

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

The regular monthly meeting of the Bartonville Town Council was held on October 19, 2004, at 7:00 p.m., in the Bartonville Town Hall. 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. September 15, 2004, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

<b>Present:</b>	<b>Absent:</b>
Ron Robertson, Mayor	Barry Gray
Dave Howell, Mayor Pro Tem	
Carla Anderson	
Wayne Hoyt	
Ryan Litherland	

Also present: Debbie E. Millican, Town Secretary  
Joe Gorfida, Assistant Town Attorney

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**

Wayne Hoyt moved to approve the following consent agenda, as revised: Approval of Minutes for the September 18, 2004, Town Hall Meeting and the September 21, 2004, Regular Monthly Meeting; Approval of Resolution 2004-20, Designation of Official Newspaper for FY 2004-2005 and Resolution 2004-21, Declaring the Official Town Holiday Schedule for the 2004/2005 Fiscal Year. Dave Howell seconded the motion. For: Unanimous. The motion carried by a vote of 4-0.

**ACTION: Approve  
Consent Agenda**

No one chose to speak during the Citizen Appearance's for Non-agenda Items portion of the meeting.

**Citizen's Input**

The Town Council received reports from Appointed Representatives. No action was taken.

**Appointed  
Representatives**

The Town Council held a public hearing to hear comment relative to the proposed Re-Plat of Lot 7 of Dyer Estates located in the Newton Allsup Survey, Abstract No. 3, Town of Bartonville, Denton County, Texas. The purpose of the Re-Plat was to incorporate Lot 7 Dyer Estates into Lots 1-4 of

**Public Hearing:  
RePlat Lot 7 of Dyer  
Estates/Final Plat of  
Badminton Heights**

Block 4 of the proposed Badminton Heights Subdivision (previously submitted as Quail Run Estates).

Mayor Robertson opened the hearing to public comment and asked to hear from the applicant.

**Hearing Opened**

Scott Minnis of G&A Consultants spoke on behalf of the applicant. Mr. Minnis stated he would be happy to answer any questions. He asked that the Council amend the Developer's Agreement to provide for the project subcontractor(s) to submit the financial assurance for the construction of public improvements in lieu of the Developer.

**Applicant**

Mayor Robertson stated that the Council had received the Planning and Zoning Commission's report recommending approval of the Developer's Agreement.

**Staff  
Recommendations**

Mayor Robertson asked to hear from those that wished to speak in favor or in opposition to the replat. No one spoke in favor or in opposition.

**In Favor/Opposed**

Mayor Robertson closed the hearing to public comment.

**Hearing Closed**

Dave Howell moved to ratify the Planning and Zoning Commission's approval of the Badminton Heights Addition Final Plat and approve the Developer's agreement as revised to provide for three-way financial assurance for the construction of public infrastructure with the Developer providing financial assurance for the difference between the contractor's security and the cost of the overall construction of the project. Ryan Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Approve  
Developer's  
Agreement and  
Ratify Final Plat of  
Badminton Heights**

The Town Council held a public hearing and considered recommendations from the Planning and Zoning Commission regarding the proposed Re-Plat of Lots 2 & 3 of the Kincade Addition, located in the B.B.B. & C.R.R. Co. Survey, Abstract No 152, Town of Bartonville, Denton County, Texas, more commonly known as the site of the Lantana Community Fellowship Church. The stated purpose of the Re-Plat was to combine Lots 2 & 3 the Kincade Subdivision, to create one 10.009 acre tract of land.

**Public Hearing:  
RePlat - Kincade  
Addition**

Mayor Robertson opened the hearing to public comment and asked to hear from the applicant. The applicant was not present.

**Hearing Opened**

Mayor Robertson asked to hear staff recommendations. Town Secretary Debbie Millican stated that the Planning and Zoning Commission had found that the application was not administratively complete and recommended denial of the request for replat.

**Staff  
Recommendations**

Mayor asked to hear from those in favor or opposed to the replat. No one spoke in favor or in opposition to the proposed replat.

**In Favor/Opposed**

Mayor Robertson closed the hearing to public comment.

**Hearing Closed**

Ryan Litherland moved to deny approval of the replat without prejudice, as recommended by the Planning and Zoning Commission. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Deny Kincade Replat w/o Prejudice**

The Town Council considered a tax freeze for residential homesteads owned by disabled individuals or individuals age sixty-five or older. Betty Campbell stated that her husband would qualify for the exemption and she encouraged the Council to provide the tax relief for the elderly. No one else chose to speak.

**Discussion: Tax Freeze**

Dave Howell moved to direct Town Staff to prepare an ordinance for consideration at the next Town Council meeting providing for the freezing the taxes for homesteads of persons over 65 and the disabled. Carla Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Direct Staff to Prepare Ordinance**

The Council considered actions relative to the resignation of Barry Gray. Councilmember Barry Gray submitted his written resignation on September 21 stating that he would be moving outside the Town limits and would no longer qualify to serve.

**Discussion: Gray Resignation**

Dave Howell moved to accept the resignation of Barry Gray. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Accept Gray's Resignation**

Dave Howell moved to approve Resolution 2004-22, a resolution of appreciation for Barry Gray. Carla Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Approve Resolution 2004-22**

The Council discussed options for filling the unexpired term of Barry Gray. No action was taken.

**No Action: Gray's Unexpired Term**

The Town Council considered nominations to the Denton Central Appraisal District's Appraisal Review Board. No action was taken.

**No Action: DCAD Board Nominees**

There being no further business to come before the body, Mayor Robertson declared the meeting adjourned at 7:40 p.m.

**ADJOURNMENT**

**PASSED AND APPROVED this the 16<sup>th</sup> day of November 2004.**

Approved:

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

(Seal)

Attest:

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Debbie E. Millican, Town Secretary