



Peter Dewing, Mayor  
Rena Hardeman, Council Place 1  
Jimmy Lambert, Council Place 2

Brian G. Montini, Mayor Pro Tem  
Roger Sessions, Council Place 4  
Danny Simpson, Council Place 5

**Town Council Meeting Minutes**  
**Thursday, March 28, 2019**  
**1500 Commons Circle Suite 300 – Chamber Room**  
**Northlake, Texas 76226**

1. Mayor Dewing called the regular work session to order at 7:00 pm, quorum present

**Council Members present:** Peter Dewing, Rena Hardeman, Jimmy Lambert, Brian Montini, Roger Sessions, Danny Simpson

**Staff present:** Drew Corn, Town Administrator; Nathan Reddin, Development Director; Robert Crawford, Chief of Police; Eric Tamayo, Public Works Director; and Shirley Rogers, Town Secretary

**Consultants present:** Ashley Dierker, Legal Counsel; Ben McGahey, PE, Engineer

2. Briefing Items

- A. Council heard from a group of developers on a potential partnership with the Town on a Hotel Conference Center

- B. Fred Balda, President, Hillwood Communities gave an update on Harvest and Pecan Square projects

- C. Mark Miller, Vice President of Retail, Hillwood Development briefed the council on a request for a zoning change from Rural Residential (RR) to Commercial Planned Development (CPD) for an approximately 50.334-acre tract of land located on the east side of IH 35W approximately 3,400 feet north of FM 1171

3. Mayor Dewing called the regular meeting to order at 8:17 pm, quorum present

Pledge of Allegiance and a Moment of Silence was observed

4. Public Input

Resident David Rettig, Mayor-Elect, would like to see some things prioritize – a need an external financial analysis for capital projects, replacement and debt load; would like to start with internal audit; believed the external audit was good; suggested the council needs to decide on a style design and plans for the town

Resident Carla Hardeman commented on what she believed to be gross incompetence of the Argyle FD and fire district for allowing her mom's home to burn down by running out of water; stated the Northlake PD falsely accused her and her sister of acts while they were mourning the loss of the family home. Spent time in court, found not guilty by jury of the charges. Wants to see a full case investigation on the PD and stated needs to get rid of the cancer that has invaded the department. Stated she feels Mayor Dewing has targeted her family, requests a full investigation on him

#### 5. Consent Items

At the request of Councilmember Hardeman, Mayor Dewing pulled items H & I

At the request of Councilmember Simpson, Mayor Dewing pulled item E

At the request of Councilmember Lambert, Mayor Dewing pulled item G

Mayor Pro Tem Montini made the motion to approve items D & F. 2<sup>nd</sup> by Councilmember Sessions

Vote: motion passed unanimous

For: Montini, Sessions, Simpson, Lambert, Hardeman

Against: none

D. Town Council meeting minutes of 2-28-19

F. Resolution No. 19-6 authorizing continuing participation with the steering committee of cities served by Oncor; and authorizing the payment of eight cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company LLC

E. Councilmember Hardeman made the motion to approve Resolution No. 19-5 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation 2<sup>nd</sup> by Mayor Pro Tem Montini

Vote: motion carried unanimous

For: Hardeman, Montini, Lambert, Sessions, Simpson

Against: none

G. Councilmember Sessions made the motion to approve Resolution No. 19-7 authorizing the Town Administrator to contract with Halff Associates Inc. for The Highlands Phase 2 Inspection Services. 2<sup>nd</sup> by Councilmember Lambert

Vote: motion passed unanimous

For: Sessions, Lambert, Montini, Sessions, Simpson

Against: none

H. Councilmember Simpson made the motion to approve First Amendment to Lease Agreement between the Town of Northlake and Covenant H Properties LLC. 2<sup>nd</sup> by Mayor Pro Tem Montini

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

- I. Councilmember Simpson made the motion to approve consent to allow Taylor, Olson, Adkins, Sralla & Elam LLP to act as an intermediary between the Town of Northlake and the Town of Flower Mound to draft an interlocal agreement for the Town of Flower Mound to conduct limited animal services for the Town of Northlake and authorize the Town Administrator to negotiate and enter into an interlocal agreement between the Town of Northlake and Town of Flower Mound for the Town of Flower Mound to provide certain animal services to the Town of Northlake. 2<sup>nd</sup> by Councilmember Lambert

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

**6. Regular Items**

- J. Proposed amendments to Article 1 General Provisions of the Unified Development Code (UDC) for rough proportionality determinations for all plat and development applications and providing for procedures and for appeals to the Town Council and court for those determinations

Case# UDC-19-001

- i. Mayor Dewing opened the public hearing at 8:43 pm to hear comments for or against the proposed amendments

Resident Joel McGregor had concerns w certain sections of the ordinance

Mayor Dewing closed the public hearing at 8:45 pm

- ii. Councilmember Simpson made the motion to approve Ordinance 19-0328A. 2<sup>nd</sup> by Mayor Pro Tem Montini

**Vote:** Motion passed unanimous  
**For:** Simpson, Montini, Lambert, Hardeman, Sessins  
**Against:** none

- K. Zoning change request to amend the Mixed-Used Planned Development (MPD) zoning district adopted by Ordinance No. 14-0410, to add RV Storage and RV Park as permitted uses on Tract B, approximately 34.6 acre tract of land located on the west side of Cleveland-Gibbs Road approx. 1,300 feet north of Edna Lane. Owner-Henry Investment Group. Applicant - G&A|McAdams Case# PD 19-001

- i. Mayor Dewing opened the public hearing at 8:52 pm to hear comments for or against the proposed zoning change

No one came forward for or against the proposed amendment

Mayor Dewing closed the public hearing at 8:53 pm

- ii. Councilmember Simpson made the motion to approve Ordinance 19-0328B. 2<sup>nd</sup> by Mayor Pro Tem Montini

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

- L. Councilmember Simpson made the motion to approve the Final Plat of Harvest Phase 4C, a subdivision consisting of 39 single-family residential lots and 3 non-residential/open space lots within the extraterritorial jurisdiction of the Town of Northlake on a 18.724-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, located on the north side of Old Justin Road approximately 1,200 feet west of Harvest Way. Belmont 407, LLC is the owner/applicant/developer. Jones & Carter, Inc. is the engineer/surveyor. Case # FP-19-001. 2<sup>nd</sup> by Councilmember Sessions

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

- M. Councilmember Hardeman made the motion to approve Resolution No. 19-8 nominating Sue Tejml to a slate of nominees for the Board of Managers of the Denco Area 911 District. 2<sup>nd</sup> by Mayor Pro Tem Montini

Vote: motion passed unanimous  
For: Hardeman, Montini, Lambert, Sessions, Simpson  
Against: None

7. Mayor Dewing convened the council into Executive Session at 9:03 pm

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) Supreme Court of Texas - Town of Northlake vs City of Justin. No. 18-0651
- (c) Case # FP 18-020 considered by the Town at the January 24, 2019 Town Council meeting; or
- (d) Eminent domain actions to obtain right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 in Northlake, Denton County, Texas, for the construction and maintenance of roadway and utility improvements and other public purposes permitted by law

- b. Section 551.072 deliberation regarding the purchase, exchange, lease, or value of real property to be acquired as right-of-way out of a certain 3.530 acre tract of land located in the Patrick Rock

Survey, Abstract No. 1063 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 for Hotel Conference Center Incentives

Mayor Dewing reconvened the Council into open session at 9:34

No action taken while in closed session

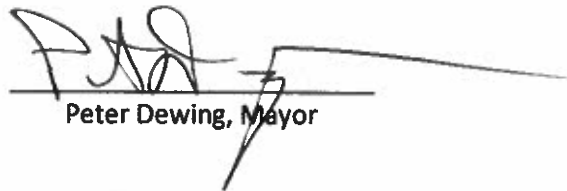
Open Session

- N. No action taken on the use of eminent domain to condemn property and consider a resolution of the Town of Northlake, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining approximately .2707 acres of a certain 3.530 acre tract of land located in the Patrick Rock Survey Abstract No. 1063 in Northlake, Denton County, Texas, as right-of-way necessary for the construction and maintenance of roadway and utility improvements and for other public purposes permitted by law

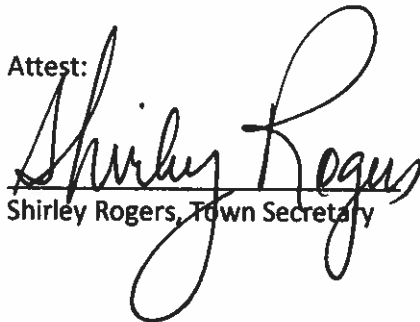
8. Mayor Dewing adjourned the meeting at 9:35 pm

Passed and approved on this the 25<sup>th</sup> day of April 2019

Town of Northlake, Texas

  
Peter Dewing, Mayor

Attest:

  
Shirley Rogers, Town Secretary

