



David A. Rettig, Mayor
Rena Hardeman, Council Place 1
Jimmy Lambert, Council Place 2

Brian Montini, Mayor Pro Tem
Roger Sessions, Council Place 4
Danny Simpson, Council Place 5

**Town Council
Regular Meeting Minutes
Thursday, August 22, 2019
Chamber Room - 1500 Commons Circle, Suite 300 - Northlake, Texas 76226**

1. Mayor David Rettig called the regular work session to order at 6:30 pm, quorum present

Council Members present: David Rettig, Rena Hardeman, Jimmy Lambert, Brian Montini, Roger Sessions, Danny Simpson

Staff present: Drew Corn, Town Administrator; Nathan Reddin, Development Director; Robert Crawford, Chief of Police; Eric Tamayo, Public Works Director; John Zagurski, Finance Director; Kyle Garcia, Planner; Chris Byrd, Intern; and Shirley Rogers, Town Secretary

Consultants present: Ashley Dierker, Legal Counsel; Ben McGahey, PE, Town Engineer; Andy Messer, Legal Counsel

Invocation given by Pastor Travis Hartjen, The Grove Church
Pledge of Allegiance to the US Flag led by Mayor Rettig

2. Briefing Items

John Zagurski gave an update on Northlake's Purchasing Policy. After a review of the policy, needs to be updated to meet complexity of Town's organizational structure as well as increase operational efficiency. Suggested a few major changes along with minor changes. Will bring back to council for approval

3. Mayor Rettig called the regular meeting to order at 6:46 pm, quorum present

4. Public Input

At the request of Council Member Hardeman, Mayor Rettig allowed up to four (4) minutes per each speaker

- Joel McGregor, resident, commented on the budget and tax incentives. Believes tax rate is incentive enough for businesses to locate to the town; give homeowners a break on taxes, maybe give up to 20% in homestead exemption
- Laura McGregor, resident, asked the council to redirect CDC funds to pay off debt, does not believe Northlake should be giving out tax incentives, Northlake low tax rate is enough incentive, ask council to be fiscal responsible

Mayor Rettig did clarify the CDC and EDC cannot redirect sales tax funds to pay off debt

5. Consent Items

- A. Council Member Sessions made the motion to approve the Town Council meeting minutes of August 1, 2019.
2nd by Council Member Simpson

Vote: motion passed unanimous

For: Sessions, Simpson, Montini, Lambert, Hardeman

Against: none

6. Regular Items

By general consent, Item B-C-D were discussed and considered with one motion

Mayor Pro Tem Montini made the motion to approve Items B-C-D. 2nd by Council Member Lambert

Vote: motion passed unanimous

For: Montini, Lambert, Hardeman, Sessions, Simpson

Against: none

Rep - Brent Kline, Jacobs & Associates present

- B. Site Plan of Northlake Commons Phase 4, a proposed two-building, 18,136 square-foot commercial development on 1.568 acres situated in the Patrick Rock Survey, Abstract No. 1063, to be platted as Lot 2, Town Commons, generally located on the north side of FM 407 approximately 400 feet east of Cleveland-Gibbs Road, and zoned Mixed-Use Planned Development (MPD). Harvest FM 407 LTD is the owner. Office Equity Solutions is the applicant/developer. Baird, Hampton & Brown Inc. is the engineer/surveyor. Case # SP-19-001
- C. Site Plan of Northlake Commons Phase 5, a proposed two-building, 17,770 square-foot commercial development on 1.654 acres situated in the Patrick Rock Survey, Abstract No. 1063, to be platted as Lot 3, Town Commons, generally located on the north side of FM 407 approximately 600 feet west of Harvest Way, and zoned Mixed-Use Planned Development (MPD). Harvest FM 407 LTD is the owner. Office Equity Solutions is the applicant/developer. Baird, Hampton & Brown Inc. is the engineer/surveyor. Case # SP-19-002
- D. Site Plan of Northlake Commons Phase 6, a proposed two-building, 16,300 square-foot commercial development on 1.605 acres situated in the Patrick Rock Survey, Abstract No. 1063, to be platted as Lot 7, Town Commons, generally located on the north side of FM 407 approximately 400 feet west of Harvest Way, and zoned Mixed-Use Planned Development (MPD). Northlake Development LTD is the owner. Office Equity Solutions is the applicant/developer. Baird, Hampton & Brown Inc. is the engineer/surveyor. Case # SP-19-003
- E. Ordinance of the Town of Northlake, Texas designating a certain area as a Reinvestment Zone for Commercial/Industrial Tax Abatement in the Town of Northlake, to be known as Reinvestment Zone No. 4, Town of Northlake, Texas; establishing the boundaries thereof; providing a savings clause; and an effective date
 - i. Mayor Rettig opened the public hearing at 7:15 pm to hear comments for or against the Reinvestment Zone No. 4
 - Joel McGregor, resident of Northlake, against giving tax abatements to businesses, money could be used in other ways for the citizens
 - Mayor Rettig closed the Public Hearing at 7:20 pm
 - ii. Council Member Simpson made the motion to approve Ordinance No. 19-0822A. 2nd by Mayor Pro Tem Montini

Vote: Motion passed
For: Simpson, Montini, Sessions, Lambert
Against: Hardeman

- F. Mayor Pro Tem Montini made the motion to approve Resolution No. 19-16 of the Town of Northlake, Texas establishing the Schluter 2019 Program and approving a Tax Abatement & Chapter 380 Economic Development Agreement with Schluter Systems, L.P. pursuant to the Town's Incentive Policy to promote economic development and stimulate business and commercial activity in the Town; providing for required notices; and providing for an effective date. 2nd by Council Member Lambert

Vote: Motion passed
For: Montini, Lambert, Sessions, Simpson
Against: Hardeman

- G. Council Member Simpson made the motion to approve a Final Plat of The Highlands Phase II, a subdivision consisting of 76 residential lots on a 96.29-acre tract of land in the A. McDonald Survey, Abstract No. 785, generally located south of Northwest Crossing in The Highlands Phase I between Mulkey Lane and Sutherland Crescent, and zoned Rural Estate (RE). RCM Highlands, LP is the owner/applicant/developer. Barron-Stark Engineers, LP is the engineer/surveyor. Case # FP-19-010. 2nd by Council Member Sessions

Vote: Motion passed unanimous
For: Simpson, Sessions, Montini, Lambert, Hardeman
Against: none

- H. Council Member Simpson made the motion to approve Final Plat of The Ridge at Northlake Phase 1, a subdivision consisting of 267 residential lots and 20 common area lots on an 86.072-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located on the south side of Robson Ranch Road, approximately 1,600 feet east of Ed Robson Blvd, and zoned Mixed-Use Planned Development (MPD). TMRY Ridge, LP is the owner/applicant/developer. JBI Partners is the engineer/surveyor. Case # FP-19-011. 2nd by Mayor Pro Tem Montini

Vote: Motion passed unanimous
For: Simpson, Montini, Sessions, Lambert, Hardeman
Against: none

- I. Ordinance to amend the Mixed-Use Planned Development (MPD) zoning district for The Ridge at Northlake by adding a provision for a temporary manufactured home. TMRY Ridge, LP is the owner/applicant. JBI Partners is the engineer/surveyor. Case # PD-19-003

- i. Mayor Rettig opened the public hearing at 7:44 pm to hear comments for or against proposed amendment

- No one came forward

Mayor Rettig closed the public hearing at 7:44 pm

- ii. Council Member Simpson made the motion to approve Ordinance 19-0822B. 2nd by Council Member Lambert

Vote: Motion passed
For: Simpson, Lambert, Montini, Hardeman
Against: Sessions

- J. Mayor Rettig opened the first Public Hearing on a proposed property tax rate for Fiscal Year 2019-2020 of \$0.295 per \$100 assessed valuation to be considered for adoption by the governing body of the Town of Northlake, Texas at the September 12, 2019 meeting at 7:52 pm to hear comments for or against the proposed property tax rate

- Joel McGregor, resident of Northlake would like to offset the property tax adding additional amount to homestead exemption

Mayor Rettig closed the Public Hearing at 7:57 pm

- K. Mayor Rettig opened the Public Hearing on the Proposed Budget for Fiscal year 2019-20 beginning on October 1, 2019 and ending on September 30, 2020 for the Town of Northlake, Northlake Economic Development Corporation, Northlake Community Development Corporation, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands) at 7:58 pm to hear comments for or against the proposed budgets

- No one came forward for or against the proposed budget

Mayor Rettig closed the Public Hearing at 8:01 pm

Council Member Sessions made the motion to adopt the Proposed FY 2019-2020 Budget at the September 12, 2019 meeting. 2nd by Council Member Hardeman

Vote: motion passed unanimous
For: Sessions, Hardeman, Lambert, Montini, Simpson
Against: none

- L. Council Member Hardeman made the motion to approve Resolution 19-17 nominating the following citizens for the Denton Central Appraisal District Board of Directors: Michael Savoie, Carla Hardeman, Joel McGregor, Laura McGregor, and Brian Montini. 2nd by Council Member Sessions

Vote: motion passed unanimous
For: Hardeman, Sessions, Simpson, Montini, Lambert
Against: none

7. Council Member Hardeman made the motion to convene into Executive Session at 8:05 pm. 2nd by Mayor Pro Tem Montini

Vote: Motion passed unanimous
For: Hardeman, Montini, Lambert, Sessions, Simpson
Against: none

Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

- a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except: Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except:
 - 1) When the governmental body seeks the advice of its attorney about:
 - (a) Pending or contemplated litigation; or
 - (b) Supreme Court of Texas - Town of Northlake vs City of Justin. No. 18-0651; or
 - (c) Case # FP 18-020 considered by the Town at the January 24, 2019 Town Council meeting; or
 - (d) Eminent domain actions to obtain right-of-way out of a certain 3.05-acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law; or
 - (e) Eminent domain actions to obtain property out of a certain 47.063-acre tract of land located in the B.B.B. & C.R.R. Co. Survey, Abstract No. 189 in Northlake, Denton County, Texas, for the construction and maintenance of a water tower and other public purposes permitted by law; or
 - (f) Potential litigation related to Eagleton and Applewood road failures; or
 - (g) Potential litigation related to Dale Earnhardt Way road failures; or
 - (h) Contract provisions applicable to the Town Administrator; or
 - (i) Interlocal agreement between Town and City of Fort Worth executed on August 6, 1997
- b. Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way out of a certain 3.05-acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law
- c. Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property to be acquired out of a certain 47.063-acre tract of land located in the B.B.B. & C.R.R. Co. Survey, Abstract No. 189 in Northlake, Denton County, Texas, for the construction and maintenance of a water tower and other public purposes permitted by law
- d. Section 551.087 Economic Development negotiations for Hotel Conference Center Incentives
- e. Section 551.087 Economic Development negotiations for Business Expansion

8. Mayor Rettig reconvened the Council into Open Session at 10:05 pm
No action taken while in closed session

- M. No action on use of eminent domain to condemn property and consider a resolution of the Town of Northlake, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining

approximately .2707 acres of a certain 3.05 acre tract of land located in the Patrick Rock Survey Abstract No. 1063 in Northlake, Denton County, Texas, as right-of-way necessary for the construction and maintenance of roadway and utility improvements and for other public purposes permitted by law

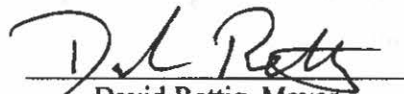
- N. No action on use of eminent domain to condemn property and consider a resolution of the Town of Northlake, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining approximately 1.15 acres of a certain 47.063 acre tract of land located in the B.B.B. & C.R.R. Co. Survey, Abstract No. 189 in Northlake, Denton County, Texas, as property necessary for the construction and maintenance of a water tower and for other public purposes permitted by law by resolution
- O. No action taken on approval of an agreement between the Town of Northlake and Lodging Host Hotel Corp. concerning development of a Hotel Conference Center in the Town limits of Northlake and authorize the Town Administrator to negotiate and enter into said agreement on behalf of the Town

9. Mayor Rettig adjourned the meeting at 10:05 pm

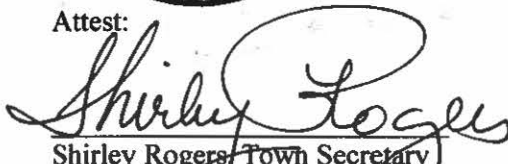
Passed and approved on this the 12th day of September 2019



Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary