

THE BARTONVILLE TOWN COUNCIL HELD A SPECIAL MEETING ON THE 26th DAY OF SEPTEMBER 2018, AT BARTONVILLE TOWN HALL, 1941 E. JETER RD, IN THE TOWN OF BARTONVILLE, COUNTY OF DENTON, TEXAS AT 7:00 P.M.

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

Jim Murphy, Mayor Pro Tem
Jeff Traylor, Councilmember Place 1
Jaclyn Carrington, Councilmember Place 2
Clay Sams, Councilmember Place 3
Josh Phillips, Councilmember Place 5

with the following member absent:

Bill Scherer, Mayor

Also present: Michael Montgomery, Town Administrator and Ed Voss, Town Attorney.

A. CALL SPECIAL MEETING ORDER

Mayor Pro Tem Murphy called the meeting to order at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Murphy led the pledge of allegiance.

C. PUBLIC PARTICIPATION/CITIZEN APPEARANCES

None

D. REGULAR ITEMS

1. Continue public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A", Article 14.02, Ordinance 361-05, Zoning regulations, by amending, Chapter 7, Article 7.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for the operation of an Equestrian Center (training facility) located at 1200 Rockgate Road, Bartonville Texas. The property to be considered for the Conditional Use Permit is zoned Residential Estates 2 (RE-2) with Equestrian Center as a permitted use by Conditional Use Permit only. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its September 5, 2018, meeting.)*

Mr. Montgomery presented the conditional use permit application.

Councilmember Carrington moved to convene into executive session to consult with the Town Attorney regarding the conditional use permit application. Councilmember Traylor seconded the motion.

VOTE ON THE MOTION

AYES: Traylor, Carrington, Sams, Murphy, Phillips
NAYS: None
VOTE: 5/0

The Town Council convened into closed session pursuant to Texas Government Code Chapter 551.071 at 7:02 p.m. and reconvened into open session at 7:24 p.m. No action was taken in closed session.

The following spoke in favor:

Jan Walling, 624 W Jeter
Claire Rock, 1408 E Jeter
Anne Marie Moore, 1394 Post Oak
Larry Hayes, 973 Ridgewood Circle

The following spoke in opposition:

Vicki Burford, 1221 Rockgate
David Jones, 1363 Rockgate

The following spoke neither in favor or against:

Keila Gutierrez, 1081 Rockgate
Rick Lawrence, 1135 Rockgate
Rod Ginther, 775 Rockgate
Mark Gober, 790 Rockgate
Terry Skodack, 1267 Rockgate
Don Medlock, 1029 Rockgate - *Mr. Montgomery read aloud Mr. Medlock's email.*

Mayor Pro Tem Murphy closed the public hearing at 7:56 p.m.

The Town Council and applicants deliberated on the conditions which included the following: Dust, lights, sound, setbacks, entrances, house clinics/shows, and manure.

Mayor Pro Tem Murphy recessed the meeting at 9:34 p.m. and reconvened the meeting at 9:55 p.m.

Mayor Pro Tem Murphy moved to approve Ordinance No. 643-18 amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A", Article 14.02, Ordinance 361-05, Zoning regulations, by amending, Chapter 7, Article 7.2 Uses Permitted, for the Town of Bartonville, by granting a Conditional Use Permit to allow for the operation of an Equestrian Center (training facility) located at 1200 Rockgate Road, Bartonville Texas with the following conditions:

1. Soil in the equestrian arenas be kept in a dust free condition.
2. Lights in the equestrian arenas and all outside equestrian operations will cease at 10:00 p.m. nightly.

3. All amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the Town’s noise ordinance, as amended, or the terms of this Ordinance, whichever is more restrictive. Any amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the following sound level when measured at the property boundary of the receiving land: 62 decibels as measured on a sound level meter using the A-weighting network. Notwithstanding any provision herein, any amplified sound in any equestrian accessory building or outdoor equestrian arena shall not unreasonably disturb or interfere with the peace, comfort and repose of neighboring persons of ordinary sensibilities. This provision applies between the hours of 8:00AM to 7:00PM. Amplified sound in an equestrian accessory building or outdoor equestrian arena outside of stated hours is prohibited.

4. Equestrian arenas may not be located within 250 feet of the eastern property line. Equestrian accessory buildings and/or equestrian arenas shall not be located within 250 feet of Rockgate Road.

5. Driveways must meet the turn radius for a fire truck as approved by the Argyle Fire Department and Town Engineer.

6. There shall be no more than 6 horse training clinics per year, and no more than 4 horse show events and/or additional horse training clinics per year, at a rate of no more than 2 of such events per month and events may not occur on consecutive weekends. A horse training clinic shall include no more than 30 participants per day not to exceed 2 days. A horse show event is defined as including more than 30 participants per day not to exceed 2 days.

7. All manure must be contained in a compost structure west of the covered equestrian arena until composted.

Councilmember Sams seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 643-18

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF AN EQUESTRIAN CENTER (TRAINING FACILITY) LOCATED AT 1200 ROCKGATE ROAD, BARTONVILLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON THE MOTION

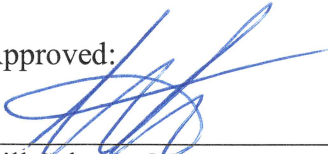
AYES: Traylor, Carrington, Sams, Murphy, Phillips
NAYS: None
VOTE: 5/0

F. ADJOURNMENT

Mayor Pro Tem Murphy adjourned meeting at 10:00 p.m.

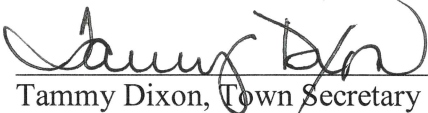
APPROVED this the 16th day of October 2018.

Approved:



Bill Scherer, Mayor

Attest:


Tammy Dixon, Town Secretary