

THE BARTONVILLE TOWN COUNCIL HELD A REGULAR MEETING ON THE 21ST DAY OF MAY 2019, AT BARTONVILLE TOWN HALL, 1941 E. JETER RD, IN THE TOWN OF BARTONVILLE, COUNTY OF DENTON, TEXAS AT 6:30 P.M.

The Town Council met in a regular meeting with the following members present:

Bill Scherer, Mayor
Jaclyn Carrington, Mayor Pro Tem, Place 2
Jeff Traylor, Councilmember Place 1
Clay Sams, Councilmember Place 3 (*arrived at 7:01 p.m.*)
Bridget Melson, Councilmember Place 4

With the following member absent: Josh Phillips, Councilmember Place 5

Also present: Michael Montgomery, Town Administrator; Tammy Dixon, Town Secretary; Bobby Dowell, Chief of Police; and Ed Voss, Town Attorney.

A. CALL REGULAR MEETING ORDER

Mayor Scherer called the meeting to order at 6:30 p.m.

B./C. CLOSED/OPEN SESSION

The Town Council convened into a closed meeting at 6:30 p.m. pursuant to Texas Government Code Chapter 551, Section 551.071 and 551.074 and reconvened into open session at 7:14 p.m. to discuss matters relating to consultation with Town Attorney and personnel as follows:

1. Consultation with Town Attorney regarding legal issues concerning Broome Road Right of Way. **No Action Taken.**
2. Consultation with Town Attorney regarding legal issues concerning the 2019 Residential Streets Bid. **No Action Taken.**
3. Consultation with Town Attorney regarding legal issues concerning Wolf Road drainage. **No Action Taken.**
4. Discuss and consider appointment of Mayor Pro Tem.

Councilmember Traylor moved to appoint Jaclyn Carrington as Mayor Pro Tem. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

D. PLEDGE OF ALLEGIANCE

Mayor Scherer led the pledge of allegiance.

E. PUBLIC PARTICIPATION/CITIZEN APPEARANCES

There were none.

F. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Argyle Fire District – Jim Strange provided a summary of the district’s April meeting.
2. Planning and Zoning Commission – Mr. Montgomery stated the P&Z was currently reviewing pertaining to drive through facilities within the Village District.
3. Community Development Corporation – Mr. Langford stated the Board received a funding request from Tractor Supply which was currently being reviewed; and the Board was working a survey to send to all businesses within the Town’s business districts.
4. Police Chief Report - Department Statistics/Activities for April 2019.

Chief Dowell distributed the departments statistics for April. He stated the department had 320 calls, of that 80 were from dispatch, 69 were self-initiated (close patrol/vacation watch), and 171 were traffic stops which included 82 citations and 89 warnings.

Chief Dowell stated on May 4th the department participated in the National Prescription Drug Take Back Day and collected 184 pounds of unused/expired prescriptions.

5. Town Administrator
Monthly Reports: Financial Statement- April 2019; Animal Services Report; Engineering Report.

Mr. Montgomery stated if the HHW waste agenda item was approved, staff would mail postcards explaining the new service. Mr. Montgomery also announced the Veteran’s Wall Dedication Ceremony was rescheduled for June 11, 2019, at 6:30 p.m.

G. CONSENT AGENDA

Councilmember Traylor requested item 4. be pulled.

Councilmember Sams moved to approve consent items 1 - 3. Mayor Pro Tem Carrington seconded the motion. The items, as approved by consent, are restated below along with the approved recommendation, for the record.

1. Consider approval of the May 14, 2019, special meeting minutes.

RECOMMENDATION: Approve the May 14, 2019, special meeting minutes.

- 2. Consider approval of the April 16, 2019, regular meeting minutes.

RECOMMENDATION: Approve the April 16, 2019, regular meeting minutes.

- 3. Consider approval of an agreement with the Plan of Operations division for the State of Texas allowing police department participation in the excess Department of Defense (DOD) personal property transfer program; and authorize the Town Administrator to execute same on behalf of the Town.

RECOMMENDATION: Approve an agreement with the Plan of Operations division for the State of Texas allowing police department participation in the excess Department of Defense (DOD) personal property transfer program; and authorize the Town Administrator to execute same on behalf of the Town.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

H. REGULAR ITEMS

- 4. Consider approval of a resolution nominating Sue Tejml to a slate of nominees for the Board of Managers of the Denco Area 9-1-1 District.

Councilmember Traylor asked for clarification of the nomination.

Mayor Scherer explained this item was discussed during the April meeting and the consensus of the Council was to support Sue Tejml as she has expressed her desire to continue to serve on the Board.

Ms. Dixon stated this was a nomination only and the Denco staff would send the slate of nominees to each city/town for consideration which would occur in July or August.

Mayor Pro Tem Carrington moved to approve Resolution 2019-11 nominating Sue Tejml to a slate of nominees for the Board of Managers of the Denco Area 9-1-1 District. Councilmember Melson seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 5. Discuss and consider approval of an ordinance authorizing the issuance and sale of Town of Bartonville, Texas Tax Notes, Series 2019 and resolving other matters incident and related thereto.

Mr. Montgomery stated at the April 16, 2019; meeting Council directed staff to move forward with a 5-year tax note in the amount of \$1,440,000 to fund the 2019 Residential Streets improvements. The interest rate for the tax notes is 2.37% compared to the 2015 Tax Notes which were financed at 1.89%.

He explained for the \$1,440,000, there was a \$37,000 cost of issuance and \$112,476 would be paid in interest over the five years. The annual debt service payment was between \$317,000 to \$318,000. The tax note could be paid off at any time.

Michael Martin with Hilltop Securities answered questions from the Town Council.

Councilmember Traylor moved to approve Ordinance No. 656-19 authorizing the issuance and sale of Town of Bartonville, Texas Tax Notes, Series 2019 and resolving other matters incident and related thereto. Councilmember Sams seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 656-19

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “TOWN OF BARTONVILLE, TEXAS, TAX NOTES, SERIES 2019”; SPECIFYING THE TERMS AND FEATURES OF SAID NOTES; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID NOTES, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 6. Discussion on Wolf Run drainage improvements.

Mr. Montgomery stated drainage improvements have been included in the 2019 Residential Streets Projects that would require the removal trees and planters on 190 Wolf Run and the property owner, Keith Longeway has requested these drainage improvements not be executed.

Mayor Scherer advised Mr. Longeway that staff would meet with him to discuss options for regarding his request.

- 7. Discuss and consider awarding the bid for 2019 Residential Streets Project; and authorization for the Town Administrator to execute all documents related to same.

Mr. Montgomery stated on May 14, 2019; the Town received five bids for the 2019 Residential Streets Project. The bids were as follows:

Company	Bid
Rock Solid, Inc.	\$1,102,040.41
SPI Asphalt	\$1,144,288.50
Reyes Group	\$1,262,029.65
Texas Bit	\$1,732,467.28
Pavecon	\$2,039,307.40

The Town Engineer's estimate for the project was \$1,448,449. The Town Engineer recommended the bid be awarded to the lowest bidder, Rock Solid, Inc.

Councilmember Traylor stated he had concerns for the contractor's quality of the road surface. Mr. Montgomery responded that his concerns would be addressed in the pre-construction meeting with the contractor.

Councilmember Traylor moved to award the bid for 2019 Residential Streets Project to Rock Solid, Inc; and authorize the Town Administrator to execute all documents related to same. Mayor Pro Tem Carrington seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

8. Public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, by amending Division I, General Requirements, Chapter 2 Definitions, Section 2.2 (72a), Farmers' Market, and by amending Division IV, Special Requirements, Chapter 30, Special Regulations For Certain Types of Uses, Section 30.4, Farmers' Market, and also amending Appendix C, Land Use Table, Farmers' Market. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at their May 1, 2019, meeting.)*

Mr. Montgomery stated in anticipation of new farmers' markets coming to Bartonville, the Planning & Zoning Commission reviewed and updated the current ordinance regarding farmers' markets. He explained the proposed ordinance removes the food regulations and a separate ordinance was on the agenda to add the food regulations to Chapter 6, Health and Sanitation.

Mr. Montgomery stated at the May 1st meeting, the Planning and Zoning Commission recommended minor changes to include allowing farmers' markets in the Rural Business, Rural Services, and Village Center zoning districts by a conditional use permit.

Mayor Scherer opened the public hearing at 7:42 p.m.

No one spoke in favor or opposition.

Mayor Scherer closed the public hearing at 7:42 p.m.

Mayor Pro Tem Carrington moved to approve Ordinance No. 657- amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, by amending Division I, General Requirements, Chapter 2 Definitions, Section 2.2 (72a), Farmers’ Market, and by amending Division IV, Special Requirements, Chapter 30, Special Regulations For Certain Types of Uses, Section 30.4, Farmers’ Market, and also amending Appendix C, Land Use Table, Farmers’ Market. Councilmember Traylor seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 657-19

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT A, ZONING ORDINANCE, TO MODIFY FARMERS’ MARKET PROVISIONS BY AMENDING CHAPTER 2, ENTITLED “DEFINITIONS,” SECTION 2.2; AMENDING CHAPTER 30, ENTITLED “SPECIAL REGULATIONS FOR CERTAIN TYPES OF USES,” SECTION 30.4; AND AMENDING APPENDIX C, LAND USE TABLE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 9. Discuss and consider approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 6, entitled “Health and Sanitation,” Article 6.02, entitled “Health Code for Food Establishments,” by enacting a new section entitled “Farmer’s Markets”.

Mr. Montgomery stated the proposed ordinance adds health provisions regarding farmers’ markets to Chapter 6, Health and Sanitation. He further stated the Town Sanitarian recommended using the Texas Administrative Code, Title 25, Chapter 229, Subchapter FF to govern food at farmers’ markets in Bartonville.

Councilmember Sams moved to approve Ordinance No. 658-19 amending the Town of Bartonville Code of Ordinances, Chapter 6, entitled “Health and Sanitation,” Article 6.02, entitled “Health Code for Food Establishments,” by enacting a new section entitled “Farmer’s Markets”. Mayor Pro Tem Carrington seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 658-19

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 6, ENTITLED “HEALTH AND SANITATION,” ARTICLE 6.02, ENTITLED “HEALTH CODE FOR FOOD ESTABLISHMENTS,” BY ENACTING A NEW SECTION 6.02.15, ENTITLED “FARMERS’ MARKETS”; PROVIDING A REPEALING CLAUSE; PROVIDING A

SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 10. Discuss and consider approval of an ordinance amending the Town of Bartonville Code of Ordinances Chapter 10, Article 10.02, Subdivision Ordinance, Exhibit A, Development Ordinance, By Amending Appendix A, Engineering Design Standards, Section 1, Streets. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at their May 1, 2019, meeting.)*

Mr. Montgomery explained the Town’s Engineering Design Standards regarding streets were no longer in conformance with the Town’s Comprehensive Plan and that the proposed modifications will mirror the plan. The main changes are in street width and classification.

He stated the Town Engineer also recommended increased pavement thickness to match what the Town does during reconstruction of streets.

Councilmember Sams moved to approve Ordinance No. 659-19 amending the Town of Bartonville Code of Ordinances Chapter 10, Article 10.02, Subdivision Ordinance, Exhibit A, Development Ordinance, By Amending Appendix A, Engineering Design Standards, Section 1, Streets. Councilmember Melson seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 659-19

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 10, ARTICLE 10.02, SUBDIVISION ORDINANCE, EXHIBIT A, DEVELOPMENT ORDINANCE, BY AMENDING APPENDIX A, ENGINEERING DESIGN STANDARDS, SECTION 1, STREETS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 11. Discuss and consider approval of an agreement with Doliver Enterprises, LLC, dba, HHW Solutions, for the collection, hauling, recycling and disposal of household hazardous waste; and authorization for the Town Administrator to execute the same on behalf of the Town.

Mr. Montgomery stated HHW Solutions would collect, haul and recycle or dispose of all Household Hazardous Waste generated and accumulated by Single Family Residential Units once per month within the Town's corporate limits. If the agreement was approved services would begin in July.

Mr. Montgomery stated the cost would be \$400 per month/\$4800 per year. He explained the Town currently budgets \$4900 for the HHW under the Clean Up Day line item and for the current fiscal year there would be a savings of approximately \$3700.

Dick Demien with HHW answered questions from the Town Council.

Mayor Pro Tem Carrington moved to approve an agreement with Doliver Enterprises, LLC, dba, HHW Solutions, for the collection, hauling, recycling and disposal of household hazardous waste; and authorize the Town Administrator to execute the same on behalf of the Town. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

- 12. Discussion on a request from Lantana Community Fellowship Church to participate in a community 4th of July fireworks event.

Mr. Montgomery stated the Town received a request from the Lantana Community Church (LCC) to partner with them on a 4th of July celebration to be held on the church's property. He stated after speaking with several firework vendors, the event would need to take place on July 3rd and the cost would be approximately \$15,000 to \$20,000 for a 20-30-minute show. He further stated the Denton County Emergency Services District #1 has confirmed they could staff the event.

Following discussion, the Town Council directed staff to further explore options to possibly partner for an event in 2020 including requesting funding from the Denton County Development District.

- 13. Discussion on a request from Denton County Elections to use Bartonville Town Hall as a polling location for the November 3, 2020, Presidential Election.

Ms. Dixon stated Denton County was preparing for the November 3, 2020, Presidential Election and their goal was to have a polling location at every precinct. She stated the County has requested that Bartonville Town Hall be used as a polling location. The equipment delivery

and set up is expected to begin on October 14th for early voting with an equipment pick up expected to begin on November 4th.

Ms. Dixon stated Town Hall was available during that period with the exception of Tuesday, October 20th which was a regular scheduled Town Council meeting. She stated the Town Council would need to move its meeting location to the Lantana Community Church in order to accommodate early voting.

The consensus of the Town Council was to allow the county to use Bartonville Town Hall as a polling location for the November 2020 Presidential Election.

14. Discussion on trimming of trees located in the Town's public Right of Ways.

Mr. Montgomery stated several citizens have contacted the Town regarding low hanging limbs on the Town's major roads such as Jeter, Porter, and Gibbons.

He explained the Town could either enact an ordinance requiring residents to maintain a minimum canopy in the rights-of-ways; or the Town could hire a company to trim the canopies. Apex Line Clearance, LLC provided an estimate of \$6,600 to trim the canopies on Jeter Road.

Clayton Love with Apex Line Clearing explained this type of work was typically performed on a three-year cycle.

A long discussion ensued and the consensus of the Town Council was to direct staff to review each complaint case-by-case and utilize Apex Line Clearing on an as-needed basis.

15. Discussion on Animal Control Services within the Town.

Mr. Montgomery stated the Town received notification from Brian Hall, the Animal Guy, terminating his contract effective May 23, 2019. Brian has accepted an Animal Control Services position with the Town of Trophy Club. He stated Mr. Hall agreed to continue to provide wildlife services, after hours during the week and on weekends, to our residents at the same rates he has charged \$0 - \$30 depending upon situation.

Mr. Montgomery stated the Town, over the past year, had 16 animal impoundments and 8 dogs at large. He explained Mr. Hall's rates were extremely low at \$2400 per year compared to the two estimates staff received from All American Dogs and Kerry Payne of North Texas Animal Control which ranged between \$8,500 - \$12,800.

Staff was directed to contact the Town of Flower Mound to inquire if they would consider an interlocal agreement to provided services dogs at large, etc.

16. Discuss and consider approval of the FY 2019-20 Budget Calendar and budget meeting dates.

Mr. Montgomery presented the proposed budget calendar including budget meeting dates to the Town Council.

Councilmember Traylor moved to approve the proposed budget calendar including budget meeting dates. Mayor Pro Tem Carrington seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Melson
NAYS: None
ABSENT: Phillips
VOTE: 4/0

I. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA


There were none.

J. ADJOURNMENT

Mayor Scherer declared the meeting adjourned at 8:28 p.m.

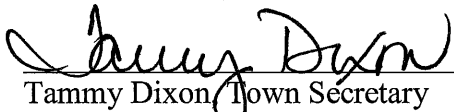
APPROVED this the 18th day of June 2019.

Approved:



Bill Scherer, Mayor

Attest:



Tammy Dixon, Town Secretary

