



DAVID A. RETTIG, MAYOR

RENA HARDEMAN, COUNCIL PLACE 1
MICHAEL C. GANZ, COUNCIL PLACE 2
BRIAN MONTINI, MAYOR PRO TEM

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

**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
AUGUST 12, 2021
1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226**

1. Mayor David Rettig called the meeting to order at 5:30 pm., quorum present

Roll Call:

David Rettig, Mayor

Roger Sessions, Place 4

Rena Hardeman, Place 1

Bill Moore, Place 5

Michael Ganz, Place 2

Wes Boyer, Place 6

Brian Montini, Mayor Pro Tem

Invocation given by Mathew Hardin, The Well Church

Mayor Rettig led the Pledges of Allegiance to US and Texas Flags

2. Announcements, Proclamations and Presentations

A. Presentation by Debbie Jensen - CASA of Denton County

B. Mayor Rettig read Proclamation 21-3 recognizing Shirley Rogers, Town Secretary, on her retirement

C. Master Thoroughfare Plan and Roadway Impact Fee Update Process presented by Ben McGahey with Halff Associates

- Roadway Impact Fees
- Creation of CIP Advisory Commission

D. Social Media Usage Policy presented by Drew Corn

E. FY 2022 Proposed Budget Presentation presented by Drew Corn

3. Public Input

- Joel McGregor addressed the Council regarding the Master Thoroughfare Plan.

4. Consent Items

Item H. was pulled from the Consent Agenda by Council Member Hardeman for individual consideration.

Motion was made by Mayor Pro Tem Montini and second by Mayor Rettig to approve Consent Items F., G., and I. Motion passed 7-0.

- F. Town Council Meeting Minutes 7-22-21
- G. Resolution No. 21-25 designating certain individual(s) authority to handle registration documentation pertaining to marked/unmarked vehicle license plates
- I. Resolution No. 21-27 of the Town Council of the Town of Northlake, Texas, approving and authorizing the Town Manager to enter into an agreement for the purchase of OpenGov Cloud Software Update.
- H. Motion was made by Mayor Pro Tem Montini and second by Council Member Boyer to approve Resolution No. 21-26 of the Town Council of the Town of Northlake, Texas, giving consent to the issuance of unlimited tax bonds by Northlake Municipal Management District No. 1 (Pecan Square) of Denton County, a conservation and reclamation district located within the corporate boundaries of the Town. Motion passed 6-0. Mayor Rettig abstained.

5. Action Items

- J. Approval of an Ordinance Zoning change from RR – Rural Residential (min. 5 acres lots) /CRO - Conservation Residential Overlay to RE-PD – Rural EstatePlanned 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.

Ken Frisby spoke in favor of the zoning change.

Motion was made by Mayor Pro Tem Montini and second by Council Member Moore to deny Ordinance No. 21-0812A, a zoning change from RR – Rural Residential (min. 5 acres lots) /CRO - Conservation Residential Overlay to RE-PD – Rural EstatePlanned 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. Motion passed 5-2. Hardeman and Boyer opposed.

- K. Approval of an Ordinance of the Town of Northlake, Texas, amending the Code of Ordinances Northlake, Texas Chapter 11 "Traffic and Vehicles" Article 11.04 "Stopping, Standing and Parking" to modify Section 11.04.001 "Definitions" and to add Section 11.04.018 "Parking on Certain Streets Prohibited".

Motion was made by Council Member Hardeman and second by Council Member Ganz to approve Ordinance No. 21-0812B of the Town of Northlake, Texas, amending the Code of Ordinances Northlake, Texas Chapter 11 "Traffic and Vehicles" Article 11.04 "Stopping, Standing and Parking" to modify Section 11.04.001 "Definitions" and to add Section 11.04.018 "Parking on Certain Streets Prohibited". Motion passed 7-0.

- L. Discussion and action on setting the date for public hearings for the Fiscal Year 2021-2022 Proposed Tax Rate and Town Budget at the council meeting on August 26, 2021 or September 9, 2021 and set the adoption of the proposed tax rate and budget at same meeting

Motion was made by Mayor Pro-Tem Montini and second by Council Member Boyer to set the date for public hearings for the Fiscal Year 2021-2022 Proposed Tax Rate and Town Budget at the council meeting on August 26, 2021 and to set the adoption of the proposed tax rate and budget at same meeting. Motion passed 7-0.

- M. Discussion and action on setting 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 August 26, 2021 or September 9, 2021 and set the adoption of the plans at the same meeting

Motion was made by Mayor Pro Tem Montini and second by Council Member Boyer 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 August 26, 2021 and to set the adoption of the plans at the same meeting. Motion passed 7-0.

- N. Consider ratifying the approval of a Professional Services Contract with City Hall Essentials for a Consulting Town Secretary appointed by Town Manager and authorize the Town Manager to execute any future agreements or amendment to the Professional Services Contract necessary for Town Manager's appointment of a Consulting Town Secretary.

Motion was made by Council Member Ganz and second by Mayor Pro Tem Montini to ratify the approval of a Professional Services Contract with City Hall Essentials for a Consulting Town Secretary appointed by Town Manager and authorize the Town Manager to execute any future agreements or amendment to the Professional Services Contract necessary for Town Manager's appointment of a Consulting Town Secretary. Motion passed 7-0.

- O. Postponed -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

6. By general consent, Mayor Rettig convened the council into Executive Session at 7:54 pm to discuss pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:
- 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 IMA and AMI Development Groups tracts on approximately 6.4 acres of land north of FM 407; and
 - ii. Development and annexation of the Oneta Lee Cope Trust tract on approximately 69.0 acres of land located west of FM 156; and
 - iii. Development of the Petrus Investments LP tracts on approximately 559.7 acres of land located east of FM 156; and
 - iv. 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
 - v. 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
 - vi. Water line oversizing agreement with Newland Communities; 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 551.072 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; and
 - ii. Potential development agreement with Henry Northlake Development LLC on five tracts totaling approximately 122 acres generally located east of I-35W and north of Denton Creek.

7. Mayor Rettig reconvened the council into Open Session at 8:51 pm

Motion was made by Mayor Pro Tem Montini and second by Mayor Retting to approve the acquisition of property pursuant to item b.i. discussed in executive session and authorize the Town Manager to negotiate and enter into any agreements necessary pursuant to the discussion in executive session. Motion passed 7-0.

8. Mayor Rettig adjourned the meeting at 8:54 pm.

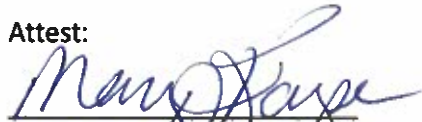
Passed and approved on this the 26th day of August, 2021.

Town of Northlake, Texas



Brian Montini, Mayor Pro Tem

Attest:



Mary J. Kayser, Town Secretary



