



DAVID A. RETTIG, MAYOR
RENA HARDEMAN, COUNCIL PLACE 1
MICHAEL C. GANZ, COUNCIL PLACE 2

BRIAN MONTINI, MAYOR PRO TEM, COUNCIL PLACE 3
ROGER SESSIONS, COUNCIL PLACE 4
DANNY SIMPSON, COUNCIL PLACE 5

**NORTHLAKE TOWN COUNCIL
MEETING MINUTES
THURSDAY, FEBRUARY 11, 2021
1500 COMMONS CIRCLE SUITE 300 - NORTHLAKE, TEXAS 76226**

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

Roll Call:

Mayor David Rettig - present	Place 1-Rena Hardeman - present
Place 2-Michael Ganz - present	Place 3-Brian Montini, Mayor Pro Tem - via phone
Place 4-Roger Sessions - present	Place 5-Danny Simpson - present

Staff Present:

Drew Corn, Town Administrator	Nathan Reddin, Development Director
John Zagurski, Finance Director	Robert Crawford Police Chief
Brandon Doughty, PW Superintendent	Cody Long, Police Officer
John Thomson, Management Analyst	Tara Barton, Marketing & Comm. Coordinator
Chance Willeford, Admin Intern	Shirley Rogers, Town Secretary

Consultant present:

Ashley Dierker, Town Attorney

Invocation by Josh Wright, Roanoke Campus Pastor, Compass Church

Mayor Rettig led the Pledge of Allegiance to the US Flag

3. **Announcements, Proclamations and Presentations**
 - A. Mayor Rettig recognized the employees listed below for the years of service

Cody Long, Northlake Police Officer	-	5 Years of Service
Alvin Carey, Northlake Police Officer	-	5 Years of Service
 - B. Mayor Pro Tem Montini updated the council on Home Rule Charter Commission
Had excellent participation from the commission members with overwhelming majority in attendance at all meetings, proposed language had significant consensus after in-depth discussions.
Final copy before council this evening for discussion and action

C. **Police Vehicle Graphics Update**
Consensus from council - continue with existing police vehicle graphics for the two new vehicles; look for an alternative graphic design in the future and consider going out for an RFP for graphic design

D. **Town Administrator Drew Corn briefed the Council on Northlake Commons Lease Space Opportunity**

Move Development Services to new lease space , frees up space for additional employees at Town Hall

Consensus from council a need for a long term plan for land and a building but proceed with leasing space to meet current needs and pay the month rental fee to reserve the space. Began the research for a proposed location for a more permanent space

2. **Public Input**

- Northlake resident Sonya Wooley spoke on item K – selection of Solid Waste and Recycling Services received comments from residents in Prairie View Farms Subdivision - complimentary of Waste Connections - good customer service and response, had one issue with oil leaking on streets came out and cleaned the road. Strong interest in community wanting autopay and continued recycling program. Even with the cost factor, neighborhood wants the best service, best customer and employee relations, the right equipment as well as the ability to keep up with the growth of Northlake’s customer base.
- Northlake resident Michael Savoie stated his opposition for Item N- authorizing a Special Election for Adoption of a Home Rule Charter. Had time to review the document, saw several grammatical errors that should be addressed, believes the Police Chief should report directly to the Town Council and not the Town Manager; no definitions associated with the terminology; and throughout the document there are terms such as ‘should’ or ‘may’ used, would rather see terms say ‘shall’ or ‘must’. The interpretation could lead to lawsuits involving the town. No criticism with the committee members, worked with the document they had. Believes more time is needed to review the proposed charter before it goes to the Northlake residents for a vote.
- Northlake resident Joel McGregor stated his opposition to Item N- authorizing a Special Election for Adoption of a Home Rule Charter. Stated the document does not have any protection for the citizens of the town; commission chose not to put any restrictions on eminent domain or annexation. As a member of the charter commission, could not get anybody to put something in the charter that protects citizen’s rights; committee members wanted to give the town as much power as possible. Believes the document should protect the citizens from the government, that’s what constitutions are about. Wants Northlake to be the town that supports, protects and serves the people.
- Frontier Waste Services President &CEO John Gustafson spoke on Item K – selection of Solid Waste and Recycling Services. Submitted a proposal for services, been in business for 5 years, has approx. 35,000 customers in the Denton, Tarrant and Wise counties

- Republic Services Municipal Services Manager Jeri Harwell spoke on Item K– selection of Solid Waste and Recycling Services. Submitted a proposal for services, is a national company in forty-one states, has recycling centers and owns landfills, employs 350 people in the DFW area
- Rhino Removal President/Founder Jake Pavelka spoke on Item K - selection of Solid Waste and Recycling Services. Submitted a proposal for services, 4 year old employee owned company, located in North Ft Worth, makes 100,014 stops per year
- Waste Connections District Manager Abel Moreno spoke on Item K - selection of Solid Waste and Recycling Services. Submitted a proposal for services, is Northlake’s current provider, added new vehicles to fleet and additional employees to handle the growth in the area

4. Consent Items

At the request of Council Member Hardeman, Mayor Rettig pulled the two items for discussion

- E. Mayor Pro Tem Montini made the motion to approve the Management and Improvement Services Agreement for the Northlake Public Improvement District No. 1 (Harvest Residential) managed by First Service Residential Texas, Inc., and authorizing the Town Administrator to sign the agreement. 2nd by Council Member Simpson

Vote: motion passed unanimous
 For: Montini, Simpson, Sessions, Ganz, Hardeman
 Against: none

- F. Council Member Ganz made the motion to approve the Town Council Meeting Minutes of 1-14-21. 2nd by Council Member Simpson

Vote: motion passed unanimous
 For: Ganz, Simpson, Sessions, Montini, Hardeman
 Against: none

5. Action Items

- K. Council Member Ganz made the motion to select Waste Connections as the Solid Waste Disposal and Recycling Service provider and authorize Town Administrator to enter into Contract for Services. 2nd by Council Member Simpson

Vote: motion passed
 For: Ganz, Simpson, Sessions, Montini
 Against: Hardeman

Council Member Simpson moved to approve items G-H-I-J. 2nd by Mayor Pro Tem Montini

Vote: motion passed
 For: Simpson, Montini, Sessions, Ganz
 Against: Hardeman

- G. Preliminary Plat of Harvest Phase 7 & 8B, a subdivision consisting of 173 residential lots and 3 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 43.832-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located north of Old Justin Road and west of Cleveland-Gibbs Road. Belmont 407, LLC is the owner/applicant/developer Jones & Carter, Inc. is the engineer/surveyor. Case # PP-20-009

- H. Final Plat of Harvest Phase 7, a subdivision consisting of 92 residential lots and 2 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 25.072-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located north of Old Justin Road and approximately 900 feet west of Cleveland-Gibbs Road. Belmont 407, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-21-001
- I. Final Plat of Harvest Phase 8A, a subdivision consisting of 91 residential lots and 2 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 19.067-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located east of Cleveland-Gibbs Road and approximately 900 feet north of Old Justin Road. Belmont 407, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-21-002
- J. Final Plat of Harvest Phase 8B, a subdivision consisting of 81 residential lots and 3 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 18.760-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located north of Old Justin Road and west of Cleveland-Gibbs Road. Belmont 407, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-21-003
- L. Mayor Rettig pulled this item on the advice of the town attorneys – Approval of Ordinance No. 21-0211A of the Town Council of the Town of Northlake, Texas declaring the Town has 5,000 inhabitants and providing for an immediate effective date
- M. Mayor Pro Tem Montini made the motion to approve Resolution No. 21-4 of the Town of Northlake, Texas authorizing and calling a General Municipal Election to be held on May 1, 2021 for the purpose of electing one resident for Mayor and two residents to Places 4 & 5; authorizing the Notice of Election; authorizing a joint election with other Denton County Political Subdivisions; authorizing the Town Administrator to enter into a contract with Denton County, Texas for Election Services.
2nd by Council Member Sessions

Vote: motion was unanimous
 For: Montini, Ganz, Hardeman, Sessions, Simpson
 Against: none

Mayor Rettig convened the Town Council into the Executive Session at 7:29 pm to discuss under Section 551.071 Legal Matters. Mayor Rettig reconvened the Town Council into open session at 7:46 pm.

- N. Ordinance No. 21-0211B of the Town Council of the Town of Northlake, Texas authorizing and calling a Special Election to be held on Saturday, May 1, 2021 for the purpose of submitting a Home-Rule Charter to the voters of the Town and electing one person to serve on the Town Council, Place 6 should the Home Rule Charter be approved; authorizing the Notice of Election; directing the Town Secretary to mail a copy of the proposed Home Rule Charter to each registered voter of the Town; authorizing a joint election with other Denton County Political Subdivisions; authorizing the Town Administrator to enter into a contract with Denton, Texas for Election Services.

(1) Vote: Council Member Hardeman moved to table this item. The motion died for a lack of a 2nd

(2) Vote: Council Member Ganz moved to approve Ordinance 21-0211B to include "Whereas, the number of inhabitants of the Town will reach at least 5000 persons prior to the date of the charter election;". 2nd by Council Member Sessions

Vote: motion passed
For: Ganz, Sessions, Simpson, Montini
Abstained: Hardeman

O. Council Member Ganz made the motion to approve the Town of Northlake COVID-19 Leave Policy for Town Employees. 2nd by Council Member Sessions

Vote: motion passed unanimous
For: Ganz, Sessions, Simpson, Montini, Hardeman
Against: none

P. Council Member Simpson made the motion to approve Resolution No. 21-5 of the Town of Northlake, Texas, supporting the proposed expansion of Interstate 35W and construction of I-35W frontage road from Dale Earnhardt Way to Interstate Highway 35E/35W. 2nd by Council Member Ganz

Vote: motion passed unanimous
For: Simpson, Ganz, Sessions, Montini, Hardeman
Against: none

Q. Tabled - 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. Mayor Rettig convened the Town Council into a second Executive Session at 8:49 pm to discuss the items pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D listed below:

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. The Town Council may adjourn into executive session for consultation with the Town Attorney regarding:

- i. Legal advice on any matter related to any posted agenda item; and
- ii. 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 Faight Road and north of Faith Lane in the extraterritorial jurisdiction of the Town; and the development of the Charles Faight tracts totaling approximately 152.3 acres of land generally located north of Evelyn Lane, west of Faight Road, and south of Robson Ranch Road; and

- iii. Legal advice related to the 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
- iv. Legal advice related to the development and annexation of the IMA Development Group and AMI Development Group tracts, 3.4-acre, 1.7-acre and 1.3-acre tracts of land generally located at the northwest corner of FM 407 and Thompson Road in the extraterritorial jurisdiction of the Town; and
- v. Legal advice related to the development and annexation of the Gebert Family Tract on approximately 156.8 acre tract of land generally located east of FM 156 and northwest of Victory Circle in the extraterritorial jurisdiction of the Town; and
- vi. Pending or contemplated litigation; 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 Deliberation regarding the purchase, exchange, lease or value of real property to be acquired as right-of-way out of certain 12.6 acre tract of land


7. Mayor Rettig reconvened into Open Session at 10:00 pm

R. No action was taken - Memorandum of Agreement between the Town of Northlake, City of Justin and City of Fort Worth


8. By general consent, Mayor Rettig adjourned the meeting at 10:00 pm

PASSED AND APPROVED BY THE NORTHLAKE TOWN COUNCIL on the 11th day of March 2021.

Town of Northlake, Texas


David Rettig, Mayor

Attest:


Shirley Rogers, Town Secretary

