



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, AUGUST 13, 2020**

1. Mayor David Rettig call the workshop session to order at 6:33 pm, quorum present

Council Members present: David Rettig, Mayor; Brian Montini, Mayor Pro Tem; Councilors Rena Hardeman, Jimmy Lambert, Roger Sessions, and Danny Simpson

Staff present: Drew Corn, Town Administrator; Police Captain Michael Coleman; Police Officer Kurtis Campbell; John Zagurski, Finance Director; Eric Tamayo, Public Works Director; Tara Barton, Marketing and Communications Coordinator; Jakob Bressler, Admin Intern; and Shirley Rogers, Town Secretary

Consultants present: Ashley Dierker, Town Attorney

Invocation given by Police Chaplain Matthew Harding, Pastor of Well Church Argyle
Pledge of Allegiance led by Mayor David Rettig

*Mayor Rettig stated at this time he would change the agenda up to allow residents to speak on a couple of items without staying thru the whole meeting

2. Mayor David Rettig called the regular meeting to order at 6:38 pm, all present

6. Regular Items

- F. Council Member Hardeman made the motion to table any action on Ordinance No. 20-0813B amending the Code of Ordinances, Town of Northlake, Texas, Chapter 11 Traffic and Vehicles, adding Article 11.06 Golf Carts; providing for the operation of golf carts on certain roadways in the Town.

Vote: motion failed for lack of second

Council Member Simpson made the motion to approve Ordinance No. 20-0813B amending the Code of Ordinances, Town of Northlake, Texas, Chapter 11 Traffic and Vehicles, adding Article 11.06 Golf Carts; providing for the operation of golf carts on certain roadways in the Town and amend section 11.06.003 Permitted and Restricted (a) (1) to read- *The maximum speed limit on the public street on which a golf cart is operated is thirty-five (35) miles per hour or less.* 2nd by Council Member Lambert

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

Staff members – Police Captain Michael Coleman and Police Officer Kurtis Campbell were present to make comments and answer questions from the council

4. Public Input

- Public Input Forms received by email for Item F Golf Carts
Canyon Falls residents- 7 in support, 2 in opposition
Prairie View Farms residents – 2 in support, 1 non committed
Stardust Ranch residents – 4 in support
- Steve Leach, Northlake resident, Prairie View Farms, stated was in support of the ordinance, loved living in town on a 1 acre tract for the rural feel
- Chris Robillard, Northlake resident, Prairie View Farms stated loved his 1 acre lot and safe community, was in support of the ordinance and no changes, stay with state law
- Bill Moore, Northlake resident, Prairie View Farms, stated he spoke on behalf of a neighbor who lived on Faught Road and would like to be able to use golf cart on the road to go into the neighborhood
- Christine Daily, non-resident, asked for enforcement to include checking drivers were licensed to use golf cart
- Tammy Wright, Northlake resident, the enforcement of the ordinance was very important and wanted to be sure the regulations were followed and enforced
- Tim Wright, Northlake resident, asked the council to consider leasing space to companies for aerial antennas on the new water towers, which could provide extra revenue to be used for an outdoor warning siren in Northlake

6. Regular Items (continued)

- E. Ordinance approving a Development Agreement between Sandstrom Development Tx, LTD and Town of Northlake, Texas, on approximately 34.03 acres of land in the Patrick Rock Survey, Abstract No. 1063, Denton County, Texas for a 31 single-family residential development known as Hawthorne Estates and authorize the Town Administrator to execute the agreement on behalf of the Town
- i. Mayor Rettig opened the public hearing at 7:42 pm to hear comments for or against the item.
No one came forward for or against the item. Mayor Rettig closed the public hearing at 7:42 pm.
 - ii. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-0813A and add language in the development agreement to require developer to escrow funds to be used for future construction of roadway connections to the north and to the south of the developer's property. 2nd by Council Member Simpson

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

Sandstrom Development Representative present - Scott Schambacher

3. Consent Items

Mayor Pro Tem Montini made the motion to approve the consent items shown below. 2nd by Council Member Sessions

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

- B. FY 20-21 Interlocal Cooperation Agreement for Shared Governance Communications & Dispatch Services System between Denton County and the Town of Northlake Police Department
- C. FY 21 Contract for Services between Trinity River Authority and Town of Northlake - Revised Technical Services Fee Schedule
- D. Town Council Meeting Minutes of 7-16-20

6. Regular Items (continued)

G. Council Member Sessions made the motion to set the date for public hearings for the Fiscal Year 2020-2021 Proposed Tax Rate and Town Budget at the council meeting on September 10, 2020 and set the adoption of the proposed tax rate and budget at same meeting. 2nd by Council Member Simpson

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

H. Council Member Simpson made the motion to set the date for public hearings for the service and assessment plans of Northlake Public Improvement District No. 1 (Harvest) and Northlake Public Improvement District No. 2 (The Highlands) for the council meeting on September 10, 2020 and set the adoption of the plans at the same meeting. 2nd by Council Member Sessions

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

I. Council Member Simpson made the motion to approve Resolution No. 20-20 authorizing the Town Administrator to enter into a contract with BrooksWatson & Co., PLLC. for Professional Audit Services. 2nd by Council Member Lambert

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

J. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-21 authorizing the Town Administrator to enter into contract with Wells Fargo Bank, N.A. for Bank Depository Services. 2nd by Council Member Sessions

Vote: motion passed unanimous

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

- K. Council Member Simpson made the motion to approve Resolution No. 20-22 authorizing the Town Administrator to contract with Landmark Structure I, L.P. for a 0.75 MG elevated storage tank not to exceed \$3,234,000.00 . 2nd by Council Member Sessions

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

- L. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-23 authorizing the Town Administrator to enter into a contract with Halff and Associates for wastewater treatment plant design and permitting related to the Catherine Branch Project not to exceed \$300,000. 2nd by Council Member Sessions

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

- M. Council Member Hardeman made the motion for council to gain access to the calendar of the Town Administrator on a day-to-day basis. 2nd by Council Member Lambert

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

Council Member Lambert made the motion to allow council historical access to the Town Administrator's calendar on a monthly basis and to be sent out by email to council members. 2nd by Council Hardeman

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

Council Member Simpson made the motion to deny council's access to the Town Administrator's calendar on an on-going basis. 2nd by Council Member Sessions

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

- N. Mayor Pro Tem Montini made the motion to cancel the August 27th and September 24th Council Meetings. 2nd by Council Member Sessions

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

O. No action taken to modify, continue and/or suspend the First Amended Declaration of Local and Public Health Emergency as modified by the Town Council on April 23, 2020

2. Briefing Items

A. FY 2020-2021 Proposed Budget Presentation led by Mayor David Rettig and Drew Corn, Town Administrator

- Homestead property tax exemption increased to 20% maximum allowed by state law
- Utility rates increased to ensure water/sewer utility system self-sustaining immediately
- Preserved current low tax rate of \$0.295 per \$100 of assessed value
- Additional \$7mil debt issued to invest in much needed infrastructure
- 7 new position added to maintain existing service levels
- 2% salary adjustment to maintain market position and retain employees

7. By general consent, Mayor Rettig convened the council into Executive Session at 9:02 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;
- 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. Legal advice related to development and annexation of the Chadwick Tracts, 6-acre and 3-acre tracts of land generally located at the corner of Cleveland Gibbs Road and Chadwick Parkway;
- vi. Legal advice related to development and annexation of the Henderson Tracts, seven tracts totaling 146 acres of land generally located at the southwest corner of FM 156 and Harmonson Road;
- vii. Pending or contemplated litigation;

- viii. Brandon K. Thrasher vs. Fort Worth Police Department, Northlake Police Department, Denton County Sheriff's Department, US District Court Case No. 4:20cv350-SDJ-KPJ;
- ix. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367;
- x. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084;
- xi. Town of Northlake vs. RKM Utility Services Inc. & Philadelphia Indemnity Insurance Company Denton County District Court Cause No. 20-0649-367
- xii. Potential litigation related to Dale Earnhardt Way road failures.

- b. 551.072 Deliberations about Real Property authorizes a governmental body to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person
 - i. 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
 - ii. Deliberation regarding the purchase, exchange, lease or value of real property to be acquired as property for water system expansion out of certain 1.72-acre tract of land

- c. Section 551.087 Deliberations regarding Economic Development Negotiations related to businesses locating in the Town
 - i. Deliberation regarding offer of financial or other incentives to a business prospect described as the Catherine Branch Project which includes the Foster and Buchanan tracts generally located at the northwest corner of IH-35W and Dale Earnhardt Way

- 8. Mayor Rettig reconvened the council into Open Session at 10:00 pm, no action taken as a result of closed session
- 9. By general consent, Mayor Rettig adjourned the meeting at 10:00 pm

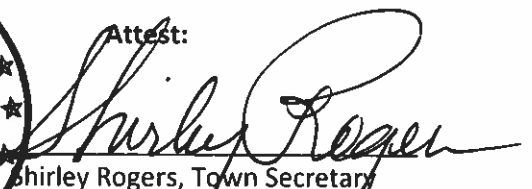
Passed and approved on this the 10th day of September 2020.

Town of Northlake, Texas


David Rettig, Mayor



Attest:


Shirley Rogers, Town Secretary