



David A. Rettig, 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, May 23, 2019
1500 Commons Circle, Suite 300 – Chamber Room
Northlake, Texas 76226

1. Mayor David Rettig call the work session to order at 7:00 pm, quorum present

Council Members present: David A. Rettig, Rena Hardeman, Jimmy Lambert, Roger Sessions, Danny Simpson

Council Member absent: Brian Montini

Staff present: Drew Corn, Town Administrator; Nathan Reddin, Development Director; Robert Crawford, Chief of Police; Thomas Hobbs, Municipal Court Judge; Micheale Lane, Court Clerk; and Shirley Rogers, Town Secretary

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

Invocation given by Dr. Matthew Harding
Mayor Rettig led the council and audience in the Pledge of Allegiance to the American Flag

2. Special Recognition

A. Mayor Rettig recognized Thomas W. Hobbs for his 20 Years of Service as Northlake's Municipal Court Judge

3. Presentation

B. Sally Aldridge, President & CEO, Northwest Metroport Chamber's Annual Update
Currently has 510+ members; winner of the Communications Excellence Award for ED website and video; 1st Place Website; 1st & 2nd Place Brochures; 3rd Place for Directories and Newsletters. Member benefits include network, promote and advocate. Sponsors the Annual Alliance Development Forum 8th Year; State of Communities-updates from each of the seven communities; membership luncheons-averaging 275+ attendees, recognize community leaders. Sponsors the Leadership Program and ED Initiatives

4. Briefing Items

C. FY 2020 Budget Principles and Goals
Drew Corn gave an overview of the budget which included the budget terms (revenues and expenditures), fund accounting (government funds, enterprises funds and special revenue funds), fund flow chart, budget calendar, property tax 'reform', Senate Bill 2 Status. Staff asked to review each of the budget scenarios and

make recommendation for their department at the request of Mayor Rettig. Scenario 1 – service reduction; Scenario 2 – current levels; Scenario 3 – maintain levels; and Scenario 4 – new services with the following departments: Town Administrator, Town Secretary, Finance, Police, Municipal Court, Public Works in General Fund and Utility Fund, Development Services, EDC and CDC

The council was briefed on budget principles to maintain fiscal responsibility while investing in Town resources and assets; ensure sustainable development thru strategic planning; attract and retain diversified business types for stable future tax base; improve, construct and maintain road, water, sewer and drainage infrastructure; attract, retain and train highly qualified and motivated personnel; validate external and internal capabilities and appropriate staffing and facilities; and utilize equipment and technology to increase productivity and efficiency. The accomplishments, short-term, mid-range and long-term objectives given on each principle

Mayor Rettig stated he had two concerns - 1) staffing; and 2) sustainability of fiscal condition to keep in mind while going thru the budget process

D. Overview Home Rule Charter Process

At Mayor Rettig's request during the recent council orientation, Drew Corn briefed the council on the Home-Rule Charter process that included the authority to create, steps involved and typical key articles included in a charter

5. Mayor Rettig called the regular meeting to order at 7:55 pm

6. Public Input

- Resident Joel McGregor commented on Item H reappointment of Municipal Judge Thomas Hobbs. Stated during his court case, Judge did not know the law and felt he was mistreated during the process. Believed the Judge to be a liability to town

7. Consent Items

Mayor Rettig pulled Item F for further discussion

E. Council Member Lambert made the motion to approve the Town Council meeting minutes of 4-25-19. 2nd by Council Member Simpson

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

F. Council Member Hardeman made the motion to approve the Town Council meeting minutes of 5-10-19 with the changes suggested by Mayor Rettig. 2nd by Council Member Lambert

Vote: motion passed unanimous
For: Hardeman, Lambert, Sessions, Simpson

Against: none

8. Regular Items

- G. Council Member Simpson made the motion to appoint Brian Montini as Mayor Pro-Tem for a one-year term. 2nd by Council Member Hardeman

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

- H. Appointment of Municipal Court Judge for a two-year term – Mayor Rettig moved the item to the end of the agenda
- I. Council Member Lambert made the motion to approve Ordinance No. 19-0523A, amendment to Section 1.02.001 of the Code of Ordinances by amending the start time of Town Council meetings to 6:30 pm and providing an effective date. 2nd by Council Member Simpson

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

- J. An ordinance for a zoning change from Rural Residential (RR) to C-PD Commercial Planned Development for Hillwood Communities Case PD-19-001 (Self-storage)

Nathan Reddin gave an overview of the proposed zoning request

Mark Miller, Vice President of Retail, Hillwood Properties representing the developer, gave a brief presentation and took questions from council

- i. Mayor Rettig opened the public hearing at 8:25 pm to hear comments for or against the proposed zoning change
- Bruce McDonald, resident of Canyon Falls, stated he was against the proposed zoning request, neighbors haven't been told what the developer plans to do with the rest of the property
 - Lena Paulaskas, resident of Canyon Falls, read a letter from her ten-year old child saying not good or fair to build this next the Cleveland Gibbs Rd. Construction would be noisy and people moved to Canyon Falls for the quietness of the area. Questioned who would pay for the widening of the road. Would hate to lose the beautiful view
 - Ryan Armstrong, resident of Canyon Falls stated he was against the proposed zoning change, did not want storage buildings, negatives outweigh the positives

Mayor Rettig closed the public hearing at 8:31 pm

Mayor Rettig stated as a resident of Canyon Falls, he would remain neutral on the proposed zoning request. Stated 80-100 residents attended a HOA meeting with Hillwood giving a presentation on the zoning change request. Followed up with a Facebook survey, 19 – noes; 1 - for; 1 commented good use

for start on projects on site; 5 - as long as it avoids a worse fate of the land; 8 - thought the quality of build was a step up, good looking facility

Council Member Sessions commented he has not heard from a single person who is in favor of the proposed zoning change but heard from several people against

Council Member Hardeman stated she have received 3 emails stating opposition to the requested zoning. She asked if the residents within two hundred feet were notified and what was the response

Nathan Reddin, Development Director, received five notification response forms from residents stating they were opposed to the zoning request but only 1 of the resident's form was within the 200 ft notification area

- ii. Council Member Hardeman made the motion to deny Ordinance No. 19-0523B. 2nd by Council Member Lambert

Vote: motion to deny passed
For: Hardeman, Lambert, Sessions
Against: Simpson

- K. Council Member Sessions made the motion to approve Resolution No. 19-11 appointing voting directors Edward Bogel and Tim Scott Coltart to serve a four term each expiring on August 9, 2023 for Northlake Municipal Management District No. 1 of Denton County pursuant to Section 375.064 of the Texas Local Government Code. 2nd by Council Member Lambert

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

Mindy Koehn, Attorney with Coats & Rose represented the District was present

- L. Council Member Sessions made the motion to reappoint the following to the Northlake Economic Development Corporation Board of Directors: Linda King, Marie Amarante, Bill Moore and the Northlake Community Development Board of Directors: Michele Newby, Todd DiPietro, Tom Dudark, Laura McGregor for two-year term expiring on May 31, 2021. 2nd by Council Member Hardeman

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

9. Executive Session

By general consent, Mayor Rettig convened the council into closed session at 8:53pm to discuss the items listed below:

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 3.05-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 3.05-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
- d. Section 551.074 Personnel Matters – Municipal Court Judge

10. Mayor Rettig reconvened the council into Open Session at 9:31 pm

11. 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 3.05 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

Mayor Rettig returned to Item H - Regular Items

H. Council Member Simpson made the motion to re-appoint Thomas W. Hobbs as Municipal Court Judge for a two-year term. 2nd by Council Member Lambert

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

12. By general consent, Mayor Rettig adjourned the meeting at 9:32 pm

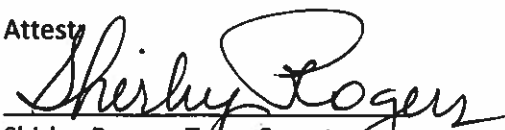
Passed and approved on this the 20th day of June 2019

Town of Northlake, Texas


 David A. Rettig



Attest


 Shirley Rogers, Town Secretary