

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

The regular monthly meeting of the Bartonville Town Council was held on February 15, 2011, 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 11, 2011, 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

**Absent:**

None

Also present: Debbie E. Millican, Town Administrator  
Kristi Gilbert, Town Secretary  
Dave Howell, Police Chief  
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**

Councilmember Egan asked to consider consent agenda item number C), separately. Councilmember Farrell moved to approve the following consent agenda items as presented: \*A) Approval of the January 18, 2011, Regular Monthly Meeting Minutes, \*B) Approval of Resolution 2011-06, Appreciation of Jim Langford for 21 years of service on the Planning and Zoning Commission; \*D) Acceptance of the 2010 Bartonville Police Department Racial Profiling Report. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:  
Approve  
Consent  
Agenda, A,B,D**

Councilmembers discussed Consent Agenda Item C), Approval of contract with William C. Spore for FY 2010/2011 Auditing Services. Councilmember Egan drew attention to a typographical error regarding the amount of the contract (\$3,500) and asked if there would be a 2010 Peer Review Letter included in the 2010/2011 Audit.

Councilmember Reaves moved to approve the contract with William C. Spore for FY 2010/2011 Auditing Services. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:  
Approve  
Consent, C**

Chief of Police, Howell reported on Department activities for the motion of January 2011.

## **Liaison Reports**

Susan Knoll, representing the ABC Alliance, asked that the Town Council to share a common goal with the ABC Alliance to do what is right. She provided EPA reports and to Town. Ms. Knoll stated that Bartonville had made EPA short list for study on hydraulic fracturing. She said she was happy at first, but does not want them to study it as it is happening over the next two years. Ms. Knoll said that the results of this experiment would be Bartonville's legacy. She stated that the industry knows how bad it is or the EPA would not be conducting the study. Ms. Knoll asked the Council to protect citizens with a moratorium. She suggested that the EPA study alone was justification enough for imposing a moratorium. She asked that the Town issue a moratorium until the EPA study is completed and state and federal rules and regulations imposed. David Carlton asked if the Town truly wanted to eliminate its ETJ, then why have they not initiated annexation procedures for the property on the east side of Porter Road.

## **Citizens' Input**

Chief of Police, Dave Howell, presented the following options and information to the Town Council relative to Neighborhood Watch groups and signage: 1) Send an Officer to the 40 hour Crime Prevention School put on by the North Texas Crime Prevention Association on how to organize and conduct crime watch groups and security survey training. After training, conduct a few crime watch interest meetings at town hall to see which neighborhoods want to start a program. Organizational meetings for the interested groups along with installation of Neighborhood Watch Signs; 2) put up signs in every neighborhood whether or not there is an organized crime watch group with 40 signs to cover the entire Town; or 3) signs installed only in the neighborhoods that request them with no participation in an organized group required. Training Cost: \$150; Sign, pole, hardware, and installation cost: \$99.00 each. Signs to be installed according to Texas Manual of Uniform Traffic Control Devices.

## **Discussion: Neighborhood Watch**

Councilmember Reaves moved to create a Neighborhood Watch budget line item with a beginning Balance of \$4,000. Councilmember Egan seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

## **ACTION: Approve Line Item**

The Town Council considered Ordinance 511-11, an ordinance of the Town of Bartonville, Denton County, Texas, amending the Town of Bartonville Code of Ordinances by repealing Article 3.700, Flood Damage Prevention, in its entirety and replacing it with similar regulations. Town Engineer, Gary Vickery, presented the proposed regulations and reviewed his recommended local amendments. Mr. Vickery stated that all NFIP participants are required to adopt the new maps and studies. He recommended changes for slightly higher standards to provide additional protection. Mr. Vickery stated that the existing maps did not include a floodway section. He said the new maps do. He also presented a flood plain development permit application to be used in conjunction with the new maps and regulations. He said that the new FEMA standards require a minimum finished floor elevation equal to the elevation of a 100-year flood. Mr. Vickery's amendments would require an elevation of one foot above for all new construction. He said the amendments require Zone-A developments to conduct a detailed study with Elevation Certificates required for

## **Discussion: Ord. 511-11, Flood Plain Regs**

anything that requires a finished floor.

Councilmember Ashburn moved to approve Ordinance 511-11, with the local amendments recommended by Town Engineer, Gary Vickery. Councilmember Farrell seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:**  
**Approve Ord.**  
**511-11**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 511-11, 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, DENTON COUNTY, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES BY REPEALING ARTICLE 3.700, FLOOD DAMAGE PREVENTION, IN ITS ENTIREITY AND REPLACING IT WITH SIMILAR REGULATIONS; PROVIDING FOR PURPOSE AND METHODS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR FLOOD HAZARD REDUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES OF THE TOWN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH VIOLATION AND THAT EACH DAY THAT A VIOLATION EXISTS CONSTITUTING A SEPARARTE OFFENSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING FOR AN EFFECTIVE DATE OF APRIL 18, 2011. SECTION 7. PUBLICATION: The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**Engross/Enroll:**  
**Ord. 511-11**

The Town Council considered approval of Ordinance 512-11, an ordinance amending Town of Bartonville Code of Ordinances, by amending Chapter 1, General Provisions, by adding Article 1.700, Election of Officers; establishing a Place System for electing Alderman; providing for the assigning of place numbers to each Alderman's office. Del Knowler of 739 Seals Road stated if each place could represent a different section of town, he could support the new place system because there are areas that are not represented. He said a simple Place System would not solve that problem. Mr. Knowler expressed concern that a Place System election would become much more personal. Councilmember Egan expressed concern about the timing of the change, just before an election cycle. Councilmember Ashburn that it should be left to the voters to make the decision. Councilmember Reaves stated he was torn between changing this year or the next. Mayor Pro Tem Anderson stated that she likes the idea of a place system.

**Discussion:**  
**Place System**

Councilmember Egan moved to approve Ordinance 512-11, effective prior to the 2012 Election cycle. The motion died for a lack of a second.

**Failed Motion**

Mayor Pro Tem Anderson moved to adopt Ordinance 512-11, effective immediately. Councilmember Farrell seconded the motion. For: Anderson, Farrell and Reaves. Against: Egan and Ashburn. The motion carried by a vote of 3 to 2.

**ACTION:**  
**Approve Ord.**  
**512-11**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 512-11, 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 AMENDING CHAPTER 1, GENERAL PROVISIONS, BY ADDING ARTICLE 1.700, ELECTION OF OFFICERS; ESTABLISHING A PLACE SYSTEM FOR ELECTING ALDERMAN; PROVIDING FOR THE ASSIGNING OF PLACE NUMBERS TO EACH ALDERMAN'S OFFICE; PROVIDING FOR FILING AN APPLICATION FOR A SPECIFIC PLACE ON THE BALLOT; PROVIDING FOR THE BALLOT TO SHOW EACH OFFICE OF ALDERMAN AS A SEPARATE OFFICE DESIGNATED BY A PLACE NUMBER; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; 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/Enroll:  
Ord. 512-11**

Mayor Robertson announced that it would not be necessary for the Council to go into Executive Session in that there was no new information regarding the following 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 211<sup>th</sup> Judicial District Court, Denton County, Texas; and, Cause No. 2010-40293-362; Mary Rettig and David Rettig vs the Town of Bartonville and the Town of Flower Mound, pending in the 362<sup>nd</sup> Judicial District Court, Denton County, Texas.

**Executive  
Session**

Councilmember Egan asked for the following items to be on the next Town Council meeting: 1) Authorizing the Council Information Packets to be placed online; 2) Discuss and consider a moratorium gas well drilling and fracking permits; 3) A resolution appointing Bartonville resident, Del Knowler to serve as an alternate to the Board of Adjustment. There were no other requests for future agenda items.

**Agenda Items**

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 7:45 p.m.

**Adjournment**

**APPROVED this the 15th day of March 2011.**

Approved:

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

(Seal)

Attest:

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Debbie E. Millican, Town Administrator