

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

The regular monthly meeting of the Bartonville Town Council was held on June 19, 2007 at 7:00 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 Friday, June 15, 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
Ryan Litherland
Bill Reaves

Absent:

None

Also present: Kristi Gilbert, Deputy Town Secretary
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 7:00 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

James Ashburn moved to approve the following Consent Agenda as presented: *A) Approval of Minutes: 1) May 15, 2007, Regular Monthly Meeting; 2) May 22, 2007, Special Called Canvass Meeting; *B) Approval of Contracts and/or ICAs: Animal Control Services with Brian Hall d/b/a Brian the Animal Guy; Building Inspection/Code Enforcement Services with Steve Koehler; Registered Sanitarian and Food Service Inspections Contract with Bailey Environmental Services; Interlocal Cooperation Agreement with the Town of Copper Canyon for Gas Well Inspection Services; Interlocal Cooperation Agreement with Denton County for Communication & Dispatch Services. *C) Approval of Resolutions: 1) Resolution 2007-10, a resolution requesting participation in the Texas Building and Procurement Commission Cooperative Purchasing Program; 2) Resolution 2007-11. a resolution ratifying the appointment of Dave Howell to serve as the Chief of Police for the Bartonville Police Department; 3) Resolution 2007-12, a resolution appointing Barry David Minoff to serve as a Police Officer for the Bartonville Police Department. Bill Reaves seconded the motion. For: Unanimous. The motion carried 5 to 0.

**ACTION: Approve
Consent Agenda**

Annemarie Moore, 1394 Post Oak Lane - Ms. Moore expressed her concerns regarding flooding at the intersection of Green Oaks and East Jeter during the recent storms. Ms. Moore also requested that the Town ask Mr. Frick to remove the trees that were killed as a result of the dumping of salt water up stream.

Del Knowler, 739 Seals Road - Mr. Knowler informed the Council that the Bartonville Town Center would be holding a car show on Saturday, June 30th and invited the Council to attend. Mr. Knowler also provided the Council with an update on the lawsuit between the Town of Flower Mound and Upper Trinity.

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

The Town Council held a public hearing to consider comments regarding Ordinance 426-07, an ordinance amending Ordinance 318-03, the 2022 Comprehensive Plan, Future Land Use Plan and Thoroughfare Plan for the Town of Bartonville by amending Section 3 - Land Use Plan, by amending Plate 3.1- Land Use Plan, by amending Section 4- Thoroughfare Plan, by amending Local Streets, by amending Section 4- Thoroughfare Plan by amending Plate 4.1- Thoroughfare Plan and Plate 4.2 - Roadway Planning Areas by amending Section 5- Implementation, by amending Comprehensive Plan Amendments and Periodic Review.

Mayor Robertson opened the hearing for public comment and asked for staff recommendations. Deputy Town Secretary Kristi Gilbert stated that the Planning and Zoning Commission performed their annual review of the Land Use Plan. The revisions to the plan include amending all of the maps to indicate the newly annexed Lantana commercial corner and amending the requirement of an annual review to allow for reviews every two years. Ms. Gilbert stated that staff recommended approval of the ordinance.

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

Mayor Robertson closed the hearing to public comment.

Carla Anderson moved to approve Ordinance 426-07, as recommended by the Planning and Zoning Commission. James Ashburn seconded the motion. For: Unanimous. The motion carried 5 to 0.

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 426-07 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 ORDINANCE 318-03, THE 2022 COMPREHENSIVE PLAN, FUTURE LAND USE PLAN AND THOROUGHFARE PLAN FOR THE TOWN OF BARTONVILLE; AMENDING SECTION 3. LAND USE PLAN, BY AMENDING PLATE 3.1, LAND USE PLAN; AMENDING SECTION 4. THOROUGHFARE PLAN BY AMENDING LOCAL

Citizen Input

**Appointed
Representatives**

**Public Hearing:
Ordinance 426-07**

Hearing Opened

In Favor/Opposed

Hearing Closed

**ACTION: Approve
Ordinance 426-07**

**Engross and Enroll:
Ordinance 426-07**

STREETS; AMENDING SECTION 4. THOROUGHFARE PLAN BY AMENDING PLATE 4.1 THOROUGHFARE PLAN AND PLATE 4.2 ROADWAY PLANNING AREAS; AMENDING SECTION 5. IMPLEMENTATION, BY AMENDING COMPREHENSIVE PLAN AMENDMENTS AND PERIODIC REVIEW; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES OF THE TOWN BARTONVILLE; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE TOWN AND PROVIDING AN EFFECTIVE DATE. SECTION 9. (EFFECTIVE DATE) This Ordinance shall be in full force and effect from and after its date of passage.

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.

Carla Anderson moved to approve the plat as presented. Ryan Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

The Town Council considered a request by the Bartonville Water Supply Corporation for an exception to the Bartonville Code of Ordinances, Article 14.300, Exhibit "A," the Town of Bartonville Comprehensive Zoning Ordinance, as amended, Chapter 27, Performance Standards, Section 27.3, Noise (B)(7), to allow pressure cementing to continue for 24 hour intervals at the site of the proposed BWSC replacement well to be located at the existing well site on East Jeter Road approximately 500' west of Porter Road.

The Council discussed BWSC's request and determined that they would require additional documentation regarding the construction of the well, including how loud the drilling will be, how long it will last and what the process is. Bill Reaves moved to continue the request for exception to allow time for the Bartonville Water Supply Corporation to address the questions posed by the Council. Ryan Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

Mayor Pro Tem Carla Anderson presented the Council with a report comparing the depository bids drafted by both she and Town Administrator Debbie Millican after a review of all the bids submitted. Carla Anderson stated that the items of particular interest included the bank charges per

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

ACTION: Approve Plat

Discussion: Bartonville Water Supply Request for Exception

ACTION: Table Request for Exception

Discussion: Depository Contract

transaction; interest rates and remote capture of checks. Carla Anderson stated that the recommendation was to award the bid to North Star Bank of Texas.

Ryan Litherland moved to award the bid for depository services to North Star Bank of Texas. Bill Reaves seconded the motion. For: Anderson, Hoyt, Litherland and Reaves. Against: None. Abstained: Ashburn. The motion carried 4-0-1. James Ashburn abstained due to a conflict of interest and filed the appropriate statement which is attached to these minutes.

ACTION: Award Bid to North Star Bank of Texas

Carla Anderson moved to approve Resolution 2007-13, a resolution approving the terms and conditions of depository contract with North Star Bank of Texas and authorizing the Mayor to execute necessary documents. Wayne Hoyt seconded the motion. For: Anderson, Hoyt, Litherland and Reaves. Against: None. Abstained: Ashburn. The motion carried 4-0-1. James Ashburn abstained due to a conflict of interest and filed the appropriate statement which is attached to these minutes.

ACTION: Approve Resolution 2007-13, Depository Contract

Carla Anderson moved to approve Ordinance 427-07, an Ordinance amending the Town of Bartonville Code of Ordinances, by repealing Chapter 8, Article 8.100 -Abandoned and Junked Motor Vehicles in its entirety and providing new regulations entitled Abandoned Motor Vehicles, and by amending Chapter 8, to add Article 8.300 Entitled Junk Vehicles. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried 5 to 0.

ACTION: Ordinance 427-07, Abandoned and Junk Motor Vehicles

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 427-07 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 REPEALING CHAPTER 8, ARTICLE 8.100 ABANDONED AND JUNKED MOTOR VEHICLES IN ITS ENTIRETY AND PROVIDING NEW REGULATIONS ENTITLED ABANDONED MOTOR VEHICLES; AND BY AMENDING CHAPTER 8, TO ADD ARTICLE 8.300 ENTITLED JUNK VEHICLES; 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 8. EFFECTIVE DATE This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

ENGROSS AND ENROLL: Ordinance 427-07

The Council discussed Ordinance 429-07, an Ordinance amending Town of Bartonville Code of Ordinances, by repealing Chapter 5, Article 5.300 - Outdoor Burning, in its entirety and providing new regulations entitled Outdoor Burning. Deputy Town Secretary Kristi Gilbert stated that the proposed ordinance will bring the Town into compliance with state laws and was consistent with Denton County and surrounding Town's regulations. Ms. Gilbert stated that adopting consistent regulations would provide for

ACTION: Table Ord 429-07, Amending Outdoor Burning Regulations

more effective enforcement by the Argyle Volunteer Fire District. Discussion was held with regard to adding requirements for a minimum setback for firepits and fireplaces from structures. Bill Reaves moved to continue Ordinance 429-07 until the July 17, 2007 to allow the Council the opportunity to discuss concerns with Fire Chief Mac Hohenburger.

James Ashburn moved to approve an immediate and public necessity repair of Rockgate Road. Ryan Litherland seconded the motion. For: Unanimous. The motion carried 5 to 0.

ACTION: Approve Repair to Rockgate Road

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 8:10 p.m.

ADJOURNMENT

APPROVED this the 17th day of July, 2007.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Debbie Millican, Town Administrator

Attachment: James Ashburn Conflict of Interest Statement