



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
AUGUST 26, 2021**

1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226

1. Mayor Pro Tem Brian Montini called the meeting to order at 5:30 p.m., quorum present

Roll Call:

David Rettig, Mayor (video)

Roger Sessions, Place 4 – absent

Rena Hardeman, Place 1

Bill Moore, Place 5

Michael Ganz, Place 2

Wes Boyer, Place 6

Brian Montini, Mayor Pro Tem

Invocation given by Jamaïne Gaines, Student Pastor, Fellowship of the Parks

Mayor Pro Tem Montini led the Pledges of Allegiance to US and Texas Flags

2. Announcements, Proclamations and Presentations

A. Recognizing Emily Harville, Police for receiving the Unsung Hero Award – presented by Mothers against Drunk Drivers

B. Mental Health Policy for Police Officers – Chief Robert Crawford

3. Public Input

This item is available for citizens to address the Town Council on any matter. The presiding officer may ask the citizen to hold his or her comment on an agenda item until that agenda item is reached. By law, no deliberation or action may be taken on the topic if the topic is not posted on the agenda. The presiding officer reserves the right to impose a time limit on this portion of the agenda.

Joel McGregor addressed the Council regarding the Throughfare Plan.

4. Consent Items

Motion was made by Mayor Rettig and second by Council Member Ganz to approve Consent Item C. Motion passed 6-0 (Sessions absent)

- C. Town Council Meeting Minutes 8-12-21

5. Action Items

- D. Consider for approval an ordinance to levy assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2021-22; 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**

Mayor Pro Tem Montini opened the Public Hearing on the Service and Assessment Plan for Public Improvement District #1 (Harvest)

There being no one wishing to be heard on this item the Public Hearing was closed.

Motion was made by Council Member Ganz and second by Council Member Boyer to approve Ordinance No. 21-0826A, levying assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2021-22; 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. Motion passed 6-0 (Sessions absent).

- E. Consider for approval an ordinance 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**

Mayor Pro Tem Montini opened the Public Hearing on the Service and Assessment Plan and updated assessment roll for Public Improvement District #2 (Highlands)

There being no one wishing to be heard on this item the Public Hearing was closed.

Motion was made by Council Member Ganz and second by Council Member Boyer to approve Ordinance No. 21-0826B 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. Motion passed 6-0 (Sessions absent).

- F. Consider for approval an ordinance to adopt the Proposed Budget for Fiscal Year 2021-22 beginning on October 1, 2021 and ending on September 30, 2022 for the Town of Northlake, Northlake Economic Development Corporation, Northlake Community Development Corporation, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands), Tax Increment Financing Zone No. 1 (TIRZ-Canyon Falls)**

Mayor Pro Tem Montini opened the Public Hearing on the Proposed Budget for Fiscal Year 2021-22 for the Town of Northlake.

There being no one wishing to be heard the Public Hearing was closed.

Motion was made by Mayor Pro Tem Montini and second by Council Member Moore to approve Ordinance No. 21-0826C adopting and approving the Budget for Fiscal Year 2021-22 as shown on Exhibit A to said Ordinance. Motion passed 5-1 (Hardeman opposed and Sessions absent).

Motion was made by Mayor Pro Tem Montini and second by Council Member Ganz to ratify the property tax increase as reflected in the budget for Fiscal Year 2021-2022. Motion passed 5-1 (Hardeman opposed and Sessions absent).

- G. Consider for approval an ordinance of the Town Council of the Town of Northlake, Texas fixing and levying municipal ad valorem taxes on all taxable property within the corporate limits of the Town of Northlake, Texas for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022 at the rate of \$0.295000 per one hundred dollars (\$100.00) and for directing the assessment thereof; providing for a date on which such taxes become due and delinquent together with penalties and interest thereon; providing for a place of payment; providing for approval of the tax rolls presented to the Town Council

Mayor Pro Tem Montini opened the Public Hearing on the proposed tax rate for the Town of Northlake.

There being no one wishing to be heard the public hearing was closed.

Motion was made by Council Member Moore and second by Mayor Pro Tem Montini that the property tax rate be increased by the adoption of a tax rate of \$0.295, which is effectively an eight percent (8%) increase in the tax rate (Ordinance 21-0826D). Motion passed 5-1 (Hardeman opposed and Sessions absent)

- H. Appointment of CIP Advisory Committee

Motion was made by Council Member Moore and second by Council Member Boyer to appoint the Planning and Zoning Commission as the Capital Improvements Advisory Committee. Motion passed 6-0 (Sessions absent)

- I. Authorizing the Town Manager to enter into a contract with Halff Associates, Inc. in an amount not to exceed \$60,000.00 for Professional Services for the review and update of Land Use Assumptions for the Master Throughfare Plan and to update the 10-year Capital Improvement Plan

Motion was made by Mayor Pro Tem Montini and second by Council Member Ganz to approve Resolution 21-28 authorizing the Town Manager to enter into a contract with Halff Associates, Inc. in an amount not to exceed \$60,000.00 for Professional Services for the review and update of Land Use Assumptions for the Master Throughfare Plan and to update the 10-year Capital Improvement Plan. Motion passed 6-0 (Sessions absent).

- J. 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. No changes/action.

6. By general consent, Mayor Pro Tem Montini convened the council into Executive Session at 6:17 pm to discuss 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, 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 general 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. Development and annexation of the Withee tract on approximately 74.3 acres of land located north of FM 407
- vii. Water line oversizing agreement with Newland Communities; 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; and
- x. Town of Northlake vs. RKM Utility Services Inc. & Philadelphia Indemnity Insurance Company Denton County District Court Cause No. 20-0649-367; and
- xi. Potential litigation related to Dale Earnhardt Way road failures.

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
- ii. Regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way and drainage easement acquisition from La Estancia LP of a certain 236.108 acres of land located in the F.M. Woodard Survey (Tract 4), Abstract No. 1420A in Northlake, Denton County, Texas for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law.

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 Pro Tem Montini reconvened the council into Open Session at 7:41 p.m.

8. Mayor Pro Tem Montini adjourned the meeting at 7:41 p.m.

Passed and approved on this the 9th day of September, 2021.

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Mary J. Kayser, Town Secretary