Town of Northlake, Texas
Town Council Meeting Minutes
Thursday, September 8, 2016
1400 FM 407 - Northlake Texas

1. Mayor Peter Dewing called the Regular Meeting to order at 5:31 pm. Quorum present

Council Present:	Peter Dewing, Jean Young, Mike McBride, Michael Ganz, Roger Sessions Danny Simpson
Staff Present:	Drew Corn, Town Administrator; Nathan Reddin, Development Director; Eric Tamayo, Public Works Director; Chief of Police Robert Crawford; Karen Bolyard, Finance Director; and Shirley Rogers, Town Secretary
Consultants Present:	Ashley Dierker, Legal Counsel; Ben McGahey, PE, Town Engineer; Boyd London, Financial Advisor

Mayor Dewing led the Pledge of Allegiance and observed a Moment of Silence

2. Public Input
   None

3. Consent Items
   Mayor Dewing pulled Item I at the request of Councilmember Ganz for further discussion

   Councilmember Ganz moved to approve the consent items A-H. 2nd by Councilmember Young
   Vote: Motion passed unanimous

   A. Town Council Minutes of 8-25-16
   B. Resolution No. 16-26 designating the Denton Record Chronicle as the official newspaper for official publication for notice
   C. Resolution No. 16-27 authorizing establishment of an additional Finance Department Cash drawer and a funding increase to the Finance Department petty cash change fund and cash drawer
   D. Resolution No. 16-28 authorizing the increase to the Administrative petty cash fund for administrative expenses
   E. FY 16-17 Interlocal Cooperation Agreement for Shared Governance Communications and Dispatch Services System between the Denton County and Town of Northlake
   F. FY 16-17 Interlocal Cooperation Agreement between the Belmont Fresh Water District No. 1 and Town of Northlake for law enforcement services
   G. FY 16-17 Interlocal Agreement with the City of Frisco for the purchase of goods and services
   H. FY 16-17 Animal Control Services Agreement between Brian Hall d/b/a Brian The Animal Guy and the Town of Northlake

   I. Councilmember Ganz moved to approve Neighborhood Enhancement Consulting Agreement Renewal for Code Enforcement. 2nd by Mayor Pro Tem Simpson

Vote: Motion passed unanimous

4. Regular Items

J. Ordinance setting the levy of assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during FY 2016-17; setting the charges and liens against property in the District and against the owners thereof; providing for the collection of such assessments; reserving unto the Town Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted

i. Mayor Dewing opened the Public Hearing at 5:39 pm to hear comments for or against the proposed levy of assessments

No comments received

Mayor Dewing closed the Public Hearing at 5:40 pm

ii. Councilmember McBride moved to approve Ordinance No. 16-0908A. 2nd by Mayor Pro Tem Simpson
Vote: Motion passed unanimous

K. Ordinance approving the Fiscal Year 2016-17 Annual Service Plan Update to the Service and Assessment Plan for The Highlands Public Improvement District

i. Mayor Dewing opened the Public Hearing at 5:40 pm to hear comments for or against the proposed Update

No comments received

ii. Mayor Pro Tem Simpson moved to approved Ordinance No. 16-0908B. 2nd by Councilmember McBride
Vote: Motion passed unanimous

L. Councilmember McBride moved to approve Ordinance No. 16-0908C of the Town of Northlake, Texas adopting a Fiscal Year 2017 Annual Budget for Tax Increment Reinvestment Zone No. 1, Town of Northlake, Texas. 2nd by Councilmember Young

Vote: Motion passed unanimous

M. Councilmember McBride moved to approve Ordinance No. 16-0908D of the Town Council of Town of Northlake, Texas, approving and adopting a Proposed Budget for the Fiscal Year October 1, 2016 through September 30, 2017 for the Town of Northlake, Northlake Economic Development Corporation, Northlake Community Development Corporation, Northlake Public Improvement District No. 1 (Harvest), and The Highlands Public Improvement District providing that expenditures for said fiscal year shall be made in accordance with said Budget and declaring an effective date. 2nd by Councilmember Ganz

Vote: Motion passed unanimous

N. Councilmember Ganz moved that the property tax rate be increased by the adoption of a tax rate of $0.295000 which is effectively a 5.81 percent increase in the tax rate by Ordinance No. 16-0908E. 2nd by Councilmember Young

Vote: Motion passed unanimous

Councilmember Ganz stated for the record, the tax rate of $0.295 has been the same for twenty years

O. Councilmember Sessions moved to adopt Ordinance No. 16-0908F authorizing the issuance and sale of "Town of Northlake, Texas, General Obligations Refunding Bonds, Series 2016" and approving all other matters related thereto. 2nd by Councilmember McBride

Vote: Motion passed unanimous

P. Councilmember Sessions moved to adopt Ordinance No. 16-0908G authorizing the issuance and sale of "Town of Northlake, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2016" approving all other matters related thereto. 2nd by Councilmember McBride

Vote:	Motion passed
For:	Sessions, McBride, Ganz, Simpson
Abstained:	Jean Young

During this item, Councilmember Young read a letter to the council expressing her opposition for taking out debt at this time for improvements on roads at the high costs (see attached)

Q. Ordinance amending Ordinance No. 13-0124A being the Northlake Unified Development Code as amended, by changing the zoning classification of a 154.278 acre tract of land situated in the J. James Survey, Abstract No. 1501, in the Town of Northlake from "RR" Rural Residential/"CRO" Conservation Residential Overlay to "RR-PD" Rural Residential Planned Development and revising the official zoning map in accordance therewith. Case # PD-16-001

i. Mayor Dewing opened the Public Hearing at 6:31 pm to hear comments for or against the proposed zoning change

David Vanderlaan, real estate broker and resident of Denton stated he was in favor of the proposed zoning change and had been working with the property owners

Ken Watson, resident of Harvest, stated he was in favor of the proposed zoning change and did not think the commercial part would have a negative impact to the development

Theresa Faught, resident and property owner of 34 years, stated she was in favor of the proposed zoning change and thought the development would be a good fit for the area and knew the developer wanted to keep the rural feel of the property

Laura Montini, resident of Northlake, stated she was opposed to the proposed zoning change, believed the additional traffic would have an impact to Faught Road, and did not feel the commercial part belonged in the area

Mayor Dewing closed the Public Hearing at 6:38 pm

Mayor Dewing stated for the record, the town had received seven written comments against and 1 written for proposed zoning change

ii. Councilmember Sessions moved to deny approval of Ordinance No. 16-0908H. 2nd by Councilmember Ganz
Vote: Motion to deny was unanimous

R. Councilmember McBride moved to approve the Final Plat of Harvest Phase 3B, a proposed subdivision consisting of 331 single-family residential lots and 10 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 91.668-acre tract of land out of the Patrick Rock Survey, Abstract No. 1063, generally located south of Old Justin Road between Cleveland-Gibbs Road and Harvest Way. Case # FP-16-013. 2nd by Councilmember Sessions

Vote: Motion passed unanimous

S. Councilmember Ganz moved to approve the Final Plat of Canyon Falls Westside Amenity Center, containing 2 lots consisting of an HOA amenity lot and an HOA open space lot on a 7.138-acre tract of land out of the M.E.P. & P.R.R. Survey, Abstract No. 913, and the W. Love Survey, Abstract No. 728, located on the north side of Westbridge Drive between Glendale Drive and Meridian Drive, and zoned Mixed-Use Planned Development (MPD). Case # FP-16-012. 2nd by Councilmember Young

Vote: Motion passed unanimous

T. Councilmember Ganz moved to approve the Site Plan of Canyon Falls Westside Amenity Center, a proposed community amenity center to include a swimming pool, trail extension, and related facilities on a 7.138-acre tract of land out of the M.E.P. & P.R.R. Survey, Abstract No. 913, and the W. Love Survey, Abstract No. 728, to be platted as Lots 1 & 2X, Block RR, Canyon Falls Westside Amenity Center, located on the north side of Westbridge Drive between Glendale Drive and Meridian Drive, and zoned Mixed-Use Planned Development (MPD). Case # SP-16-006. 2nd by Councilmember Sessions

Vote: Motion passed unanimous

U. Councilmember Sessions moved to approve the Final Plat of Canyon Falls Dog Park, containing one lot on a 5.042-acre tract of land out of the W. Love Survey, Abstract No. 728, located at the southwest corner of Canyon Falls Drive and Westbridge Drive, and zoned Mixed-Use Planned Development (MPD). Case # FP-16-011. 2nd by Councilmember Young

Vote: Motion passed unanimous

V. Councilmember Sessions moved to approve the Site Plan of Canyon Falls Dog Park, a proposed park to include a pavilion, dog park, restroom facilities, trail extensions, and related facilities on a 5.042-acre tract of land out of the W. Love Survey, Abstract No. 728, to be platted as Lot 1, Block QQ, Canyon Falls Dog Park, located at the southwest corner of Canyon Falls Drive and Westbridge Drive, and zoned Mixed-Use Planned Development (MPD). Case # SP-16-005. 2nd by Councilmember Young

Vote: Motion passed unanimous

W. Councilmember McBride moved to approve Resolution No. 16-29 of the Town Council authorizing creation of an Employee Benefits Trust; designating all members of the Town Council to be Trustees of said Trust; authorizing the Trust to purchase various forms of insurance for the benefit of Town Officers, Employees, Qualified Retirees and their dependents. 2nd by Mayor Pro Tem Simpson

Vote: Motion passed unanimous

X. Resolution to approve changing the street name for sections of Cleveland-Gibbs Road and Sam Lee Lane in the vicinity of the Northport 35 Business Center development generally located north of SH 114 at Cleveland-Gibbs Road

i. Mayor Dewing opened the Public Hearing at 7:12 pm to hear comments for or against the proposed street name changes

Joel McGregor, resident of Northlake stated his opposition to the street name changes and said would make things very confusing in that area

Larry Lipscomb, resident of Flower Mound and a business owner in the proposed street name change area stated his opposition of the changes

Mayor Dewing closed the Public Hearing at 7:16 pm

ii. Councilmember McBride moved to approve Resolution No. 16-30, changing the name of the newly constructed section of the 13400 thru 13600 blocks of Cleveland-Gibbs Road between SH 114 and the new Dale Earnhardt Way and Cleveland-Gibbs Road intersection to Dale Earnhardt Way. 2nd by Councilmember Young

Vote: Motion passed
For: McBride, Young, Ganz, Simpson
Against: Sessions

Y. Councilmember Young moved to appoint the following candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election Ballot as follows: Place 6 Mary Gauer (Incumbent); Place 7 C.J. Wax (Incumbent); Place 8 Larry Melton (Incumbent); Place 9 Andres Garza (Incumbent). 2nd by Councilmember Sessions

Vote: Motion passed unanimous

5. Convene into Executive Session

By general consent, the council convened into closed session at 7:29 pm pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D to discuss under Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matter

(a) pending or contemplated litigation; or
(b) a settlement offer; or
    i. 'Town of Northlake vs City of Justin (Cause No. 15-08170-367)

Section 551.087 deliberations regarding commercial or financial information on economic development negotiations

a. Water Tower Site

The council reconvened into Regular Session at 7:38 pm by general consent- No action taken

6. By general consent, the meeting was adjourned at 7:38 pm

Passed and approved on this the 13th day of October 2016

Town of Northlake, Texas

Peter Dewing, Mayor

Attest:

Shirley Rogers, Town Secretary

Sept. 8, 2016

To the Honorable Mayor, Council and Drew Corn,

The issues and concerns I expressed at the May Workshop and July 28th meeting about the proposed Certificates of Obligation in the amount of $6,785,000 are still valid and I felt we should separate the items instead of lumping them together.

I am FOR, and would vote for refinancing the older 2005 C. of O. But, I am still opposed to taking out debt at this time for improving roads at this high cost, which are currently being used primarily by heavy concrete trucks. With all of the new homes being built, and immediately planned for the near future, the truck traffic carrying building materials, etc. will increase dramatically and I think we should delay these improvements and maintain the gravel. Also, at this time, there is no developer to chip in their share of road impact fees. With patience, we may get developers who will build or pay a portion of the roads wanting improvement. I don't think it should be up to the taxpayers of Northlake to make a nicer access road from the new communities to I.35 W when we all have used the gravel roads successfully. Which brings up the most important issue, I believe a debt of this large amount should be brought in front of the taxpayers for a yes or no vote, since their property taxes will be tied into this for years to come.

I am either going to abstain from voting on this or vote against this. Our company owns a mile long stretch along Cleveland-Gibbs Rd in the improvement area , and I think it would look inappropriate for me to vote for or against this

Respectfully

Jean Young

Jean Young
Council, Place 1

RECEIVED
SEP 08 2016
BY: J. Rogers
Hand delivered by Jean Young