

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

The regular monthly meeting of the Bartonville Town Council was held on March 17, 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, March 13, 2009, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:	Absent:
Ron Robertson, Mayor	Bill Reaves
Carla Anderson, Mayor Pro Tem	Ryan Litherland
James Ashburn	
Wayne Hoyt	

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 7:04 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 Wayne Hoyt moved to approve the following consent agenda, as presented: *A) Approval of Minutes: February 17, 2009, Regular Monthly Meeting; *B) Fiscal Year 2008-2009 Auditing Services Contract with William C. Spore, P.C.; *C) Authorize Mayor to enter into an employment contract with Kristin A. Gilbert to serve as Assistant Town Administrator. Councilmember Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

APPROVE: Consent Agenda

Annemarie Moore asked the Town Administrator if she had spoken to TxDOT regarding the entrance to Post Oak. Ms. Millican stated that she had visited with the County Commissioner regarding Post Oak and that the County and TxDOT was looking at it. No one else chose to speak during the Citizens' Appearances portion of the meeting.

Citizens' Appearances

The Town Council received police department statistics for February 2009, from Chief of Police, Dave Howell. No action was taken.

Reports

The Town Council considered a request for variance to the Bartonville Code of Ordinances, Chapter 3, Article 3.400, Section 3.404 (u), Temporary Banners (General) to allow for the display of a temporary banner sign each Wednesday (Tuesday Evening) and Saturday (Friday Evening) May 1 through October 31 at the Bartonville Town Center, advertising the Bartonville Farmer's Market.

BTC Variance Request

Mayor Pro Tem Anderson moved to approve the request for variance with no expressed expiration date. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried 3 to 0.

ACTION: Approve BTC Banner Variance

The Town Council considered possible text amendments to the Code of Ordinances regarding placement of residential solid and/or privacy fences. Councilmember Ashburn expressed concern for limiting a private property owner's right to place a solid privacy fence in the front yard area of his/her property. No action was called for or taken. The Planning and Zoning Commission and the Town Council will conduct public hearings at their next scheduled meetings.

Discussion: Amendments to Fence Regulations

The Town Council considered Ordinance 470-09, An ordinance providing for the annexation of the tract of land to the Town of Bartonville, Texas, for all municipal purposes, said land being a part of the right-of-way of Farm-to-Market Road 407 that is adjacent and running parallel to the current boundaries of the Town of Bartonville.

Annexation of FM 407 ROW

Councilmember Ashburn moved to approve Ordinance 470-09 as presented. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

ACTION: Approve Ordinance 470-09

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 470-09 is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE TOWN OF BARTONVILLE, TEXAS, FOR ALL MUNICIPAL PURPOSES, SAID LAND BEING A PART OF THE RIGHT-OF-WAY OF FARM-TO-MARKET ROAD 407 THAT IS ADJACENT AND RUNNING PARALLEL TO THE CURRENT BOUNDARIES OF THE TOWN OF BARTONVILLE; PROVIDING FOR ENFORCEMENT OF REGULATIONS AND EXTENDING RIGHTS AND PRIVILEGES; PROVIDING FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF BARTONVILLE, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR INTERPRETATION, PURPOSE AND CONFLICT; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND

Engross and Enroll: Ordinance 470-09

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 from and after its passage.

The Town Council considered the use of Community Development resources to fund the following projects: “Welcome to Bartonville” entrance features at the intersections of McMakin Road and FM Road 407 and East Jeter Road and FM Road 407 and an annual Memorial Event on Veterans Day to honor fallen soldiers. Scott Daum asked what kind of landscaping would be provided and if the Council planned to replace the trees along FM 407 adjacent to Post Oak Lane that had been killed with the salt water dumping. Terri Foringer thanked the Council for the entrance bridge to the Green Oaks Estates neighborhood. Ms. Foringer stated that it was very nice and much more than anyone had expected. She went on to encourage the Council to keep the little triangle of land as a Greenbelt. Annemarie Moore asked who would maintain the property and what exactly was planned for the triangle. Town Administrator Debbie Millican stated that the Mayor and she had been tossing around ideas for quite some time about what to do with the surplus land after the bypass was completed. She said that the Mayor had suggested that Welcome to Bartonville monuments with extensive landscaping be placed at the Town limits along FM 407. Ms. Millican stated that some of the business owners along the old portion of FM 407 had asked for help in directing attention to their businesses. She said with the use of Economic Development Funds, a clock tower or other similar monument could be located at the new intersection of McMakin and FM 407. Ms. Millican stated that it would give an identity to Bartonville and set it apart from Lantana and other nearby towns and at the same time direct traffic to the bypassed businesses. Town Administrator Millican stated that she had read about a traveling Veterans’ War Memorial that she thought could be a wonderful way to honor our fallen soldiers on Veterans Day. Ms. Millican stated that other towns hosted annual festivals and events and this would be an event that would show our pride in our country and honor our military. She said that the only place large enough to host the event would be the Bartonville Town Center. Ms. Millican speculated that BTC would be pleased with the event in that it would bring attention to the businesses located in the Center. Councilmember Ashburn expressed grave concern for the use of Town funds on an event of any kind during the current economic times. He said he could not justify the expenditure when so many had lost or are about to lose their jobs. James Ashburn stated that in the current economic times he could not see using Town Funds for anything that was not vital. Mayor Pro Tem Anderson stated that the decision to be made was whether or not the Town should use Economic Development Funds for the projects listed on the agenda. She stated that the Bartonville Community Development Corporation would have to decide what, if anything, would be spent.

**Discussion: Use of
Community
Development Funds**

Mayor Pro Tem Anderson moved to recommend that Economic Development Funds be used to seek design and cost estimates for entrance features along FM 407 and to investigate the feasibility of hosting the traveling war memorial. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION:
Recommend Use of
BCDC Funds**

The Town Council considered applying for funds through the American Recovery and Reinvestment Act (ARRA) of 2009. Administrator Millican stated that staff was seeking direction regarding applying for recovery funds. James Ashburn expressed grave concern for accepting funding because it could cause the town to be obligated to the federal government and lose some local authority.

**Discussion: ARRA
Funding**

Mayor Pro Tem Anderson moved to investigate the various types of funding through the ARRA of 2009. Wayne Hoyt seconded the motion. For: Anderson and Hoyt. Against: Ashburn. The motion carried by a vote of 2 to 1.

**ACTION: Investigate
ARRA Fund
Availability**

The Council considered authorizing sealed bids for 2009 General Street Maintenance with an alternate bid for Jeter Road 2009 Paving Repairs.

**Discussion: St.
Projects**

Wayne Hoyt moved to authorize the Town Administrator to seek sealed bids for General Street repairs. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 3 to 0.

**ACTION: Authorize
Sealed Bids**

There were no requests for future agenda items.

Future Agenda Items

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 8:04 p.m.

Adjournment

APPROVED this the 21st day of April 2009.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Debbie E. Millican, Town Administrator