



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, OCTOBER 8, 2020
1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226**

1. Mayor David Rettig called the workshop session to order at 6:35 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, 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, Town Counsel; Ben McGahey, PE, Town Engineer; Kimberly Miller, Principal Planner for Resilience; Boyd London, Financial Advisor, Hilltop Securities

Invocation given by Robert Balduc, Pastor St. Peters Church
Pledge of Allegiance led by Mayor David Rettig

2. Presentations

Metroport Chamber Annual Report Update presented by Sally Aldridge, President & CEO
Northwest ISD State of the District Update presented by Dr. Ryder Warren, Superintendent

3. Mayor Rettig issued the following Proclamations

Northlake Beautification Months FY 20-21 (No. 20-5)
Texas Municipal Court Week November 2-6, 2020 (No. 20-6)

4. Briefing Items

A. Home Rule Charter Commission Appointments presented by Mayor Rettig

- Mayor proposes a twenty-member commission
- Commission will self-organize their schedule, pace, etc. delivering their charter proposal by February in order to be included on the May 2021 ballot

- Two resident appointees from each neighborhood by Mayor to ensure diverse viewpoints and representation
- One appointee by each Councilor
- Mayor Pro Tem appointment to commission as chair

B. Proposed Updates on Fire & Building Codes presented by Nathan Reddin

- ISO Building Codes effectiveness classification set to go up if not newer code not adopted
- Lower ISO rating can lead to lower insurance rates
- Difference between current codes and proposed codes are mostly minor and most builders in Northlake are building to newer codes
- Newer codes help maintain quality and preserve property values
- Proposed 2018 International Codes include IFC-NCTCOG Regional amendments
- Proposed 2018 Fire Code maintains current local amendments
- 2017 National Electrical Code with NCTCOG Regional Amendments

5. Mayor David Rettig called the regular meeting to order at 8:08 pm, all council members present

6. Public Input

- Joel McGregor, Northlake resident, stated his opposition to the town taking on any additional debt, opposed approval of Items I, L, M, N
- Bill Moore, Northlake resident, stated his support for Item K allowing for Off-Highway Vehicles with certain restrictions

7. Consent Items

Mayor Pro Tem Montini made the motion to approve the Consent Items listed below. 2nd by Council Member Sessions

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

- C. Resolution No. 20-28 authorizing the Town Administrator to enter into an agreement for the purchase of a one Public Works Department vehicle not to exceed \$80,000 and three Police Department Vehicles and Equipment not to exceed \$195,000
- D. Resolution No. 20-29 approving and authorizing the Town Administrator to enter into an agreement for the purchase of water meters and transmitters not to exceed \$300,000
- E. Resolution No. 20-30 authorizing participation in various cooperative purchasing programs in accordance with the Town's procurement policy; identifying those cooperative purchasing programs approved for town participation; authorizing execution of any and all necessary agreements for participation in the cooperative programs by the Town Administrator and approving related contracts
- F. Town Council Meeting Minutes of 9-10-20

8. Regular Items

- G. Ordinance approving a Development Agreement between the Town of Northlake, Texas, Northlake Economic Development Corporation, Northlake Community Economic Development Corporation and Richard Foster, Karen Elaine Lewis, Shannon N. Gierisch and Rachel P. Weis for a commercial development to be located on approx. 124 acres of land in the H. Anderson Survey, Abs. No. 25 and the A.

Gawltney Survey, Abs. No. 500 Denton County, Texas, authorizing the Town Administrator to execute said Development Agreement

- i. Mayor Rettig open the public hearing at 8:26 pm
no one came forward for or against
Mayor Rettig closed the public hearing at 8:26 pm

ii. Council Member Simpson made the motion to approve Ordinance No. 20-1008A. 2nd by Mayor Pro Tem Montini

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

H. Ordinance approving the Development Agreement between the Town of Northlake, Texas, Northlake Economic Development Corporation, Northlake Community Development Corporation and Northlake 35, LLC for a commercial development to be located on approx. 250 acres of land in the Holland Anderson Survey, Abs. No. 25, H.W. Cocke Survey, Abs. No. 310, W.P. Harmonson and Ben Waters Survey, Abs. No. 642, William Murry Survey, Abs. No. 890 and Simeon E. Park Survey, Abs. No. 1005, Denton County, Texas and authorizing the Town Administrator to execute said Development Agreement

- i. Mayor Rettig open the public hearing at 9:04 pm
no one came forward for or against
Mayor Rettig closed the public hearing at 9:04 pm

ii. Council Member Sessions made the motion to approve Ordinance No. 20-1008B. 2nd by Council Member Simpson

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

Mayor Rettig made the following statement prior to Item I:

"In order not to disadvantage my employer which is engaged in securities acquisition in the market, I will be recusing myself from the discussion regarding issuing debt securities this evening. Mayor Pro Tem Montini will be leading the discussions."

Mayor Rettig turned the control of the meeting over to Mayor Pro Tem Montini and left the room.

I. Council Member Simpson made the motion to approve Ordinance No. 20-1008C authorizing the issuance and sale of Town of Northlake, Texas, Tax Note, Series 2020; levying an annual ad valorem tax and providing for the security for and payment of said note; and enacting other provisions relating to the subject. 2nd by Council Member Sessions

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

Against: none

Boyd London, Financial Advisor, Hilltop Securities present for discussion

Mayor Pro Tem Montini turned the control of the meeting back to Mayor Rettig at this time.

- J. Council Member Simpson made the motion to approve Ordinance No. 20-1008D amending the Code of Ordinances, Town of Northlake, by amending the Engineering Design Manual adopted by the Town on May 13, 2010 and maintained on file in the office of the Town Secretary; amending certain regulations related to street lights. 2nd by Council Member Lambert

Vote: motion passed unanimous

For: Simpson, Lambert, Sessions, Montini, Hardeman

Against: none

- K. Council Member Lambert made the motion to approve Ordinance No. 20-1008E amending the Code of Ordinances, Chapter 11 Traffic and Vehicles, adding Article 11.07 Off-Highway Vehicles; providing for the operation of Off-Highway Vehicles on certain roadways in the Town. 2nd by Council Member Hardeman

Vote: motion passed unanimous

For: Lambert, Hardeman, Montini, Sessions, Simpson

Against: none

- L. Council Member Sessions made the motion to approve an agreement between Robert Matthews d/b/a All American Animal Control and Town of Northlake for animal control services. 2nd by Mayor Pro Tem Montini

Vote: motion passed unanimous

For: Sessions, Montini, Hardeman, Lambert, Simpson

Against: none

- M. Council Member Hardeman made the motion to approve Resolution No. 20-31 approving and authorizing the Town Administrator to enter into an agreement for the preparation of a Risk & Resilience Assessment and Emergency Response Plan prepared by Halff Associates not to exceed \$55,000. 2nd by Council Member Lambert

Vote: motion passed unanimous

For: Hardeman, Lambert, Montini, Sessions, Simpson

Against: none

Ben McGahey, PE, VP Operations Manager and Kimberly Miller, Principal Planner for Resilience present for discussions

- N. Council Member Simpson made the motion to approve Resolution No. 20-32 authorizing the Town Administrator to enter into for the service of council meeting streaming using CARES Act Grant Funding not to exceed \$65,000. 2nd by Council Member Sessions

Vote: motion passed unanimous

For: Simpson, Sessions, Montini, Lambert, Hardeman

- O. Council Member Hardeman made the motion to cancel the October 22nd, November 26th and December 24th council meetings. 2nd by Council Member Simpson

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

- P. 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

9. By general consent, Mayor Rettig convened the Town Council into Executive Session at 9:26 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 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 the development of the 6McFarm tracts totaling approximately 234.4 acres of land generally located north and east of Harmonson Road approx. 2,358 feet north of Victory Circle
 - vii. Legal advice related to the development of the Charles Faught tracts totaling approximately 102.3 acres of land generally located north of Evelyn Lane, west of Faught Road, and south of Robson Ranch Road
 - viii. Pending or contemplated litigation;
 - ix. 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;
 - x. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367;

xi. 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

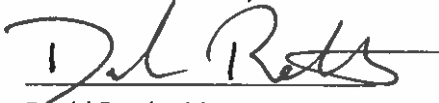
i. Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Town Administrator annual performance evaluation

10. Mayor Rettig reconvened the Town Council into Open Session at 10:46 pm
No action was needed from Executive Session

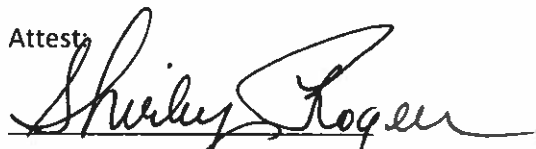
11. Mayor Rettig adjourned the meeting at 10:46 pm

PASSED AND APPROVED by Town Council on the 12th day of November 2020

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary

