

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, and Robyn Cranmer. Commissioner Danny Potter was unable to attend.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, HR Director Hector Mendoza, Communications Director Megan Nelson, Director of Public Works Dan Reese, Assistant Director of Public Works Chris Enriquez, Assistant Planning and Development Director Craig Brown, Economic Development Director Stephanie Tucker, Finance Director Joel Wright, Purchasing Manager Beau Boyer, Police Captain Matt Coggins, Parks Director Brian Noel, Water Superintendent Eric Whitten, City Engineer Adolfo Garcia, 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 Cranmer.

Item 4. Approval of the Minutes of the Meeting of June 5, 2023.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Cranmer to approve the minutes of June 5, 2023 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens

No comments were made.

Item 6. Consider and Take Appropriate Action on Extension of a Declaration of Local Disaster Related to Severe Weather and Prolonged Flooding as Signed by Mayor Hinders June 1, 2023.

City Manager Joe Price gave an update on the flooding event beginning May 27, 2023. Mr. Price recommended the Commission continue the Disaster Declaration until the next Commission meeting at which time it would be considered if there was a need to extend the declaration further. Mr. Price stated the declaration could help private and public entities recover losses.

After discussion, Commissioner Cranmer moved, duly seconded by Mayor Pro-Tem Jones to extend the City of Canyon State of Emergency declared June 1, 2023 until the next City of Canyon Commission Meeting. Motion carried unanimously.

- Item 7. Consider and Take Appropriate Action on Resolution No. 27-2023, A Resolution of the City Commission of the City of Canyon, Texas, Exercising the First of Three, One-Year Extension Terms of the Current Depository Services Contract Agreement Between the City of Canyon, Texas and Happy State Bank, a Division of Centennial Bank, and Authorizing the Director of Finance to Execute a Letter to Happy State Bank Related Thereto on Behalf of the City of Canyon, Texas for the One-Year Extension of the Current Depository Services Agreement.

Director of Finance Joel Wright presented Resolution No. 27-2023 for consideration. Mr. Wright stated the current depository services contract with Happy State Bank would expire August 31, 2023. Mr. Wright said based on State statues, the term of the agreement included three, one-year renewal and extension periods. Mr. Wright said staff was satisfied with the provided services from Happy State Bank and recommended the City of Canyon exercise the first of three one-year extensions with Happy State Bank.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commission Cranmer to adopt Resolution No. 27-2023 as recommended. Motion carried 3-1 with Commissioner Lyons voting against.

RESOLUTION NO. 27-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON EXERCISING THE FIRST OF THREE, ONE-YEAR EXTENSION TERMS OF THE CURRENT DEPOSITORY SERVICES CONTRACT BETWEEN THE CITY OF CANYON, TEXAS AND HAPPY STATE BANK, A DIVISION OF CENTENNIAL BANK, AND AUTHORIZING THE DIRECTOR OF FINANCE TO EXECUTE A LETTER TO HAPPY STATE BANK RELATED THERETO ON BEHALF OF THE CITY OF CANYON, TEXAS.

- Item 8. Consider and Take Appropriate Action on the May 31, 2023 Financial Report by Finance Director Joel Wright.

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

- Item 9. Consider and Take Appropriate Action on the May 31, 2023 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 Cranmer to approve the Investment Report as presented. Motion carried unanimously.

- Item 10. Consider and Take Appropriate Action on Resolution No. 28-2023, A Resolution of the City Commission of the City of Canyon, Texas, Reviewing and Adopting the City of Canyon's Updated Comprehensive Fund Balance and Reserve Policy.

Director of Finance Joel Wright presented Resolution No. 28-2023 for consideration. Mr. Wright said the City of Canyon's Comprehensive Fund Balance and Reserve Policy establishes a key element of the financial stability of the City by setting guidelines and parameters for budgetary fund balance and related cash reserves. Mr. Wright stated it is the responsibility of City Staff and the City Commission to maintain a stable financial condition as well as provide for upcoming projects in the Capital Improvement Program and to contribute to improving the bond rating for the City. Mr. Wright said the proposed update included minor wording changes and update of current data.

After discussion, Commissioner Cranmer moved, duly seconded by Mayor Pro-Tem Jones to adopt Resolution NO. 28-2023 as presented. Motion carried unanimously.

RESOLUTION NO. 28-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, REVIEWING AND ADOPTING THE CITY OF CANYON'S UPDATED COMPREHENSIVE FUND BALANCE AND RESERVE POLICY.

- Item 11. Consider and Take Appropriate Action on Resolution No. 29-2023, A Resolution of the City Commission of the City of Canyon, Texas, Reviewing the City of Canyon's Investment Policy Pursuant to the Public Funds Investment Act.

Director of Finance Joel Wright presented Resolution No. 29-2023 for consideration. Mr. Wright said pursuant to Texas Government Code, Chapter 2256, municipalities are required to adopt an investment policy and/or review/revise their current investment policy on an annual basis. Mr. Wright stated the current Investment Policy was last reviewed June 2022 and staff believed the policy continues to meet the requirements of the statute with making only a few minor wording revisions.

After discussion, Commissioner Cranmer moved, duly seconded by Mayor Pro-Tem Jones to adopt Resolution No. 29-2023 as presented. Motion carried unanimously.

RESOLUTION NO. 29-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, REVIEWING THE CITY OF CANYON'S INVESTMENT POLICY PURSUANT TO THE PUBLIC FUNDS INVESTMENT ACT

- Item 12. Consider and Take Appropriate Action on Annexation Agreement and Service Plan – Old Lumber Yard.

Item 12 was moved for consideration after Executive Session.

Item 13. Consider and Take Appropriate Action on Extension of Water Main Agreement – Old Lumber Yard.

Item 13 was moved for consideration after Executive Session.

Item 14. Conduct a Public Hearing and Consider and Take Appropriate Action on a Specific Use Permit Request to Operate a Vape/Smoke Shop at 400 23<sup>rd</sup> Street.

Assistant Director of Planning and Development Craig Brown presented a Specific Use Permit application from Adbrabboh Alshaif for the operation of a vape/smoke shop located at the corner of 4<sup>th</sup> Ave and 23<sup>rd</sup> Street. Mr. Brown stated the summary use chart of the zoning ordinance allows a vape/smoke shop in the RC-2 zoning district by Specific Use Permit only.

Mayor Hinders opened the Public Hearing.

Abdullah Alkaifee addressed the City Commission representing the Vape/Smoke Shop. Mayor Pro-Tem Jones asked Mr. Alkaifee what type merchandise would be sold at this shop and if the inventory would include the same merchandise sold at their shop in north Amarillo. Mr. Alkaifee said the Canyon store would not carry the same merchandise sold in the store Mayor Pro-Tem Jones was referring to, the merchandise was present in that store when they purchased it. Commissioner Cranmer asked how sales to minors would be prevented and Mr. Alkaifee said they would be checking ID's.

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

Mr. Brown stated letters were sent to 18 property owners within 200 feet with one response received in opposition of the request. Mr. Brown said the Planning and Zoning Commission voted unanimously to recommend approval of the Specific Use Permit.

After discussion, Commissioner Lyons moved to approve the Specific Use Permit as presented. Motion died due to lack of a second.

Commissioner Cranmer stated she would like to see a clear plan of how minors would be prevented from purchasing and what merchandise would be carried in the store.

After discussion, Mayor Hinders moved to deny the Specific Use Permit as presented, duly seconded by Mayor Pro-Tem Jones. Motion carried 3-1 with Commissioner Lyons voting against.

Item 15. Conduct a Public Hearing and Consider and Take Appropriate Action on a Specific Use Permit Request to Place a Manufactured Home on a Multi-Family Zoned Lot at 1308 8<sup>th</sup> Street.

Assistant Director of Planning and Development Craig Brown presented at Specific Use Permit submitted by Jennifer and William Leven t to place a manufactured home on a multi-family zoned lot at 1308 8<sup>th</sup> Street. Mr. Brown stated the lot previously had manufactured homes on the lot and Mr. and Mrs. Leven were replacing an older home with a newer one. Mr. Brown stated the Summary

Use Chart of the Zoning Ordinance allowed manufactured home in the multi-family districts by Specific Use Permit only. Mr. Brown said letters were sent to seven property owners within 200 feet with two responses received in support of the Specific Use. Mr. Brown stated the Planning and Zoning Commission voted unanimously to recommend the approval of the Specific Use Permit.

Mayor Hinders opened the public hearing.

There being no comment, Mayor Hinders closed the public hearing.

After discussion, Commissioner Cranmer moved, duly seconded by Mayor Pro-Tem Jones to approve the Special Use Permit as requested for 1308 8<sup>th</sup> Street. Motion carried unanimously.

Item 16. Consider and Take Appropriate Action on a Plat for Stone Creek Unit 2, a Subdivision Within the Extraterritorial Jurisdiction of the City of Canyon.

Assistant Planning and Development Director Craig Brown presented a Plat for Stone Creek Unit 2 submitted by Chris Rhynehart, representing Alan Anderson Homes, LLC. Mr. Brown stated Stone Creek Unit 2 is a 37.99 acre, 10 lot development in the City of Canyon Extraterritorial Jurisdiction (ETJ). Mr. Brown stated the Development Agreement for Stone Creek was approved by the City Commission October 18, 2021.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Cranmer to approve the Plat for Stone Creek Unit 2 as presented. Motion carried unanimously.

Item 17. Consider and Take Appropriate Action on Meeting Dates Through December 2023.

City Manager Joe Price presented a proposed calendar with meeting dates through the end of the year.

After Discussion, it was decided to follow the calendar as presented with the exception of moving the July 17, 2023 meeting to Thursday, July 20, 2023.

Item 18. Executive Session Pursuant to §551.071 Consultation with Attorney, §551.074 Personnel Matters (City Manager Paternity Leave), §551.072 Deliberation Regarding Real Property, and §551.087 Deliberation Regarding Economic Development Negotiations.

Mayor Hinders indicated the City Commission would adjourn into Executive Session at 6:05 pm.

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

Upon returning from Executive Session at 8:08 pm., no action was taken.

**Mayor Hinders moved to Items 12 and 13.**

Item 12. Consider and Take Appropriate Action on Annexation Agreement and Service Plan – Old Lumber Yard.

City Manager Joe Price presented an Annexation Agreement and Service Plan between the City of Canyon and Lumber Yard, LTD. Mr. Price stated Lumber Yard, LTD requested annexation and connection to city public services for their proposed development called the Old Lumber Yard located on the US 60/87 North Bound access road.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to approve the Annexation Agreement and Service Plan for the Old Lumber Yard and authorize the City Manager to execute the agreement on behalf of the City of Canyon. Motion carried unanimously.

Item 13. Consider and Take Appropriate Action on Extension of Water Main Agreement – Old Lumber Yard.

City Manager Joe Price presented a request for the extension of water to the Old Lumber Yard as discussed in Item 12.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to approve the agreement for extension of water off-site main to serve the Old Lumber Yard and authorize the City Manager to execute the agreement on behalf of the City of Canyon. Motion carried unanimously.

Item 17. Adjourn.

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at 8:22 pm.

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Gary Hinders, Mayor

ATTEST:

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Gretchen Mercer, City Secretary