



**MINUTES**  
**FEBRUARY 18, 2013**  
**TOWN COUNCIL MEETING**

**TOWN OF CROSS ROADS**  
**COUNTY OF DENTON, TEXAS**

The Town Council of Cross Roads convened a regular Council meeting at 7:00 pm. The meeting was held at Town Hall, 1401 FM 424, Cross Roads, Texas. The meeting was open to the public with the following business.

1. **CALL TO ORDER A COUNCIL MEETING 7:02 PM**
2. **ROLL CALL**

	Present	Absent
Mayor Smith	X	
Councilmember Birdsong	X	
Councilmember Fisher	X	
Councilmember Kille	X	
Councilmember Russo	X	
Councilmember Dickey	X	

3. **MAYOR'S UPDATE** New town limit signs going up with the town logo. Three incumbents - Birdsong, Fisher and Kille have submitted applications for a place on the ballot, along with citizen Randy Wallace, for the May 11, 2013 election. Wal-Mart and CVS are on track to open on time. CVS sign variance has been withdrawn agenda item #11.
4. **COUNCILMEMBERS' ANNOUNCEMENTS** – Councilmember Larry Fisher presented information on the over capacity of the Denton Independent School District along the US Highway 380 corridor and the need for a bond election to build new schools. Thanks to Bill Sheehy chairman of the Economic Development Committee for hosting the five Citizen Input informational meetings regarding the proposed Municipal Development District tax.
5. **VISITORS'/CITIZENS' FORUM INPUT FOR ITEMS ON THE AGENDA. NO DELIBERATION OR DISCUSSION MAY TAKE PLACE BY THE TOWN COUNCIL DURING THIS AGENDA ITEM.**

**Viriden Seybold 1501 Oak View Court, Cross Roads Texas – Agenda #6** opposed to calling an election for a Municipal Development District Tax.

**Elva Seybold 1501 Oak View Court, Cross Roads Texas** – Agenda # 11 opposed to the request to remove a tree greater than 24”.

**Carol Robert 1409 Isabella Lane, Savannah Texas** – Agenda # 6 in favor of the Municipal Development District.

6. **DISCUSS, CONSIDER, AND ACT ON THE ORDERING OF AN ELECTION TO AUTHORIZE THE LOCAL SALES AND USE TAX OF THE TOWN OF CROSS ROADS, TEXAS AT THE RATE OF ¼% TO CREATE “MUNICIPAL DEVELOPMENT DISTRICT OF CROSS ROADS” AND THE IMPOSITION OF A SALES AND USE TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (¼%) FOR THE PURPOSE OF FINANCING DEVELOPMENT PROJECTS BENEFICIAL TO THE DISTRICT.**

**MOTION** – Councilmember Fisher made a motion seconded by Councilmember Kille to order an election to authorize the local sales and use tax of the Town of Cross Roads Texas at the rate of one quarter of one percent (¼%) to create “Municipal Development District of Cross Roads” and the imposition of a sales and use tax at the rate of one quarter of one percent (¼%) for the purpose of financing development projects beneficial to the district.

**MOTION PASSED UNANIMOUSLY**

7. **DISCUSS, CONSIDER, AND ACT ON FINANCIAL REPORTS.** - Reporting Officer Mayor Steve Smith

A. Discuss, consider, and approve the list of bills for January 2013.

**MOTION** - Councilmember Dickey made a motion seconded by Councilmember Fisher to approve the list of bills for January 2013.

**MOTION PASSED UNANIMOUSLY**

B. Discuss, consider, and approve the financial reports for January 2013.

**MOTION** - Councilmember Russo made a motion seconded by Councilmember Birdsong to approve financial reports for January 2013.

**MOTION PASSED UNANIMOUSLY**

8. **DISCUSS, CONSIDER, AND APPROVE JANUARY 21, 2013 COUNCIL MEETING MINUTES.**

**MOTION** - Councilmember Birdsong made a motion seconded by Councilmember Fisher to January 21, 2013 Council meeting minutes.

**MOTION PASSED UNANIMOUSLY**

9. **DISCUSS, CONSIDER, AND ACT ON ADMINISTRATIVE, SELECT COMMISSIONS, COMMITTEES, BOARDS, AND TASKFORCES REPORTS**

- A. **ADMINISTRATIVE UPDATE** – Reporting Official Town Secretary Katherine M. Ritchie announced that the “Drawing for Places on the Ballot” will be March 11, 2013 at 12 noon.
- B. **ECONOMIC DEVELOPMENT UPDATE** – Reporting Official Committee Chairman Bill Sheehy updated council regarding the February 4, 2013 Economic Development meeting discussion regarding the new website.
- C. **PARK BOARD UPDATE** – Reporting Official Board Chairman Gale Bacon updated council regarding February 12, 2013 Park Board meeting discussion on advertising the upcoming farmer’s market. First Texas Homes has offered to install three new picnic table pad sites. Park Board member Sal Fazzino has offered to build the new picnic benches.
- D. **PLANNING & ZONING UPDATE** - Reporting Official Commission Chair Wesley Moore updated council regarding the February 5, 2013 Planning & Zoning meeting discussion and recommendation to approve site plan application #2013-0130-01SP.

10. **DISCUSS, CONSIDER, AND ACT ON SIGN VARIANCE APPLICATION #2013-0211-01SV. APPLICANT CHANDLER SIGNS ON BEHALF OF CVS PHARMACY. SUBJECT LOCATION THE SOUTHEAST CORNER OF U.S. HIGHWAY 380 AND NAYLOR ROAD. DESCRIPTION OF REQUEST IS TO ALLOW SIGNS ON THE SIDE OF THE CVS BUILDING THAT DOES NOT MEET THE DEFINITION OF “DISPLAY FRONTAGE”.**

No action taken

11. **DISCUSS, CONSIDER, AND ACT ON TREE REMOVAL APPLICATION #2013-0215-01. SITE LOCATION 1900 OAKVIEW DRIVE. APPLICANT ROY GARRAND ON BEHALF OF PROPERTY OWNER STEVE TIDWELL. APPLICANT REQUEST REMOVAL OF A TREE GREATER THAN 24” LOCATED IN THE FOOT PRINT OF THE PROPOSED HOUSE FOUNDATION.**

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Kille to approve tree removal application.

**MOTION PASSED UNANIMOUSLY**

12. **DISCUSS, CONSIDER, AND ADOPT REVISE ARCHITECTURAL GUIDELINES AND THE “TEXAS COUNTRY” THEME FOR NON RESIDENTIAL STRUCTURES AND DEVELOPMENT ORDINANCE # 2013-0121-01**

**TOWN OF CROSS ROADS  
ORDINANCE NO. 2013-0121-01**

**AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS, AMENDING DIVISION 1 (“IN GENERAL”) OF ARTICLE 14.03 (“COMPREHENSIVE ZONING ORDINANCE”) OF CHAPTER 14 (“ZONING”) OF THE CODE OF ORDINANCES OF THE TOWN OF CROSS ROADS, TEXAS, AS HERETOFORE AMENDED, TO REPLACE SECTION 14.03.008 TO REVISE ARCHITECTURAL GUIDELINES AND THE “TEXAS COUNTRY” THEME FOR NON-RESIDENTIAL STRUCTURES AND DEVELOPMENTS; AMENDING SUBPART (1) OF SUBSECTION (c) OF SECTION 14.03.076 (“C – COMMERCIAL DISTRICT”) AND SUBPART (1) OF SUBSECTION (c) OF SECTION 14.03.077 (“LI - LIGHT INDUSTRIAL DISTRICT”) OF DIVISION 3 (“DISTRICTS”) OF ARTICLE 14.03 (“COMPREHENSIVE ZONING ORDINANCE”) OF CHAPTER 14 (“ZONING”) OF THE CODE OF ORDINANCES OF THE TOWN OF CROSS ROADS, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**MOTION** - Councilmember Birdsong made a motion seconded by Councilmember Dickey to adopt Ordinance # 2013-0121-01.

**MOTION PASSED UNANIMOUSLY**

13. **DISCUSS, CONSIDER, AND ACT ON SITE PLAN APPLICATION # 2013-0130-01SP. SUBJECT LOCATION 8600 & 8700 U.S. HIGHWAY 380. APPLICANT AND PROPERTY OWNER MS. SHARI TRUSTY.**

**MOTION** - Councilmember Kille made a motion seconded by Councilmember Birdsong to approve site plan application # 2013-0130-01SP.

**MOTION PASSED UNANIMOUSLY**

14. **DISCUSS, CONSIDER AND ACT ON ORDERING A MUNICIPAL ELECTION FOR MAY 11, 2013, TO ELECT THREE (3) COUNCIL MEMBERS FOR A TWO (2) YEAR TERM, AND AUTHORIZING THE MAYOR AND COUNCIL TO SIGN THE “ORDER OF ELECTION” AND POST ON THE OFFICIAL BULLETIN BOARD.**

**MOTION** – Councilmember Dickey made a motion seconded by Councilmember Fisher to order a municipal election for May 11, 2013 to elect three (3) councilmember for a two (2) year term, and authorizing the

Mayor and Council to sign the "Order of Election" and post on the official bulletin board.

**MOTION PASSED UNANIMOUSLY**

15. **DISCUSS, CONSIDER, AND ADOPT ELECTION ORDINANCE # 2013-0218-01**

**ORDINANCE # 2013-0218-01**

**AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 11, 2013, FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS AT LARGE, AND TO AUTHORIZE THE CREATION OF THE CROSS ROADS MUNICIPAL DEVELOPMENT DISTRICT AND THE IMPOSITION OF A SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT (1/4%) FOR THE PURPOSE OF FINANCING DEVELOPMENT PROJECTS BENEFICIAL TO THE DISTRICT, BY THE QUALIFIED VOTERS OF THE TOWN OF CROSS ROADS; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE APPOINTMENT OF ELECTION ADMINISTRATORS AND JUDGES; ESTABLISHING REGULAR BUSINESS HOURS OF THE TOWN SECRETARY'S OFFICE ON THE DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**MOTION** – Councilmember Dickey made a motion seconded by Councilmember Birdsong to adopt Ordinance #2013-0218-02.

**MOTION PASSED UNANIMOUSLY**

16. **DISCUSS, CONSIDER AND APPROVE MAYOR TO SIGN A FULL SERVICE CONTRACT AGREEMENT BETWEEN THE TOWN OF CROSS ROADS, TEXAS AND THE COUNTY OF DENTON, TEXAS TO PROVIDE A JOINT JURISDICTIONAL MAY 11, 2013 ELECTION.**

**MOTION** - Councilmember Birdsong made a motion seconded by Councilmember Fisher to authorize the mayor to sign a full service contract agreement between the Town of Cross Roads, Texas and the County of Denton, Texas to provide a joint jurisdictional May 11, 2013 election.

**MOTION PASSED UNANIMOUSLY**

17. **DISCUSS, CONSIDER AND ADOPT REVISIONS TO THE PERSONNEL MANUAL.**

**MOTION** - Councilmember Fisher made a motion seconded by Councilmember Russo to approve and adopt revisions to the personnel manual.

**MOTION PASSED UNANIMOUSLY**

18. **DISCUSS, CONSIDER AND ADOPT TEXAS MUNICIPAL RETIREMENT SYSTEM ORDINANCE # 2013-0218-02**

**ORDINANCE # 2013-0218-02**

**AN ORDINANCE PROVIDING FOR THE PARTICIPATION IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM AND THE SUPPLEMENTAL DEATH BENEFITS FUND BY THE TOWN OF CROSS ROADS, TEXAS; AND TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION.**

**MOTION** – Councilmember Dickey made a motion seconded by Councilmember Russo to approve and adopt Ordinance #2013-0218-02.

**MOTION PASSED UNANIMOUSLY**

19. **VISITORS'/CITIZENS' FORUM INPUT FOR ITEMS NOT ON THE AGENDA. NO DELIBERATION OR DISCUSSION MAY TAKE PLACE BY THE TOWN COUNCIL DURING THIS AGENDA ITEM.**

**No citizen requested to speak.**

20. **TOWN COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS - NO DELIBERATION OR DISCUSSION MAY TAKE PLACE BY THE TOWN COUNCIL DURING THIS AGENDA ITEM.**

**No new agenda items suggested.**

21. **TIME, DATE, AND LOCATION OF NEXT MEETINGS** - All citizens are invited to participate.

Re-Scheduled Comprehensive Planning Committee – 7:00 PM, Wednesday, February 20, 2013, Council Chambers

Administrative Staff Meeting – 3:00 PM Monday, March 4, 2013, Council Chambers

Economic Development Committee Meeting - 7:00 PM, Monday, March 4, 2013, Conference Room

Planning & Zoning Commission Meeting – 7:00 PM, Tuesday, March 5, 2013, Council Chambers

Park Board Meeting – 7:00 PM, Tuesday, March 12, 2013, Conference Room

