

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

The regular monthly meeting of the Bartonville Town Council was held on February 16, 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, February 2, 2010, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

**Present:**

Ron Robertson, Mayor  
Carla Anderson, Mayor Pro Tem  
Bill Reaves  
James Ashburn

**Absent:**

Wayne Hoyt  
Ryan Litherland

Also present: Debbie E. 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 7:00 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 items as presented: \*A) Approval of January 19, 2010, regular monthly meeting minutes; \*B) Acceptance of the 2009 Bartonville Police Department Racial Profiling Report; \*C) Approval of the initial two-year budget plan and two-year crime control plan as adopted by the Temporary Board of the Bartonville Crime Control and Prevention District. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0. **ACTION: Approve Consent**

Mayor Robertson briefed the Council on Gas Well Emissions Testing and the proposed Salt Water Disposal Wells on W. Jeter Road. Chief of Police, Dave Howell presented Department statistics for January 2010. Mayor Pro Tem Anderson gave a status report on the Old Town Entrance Feature Project. No action was called for or taken. **Reports**

No one chose to speak. **Citizens' Appearances**

Councilmembers considered the following sign regulation variances and amendments: 1) A request by Larry Carr on behalf of Denmiss, LLC, to extend the variance granted September 15, 2009, allowing for temporary banners for fifteen (15) days, per tenant, per calendar quarter at the Bartonville Town Center on FM 407 for an additional six (6) months. (*The September 15<sup>th</sup> variance will expire March 31, 2010.*) 2) A request by Larry Carr on behalf of Denmiss, LLC, for a variance to Section 3.404(u) to allow for up to six (6) temporary banners per calendar year to be located at the Bartonville Town Center to promote community events. Mayor Pro Tem Anderson stated that she felt that in these economic times, the Council should revisit the sign ordinance and think of ways to help local businesses attract customers.

**Sign Variance Requests**

Mayor Pro Tem Anderson moved to approve the request for a variance to the sign regulations by Denmiss, LLC, extending the variance granted September 15, 2009, allowing for temporary banners for fifteen (15) days, per tenant, per calendar quarter at the Bartonville Town Center on FM 407 for an additional six (6) months. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Sign Variance – BTC Banners**

Councilmember Ashburn moved to approve the request for a variance to Section 3.404(u) of the sign regulations by Denmiss, LLC, allowing for up to six (6) temporary banners per calendar year to be located at the Bartonville Town Center to promote community events. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Sign Variance – BTC Events**

Councilmembers considered an Ordinance, amending Town of Bartonville Code of Ordinances, repealing Chapter 3, Article 3.400, Sign Regulations, Section 3.404, General Regulations, Subsection 3.404(u) in its entirety and replacing it with new regulations for general and event temporary banners. Town Administrator Millican presented an amending ordinance, drafted at the request of Mayor Robertson, providing for temporary banners for fifteen (15) days, per tenant, per calendar quarter and providing for up to six (6) temporary event banners. Ms. Millican stated that granting numerous variances can be problematic and recommended approval of the proposed amending ordinance. (*The Ordinance was numbered 490-10 after the meeting.*)

**Discussion: Amending Sign Regulations**

Councilmember Ashburn moved to approve Ordinance 490-10, an providing for General and Event Temporary Banners. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Ordinance 490-10**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 490-10, is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, BY REPEALING CHAPTER 3, ARTICLE 3.400, SIGN REGULATIONS, SECTION 3.404, GENERAL REGULATIONS, SUBSECTION 3.404(U) IN ITS ENTIRETY AND REPLACING IT WITH NEW REGULATIONS FOR TEMPORARY BANNERS; PROVIDING REGULATIONS AND

**Engross and Enroll Ordinance 490-10, amending Sign Regulations**

LIMITATIONS FOR GENERAL AND EVENT TEMPORARY BANNER PERMITS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR SAVINGS; 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.

Councilmembers considered a one-year extension to February 16, 2011 to begin construction on the previously approved Barnett Gathering natural gas pipeline connecting the Red Hot Well Site on West Jeter Road to the metering station for the GulfTex Pipeline located on the east side of south Gibbons Road. Mayor Robertson recused himself from the deliberation citing a conflict of interest. He stated that he was a leaseholder for the Red Hot Wells and therefore would not participate in the proceedings. Mayor Pro Tem Anderson conducted this portion of the meeting.

**Discussion: Red Hot Pipeline Extension**

Councilmember Ashburn moved to approve a one-year extension to February 16, 2011 to begin construction on the previously approved Barnett Gathering natural gas pipeline connecting the Red Hot Well Site on West Jeter Road to the metering station for the GulfTex Pipeline located on the east side of south Gibbons Road. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Pipeline Extension**

Councilmember Reaves moved to approve Authorization for Professional Services as amended, with Teague, Nall, and Perkins, Engineering firm for surveying and engineering design services for Bartonville 2010 Street Reconstruction Program consisting of improvements to a portion of East Jeter Road, Stoney Ridge Road, Seals Road, Landfall Circle and a portion of Green Oaks Drive. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve TNP Contract for Professional Services**

No action was taken relative to approval of job descriptions for all Town employment position.

**No Action**

Councilmember Anderson moved to approve amended Resolutions 2010-04 and 2010-05. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Election Orders**

*El Concejal Anderson peticionó la aprobación de las Resoluciones 2010-01 y 2010-02. El Concejal Litherland apoyó la petición. A favor: Unánime. La petición se aprobó mediante una votación de 4 a 0.*

Councilmembers considered Ordinance 489-10, an ordinance of the Town of Bartonville, Texas, amending Ordinance 487-09, by amending Section 5., Effective date, to provide for an effective date of October 1, 2010, for Section 3.03 of Appendix B, Assignment/Certification Pay. Town Administrator Millican

**Discussion: Amend Personnel Policy**

explained that in adopting the personnel policy, an error was made by adopting Section 3.03 Assignment/Certification Pay without amending the budget to provide the funds for the increase in pay for eligible employees for the current budget year.

Councilmember Ashburn moved to approve Ordinance 489-10, an ordinance amending the Town’s Adopted Personnel Policy Manual. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Approve Ordinance 489-10**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 498-10 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, TEXAS AMENDING ORDINANCE 487-09, BY AMENDING SECTION 5. EFFECTIVE DATE TO PROVIDE FOR AN EFFECTIVE DATE OF OCTOBER 1, 2010, FOR SECTION 3.03 OF APPENDIX B, ASSIGNMENT/CERTIFICATION PAY; PROVIDING SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. SECTION 5. EFFECTIVE DATE. That this Ordinance shall be in full force and effect from and after the 16<sup>th</sup> day of February 2010.

**Engross/Enroll: Ord. 489-10, Amending Personnel Policy**

There were no requests for future agenda items.

**Agenda Items**

There being no further business to come before the Council, Mayor Pro Tem Anderson declared the meeting adjourned at 7:33 p.m.

**Adjournment**

**APPROVED this the 16<sup>th</sup> day of March 2010.**

Approved:

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

(Seal)

Attest:

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Debbie E. Millican, Town Administrator