

The City Commission of the City of Canyon 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, Roger Remlinger, Paul R. Lyons and Randy Ray.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, Director of Finance Chris Sharp, Librarian Janice Doan, Planning and Development Director Danny Cornelius, Business and Community Development Director Evelyn Ecker, Utility Department Supervisor Eric Whitten, Fire Chief Mike Webb, Economic Development Board President Don Lee, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:30 p.m.

Item 2. Invocation.

Commissioner 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 October 21, 2019.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve the minutes of October 21, 2019 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments From Interested Citizens.

Nikki West – 1904 Helium Road / Owner of Pampered Pooch. Ms. West expressed the need for assistance in moving her business from its current location in the 1600 block of 4th Avenue due to the sale of the property to the Canyon Economic Development Corporation. Ms. West stated she did not currently have a lease and the CEDC had offered advertising but she needed more financial help.

Don Lee – 18 Fairway, / President of the Canyon Economic Development Corporation. Mr. Lee stated the CEDC has previously visited with Nikki West and said since she has a month to month lease, the lease would be honored as the other properties leases were. Mr. Lee said the CEDC could only offer advertising.

Item 6. Consider and Take Appropriate Action on Second and Final Reading on Resolution No. 16-2019, A Resolution of the City of Canyon Approving Real Estate Sale and Purchase Contract Between Charles Eugene Cooper dba Cooper Investment and Canyon Economic Development Corporation Relating to the Property Located at 1601 – 1607 4th Avenue, Canyon, Texas.

Business and Community Development Director Evelyn Ecker presented Resolution No. 16-2019 for the final reading and adoption. Ms. Ecker stated the Canyon Economic Development Corporation Board held a public hearing September 12, 2019 with no opposition and unanimous support from the CEDC. Ms. Ecker stated the closing date for the sale was set for November 15, 2019.

After discussion, Commissioner Lyons moved, duly seconded by Commissioner Remlinger to table Resolution No. 16-2019.

City Attorney Chuck Hester stated a closing date had been set for November 15, 2019. Mayor Hinders asked why consideration was being suggested to table the adoption of Resolution No. 16-2019. Commissioner Remlinger said he would like to get more information from Ms. West on her situation. Mayor Hinders stated that was a separate issue from the purchase of the property. Mayor Pro-Tem Jones asked if terms of the sale could be re-negotiated. Mr. Hester said the contract was drawn up with the understanding there was no opposition from the Commission as discussed in previous meetings and requested that the Commission not put the city in breach of contract. Mr. Hester stated the seller could sue the Canyon Economic Development Corporation if that were to happen. Commissioner Remlinger stated he had no issue with the purchase of the property.

Mayor Hinders asked for a vote on the motion as stated. Motion failed 1-4 with Commissioner Lyons voting for.

A verbal exchange occurred between Commissioner Lyons and CEDC President Don Lee.

After discussion, Commissioner Remlinger moved, duly seconded by Mayor Pro-Tem Jones to adopt Resolution No. 16-2019 as presented. Motion carried 4-1 with Commissioner Lyons voting against.

RESOLUTION NO. 16-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON APPROVING REAL ESTATE SALE AND PURCHASE CONTRACT BETWEEN CHARLES EUGENE COOPER dba COOPER INVESTMENTS AND CANYON ECONOMIC DEVELOPMENT CORPORATION RELATING TO THE PROPERTY LOCATED AT 1601-1607 4TH AVENUE, CANYON, TEXAS.

Item 7. Consider and Take Appropriate Action on Resolution No. 18-2019, Atmos Rate Change Negotiations.

Director of Finance Chris Sharp presented Resolution No. 18-2019 for consideration.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve Resolution No. 18-2019 as presented. Motion carried unanimously.

RESOLUTION NO. 18-2019

A RESOLUTION OF THE CITY OF CANYON, TEXAS, APPROVING COOPERATION WITH CITIES SERVED BY ATMOS WEST TEXAS TO REVIEW ATMOS ENERGY CORP., WEST TEXAS DIVISION'S ("ATMOS WEST TEXAS") REQUESTED RATE CHANGE; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; AUTHORIZING INTERVENTION IN ANY RATEMAKING PROCEEDING AT THE RAILROAD COMMISSION THAT RELATES TO THE COMPANY'S FILING; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND CITIES' LEGAL COUNSEL.

Item 8. Consider and Take Appropriate Action on Resolution No. 19-2019, Ballot for Potter-Randall Appraisal District Board of Directors.

City Manager Joe Price presented Resolution No. 19-2019 for consideration.

After discussion, Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to split the votes between James Barrington (29 votes), Tim Gilliland (28 votes) and Joe Shehan (28 votes). Motion carried unanimously.

RESOLUTION NO. 19-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS CASTING VOTES FOR THE MEMBERS OF THE BOARD OF DIRECTORS OF RANDALL COUNTY APPRAISAL DISTRICT.

Item 9. Consider and Take Appropriate Action on Sale of Firefighting Equipment to the City of Claude.

Fire Chief Mike Webb presented an Interlocal Agreement relating to the sale of a firetruck and related equipment to the City of Claude. Chief Webb stated the City of Claude was in need of the brush truck and the City of Canyon Fire Department had purchased new equipment and no longer needed the truck. Chief Webb stated the City of Claude would like to purchase the brush truck for \$10,500.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Remlinger to approve the Interlocal Agreement with the City of Claude for the sale of the described brush truck to the City of Claude for the agreed amount of \$10,500. Motion carried unanimously.

Item 10. Adjourn

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at 4:55 pm.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary