



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

Brian Montini, Mayor Pro Tem, Council Place 3
Roger Sessions, Council Place 4
Danny Simpson, Council Place 5

**Town Council Meeting Minutes
Thursday, February 27, 2020
Chamber Room - 1500 Commons Circle, Suite 300 – Northlake, Texas 76226**

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

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

Staff present: Drew Corn, Town Administrator, Nathan Reddin, Development Services Director; Robert Crawford, Chief of Police; Eric Tamayo, Public Works Director; John Zagurski, Finance Director; Tara Barton, Communications & Marketing Coordinator; and Shirley Rogers, Town Secretary

Consultants present: Ashley Dierker, Legal Counsel; Ben McGahey, PE Town Engineer; Terry Morgan, Legal Counsel

Invocation given by Drew Corn, Town Administrator
Mayor David Rettig led the Pledge of Allegiance to the American Flag

2. Briefing Items

A. Nathan Reddin, Development Director, briefed the council on temporary commercial buildings

No provision for temporary commercial facilities exists except for temporary construction offices thru a Temporary Use Permit. Been approached by two separate businesses about the possibility of using a modular, portable building temporarily while construction of permanent facilities is completed. Will need to schedule public hearing to update Unified Development Code amendment to allow for the proposed regulations

B. Mayor Pro Tem Brian Montini led the discussions on Tree Protection Ordinance

Current tree protection regulations require specific trees to be planted of specified diameters. Developers are incentivized to preserve existing approved trees. Town does not prohibit the clearing of trees as long as the appropriate number of new approved trees are planted.

C. Drew Corn, Town Administrator, updated the council on some TxDOT Partnership Proposed Projects

Prohibit northbound Raceway traffic to cross SH114 by installing right turn only island; expand and curb paved turning radius of Ashmore Lane at northbound IH-35W frontage road; construct additional right turn only lane at IH-35W northbound off ramp to FM1171

D. Council Member Hardeman briefed the council on the importance of 'Branding'

Explained branding and types, brand identity very important which included the logo, color palette, text and type face and show examples of branding on town vehicles and water tower

E. Tara Barton, Communications & Marketing Coordinator updated the council on the Northlake Resident Survey Preliminary Results

Received total of 566 respondents; overall results were similar in terms of resident satisfaction with slight shift from good to excellent regarding police department. Most respondents preferred a grocery store followed by a pharmacy

3. Mayor Rettig called the regular meeting to order at 7:36 pm, quorum present

4. Public Input

- Northlake resident Laura McGregor, asked council to consider an ordinance to become a sanctuary city for the unborn, saying other Texas communities have passed such an ordinance
- Northlake resident Joel McGregor, stated he did not think it was wise for the town to spend taxpayers money on TxDOT road projects. Referencing the 2020 Northlake Resident Survey, a list of services was provided for residents to rate the quality of each of these services one being code enforcement. Felt it was not clear on this

5. Regular Items

F. Mayor Pro Tem Montini made the motion to approve the Site Plan (Case # SP-20-002), with a variance to drive-through stacking requirements, 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, 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. 2nd by Council Member Lambert

Vote: motion was approved
For: Montini, Lambert, Sessions, Simpson
Against: Hardeman

G. Zoning change (Case #Z-20-001) request from Rural Residential (RR) to Industrial (I) for an approximately 1.5 acre tract of land situated in the G. Ramsdale Survey, Abstract No. 1128 located on the west side of Cockleburr Road at 11682 Cockleburr Road. Therese A. Whalen, owner. Mark McPherson is the application.

- i. Mayor Rettig open the public hearing at 8:01 pm
No one came forward for or against
Mayor Rettig closed the public hearing at 8:01 pm
- ii. Council Member Sessions made the motion to approve Ordinance 20-0227A. 2nd by Council Member Simpson

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

- H. Mayor Pro Tem Montini made the motion to approve the Preliminary Plat of Pecan Square Phase 2A-2 (Case #PP 20-001), a phase of the Pecan Square development consisting of 20 single-family residential lots and 1 HOA lot on a 3.62-acre tract of land out of the F.W. Thornton Survey, Abstract No. 1244, generally located 600 feet east of Fielding Street at Shorthorn Drive, and zoned Mixed-Use Planned Development (MPD). HP Gibbs, LP and Pecan Square 2A, LLC are the owners. Hillwood Communities is the applicant/developer. Kimley-Horn & Associates is the engineer/surveyor. 2nd by Council Member Simpson

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

- I. Council Member Hardeman made the motion to approve the Interlocal Agreement with Belmont FWSD No. 1 for cost sharing of intersection improvements at FM 407 and Cleveland Gibbs Road in amounts not to exceed \$150,000 for the Town of Northlake. 2nd by Mayor Pro Tem Montini

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

6. By general consent, Mayor Rettig convened the council into Tax Increment Reinvestment Zone No. 1 Board of Directors Meeting at 8:15 pm

By general consent, Mayor Rettig reconvened the council into the regular meeting at 8:24 pm

5. Regular Items (continued)

- J. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-0227B of the Town of Northlake, Texas, approving the amended project plan and financing plan for Tax Increment Reinvestment Zone Number 1. 2nd by Council Member Simpson

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

- K. Council Member Lambert made the motion to approve Ordinance No. 20-0227C altering the prima facie speed limit of established for vehicles under the provisions of Transportation Code, Section 545.356 upon IH 35W Northbound Frontage Road at State Highway 114 or parts thereof, within the corporate limits of the Town of Northlake, Texas, as set out in this ordinance, providing a penalty of a fine not to exceed \$200.00 for the violation of this ordinance to 55 mph from south town limits to SH 114. 2nd by Mayor Pro Tem Montini

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

- L. Council Member Sessions made the motion to approve Ordinance No. 20-0227D authorizing the imposition of a 20% penalty for collections costs on delinquent taxes for Tax Year 2019 and subsequent years; and authorizing a collection fee for certain debts owed to the Municipal Court of the Town of Northlake. 2nd by Council Member Simpson

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

- M. Mayor Pro Tem Montini made the motion to approve the Management and Improvement Services Agreement for the Northlake Public Improvement District No. 1 (Harvest Residential) managed by First Service Residential Texas, Inc., and authorizing the Town Administrator to sign the agreement. 2nd by Council Member Lambert

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

- N. Council Member Sessions made the motion to approve Resolution No. 20-5 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. 2nd by Council Member Simpson

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

- O. Council Member Sessions made the motion to approve Resolution No. 20-6 authorizing the Town Administrator to contract with Halff Associates Inc. for engineering services for roadway improvements of Old Justin Road from Faught Road to Flanagan Farm Drive to include survey, geotechnical, design plans and construction administration not to exceed \$53,120. 2nd by Mayor Pro Tem Montini

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

- P. Council Member Simpson made the motion to approve the January 23, 2020 Meeting Minutes. 2nd Council Member Hardeman

Vote: motion passed unanimous

For: Simpson, Hardeman, Lambert, Montini, Sessions
Against: none

7. By general consent, the Mayor convened the council into Executive Session at 8:43 pm to discuss the items listed below 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: (1) When the governmental body seeks the advice of its attorney about: (a) pending or contemplated litigation; or (b) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The Town Council may adjourn into executive session for consultation with the Town Attorney regarding:

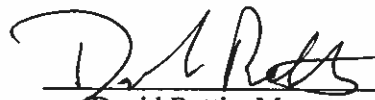
- (i) Legal advice on any matter related to any posted agenda item; or
- (ii) Legal advice related to Ridgeview Estates development options; or
- (iii) Pending or contemplated litigation; or
- (iv) Supreme Court of Texas - Town of Northlake vs City of Justin. No. 18-0651; or
- (v) Case # FP 18-020 considered by the Town at the January 24, 2019 Town Council meeting; or
- (vi) District Court of Denton County, Texas: Town of Northlake, Texas vs. RKM Utility Services Inc. & Philadelphia Indemnity Insurance Company No. 20-0649-367 related to Eagleton and Applewood road failures; or
- (vii) Potential litigation related to Dale Earnhardt Way road failures; or
- (viii) Interlocal agreement between Town and City of Fort Worth executed on August 6, 1997.

8. By general consent, Mayor Rettig reconvened the council into open session at 10:33 pm
Mayor Rettig stated no action was taken as a result of the executive session

9. By general consent, Mayor Rettig adjourned the meeting at 10:33 pm

Passed and approved by Town Council on this the 9th day of April 2020

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary



