



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
REGULAR MEETING MINUTES
THURSDAY, NOVEMBER 12, 2020
1500 COMMONS CIRCLE SUITE 300
NORTHLAKE, TEXAS 76226**

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

Invocation given by Mayor David Rettig

Pledge of Allegiance led by Mayor David Rettig

Roll Call: David Rettig, Rena Hardeman, Brian Montini, Roger Sessions, Danny Simpson

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

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

Mayor Rettig stated since the canvass had not been completed and finalized, the procedure to administer the Statement of Officer and Oath of Office to the newly elected Council Members would be rescheduled until the next meeting

2. Public Input

- Jake Pavelka, Founder and President of Rhino Removal services introduced himself to the council and said he looked forward to working with Northlake on waste collection and recycling, would be available to answer any questions. His company will be putting in a bid for the services
- Joel McGregor, Northlake resident, stated he was in opposition to Items I & J consenting to the creation of two MUD's; opposed Item K Professional Services for the Home Rule Charter Facilitation; had concerns on Item N adoption of 2018 International Building Codes; and thought the bid price on Item L pavement repairs to Dale Earnhardt Way and Canyon Falls streets seemed very high

3. Announcements, Proclamations and Presentations

- A. FY 20 Quarterly Investment Report given by John Zagurski, Finance Director
- B. FY 20 Quarterly Budget Report by John Zagurski, Finance Director
- C. Home Rule Charter Committee Update by Mayor Pro Tem Brian Montini

- D. Request for a zoning change from Rural Residential (RR) to Industrial (I) for a 251.044 acre tract of land located at 10677 Harmonson Road by Nathan Reddin, Development Services Director

Representative Thomas Hillsman, Managing Member with Westgate Capital Group LLC present

4. Consent Items

On behalf of Council Member Hardeman, Mayor Rettig took each item individually for discussion

- E. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-33 authorizing Town Administrator to enter into a professional services agreement with Halff Associates for engineering design and right-of-way acquisition services to reconstruct and widen Faught Rd (from Old Justin to Robson Ranch Road) not to exceed \$185,000. 2nd by Council Member Simpson

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

- F. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-34 authorizing Town Administrator to enter into professional services agreement with Halff Associates for engineering design and right-way acquisition services to reconstruct and widen Florance Road (from Strader Rd to Yarbrough Way) not to exceed \$355,000. 2nd by Council Member Simpson

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

- G. Mayor Pro Tem Montini made the motion to approve the Town Council Meeting Minutes of 10-8-20 with the one correction on item A 4th bullet point to remove 'resident'. 2nd by Council Member Sessions

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

5. Action Items

- H. Mayor Rettig tabled action on the appointment of a Mayor Pro Tem for a one-year term until the next meeting in December

At this time, Mayor Rettig convened the town council into Executive Session at 7:22 pm under Section 551.071 authorizing a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter - 1) Legal advice on any matter related to posted agenda item (Item I). Mayor Rettig reconvened the town council to open session at 7:44 pm to continue with the meeting

- I. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-35 consenting to the creation of Denton County Municipal Utility District No. 10 to contain certain territory within the extraterritorial jurisdiction of the Town of Northlake, Texas. 2nd by Council Member Sessions

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

- J. Mayor Rettig tabled action on Resolution No. 20-36 consenting to the creation of the Oliver Creek Ranch Municipal Utility District to contain certain territory within the extraterritorial jurisdiction of the Town of Northlake, Texas

- K. Council Member Simpson made the motion to approve Resolution No. 20-37 authorizing the Town Administrator to execute a contract with Baker Tilly to provide professional services for Charter Commission facilitation not to exceed the amount of \$60,000. 2nd by Mayor Pro Tem Montini

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

- L. Council Member Sessions made the motion to approve Resolution No. 20-38 authorizing the Town Administrator to award the bid and alternate No. 2 to 2L Construction LLC for the pavement repairs to Canyon Falls and Dale Earnhardt Way not to exceed the amount of \$605,000. 2nd by Council Member Simpson

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

- M. Mayor Pro Tem Montini made the motion to approve Resolution No. 20-39 authorizing the Town Administrator to award alternate bid No. 2 to Reliable Paving for reconstruction of Old Justin Road (from Faught Rd to Flanagan Farm Rd) not to exceed the amount of \$520,000. 2nd by Council Member Simpson

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

- N. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-1112A adoption of 2018 International Building Code, 2018 International Residential Code, 2018 International Existing Building Code, 2017 National Electrical Code, 2018 International Energy Conservation Code, 2018 International Mechanical Code, 2018 Plumbing Code, 2018 International Fuel Gas Code, 2018

International Swimming Pool and Spa Code and including certain amendments. 2nd by Council Member Simpson

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

Manny Villarreal and Mike Doughty, Building Inspectors/Countywide Inspection were present to answer questions

- O. Mayor Pro Tem Montini made the motion to approve Ordinance No. 20-1112B amending Chapter "Fire Prevention and Protection", Article 6.02 "Fire Code" of the Code of Ordinances of the Town of Northlake, Texas by adopting the 2018 Edition of the International Fire Code and local amendments. 2nd by Council Member Simpson

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

Fire Chief Mac Hohenberger, Denton Co. ESD 1 Fire Department was present to answer questions

- P. Council Member Sessions made the motion to approve Ordinance No. 20-1112C amending the Town of Northlake, Texas Code of Ordinances and Appendix "A Fee Schedule, providing water and sanitary sewer service fee updates; amending provisions related to water management stages with one correction to Section 4 (9)(f) to reflect one leak adjustment within a one-year period. 2nd by Council Member Simpson

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

- Q. 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

6. By general consent, the Mayor convened the Council into Executive Session at 8:28 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 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; and
 - v. 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
 - vi. 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
 - vii. Legal advice related to the development and annexation of the Scrivner Tract totaling 44.8 acres of land generally located east of Florance Road approximately 2,533 feet north of FM 407; and
 - 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; and
 - x. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367; and
 - xi. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084;
7. By general consent, Mayor Rettig reconvened the Council into open session at 10:30 pm. No action was taken as a result of the closed session
8. By general consent, the meeting was adjourned at 10:30 pm

PASSED AND APPROVED by Town Council on this the 10th day of December 2020.

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary

