

**THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE MET IN REGULAR SESSION ON THE 19TH DAY OF MARCH 2024 AT THE TOWN OF BARTONVILLE TOWN HALL, LOCATED AT 1941 E JETER ROAD, BARTONVILLE, TEXAS WITH THE FOLLOWING COUNCIL MEMBERS PRESENT, CONSTITUTING A QUORUM:**

Jaclyn Carrington, Mayor  
Matt Chapman, Mayor Pro Tem/Place 2  
Clay Sams, Council Member Place 3  
Keith Crandall, Council Member Place 4  
Margie Arens, Council Member Place 5

*Council Members Absent:*

Jim Roberts, Council Member Place 1

*Town Staff Present:*

Thad Chambers, Town Administrator  
Shannon Montgomery, Town Secretary  
Ed Voss, Town Attorney  
Kirk Riggs, Chief of Police  
Colby Scudder, Police Sergeant

**A. CALL MEETING TO ORDER**

Mayor Carrington called the Regular Session to order at 6:30 pm.

**B. PLEDGE OF ALLEGIANCE**

Mayor Carrington led the Pledge of Allegiance.

**C. PUBLIC PARTICIPATION**

*If you wish to address the Council, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.*

There were no Public Presentations made.

**D. APPOINTED REPRESENTATIVE/LIAISON REPORTS**

**1. Upper Trinity Regional Water District Report.**

The Town Council watched a video regarding the Lake Ralph Hall Construction Project provided by Upper Trinity Regional Water District.

**2. Denton County Emergency Services District #1.**

Chief Vaughn of Denton County Emergency Services District No. 1 provided an update and addressed questions from Council.

### 3. Police Department – February 2024 Statistics/Activities

Chief of Police Riggs reviewed the monthly statistics and addressed questions from Council. Chief Riggs also announced April 22, 2024, as National Drug Take Back Day.

### 4. Town Administrator – February 2024 Reports: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Board Member Attendance.

Town Administrator Chambers reviewed the February 2024 financials and addressed questions from Council.

## E. 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 February 13, 2024, Special Meeting Minutes.

Motion made by Council Member Chapman, seconded by Council Member Crandall, to approve Consent Agenda Items #1 as presented.

#### VOTE ON THE MOTION

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

## F. PUBLIC HEARINGS AND REGULAR ITEMS

1. **Conduct a Public Hearing, discuss, and make a recommendation of an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit “A”, Article 14.02, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, to establish a Conditional Use Permit for a 130-foot-tall monopole telecommunications tower and a Resolution approving an accompanying Site Plan situated in Lot 1, Block A, of DCFWSD #7 Retail Center Addition of the Town of Bartonville, Denton County, Texas. The subject property is located on the northeast corner of the intersection of McMakin Road and E Jeter Road in Bartonville, Texas. [Town File #CUP-2023-005 and SP-2023-002].**

The applicant has requested this item be postponed to a date to be determined.

Mayor Carrington announced that the applicant requested this item to be postponed to a date to be determined. New notices will be published and mailed once the application is resubmitted.

*Mayor Carrington and Council Member Sams recused themselves from the dais at 6:46 pm; Mayor Pro Tem Chapman presided over the meeting for agenda item #2:*

2. **Discuss and consider a Final Plat for an 81.789-acre tract of land situated in the A.M. Feltus Survey, Abstract Number 1594, and the Daniel Cook Survey, Abstract No. 230, in the Town of Bartonville, Denton County, Texas. The tract of land is located on the north side of E Jeter Road, approximately 2,063 feet north of its intersection with Porter Road, in Bartonville, Texas. The applicant is Mycoskie Associates, Inc., on behalf of Rob Knight.**

**[Town of Bartonville FP-2024-002.]. (The Planning & Zoning Commission recommended approval, with conditions, by a vote of 5-0 at its March 6, 2024, meeting.)**

Town Administrator Chambers provided a presentation of the application and addressed questions from Council.

Motion made by Council Member Arens, seconded by Council Member Crandall, to approve FP-2024-002, a Final Plat for an 81.789-acre tract of land situated in the A.M. Feltus Survey, Abstract Number 1594, and the Daniel Cook Survey, Abstract No. 230, in the Town of Bartonville, Denton County, Texas, with the following conditions:

1. Prior to recordation of the final plat, the two “Offsite Drainage Easements” depicted on the Preliminary Utility Plan shall be recorded as separate instruments. The recording number of these easements shall be depicted on the final plat prior to recording.
2. Prior to recordation of the final plat, any existing buildings located within a regulatory setback shall be removed or relocated such that no existing buildings are located within any new yard setbacks to be established by the plat. The applicant shall provide a signed and notarized statement asserting that this requirement has been met prior to or concurrent with the submittal of a final plat for recordation.
3. Prior to recordation of a final plat, the proposed location and design of the on-site septic facilities (OSSF) for each proposed lot shall be approved by the Town of Bartonville, in accordance with Bartonville Development Ordinance Section 2.6.c.
4. In accordance with BDO Section 2.6.5., the final plat shall not be recorded until either:
  - a. All required public improvements have been constructed and accepted by the Town; or
  - b. The Town has received an appropriate surety from the applicant guaranteeing the construction of the required public improvements.

**VOTE ON THE MOTION**

AYES: Chapman, Crandall, and Arens

NAYS: None

VOTE: 3-0

*Mayor Carrington and Council Member Sams returned to the dais at 6:53 pm.*

3. **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 an 5.3% CPI increase for solid waste and a 1.81% increase on the disposal and recycling processing on residential, commercial, and roll off services and providing an effective date.**

Town Secretary Montgomery provided a summary of the increase and introduced Jeff Collins, Site Manager for Waste Connections. Mr. Collins spoke of the increase and addressed questions from Council.

Motion made by Council Member Crandall, seconded by Council Member Arens, to approve an Ordinance amending Attachment “a” of Section 10 entitled “Rate Adjustment of the Exclusive Franchise Agreement for Solid Waste Collection authorizing an 5.3% CPI increase for solid waste and a 1.81% increase on the disposal and recycling processing on residential, commercial, and roll off services as presented.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

The ordinance caption reads as follows:

**TOWN OF BARTONVILLE, TEXAS  
ORDINANCE 763-24**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING ATTACHMENT “A” OF SECTION 10, ENTITLED “RATE ADJUSTMENT” OF THE EXCLUSIVE FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF MUNICIPAL SOLID WASTE, CONSTRUCTION AND DEMOLITION WASTE, AND RECYCLABLE MATERIALS IN THE TOWN OF BARTONVILLE, TEXAS, ADOPTED BY ORDINANCE 555-13, AUTHORIZING A 5.3% CPI INCREASE IN SOLID WASTE DISPOSAL RATES AND A 1.81% INCREASE IN LANDFILL COST RATES FOR RESIDENTIAL AND COMMERCIAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.**

- 4. Discuss and consider approval of an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 12, “Traffic and Vehicles,” Article 12.02, “Traffic Control Devices” and providing an effective date.**

Town Administrator Chambers listed the intersections needing stop signs and addressed questions from Council.

Motion made by Council Member Chapman, seconded by Council Member Sams, to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 12, “Traffic and Vehicles,” Article 12.02, “Traffic Control Devices” as presented.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

The ordinance caption reads as follows:

**TOWN OF BARTONVILLE  
ORDINANCE NO. 764-24**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 12, “TRAFFIC AND VEHICLES,” ARTICLE 12.02, “TRAFFIC-CONTROL DEVICES”; PROVIDING A SEVERABILITY CLAUSE;**

**PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

- 5. Discuss and consider approval of an Ordinance amending the Crime Control and Prevention District Budget for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, and providing an effective date.**

Police Chief Riggs presented the budget amendments, provided explanations, and addressed questions from Council.

Motion made by Council Member Crandall, seconded by Council Member Arens, to approve an Ordinance amending the Crime Control and Prevention District Budget for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024,” as presented.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

The ordinance caption reads as follows:

**TOWN OF BARTONVILLE, TEXAS  
ORDINANCE NO. 765-24  
FISCAL YEAR 2023-2024 BUDGET AMENDMENT #1**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING THE TOWN’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, AS ADOPTED BY ORDINANCE NO. 735-22; AND AMENDED BY ORDINANCES 756-23 BY PROVIDING FOR ADJUSTMENTS TO THE BARTONVILLE CRIME CONTROL AND PREVENTION DISTRICT 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.**

- 6. Discuss and consider approval of a Resolution cancelling the May 4, 2024, General Election and accepting the Certification of Unopposed Candidates.**

Town Secretary Montgomery stated that Council can cancel the May 4, 2024, General Election as each race is uncontested and declare each candidate “elected.” At the May 21, 2024, Council Meeting, each candidate will receive their Certificates of Election and take their Oath of Office.

Motion made by Council Member Sams seconded by Council Member Arens, to approve a Resolution cancelling the May 4, 2024, General Election and accepting the Certification of Unopposed Candidates as presented.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

- 7. Discuss and consider an Interlocal Cooperation Agreement between Denton County and the Town of Bartonville for Shared Governance Communications & Dispatch Services System for Fiscal Year 2024-2025 in an amount not to exceed \$8,038.00; and authorize the Town Administrator and Chief of Police to execute same on behalf of the Town.**

Police Chief Riggs summarized the Interlocal Cooperation Agreement and addressed questions from Council.

Motion made by Council Member Crandall, seconded by Council Member Chapman, to approve an Interlocal Cooperation Agreement between Denton County and the Town of Bartonville for Shared Governance Communications & Dispatch Services System for Fiscal Year 2024-2025 in an amount not to exceed \$8,038.00, as presented; and authorize the Town Administrator and Chief of Police to execute same on behalf of the Town.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

- 8. Discuss and consider approval of an Interlocal Cooperation Agreement with the Texas Department of Public Safety to participate in the state's "Failure to Appear Program" and authorize the Town Administrator to execute same on behalf of the Town.**

Town Secretary Montgomery summarized the Interlocal Cooperation Agreement and addressed questions from Council.

Motion made by Council Member Arens, seconded by Council Member Crandall, to approve an Interlocal Cooperation Agreement with the Texas Department of Public Safety to participate in the state's "Failure to Appear Program" as presented; and authorize the Town Administrator to execute same on behalf of the Town.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

**G./I. CONVENE INTO CLOSED SESSION and RECONVENE INTO OPEN MEETING**

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 7:12 pm and reconvened into open session at 7:43 pm in accordance with the Texas Government Code regarding:

- 1. Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney concerning pending or contemplated litigation regarding the sanitary sewer nuisance at 1287 Gibbons Road, Town of Bartonville, Texas v. Paula Harvey, Cause No. 23-11429-467 pending in the 467th District Court of Denton County, Texas.**

No Action Taken.

- 2. **Section 551.074 Personnel Matters.** To deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: a member of board of the Crime Control and Prevention District.

Motion made by Council Member Chapman, seconded by Council Member Crandall, to remove Donald (Deke) Dunlap from the Bartonville Crime Control and Prevention District Board and move to appoint Jarrod Root to fill Mr. Dunlap’s unexpired term as a member of the Bartonville Crime Control and Prevention District Board, as discussed in closed session.

**VOTE ON THE MOTION**

AYES: Chapman, Sams, Crandall, and Arens

NAYS: None

VOTE: 4-0

**I. FUTURE ITEMS**

Discussion only, no action taken.

**J. ADJOURNMENT**

Mayor Carrington declared the meeting adjourned at 7:45 pm.

**APPROVED** this the 16th day of April 2024.

**APPROVED:**

*Jack Carrington*  
 \_\_\_\_\_  
 Jack Carrington, Mayor

**ATTEST:**

*Shannon Montgomery*  
 \_\_\_\_\_  
 Shannon Montgomery, TRMC, Town Secretary

