

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

The regular monthly meeting of the Bartonville Town Council was held on September 20, 2011, at 6:30, 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 3:30 p.m., on Friday, September 16, 2011, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Ron Robertson, Mayor
Carla Anderson, Mayor Pro Tem
Jim Farrell
Bill Reaves
Gracie Egan (6:41 p.m.)

Absent:

Ryan Litherland

Also present: Debbie E. Millican, Town Administrator
Dave Howell, Chief of Police

This constituting a quorum, the following business too place:

Mayor Robertson called the meeting to order at 6:30 p.m., and stated that the first order of business would be the Council convening into Executive Session. **Call to Order**

The chambers were cleared as the Mayor and Town Council joined by Town Attorney Bob Hager via telephone, suspended the open meeting to convene into Executive Session at 6:31 p.m., pursuant to Section 551.071(1) of the Texas Government Code to discuss pending or contemplated litigation: 1) 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. 2) Cause No. 2011-30396-211; Mockingbird Pipeline, L.P. vs. the Town of Town of Bartonville, pending in the 211th Judicial District Court, Denton County, Texas. 3) Cause No. 2010-40293-362; Mary Rettig and David Rettig vs. the Town of Bartonville and the Town of Flower Mound, pending in the 362nd Judicial District Court, Denton County, Texas. 4) Cause No. 2011-30373-211; Bartonville Water Supply Corporation vs. The Town of Bartonville and the Town Council of 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 6:40 p.m. Mayor Robertson stated that the Council would take a 20 minute break and reopen the meeting at 7:00 p.m. **Open Session Break**

Councilmember Egan arrived, to the meeting, at 6:41 p.m. **Egan Arrived**

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
Open Session**

Mayor Pro Tem Anderson moved to approve and agree to the terms of the judgment by and between the Town of Bartonville and Mockingbird Pipeline, LP relative to Causes 2010-30336-211 and 2011-30396-211 in accordance with Exhibit "A" and to authorize the Mayor to execute the same. Councilmember Reaves seconded the motion. Vote: Unanimous. For: Anderson, Reaves, and Farrell. Against: None. Abstain: Egan. Motion carried by a vote of 3-0-1.

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

The Town Council considered the following consent agenda: *A) Approval of Minutes: 1) August 16, 2011, Regular Monthly Meeting; 2) September 7, 2011, Special Called Joint Work Session; *B) Approval of Resolutions: 1) Resolution 2011-27, Designating FY 2011-2012 Official Town Hall Holidays; 2) Resolution 2011-28, Designating FY 2011-2012 the Denton Record Chronicle as the Official Newspaper for the Town; 3) Resolution 2011-29, ICA Purchasing Agreement with Region 4 Education Service Center; 4) Resolution 2011-30, Appointing Kristin A. Gilbert as the Deputy Municipal Court Clerk; and *C) Approval of Ordinances: 1) Ordinance 522-11, an Ordinance authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits; 2) Ordinance 523-11, an Ordinance of the Town Council of the Town of Bartonville, Texas amending the Fiscal Year Budget beginning October 1, 2010 and ending September 30, 2011, by amending line item appropriations within the Police Department.

Mayor Pro Tem Anderson moved to approve the consent agenda as presented. Councilmember Farrell seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

ACTION: Consent Approved

Chief of Police, Dave Howell, presented department statistics for the month of August 2011.

Liaison Reports

No one chose to speak during the portion of the meeting for citizens to discuss non-agenda items.

Citizen Input

The Town Council considered appropriate action regarding Ordinance 524-11, an Ordinance approving the Town of Bartonville Fiscal Year 2011-2012 Budget and Ordinance 525-11, an Ordinance accepting the 2011 Certified Tax Roll for the Town of Bartonville and approving the 2011 Ad Valorem Property Tax Rate and levy of \$0.19294 per \$100.00 valuation..

FY 2011-12 Budget and 2011 Tax Rate

Mayor Pro Tem Anderson moved to approve Ordinance 524-11 and Ordinance 525-11, as presented. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

ACTION: Approve Budget and Tax Rate

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 524-11, is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 2011-

Engross and Enroll: Ordinance 524-11, FY 11-12 Budget

2012; APPROPRIATING AMOUNTS TO THE INDIVIDUAL LINE ITEMS OF THE GENERAL FUND, STREET IMPROVEMENT FUND, WASTEWATER FUND, DEBT SERVICE FUND AND CAPITAL IMPROVEMENT FUND IN ACCORDANCE WITH SAID BUDGET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE. SECTION 9- EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its date of passage.

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 525-11 is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE ACCEPTING THE 2011 CERTIFIED TAX ROLL FOR THE TOWN OF BARTONVILLE; APPROVING THE 2011 AD VALOREM PROPERTY TAX RATE AND LEVY OF \$0.19294 PER \$100.00 VALUATION; PROVIDING FOR A DUE DATE AND DELINQUENCY DATE FOR THE PAYMENT OF PROPERTY TAXES; PROVIDING FOR THE COLLECTION AND USE OF PENALTY AND INTEREST ON DELINQUENT TAXES; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS AND COLLECT AD VALOREM PROPERTY TAXES IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE. SECTION 11- EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its date of passage.

**Engross and Enroll:
Ordinance 525-11,
2011 Tax Rate
Approved**

Councilmember Egan moved to authorize the Mayor and/or the Town Administrator to negotiate and enter into a Boundary Agreement with the Town of Flower Mound for the release of 23 tracts of land totaling approximately 75 acres adjacent to or near Hawk Road and/or Porter Road. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Authorize
Boundary
Agreement**

There were no requests for future agenda items.

Future Agenda

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 7:09 p.m.

Adjournment

APPROVED this the 15th day of October 2011.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Kristi Gilbert, Town Secretary