

The City Commission of the City of Canyon ,met at 9:00 am in the City Commission Chambers of the Civic Complex with the meeting broadcast through Zoom and YouTube. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Mayor Pro-Tem Cody Jones, Roger Remlinger, Randy Ray, and Paul Lyons.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, IT Manager Shaun Holtman, Business and Community Development Director Evelyn Ecker, Director of Public Works Dan Reese, Director of Finance Joel Wright, Planning and Development Director Danny Cornelius, City Engineer Dwight Brandt, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 9:03 a.m.

Item 2. Invocation.

Commissioner Randy Ray gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Lyons.

Item 4. Approval of Minutes of the City of Canyon Commission Meeting of March 16, 2020.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve the minutes of March 16, 2020 as presented. Motion carried unanimously.

Item 5. Approval of Minutes of the City of Canyon Commission Emergency Meeting of March 23, 2020.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve the minutes of March 23, 2020 as presented. Motion carried unanimously.

Item 6. Public Comment – Comments From Interested Citizens.

No Public Comments were made.

Item 7. Consider and Take Appropriate Action on Resolution No. 09-2020, Ratifying and Extending the First Amended Declaration of Disaster Order by the Mayor of the City of Canyon of March 30, 2020. A Resolution of the City Commission of the City of Canyon to Implement Subchapter # of Chapter 418 Title 4 Texas Government Code Regarding Emergency Management Response to Statewide Epidemic of COVID-19 Together With Chapter 92 of the Code of Ordinances of the City of Canyon, Emergency Management Plan.

City Attorney Chuck Hester presented Resolution No. 09-2020 for consideration. Mr. Hester stated Executive Order GA-14 supersedes Executive Order GA-08 issued by Texas Governor Abbott, and creates a statewide standard suspending certain statues related to local disaster declarations at the municipal and county levels to prevent inconsistencies. Mr. Hester said that GA-14 allows municipalities to enforce rules and regulations not inconsistent with GA-14. Mr. Hester stated the adoption of Resolution No. 09-2020 would extend the First Amended Declaration of Disaster signed by Mayor Hinders March 30, 2020.

After discussion, Commissioner Remlinger moved, duly seconded by Mayor Pro-Tem Jones to adopt Resolution No. 09-2020 ratifying and extending the First Amended Declaration of Disaster by the Mayor of the City of Canyon. Motion carried unanimously.

RESOLUTION NO. 09-220
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON RATIFYING AND EXTENDING THE FIRST AMENDED DECLARATION OF DISASTER BY THE MAYOR OF THE CITY OF CANYON IN RESPONSE TO STATEWIDE EPIDEMIC OF COVID-19 CONSISTENT WITH GOVERNOR'S EXECUTIVE ORDER GA-14.

Item 8. First Reading of Resolution No. 05-2020 to Consider a Funding Agreement Between the Canyon Economic Development Corporation and All Who Wander LLC, Relating to the Property Located at 1601 4th Avenue, Canyon, Texas. The Funding is Based on Business Development.

Business and Community Development Director Evelyn Ecker presented Resolution No. 05-2020 for the first of two required readings. Ms. Ecker stated Bill Gaylosh, owner of Taos Mountain Outfitters in Taos, New Mexico has chosen to open a second store in Canyon. Ms. Ecker said because Canyon is home to Palo Duro Canyon State Park, Mr. Gaylosh felt a similar store in Canyon would be a natural fit. Ms. Ecker stated the new business will hire 5-6 employees and the funding agreement was based on the Texas Workforce Commission quarterly report filing for wages paid. Ms. Ecker said the incentive is 10% of the total payroll reported, not to exceed \$42,000. Ms. Ecker said the incentive is capped at \$42,000 or three years, whichever came first. Mr. Gaylosh would like to have the store opened before Memorial Day weekend.

No action required, first reading only.

RESOLUTION NO. 05-220
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON APPROVING PROJECT FUNDING AGREEMENT BETWEEN ALL WHO WANDER, LLC AND CANYON ECONOMIC DEVELOPMENT CORPORATION RELATING TO THE PROPERTY LOCATED AT 1601 4TH AVENUE, CANYON, TEXAS. THE FUNDING IS BASED ON NEW BUSINESS DEVELOPMENT.

- Item 9. First Reading of Resolution No. 06-2020 to Consider a Funding Agreement Between the Canyon Economic Development Corporation and Bean & Burr Coffee Lab., LLC, Relating to the New Business to be Established in Canyon, Texas..

Business and Community Development Director Evelyn Ecker presented Resolution No. 06-2020 for consideration. Ms. Ecker stated Bean & Burr Coffee Lab, dba Journey Coffee are opening a coffee shop at 4th Avenue and Russell Long Blvd, across the street from the WTAMU Campus. Ms. Ecker said the owners are investing approximately \$240,000 for start-up cost and will create 6-8 new jobs in Canyon. Ms. Ecker stated the funding for the project has been capped at \$70,600 and includes job incentives and direct financial assistance.

No action required, first reading only.

RESOLUTION NO. 06-220
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON APPROVING A PROJECT FUNDING AGREEMENT BETWEEN BEAN & BURR COFFEE LAB, LLC AND CANYON ECONOMIC DEVELOPMENT CORPORATION RELATING TO THE NEW BUSINESS TO BE ESTABLISHED IN CANYON, TEXAS.

- Item 10. Consider and Take Appropriate Action on Audit Presentation for CEDC Year Ending September 30, 2019.

Business and Community Development Director Evelyn Ecker provided the 2019 Audit for the City Commission's consideration. John Merriss, CPA with Doshier, Pickens & Francis LLC, provided a written summary. Ms. Ecker stated the Canyon Economic Development Corporation Board unanimously approved the audit as presented on March 12, 2020.

Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to approve the 2019 Audit for the Canyon Economic Development Corporation for Year Ended September 30, 2019. Motion carried unanimously.

- Item 11. Consider and Take Appropriate Action on February 29, 2020 Finance Report by Finance Director Joel Wright.

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

- Item 12. Consider and Take Appropriate Action on February 29, 2020 Investment Report by Finance Director Joel Wright.

Finance Director Joel Wright presented the Investment Report for consideration. After discussion Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to approve the Finance Report as presented. Motion carried unanimously.

Mayor Hinders and the Commission expressed appreciation to Finance Director Joel Wright for the great level of reporting and information.

Item 13. Consider and Take Appropriate Action on Ordinance No. 1124 Amending Section 51.10 of the Code of Ordinances to Provide for Developer Participation Agreements to Facilitate Utility Extensions to Serve New Subdivisions.

City Attorney Chuck Hester presented Ordinance No. 1124 for consideration. Mr. Hester said the purpose of Ordinance No. 1124 is to permit developer participation agreements and negotiate a written agreement.

After discussion, Mayor Pro-Tem Jones Moved, duly seconded by Commissioner Ray to adopt Ordinance No. 1124 amending section 51.10 of the Code of Ordinances. Motion carried unanimously.

Item 14. Consider and Take Appropriate Action on Proposed Interlocal Agreement Between the City of Canyon and WTAMU Regarding Spur 48.

City Attorney Chuck Hester presented an Interlocal Agreement between the City of Canyon and WTAMU for the continued maintenance of Spur 48. Mr. Hester said the City of Canyon had recently taken possession of Spur 48 from TxDOT to assist WT with its long-term plan to further develop and expand its facilities along the roadway. Mr. Hester stated the proposed agreement establishes cost sharing between WT and the City of Canyon for the future pavement markings and lighting for the water tower on the east side of Spur 48, the will city maintain the road to include seal coating and WT will maintain all of its improvements in the ROW along the north side of the Spur. The Agreement also establishes that WT will grant any necessary easements to facilitate performance of the agreement. City Manager Joe Price said he wanted to get the proposed agreement in front of the Commission to look at, but there were still a few things in the agreement needing to be finalized.

After discussion, the Commission agreed staff should continue finalizing the details on the Interlocal Agreement between WTAMU and the City of Canyon regarding Spur 48.

Item 15. Discuss Potential Project for Texas Community Development Block Grant Program Rural Economic Development (Main Street Program Downtown Revitalization Grant).

City Manager Joe Price indicated the City of Canyon was working towards applying for a grant specific for Downtown and Main Street through the Texas Department of Agriculture's Downtown Revitalization and Main Street Programs. Mr. Price said the primary objective is to provide infrastructure improvements. Mr. Price stated funds may be provided for sidewalks and lighting, improving handicap accessibility, utility improvements, and many other projects. Mr. Price said the Grant Amount is \$500,000 with a City of Canyon match of \$75,000 for a total project amount of \$575,000. Mr. Price stated Assistant City Manager Jon Behrens was working with Business and Community Development Director Evelyn Ecker on this project. Mr. Price stated the City would also be working with the PRPC on developing the grant.

After discussion, the Commission expressed interest in the project and praised staff for seeking out the funding to improve the downtown area.

Item 14. Executive Session Pursuant to \$551,071 Consultation with Attorney, and \$551,074 Personnel Matters (Police Chief Appointment).

Mayor Hinders indicated the Commission would adjourn into Executive Session at 10:12 am.

Item 15. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 10:58 am, the following action was taken.

Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to appoint Steven Brush as the City of Canyon Chief of Police. Motion carried unanimously.

Item 16. Adjourn

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

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary