



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

**NORTHLAKE TOWN COUNCIL
MEETING MINUTES
THURSDAY, SEPTEMBER 10, 2020
1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226**

1. Regular Session

Mayor David Rettig called the meeting to order at 6:30 pm, all present

Council 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, Police Captain Mike Coleman; Eric Tamayo, Public Works Director; John Zagurski, Finance Director; Tara Barton, Marketing & Communications Coordinator; Jakob Bressler, Admin Intern, and Shirley Rogers, Town Secretary

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

Invocation given by Gavin Papit, Lead Pastor, Tribes Church
Pledge of Allegiance led by Mayor David Rettig

2. Briefing Items

- A. Mayor Rettig presented Proclamation No. 20 - 4 supporting United Way of Denton County to Marci Pitts representing United Way
- B. Mayor Rettig and Drew Corn, discussed options to annex areas contiguous with proposed Hawthorne Estates Property

3. Regular Meeting

Mayor David Rettig called the regular meeting to order at 6:52 pm, all present

4. Public Input

None

5. Consent Items

Mayor Rettig pulled Items D-E-F on behalf of Council Member Hardeman for further discussion

Mayor Pro Tem Montini made the motion to approve Items C-G-H-I. 2nd by Council Member Simpson

Vote: motion passed unanimous

For: Montini, Simpson, Sessions, Lambert, Hardeman

Against: none

- C. Resolution 20-14 authorizing the Denton Record Chronicle as the newspaper for publishing all official notices on behalf of the Town of Northlake
- G. Preliminary Plat of Harvest Phase 7 & 8B, a subdivision consisting of 171 residential lots and 3 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 44.374-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located north of Old Justin Road and west of Cleveland-Gibbs Road. Belmont 407, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # PP-20-004
- H. Final Plat of The Ridge at Northlake Phase 1A, a subdivision consisting of 16 residential lots and 3 common area lots on a 22.389-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located south of Heritage Trail and west of Briarwood Road, and zoned Mixed-Use Planned Development (MPD). TMRY Ridge, LP is the owner/applicant/developer. JBI Partners is the engineer/surveyor. Case # FP-20-015
- I. Town Council Meeting Minutes of 8-13-20
- D. Council Member Simpson made the motion to approve Resolution 20-25 approving a negotiated settlement between Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2020 Rate Review Mechanism Filing and declaring existing rates to be unreasonable, adopting tariffs that reflect rate adjustments consistence with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving attached Exhibit establishing a benchmark for the pensions and retirees medical benefits, approving attached Exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act, adopting a saving clause, declaring an effective date and requiring delivery of this resolution to the Company and ACSC's Legal Counsel. 2nd by Mayor Pro Tem Montini

Vote: motion pass unanimous
For: Simpson, Montini, Sessions, Lambert, Hardeman
Against: none
- E. Council Member Simpson made the motion to approve Resolution 20-26 amending the Employee Handbook. 2nd by Council Member Lambert

Vote: motion passed unanimous
For: Simpson, Lambert, Sessions, Montini, Hardeman
Against: none
- F. Mayor Rettig tabled this item - Agreement between Robert Matthews d/b/a All American Animal Control and Town of Northlake for animal control services

5. Regular Items

- J. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-0910A to levy assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2020-21; 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. 2nd by Council Member Simpson

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

- i. Mayor Rettig opened the public hearing at 7:15 pm
No one came forward at this time for or against
Mayor Rettig closed the public hearing at 7:15 pm

- K. Council Member Lambert made the motion to approve Ordinance No. 20-0910B of the Town Council of the Town of Northlake, Texas accepting and approving the update of the service and assessment plan and an updated assessment roll for The Highlands Public Improvement District in compliance with Chapter 372. 2nd by Mayor Pro Tem Montini

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

- i. Mayor Rettig opened the public hearing at 7:16 pm
No one came forward at this time for or against
Mayor Rettig closed the public hearing at 7:16 pm

- L. Council Member Sessions made the motion to approve Ordinance No. 20-0910C of the Town Council of the Town of Northlake, Texas, amending the Adopted Budget for the Town of Northlake, Texas for the Fiscal Year October 1, 2019 through September 30, 2020; providing that expenditures for the said fiscal year shall be made in accordance with said amended budget. 2nd by Council Member Simpson

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

- M. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-0910D adopting and approving Fiscal Year 2020-2021 Budget as shown on Exhibit A to said Ordinance. 2nd by Council Member Sessions

Vote: Motion passed 4 for to 1 against

Roll Call Vote:

Place 1 Hardeman	Nay	Place 4 Sessions	Yes
Place 2 Lambert	Yes	Place 5 Simpson	Yes
Place 3 Montini	Yes		

- i. Mayor Rettig opened the public hearing at 7:20 pm
No one came forward at this time for or against
Mayor Rettig closed the public hearing at 7:20 pm

M. (2nd Motion)

Mayor Pro Tem Montini moved to ratify the property tax increase resulting from new property added to the tax rolls as reflected in the budget for Fiscal Year 2020-2021. 2nd by Council Member Lambert

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

- N. Mayor Pro Tem Montini moved that the property tax rate be increased by the adoption of a tax rate of \$0.295000 which is effectively a 6.9 percent increase in the tax rate; stated the Town has kept the same tax rate for 20 plus years of \$0.295, new language is required by state, only raising new revenue thru commercial and personal property tax and increased property values in which the town have no control over. 2nd by Council Member Simpson

Vote: Motion passed unanimous

Roll Call:

Place 1 Hardeman	Yes	Place 4 Sessions	Yes
Place 2 Lambert	Yes	Place 5 Simpson	Yes
Place 3 Montini	Yes		

- i. Mayor Rettig opened the public hearing at 7:22 pm
Northlake resident Joel McGregor stated his opposition to giving donations to charity by using tax-payers money
Mayor Rettig closed the public hearing at 7:22 pm

- O. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-27 modifying certain provisions related to the General Election ordered by the Town of Northlake for the purpose of electing citizens to serve on the Town Council Place 1, Place 2, and Place 3 to be held on November 3, 2020; approving a joint election with Denton County; establishing procedures for that election. 2nd by Council Member Lambert

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

- P. Mayor Pro Tem Montini made the motion to make donations of Northlake Cares Act funds in the following manner: \$15,000 to Denton County Emergency Services District No. 1; \$10,000 Northwest ISD and \$5,000 to Argyle ISD. 2nd by Council Member Simpson

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

2nd motion:

Council Member Sessions made the motion to approve a donation to the Denton County Emergency Services District No. 1 in the amount of \$25,000 and no donation to Northwest ISD or Argyle ISD. 2nd by Council Member Lambert

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

- Q. Mayor Pro Tem Montini made the motion to not vote on the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election Ballot. 2nd by Council Member Sessions

After discussion, Mayor Pro Tem Montini amended the motion to vote only for Place 3 - Incumbent Jeffrey Snyder. 2nd by Council Member Sessions

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

- R. 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

7. By general consent, the council convened into Executive Session at 7:57 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; and
 - ii. 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; and
 - iii. 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; and
 - iv. Legal advice related to the development and annexation of the Hatfield, Brasher, Green Tract on approximately 97.9 acre tract of land generally located south of Evelyn Lane, west of Faught Road and north of Faith Lane in the extraterritorial jurisdiction of the Town; and
 - v. Legal advice related to the development and annexation of the Nelson Tracts totaling 63.08 acres of land generally located east of IH-35W frontage road approximately 2,000 feet south of FM 1171; and
 - vi. Legal advice related to regulation of drainage matters; and

- vii. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367; and
- viii. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084.

b. 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

c. Section 551.-074 Personnel Matters

- i. Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Town Administrator annual performance evaluation

8. Mayor Rettig reconvened the council into Open Session at 10:48 pm. No action taken as a result of the closed session

9. By general consent, the meeting was adjourned at 10:48 pm

Passed and approved on this the 8th day of October 2020.

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary

