

**THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 21ST DAY OF NOVEMBER 2023 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  
Matt Chapman, Mayor Pro Tem/Place 2  
Jim Roberts, Council Member Place 1  
Clay Sams, Council Member Place 3  
Keith Crandall, Council Member Place 4  
Margie Arens, Council Member Place 5

*Town Staff Present:*

Thad Chambers, Town Administrator  
Shannon Montgomery, Town Secretary  
Ed Voss, Town Attorney  
Wendell Mitchell, Interim Chief of Police

**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.*

Jeff Lamb, 1204 Bridle Bit Road, Flower Mound, TX requested Council to consider removing the tree located in the middle of Bridle Bit Road.

**D. APPOINTED REPRESENTATIVE/LIAISON REPORTS**

**1. Denton County Emergency Services District #1.**

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

**2. Police Chief – Department Statistics/Activities October 2023.**

Interim Chief of Police Mitchell reviewed the monthly statistics and addressed questions from Council.

### **3. Town Administrator – Monthly Reports October 2023: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Board Member Attendance.**

Town Administrator Chambers reviewed the October 2023 financials and addressed questions from Council.

Del Knowler provided an Upper Trinity Regional Water District Report and addressed questions from Council.

### **E. 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 October 17, 2023, Regular Meeting Minutes.**
- 2. Consider approval of an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 12, “Traffic and Vehicles,” Article 12.03, “Operation of Vehicles” to provide a speed limit of 25 MPH for Deer Hollow Subdivision; and providing an effective date.**

Motion made by Council Member Sams, seconded by Council Member Arens, to approve Consent Agenda Items #1 and #2 as presented.

### **VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

### **F. REGULAR ITEMS**

*Mayor Carrington and Council Member Sams recused themselves from the dais at 6:47 pm; Mayor Pro Tem Chapman provided over the meeting for the next agenda item:*

- 1. Conduct a Public Hearing and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, to change the zoning designation on four tracts of land, totaling 101.467 acres, 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, from Agricultural (AG) to Residential Estates 5 (RE-5). Town File #ZC-2023-005. *(The Planning & Zoning Commission recommended approval by a vote of 5-0 at its November 1, 2023, meeting.)***

Town Administrator Chambers stated that the application meets the Future Land Use Plan and that he has not received any public input.

Mayor Pro Tem Chapman opened the Public Hearing at 6:50 pm. Recognizing that there was no one wishing to speak on this agenda item, closed the Public Hearing at 6:51 pm.

Motion made by Council Member Crandall, seconded by Council Member Roberts, to approve agenda item #1 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Crandall, and Arens

NAYS: None

VOTE: 4/0

*Mayor Carrington and Council Member Sams returned to the dais at 6:52 pm.*

- 2. Conduct a Public Hearing and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A”, the Zoning Ordinance, by deleting Chapter 20, “Fencing, Walls and Screening Requirements,” and by amending Chapter 3, “Building Regulations” by adding Article 3.10, “Fences and Walls”; amending other Zoning Ordinance and Town Code Provisions accordingly. *(The Planning & Zoning Commission recommended approval by a vote of 4-1 at its November 1, 2023, meeting.)***

Town Administrator Chambers stated that this item has been discussed at length in previous DRC, Planning & Zoning, and Council meetings. Chambers continued by sharing that the proposed Ordinance provides an easy, drawn-out path for residents to request a variance.

Town Attorney Voss explained the legal ramifications of the Ordinance and addressed questions from Council.

Mayor Carrington opened the Public Hearing at 6:59 pm and closed the Public Hearing at 6:59 pm as no one wished to speak on this item.

Motion made by Council Member Crandall, seconded by Council Member Arens to approve agenda item #2 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

- 3. Discuss and consider a Resolution finding that CoServ Gas, LTD’s Statement of Intent to increase rates within the Town should be denied; finding that the Town’s reasonable rate case expenses shall be reimbursed by the Company; and providing an effective date.**

Town Attorney Voss provided a summary of the Resolution and recommended approval.

Motion made by Council Member Roberts, seconded by Mayor Pro Tem Chapman, to approve agenda item #3 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

- 4. Discuss and consider a Resolution amending the Personnel and Administrative Regulations Manual (PARM), Chapter 5, “Leave” by removing Subsection 5.01 E, Holiday Pay accumulation; approving the payout of Holiday Pay accumulation; and providing an effective date.**

Town Secretary Montgomery explained that the current Personnel and Administrative Regulations Manual allowed for the accumulation of Holiday Pay. Montgomery stated this is an additional liability to the Town, makes payroll more time consuming and difficult, and it is also difficult for the Staff to use the accumulated time and requested that Council remove this from the Policy and pay out the accumulated Holiday Pay.

Motion made by Council Member Crandall, seconded by Council Member Arens, to approve agenda item #4 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

- 5. Discuss and consider an Agreement with Flock Safety for Public Safety hardware and software equipment in an amount not to exceed \$50,000 annually; and authorize the Town Administrator to execute same on behalf of the Town.**

Interim Chief of Police Mitchell stated the proposed agreement includes all twenty flock cameras. This agreement will provide a savings of \$500/camera as a price increase goes into effect on December 31, 2023.

Motion made by Council Member Arens, seconded by Council Member Crandall to approve agenda item #5 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

- 6. Discuss and consider a TX Share Master Interlocal Purchasing Agreement with North Central Texas Council of Governments; and authorize the Town Administrator to execute same on behalf of the Town.**

Interim Chief of Police Mitchell stated this purchasing agreement will allow the Town to enter into agreements with more leverage to obtain greater cost savings.

Motion made by Mayor Pro Tem Chapman, seconded by Council Member Roberts, to approve agenda item #6 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

**7. Discuss and consider utilizing Court Technology Restricted Funds for the purchase of a court laptop and related equipment in an amount not to exceed \$3100.**

Motion made by Council Member Sams, seconded by Mayor Pro Tem Chapman, to approve agenda item #7 as presented.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

**8. Discuss and consider rescheduling the February 20, 2024, Council Meeting to February 13, 2024, due to March 5, 2024, Primary Early Voting.**

Town Secretary Montgomery stated that the March Primary Early Voting begins Tuesday, February 20, 2024, and runs through Friday, March 1, 2024. To allow Denton County to hold Early Voting in the Council Chambers, the Council either needs to move their meeting date or move to another location.

Motion made by Council Member Roberts, seconded by Mayor Pro Tem Chapman, to move the Council meeting to February 13, 2024, to allow Denton County to hold Early Voting in the Council Chambers.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

**G./H. CONVENE INTO CLOSED SESSION RECONVENE INTO OPEN MEETING**

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 7:20 pm and reconvened into open session at 7:52 pm in accordance with the Texas Government Code regarding:

**1. 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.**

No action taken.

**2. 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.**

Motion made by Council Member Crandall, seconded by Mayor Pro Tem Chapman, to authorize the Town Attorney to take any and all legal action on behalf of the Town against the owner and property located at 1287 Gibbons Road to abate the sanitary sewer health and safety violations on the property.

**VOTE ON THE MOTION**

AYES: Roberts, Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 5/0

**I. FUTURE ITEMS**

Discussion only; no action taken.

**J. ADJOURNMENT**

Mayor Carrington declared the meeting adjourned at 7:55 pm.

**APPROVED this the 19th day of December 2023.**

**APPROVED:**

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Jaclyn Carrington, Mayor

**ATTEST:**

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Shannon Montgomery, TRMC, Town Secretary