
The Bartonville News

Town of Bartonville

September 2006

7th Annual Bartonville Spirit Day

Calling all citizens! September 23rd is the 7th Annual Bartonville Spirit Day and is now just weeks away. We've been working all summer, consulted with weather experts (who have guaranteed us a beautiful day) and planned something for every member of the family to enjoy.

Here's your Spirit Day 2006 guide

(all Spirit Day information is available at www.townofbartonville.com).

LOCATION

- All events will be at Town Hall, Royal Seal or the Bartonville Water Supply Corporation.
- Jeter Road from the Bartonville Store to Gibbons Road will be closed during the *Tour de Ville* and from the Bartonville Store to Green Oaks during Spirit Day activities, so please plan accordingly.
- Parking will be available at Royal Seal and behind the Bartonville Store.

SPONSORS MAKE IT POSSIBLE

→ Spirit Day is free to all Bartonville residents as a gift made possible by our generous sponsors (to-date): **Bartonville Town Center (Platinum Sponsor), Argyle Water Supply Corporation, Anonymous Donor, Curves of Bartonville, the Koehler Company, IESI, Alan Lavender, Robertson Pools, Royal Seal Companies, Wilburn Seals, Sinatra Custom Homes, Southwest Securities, Teague Nall and Perkins, Today Realty, Tom Thumb (Justin Road), Steve Watson Custom Homes, Brenda Whatley, Rickey Perry, AT&T, Badminton Heights and Mike, Treva & Elizabeth Donnelly.**

→ If you are interested in being a Spirit Day sponsor, the sponsorship package is also located on our website.

VOLUNTEERS ARE NEEDED

- Spirit Day is an entirely volunteer-driven event. Without help from our community, we couldn't have Spirit Day.
- *Volunteers are needed for all events.* Please donate one or two hours of your time on Spirit Day. We promise a rewarding experience for all.
- Volunteer positions needed: Cookie contest judges, jump house monitors, food servers and pet show assistance. We are also looking for a family who will run the sno-cone machine.
- To volunteer: sign up on the Town of Bartonville website, call Town Hall at 817-430-4052, or e-mail Susan Johnson at susan@closetstoragesystems.com.

WHAT TO BRING

- *Completed event registration forms.* You may also drop off completed registration forms (except Cookie Bake-Off entries) to Town Hall prior to Spirit Day. All registration forms are available on our website at www.townofbartonville.com under the Spirit Day link. Registration for all events will also be available on Spirit Day.
- *A munchie, side dish, salad or dessert* to share for dinner (disposable containers appreciated, or clearly mark returnable items with your name and phone number).
- *Folding chairs.*



Bartonville Spirit Day Schedule

Event	Time	Details
<p style="text-align: center;"><i>Tour de Ville</i> Kids' Mile and 5K Run (Town Hall Start & Finish)</p>	<p style="text-align: center;">7:00 a.m. 7:45 a.m. (Kids' Mile) 8:00 a.m. (5K)</p>	<p>→ Registration Begins</p> <p>Registration is available now at www.active.com or by downloading the form from the Town website.</p> <p>→ Awards ceremony immediately following</p>
<p style="text-align: center;">Classic Car Show (Jeter Road)</p>	<p style="text-align: center;">1:00 p.m. 1:00 - 4:00 p.m.</p>	<p>→ Registration Begins</p> <p>→ Classic Car Show</p>
<p style="text-align: center;">Kids' Activities (Bartonville Water Supply front yard)</p>	<p style="text-align: center;">1:00 - 4:00 p.m.</p>	<p>→ Bounce houses, arts & crafts, face painting, train ride, fast-pitch baseball, sno-cones, cotton candy and more!</p>
<p style="text-align: center;">"Barton's Pals" Pet Show and Parade (Royal Seal backyard)</p>	<p style="text-align: center;">1:30 - 2:00 p.m. 2:00 - 3:00 p.m.</p>	<p>→ Registration begins</p> <p>Registration is available by downloading the form from the Town website.</p> <p>→ Pet parade begins with pet show immediately following.</p> <p>Categories are "Looks Most Like the Owner," "Softest," "Best Dressed," "Best Behaved," "Most Unusual," "Best Hair," "Most Talented," and "Cutest."</p> <p>→ You are the judge - everyone votes - great prizes for the winners!</p>
<p style="text-align: center;">Cookie Bake-Off (Town Hall Council Chambers)</p>	<p style="text-align: center;">1:30 p.m. 2:00 - 3:00 p.m.</p>	<p>→ Registration begins</p> <p>Cookies must not need refrigeration and should be in a disposable container. Entries will be judged on taste, consistency and appearance. Ribbons will be awarded for first, second, and third places. Honorable mention ribbons will also be awarded.</p> <p>→ Cookie judging</p>
<p style="text-align: center;">Color Guard and Pledge of Allegiance (Town Hall flagpole)</p>	<p style="text-align: center;">4:30 p.m.</p>	<p>→ The Denton Fire Department Color Guard will provide a moving ceremony.</p>
<p style="text-align: center;">Fire Bay & Engine Dedication</p>	<p style="text-align: center;">Immediately Following Pledge</p>	<p>→ We will dedicate the engine that will be parked in our newly constructed fire bay.</p>
<p style="text-align: center;">Music and Dancing</p>	<p style="text-align: center;">4:00 - 6:30 p.m.</p>	<p>→ Dance to the tunes provided by our disc jockey.</p>
<p style="text-align: center;">Dinner</p>	<p style="text-align: center;">5:00 - 6:30 p.m.</p>	<p>→ Enjoy our traditional BBQ dinner.</p> <p>→ Please bring a salad, side dish or dessert to share (disposable containers appreciated).</p>
<p style="text-align: center;">Awards ceremony</p>	<p style="text-align: center;">5:30 p.m.</p>	<p>→ Awards announced for the afternoon's activities.</p>

Town Council Highlights

August 15, 2006

Regular Monthly Meeting

Officials Present: Mayor Ron Robertson; Mayor Pro Tem Dave Howell; Councilmembers James Ashburn, Carla Anderson, Ryan Litherland, and Wayne Hoyt; Town Engineer, Gary Vickery; and Town Secretary, Debbie Millican. Absent: None.

Mayor Robertson called the meeting to order at 7:00 p.m.

Consent Agenda - Ryan Litherland moved to approve the following consent agenda, as presented: *A) Approval of Minutes: 1) July 8, 2006, Work Session and Special Called Meeting; 2) July 18, 2006, Regular Monthly Meeting; 3) July 29, 2006, Work Session and Special Called Meeting; *B) Approval of Resolution 2006-14, a Resolution Appointing Amanda Silva as Deputy Court Clerk. Carla Anderson seconded the motion. For: Unanimous. The motion carried 5 to 0.

Citizen Appearances - Frank Rogers of Rockgate Road asked for the Council's help in discouraging cars from parking in front of his home in the bar ditch area of the right-of-way. Mr. Rogers stated that several neighbors each day park on the edge of the road in front of his home while waiting for their children as they get off the school bus. He stated that the constant traffic, oil and other fluids were destroying the grass that he works hard to maintain. Mr. Rogers stated that he takes pride in his home and that it was disrespectful for people to park on his property.

The Town Council received reports from appointed representatives. No action was taken.

Public Hearing, Re Plat Hawk Road Estates - The Town Council conducted a hearing to hear public comment and consider approval of Lot 3, Hawk Road Estates, located within the extraterritorial jurisdiction of the Town of Bartonville. Mayor Robertson opened the hearing and asked to hear from the applicant. Dean Hodde of Texas National Surveying spoke on behalf of the applicants, Travis and Michelle Sims. He stated that he would be happy to answer any questions. Town Engineer Gary Vickery stated that the replat

met all the requirements of the Town Development Ordinance and that the Planning and Zoning Commission had recommended approval. Mayor Robertson asked to hear from those that wished to speak in favor of or in opposition to the proposed replat. No one chose to speak. Mayor Robertson closed the hearing to public comment. Ryan Litherland moved to approve the replat of Lot 3 of the Hawk Road Estates as recommended by the Planning and Zoning Commission. Dave Howell seconded the motion. For: Unanimous. The motion carried 5 to 0.

Public Hearing, Zoning Ordinance Amendment -

The Town Council conducted a hearing to hear public comment and consider approval of Ordinance No. 399-06; an Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Chapter 14, Zoning, Exhibit "A," Zoning Ordinance, as amended, by repealing in its entirety Chapter 30, Section 30.3 "Oil and Gas Well Drilling and Production" and replacing it with a new Section 30.3 to be entitled "Oil and Gas Well Drilling and Production." Mayor Robertson opened the hearing and stated that the ordinance had been initiated by the Planning and Zoning Commission and the Town Council. The Vice Chairperson of the Planning and Zoning Commission, Gloria McDonald, stated that the Zoning Ordinance of a Town was a living document. Ms. McDonald stated that ordinances are in constant review and amendments are required when inconsistencies or interpretation issues are discovered. She stated that the Planning and Zoning Commission had developed and reviewed the proposed amendments and had voted unanimously to recommend approval. Mayor Robertson asked to hear from those in favor or those in opposition to the amending ordinance. No one chose to speak. Mayor Robertson closed the hearing to public comment. Dave Howell moved to approve Ordinance 399-06, as recommended by the Planning and Zoning Commission. James Ashburn seconded the motion. For: Unanimous. The motion carried 5 to 0.

Budget Hearing - The Town Council held a public hearing regarding the Proposed Fiscal Year 2006-07 Budget. Mayor Robertson presented the proposed budget and reviewed plans for the beginning of a police department. He said the overall tax rate would be decreased by approximately a half cent. Mayor Robertson stated that Bartonville was rated the 13th best community in the metroplex area to live

in and that Bartonville had the highest home values in all of Denton County. He stated that in order to protect the homes and values in Bartonville, the Council proposed the beginning of the first police department. Mayor Robertson stated that a police department was needed to enforce ordinances, control traffic and patrol neighborhoods. He opened the hearing to public comment. Steve Snay stated that he was not necessarily against a police department but he questioned the timing. He said he was not sure that the right time was now. Mr. Snay stated that the citizens should be allowed to give input and requested a one question survey be sent out to the citizens. Del Knowler stated that he agreed that a police department may be needed. However, he expressed concern that in developing a police department, funds for street maintenance would be greatly decreased. Mr. Knowler suggested that the Council double the coverage in the agreement with the Constable's office and use the Town's revenues for road repair. Jeff Traylor stated that adding a police department and growing the government, struck deep in his conservative side. Mr. Traylor stated that even though this year's tax rate would be lower, the tax rate would have to increase in the future. He questioned the statistics the Mayor quoted in the July newsletter, by stating that the 2004 survey results were that 31% of the people did not want any new services, including a police department and that only 19% had actually said they agreed with a police department. Mr. Traylor stated that the Council was rushing to government by pushing through a police department that was not wanted. Rebecca Scherer stated that she had nothing to add other than she too, was against a police department. Annemarie Moore stated that she agreed with Steve Snay and Del Knowler regarding a police department. She questioned where the money would come from and asked if this was in anticipation of commercial development. Ms. Moore stated that the Council should wait on the police department and that the citizens were very satisfied with the services performed by Deputy Minnoff. She said the problem was that all the new people moving to Bartonville wanted the same services they had where they had moved from. Bill Reeves stated that he was very much in favor of a police department. He stated that in his neighborhood of Saddlebrook there had been a drug bust recently and there had been reports of burglaries. Mr. Reeves stated that a lot went on in Bartonville that most people did not

know about and it was time for a police department. No one else chose to speak. Mayor Robertson closed the hearing to public input. Dave Howell stated that, being a police officer, he knows what goes on in the area that the general public was not aware of, i.e., domestic disputes, thefts. He said the safety of the public was the number one priority of the Town Council. He stated that he didn't really want things to change either but there was an obligation to prepare for the future. He said that the Town was being impacted by ever increasing growth from the east and the north and that we needed to be able to enforce our ordinances to protect neighborhoods. Carla Anderson thanked everyone for coming forward and giving input. She said Bartonville is being squeezed by the growth in Lantana and Argyle and that the Council had been preparing for a police department for the last three years. She said she would hate to wait three years or four years down the road and say hey, we need to do something now. Councilmember Anderson stated that recently there was no one to call when overloaded trucks were speeding on Broome Road day and night for over a month. She stated that her phone number was listed each month in the newsletter and invited any citizen to call her to discuss issues. Councilmember Wayne Hoyt stated that the town needed more coverage than forty hours a week to be safe. He stated that we needed someone to call locally in the evenings and weekends especially when kids were out running around. Councilmember Litherland stated that if it was just a matter of traffic enforcement then having the constable around would be sufficient. He said recently it took the Denton County Sheriff's Department forty-five minutes to respond to a situation on Gibbons Road where six children were being held in a house. He said that Deputy Minnoff did a great job but that 40 hours a week was not adequate. Mayor Robertson stated that the Council had been diligent in working for the benefit of Bartonville. He added that he, along with the Councilmembers, was a taxpayer and that he didn't like taxes any more than anyone else but that a police department was not something they had just decided to do on a whim. The Mayor stated that they had been working and planning on the development of a police department for some time. He stated that at the next meeting, if the Councilmembers wanted more discussion on the police department, he would support them. Ryan Litherland moved to set September 19, 2006, as the

date for the adoption of the Fiscal Year 2006-2007 Budget and the 2006 Ad Valorem Tax Rate of .19294/\$100. Wayne Hoyt seconded the motion. For: Anderson, Ashburn, Howell, Hoyt and Litherland. Against: None. The motion carried 5 to 0.

Bartonville Family Medical Site Plan - The Council considered the Site Plan including Architectural Plan, Civil Site Plan and Landscape Plan for the proposed Bartonville Family Medical (formerly called the McCray Professional Building), to be located on Lot 2, Block A of the Acklie Addition. Tracy LaPiene, P.E., spoke on behalf of the applicants and stated that he would answer any questions regarding the application. Jeanette Walker stated that her property abutted the Acklie Addition and that most of the vegetation the developer had planted originally had died. She expressed concerns for privacy from the commercial activity and for the lack of maintenance on the lots. She asked that the Council require a masonry wall be built to shield the residential neighborhood. Mike Walker stated that he has spent his own money maintaining the landscaping along the drainage ditch but was not willing to continue any longer. He stated that if the developer had planted and maintained large native evergreens originally, then a wall would not be necessary to protect the adjacent residential area. He requested that the Council require the developer to construct the required masonry wall for the entire length of the development. Annemarie Moore stated that she supported the Walkers and the Daums in their displeasure with the lack of privacy and lack of landscape maintenance along the drainage easement. She stated that the Town had an ordinance in effect that required that a masonry wall be built. However, the developer had been allowed to provide landscaping in lieu of the wall. Ms. Moore stated that the Developer's Agreement required a property owner's association and landscape maintenance or permits or Certificate of Occupancies could be withheld. Mayor Robertson stated he was concerned with piece milling the wall as each lot is developed. He said that it would be impossible to match materials and the integrity of a wall would be undermined if built in sections over time. Mayor Robertson said that the developer should have been required to build the wall at the time of plat approval and the provisions of the developer's agreement enforced. Dave Howell stated that at the time of platting, in response to

neighboring property owners desire for landscaping as opposed to a wall, the developer had been allowed to use plant screening. Mayor Robertson stated that one option would be for each of the new lot owners (lots 2 - 5) to escrow funds for the construction of the wall, with the wall being built when 60 to 70% of the lots are developed. Mr. LaPiene stated that the cost for building a masonry wall for his client's lot would cost approximately \$18,000. Dave Howell moved to approve the site plan, architectural plan, landscape plan and civil drawings for the Bartonville Family Medical Building as recommended by the Planning and Zoning Commission, with the understanding that the property owner would maintain the landscaping and either build the proposed screening wall or pay, into escrow, a pro rata share of constructing a wall for Lots 2 -5. Carla Anderson seconded the motion. For: Unanimous. The motion carried 5 to 0.

Commercial Truck Regulations - The Town Council considered Ordinance 401-06, an ordinance requiring any commercial motor vehicle with three or more axles to obtain a permit for operation on Town streets other than designated truck routes; Providing Bonding Requirements and Exceptions. Mayor Robertson presented the ordinance and stated that the ordinance needed to be corrected to require permits for trucks with greater than three axles. Annemarie Moore asked the Council to address truck parking at the Bartonville Store. Ms. Moore stated that the Special Use permit issued for that location, did not permit over night parking of trucks. She said it looked like a truck stop. James Ashburn moved to approve Ordinance 401-06, as revised to require permits for greater than three axles. Dave Howell seconded the motion. For: Unanimous. The motion carried 5 to 0. Ryan Litherland moved to amend Ordinance 402-06, the Town Fee Schedule, to include an annual truck permit fee of \$150. Carla Anderson seconded the motion. For: Unanimous. The motion carried 5 to 0.

Burn Ban Continued - Ryan Litherland moved to approve Ordinance 403-06, Ordinance 403-06, an ordinance of the Town of Bartonville, Texas, declaring a state of emergency and prohibiting all outdoor burning including the use of open flame grills, campfires, possession or sale or discharge of fireworks, welding or hot work for a thirty (30) day period. Carla Anderson seconded the motion. For: Unanimous. The motion carried 5 to 0.

Mining and Excavations - Ryan Litherland moved to authorize publication and public hearings regarding amendments to Ordinance 361-05, the Zoning Ordinance to regulate mining and excavation. Carla Anderson seconded the motion. For: Unanimous. The motion carried 5 to 0.

There being no further business to come before the body, the Mayor declared the meeting adjourned at 8:43 p.m.

Fiscal Year 2006-2007 Budget

The proposed Fiscal Year 2006-2007 budget document will be available for review in the Town Secretary's Office from 8:00 a.m. to 12:00 and 1:00 to 5:00 p.m., Monday through Friday beginning August 3, 2006. Final adoption of the Fiscal Year 2006-2007 budget will be considered at the regularly scheduled Town Council monthly meeting on Tuesday, September 19, 2006.

P&Z Highlights

August 2, 2006

Regular Monthly Meeting

Officials Present: Vice-Chairperson Gloria McDonald; Commissioners: Don Abernathy and Jim Langford; Town Engineer, Gary Vickery and Town Secretary, Debbie Millican. **Officials Absent:** Betty Medlock and Chairperson Ralph Arment.

Vice Chairperson McDonald called the meeting to order at 7:00 p.m.

Approve Minutes - The Commissioners considered the July 5, 2006, Regular Monthly Meeting minutes. Jim Langford moved to approve the July 5, 2006, Regular Monthly Meeting minutes, as corrected. Don Abernathy seconded the motion. For: Unanimous. The motion carried 3 to 0.

Election of Officers - Vice Chairperson McDonald opened the floor to nominations for Chairperson. Jim Langford moved to nominate Ralph Arment to serve as Chairperson. Don Abernathy seconded the motion. For: Unanimous. There being no further nominations, Ralph Arment was elected Chairperson by acclamation. Vice-Chairperson McDonald opened the floor to nominations for Vice-Chairperson. Don Abernathy moved to nominate Gloria McDonald to serve as Vice-

Chairperson. Jim Langford seconded the motion. For: Unanimous. There being no further nominations, Gloria McDonald was elected Vice-Chairperson by acclamation.

Open Forum - No one chose to speak.

Public Hearing Hawk Road Estates - Commissioners participated in a public hearing and considered recommendations to the Town Council regarding a proposed replat of Lot 3, Hawk Road Estates, located within the extraterritorial jurisdiction of the Town of Bartonville, Denton County, Texas, located in the J. West Survey, Abstract No. 1414, as recorded in Cabinet N., Page 159 of the Plat Records of Denton County, Texas. Said property is a 4.7074 acre residential lot located on the north side of Hawk Road approximately 1,800 feet west of McMakin Road. The stated purpose of the replat is to create two lots, each being comprising 2.354 acres. Vice-Chairperson McDonald opened the hearing to public comment and asked to hear from the applicant. Dean Hodde of Texas National Surveying spoke on behalf of the applicants. He stated that he would be happy to answer any questions. Town Engineer, Gary Vickery stated that the replat met all the requirements of the Town Development Ordinance and recommended approval. Vice-Chairperson McDonald asked to hear from those in favor or in opposition to the proposed replat. No one chose to speak in favor. Doug Shannon, a resident of the adjacent Barrington Hills Addition, asked if the new lot owner would be required to build a home on the lot. He expressed concerns regarding the property being used for commercial purposes. Vice-Chairperson McDonald stated that the property was located in the ETJ of Bartonville and therefore was not subject to zoning regulations. Mr. Hodde stated that the applicant had indicated they would build a new home on the newly created lot. No one else chose to speak. Vice Chairperson McDonald closed the hearing to public comment. Jim Langford moved to recommend that the Town Council approve the request for approval of the replat of Lot 3, Hawk Road Estates, as presented. Don Abernathy seconded the motion. For: Unanimous. The motion carried 3 to 0.

Bartonville Family Medical Building - The Commissioners considered recommendations to the Town Council regarding approval of the Site Plan including Architectural Plan, Civil Site Plan and Landscape Plan for the proposed Bartonville Family Medical (formerly called the McCray Professional Building), to be located on Lot 2, Block A of the Acklie Addition, located within the corporate limits of the Town of Bartonville approximately 550 feet north of the FM 407 and East Jeter Road intersection, otherwise known as 3216 FM 407. Tracy Lapiene, P.E., spoke on behalf of the applicants and stated that he would be happy to answer

any questions. Town Engineer Gary Vickery stated that the applicant had met the requirements of the development and zoning regulations and recommended approval of the Site Plan and associated plans, as requested. Gloria McDonald stated that she remembered that the adjacent landowners to the west side of the property had requested landscape screening be required at the time the original plat and site plan were approved. The Commissioners discussed masonry wall requirements and alternate screening options. Jim Langford moved to continue discussion and consideration relative to approval of the McCray Professional Building to a special meeting to be held on August 9, 2006 and directed staff to invite input regarding screening options from the residents whose properties are immediately to the west. Don Abernathy seconded the motion. For: Unanimous. The motion carried 3 to 0.

Public Hearing - Ord. 399-06 - Commissioners held a public hearing and considered recommendations to the Town Council regarding Ordinance No. 399-06; an Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Chapter 14, Zoning, Exhibit "A," Zoning Ordinance, as amended, by repealing in its entirety Chapter 30, Section 30.3 "Oil and Gas Well Drilling and Production" and replacing it with a new Section 30.3 to be entitled "Oil and Gas Well Drilling and Production"; Providing for Purpose; Providing Definitions; Prohibiting Exploration and Production in Certain Zoning Districts; Providing for Oil and Gas Well Drilling and Production "By Right"; Providing for Oil and Gas Well Drilling and Production by Conditional Use Permit, Application and Requirements; Providing Standards for Oil and Gas Well Drilling and Production; Requiring Oil and Gas Permits; Providing for Insurance and Indemnification; Providing for Security; Providing for Review of Applications for Oil and Gas Permits; Providing for Periodic Reports; Providing for Notice of Activities; Providing for Amended Oil and Gas Permits; Providing for Transfer of Oil and Gas Permits; Providing Remedies for the Town; Providing for Enforcement and Right of Entry. Vice-Chairperson Gloria McDonald opened the public hearing and asked to hear staff recommendations. Town Secretary presented staff recommendations and reviewed provisions of the ordinance. Vice-Chairperson McDonald asked to hear from those in favor or in opposition to the proposed Ordinance. No one chose to speak. She then closed the hearing to public comment. Town Engineer Gary Vickery presented a review of the Oil and Gas Regulations and the results of his inspections on existing gas wells. Gloria McDonald stated that she would like to seek input from the Railroad Commission regarding the proposed revisions, prior to making a recommendation to the Council. Don Abernathy moved to continue, for further review and

study, discussion and consideration relative to recommendations regarding Ordinance 399-06 until the August 9, 2006 Special Called Meeting. Jim Langford seconded the motion. For: Unanimous. The motion carried 3 to 0.

There being no further business to come before the body, Chairman Arment declared the meeting adjourned at 8:31 p.m.

P&Z Highlights

August 9, 2006

Special Called Meeting

Officials Present: Chairperson Ralph Arment; Vice-Chairperson Gloria McDonald and Commissioners Don Abernathy and Jim Langford; Town Engineer, Gary Vickery and Town Secretary, Debbie Millican. Officials Absent: Betty Medlock.

Chairperson Ralph Arment called the meeting to order at 7:03 p.m.

Continued Consideration of the Bartonville Family Medical Building - The Commissioners resumed discussion and consideration of recommendations to the Town Council regarding the Site Plan including Architectural Plan, Civil Site Plan and Landscape Plan for the proposed Bartonville Family Medical (formerly called the McCray Professional Building). Tracy Lapiene, P.E, spoke on behalf of the applicants. Mr. LaPiene thanked the Commissioners for calling a special meeting to discuss the screening requirements. He stated that it was his understanding the original developer had been allowed to substitute the required masonry wall with a living screen of trees and shrubs. The foliage screening designed to serve as a visual block to FM 407, had for most part died due to lack of watering and maintenance. He stated that the Town required a masonry wall set back 25' from the property line which would place the wall in the middle of the flood plain. Mr. LaPiene stated that his clients would install a masonry wall on the property line or plant additional foliage in lieu of the wall for Lot 2. He stated that plantings would not survive unless an irrigation system was installed and operated by each of the commercial lot owners. Mr. LaPiene said that in order to put up a masonry wall on the property line, several trees would have to be removed. Chairperson Arment stated that, originally, the developer had been required to install a landscaping screen because the residents at the time had requested landscaping as opposed to a brick wall.

Annemarie Moore stated that the Town should have a list of the designated number and type of trees on the original site plan. Ms. Moore stated that the live screening had died due to lack of care by the developer and that only one resident had made the request. Kathy Daum, owner of a residential property adjacent to the development, stated that it would be a shame to cut down trees; however, the landscaping screen had not worked out. Ms. Daum stated that she was not interested in another attempt at a living screen and that she preferred a masonry wall to buffer light and noise coming from the commercial development. Scott Daum stated that the developer should have been made to maintain the landscaping and because he had not, the concrete channel was being undermined by erosion. He suggested that the developer give the flood plain property to the adjacent home owners, build a wall and/or maintain the landscaping. Mike Walker, another adjacent homeowner, stated that he was from West Texas and by nature he was opposed to cutting down trees for any reason. However, in this case he preferred the masonry wall. Mr. Walker stated that the developer should be made to build the wall for the entire length of the wall. Jeanette Walker stated that she was very disappointed that the developer had not built the wall and that she had been promised by the developer that the west side of the channel would be kept up. She stated that she and her husband had been watering the shrubs and paying someone to mow the west side of the ditch. She asked that Commissioners require the construction of a masonry wall. The Commissioners discussed several options with respect to screening the commercial development including a property owner's association to maintain the common area on the west side of the channel with or without a masonry wall.

Gloria McDonald moved to recommend that the Town Council approved the site plan for the Bartonville Family Medical Building, as presented with a masonry wall to be constructed to screen the residential neighborhood to the west. Jim Langford seconded the motion. For: Unanimous. The motion carried 4 to 0.

Continued Consideration of Ordinance 399-06 - The Commission resumed discussion and consideration relative to Ordinance No. 399-06, an Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Chapter 14, Zoning, Exhibit "A," Zoning Ordinance, as amended, by repealing in its entirety Chapter 30, Section 30.3 "Oil and Gas Well Drilling and Production" and replacing it with a new Section 30.3 to be entitled "Oil and Gas Well Drilling and Production." Commissioners discussed additional revisions to the oil and gas drilling regulations based on the Town Engineer's recommendations.

Don Abernathy moved to recommend to the Town Council, approval of Ordinance 399-06, with the following additional revisions: 1) remove the requirement for a monitoring well; 2) adding more specific requirements regarding the construction of a remote foam line at each well site location; 3) amend language regarding notices of non-compliance to allow for faxing and emailing the notice to an operator and to require a remedy or a response within 72 hours of notice; 4) to allow clay lining for all open pits excepting frac pits, require frac pits to have plastic lining and requiring that it be removed and not buried after the drilling process is complete, require fencing for all open pits; 5) prohibit land farming. Jim Langford seconded the motion. For: Unanimous. The motion carried 4 to 0.

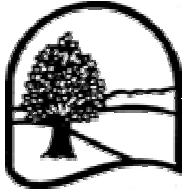
There being no further business to come before the body, Chairman Arment declared the meeting adjourned at 9:15 p.m.

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NOTICE OF PUBLIC HEARING ZONING ORDINANCE AMENDMENT

The Planning and Zoning Commission of the Town of Bartonville, Texas, will conduct a public hearing at **7:00 p.m. on Wednesday, September 6, 2006**, at Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas to consider recommendations to the Town Council regarding adoption of Ordinance No. 395-06. AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14, ZONING, EXHIBIT "A," ZONING ORDINANCE, BY AMENDING CHAPTER 2, SECTION 2.2., DEFINITIONS, BY ADDING A DEFINITION FOR MINING AS NUMBER 122 AND RENUMBERING ACCORDINGLY; AND BY AMENDING APPENDIX C, THE LAND USE TABLE, TO PROVIDE FOR MINING IN THE AGRICULTURAL ZONING DISTRICT WITH A CONDITIONAL USE PERMIT; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

The Town Council of the Town of Bartonville will conduct a second Public Hearing at 7:00 p.m. on **Tuesday, September 19, 2006**, at Bartonville Town Hall to hear public comment and to consider the recommendations of the Planning and Zoning Commission. All interested parties are encouraged to attend.



Town of Bartonville
 1941 East Jeter Road
 Bartonville, Texas 76226

Presort
 Standard
 U.S. Postage Paid
 Permit No. 27
 Argyle, TX 76226

Town Hall Hours

Monday - Friday
 8:00 am - 12:00 pm & 1:00 - 5:00 pm
 Phone: 817-430-4052
 Fax: 817-430-9433
 Website: www.townofbartonville.com
 Mayor Robertson - mayor@townofbartonville.com
 Town Secretary - dmillican@townofbartonville.com
 Dep Town Secretary/Court - kgilbert@townofbartonville.com
 Dep Court Clerk/Permit Clerk - asilva@townofbartonville.com
 General Information - Info@townofbartonville.com

Any community worth living in must have a web of people faithful to good work and one another, or that community will fall apart.

~ Scott Russell Sanders

~ September ~

Sept 4th Town Hall Closed in Observance of Labor Day
 Sept 6th P&Z Meeting 7 p.m.
 Sept 19th Municipal Court 9 a.m.
 Sept 19th Town Council 7 p.m.
 Oct 4th P&Z Meeting 7 p.m.

The above is a tentative list of scheduled meetings as of the time of publishing. To obtain the most current information on upcoming meetings, please check the bulletin board at Town Hall. All agendas are posted 72 hours prior to any meeting.



**Jeff & Vicki Drake, Timberidge
 Jimmy & Ellen Stapleton, Badminton**

TOWN OF BARTONVILLE REPRESENTATIVES		
Mayor	Ron Robertson 972.393.2152 Term: 2008	Administration, Budget, Personnel
Town Council Members		
Mayor Pro Tem	Dave Howell 940.464.7206 Term: 2007	Treasurer, AVFD Liaison, DRC Public Safety
	Wayne Hoyt 940.464.0325 Term: 2008	Argyle ISD/Dent ISD Liaison, Finance
	Ryan Litherland 972.998.1255 Term: 2008	Public Works/Roads,
	James Ashburn 817.430.0542 Term: 2007	ETJ's/Annexations, NCTCOG
	Carla Anderson 214.704.3084 Term: 2007	American Red Cross/Emg. Mgt. Argyle & Bartonville WSC Spirit Day
*** Council meets the 3 rd Tues. of the month at 7 p.m. *** P & Z meets the 1 st Wed. of the month at 7 p.m		