

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

The regular monthly meeting of the Bartonville Town Council was held on April 20, 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, April 16, 2010, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Ron Robertson, Mayor
Carla Anderson, Mayor Pro Tem
Wayne Hoyt
James Ashburn
Ryan Litherland

Absent:

Bill Reaves

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 the March 16, 2010, regular monthly meeting minutes; *B) Approval of Ordinance 491-10, an Ordinance declaring all property subject to 2010 Ad Valorem Taxation and providing for exemptions; *C) Approval of Ordinance 492-10, an ordinance amending the adopted Fee Schedule for the Town of Bartonville; *D) Approval of 2010/2011 Council Meeting Schedule. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0. **ACTION: Approve Consent**

Mayor Robertson reported that the Town had received verbal confirmations from the Texas Railroad Commission and the Texas Commission on Environmental Quality on their findings regarding contamination complaints with the Frenchtown Gas Well site and the Green Gas Well site. Mayor Pro Tem Anderson briefed the Council on the status of the Old Town Entrance Feature Project. Chief of Police, Dave Howell updated the Council on the AVFD and department statistics for March 2010; Town Administrator, Debbie Millican presented a mid-year review of the FY 2009/2010 Budget and the statistics for the **Reports**

April 17, 2010, Clean up Day. No action was called for or taken.

Susan Knoll expressed concerns regarding possible contamination on her property from the Green Gas Well site and the Frenchtown Well site. Mike Knoll expressed concerns for his family's safety and health with deteriorating conditions at the wells sites. No one else chose to speak. No action was called for or taken.

**Citizens'
Appearances**

The Town Council conducted a Public Hearing and considered approval of an application to extend a 16" diameter heavy wall pipe that will run from the Town's southern limits on Porter Road, heading in a generally northern direction approximately 2,000 feet along and under portions of Porter Road, turning east and terminating at the Rusty Rice pad site. The application by Mockingbird Pipeline, L.P., being considered, consisted of approximately 1,466 feet of the pipeline within the Town's right-of-way.

Mayor Robertson opened the Public Hearing and asked to hear from the applicant.

Hearing Opened

Steve Vogul spoke on behalf of Mockingbird Pipeline, L.P. Mr. Vogul stated that one bore pit will be placed on Rusty Rice's property and the pipeline will continue under the Town's right-of-way south to the Town limits, approximately 1,466 feet. In response to a question by the Mayor, Mr. Vogul stated that the pipeline is inspected annually and has automatic shut-off valves that will shut down the pipeline in the instance of a large pressure drop. In response to a question by the Town Administrator, he stated that skunk extract was added to the gas at the well site to provide additional indications of a leak.

Applicant

Town Engineer Gary Vickery stated that the applicant had addressed all of his comments.

Staff

Jayne Sizelove, 622 Frenchtown Road, inquired as to how the pipe was classified by the railroad commission. Mr. Vogul stated that the pipeline is a Class 4 pipeline according to the Department of Transportation.

In Favor-Opposed

No one else chose to speak.

Mayor Robertson declared the public hearing closed to public comment.

Hearing Closed

Mayor Pro-Tem Anderson moved to approve the pipeline permit as recommended by the Planning and Zoning Commission. Councilmember Litherland seconded the motion. For: Anderson, Litherland, and Hoyt. Against: None. Abstained: Ashburn. The motion carried 3-0-1.

**ACTION: Approve
Pipeline Permit**

Town Administrator Debbie Millican stated that Mrs. Reaves had formally requested in writing that the sign variance request be withdrawn from consideration. She said that Ms. Horn, the second applicant, had also requested that their sign variance petitions be removed from consideration via a voicemail left with Town Secretary Kristi Gilbert. No action taken.

**Withdraw Sign
Variance Requests**

The Council considered amending the Solid Waste Contract with IESI to provide for Recycling Carts. The proposed change would provide recycling carts for all households in Bartonville to be paid for by the Town not the residents. Mayor Robertson said that he had asked for the proposal in an effort to encourage people to recycle. He stated that when the cost came in around \$25,000, his thoughts changed. Councilmembers expressed concern with spending that much money on a non-essential service.

**Discussion:
Recycling Carts**

Councilmember Litherland moved to table the matter. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried 4 to 0.

**ACTION: Table
Recycling**

The Council discussed the proposed Ordinance 492-10, an Ordinance amending Town of Bartonville Code of Ordinances, by amending “Chapter 12, Article 12.400, Race and Rally Events, Section 12.401, Definitions, amending the definition of “Race” and “Rally.” The Chief stated that the ordinance amendment would regulate the large training groups coming to the Town and would help protect the cyclists and drivers.

**Discussion:
Amendments to
Race/Rally
Regulations**

Duncan Stewart, 1491 Landfall Cir, expressed concerns about the adoption of an ordinance that targets all bicyclists when it is just a few who ignore safety rules and traffic laws. Mr. Stewart stated that he was involved within different cycling groups and has visited with the Chief of Police regarding working together to alleviate safety concerns. Mr. Stewart stated that the current ordinances and state law were sufficient to regulate the cyclists and asked that the Council deny approval of the proposed amendments. Councilmember Litherland also expressed concern with adopting an ordinance that appears to discourage riders. Mayor Robertson stated that enforcement of current traffic regulations would soon get the word out to obey the traffic laws. He said that he did not want Bartonville to get a reputation of being against bicyclists.

Councilmember Ashburn moved to table consideration of Ordinance 492-10. Mayor Pro-Tem Anderson seconded the motion. For: Unanimous. The motion carried 4 to 0.

**ACTION: Table
Race and Rally
Event Ordinance
Amendment
Agenda Items**

There were no requests for future agenda items.

There being no further business to come before the Council, Mayor Pro Tem Anderson declared the meeting adjourned at 8:10 p.m.

Adjournment

APPROVED this the 18th day of May 2010.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Debbie E. Millican, Town Administrator