



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
TOWN HALL COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300
SEPTEMBER 14, 2023**

The Northlake Town Council convened in a Regular Meeting on September 14, 2023, at 5:30 p.m., in the Northlake Town Hall – Council Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

A. Mayor Rettig called the meeting to order at 5:30 p.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor

Robert Keecker, Place 1

Michael Ganz, Place 2

Brian Montini, Mayor Pro Tem, Place 3

Roger Sessions, Place 4

Maryl Lorencz, Place 5

Aaron Fowler, Place 6

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

- Invocation was given by Kely Harmon, Pastor, The Well Church of Argyle.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Briefing- Hotel Occupancy Tax Uses

The item was presented by John Zagurski, Finance Director, and commentary followed. There was no direction or consensus as the item was for presentation purposes only.

3. PUBLIC INPUT

The following individuals shared comments as allowed under the Public Input portion of the agenda. All comments may be viewed in their entirety on the Town's Website at <https://www.town.northlake.tx.us/337/Watch-Council-Meetings>.

- John Pezzuto, address on file - Planning & Zoning Commission appointment
- Amy Godwin, address on file - Agenda Item 5.C.; Tea Xetera Performance Agreement
- Rena Hardeman, address on file - Hotel Occupancy Tax

4. CONSENT ITEMS

The Consent Agenda consisted of Item 4.A. - 4.F., and item 4.B. was pulled for Individual Consideration at the request of staff.

Mayor Pro Tem Montini moved to approve the Consent Agenda now consisting of Items 4.A., 4.C-4.F. Motion seconded by Councilmember Ganz. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (0): None

ABSENT (0): None

- A. Consider approval of the Town Council Regular Meeting Minutes for August 21 and August 14, 2023
APPROVED
- C. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a purchase agreement/contract with Caldwell Country Chevrolet, for 4 Chevrolet Tahoes, in an amount not to exceed \$200,000
APPROVED RESOLUTION NO. 23-59
- D. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a purchase agreement with Caldwell Country Chevrolet, for two Silverado 2500 Pickups, in an amount not to exceed \$133,311.50
APPROVED RESOLUTION NO. 23-60
- E. Consider an Ordinance of the Town of Northlake, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp., Mid-Tex Division regarding the company's 2023 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; and requiring the company to reimburse ACSC's reasonable ratemaking expenses
APPROVED ORDINANCE NO. 23-0914B
- F. Consider a Resolution of the Town Council of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an amendment to the Development Agreement between Sandstrom Development Tx, LTD and the Town of Northlake (Hawthorne Estates)
APPROVED RESOLUTION NO. 23-61

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

- B. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, amending the Code of Ordinances by amending Chapter 9, "Planning and Miscellaneous Development Regulations," to add Article 9.04, "Extraterritorial Jurisdiction," to provide a process for release from the Town's extraterritorial jurisdiction; amending Appendix A, "Fee Schedule," Article A5.000, "Development Application Fees," to add a fee to process a petition for release of extraterritorial jurisdiction; and amending Article A6.000, "Public Works/Engineering Fees," to revise the public facilities plan review and inspections fees
Pulled for Individual Consideration at recommendation of staff
APPROVED ORDINANCE NO. 23-0914A

The item was presented and discussion followed.

Drew Corn, Town Manager advised of minor change in ordinance.

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

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (0): None

ABSENT (0): None

5. ACTION ITEMS

- A. Consider appointment to fill the Planning & Zoning Commission, Place 2 Vacancy, for the unexpired term ending May 31, 2024

The item was presented, and discussion followed.

Mayor Pro Tem Montini moved to appoint Mr. Joshua Pezzuto to fill the Planning & Zoning Commission, Place 2 Vacancy. Motion seconded by Councilmember Ganz. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (0): None

ABSENT (0): None

- B. Consideration a Resolution of the Town of Northlake, Texas, nominating candidates for appointment to the Denton Central Appraisal District Board of Directors for the Term of January 1, 2024 through December 31, 2025, and providing an effective date

NO ACTION TAKEN

The item was presented, and commentary followed.

No action was taken on the item by Town Council.

- C. Consider a Resolution of the Town council of the Town of Northlake, Texas, approving an amendment to a Pioneer Grant for Tea Xetera and authorizing the Northlake Economic Development Corporation and the Northlake Community Development Corporation to enter into an amended performance agreement
MOTION TO DENY & REFER TO CDC/EDC

The item was presented, and discussion followed.

Mayor Rettig moved to deny the item as presented and refer to CDC/EDC for further review and updated recommendation based on Town Council discussion. Motion seconded by Councilmember Ganz. Motion carried.

AYES (6): Rettig, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (1): Montini

ABSENT (0): None

- D. Consider an Ordinance of the Town of Northlake, Texas, designating a geographic area within the Town as a Tax Increment Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Two, Town of Northlake, Texas

- i. Public hearing
- ii. Consider approval

APPROVED ORDINANCE NO. 23-0914C

The item was presented, and discussion followed.

Mayor Rettig opened the public hearing at 6:280 p.m. with the following speakers coming forward:

- Rena Hardeman, address on file – commented on TIRZ and structure

With no other speakers coming forward, the public hearing was closed at 6:29 p.m.

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

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (0): None

ABSENT (0): None

- E. Consideration by the Town of Northlake, Texas, of a proposal by the board of the Belmont Fresh Water Supply District #1 for continuation of police services

NO ACTION TAKEN

The item was presented, and discussion followed.

Following discussion, Mayor Rettig convened into Executive Session at 7:14 p.m., and reconvened at 7:28 p.m.

No action was taken on the item by Town Council.

- F. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, levying assessments for the cost of services provided in Northlake Public Improvement District No. 1 (Harvest) during the Fiscal Year 2023-2024; 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

- i. Public hearing
- ii. Consider approval

APPROVED ORDINANCE NO. 23-0914D

The item was presented, and discussion followed.

Mayor Rettig opened the public hearing at 7:33 p.m. with the following coming forward to speak:

- Tom Wright; address on file - commented on PID, structure and inquired as to creation

With no other speakers coming forward the public hearing was closed at 7:37 p.m.

Mayor Pro Tem Montin moved to zero the existing PID. Motion seconded by Mayor Rettig. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler
NAYS (0): None
ABSENT (0): None

- G. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, amending and restating Ordinance 23-0824E adopting the Proposed Budget for Fiscal Year 2023-2024 beginning on October 1, 2023, and ending on September 30, 2024, for the Town of Northlake, Northlake Public Improvement District No. 1 (Harvest), Northlake Public Improvement District No. 2 (The Highlands), and Tax Increment Financing Zone No. 1 (TIRZ-Canyon Falls)

APPROVED ORDINANCE NO. 23-0914E

The item was presented, and discussion followed.

Mayor Rettig moved to approve the item to include the zeroing out of the Northlake Public Improvement District No. 1 (Harvest). Motion seconded by Mayor Pro Tem Montini. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler
NAYS (0): None
ABSENT (0): None

- H. Consider approval on setting a date for a public hearing for the Fiscal Year 2023-2024 service and assessment plans of Northlake Public Improvement District No. 1 (Harvest) and set the adoption of the plans during the Regular Town Council Meeting on September 28, 2023

NO ACTION TAKEN

The item was not presented or discussed, and no action was taken by Town Council.

- I. Consider a Resolution of the Town of Northlake, Texas, releasing Aspire Development LLC tract, 3.0538 acres of land, from the Extraterritorial Jurisdiction of the Town

NO ACTION TAKEN

The item was presented and discussed, and no action was taken by Town Council.

- J. Consider a Resolution of the Town of Northlake, Texas, expressing intent to reimburse certain Town of Northlake expenditures from the proceeds of debt obligations to be issued in the future

APPROVED RESOLUTION NO. 23-62

The item was presented and commentary followed.

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

AYES (6): Rettig, Montini, Keeker, Ganz, Lorencz, Fowler
NAYS (1): Sessions
ABSENT (0): None

6. EXECUTIVE SESSION

The Town Council convened into an Executive Session at 7:45 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

- i. Potential development agreement and annexation of the DFW Northlake Business Park LLC tract on approximately 67.7-acre tract of land generally located north of FM 407 and 1,200 feet east of Faught Road in the extraterritorial jurisdiction of the Town.
- ii. Recent legislative changes and impact to Town including decertification of Certificates of Convenience and Necessity in Extraterritorial Jurisdiction areas.
- iii. Potential water service agreement with DFW Northlake Business Park LLC, 7515 Faught Road.
- iv. Potential development agreement and lease agreement with tenant of proposed sports venue.
- v. Potential mediation between parties related to complaint filed with Public Utility Commission Docket No. 54243.
- vi. Financial responsibility of offsite improvements related to Catherine Branch Wastewater Treatment Plant.
- vii. Discuss submission of motion to intervene in application of Oncor Transmission Line Project, Public Utility Commission Docket No. 55067.
- viii. Potential development agreement and annexation of the Florance Endeavors tract on approximately 5.0 acres of land generally located on the east side of 8000 block of Florance Road in the extraterritorial jurisdiction of the Town.
- ix. Potential utility service agreement with Aspire Development LLC, 1730 Old Justin Road.

B. Section 551.072 – Real Property

- i. Regarding purchase, exchange, lease of value of real property to be acquired as right-of-way out of the following parent tract of 75.7 acres at northeast corner of FM 407 and Faught Road.
- ii. Regarding purchase, exchange, lease of value of real property to be acquired out of the following parent tract of 41.0 acres at southwest corner of SH 114 and Cleveland-Gibbs Road.

C. Section 551.074 – Personnel Matters

- i. Town Manager evaluation and compensation

7. RECONVENE INTO OPEN SESSION

Mayor Rettig reconvened the Regular Meeting at 9:24 p.m., to address any Council action regarding the items deliberated during Executive Session.

The following action resulted from deliberations during Executive Session:

- C.i. Town Manager evaluation and compensation

APPROVED

Councilmember Sessions moved to proceed with an amendment to the Town Manager's contract pursuant

Town of Northlake Council Minutes
September 14, 2023
Page 7

to instructions provided during deliberations. Motion seconded by Mayor Rettig. Motion carried.

AYES (7): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz, Fowler

NAYS (0): None

ABSENT (0): None

8. ADJOURN

With no further business, Mayor Rettig adjourned the meeting at 9:25 p.m.

David Rettig

David Rettig, Mayor

Attest:

Zolaina R. Parker

Zolaina R. Parker, Town Secretary



MINUTES APPROVED ON: September 28, 2023