



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
REGULAR MEETING MINUTES
THURSDAY, JUNE 11, 2020**

1. Mayor David Rettig convened the Town Council (quorum present) into Executive Session at 6:02 pm under Chapter 551, Subchapter D on Section 551.071 and/or Section 551.072 as listed below:
 - 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;
 - ii. Legal advice related to Hawthorne Estates development options;
 - iii. Legal advice related to the development and annexation of the Foster Tract, on approximately 124-acre tract of land located in the northwest corner of Victory Circle and Harmonson Road in the extraterritorial jurisdiction of the Town;
 - iv. Legal advice related to the development and annexation of the Buchanan Tract, a 230-acre tract of land generally located in the northeast corner of Victory Circle and Harmonson Road and extending east to IH35W in the extraterritorial jurisdiction of the Town;
 - v. Pending or contemplated litigation;
 - vi. Legal advice on Town's authority regarding annexation, extraterritorial jurisdiction, platting, certificates of convenience and necessity and related regulatory matters;
 - vii. Town of Northlake vs. City of Justin, District Court Cause No. 15-08170-367;
 - viii. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084;
 - ix. Potential litigation related to Eagleton and Applewood road failures;
 - x. Potential litigation related to Dale Earnhardt Way road failures.
 - b. Section 551.072 Deliberations about Real Property – deliberations regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way and drainage easement acquisition from La Estancia LP of a certain 236.108 acres of land located in the F.M. Woodard Survey (Tract 4), Abstract No. 1420A in Northlake, Denton County, Texas for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law

Mayor Rettig reconvened the Town Council from Executive Session at 6:45 pm.

2. Mayor David Rettig convened into regular workshop session at 6:45 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; Tara Barton, Communications & Marketing Coordinator; Robert Crawford Chief of Police; Captain Mike Coleman; John Zagurski, Finance Director; and Shirley Rogers, Town Secretary

Consultants present:

Ashley Dierker, Legal Counsel; Terry Morgan, Special Counsel; Brian Haynes, PE, Town Engineer

Invocation given by Dusty Burris, Pastor, Northlake Bible Church

Pledge of Allegiance led by Mayor David Rettig

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

5. Public Input

- Joel McGregor, resident of Northlake asked for information/clarification on Item 10-B, since it was listed under executive session if the information was allowed to be made public; and Item 7-F rezoning of property on SH 114, did not want the town to subsidize the development

10. Mayor Rettig moved to Item 10 - Action from Executive Session

- A. Mayor Pro Tem Montini made the motion to direct special counsel to file a petition of intervention in the case of City of Justin vs. Toby Baker, Cause No. D-1-GN-20-002084. 2nd by Council Member Lambert

Vote: motion passed unanimous

For: Montini, Lambert, Hardeman, Sessions, Simpson

Against: none

- B. Council Member Simpson made the motion to authorize the Town Administrator to approve credit of road impact fees in the amount of \$425,950.00 otherwise due from the development of a certain 236.108 acres of land located in the F.M. Woodard Survey (Tract 4), Abstract No. 1420A in Northlake, Denton County, Texas pursuant to Section 9.03.077 of Town ordinances and Chapter 395 of the Texas Local Government Code in exchange for dedication of property to be used for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law. 2nd by Council Member Sessions

Vote: motion passed unanimous

For: Simpson, Sessions, Montini, Lambert, Hardeman

Against: none

6. Consent Items

At the request of Council Member Hardeman, Mayor Rettig pulled all items for further discussion

- B. Council Member Simpson made the motion to approve the Final Plat of Canyon Falls Village W8 & W9, a phase of the Canyon Falls development consisting of 70 single-family residential lots and 3 HOA/Open Space

lots on approximately 16.302 acres of land in the MEP & PRR Survey, Abstract No. 913, generally located north of the terminus of Glendale Lane approximately 650 feet north of Canyon Falls Drive, and zoned Mixed-Use Planned Development (MPD). Nash Canyon Falls, LLC is the owner. Newland Real Estate Group, LLC is the applicant/developer. J. Volk Consulting, Inc. is the engineer/surveyor. Case # FP-20-012. 2nd by Council Member Sessions

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

Representing the developer - Jason Wight, Newland Company

- C. Council Member Simpson made the motion to approve the Final Plat of Harvest Phase 6C, a subdivision consisting of 31 single-family residential lots and 2 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 7.201-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located 700 feet north of Old Justin Road at Harvest Way. Belmont 407, LLC is the owner/applicant. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-20-009. 2nd by Council Member Lambert

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

Representing the developer – Jon Kroehler, Jones & Carter Engineering

- D. Council Member Simpson made the motion to approve Resolution 20-15 approving Town of Northlake Investment Policy. 2nd by Mayor Pro Tem Montini

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

- E. Council Member Simpson made the motion to approve the Town Council Meeting Minutes of 5-28-20. 2nd by Mayor Pro Tem Montini

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

7. Regular Items

- F. Ordinance for a zoning change from C – Commercial to M-PD – Mixed-Use Planned Development for an approximately 17-acre tract of land situated in the L. Medlin Survey, Abstract No. 830 generally located on north side of SH 114 between Northport Drive and Ashmore Lane. Northport Partners, LLC is the owner. JPI is the applicant. Case # PD-20-001

Nathan Reddin, Development Director briefed the council on the request to rezone
Representatives for the project Rusty Ross and Miller Sylvan spoke and answered questions from the council

a. Mayor Rettig opened the public hearing at 7:26 pm to hear comments for or against the proposed rezoning

- Email received from Jim Jamerson, Sr. VP w Segovia Retail Group, leasing agent and owners of retail strip located at 5000 SH 114 in support the rezoning request by JPI
- Email received from Gerald Borron, Real Estate Director with Bobby Cox Companies & Rosa's Café are in support of the rezoning request by JPI

Mayor Rettig closed the public hearing at 7:27 pm

b. (1st motion) Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-0611. 2nd by Council Member Simpson

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

(2nd motion) Council Member Hardeman made the motion to deny approval of Ordinance No. 20-0611.
2nd by Council Member Lambert

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

G. Council Member Simpson made the motion to approve Resolution No. 20-14 related to future development concerning Prairie Mound Court. 2nd by Mayor Pro Tem Montini

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

H. Council Member Hardeman made the motion to approve Resolution No. 20-16 for the appointment of Brandon Barth to the Board of Managers of the Denco Area 9-1-1 District. 2nd by Council Member Lambert

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

I. Mayor Pro Tem Montini made the motion to approve cancelling the second and fourth Thursday meeting dates in July (9th & 23rd) and meet on the third and fifth Thursdays (July 16th & 30th). 2nd by Council Member Lambert

Vote: motion passed unanimous

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

- J. No action taken modifying, continuing and/or suspending the First Amended Declaration of Local and Public Health Emergency as modified by the Town Council on April 23, 2020
- K. Council Member Sessions made the motion to approve the Interlocal Cooperation Agreement with Denton County, Texas for the distribution of Coronavirus Relief Fund to the Town of Northlake. 2nd by Council Member Lambert

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

Mayor Rettig adjourn the regular meeting at 8:03 pm

- 8. Chairman David Rettig opened the Tax Increment Reinvestment Zone No. 1 Board of Directors Meeting at 8:03 pm

Mayor Rettig reconvene the Town Council into the regular meeting at 8:10 pm

3. Briefing Items

A. Budget Outlook for Fiscal Year 2020-2021 – Tax Rates

- Mayor Rettig briefed the council on property taxes which included: tax base vs. tax levy, taxable value growth, rate caps effect, tax rate decision points, Catherine Branch improvements and project financing decision options
- Matthew Garret with NewGen Strategies & Solutions updated the council on water and wastewater rate study which included: revenue requirement, rate setting, rate design options and comparisons

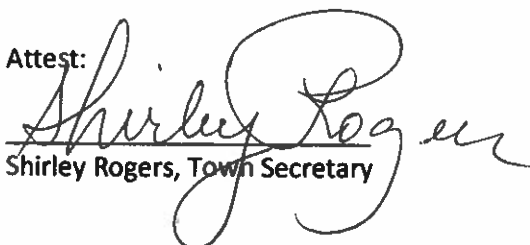
- 11. By general consent the meeting was adjourned at 9:25 pm

Passed and approved on this the 25th day of June 2020

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary

