF CANYON; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR AN EFFECTIVE DATE.

- Item 9. Consider and Take Appropriate Action on Resolution No. 09-2019, Enacting Ordinance No. 892, Prohibiting Parking Along Designated Parade Route on July 4, 2019.

City Secretary Gretchen Mercer presented Resolution No. 09-2019 for consideration.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Mayor Hinders to adopt Resolution No. 09-2015 as presented. Motion carried with Commissioner Jones abstaining.

RESOLUTION NO. 09-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON PRESCRIBING LIMITATIONS ON PARKING OR STANDING MOTOR VEHICLES OR TRAILERS DURING PARADE TO BE HELD JULY 4, 2019, IN THE CITY OF CANYON.

- Item 10. Consider and Take Appropriate Action on Resolution No. 10-2019, Designating the Canyon Chamber of Commerce as Having Authority to Manage and Coordinate All Activities on the Downtown Square and Conner Park for the July 4 Celebration to be held on July 4, 2019.

City Secretary Gretchen Mercer presented Resolution No. 10-2019 for consideration.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Mayor Hinders to adopt Resolution No. 10-2015 as presented. Motion carried with Commissioner Jones abstaining.

RESOLUTION NO. 10-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, GRANTING EXCLUSIVE MANAGEMENT RIGHTS TO THE CANYON CHAMBER OF COMMERCE OVER THE DOWNTOWN SQUARE, CONNER PARK AND PUBLIC AREAS IN AND AROUND THESE AREAS DURING THE ANNUAL FOURTH OF JULY CELEBRATION JULY 4, 2019.

Item 11. Consider and Take Appropriate Action on Quarterly Finance Report by Finance Director Chris Sharp.

Finance Director Chris Sharp presented the Quarterly Finance Report for consideration. After discussion Mayor Pro-Tem moved, duly seconded by Commissioner Jones to approve the Quarterly Finance Report as presented. Motion carried unanimously.

Item 12. Consider and Take Appropriate Action on Quarterly Investment Report by Finance Director Chris Sharp.

Finance Director Chris Sharp presented the Quarterly Investment Report for consideration. After discussion Mayor Pro-Tem 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 Agreement for Professional Services Between the City and Valley View Consulting.

Finance Director Chris Sharp presented a proposed agreement for assistance in finding a credit card processing company. Mr. Sharp stated the city had been informed by INCODE that they will no longer support the credit card processing company currently used for safety reasons. Mr. Sharp said currently, every time a card is swiped the city is charged 11 different fees and that INCODE helps us troubleshoot problems with the processing procedure when needed. Mr. Sharp said since the city doesn't know which company would be best as far as safety and low fees, staff felt it would be prudent to hire a consultant to help do an RFP to hire a new credit card processing company. Mayor Hinders asked if there were alternative consultants as Valley View seemed high. Mr. Sharp said he had researched to see if there were other firms and contacted other cities and no one knew of any other firms. Mayor Pro-Tem Richardson asked if other cities were in the same boat as Canyon and if there was a way to collaborate with other cities. Mr. Sharp stated he would look into that and check with other GFOAT (Government Finance Officers Association of Texas) members to see if they had ideas.

After discussion, Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones to approve the letter of agreement with Valley View Consulting and to empower Finance Director Chris Sharp to negotiate services as best for the City of Canyon. Motion carried unanimously.

Item 14. Consider and Take Appropriate Action on Request from Lone Star Dairy Products to have the City Refund Penalties and Interest Paid to the City Due to Late Payment of Their Ad Valorem Taxes.

Finance Director Chris Sharp presented a request from Lone Star Dairy Products for the City of Canyon to refund penalties and interest paid due to late payment. Mr. Sharp said Lone Star Dairy Products received their bill several months in advance the same as everyone and felt that if we refunded the late fees then everyone would expect it. Mr. Sharp said they also requested a refund from Randall County and it was denied.

After discussion Commissioner Jones moved, duly seconded by Mayor Pro-Tem Richardson to deny the request for the refund of penalties and interest paid by Lone Star Dairy Products. Motion carried unanimously.

Item 15. Consider and Take Appropriate Action on Resolution No. 11-2019 for the Annexation of Property Owned by Hillside Christian Church.

City Attorney Chuck Hester presented Resolution No. 11-2019 for consideration. Mr. Hester stated the adoption of Resolution No. 11-2019 would adopt the annexation calendar and begin the process of annexation of property owned by Hillside Christian Church as requested by them.

After discussion Mayor Pro-Tem Richardson moved, duly seconded by Commissioner Jones to approve adoption of Resolution No. 11-2019 as presented. Motion carried unanimously.

RESOLUTION NO. 11-2019

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 HILLSIDE CHRISTIAN CHURCH, A TEXAS NON-PROFIT CORPORATION, ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT.

Before retiring into Executive Session, Mayor Hinders presented Mayor Pro-Tem Justin Richardson with a flag case in honor of 5 years of service as a City Commissioner for the City of Canyon. Mayor Pro-Tem Richardson's term expires May 20, 2019 on swearing in the incoming members.

Item 16. Executive Session Pursuant to §551.074 Regarding Personnel Matters (City Manager), §551.072 Real Property, and §551.071 Consultation with Attorney.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 6:00 pm.

Item 17. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 6:14 pm, no action was taken.

Item 18. Adjourn.

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

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary