

The City Commission of the City of Canyon met at 4:30 p.m. at the Cole Community Center in the Palo Duro Room to allow for social distancing. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Mayor Pro-Tem Cody Jones, Randy Ray, Roger Remlinger 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, Interim Wastewater Supervisor John Poole, Police Chief Steve Brush, Library Director Janice Doan, Director of Public Works Dan Reese, 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 4:33 p.m.

Item 2. Invocation.

Commissioner Ray gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Remlinger.

Item 4. Approval of the Minutes of the Meeting October 13, 2020.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to approve the minutes of October 13, 2020 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No comments.

Item 6. Consider and Take Appropriate Action on Update of Governor Abbotts Executive Orders Directed at Slowing the Spread of COVID-19 in the State of Texas.

City Manager Joe Price gave an update on COVID-19 in the area and the Executive Order currently in place from Texas Governor Greg Abbott.

Informational only, no action required.

Item 7. Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1131, An Ordinance of the City Commission of the City of Canyon, Texas, Rezoning a Portion of Future Canyon East Unit No. 9, an Addition to the City of Canyon, Randall County, Texas, Providing That the Zoning Classification be Posted Upon the Zoning District Maps of the City of Canyon, Providing That All Ordinances or

Parts of Ordinances in Conflict Herewith are Expressly Repealed, and Providing for an Effective Date.

Planning and Development Director Danny Cornelius presented Ordinance No. 1131 for consideration. Mr. Cornelius stated Daryl Furman, representing Kuhlman and Sons, LP submitted an application for a change of zoning for the proposed Canyon East Unit No. 9 to SF-V (Single-Family Village Residential District) for Lots 1-15 and SF-S (Single-Family Suburban Residential District) for Lots 16-20. Mr. Cornelius stated a request for the adjacent property be zoned as RC-2 (Commercial District) was also submitted and proposed to remain un-platted at this time.. Mr. Cornelius said the property is currently zoned SF-A (Single-Family Agricultural Residential District). Mr. Cornelius stated letters were sent out to 24 property owners within 200' with 3 responses received opposed. Mr. Cornelius said 24 property owners not within 200' of the request were also received all in opposition. Mr. Cornelius said the Planning and Zoning Commission voted unanimously to recommend approval of the SF-S zoning request and to recommend denial of the SF-V and RC-2 zoning requests.

Mayor Hinders opened the public hearing. The following addressed the Commission.

Courtney Wiggins – Canyon, Texas

Spoke in opposition with the main concern being increase in traffic through the Canyon East subdivision and would accept RC-1 (Retail District) over the RC-2 zoning.

Danny Potter – 2 Quay Lane

Spoke in opposition with concerns of traffic, and the area remaining single-family homes only and how the developers would be held to what they proposed to do. He pointedly opposed the RC-2 zoning request.

Holly Bryant – 21 CM Lane

Spoke in opposition with concerns of lower home values.

Kimberly Sharber – 64 Canyon East Pkwy

Spoke in opposition of the RC-2 zoning and would be opposed to RC-1 zoning, also had concerns of traffic.

A Total of 16 others submitted comment cards opposing the proposed zoning change.

Michael Wilhelm – 16 Quay Lane

Teri Gunnerson – 4 Brandi Lane

Sheila Hunley - 36 Canyon East Pkwy

Rita Niles – 12 Quay Ln

La Nell Kendrick – 6 William

Deborah James – 70 Canyon East Pkwy

Tonya Tyler – 11 Nicci Ln

Misty Coates – 34 Neely Ln

Ashley Hernandez – 36 Neely Ln

Carlos Hernandez – 36 Neely Ln

Tessa “Cheyenne” Spargo – 18 Neely Ln

Philip Niles – 12 Quay Ln

Johnny Hunley – 36 Canyon East Pkwy
Ernie Campbell – 39 Canyon East Pkwy
Joanna Campbell – 39 Canyon East Pkwy
Andrea Bryant – 3 Quay Ln

There being no other comments, Mayor Hinders closed the public hearing.

Planning and Zoning Commission Chairman Bill Craddock addressed the Commission. Mr. Craddock stated the P&Z made a tough decision. Mr. Craddock stated the P&Z felt the Kuhlman's are simply looking for smaller lots to build garden homes on to meet a demand for them, but the reason the P&Z voted for approval of only the SF-S (Single Family Suburban Residential District) was the fact that if the Kuhlman's ever sold the property with a zoning designation of SF-V and RC-2, then new property owners could put in apartments or trailer park. Mr. Craddock said the Kuhlman's also stated they were ok with only zoning the SF-S (Single-Family Suburban Residential District) and withdrawing the SF-V and RC-2 zoning requests.

Larry Wilhite, Canyon East Developer, took the floor and stated as the developers, they were looking to meet a need for garden home sized lots as there is a need with more people not wanting large yards. Mr. Wilhite said they were comfortable with just having the SF-S approved and would come back later with a request of Planned Development zoning for the other property. Mr. Cornelius stated Planned Development allowed for Zero Lot Lines and more restrictions could be enforced. Mr. Wilhite said it was the goal of the developers that the residents of Canyon East are happy. Commissioner Ray asked the group how they felt about garden homes. The consensus was positive. Mayor Pro-Tem Jones expressed appreciation of citizen participation and to Gary Kuhlman and Larry Wilhite stating they are good stewards for the City of Canyon.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve Ordinance No. 1131 approving the zoning request for SF-S (Single-Family Suburban Residential District) Zoning and denial of the SF-V (Single-Family Village Residential District) and RC-2 (Commercial District) Zoning Requests with consideration for extended lot width to conform to an SF-S along CM Lane as recommended unanimously by the Planning and Zoning Commission. Motion carried unanimously.

ORDINANCE NO. 1131

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, REZONING A PORTION OF FUTURE CANYON EAST UNIT NO. 9, AN ADDITION TO THE CITY OF CANYON, RANDALL COUNTY, TEXAS, PROVIDING THAT THE ZONING CLASSIFICATION BE POSTED UPON THE ZONING DISTRICT MAPS OF THE CITY OF CANYON, PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE EXPRESSLY REPEALED, AND PROVIDING FOR AN EFFECTIVE DATE.

- Item 8. First reading of Resolution No. 25-2020, A Resolution of the City Commission of the City of Canyon Authorizing Participation by the Canyon Economic Development Corporation in the City of Canyon Downtown Master Plan Project.

Canyon Economic Development Corporation President Don Lee presented Resolution No. 25-2020 for consideration. Mr. Lee stated the Canyon Economic Development Corporation approved \$50,000 in funding to assist with the Downtown Master Plan implementation and augment the grant for the project. Mr. Lee said the funds are being provided to enhance the appearance of the aesthetics of the downtown retail business district. Mr. Lee stated the CEDC Board approved the project funding during the September 10, 2020 meeting and there was no opposition to the project at the public hearing held on Thursday, October 8, 2020.

First Reading only, no action.

**RESOLUTION NO. 25-2020
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
CANYON AUTHORIZING PARTICIPATION BY THE CANYON
ECONOMIC DEVELOPMENT CORPORATION IN THE CITY OF
CANYON DOWNTOWN MASTER PLAN PROJECT.**

- Item 9. First reading of Resolution No. 27-2020, A Resolution of the City Commission of the City of Canyon Approving Project Funding Agreement Between Canyon Housing LLC dba Buffalo Motel and Canyon Economic Development Corporation Relating to Funding Building Improvements.

Canyon Economic Development Corporation President Don Lee presented Resolution No. 27-2020 for consideration. Mr. Lee stated the Canyon Economic Development Corporation approved \$40,000 in funding to assist renovations and improvements at the Buffalo Motel located at 300 23rd Street, Canyon during the September 10, 2020 meeting. Mr. Lee said there was no opposition to the project at the public hearing held on Thursday, October 8, 2020.

First Reading only, no action.

**RESOLUTION NO. 27-2020
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
CANYON APPROVING PROJECT FUNDING AGREEMENT
BETWEEN CANYON HOSPITALITY LLC dba BUFFALO
MOTEL AND CANYON ECONOMIC DEVELOPMENT
CORPORATION RELATING TO FUNDING BUILDING
IMPROVEMENTS**

- Item 10. Consider and Take Appropriate Action on Pavement Grade Index Study.

City Manager Joe Price stated the Pavement Grade Index Study would not be considered since it did not explore the conditions of the brick streets and that was the main reason for the consideration of the study.

Item 11. Consider and Take Appropriate Action on Upon Code of Ethics for the City of Canyon.

City Attorney Chuck Hester presented a proposed Code of Ethics for the City of Canyon. Mr. Hester stated in July, the creation of a Code of Ethics had been discussed to clearly state the goals and objectives that would guide the conduct of elected and appointed officials going forward. Mr. Hester stated the Commission considered the first draft in August and suggested changes. Mr. Hester said the changes had been made in the proposed final draft of the Code of Ethics.

After discussion Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to adopt the Code of Ethics as presented. Motion carried unanimously.

Item 12. Consider Meeting Dates for the Months of December 2020, and January, February 2021.

City Secretary Gretchen Mercer presented calendars for the months of December 2020, January 2021 and February 2021. Ms. Mercer stated with the upcoming holidays conflicting with regular meetings dates, it was proposed to meet at 4:30 pm as follows:

November 2, 2020
November 16, 2020
December 7, 2020
January 11, 2021
February 1, 2021

The City Commission agreed to meet on the listed dates.

Item 13. Executive Session Pursuant to §551.074 Personnel Matters (City Manager Annual Evaluation) and §551.071 Consultation with Attorney.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 5:40 p.m.

Item 14. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 7:54 p.m., no action was taken.

Item 15. Adjourn

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at 7:56 pm.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary