

**THE BARTONVILLE TOWN COUNCIL SPECIAL MEETING HELD ON THE 25TH DAY OF JULY 2023,
AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 7:00 P.M.**

The Town Council met in a special meeting with the following Members present:

Jaclyn Carrington, Mayor
Jim Roberts, Councilmember Place 1
Clay Sams, Councilmember Place 3
Keith Crandall, Councilmember Place 4
Margie Arens, Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating: Thad Chambers, Town Administrator; Andrea Carpenter, Deputy Town Secretary; Bobby Dowell, Chief of Police; Ed Voss, Town Attorney; and Chris Cha, Town Engineer.

A. CALL MEETING TO ORDER

Mayor Carrington called the meeting to order at 6:00pm and opened the work session.

B. WORK SESSION ITEMS

1. Discussion and provide direction on Town Council priorities related to the FY 2023-2024 Budget.

Town Administrator Chambers discussed focusing on safety, development fees, special events, and budget.

2. Discussion and provide direction on the Budget Planning Calendar related to the FY 2023-2024 Budget.

Town Administrator Chambers reviewed the dates of the upcoming budget meetings.

3. Discussion and provide direction on the Proposed Tax Rate related to the FY 2023-2024 Budget.

Mayor Carrington proposed leaving the current rate in place, Councilmembers Crandall and Sams agreed.

C. ADJURN WORK SESSION

Mayor Carrington adjourned the work session at 6:19pm.

D. CALL SPECIAL MEETING TO ORDER

Mayor Carrington called the special meeting to order at 7:00pm.

E. PLEDGE OF ALLEGIANCE

Mayor Carrington led the pledge of allegiance.

F. PUBLIC PARTICIPATION

There was none.

G. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Police Chief Report - Department Statistics/Activities June 2023.

Police Chief Dowell reviewed the June 2023 statistics and addressed questions from Council.

2. Town Administrator - Monthly Reports February 2023: Financial, Animal Control, Code Enforcement, Engineering, Municipal Court, Permits, and Denton County Emergency Services District #1.

Town Administrator Chambers reviewed the June 2023 financials and addressed questions from Council.

H. CONSENT AGENDA

1. Consider approval of the June 20, 2023, regular meeting minutes.

Councilmember Crandall moved to approve the June 20, 2023, regular meeting minutes as presented. Councilmember Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

I. ACTION ITEMS

2. Public hearing to receive public comment and consider amendments to the 2043 Town of Bartonville Comprehensive Plan. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its July 5, 2023 meeting.)

Town Administrator Chambers provided the Council with an overview of the proposed changes.

Mayor Carrington opened the Public Hearing at 7:30pm.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:30pm.

Councilmember Crandall moved to approve amendments to the 2043 Town of Bartonville Comprehensive Plan. Councilmember Arens seconded the motion.

The caption of the Ordinance approving the 2043 Town of Bartonville Comprehensive Plan reads as follows:

TOWN OF BARTONVILLE, TEXAS
ORDINANCE 750-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ADOPTING THE 2043 COMPREHENSIVE PLAN FOR THE TOWN OF BARTONVILLE; PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

- 3. **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 13, General Commercial District (GC), Article 13.2, Uses Permitted, by granting a Conditional Use Permit to authorize a drive through use on an approximately 2-acre site and approving an accompanying site plan. (The Planning and Zoning Commission recommended approval with conditions by a vote of 5 to 0 at its July 5, 2023 meeting.) [Town File #CUP-2023-003 and SP-2023-001]**

Town Administrator Chambers and Applicant Matt Maley, of Pape-Dawson Engineers, highlighted the proposed CUP.

Mayor Carrington opened the Public Hearing at 7:41pm.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:41pm.

Councilmember Roberts moved to approve 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 13, General Commercial District (GC), Article 13.2, Uses Permitted, by granting a Conditional Use Permit to authorize a drive through use on an approximately 2-acre site and approving an accompanying site plan. Councilmember Sams seconded the motion.

The caption of the Ordinance approving CUP-2023-003 reads as follows:

TOWN OF BARTONVILLE
ORDINANCE NO. 751-23

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.02, EXHIBIT "A," ORDINANCE NO. 361-05, THE ZONING ORDINANCE, BY AMENDING CHAPTER 13, GENERAL COMMERCIAL DISTRICT (GC), ARTICLE 13.2, USES PERMITTED, BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A DRIVE THROUGH USE ON AN APPROXIMATELY 1.9589 ACRE-SITE THAT IS PART OF LOT 1, BLOCK 1, PHASE II OF LANTANA TOWN CENTER, LOCATED ON THE NORTHERN SIDE OF FM 407 AND JUSTIN ROAD AT BLANCO DRIVE; PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR NO VESTED RIGHTS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

4. **Public hearing to receive public comment and consider 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 change the zoning designation on two tracts of land, totaling one acre, situated in the Keith Survey, Abstract Number 1643A, Tract 4, and Newton Allsup Survey, Abstract 0003A, Tract 7, in the Town of Bartonville, Denton County, Texas, from Agricultural (AG) to Residential Estates 2 (RE-2). The tract of land is located on the south side of Frenchtown Road, approximately 330 feet east of its intersection with Dyer Road, in Bartonville, Texas. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its July 5, 2023 meeting.) [Town File #ZC-2023-002]**

Mr. Chambers presented and Missy Grau spoke.

Mayor Carrington opened the Public Hearing at 7:47p.m.

No one spoke in favor or opposition.

Mayor Carrington closed the Public Hearing at 7:47p.m.

Councilmember Sams moved to approve 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 change the zoning designation on two tracts of land, totaling one acre, situated in the Keith Survey, Abstract Number 1643A, Tract 4, and Newton Allsup Survey, Abstract 0003A, Tract 7, in the Town of Bartonville, Denton County, Texas, from Agricultural (AG) to Residential Estates 2 (RE-2). Councilmember Crandall seconded the motion.

The caption of the Ordinance approving the Zoning Change reads as follows:

TOWN OF BARTONVILLE
ORDINANCE NO. 752-23

AN ORDINANCE AMENDING ORDINANCE NO. 361-05, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF BARTONVILLE, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO TRACTS OF LAND, TOTALING APPROXIMATELY ONE ACRE, LOCATED AT THE SOUTH SIDE OF FRENCHTOWN ROAD, APPROXIMATELY 330 FEET EAST OF ITS INTERSECTION WITH DYER ROAD, IN THE TOWN, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF AGRICULTURAL (AG) TO A ZONING DESIGNATION OF RESIDENTIAL ESTATES 2 (RE-2), AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

5. **Discuss and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 1, "General Provisions," Article 1.03, "Town Council," to amend Section 1.03.034. "Types of Meetings" and providing an effective date.**

Town Administrator Chambers explained that per the current Ordinance council meetings are not permitted to start prior to 7:00pm and amending the Ordinance will allow for flexibility with the start time.

Councilmember Roberts moved to approve an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 1, "General Provisions," Article 1.03, "Town Council," to amend Section 1.03.034, "Types of Meetings" and providing an effective date. Councilmember Arens seconded the motion.

The caption of the Ordinance approving the amendment to Section 1.03.034, "Types of Meetings" reads as follows:

TOWN OF BARTONVILLE
ORDINANCE NO. 753-23

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.03, "TOWN COUNCIL," TO AMEND SECTION 1.03.034, "TYPES OF MEETINGS"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

6. Discuss and consider a Resolution in support of creating an Emergency Services District #2.

Chief Vaughn with Denton County Emergency Services District #1 explained that approving the Resolution would allow for the creation of ESD #2 to be placed on the ballot.

Councilmember Crandall moved to approve a Resolution in support of creating an Emergency Services District #2. Councilmember Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

7. Discuss and consider a funding agreement for the Emergency Services District #1.

The ESD #1 President was present to address any questions from Council.

Councilmember Crandall moved to approve a funding agreement for Denton County Emergency Services District #1. Councilmember Arens seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

8. Discuss and Consider Acceptance of Deer Hollow Subdivision Public Improvements.

Town Administrator Chambers stated that the Town Engineer had inspected the site and addressed concerns from Council.

Councilmember Roberts moved to approve acceptance of Deer Hollow Subdivision Public Improvements. Councilmember Crandall seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

- 9. Discuss and consider approval of Street and Drainage Repair cost estimates in the amount of \$96,914.50; and authorization for the Town Administrator to execute agreements on behalf of the Town necessary to complete the work.**

Town Administrator Chambers and Town Engineer Cha discussed repairs to be done on Landfall Circle, Brasher & Badminton, and E. Jeter, and stated that these repairs would require a budget amendment.

Councilmember Crandall moved to approve street and drainage repair cost estimates in the amount of \$96,914.50; and authorized the Town Administrator to execute agreements on behalf of the Town necessary to complete the work. Councilmember Arens seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

- 10. Discuss and consider scheduling September 5, 2023 for the Public Hearing on the proposed Fiscal Year 2023-2024 Budget; and scheduling September 19, 2023 for the adoption of said Budget.**

Town Administrator Chambers discussed the statutory requirements and stated that these two meetings require the Mayor and a supermajority of Council to be in attendance.

Councilmember Arens moved to approve scheduling September 5, 2023 for the Public Hearing on the proposed Fiscal Year 2023-2024 Budget; and scheduling September 19, 2023 for the adoption of said Budget. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

- 11. Discuss and consider scheduling September 19, 2023 for the Public Hearing to consider the proposed tax rate.**

Town Administrator Chambers discussed the statutory requirements and stated that this action will require a roll call vote.

Councilmember Sams moved to approve scheduling September 19, 2023 for the Public Hearing to consider the proposed tax rate. Councilmember Roberts seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

12. Discuss and consider extending the Board and Commission Application deadline to Friday, August 4, 2023.

Councilmember Arens moved to extend the Board and Commission Application deadline to Friday, August 4, 2023. Councilmember Crandall seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

13. Discuss and consider who will be on the Boards and Commission interview panel.

Councilmember Sams moved to approve Matt Chapman and Gloria McDonald as the interview panel. Councilmember Arens seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Sams, Crandall, and Arens

NAYS: None

VOTE: 4/0

J./K. CLOSED SESSION/OPEN SESSION

Pursuant to the Open Meetings Act, Chapter 551, the Town Council convened into a Closed Executive Session at 8:19pm and reconvened into open session at 8:58pm in accordance with the Texas Government Code regarding:

1. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the Town's Extraterritorial Jurisdiction (ETJ), issues related to the Furst Ranch Development, issues related to amending the Town's Development Ordinance, and any and all legal issues related thereto.**

No Action Taken.

2. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to HB2127 and any and all legal issues related thereto.**

No Action Taken.

3. **Section 551.071 Consultation with Town Attorney to seek legal advice of its attorney regarding legal issues related to the regulation of Short-Term Rentals and any and all legal issues related thereto.**

No Action Taken.

L. FUTURE ITEMS

Budget items were requested.

M. ADJOURNMENT

Mayor Carrington declared the meeting adjourned at 8:59pm.

APPROVED this the 15th day of August 2023.

APPROVED:



Jaclyn Carrington, Mayor

ATTEST:



Shannon Montgomery, TRMC, Town Secretary

