

The City Commission of the City of Canyon met 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 Cody Jones, Paul Lyons, Kelsey Ward and Randy Ray.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, Planning and Development Director Lucas Raley, Planning and Development Building Official Craig Brown, Police Captain Matt Coggins, Public Works Director Dan Reese, Assistant Public Works Director Chris Enriquez, HR Director Hector Mendoza, Communications Director Megan Nelson, Fire Chief Dennis Gwyn, Water Superintendent Eric Whitten, and City Attorney Chuck Hester.

Item 1. Call to Order.

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

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 the Minutes of the Meeting of January 9, 2023.

Commissioner Ward moved, duly seconded by Commissioner Ray to approve the minutes of January 9, 2023 with correction to Item 8 as discussed. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens

James Woolsey – 2006 8th Ave, Canyon, Texas. Expressed concern about the safety of the scooters in town citing those riding them pull in front of cars or zoom out not obeying stop signs/traffic rules.

Item 6. Consider and Take Appropriate Action on Interlocal Agreement with Randall County for Shared Costs of Engineering and Construction for Brown Road Rail Road Crossing.

City Manager Joe Price presented a proposed Interlocal Agreement with Randall County for engineering and construction of the Brown Road Rail Road Crossing to be split with Randall County. Mr. Price explained the RR had closed the railroad crossing at Brown Road after a Semi-truck/hauler high centered while crossing over the tracks resulting in a collision with a train. Mr. Price stated BNSF cited the incident as a basis to close the railroad crossing despite requests by the City of Canyon and Randall County to open it to traffic with BNSF saying they would not open it until improvements were made. Mr. Price stated the City of Canyon and Randall County want to make the crossing accessible to the public to US Highway 60 from Brown Road and both

governmental entities have agreed to equally share the costs of engineering and construction as reflected in the Interlocal agreement.

Mr. Price stated there was interest in making the Brown Road railroad crossing a “quiet zone” as 4th Street and 15th Street railroad crossings were. Mr. Price stated the County Judge feared adding this aspect would slow down the construction process and delaying getting the Brown Road crossing open to public. Director of Public Works Dan Reese was asked what would be required to make the crossing a quiet zone in addition to the needed construction. Mr. Reese said the crossing would have to be constructed wider to meet the railroad requirements and that the quiet zone signage could be added at a later date with little interruption. Mr. Reese said he did not see it adding any additional time to the process of getting the crossing open. Mr. Price stated the quoted price for engineering from Freese and Nichols was \$131,351.00. Commissioner Lyons asked if the engineering would be bid out. Mr. Price said Randall County had retained Freese and Nichols for the engineering of the project.

Mayor Hinders asked if anyone would like to comment including those that signed in.

Dalton Bell – 16 Lindsey Lane, Canyon, Texas. Spoke in support of quiet zone. Mr. Bell launched a flag football league bringing 600 plus young players from all over the Texas Panhandle, across the state of Texas and neighboring States. Mr. Bell said the horns were so loud the kids could not hear their coaches and it was very startling for them.

Assistant City Manager Jon Behrens added the railroad track had an average of 1 train every 15 minutes.

Shirley Holeman – 1001 Brown Road, Canyon, Texas. Ms. Holeman expressed she was concerned about the ability of emergency vehicles such as fire or medical to get to areas on Brown Road within a timely manner and asked that the crossing be opened as soon as possible. Ms. Holeman said she was highly concerned about the capability of Canyon Fire Department getting to a potential wildfire, should it occur because of the dry grass and open land. Ms. Holeman said she believed the train horns should continue to blow for safety.

Joshua Garza – 14 Rock Cove, Canyon, Texas. Mr. Garza spoke in support of adding the quiet zone in agreement with Mr. Bell. Mr. Garza said the train horns are extremely loud, a big distraction especially for the smaller kids.

Mr. Price reiterated it was at the direction of BNSF that the crossing was closed, not the city or county. Mr. Price said adding the quiet zone was included in the Interlocal Agreement but did not know if Randall County Commission would consider including it in the split costs possibly putting the total cost of the quiet zone on the City of Canyon.

After discussion, Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to approve the Interlocal Cooperation Agreement between the City of Canyon and Randall County to equally share the costs of engineering and construction as reflected on the Fee Summary, Brown Road and BNSF at Grade Crossing, Randall County, Texas and were supportive of the included

addendum for the addition of the crossing becoming an official quiet zone/whistle free zone meeting BNSF requirements. Motion carried unanimously.

- Item 7. Consider and Take Appropriate Action on Resolution No. 05-2023, A Resolution for the City Commission of the City of Canyon, Approving an Interlocal Agreement with Panhandle Regional Planning Commission for Application Assistance for 2023 TXCDBG Downtown Revitalization Program and Associated Administrative Consideration if Funded, and Authorizing the City Manager to Act as the City's Authorized Representative in All Matters Pertaining to the City's Participation in the TXCDBG Downtown Revitalization Program.

Assistant City Manager Jon Behrens presented Resolution No. 05-2023 for consideration. Mr. Behrens said the City of Canyon has applied for the TXCDBG Downtown Revitalization Program grant the past 3 years and would like to try for the grant once again. Mr. Behrens said the Panhandle Regional Planning Commission would complete the application and manage the grant should it be awarded to Canyon. Mr. Behrens said the grant would be used for the rehabilitation of the alley on the east side of the Square between 16th Street and 17th Street.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ward to adopt Resolution No. 05-2023 approving an Interlocal Agreement with Panhandle Regional Planning Commission for Application Assistance for 2023 TXCDBG Downtown Revitalization Program and Associated Administrative consideration if Funded, and Authorizing the City Manager to sign the Interlocal Agreement and to Act as the City's Authorized Representative in All Matters Pertaining to the City's Participation in the TXCDBG Downtown Revitalization Program. Motion carried unanimously.

RESOLUTION NO. 05-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH PANHANDLE REGIONAL PLANNING COMMISSION FOR APPLICATION ASSISTANCE FOR 2023 TXCDBG DOWNTOWN REVITALIZATION PROGRAM AND ASSOCIATED ADMINISTRATIVE CONSIDERATION IF FUNDED.

- Item 8. Hear Presentation, Hold Public Hearing, and Consider and Take Appropriate Action on the Draft Subdivision Regulations.

Director of Planning and Development Lucas Raley introduced Dan Sefko of Freese and Nichols who gave an updated overview of the proposed Subdivision Regulations. Mr. Sefko stated the update of the Subdivision Regulations began in 2019 and included a team consisting of City Manager Joe Price, Assistant City Manager Jon Behrens, previous Planning and Development Director Danny Cornelius, current Director of Planning and Development Lucas Raley, Assistant Planning and Development Director Craig Brown, Public Works Director and Assistant Director Dan Reese and Chris Enriquez, and City Engineer. Mr. Raley and Mr. Sefko discussed that public stakeholder meetings occurred in March and December of 2022 for initial comments and that the current document had been updated with comments received by developers, engineers, and staff through multiple rounds of reviews.

Mayor Hinders opened the public hearing.

Larry Wilhite - Canyon Developer was present to answer any questions.

Walter Henson - 36 Quay Lane, Canyon, Texas. Deferred his 3 minutes to be used by Dustin Davis.

Mark Hughes - 14600 Hwy 60, Canyon, Texas. Mr. Hughes asked that if the City of Canyon was not willing to provide utilities, or cannot provide utilities, they provide the option for a property owner to remove their property from the ETJ. City Attorney Chuck Hester said he would check if that was possible but that the ETJ is created by state law.

Robbie Christie - 10554 FM 2219, Amarillo, Texas. Mr. Christi said he felt the Subdivision Regulations would be good, but requested more time for developers to look over the updated version since it was only released the Wednesday before.

Jeff Hamilton - 17351 White Wing Rd, Canyon, Texas / Developer for Spring Canyon Subdivision. Mr. Hamilton asked if Commissioners had read through the document in its entirety. Mr. Hamilton said he thought the Subdivision Regulations would be a good thing as standards were needed.

Dustin Davis - GDI, 3601 S. Georgia, Amarillo, Texas. Mr. Davis echoed the other commenters that the Subdivision Regulations would improve the process. Mr. Davis said he would like a copy of the regulations with the changes redlined so it would be easy to see what the changes were. Mr. Davis requested the adoption of the Subdivision Regulations be tabled for 3 weeks giving developers time to fully study them. Mr. Davis expressed appreciation to the DRT Team for establishing the process.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to table action on the Draft Subdivision Regulation until the March 6, 2023 Commission Meeting. Motion carried unanimously.

Item 9. Executive Session Pursuant to §551.071 Consultation with Attorney.

Mayor Hinders indicated the City Commission would not adjourn into Executive Session.

Item 10. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Did not adjourn into executive session.

Item 11. Adjourn.

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at 5:53 pm.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary