

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

The regular monthly meeting of the Bartonville Town Council was held on October 19, 2010, 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, October 15, 2010, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Ron Robertson, Mayor
Carla Anderson, Mayor Pro Tem
James Ashburn
Bill Reaves
Jim Farrell
Gracie Egan(7:25pm)

Absent:

None

Also present: Debbie E. Millican, Town Administrator
Dave Howell, Chief of Police
Kristi Gilbert, Town Secretary
Bob Hager, Town Attorney
Gary Vickery, Town Engineer

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

In response to a question by the Town Administrator, Debbie Millican, Town Engineer, Gary Vickery, stated that the 2010 Street Reconstruction Project was not yet complete. He recommended that the Council take no action to accept the improvements. Councilmember Ashburn made a motion to approve the following consent agenda items as presented: *A) Approval of the minutes for the September 21, 2010, Regular Monthly Meeting; *B) Approval of moving the date of the December regular monthly meeting to the 2nd Tuesday of the month. Councilmember Ferrell seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0. No action was taken on agenda item *C) Approval and final acceptance of improvements for the 2010 Street Reconstruction Project.

ACTION:
Approve Consent:
A&B

No one chose to speak.

Citizens' Speak

The Mayor stated that due to the Planning and Zoning Commission continuing their public hearing and making no recommendations the Council hearing would be continued regarding Ordinance 505-10, an Ordinance of the Town of Bartonville, Texas, amending Town of Bartonville Code of Ordinances, Chapter 14, Article 14.300, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, by granting a Conditional Use Permit to allow an elevated water tank and related facilities on a tract of land of approximately 4.735 acres known as Lot 1, Block A of the Bartonville Water Supply Addition, an addition to the Town of Bartonville, Texas, as recorded in Cabinet V, Page 806 of the Plat Records of Denton County, Texas, being more specifically described herein and attached hereto as Exhibit "A"; providing for an amendment to the Official Zoning Map; Providing for conditions as described herein and attached hereto as Exhibit "B"; Providing for conformance with an approved site plan, which is attached hereto as Exhibit "C." The hearing was continued until the next regularly scheduled Council meeting. No action was taken.

**Discussion: Ord
505-10**

Councilmembers conducted a public hearing and considered Ordinance 506-10, 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."

**PUBLIC
HEARING: Ord
506-10**

Mayor Robertson opened the hearing to public comment and asked to hear staff recommendations.

Hearing Opened

Councilmember Egan arrived to the meeting at 7:25 p.m.

Egan Arrived

Town Secretary Kristi Gilbert reviewed the proposed recommend changes to the regulations, stating that the Planning and Zoning Commission had met and recommended approval. Councilmembers expressed concern with limiting or prohibiting the use of electric motors. Councilmember Ashburn stated that the Town should require that Operators meet the maximum sound requirements by whatever means they choose. Mayor Robertson suggested the use of concrete well site entrances versus asphalt. Councilmembers did not agree with limiting gas wells to 1,000' of fresh water wells and opted to maintain the current minimum set back of 500'. The general consensus of the Council was to allow for off-site fracing ponds as opposed to requiring each well to have an onsite frac pond.

Staff/Applicant

No one spoke in favor or in opposition to the Ordinance.

In Favor/Opposed

Mayor Robertson closed the hearing to public comment.

Hearing Closed

No action was taken regarding Ordinance 506-10. Mayor Robertson directed the Town Secretary to make the changes to the ordinance for consideration at the next Council meeting.

No Action Taken

Councilmembers considered authorizing the Town Administrator to purchase real property on behalf of and in the name of the Town of Bartonville. Mayor Robertson stated that the Town Administrator, Debbie Millican, had made an offer of \$490,000 to purchase approximately two (2) acres located at 2001 East Jeter Road, more commonly known as "Lantana Gardens." Mayor Robertson stated that sometime in the future the property could be used for the site of a new Town Hall or could be held as investment property. He stated further that the property could be converted to a community room or senior center until such time that a new Town Hall was needed.

Councilmember Reaves moved to authorize the Town Administrator to purchase 2001 East Jeter Road for an amount not to exceed \$490,000. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:
Authorize Land
Purchase**

Pursuant to Section 551.071 of the Texas Government Code the Town Council entered into a closed session regarding pending litigation: Cause No. 2010-30336-211; Mockingbird Pipeline, L.P. vs the Town of Flower Mound and the Town of Bartonville, pending in the 211th Judicial District Court, Denton County, Texas.

Executive Session

The Town Council adjourned the Executive Session and resumed the open session of the meeting at 7:54 p.m

Open Session

No action was taken regarding the Executive Session.

There were no requests for future agenda items.

Agenda Items

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 7:55 p.m.

Adjournment

APPROVED this the 16th day of November 2010.

Approved:

(Seal)

Ron Robertson, Mayor

Attest:

Debbie E. Millican, Town Administrator