

**THE BARTONVILLE TOWN COUNCIL EMERGENCY MEETING HELD ON THE 1<sup>ST</sup> DAY OF JULY 2020, AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS, AND VIA VIDEOCONFERENCE AT 5:00 P.M.**

*In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by the Office of the Governor after that date, the Bartonville Town Council conducted an emergency meeting in person and by video conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).*

The Town Council met in an emergency meeting in person and via videoconference 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  
Bridget Melson, Councilmember Place 4

With the following member absent:

Josh Phillips, Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating: Tammy Dixon, Town Secretary; Robert Dowell, Chief of Police; and Ed Voss, Town Attorney (via video).

**A. CALL EMERGENCY MEETING ORDER**

Mayor Scherer called the meeting to order at 5:06 p.m.

**B./C. CLOSED/OPEN SESSION**

The Town Council convened into a closed meeting at 5:06 p.m. pursuant to Texas Government Code Chapter 551, Sections 551.071 and reconvened into open session at 5:44 p.m. to discuss matters relating to consultation with Town Attorney and personnel as follows:

- a. Consultation with Town Attorney regarding Ordinance 688-20 declaring a local state of disaster due to a public health emergency.

Councilmember Carrington moved to approve Ordinance No. 689-20 extending declaring a local state of disaster due to a public health emergency. Mayor Pro Tem Traylor seconded the motion. The caption of the ordinance reads as follows:

**ORDINANCED 688-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY AND INCORPORATING BY REFERENCE THE APPLICABLE REGULATIONS CONTAINED IN GOVERNOR ABBOTT’S EXECUTIVE ORDER(S) AND DENTON COUNTY’S ORDER(S); MAKING FINDINGS RELATED THERETO; REPEALING ORDINANCE NO. 687-20; PROVIDING AN EFFECTIVE DATE; PROVIDING AN EXPIRATION DATE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION.**

**VOTE ON THE MOTION**

**AYES:** Melson, Sams, Carrington, Traylor  
**NAYS:** None  
**ABSENT:** Phillips  
**VOTE:** 4/0/1

Councilmember Carrington moved (per Governor Abbott’s Executive Order GA-28 #5) to allow outdoor gatherings in excess of 100 people at Marty B’s as follows: 100 people in the upstairs rooftop area, 200 people in the outdoor patio area; and require that all employees wear face coverings. Mayor Pro Tem Traylor seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Melson, Sams, Carrington, Traylor  
**NAYS:** None  
**ABSENT:** Phillips  
**VOTE:** 4/0/1

Marty Bryan, owner of Marty B’s, spoke in opposition to the Town Council making a ruling on his establishment relating to GA-28 #5 as he believed his restaurant did not fall under that category.

Mayor Scherer explained that it was not only the Town’s interpretation of GA-28 #5, it was also the County’s interpretation, and the Town Council believed they were helping Marty Bs by allowing a gathering in excess of 100 people.

A long discussion ensued between Mr. Bryan and the Town Council which included discussions about contacts earlier in the day with the Texas Attorney General’s Office (AG) regarding awaiting an opinion about GA-28#5.

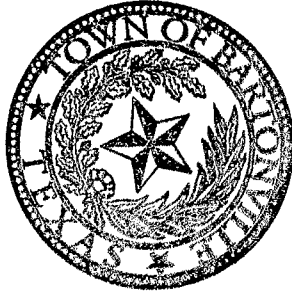
Mayor Scherer stated if the AG’s office opined that GA-28 #5 did not apply to restaurants, the Town Council would not enforce its action taken, however, he reiterated, the Town Council took this action to help Marty Bs, not to restrict it.

Rick Hopper, 1847 E. Jeter, also spoke in opposition of the Town Council’s action.

**D. ADJOURNMENT**

Mayor Scherer declared the meeting adjourned at 6:15 p.m.

**APPROVED** this the 21<sup>st</sup> day of July 2020.



Approved:

A handwritten signature in black ink, appearing to read "Bill Scherer", is written over a horizontal line.

Bill Scherer, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Tammy Dixon", is written over a horizontal line.

Tammy Dixon, Town Secretary