

THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 18TH DAY OF JUNE 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
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
Kirk Riggs, Chief of Police
Colby Scudder, Police Lieutenant

A. CALL BUDGET WORKSHOP TO ORDER - 6:00 PM

Mayor Carrington called the Budget Workshop to order at 6:00 pm.

B. BUDGET WORKSHOP SESSION

1. Discuss and provide direction on Town Council priorities related to the FY2024-2025 Budget.

Consensus of the Town Council was to continue focusing on safety through police compliance, visibility, streets, and employee retention.

2. Discuss and provide direction on the Proposed Tax Rate related to FY2024-2025 Budget.

Consensus of the Town Council was to keep the current tax rate of \$0.173646/\$100.

C. ADJOURN BUDGET WORKSHOP

Mayor Carrington declared the Budget Workshop adjourned at 6:31 pm.

D. CALL REGULAR SESSION TO ORDER - 6:30 PM

Mayor Carrington called the Regular Session to order at 6:31 pm.

E. PLEDGE OF ALLEGIANCE

Mayor Carrington led the Pledge of Allegiance.

F. 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.

G. PRESENTATIONS

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

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

2. Recognition of Bartonville Police Department Lieutenant Promotion and Badge Pinning.

Chief Riggs provided comments and congratulated Lieutenant Scudder on his promotion.

H. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Upper Trinity Regional Water District Report.

The Town Council watched a video regarding the Lake Ralph Hall Construction Project provided by Upper Trinity Regional Water District.

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 – May 2024 Statistics/Activities.

Chief Riggs reviewed the monthly statistics and addressed questions from Council.

4. Town Administrator – May 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.

I. 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 May 21, 2024, Regular Meeting Minutes.

Motion made by Council Member Arens, seconded by Council Member Crandall, to APPROVE the May 21, 2024, Regular Meeting Minutes as presented.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

J. PUBLIC HEARINGS AND REGULAR ITEMS

1. **Conduct a Public Hearing, discuss 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 from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. [Town of Bartonville ZC-2024-001.] *(The Planning & Zoning Commission recommended approval by a vote of 5-0 at its June 5, 2024, meeting.)***

Town Administrator Chambers stated the application met the Town’s requirements, follows the Future Land Use Plan, Staff recommends approval and addressed questions from Council.

Applicant, Marisa Brewer, McAdams, 4400 State Highway 121, Suite 800, Lewisville, Texas made a short presentation and addressed questions from Council.

Mayor Carrington opened the Public Hearing at 7:11 pm.

Town Secretary Montgomery stated the Town received letters in support of the rezoning request from the following:

- Ron and Danelle Scotka, 1010 Gene Perry Court, Bartonville, Texas
- Siobhan O’Brien, 875 Porter Road, Bartonville, Texas
- Brent Svor, 1018 Gene Perry Court, Bartonville, Texas
- David and Jennifer Stocker, 1023 Gene Perry Court, Bartonville, Texas
- James Reid, 1016 James Price Court, Bartonville, Texas

Town Secretary Montgomery also shared the following resident wanted his opposition stated into the minutes:

- Justin Buck, 175 Porter Road, Bartonville, Texas

Mayor Carrington closed the Public Hearing at 7:12 pm.

Motion made by Council Member Crandall, seconded by Council Member Roberts, to **APPROVE** 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 from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

The ordinance caption reads as follows:

TOWN OF BARTONVILLE ORDINANCE NO. 768-24

AN ORDINANCE AMENDING ORDINANCE NO. 361-05, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF BARTONVILLE, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF A TRACT OF LAND, TOTALING TWELVE (12) ACRES, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF BROOME ROAD AND PORTER ROAD, IN THE TOWN, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, FROM A ZONING DESIGNATION OF AGRICULTURAL (AG) TO A ZONING DESIGNATION OF RESIDENTIAL ESTATES 2 (RE-2), AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

- 2. Conduct a Public Hearing, discuss and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Exhibit C and Chapter 19 (Accessory Building and Use Regulations), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville. The applicant is Filip Filipov, representing Texas Green Team. [Town of Bartonville ZC-2024-002.] *(The Planning & Zoning Commission recommended denial by a vote of 5-0 at its June 5, 2024, meeting.)***

Town Administrator Chambers stated Staff is recommending denial of this request as donation bins are not permitted within the Town and addressed questions from Council.

Mayor Carrington opened the Public Hearing at 7:15 pm.

Town Secretary Montgomery stated the Town received the following statements in opposition of the ordinance text amendment from the following:

- Donna Baumgarner, 890 E Jeter Road, Bartonville, Texas:

I wish to voice my opinion against the recycle & clothing bins request. These bins turn into an eye sore. The area has multiple charities that appreciate donations. Please notify the P & Z committee that I do not approve of these bins.

- Diane Gulden, 1261 E Jeter Road, Bartonville, Texas

I strongly oppose this for various reasons and would appreciate you conveying that to P&Z.

1. *There are multiple drop off sites near us already.*
2. *There are charities that collect on a regular basis.*
3. *Non profits already exist to manage sites, pick up, and or have stores devoted to such activity.*
4. *A donation bin needs constant monitoring.*
5. *A donation site can be overrun with trash and broken items*

Bartonville should reject the proposal of a donation drop-off site.

Mayor Carrington closed the Public Hearing at 7:15 pm.

Motion made by Council Member Roberts, seconded by Council Member Chapman, to **DENY** an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Exhibit C and Chapter 19 (Accessory Building and Use Regulations), to permit the installation and operation of Recycling Collection Bins in the Town of Bartonville.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

3. **Discuss and consider a Resolution to approve a purchase agreement for two new police vehicles, with the purchase agreement to begin Fiscal Year 2024-2025 and end Fiscal Year 2026-2027; not to exceed \$58,314 annually.**

Motion made by Council Member Chapman, seconded by Council Member Arens, to **APPROVE** a Resolution to approve a purchase agreement for two new police vehicles, with the purchase agreement to begin Fiscal Year 2024-2025 and end Fiscal Year 2026-2027; not to exceed \$58,314 annually.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

4. **Discuss and consider a Resolution appointing new member(s) to the Bartonville Community Development Corporation.**

Motion made by Council Member Sams, seconded by Council Member Crandall, to **APPROVE** a Resolution appointing Scott Daum to the Bartonville Community Development Corporation vacant term ending September 2024.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

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

Motion made by Council Member Arens, seconded by Council Member Chapman, to **APPROVE** a Resolution voting for Jim Carter to the Denco Area 9-1-1 District Board of Managers.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

6. Discussion on renewing the solid waste franchise agreement with Waste Connections or directing staff to proceed with request for proposals.

Town Council directed Staff to draft a Request for Proposals for a solid waste franchise agreement with focus on the following items:

- Bulk brush option
- Type of fuel used, if options, quote all options
- Tires and metal wheel disposal option

7. Receive an update on bar ditches/drainage.

Town Administrator Chambers provided an update on bar ditches and drainage issues and addressed questions from Council.

K./L. CONVENE INTO CLOSED SESSION and RECONVENE INTO OPEN SESSION

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 7:45 pm and reconvened into open session at 8:17 pm in accordance with the Texas Government Code regarding:

Council Member Crandall requested that Executive Session Item #2 be moved up and recused himself from the Executive Session for agenda item #2 and entered the executive session at 7:55 pm.

- 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.**

No action taken.

- 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.

- 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.

- 4. Section 551.074 Personnel Matters to deliberate and consider the appointment and employment of a public officer or employee; to wit: Mayor Pro Tem.**

Motion made by Council Member Crandall, seconded by Council Member Roberts, to appoint Council Member Chapman as Mayor Pro Tem for a one-year term.

VOTE ON THE MOTION

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

NAYS: None

VOTE: 5-0

M. FUTURE ITEMS

Discussion only, no action taken.

N. ADJOURNMENT

Mayor Carrington declared the meeting adjourned at 8:21 pm.

APPROVED this the 16th day of July 2024.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary