



AGENDA

BARTONVILLE TOWN COUNCIL REGULAR MEETING

MAY 18, 2021

6:15 PM

In accordance with order of the Office of the Governor issued March 31, 2020, and in accordance with subsequent orders issued by Office of the Governor issued after that date, the Bartonville Town Council will conduct a meeting at Town Hall, 1941 E. Jeter Road, Bartonville, Texas 76226 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 link to the video conference is www.townofbartonville.com/videomeeting Please note there is an approximate 30 second delay.

The public will be permitted to offer public comment via teleconference/video as provided by the agenda and as permitted by the presiding officer during the meeting by joining the meeting at www.zoom.com or by calling the toll-free dial-in number at 877 853 5257. The meeting ID number is **849 5849 0396** and the passcode is **386234**. To request to speak at the appropriate time, raise your hand via video or enter *9 on your phone. The identity of each speaker must be clearly stated prior to speaking.

A. CALL REGULAR MEETING TO ORDER

B. CLOSED SESSION

The Town Council to convene into a closed meeting pursuant to Texas Government Code Chapter 551, sections 551.071 and 551.074 to discuss matters relating to consultation with Town Attorney and personnel as follows:

- a. Consultation with Town Attorney regarding legal issues related to the Town's Extraterritorial jurisdiction (ETJ).
- b. Consultation with Town Attorney regarding pending litigation - *Jessica Tolliver et. al vs. the Town of Bartonville et. al.*, Civil Action No. 4:21-CV-350, United States District Court, Eastern District of Texas, Sherman Division.
- c. Deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officers or employee; to wit:
 - 1) Discuss and consider election of Mayor Pro Tem; and
 - 2) Town Administrator.

C. RECONVENE OPEN MEETING

The Town Council to reconvene into an open meeting and consider action, if any, on items discussed in closed session.

D. PLEDGE OF ALLEGIANCE

E. PUBLIC PARTICIPATION

[CLICK HERE](#) to submit general comments regarding issues or agenda items not indicated as a Public Hearing.

F. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Denton County Emergency Services District #1 – Jim Strange
2. Police Chief Report - Department Statistics/Activities for April 2021.
3. Town Administrator – Monthly Reports April 2021: Financial Statement; Animal Control; Engineering; Permits; Municipal Court

G. 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 April 20, 2021, regular meeting minutes.
2. Consider approval of the May 12, 2021, special meeting minutes.
3. 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.
4. Consider approval of a resolution appointing Ashley Bennet as Deputy Municipal Court Clerk.
5. Consider approval a resolution approving an extension of the Bank Depository Service Agreement between the Town of Bartonville and Independent Bank for a period of one year continuing through July 31, 2022; and authorizing the Town Administrator to execute agreement extension documents on behalf of the Town.
6. Consider approval of an ordinance amending Chapter 3, Article 3.02, Division 8 of the Town of Bartonville Code of Ordinances, entitled “Energy Conservation Code” by repealing and replacing Section 3.02.221 to provide for the adoption of the International Energy Conservation Code, 2018 edition, and local amendments thereto.

H. REGULAR ITEMS

7. Discuss and consider approval of an ordinance amending Attachment “A” of Section 10 entitled “Rate Adjustment” of the Exclusive Franchise Agreement for Solid Waste Collection authorizing a 3% CPI increase on residential, both trash and recycling, commercial, and roll off services.
8. *Preliminary Plat – Hudson Ranch*
Discuss and consider recommendations to the Town Council regarding the Preliminary Plat for the proposed Hudson Ranch containing approximately 85.17 acres. The proposed development will create thirty-four (34) individual lots. The property is generally located on the west side of FM 407, Bartonville, Texas.

9. *Replat – Marty B’s Coffee Shop*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

Public hearing to consider recommendations to the Town Council regarding a proposed replat of Lot 1R-1R, Block A of Denkmann Plaza Addition into Lot 1R-R, Block A and Lot 1R-5, Block A, which are generally located at 2648 FM 407, Bartonville, Texas.

This item is a companion piece to item 10.

10. *Conditional Use Permit & Site Plan – Marty B’s Coffee Shop*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

Public hearing to consider recommendations to the Town Council regarding an ordinance granting a Conditional Use Permit to allow for the operation of a Drive Through use located at Lot 1R-5, Block A, Denkmann Plaza Addition, generally located at 2648 FM 407; and a Site Plan for Marty B’s Coffee Shop, located at Lot 1R-5, Block A, Denkmann Plaza Addition, generally located at 2648 FM 407.

This item is a companion piece to item 9.

11. *Zoning Change-459 McMakin Road*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

Public hearing to consider recommendations to the Town Council regarding an ordinance to change the zoning designation for a 20.26-acre tract of land in the Town of Bartonville, Texas from Agriculture District (AG) to Residential Estates 2 (RE-2). The tract of land is located at 459 McMakin Road, Bartonville, Texas.

12. *Comprehensive Land Use Change – Pitner Tract*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

Public hearing to consider recommendations to the Town Council regarding an ordinance to change the land use designation in the Town’s Comprehensive Plan for a 2.067-acre tract in in the Town of Bartonville, Texas from Residential Estates 2 (RE-2) to Rural Business (RB). The tract of land is located at the southwest side of FM 407 adjacent to Leesley Lane in Bartonville, Texas. ***This item is a companion piece to items 12-15.***

13. *Zoning Change – Pitner Tract*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

Public hearing to consider recommendations to the Town Council regarding an ordinance to change the zoning designation for a 2.067-acre tract of land in the Town of Bartonville, Texas from Agriculture (AG) to Rural Business (RB). The tract of land is located at the southwest side of FM 407 adjacent to Leesley Lane in Bartonville, Texas. ***This item is a companion piece to items 11, 13-15.***

The applicant has requested this item be postponed to the June 15, 2021 meeting.

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- 14. *Comprehensive Land Use Change – Pitner Tract*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

The applicant has requested this item be postponed to the June 15, 2021 meeting.

Public hearing to consider recommendations to the Town Council regarding an ordinance to change the land use designation in the Town’s Comprehensive Plan for 12.52-acre tract of land in the Town of Bartonville, Texas from Residential Estates 2 (RE-2) to Rural Business (RB). The tract of land is located at the southwest side of FM 407 adjacent to Leesley Lane in Bartonville, Texas. ***This item is a companion piece to items 11-12, 14-15.***

- 15. *Zoning Change – Pitner Tract*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

The applicant has requested this item be postponed to the June 15, 2021 meeting.

Public hearing to consider recommendations to the Town Council regarding an ordinance to change the zoning designation for a 12.52-acre tract of land in the Town of Bartonville, Texas from Agriculture (AG) to Rural Business (RB). The tract of land is located at the southwest side of FM 407 adjacent to Leesley Lane in Bartonville, Texas. ***This item is a companion piece to items 11-13-,15.***

- 16. *Zoning Change – Pitner Tract*
[CLICK HERE](#) to submit comments regarding this Public Hearing item.

The applicant has requested this item be postponed to the June 15, 2021 meeting.

Public hearing to consider recommendations to the Town Council regarding an ordinance changing the zoning designation of a 74.63-acre tract of land in the Town of Bartonville, Texas from Agriculture District (AG) to Residential Estates 2 (RE-2). The tract of land is located at the southwest side of FM 407 adjacent to Leesley Lane in Bartonville, Texas. ***This item is a companion piece to items 11-14.***

- 17. Discuss and consider approval of a resolution repealing and replacing Resolution 2002-16 establishing a Development Review Committee.
- 18. Discuss and consider appointment of an ad hoc committee to review the Town’s ordinances related to equestrian center regulations including private and commercial stables and related matters.
- 19. Discuss and consider authorizing the Town Administrator to hire a police officer to fill vacant position.
- 20. Discuss and review the FY 2021-22 Budget Calendar and budget meeting dates.

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

J. ADJOURNMENT

I do hereby certify that the Notice of Meeting was posted on the bulletin board at Town Hall of the Town of Bartonville, Texas, a place convenient and readily accessible to the public at all times and said Notice was posted on the following date and time: May 15, 2021, at 5:15 p.m. at least 72 hours prior to the time of said meeting.

A handwritten signature in blue ink that reads "Tammy Dixon". The signature is written in a cursive style and is positioned above a horizontal line.

Tammy Dixon, TRMC, CMC, Town Secretary

The Town Council reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551.