

THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 21ST DAY OF MAY 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING COUNCIL MEMBERS PRESENT, CONSTITUTING A QUORUM:

Jaclyn Carrington, Mayor
Clay Sams, Council Member Place 3
Keith Crandall, Council Member Place 4
Margie Arens, Council Member Place 5

Council Members Absent:

Matt Chapman, Mayor Pro Tem/Place 2
Jim Roberts, Council Member Place 1

Town Staff Present:

Thad Chambers, Town Administrator
Shannon Montgomery, Town Secretary
Ed Voss, Town Attorney
Colby Scudder, Police Lieutenant

A. CALL MEETING TO ORDER

Mayor Carrington called the Regular Session to order at 6:30 pm.

B. PLEDGE OF ALLEGIANCE

Mayor Carrington led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

If you wish to address the Council, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

There were no Public Presentations made.

D. PRESENTATIONS

1. Issue Certificates of Election, Statement of Elected Official, and provide the Oath of Office to newly elected Officials.

Town Secretary Montgomery presented Mayor Carrington with her Certificate of Election and administered her Statement of Elected Official and Oath of Office.

Mayor Carrington presented Council Member Crandall with his Certificate of Election and administered his Statement of Elected Official and Oath of Office.

E. APPOINTED REPRESENTATIVE/LIAISON REPORTS**1. Upper Trinity Regional Water District Report – No Report****2. Denton County Emergency Services District #1.**

Chief Vaughn of Denton County Emergency Services District No. 1 provided an update and addressed questions from Council.

3. Police Department – April 2024 Statistics/Activities.

Police Lieutenant Scudder reviewed the monthly statistics and addressed questions from Council.

4. Town Administrator – April 2024 Reports: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Board Member Attendance.

Town Administrator Chambers reviewed the monthly financials and addressed questions from Council.

F. CONSENT AGENDA

This agenda consists of non-controversial, or “housekeeping” items required by law. Items may be approved with a single motion. Items may be removed from the Consent Agenda by any Councilmember by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of the April 16, 2024, Regular Meeting Minutes.

Motion made by Council Member Sams, seconded by Council Member Arens, to approve the April 16, 2024, Regular Meeting Minutes as presented.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

G. PUBLIC HEARINGS AND REGULAR ITEMS

Mayor Carrington and Council Member Sams recused themselves from the dais at 7:05 pm:

- 1. Discuss and consider a Final Plat for a 101.467-acre property situated in the Daniel Cook Survey, Abstract Number 230, and A.M. Feltus Survey, Abstract Number 1594, in the Town of Bartonville, Denton County, Texas. The property is located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court, in Bartonville, Texas. The applicant is Mycoskie & Associates, Inc., on behalf of Knight Development Group, LLC. [Town of Bartonville FP-2024-03.] *(The Planning & Zoning Commission recommended approval, with conditions, by a vote of 5-0 at its May 1, 2024, meeting.)***

Town Attorney Voss made the following statement:

At this time, the Town Council has lost a quorum as specified in Chapter 22 of the Texas Local Government Code. The result of a loss of quorum is that the Town Council can take no action on this agenda item. Since the item for consideration is approval of a Final Plat, it is procedurally governed by not only the Town Code but also the provisions of Chapter 212 of the Texas Local Government Code. This Final Plat was approved by the Town Planning and Zoning Commission at its regular meeting on May 1, 2024, with conditions. The conditions are all matters of either a typographical or administrative nature that the Applicant has indicated to the Town, in writing, that he has no trouble with the following and performing. Under Chapter 212 of the Texas local Government Code, if a plat application is not denied within 30 days, then it is deemed approved by operation of law. The inaction on this item tonight, and the fact that there are no concerns from the Town’s standpoint on the plat details, and the fact that the Applicant has agreed to the conditions, all means that this plat will be approved on May 30, 2024, by operation of law under the passage-of-time provisions of state law.

Mayor Carrington and Council Member Sams returned to the dais at 7:07 pm.

- 2. Discuss and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 9, “Personnel,” Article 9.04, “Officers and Employees,” Division 1, “Generally,” by specifying job-related duties of the Town Secretary.**

Motion made by Council Member Crandall, seconded by Council Member Arens, to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 9, “Personnel,” Article 9.04, “Officers and Employees,” Division 1, “Generally,” by specifying job-related duties of the Town Secretary, as presented.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

The ordinance caption reads as follows:

**TOWN OF BARTONVILLE
ORDINANCE NO. 767-24**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 9, “PERSONNEL,” ARTICLE 9.04, “OFFICERS AND EMPLOYEES,” DIVISION 1, “GENERALLY,” BY SPECIFYING JOB-RELATED DUTIES OF THE TOWN SECRETARY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

- 3. Discuss and consider a Resolution amending the Personnel and Administrative Regulations Manual (PARM), Chapter 3, “Wages and Salary Administration”, Section 3.04 “Overtime (Excluding Police Patrol Personnel Exempt Personnel)”, subsection E by reducing the maximum accrual of compensatory time to forty (40) hours.**

Motion made by Council Member Arens, seconded by Council Member Crandall, to approve a Resolution amending the Personnel and Administrative Regulations Manual (PARM), Chapter 3, “Wages and Salary Administration”, Section 3.04 “Overtime (Excluding Police Patrol Personnel Exempt Personnel)”, subsection E by reducing the maximum accrual of compensatory time to forty (40) hours, as presented.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

4. Discuss and consider a Resolution appointing the Municipal Court Judge, Alternate Municipal Court Judge, Municipal Court Clerk, and Deputy Court Clerks.

Motion made by Council Member Sams, seconded by Council Member Arens, to approve a Resolution appointing the Municipal Court Judge, Alternate Municipal Court Judge, Municipal Court Clerk, and Deputy Court Clerks, as presented.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

5. Discuss and consider a Resolution nominating Jim Carter to the slate of nominees for the Denco Area 9-1-1 District Board of Managers.

Motion made by Council Member Arens, seconded by Council Member Sams, to approve a Resolution nominating Jim Carter to the slate of nominees for the Denco Area 9-1-1 District Board of Managers, as presented.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

6. Discuss and consider the continuance of the Annual Clean Up Day Event.

Motion made by Council Member Crandall, seconded by Council Member Sams, to hold the Clean Up Event every other year in even years and to direct Staff to promote Waste Connections bulk pickup, including educating residents about the accepted and non-accepted items.

VOTE ON THE MOTION

AYES: Sams, Crandall, and Arens

NAYS: None

VOTE: 3-0

H./I. CONVENE INTO CLOSED SESSION and RECONVENE INTO OPEN MEETING

Mayor Carrington stated that Council will not be reconvening into Executive Session for Agenda Item #2.

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 7:22 pm and reconvened into open session at 7:44 pm in accordance with the Texas Government Code regarding:

- 1. Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning pending or contemplated litigation regarding the sanitary sewer nuisance at 1287 Gibbons Road, Town of Bartonville, Texas v. Paula Harvey, Cause No. 23-11429-467 pending in the 467th District Court of Denton County, Texas.**

No action taken.

- 2. Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the Town’s Extraterritorial Jurisdiction (ETJ), issues related to the Furst Ranch Development, and any and all legal issues related thereto.**

Mayor Carrington reiterated Agenda Item #2 was not discussed in Closed Executive Session.

- 3. Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the regulation of Short Term Rentals and any and all legal issues related thereto.**

No action taken.

J. FUTURE ITEMS

Discussion only, no action taken.

K. ADJOURNMENT

Mayor Carrington declared the meeting adjourned at 7:45 pm.

APPROVED this the 18th day of June 2024.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary