

THE BARTONVILLE TOWN COUNCIL REGULAR MEETING HELD ON THE 19th DAY OF APRIL 2022, AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 6:30 P.M.

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

Jaclyn Carrington, Mayor Pro Tem
Jim Roberts, Councilmember Place 1 (*arrived at 6:49 p.m.*)
Clay Sams, Councilmember Place 3
Bridget Melson, Councilmember Place 4
Josh Phillips, Councilmember Place 5

with the following member absent: Bill Scherer, Mayor

constituting a quorum with the following members of the Town Staff participating Cori Reaume, Interim Town Administrator; Tammy Dixon, Town Secretary; Bobby Dowell, Chief of Police; and Ed Voss, Town Attorney.

A. CALL REGULAR MEETING TO ORDER

Mayor Pro Tem Carrington called the regular 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 551.074 and reconvened into open session at 7:18 to discuss matters relating to personnel as follows:

- a. Deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officers or employees; to wit: Town Administrator.

The Town Council directed staff to schedule interviews.

D. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Carrington led the pledge of allegiance.

E. PUBLIC PARTICIPATION

Jim Carter, 1005 Roadrunner, spoke in reference to his nomination to Denco 9-1-1.

Del Knowler, 739 Seals Road, spoke in reference to Upper Trinity Regional Water District.

F. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Denton County Emergency Services District #1

Mr. Strange distributed and reviewed a report of the District's March 22nd and April 12th meetings.

2. Police Chief Report

- Introduction and Administer Oath of Office to New Police Officer – Andrew Richey

Chief Dowell introduced Officer Andrew Richey and Mayor Pro Tem Carrington provided his oath of office.

- Department Statistics/Activities for March 2022

Chief Dowell distributed and reviewed the statistics for March and provided the monthly Flock Camera reads. He announced the Department scheduled a Blood Drive for May 24th at the Bartonville Store and Drug Takeback Day event would be held on April 30th at Bartonville Town Hall. He further announced another candidate for police officer has passed his background and would begin employment soon.

3. Interim Town Administrator – Monthly Reports March 2022: Financial Statement and Quarterly Investment Report; Animal Control; Engineering; Code Enforcement; Permits; Municipal Court

Ms. Reaume presented an overview of the March Financial Report reviewing the Budget to actuals and reviewed the 1st Quarter Investment Report.

G. CONSENT AGENDA

Councilmember Sams moved to approve consent items 1-6. Councilmember Roberts seconded the motion. The items, as approved by consent, are restated below along with the approved recommendations, for the record.

1. Consider approval of the March 15, 2022, regular meeting minutes.

RECOMMENDATION: Approve the March 15, 2022, regular meeting minutes.

2. Consider changing the meeting location for the May 17, 2022, Town Council regular meeting to Lantana Community Church located at 2200 E. Jeter Road.

RECOMMENDATION: Approve changing the meeting location for the May 17, 2022, Town Council regular meeting to Lantana Community Church located at 2200 E. Jeter Road.

3. Consider approval to authorize the Town Administrator to a hire police officer to fill vacant position.

RECOMMENDATION: Authorize the Town Administrator to a hire police officer to fill vacant position.

4. Consider approval of a resolution adopting a policy permitting the consideration of applications for Primary Depository Bank Services received from financial institutions that are not doing business within the municipal boundaries of the Town.

RECOMMENDATION: Approve Resolution 2022-03 adopting a policy permitting the consideration of applications for Primary Depository Bank Services received from financial institutions that are not doing business within the municipal boundaries of the Town.

- 5. Consider authorizing the Interim Town Administrator and Town Secretary to solicit proposals for depository banking services for the Town of Bartonville.

RECOMMENDATION: Authorize the Interim Town Administrator and Town Secretary to solicit proposals for depository banking services for the Town of Bartonville.

- 6. Consider approval of a Cooperative Purchasing Agreement between the City of Fort Worth and the Town of Bartonville for cooperative procurement of goods and services; and authorization for the Interim Town Administrator to execute same on behalf of the Town.

RECOMMENDATION: Approve a Cooperative Purchasing Agreement between the City of Fort Worth and the Town of Bartonville for cooperative procurement of goods and services; and authorize the Interim Town Administrator to execute same on behalf of the Town.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

H. REGULAR ITEMS

- 7. Public hearing and consider adopting an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, Division I, General Requirements, Chapter 2, Definitions, Beauty and Barber Shop. *The Planning and Zoning Commission held a public hearing and recommended approval by a vote of 5 to 0 at its April 6, 2022, meeting.*

Ms. Reaume stated Kim Cloud, owner of Cloud 9 Salon, was relocating her business to Bartonville, which includes semi-permanent makeup services also known as Cosmetic Tattooing. She explained Cosmetic Tattooing was not currently defined in the Town’s ordinances and was a use designated as ‘permanent makeup’ by the State Department of Health Services and licensing under tattooing and body piercing studios regulations which requires a license.

Ms. Dixon explained State Law requires a person to submit evidence from the appropriate zoning officials in the municipality that confirms the studio is in compliance with existing zoning codes applicable to the studio.

Ms. Reaume stated the Planning and Zoning Commission recommended approval of the proposed definition by a vote of 5-0 which is as follows:

(20) Beauty Salon/Barber Shop. An establishment primarily engaged in providing services generally involved in the care of the person including, but not limited to, barber and beauty shops, tanning salons, ear piercing shops, permanent makeup, and reducing salons.

Mayor Pro Tem Carrington opened the public hearing at 7:50 p.m.

No one spoke in favor or opposition.

Mayor Pro Tem Carrington closed the public hearing at 7:50 p.m.

Councilmember Phillips moved to approve Ordinance 721-22 amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, Zoning regulations, Division I, General Requirements, Chapter 2, Definitions, Beauty and Barber Shop. Councilmember Melson seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 721-22

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, EXHIBIT “A,” THE ZONING ORDINANCE, BY AMENDING CHAPTER 2, DEFINITIONS, BEAUTY AND BARBER SHOP USE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips

NAYS: None

VOTE: 5/0

8. Public hearing and consider adopting 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 IV, Special Requirements, Chapter 20 Fencing, Walls, and Screening Requirements. *The Planning and Zoning Commission held a public hearing and recommended approval by a vote of 5 to 0 at its April 6, 2022, meeting.*

Ms. Reaume stated the Town currently has in place an ordinance requiring that fencing/walls along FM 407 be at least 50% transparent which prevents any solid wood or masonry screening walls along the main corridor through town but does not extend to any other areas. She explained while there are other ordinances in place that don't allow solid walls in front yards, there were situations where a subdivision may be constructed where a home's side yard abuts another major roadway through town.

She stated at its April 6th meeting, the Planning & Zoning Commission discussed many alternatives, and how the ordinance would impact individual homeowners and the existing community including an individual's ability to apply for a variance from the Zoning Board of Adjustments if there were specific circumstances where a more solid fence might be necessary/ She stated the Commission voted to recommend extension of the requirement to the following roads – McMakin, Jeter, Porter, Broome, Gibbons, and Frenchtown.

Mayor Pro Tem Carrington opened the public hearing at 7:53 p.m.

No one spoke in favor or opposition.

Mayor Pro Tem Carrington closed the public hearing at 7:53 p.m.

A discussion ensued regarding situations in the event a more solid fence would be necessary and how landscape screening would apply to this.

Rachel Neese, 1667 Broome Road, asked how this would impact her property as she lives on a corner lot and was considering planting vegetation to block the vehicular lighting that shines into her home.

Councilmember Sams moved to send the ordinance back to the Planning and Zoning Commission for further review to include defining shrubs. Councilmember Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

9. Public hearing and consider adopting an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, The Zoning Regulations, Appendix A, Section A.5 by repealing and replacing subsection C. Posted Notice. ***The Planning and Zoning Commission held a public hearing and recommended approval by a vote of 5 to 0 at its March 2, 2022, meeting.***

Ms. Reaume stated at the September 21, 2021, Town Council meeting, the Town Council directed staff to prepare an ordinance amending the regulations for Public Hearing Notice Signs to require the property owner/applicant, instead of Town Staff, to be responsible for the installation. She stated the signs would still be provided by the Town.

Mayor Pro Tem Carrington opened the public hearing at 8:05 p.m.

No one spoke in favor or opposition.

Mayor Pro Tem Carrington closed the public hearing at 8:05 p.m.

Councilmember Sams moved to approve Ordinance 722-22 amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A,” Article 14.02, Ordinance 361-05, The Zoning Regulations, Appendix A, Section A.5 by repealing and replacing subsection C. Posted Notice. Councilmember Roberts seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 722-22

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, EXHIBIT “A,” ARTICLE 14.02, ORDINANCE 361-05, THE ZONING REGULATIONS, APPENDIX A, SECTION A.5 BY REPEALING AND REPLACING SUBSECTION C. POSTED NOTICE; 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: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

10. Discuss and consider approval of a Broadband Infrastructure Funding Agreement between the Town of Bartonville and Spectrum Gulf Coast, LLC for the installation of a high-speed broadband network to provide services for residents on Bridle Bit Road, Latigo Lane and Latigo Hills Road; and authorization for the Interim Town Administrator to execute same on behalf of the Town.

Ms. Reaume stated at the February meeting, Council directed staff to bring this item forward. She provided a summary of the funding the Town has been allocated in the amount of \$442,277 from the State & Local Fiscal Relief Funds from the American Recovery Plan Act. She stated due to the allowable use at the time, staff identified the need for broadband expansion in certain areas of Bartonville, specifically, the residents of Bridle Bit, Latigo, and Latigo Hills as these residents have been relying on DSL or satellite-based internet service.

She stated after several meetings with Spectrum, which has existing services near the subdivision, they provided an agreement with initial cost projection for the service extension in the amount of \$75,600. She further stated the agreement has been reviewed by Ed Voss, Town Attorney and had been sent back to Spectrum with his recommended changes and to date, Spectrum has not responded.

Councilmember Phillips moved to postpone this item to the May 17, 2022, meeting. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

11. Discuss and consider approval of an ordinance amending the Town’s Code of Ordinances, Chapter 3, Building Regulations, Article 3.04.014 Signs in nonresidential districts, by amending subsection (b) (1) General Regulations.

Ms. Reaume stated The Barrell, located in Bartonville Town Center, earlier this year, moved into a space previously occupied by another tenant, and submitted a sign permit for an

illuminated sign. She explained staff could not approve the permit as the Town’s Code requires a Site Plan for an illuminated sign which requires the public hearing process.

She stated when the site plan for The Barrell’s illuminated sign was reviewed by the Planning & Zoning Commission and approved by Town Council staff discussed bringing forward an ordinance eliminating the Site Plan requirement as there were still other sections of the code of ordinance that offer other safeguards and requirements for illumination of signs, specifically, any illuminated signs in or near residential districts would still require approval as part of a site plan process. She stated all signs required a building permit.

Councilmember Phillips moved to approve Ordinance 723-22 amending the Town’s Code of Ordinances, Chapter 3, Building Regulations, Article 3.04.014 Signs in nonresidential districts, by amending subsection (b) (1) General Regulations. Councilmember Melson seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 723-22

AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, BY AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.04, SIGNS, SECTION 3.04.014, SIGNS IN NONRESIDENTIAL DISTRICTS, BY AMENDING SUBSECTION (B) (1) GENERAL REGULATIONS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR SAVINGS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

- 12. Discuss and consider approval of an ordinance amending the Town’s Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022, as adopted by Ordinance No. 715-21 and amended by Ordinance 720-21 by providing for adjustments to the General Fund.

Ms. Reaume explained the Town of Bartonville was awarded a grant from the Denton County Development District #4 for the purchase and installation of the public safety equipment and facilities for use at the Lantana Town Center which included Six FLOCK cameras, one video surveillance trailer, and two radar speed signs in the approximate amount of \$59,700. She stated this item was to amend the budget to allocate for the grant revenue and equipment expenses.

Councilmember Sams moved to approve Ordinance 724-22 amending the Town’s Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022, as adopted by Ordinance No. 715-21 and amended by Ordinance 720-21 by providing for adjustments to the General Fund. Councilmember Roberts seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 724-22

AMENDING THE FISCAL YEAR 2021-2022 BUDGET

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING THE TOWN’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, AS ADOPTED BY ORDINANCE NO. 715-21 AND AMENDED BY ORDINANCE 720-21 BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; PROVIDING SAVINGS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES OF THE TOWN BARTONVILLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

- 13. Discuss and consider approval authorizing the purchase of a Video Surveillance Trailer for use at the Lantana Town Center utilizing grant funds from the Denton County Development District #4.

Ms. Reaume stated this item was to authorize the purchase of a Video Surveillance Trailer, in the amount of \$39,900, for use at the Lantana Town Center as discussed in the previous item for the budget amendment.

Chief Dowell distributed a photograph of the equipment and answered questions from the Council.

Councilmember Phillips moved to authorize the purchase of a Video Surveillance Trailer for use at the Lantana Town Center utilizing grant funds from the Denton County Development District #4. Councilmember Melson seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

- 14. Discussion on nomination to slate of nominees to Denco Area 9-1-1 District Board of Managers.

Ms. Dixon explained that each year the term of one of the two members appointed by participating municipalities expires and this year it was the term of Jim Carter and he has expressed his desire to serve another term. Members are eligible for consecutive terms.

Following discussion, it was the consensus of the Town Council to nominate Mr. Carter. Staff was directed to prepare a resolution for the May agenda for consideration.

- 15. Discuss and consider approval of a resolution declaring certain personal property owned by the Town to surplus or salvage property and authorize the Interim Town Administrator and/or Town Secretary to dispose of such property.

Ms. Dixon stated staff has identified furniture, equipment and supplies that are no longer being used and have no purpose for continued ownership and explained in the past, the Town has held online auctions to dispose of equipment and/or supplies. She further stated salvaged items, were damaged or no longer useful, mostly computers, would be destroyed.

Councilmember Sams asked if the items could be donated. Ms. Dixon explained the Town would have to locate a qualified non-profit entity that would want the items. She stated the process of disposing the items followed State Law.

Councilmember Sams moved to approve Resolution 2022-04 declaring certain personal property owned by the Town to surplus or salvage property and authorize the Interim Town Administrator and/or Town Secretary to dispose of such property. Councilmember Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Melson, Phillips
NAYS: None
VOTE: 5/0

I. FUTURE ITEMS

Ms. Reaume stated the following items would be coming forward:

- Site Plan for Cloud 9 Salon and Spa
- Zoning Change for 462 McMakin
- Vacation and Replat for a portion of the Seals property
- A Zoning Change from AG to RE-5 for a portion of the Seals property west of Hat Creek for a 5 acre-lot subdivision.

J. ADJOURNMENT

Mayor Pro Tem Carrington declared the meeting adjourned at 8:32 p.m.

APPROVED this the 17th day of May 2022.



Approved:

Jaclyn Carrington

 Jaclyn Carrington, Mayor

Attest:

Tammy Dixon

 Tammy Dixon, Town Secretary