



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
1500 COMMONS CIRCLE, SUITE 300
JULY 14, 2022**

The Northlake Town Council convened in a Regular Meeting on July 14, 2022, at 5:31 p.m., in the Northlake Town Hall - Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

Mayor David Rettig called the meeting to order at 5:31 p.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor - Left Meeting at 6:47 p.m.	Roger Sessions, Place 4
Robert Keeker, Place 1	Bill Moore, Place 5
Michael Ganz, Place 2	Wes Boyer, Place 6
Brian Montini, Mayor Pro Tem	

Also present were Drew Corn, Town Manager, and Ashley Dierker, Town Attorney.

- Invocation was given by Pastor Jamaine Gaines, Fellowship of the Parks Church.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

Mayor Rettig advised agenda items would be heard out of order to accommodate speakers.

(NOTE: ITEMS ARE LISTED AS DISCUSSED/CONSIDERED BY TOWN COUNCIL)

4. CONSENT ITEMS

The Consent Agenda consisted of Item 4.E. - 4.H., and no item was pulled for Individual Consideration.

Councilmember Sessions moved to approve the Consent Agenda as presented. Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Moore, Boyer

NAYS (0): None

ABSENT (0): None

E. Consider approval of the Town Council Meeting Minutes for June 23, 2022

APPROVED

F. Consider Resolution 22-39, approving the cancellation of the July 28, 2022, Regular Town Council Meeting

APPROVED RESOLUTION NO. 22-39

- G. Consider Resolution 22-40, approving the Town of Northlake's participation in Denton County's Community Development Block Grant (CDBG) for the three-year program period, Fiscal Year 2023 through Fiscal Year 2025

APPROVED RESOLUTION NO. 22-40

- H. Consider Resolution 22-41, approving the Town of Northlake Investment Policy

APPROVED RESOLUTION NO. 22-41

5. ACTION ITEMS

- I. Consider approving Ordinance 22-0714A for the annexation of approximately 10.963 acres of land situated in the Lewis Medlin Survey, Abstract No. 830, generally located at the southwest corner of Chadwick Parkway and Cleveland-Gibbs Road at 15701 Cleveland-Gibbs Road. Saint Peter Lutheran Church is the owner/applicant. Case No. ANX-22-001

APPROVED ORDINANCE NO. 22-0714A

The item was presented and discussion followed.

Mayor Rettig opened the public hearing at 5:37 p.m., and with no speakers coming forward, the public hearing was closed at 5:37 p.m.

Councilmember Ganz moved to approve the item as presented. Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Moore, Boyer

NAYS (0): None

ABSENT (0): None

- J. Consider approving Ordinance 22-0714B amending the Town of Northlake Unified Development Code, Section 5.7 "Permitted Use Table" of the Unified Development Code (UDC) related to public schools in the RR - Rural Residential, CRO – Conservation Residential Overlay, and RE – Rural Estate zoning districts. Case # UDC-22-003

APPROVED ORDINANCE NO. 22-0714B

The item was presented and discussion followed.

Mayor Rettig opened the public hearing at 5:42 p.m., and with no speakers coming forward, the public hearing was closed at 5:42 p.m.

Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Councilmember Sessions. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Moore, Boyer

NAYS (0): None

ABSENT (0): None

- K. Consider Resolution 22-42, ratifying acceptance of a Temporary Construction Easement from Fast Track Development for a period of 90 days or until Harmonson Road Construction Project is complete

APPROVED RESOLUTION NO. 22-42

The item was presented and discussion followed.

Councilmember Sessions moved to approve the item as presented. Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Moore, Boyer

NAYS (0): None

ABSENT (0): None

- L. Consider an appointment to fill the Board of Adjustment, Place 5 vacancy, for an unexpired term ending on May 31, 2023

The item was presented and discussion followed.

Mayor Pro Tem Montini moved to appoint Ms. Alexandra Holmes to fill the Board of Adjustment, Place 5 vacancy. Motion seconded by Councilmember Moore. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Moore, Boyer

NAYS (0): None

ABSENT (0): None

3. PUBLIC INPUT

The following public comments were received:

- Cheryl Hughey, address on file, expressed concern with fireworks provided as example the fire on her street; wants to look at banning fireworks and have a community event instead.
- Bruce McDonald, address on file, advised he is in favor of a more restrictive ordinance.
- Sherri Ganz, address on file, expressed concern with fireworks; provided an overview of other municipalities' current ordinances; advised pasture burned by her home and encouraged Council to be courageous and protect the community.
- Rena Hardeman, address on file, expressed Northlake is a different type of Town; shared quote regarding essential liberties; would like to see two nights per year where fireworks are allowed; police should patrol for illegal activity on the allowed dates.

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Briefing - Waste Connections Update

The item was presented by Drew Corn, Town Manager and Hyon Cho, Waste Connections.

Following discussion, Town Council consensus was for staff to observe and monitor the proposed improvements to service.

- B. Briefing - Duke Realty Development Project

The item was presented by Drew Corn, Town Manager and Jeff Thornton, Duke Realty.

There was no direction provided as the item was for presentation purposes only.

Mayor Rettig left the Town Council Meeting at 6:47 p.m. and Mayor Pro Tem Montini presided over the remainder of the meeting.

C. Briefing - Fireworks Ordinance Update

The item was presented by Drew Corn, Town Manager and Robert Crawford, Chief of Police.

Following discussion, Town Council consensus was for staff to present an item at a future meeting to consider the continuation of the existing ordinance.

D. Briefing - Quarterly Investment Report

The item was presented by John Zagurski, Finance Director.

There was no direction provided as the item was for presentation purposes only.

6. **EXECUTIVE SESSION**

The Town Council convened into an Executive Session at 7:21 p.m., consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law to address the following:

a. **Section 551.071 - Consultation with Attorney**

The Town Council may convene in an executive session to consult with its attorney to seek 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. Town of Northlake vs. RKM Utility Services Inc. & Philadelphia Indemnity Insurance Company Denton County District Court Cause No. 20-0649-367.
- ii. Potential litigation related to Dale Earnhardt Way road failures.
- iii. Development of 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.

b. **Section 551.087 - Economic Development Negotiations**

The Town Council may convene in an executive session to discuss or deliberate regarding commercial or financial information that the Town has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the Town and with which the Town is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described below.

- i. 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.

- ii. Potential development agreement and annexation of the CKD Holdings Tracts on approximately 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.

7. RECONVENE INTO OPEN SESSION

Mayor Pro Tem Montini reconvened the Regular Meeting at 7:42 p.m., to address any Council action regarding the items deliberated during Executive Session. No votes or actions were taken on any of the items deliberated.

8. ADJOURN

With no further business, Mayor Pro Tem Montini adjourned the meeting at 7:42 p.m.

/S/
David Rettig, Mayor

Attest:

/S/
Zolaina R. Parker, Town Secretary



MINUTES APPROVED ON: August 11, 2022