

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

The regular monthly meeting of the Bartonville Town Council was held on January 20, 2009, 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, January 16, 2009, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

**Present:**

Ron Robertson, Mayor  
Carla Anderson, Mayor Pro Tem  
Bill Reaves  
Wayne Hoyt  
Ryan Litherland  
James Ashburn (7:20 p.m.)

**Absent:**

None

Also present: Dave Howell, Chief of Police  
Debbie E. Millican, Town Administrator

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**

Mayor Pro Tem Anderson moved to approve the following consent agenda, as presented: \*A) Approval of Minutes: December 16, 2008, Regular Monthly Meeting; \*B) Approval of Resolutions: 1) Resolution 2009-01, Election Order for the May 9, 2009, General Election and Appointment of Election Officials; 2) Resolution 2009-02, Suspending the effective date of CoServ Gas Ltd.'s requested rate changes; 3) Contract with Denton County for Election Services and Supplies. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**APPROVE: Consent Agenda**

Former Bartonville Police Officer, Barry Minoff, thanked the Mayor, Councilmembers, the Chief of Police, and the Town Administrator for his time with Bartonville. Mr. Minoff stated that he had enjoyed working for Bartonville and appreciated the training that he received. No one else chose to speak during the Citizens' Appearances portion of the meeting.

**Citizens' Appearances**

The Town Council received a report from UTRWD Representative Richard Smith on the current drought conditions; District Growth; Financials; Watershed Program; Lake Ralph Hall; and Oklahoma Water. The Town Council received police department statistics for December 2008, from Chief of Police, Dave Howell. No action was taken.

**Reports**

Councilmember Reaves moved to approve Ordinance 468-09, an ordinance providing for the annexation and zoning including a service plan for a 1.930 acre tract of land situated in the J. Burke Survey, Abstract No. 42, Denton County, Texas, being a part of that certain tract of land conveyed by deed from Amal El-Ashmawi to Vencapetti, LLP recorded under Document Number 2004-42004, Real Property Records, Denton County, Texas, generally described as being located along the western side of Rockgate Road. Mayor ProTem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**Approve Ordinance  
468-09**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 468-09, is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE OF THE TOWN OF BARTONVILLE PROVIDING FOR THE ANNEXATION OF A 1.930 ACRE TRACT OF LAND SITUATED IN THE J. BURKE SURVEY, ABSTRACT NO. 42 BEING A PORTION OF A TRACT OF LAND CONVEYED BY DEED FROM AMAL EL-ASHMAWI TO VENCAPPETTI, L.L.P RECORDED UNDER DOCUMENT NUMBER 2004-42004, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, TO THE TOWN OF BARTONVILLE, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF BARTONVILLE, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR THE AMENDMENT OF ORDINANCE 361-05; THE COMPREHENSIVE ZONING ORDINANCE FOR THE TOWN OF BARTONVILLE, AS AMENDED, BY DESIGNATING THE ZONING CLASSIFICATION OF SAID ANNEXED TRACT OF LAND; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH DESIGNATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE TOWN AND PROVIDING AN EFFECTIVE DATE. SECTION 12. EFFECTIVE DATE: This Ordinance shall be in full force and effect immediately upon passage.

**Engross and Enroll:  
Annexation Ordinance  
468-09**

The Town Council considered authorizing a Request for Qualifications for Planning Services. Mayor Robertson stated that he had asked for

**Discussion: RFQ for  
Planning Services**

consideration of the RFQ to be placed on the agenda. He stated that with the soon-to-be-complete construction of the FM 407 curve and the number of gas wells that have been drilled, the adopted land use plan needs to be reviewed and possibly revised. He stated that it was ridiculous to think that the highest and best use of FM 407 was residential. Mayor Pro Tem Anderson stated that she was in favor of keeping the current land use plan. Councilmember Reaves stated that it would not hurt anything to get a cost estimate for preparing a new plan. Wayne Hoyt stated it would be interesting to actually see how much effect drilling had on land and the value of property before and after drilling.

Councilmember Ashburn arrived at the meeting at 7:20 p.m.

**James Ashburn  
arrived  
Failed Motion**

Councilmember Reaves moved to explore the possibility of contracting for Planning Services. There was no second. Councilmember Reaves withdrew the motion. Councilmembers continued to discuss amending the land use plan. Ryan Litherland stated that he did not want to authorize a new land use plan but would agree to getting an estimate.

Councilmember Reaves moved to authorize a Request for Qualifications for Planning Services and seek cost estimates for a review and possible preparation of a revised Land Use Plan. Councilmember Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION: Authorize  
Planning Services  
RFQ**

James Ashburn moved to authorize the Mayor and the Town Administrator to accept dedication of right-of-way on behalf of the Town and the authority to negotiate and enter into right-of-way licensing agreements on behalf of the Town. Wayne Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION: Authorize  
Dedication of ROW  
and ROW License**

Mayor Robertson stated that the scheduled Executive Session to discuss the purchase of land was not necessary and that all discussions would be conducted in open session. He stated that BWSC had agreed to sell the 1.09 acres adjacent to the south side of town hall to the town for \$1.00 per square foot. He asked that the Town Council authorize the purchase.

**Discussion: Land  
Purchase**

Mayor Pro Tem Anderson moved to authorize the Town Administrator to purchase approximately 1.09 acres from the BWSC for \$1.00 per square foot. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION: Authorize  
Purchase of Land**

Councilmember Ashburn asked that revisions to the Town's fence regulations be placed on the next agenda. No other agenda items were requested.

**Future Agenda Items**

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 7:50 p.m.

**Adjournment**

**APPROVED this the 17<sup>th</sup> day of February 2009.**

Approved:

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

(Seal)

Attest:

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Debbie E. Millican, Town Administrator