

**STATE OF TEXAS** §  
**COUNTY OF DENTON** §  
**TOWN OF BARTONVILLE** §

The regular monthly meeting of the Bartonville Town Council was held on May 15, 2007 at 7:30 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at 3:00 p.m., on May 11, 2007 at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

**Present:**

Ron Robertson, Mayor  
Carla Anderson, Mayor Pro-Tem  
Wayne Hoyt  
James Ashburn  
Vacant Seat

**Absent:**

Ryan Litherland

Also present: Debbie Millican, Town Administrator  
Dave Howell, Chief of Police  
Gary Vickery, Town Engineer

This constituting a quorum, the following business took place:

Mayor Robertson called the meeting to order at 7:10 p.m. and led the recitation of the Pledge of Allegiance to the American Flag.

**Call to Order**

The Town Council considered the Consent Agenda. Agenda items were marked with a single asterisk as a part of a Consent Agenda requiring no deliberation by the Council and could be approved with a single motion. Councilmembers were given the prerogative of removing an item from the Consent Agenda for separate discussion and consideration.

**Consent Agenda**

Wayne Hoyt moved to approve the following Consent Agenda as presented: \*A) Approval of Minutes: April 17, 2007, Regular Monthly Meeting; \*B) Approval of Contract with the Denton County Tax Assessor Collector for Fiscal Year 2007-2008 Tax Collection Services; \*C) Approval of Ordinance 425-07, an Ordinance Declaring All Property to Be Subject to 2007 Ad Valorem Taxation Unless Exempted by Law; Adopting a Value for Age 65 or Older and Disabled Person Exemptions; and \*D) Approval of Resolution 2007-07, Appointing Terri L. Neal as Municipal Court Clerk and Resolution 2007-08, Authorizing State of Texas Procurement Cards. Carla Anderson seconded the motion. For: Unanimous. The motion carried 3 to 0.

**ACTION: Approve  
Consent Agenda**

Del Knowler gave a brief report on Flower Mound and the Upper Trinity Regional Water District. Mr. Knowler also invited everyone to attend the Bartonville Classic Car Show on June 30<sup>th</sup> at the Bartonville Town Center. Annemarie Moore expressed concerns regarding political signs, high grass and weeds, Green Oaks drainage, speeding, and the lack of sufficient parking at Town Hall. No one else chose to speak during the Citizen Input portion of the meeting.

**Citizen Input**

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

**Appointed  
Representatives**

The Town Council held a public comment and considered Ordinance 422-07; an Ordinance of the Town of Bartonville, Texas, amending the Code of Ordinances by amending Article 14.300, Exhibit "A," the Town of Bartonville Comprehensive Zoning Ordinance, as amended, by repealing in It's Entirety Chapter 30, Section 30.3, Oil and Gas Drilling and Production and Replacing it with a New Section 30.3 to Be Entitled "Oil and Gas Well Drilling and Production.

**Public Hearing:  
Ordinance 422-07**

Mayor Robertson opened the hearing for public comment and asked for staff recommendations. Town Administrator Debbie Millican stated that the most recently approved drilling regulations unintentionally prohibited the drilling of a gas well that had a residence located within 250' of the property line of the well site. Ms. Millican stated that the Planning and Zoning Commission requested approval of the ordinance.

**Hearing Opened**

Mayor Robertson asked to hear from those in favor of or in opposition to the proposed ordinance. No one chose to speak.

**In Favor/Opposed**

Mayor Robertson closed the hearing to public comment.

**Hearing Closed**

James Ashburn moved to approve Ordinance 422-07, as recommended by the Planning and Zoning Commission. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried 3 to 0.

**ACTION: Approve  
Ordinance 422-07**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 422-07 is hereby engrossed and enrolled by copying the exact Caption and Effective Date Clause into these official minutes as follows: AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 14.300, EXHIBIT "A," THE TOWN OF BARTONVILLE COMPREHENSIVE ZONING ORDINANCE, AS AMENDED, BY REPEALING IN ITS ENTIRETY CHAPTER 30, SECTION 30.3, OIL AND GAS 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 FOR A ROAD DAMAGE REMEDIATION AGREEMENT AND THE PAYMENT OF FEES; 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

**Engross and Enroll:  
Ordinance 422-07**

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; PROVIDING FOR A PENALTY IN THAT ANY VIOLATION OF THIS ORDINANCE SHALL BE PUNISHED BY A FINE OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000) PER DAY, SUBJECT TO THE APPLICABLE STATE LAW AND EACH DAY A VIOLATION OCCURS CONSTITUTES A SEPARATE VIOLATION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL OTHER ORDINANCES OF THE TOWN OF BARTONVILLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE TOWN AND PROVIDING AN EFFECTIVE DATE. SECTION 8. (EFFECTIVE DATE) This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

The Town Council considered the proposed Gas Well Development Plat for Rachwal #1H through #7H Wells. The development plat indicates a total of seven wells located on three separate pad sites. The first pad site contains well numbers 1H through 3H on a pad site approximately 2,300 feet west of FM 407 and 1,900 feet north of Post Oak Court. The second pad site contains well numbers 4H and 5H on a pad site located approximately 3,900 feet west of FM 407 and 3,900 feet north of East Jeter Road. The third pad site contains well numbers 6H and 7H on a pad site located approximately 4,900 feet west of FM 407 and 1,650 feet north of East Jeter Road. The proposed well sites are in the D. Cook Survey, Abstract No. 230; the A. Loving Survey, Abstract No. 736; and, the A. Feltus Survey, Abstract No. 1594, Town of Bartonville, Denton County, Texas. The applicant, in a written statement to the Council, asked that consideration of the plat be postponed to allow for revision. An adjacent landowner asked that one of the wells be relocated to a more secluded treed area.

James Ashburn moved to table the consideration of the plat as requested by the applicant. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

The Town Council considered awarding the bid for and authorizing the purchase, lease-purchase or lease of fully equipped Police Sport Utility Vehicles. The Chief of Police, Dave Howell, stated that a total of three sealed bids were received by the deadline. He stated that one of the bids was disqualified for submitting financing and not providing a bid for the vehicles. He recommended the Council approve the lowest bid submitted by Legacy Ridge Autoplex for the lease purchase of two Ford Expeditions.

Carla Anderson moved to award the bid for a three-year lease purchase of two fully equipped Ford Expeditions to Legacy Ridge Autoplex and authorized the Police Chief to investigate and add a four-wheel drive option

**Consideration:  
Rachwal #1H through  
7H Gas Well  
Development Plat**

**ACTION: Tabled**

**Discussion: Police  
Vehicle Lease Purchase**

**ACTION: Award  
Lease Purchase Bid**

if available and feasible. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

James Ashburn moved to authorize ditch and drainage repairs at Stoney Ridge Road in an amount not to exceed \$24,790 and authorized the Town Engineer to seek proposals outside of the annual contract with Anderson Paving. Carla Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Authorize Stoneyridge Drainage Project.**

Carla Anderson moved to table action on the Loving Branch Channel repair and McMakin/East Jeter Road ditch and drainage repairs to allow the Town Engineer time to obtain better cost estimates. James Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Table Drainage Projects**

Carla Anderson moved to terminate the 2006-2007 Patrol Services contract with Precinct 4, Denton County Constable's Office and authorized submission of a thirty-day notice of termination. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Terminate ICA for Patrol Services**

James Ashburn moved to approve Ordinance 424-07, an Ordinance amending the Town of Bartonville Code of Ordinances, by amending Chapter 5, Article 5.400 entitled Police Department, Section 5.403 by authorizing the Police Chief to hire or appoint additional personnel as authorized by the Town Council or as provided for in the current Fiscal Year Budget. Wayne Hoyt seconded the motion. For Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Ord 424-07, Authorize Hiring Officers**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 424-07 is hereby engrossed and enrolled by copying the exact Caption and Effective Date Clause into these official minutes as follows: AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, BY AMENDING CHAPTER 5, ARTICLE 5.400 ENTITLED POLICE DEPARTMENT, SECTION 5.403 BY AUTHORIZING THE POLICE CHIEF TO HIRE OR APPOINT ADDITIONAL PERSONNEL AS AUTHORIZED BY THE TOWN COUNCIL OR AS PROVIDED FOR IN THE CURRENT FISCAL YEAR BUDGET; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR SAVINGS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE. SECTION 7. EFFECTIVE DATE This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

**ENGROSS AND ENROLL: Ordinance 424-07**

The Town Council considered seeking sealed bids for depository contract. Town Administrator, Debbie Millican, stated that the Local Government Code provides for cities to enter into depository contracts for a period of time not to exceed five years. Ms. Millican stated that the town's current contract with the United Community Bank had been executed in July of 1998.

**Discussion: Depository Contract**

James Ashburn moved to authorize the Town Administrator to request sealed proposals (RFP) for a Bank Depository Contract. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Authorize Depository Bids**

There were no requests for future agenda items.

**Future Agenda Items**

There being no further business to come before the body, the Mayor declared the meeting adjourned at 8:20 p.m.

**ADJOURNMENT**

**APPROVED this the 19<sup>th</sup> day of June 2007.**

Approved:

\_\_\_\_\_  
Ron Robertson, Mayor

(Seal)

Attest:

\_\_\_\_\_  
Debbie Millican, Town Administrator