

THE BARTONVILLE TOWN COUNCIL REGULAR MEETING HELD ON THE 20TH DAY OF SEPTEMBER 2022, AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 7:00 P.M.

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

Jaclyn Carrington, Mayor
Clay Sams, Mayor Pro Tem
Matt Chapman, Councilmember Place 2
Keith Crandall, Councilmember Place 4

with the following members absent: Jim Roberts, Councilmember Place 1 and Josh Phillips, Councilmember Place 5

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

A. CALL REGULAR MEETING TO ORDER

Mayor Carrington called the regular meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE

Mayor Carrington led the pledge of allegiance.

C. PUBLIC PARTICIPATION

Kathy Daum, 1590 Post Oak, spoke in opposition to the sewer request (Agenda Item #6).

Lisa Pomroy, 4712 Behrens Road, Colleyville, TX, stated she was the Town's Health Inspector for Bereau Veritas and appreciated working with the Town.

Matt Murph, 1033 Hat Creek, spoke in favor of Marty Bs proposed event center (Agenda Item #&)

D. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Denton County Emergency Services District #1

Mr. Strange distributed and reviewed a report of the District's August 17, 2022, meeting.

2. Police Chief Report

- Introduction and Administer Oath of Office to New Police Officer – Colby Scudder

Chief Dowell introduced Officer Scudder and Mayor Carrington provided his Oath of Office.

- Department Statistics/Activities for August 2022

Chief Dowell reviewed the statistics and calls for the month of August and answered questions from the Town Council.

3. Town Administrator – Monthly Reports August 2022 and quarterly investment report; Financial Statement; Animal Control; Engineering; Code Enforcement; Permits; Municipal Court; Denton County Emergency Services District

Mr. Chambers provided an overview of the quarterly investment report and August financial report.

E. CONSENT AGENDA

Councilmember Roberts moved to approve consent items 1- 3. Councilmember Crandall seconded the motion. The items, as approved by consent, are restated below along with the approved recommendations, for the record.

1. Consider approval of a resolution designating the Denton Record Chronicle as the official newspaper for the Town of Bartonville.

RECOMMENDATION: Approve Resolution No. 2022-20 designating the Denton Record Chronicle as the official newspaper for the Town of Bartonville.

2. Consider approval of a contractor services agreement with Steve Koehler for building inspection services beginning October 1, 2022, through September 30, 2023; and authorization for the Town Administrator to execute same on behalf of the Town.

RECOMMENDATION: Approve a contractor services agreement with Steve Koehler for building inspection services beginning October 1, 2022, through September 30, 2023; and authorize the Town Administrator to execute same on behalf of the Town.

3. Consider approval of a contractor services agreement with Brad Hodges for Gas Well Inspection Services beginning October 1, 2022, through September 30, 2023; and authorization for the Town Administrator to execute same on behalf of the Town.

RECOMMENDATION: Approve a contractor services agreement with Brad Hodges for Gas Well Inspection Services beginning October 1, 2022, through September 30, 2023; and authorize the Town Administrator to execute same on behalf of the Town.

4. Consider approval of a contractor services agreement with Analisa Griffith, RS/DS for OSSF services beginning October 1, 2022, through September 30, 2023; and authorization for the Town Administrator to execute same on behalf of the Town.

RECOMMENDATION: Approve of a contractor services agreement with Analisa Griffith, RS/DS for OSSF services beginning October 1, 2022, through September 30, 2023; and authorize the Town Administrator to execute same on behalf of the Town.

5. Consider approval of an agreement with Bureau Veritas North American, Inc. for Health Services beginning October 1, 2022, through September 30, 2023.

RECOMMENDATION: Approve an agreement with Bureau Veritas North American, Inc. for Health Services beginning October 1, 2022, through September 30, 2023.

VOTE ON THE MOTION

AYES: Chapman, Sams, Crandall
NAYS: None
ABSENT: Roberts, Phillips
VOTE: 3/0/2

F. REGULAR ITEMS

6. Discuss and consider approval of a request from the owners of the Bartonville Store and Guidance Preparatory Academy for inclusion in the Town's approved sewer service area.

Tim House, owner of the Bartonville Store and Kathryn Taylor, owner of Guidance Prep presented their request to be included in the Town's approved sewer service area and provided information on the issues they have by running their businesses on septic systems. *(A copy of Mr. House's presentation is included in the agenda packet.)*

Mayor Carrington opened this item for public comment.

The following spoke in opposition of the request:

Pat Adams, 1221 Glenview
Brenda Latham, 630 Badminton Drive

Mayor Carrington requested the Council move into closed session pursuant to the Open Meetings Act, Chapter 551.071, Consultation with the Town Attorney. The Council convened into a Closed Session at 7:48 p.m. and reconvened into open session at 8:10 p.m.

Mayor Pro Tem Sams stated he did not receive any favorable comments to extend the sewer; however he sympathized with Mr. House and appreciates everything he has done for the Town, but he has to answer to the citizens.

Councilmember Crandall stated he sympathized with the business owners; however, it was made clear to him that the citizens do not want the sewer extended and he could not support it.

Councilmember Chapman concurred with the other statements.

Mayor Pro Tem Sams moved to deny the request from the owners of the Bartonville Store and Guidance Preparatory Academy for inclusion in the Town's approved sewer service area. Councilmember Crandall seconded the motion.

VOTE ON THE MOTION

AYES: Crandall, Chapman, Sams
NAYS: None
ABSENT: Roberts, Phillips
VOTE: 3/0/2

7. *Conditional Use Permit and Site Plan – Marty B’s Event Center*

Public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit “A,” Ordinance 361-05, Zoning Ordinance, by amending, Chapter 12, Village Center District (VC), Article 12.2, Uses Permitted, by granting a Conditional Use Permit, and for approval of a site plan to allow for the operation of an Event Center use located at 1001 I.T. Neely Road. ***The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its September 14, 2022, meeting.***

Mr. Chambers stated the Planning and Zoning Commission held the preliminary public hearing on this item on September 14, 2022. There were two speakers in favor of the CUP/Site Plan and as well as six written comments in favor. He stated there were some concerns from the Commission related to security and possible noise if the use were to be granted; however, the Commission voted unanimously to recommend approval to the Town Council with the following conditions:

1. One certified peace officer for events with 1-50 attendees, unless there are two bars open which requires two licensed peace officers.
2. Two certified peace officers for events with 51-200 attendees.
3. Three certified peace officers for events with 201+ attendees.
4. Require coordination between the event center and the Bartonville Police Department regarding events.

Applicant Marty Bryan stated he was okay with the proposed conditions and answered questions from the Town Council.

Mayor Carrington opened the public hearing at 8:27 p.m.

The following spoke in favor:

Misti Mitteis, 1009 Hat Creek Road
David Nichols, 909 Dove Creek Road

No one spoke in opposition.

Mayor Carrington closed the public hearing at 8:31 p.m.

Councilmember Crandall moved to approve Ordinance 734-22 amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit “A,” Ordinance 361-05, Zoning Ordinance, by amending, Chapter 12, Village Center District (VC), Article 12.2, Uses Permitted, by granting a Conditional Use Permit, and for approval of a site plan to allow for the operation of an Event Center use located at 1001 I.T. Neely Road with the Planning and Zoning Commission’s recommendations: One certified peace officer for events with attendees, unless there are two bars open which requires two licensed peace officers; Two certified peace officers for events with 51-200 attendees; Three certified peace officers for events with 201+ attendees; Require coordination between the event center and the Bartonville Police Department regarding events. Mayor Pro Tem Sams seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 734-22

AN ORDINANCE AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT "A," ORDINANCE 361-05, ZONING ORDINANCE, BY AMENDING, CHAPTER 12, VILLAGE CENTER DISTRICT (VC), ARTICLE 12.2, USES PERMITTED, BY GRANTING A CONDITIONAL USE PERMIT, AND APPROVAL OF A SITE PLAN FOR THE OPERATION OF AN EVENT CENTER USE LOCATED ON A 14.722 ACRE-SITE THAT IS PART OF LOT 1R, BLOCK A, YETI ADDITION, LOCATED AT 1001 I.T. NEELY ROAD; 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: Crandall, Chapman, Sams
NAYS: None
ABSENT: Roberts, Phillips
VOTE: 3/0/2

- 8. Discuss and consider approval of an ordinance approving and adopting the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

Mr. Chambers stated per direction at the September 6, 2022 special meeting the proposed budget had been updated to include \$1,000,000 allocated to the Street Improvement Fund and included the approved additional employee benefits.

Councilmember Crandall moved to approve Ordinance 735-22 approving and adopting the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023. Councilmember Chapman seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE 735-22

ADOPTING THE FISCAL YEAR 2022-2023 BUDGET

AN ORDINANCE OF THE TOWN OF BARTONVILLE TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, AND MAKING APPROPRIATIONS FOR EACH FUND AND DEPARTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Crandall, Chapman, Sams
NAYS: None
ABSENT: Roberts, Phillips
VOTE: 3/0/2

- 9. Discuss and consider scheduling September 26, 2022, for the public hearing on the tax rate and the adoption of the tax rate.

Mr. Chambers stated this item was presented to reschedule the public hearing as required by State Law.

Councilmember Chapman moved to scheduled September 26, 2022 for the public hearing on the tax rate and for the adoption of said tax rate. Councilmember Crandall seconded the motion.

VOTE ON THE MOTION

AYES: Crandall, Chapman, Sams

NAYS: None

ABSENT: Roberts, Phillips

VOTE: 3/0/2

G. FUTURE ITEMS

There were none.

H. ADJOURNMENT

Mayor Carrington declared the meeting adjourned at 8:36 p.m.

APPROVED this the 18th day of October 2022.



Approved:

Jaclyn Carrington

Jaclyn Carrington, Mayor

Attest:

Tammy Dixon

Tammy Dixon, Town Secretary