



DAVID A. RETTIG, MAYOR

RENA HARDEMAN, COUNCIL PLACE 1
MICHAEL C. GANZ, COUNCIL PLACE 2
BRIAN MONTINI, COUNCIL PLACE 3

ROGER SESSIONS, COUNCIL PLACE 4
BILL MOORE, COUNCIL PLACE 5
WES BOYER, COUNCIL PLACE 6

**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
THURSDAY, JULY 22, 2021**

1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226

1. Mayor David Rettig called the meeting to order at 5:33 pm, all present

Roll Call:

David Rettig, Mayor	present	Roger Sessions, Place 4	present
Rena Hardeman, Place 1	present	Bill Moore, Place 5	present
Michael Ganz, Place 2	present	Wes Boyer, Place 6	present
Brian Montini, Place 3, Mayor Pro Tem	present		

Staff present:

Drew Corn, Town Manager,	Nathan Reddin, Development Director
Robert Crawford, Chief of Police	Michael Coleman, PD Captain
Eric Tamayo, Public Works Director	John Zagurski, Finance Director
John Thomson, Management Analyst	Shirley Rogers, Town Secretary

Invocation given by Josh Akers, Roanoke Community Groups Pastor, Compass Church
Mayor Rettig led the Pledges of Allegiance to the US and Texas Flags

2. Announcements, Proclamations and Presentations

- A. FY 2021 Quarterly Reports presented by John Zagurski, Finance Director
- Investment Report
 - Budget
- B. FY 2022 Tax Rate and Financing Strategy presented by Drew Corn
- Vision, Mission, Values and Council Goals
 - FY 22 Budget Focus
 - FY 22 Tax Rate Strategy – maintain low tax rate \$0.295 per \$100 assessed value, maximize M&O rate to maintain Town service levels, utilize revenue growth to make one-time debt paydown
 - Leveraging Development – investing in infrastructure, proposed financing 2021 CO's Projects: Catherine Branch Ph 2, main trunk line route study, oversizing participation

3. Public Input - none

4. Consent Items

Mayor Rettig pulled Item D on behalf of Council Member Hardeman for further discussion

Mayor Pro Tem Montini made the motion to approve the Consent Items C & E. 2nd by Council Member Sessions

Vote: motion passed unanimous
For: Montini, Sessions, Moore, Boyer, Rettig, Ganz, Hardeman
Against: none

C. Town Council Meeting Minutes 6-24-21

E. Approval of an Interlocal Cooperation Agreements for Property Tax Assessment and Collection between Denton County and Town of Northlake

i. Town of Northlake
ii. Northlake Public Improvement District No. 1 (Harvest)
iii. Northlake Public Improvement District No. 2 (The Highlands)

D. Council Member Moore made the motion to approve Resolution No. 21-21 Appointing Directors of Northlake Municipal Management District No. 1 of Denton County, a Conservation and Reclamation District located within the corporate limits of the Town of Northlake, Texas. 2nd by Council Member Boyer

Vote: motion passed
For: Moore, Boyer, Rettig, Montini, Ganz
Against: Sessions, Hardeman

5. Action Items

F. Mayor Pro Tem Montini made the motion to approve Ordinance No. 21-0722A of the Town Council of the Town of Northlake, Texas, amending the Adopted Budget for the Fiscal Year October 1, 2020, through September 30, 2021; providing that expenditures for the said fiscal year shall be made in accordance with the said Amended Budget. 2nd by Council Member Sessions

Vote: motion passed unanimous
For: Montini, Sessions, Moore, Boyer, Rettig, Ganz, Hardeman
Against: none

G. Approval of an Ordinance on the Comprehensive Plan amendment to change the future land use designation from MU – Mixed Use to BP – Business Park for the area generally located north of Victory Circle and south of Denton Creek and the future extension of FM 1171 and west of IH35W and east of FM 156

i. Mayor Rettig opened the public hearing at 6:23 pm to hear comments for or against the proposed amendment - none received - Mayor Rettig closed the public hearing at 6:23 pm
ii. Mayor Pro Tem Montini made the motion to approve Ordinance No. 21-0722B. 2nd by Council Member Ganz
Vote: motion passed
For: Montini, Ganz, Hardeman, Rettig, Moore, Boyer
Against: Sessions

- H. Approval of an Ordinance on the Master Thoroughfare Plan amendment to amend the 2016 Master Thoroughfare Plan Update as amended, by replacing the Master Thoroughfare Plan Map
- i. Mayor Rettig opened the public hearing at 6:52 pm to hear comments for or against the proposed amendment
- Dennis Bryson, resident of Northlake ETJ stated he did not think Faith Lane should go thru to Florance Rd, Evelyn Lane not maintained, Strader Road in bad shape- needs work
- Mayor Rettig closed the public hearing at 6:52pm
- ii. Mayor Pro Tem Montini made the motion to approve Ordinance No. 21-0722C as shown and direct Staff to start a project list of roads/streets for discussion at a future council meeting. 2nd by Council Member Sessions
- Vote: motion passed
- For: Montini, Sessions, Boyer, Moore, Rettig, Ganz
- Against: Hardeman
- I. Council Member Hardeman made the motion to approve Resolution No. 21-22 of the Town Council of the Town of Northlake, Texas, approving and authorizing the Town Manager to apply for the American Recovery Plan Act through the Texas Department of Emergency Management and accepting any and all grant funds awarded to the Town pursuant to such application. 2nd by Council Member Ganz
- Vote: motion passed unanimous
- For: Hardeman, Ganz, Montini, Rettig, Sessions, Moore, Boyer
- Against: none
- J. Approval of an Ordinance for a Specific Use Permit (SUP) for an accessory building to be constructed on Lot 14R2, Block A, Northlake Country Estates, a 9.167-acre lot located at 2250 FM 407, the northwest corner of FM 407 and Faught Road, and zoned Rural Residential (RR). Mohammad Khan is the owner/applicant. Case # SUP-21-001
- i. Mayor Rettig opened the public hearing at 7:26 pm to hear comments for or against the SUP request - none received - Mayor Rettig closed the public hearing at 7:26 pm
- ii. Council Member Sessions made the motion to approve Ordinance No. 21-0722D. 2nd by Council Member Ganz
- Vote: motion passed unanimous
- For: Sessions, Ganz, Hardeman, Montini, Rettig, Moore, Boyer
- Against: none
- K. Ordinance Zoning change from RR – Rural Residential (min. 5 acres lots) /CRO - Conservation Residential Overlay to RE-PD – Rural Estate Planned Development (min. 2 acre lots) for an approximately 14.2855-acre tract of land situated in the J.E. Anderson Survey, Abstract No. 22, generally located on the northeast corner of Florance Road and Strader Road/ Robson Ranch Road. Kenneth Frisby is the owner/applicant. Case # PD-21-003

- i. Mayor Rettig opened the public hearing at 7:25 pm to hear comments for or against the zoning change
- Kevin Eldridge, friend of Kenneth Frisby, presented a recorded message from Mr. Frisby submitted for this item. He would like to subdivide his property into 3 two-acre lots which is along the lines of his neighbors in the Stardust Ranch subdivision. Commented on the Florence and Strader roads alignment. He would like for the council to consider his request for rezoning his property.
 - Austin Frisby, son of Mr. Frisby supports the rezoning of the 14.285 acres
 - Dennis Bryson, Northlake ETJ resident supports the zoning change request
 - Stacey Holland, Northlake resident, supports the applicant on the zoning change
 - Josh Akers, Northlake resident, was in support of the zoning change
- Mayor Rettig closed the public hearing at 7:44 pm
- ii. Council Member Moore made the motion to not approve Ordinance No. 21-0722E denying the zoning change. Died for lack of a second
- Council Member Boyer moved to table this item until the next council meeting. 2nd by Mayor Rettig
- Vote: motion passed unanimous
- For: Boyer, Rettig, Moore, Sessions, Montini, Ganz, Hardeman
- Against: none
- L. Approval of an Ordinance Zoning change from I – Industrial to I-PD – Industrial Planned Development for an approximately 251-acre tract of land located on the east side of Harmonson Road at 10677 Harmonson Road. 6 McFarm LLC is the owner. Westgate Capital Group, LLC is the applicant. Case # PD-21-004.
- i. Mayor Rettig opened the public hearing at 8:15 pm to hear comments for or against the zoning change. Tom Hillsman, Westgate Capital Group LLC, was in support of the zoning change. Mayor Rettig closed the public hearing at 8:16 pm
- ii. Mayor Pro Tem Montini made the motion to approve Ordinance No. 21-0722F. 2nd by Council Member Sessions
- Vote: motion passed unanimous
- For: Montini, Sessions, Boyer, Rettig, Moore, Ganz, Hardeman
- Against: none
- M. Mayor Pro Tem Montini made the motion to approve Resolution No. 21-23 to authorize Town Manager to Execute Change Order No. 1 with Landmark Structures for the installation of Pressure Reducing Valve at a cost not to exceed \$175,000.00. 2nd by Council Member Sessions
- Vote: motion passed unanimous
- For: Montini, Sessions, Boyer, Moore, Rettig, Ganz, Hardeman
- Against: none

Mayor Rettig wanted it noted that the town's engineers missed this item in the initial proposal but has been discussed with the town engineers and are satisfied with their response to their error.

- N. Mayor Pro Tem Montini made the motion to approve Resolution No. 21-24 to authorize Town Manager to contract with Halff and Associates for design of Catherine Branch Wastewater Trunk Line Phase 2 at a cost not to exceed \$525,000.00. 2nd by Council Member Boyer

Vote: motion passed unanimous
For: Montini, Boyer, Moore, Sessions, Rettig, Ganz, Hardeman
Against: none

- O. No action - Approval of 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

By general consent, Mayor Rettig convened the council into executive session at 8:20 pm pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D on the items listed: Section 551.071 Consultation with Attorney; Section 551.072 Deliberations about Real Property; and Section 551.087 Economic Development Negotiations

By general consent, Mayor Rettig reconvened the council into open session at 9:05 pm.

7. P. Council Member Sessions made the motion to approve the Development Agreement with 6McFarm LLC and Westgate Capital Group LLC and Town of Northlake. 2nd by Council Member Moore

Vote: motion passed unanimous
For: Sessions, Moore, Boyer, Rettig, Montini, Ganz, Hardeman
Against: none

- Q. Mayor Pro Tem Montini made the motion to approve the Retail Sewer Service Agreement with Continental U.S. Management LLC and the Town of Northlake. 2nd by Council Member Ganz

Vote: motion passed unanimous
For: Montini, Ganz, Hardeman, Rettig, Sessions, Moore, Boyer
Against: none

- R. Council Member Ganz made the motion to approve the Development Agreement with Westview Trails LLC and the Town of Northlake. 2nd by Council Member Moore

Vote: motion passed
For: Ganz, Moore, Boyer, Sessions, Rettig, Montini,
Against: Hardeman

6. Mayor Rettig convened the Council in a 2nd Executive Session at 9:16 pm pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D on the items listed:

a. Section 551.071 Consultation with Attorney. The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- i. Development of the Hatfield, Brasher, Green tract of approximately 97.9 acres of land west of Faught Road; and
- ii. 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 in the extraterritorial jurisdiction of the Town; and
- iii. Development of the IMA and AMI Development Groups tracts on approximately 6.4 acres of land north of FM 407; and
- iv. Development of the Oneta Lee Cope Trust tract on approximately 69.0 acres of land located west of FM 156; and
- v. Development of the Petrus Investments LP tracts on approximately 559.7 acres of land located east of FM 156; and
- vi. Development and annexation of the CKD Holdings Inc Tracts 24.8-acre, 11.9-acre, and 1.8-acre tracts of land generally located north of Oliver Creek and west of FM 156 in the extraterritorial jurisdiction of the Town; and
- vii. 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 the development of the Charles Faught tracts totaling approximately 152.3 acres of land generally located north of Evelyn Lane, west of Faught Road, and south of Robson Ranch Road; and
- viii. Town of Northlake vs. City of Justin, Denton County District Court Cause No. 15-08170-367; and
- ix. City of Justin v. Toby Baker, Cause No. D-1-GN-20-002084.

b. Section 551.072 Deliberations about Real Property

- i. Regarding purchase, exchange, lease or value of real property to be acquired as right-of-way out of 138.1 acre tract, Anderson Tract 1

c. Section 551.087 Economic Development Negotiations

- i. Potential amendment to Development Agreement approved October 10, 2020, between Town, NEDC, NCDC, and Foster, Lewis, Gierisch, and Weis

Mayor Rettig reconvened the council into open session at 9:34 pm. No further action as a result of the second closed session.

8. Mayor Rettig adjourned the meeting at 9:34 pm

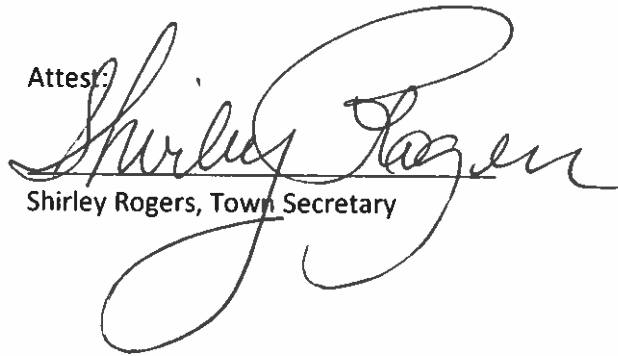
Passed and approved by Town Council on this the 12th day of August 2021.

Town of Northlake, Texas



David Rettig, Mayor

Attest:



Shirley Rogers, Town Secretary

