



**MINUTES OF WORKSHOP AND REGULAR  
TOWN COUNCIL MEETING  
FOR THE TOWN OF CROSS ROADS  
LOCATION: 1401 FM 424, CROSS ROADS, TEXAS  
Monday, April 15, 2013  
WORKSHOP SESSION – 6:00 P.M.  
REGULAR SESSION – 7:00 P.M.**

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

The Town Council of the Town of Cross Roads, Texas, met in a Regular Session on Monday, April 15, 2013. The meeting was held within the boundaries of the Town and was open to the public.

**WORKSHOP SESSION – 6:00 PM**

**1. CALL TO ORDER – 6:04 P.M.**

**2. ROLL CALL**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Smith	X	
Councilmember Birdsong	X	
Councilmember Fisher	X	
Councilmember Kille	X	
Councilmember Russo	X	
Councilmember Dickey	X	

**3. DISCUSSION OF MUNICIPAL DEVELOPMENT DISTRICT PRIORITIES AND POLICY CREATION.**

The Town Council discussed what items could be accomplished utilizing Municipal Development District revenue and discussed the priority of those items. Also discussed was the guidelines needed to be included in the policy.

**4. DISCUSSION OF AGENDA ITEMS POSTED FOR CONSIDERATION ON THE REGULAR SESSION AGENDA FOR APRIL 15, 2013.**

No discussion.

*Mayor Smith called a short recess at 6:55 p.m.*

**CONVENE INTO REGULAR SESSION – 7:04 P.M.**

**5. MAYOR'S ANNOUNCEMENTS AND UPDATES**

- **Commercial / Residential Development**
- **Community Events**
- **Public Input Reminders**

Mayor Smith gave an update to Council and addressed questions of his update; discussion only, no action was taken.

**6. COUNCILMEMBERS' ANNOUNCEMENTS AND UPDATES**

Council member Fisher mentioned Little Free Libraries.

**7. CITIZENS INPUT FOR ITEMS ON THE AGENDA.**

*Complete a Citizens Input form, and hand it to the Town Secretary. Please limit your comments to three minutes in duration and you are restricted from passing your time or any portion of unused minutes on to another citizen for comment.*

No citizen presentations were made.

**8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING FINANCIAL REPORTS:**

- a. LIST OF BILLS FOR MARCH 2013
- b. FINANCIAL REPORTS FOR MARCH 2013

Motion made by Council member Dickey, seconded by Council member Russo, to approve the March 2013 list of bills as presented. Motion carried unanimously.

Motion made by Council member Fisher, seconded by Council member Birdsong, to approve the March 2013 Financials Reports as presented. Motion carried unanimously.

**9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE MARCH 18, 2013 TOWN COUNCIL MEETING MINUTES.**

Motion made by Council member Russo, seconded by Council member Birdsong, to approve the March 18, 2013 Town Council Meeting Minutes as presented. Motion carried 3-0-2 with Council members Russo, Kille and Birdsong voting for and Council members Dickey and Fisher abstaining.

**10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ADMINISTRATIVE, SELECT COMMISSIONS, COMMITTEES, BOARDS, AND TASKFORCES UPDATES.**

- a. Town Administration Update – Town Secretary Shannon DePrater
  - Website Transition
  - May 2013 Election

Town Secretary DePrater updated Council and addressed questions; discussion only, no action taken.

- b. March Economic Development Committee Meeting Update – Chair Sheehy
- c. March Comprehensive Planning Committee Meeting Update – Chair Seybold
- d. March Planning & Zoning Commission Meeting Update – Chair Moore
- e. March Park Board Meeting Update – Chair Bacon

Committee Chairs updated Council regarding their March meetings and addressed questions; discussion only, no action taken.

*Mayor Smith opened the Public Hearing at 7:28 P.M.*

**CONVENE INTO PUBLIC HEARING**

**11. CONDUCT PUBLIC HEARING TO HEAR PUBLIC INPUT ON PRELIMINARY PLAT APPLICATION # 2013-0304-01PP. SUBJECT PROPERTY LOCATION 7038 ROCKRIDGE TRAIL, BEING A 5 ACRE PARCEL (ID # 162911 & # 164558) IN THE OAK BLUFF SUBDIVISION THAT LIES WITHIN THE TOWN OF CROSS ROADS' EXTRA TERRITORIAL JURISDICTION. APPLICATION SUBMITTED BY PROPERTY OWNER JOHN A. WILLIAMSON WHO REQUESTS TO DIVIDE 5 ACRE PARCEL INTO TWO (2) PLATTED LOTS.**

No citizens addressed the Council.

12. **CONDUCT PUBLIC HEARING TO HEAR PUBLIC INPUT ON RE-PLAT APPLICATION #2013-0305-01RP. SUBJECT PROPERTY LOCATION BEING LOT 2 IN THE VILLAGE AT CROSS ROADS COMMERCIAL PLANNED DEVELOPMENT SUBDIVISION AT THE NORTHEAST CORNER OF FM 424 AND US HIGHWAY 380. APPLICATION SUBMITTED BY KRIS HOLEYFIELD OF KIMLEY HORN ENGINEERING. REQUEST TO DIVIDE LOT 2 (5.9941 ACRES) INTO 4 SEPARATE LOTS.**

No Citizens addressed the Council.

*Mayor Smith closed the Public Hearing and reconvened into Regular Session at 7:30 P.M.*

#### RECONVENE INTO REGULAR SESSION

13. **CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PRELIMINARY PLAT APPLICATION # 2013-0304-01PP. SUBJECT PROPERTY LOCATION 7038 ROCKRIDGE TRAIL, BEING A 5 ACRE PARCEL (ID # 162911 & # 164558) IN THE OAK BLUFF SUBDIVISION THAT LIES WITHIN THE TOWN OF CROSS ROADS' EXTRA TERRITORIAL JURISDICTION. APPLICATION SUBMITTED BY PROPERTY OWNER JOHN A. WILLIAMSON WHO REQUESTS TO DIVIDE 5 ACRE PARCEL INTO TWO (2) PLATTED LOTS.**

Motion made by Council member Birdsong, seconded by Council member Fisher, to approve Preliminary Plat Application #2013-0304-01PP as presented. Motion carried unanimously.

14. **CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RE-PLAT APPLICATION #2013-0305-01RP. SUBJECT PROPERTY LOCATION BEING LOT 2 IN THE VILLAGE AT CROSS ROADS COMMERCIAL PLANNED DEVELOPMENT SUBDIVISION AT THE NORTHEAST CORNER OF FM 424 AND US HIGHWAY 380. APPLICATION SUBMITTED BY KRIS HOLEYFIELD OF KIMLEY HORN ENGINEERING. REQUEST TO DIVIDE LOT 2 (5.9941 ACRES) INTO 4 SEPARATE LOTS.**

Motion made by Council member Russo, seconded by Council member Dickey, to approve Re-Plat Application #2013-0305-01RP as presented with the sanitary sewer line being done by separate instrument. Motion carried unanimously.

15. **CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TECHNICAL SITE PLAN APPLICATION #2013-0305-01SP. SUBJECT PROPERTY LOCATION BEING NORTHEAST CORNER OF VILLAGE AT CROSS ROADS COMMERCIAL SUBDIVISION LOT 2. APPLICATION SUBMITTED BY KRIS HOLEYFIELD OF KIMLEY HORN ENGINEERING.**

Motion made by Council member Russo, seconded by Council member Kille, to approve Technical Site Plan Application #2013-0305-01SP as presented. Motion carried unanimously.

*Mayor Smith moved agenda item #17 forward:*

17. **CONSIDER AND TAKE APPROPRIATE ACTION REGARDING COMMERCIAL BUILDING APPLICATION # 2013-0305-01C INCLUDING THE CIVIL PLAN REVIEW. SUBJECT PROPERTY LOCATION BEING NORTHEAST CORNER OF VILLAGE AT CROSS ROADS COMMERCIAL SUBDIVISION LOT 2. APPLICATION SUBMITTED BY ATKINSON & ASSOCIATES BUILDERS ON BEHALF OF WHATABURGER.**

After discussing item, a motion was made by Council member Fisher, seconded by Council member Dickey, to table this agenda item and move back to agenda item #16. Motion carried unanimously.

- 16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A MINOR AMENDMENT TO PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 215 ACRES OF LAND SITUATED ON THE NORTH SIDE OF HIGHWAY 380, ON THE EAST SIDE OF FM 424, AND ON THE SOUTH SIDE OF FISHTRAP ROAD CONCERNING LANDSCAPING. SUBJECT PROPERTY BEING VILLAGE AT CROSS ROADS COMMERCIAL SUBDIVISION LOT 2R-2 (WHATABURGER). REQUEST SUBMITTED BY OWNER LOVETT COMMERCIAL.**

Motion made by Council member Birdsong, seconded by Council member Dickey, to approve a minor amendment to Planned Development District for approximately 215 acres of land situated on the north side of Highway 380, on the east side of FM 424, and on the south side of Fishtrap Road concerning landscaping as presented. Motion carried unanimously.

- 17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING COMMERCIAL BUILDING APPLICATION # 2013-0305-01C INCLUDING THE CIVIL PLAN REVIEW. SUBJECT PROPERTY LOCATION BEING NORTHEAST CORNER OF VILLAGE AT CROSS ROADS COMMERCIAL SUBDIVISION LOT 2. APPLICATION SUBMITTED BY ATKINSON & ASSOCIATES BUILDERS ON BEHALF OF WHATABURGER.**

Motion made by Council member Kille, seconded by Council member Fisher, to approve Commercial Building Application #2013-0305-01C, including the Civil Plan Review as presented. Motion carried unanimously.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING DIRECTION TO THE PLANNING & ZONING COMMISSION TO MAKE REVISIONS AND AMENDMENTS TO THE SEXUAL ORIENTED BUSINESS ORDINANCES AND DEFINE AND DISTRICT WHERE FINANCIAL BUSINESSES SHOULD BE LOCATED.**

Motion made by Council member Birdsong, seconded by Council member Fisher, to direct the Planning & Zoning Commission to make revisions and amendments to the Sexually Oriented Business Ordinances to update and make consistent with neighboring Ordinances and define and district where financial businesses should be located. Motion carried unanimously.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE CREATION OF A MUNICIPAL DEVELOPMENT DISTRICT PRIORITIES POLICY AND ESTABLISHING AN ANNUAL REVIEW OF SUCH POLICY.**

Motion made by Council member Russo, seconded by Council member Dickey, to approve the creation of a Municipal Development District Priorities Policy and Establish an Annual Review of such Policy to include a bulleted policy stating that the MDD Board present its budget in July and conduct two public hearings with the Town regarding its annual budget, the funding will be cash only; no loans or bonds and reviewed yearly. Motion carried unanimously.

- 20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ADDITION OF TOWN SECRETARY SHANNON DEPRATER AND DEPUTY TOWN SECRETARY BECKY ROSS TO THE POINT BANK ACCOUNTS AS SIGNERS.**

Motion made by Council member Kille, seconded by Council member Birdsong, to approve the addition of Town Secretary Shannon DePrater and Deputy Town Secretary Becky Ross to the Point Bank accounts as signers. Motion carried unanimously.

- 21. CITIZENS INPUT FOR ITEMS NOT ON THE AGENDA.**

*Complete a Citizens Input form, and hand it to the Town Secretary. Please limit your comments to three minutes in duration and you are restricted from passing your time or any portion of unused minutes on to another citizen for comment. The Town Council is restricted from discussing or taking action on items not posted on the agenda. Action on your statement may be taken only at a future meeting.*

No citizens addressed the Council.

**22. TOWN COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

*No Town Council deliberation or discussion may take place during this agenda item.*

No items were requested by Council.

**23. FUTURE MEETINGS**

*All citizens are invited to participate; schedule may change.*

- Comprehensive Planning Committee – 7:00 PM Wednesday, April 17, 2013, Council Chambers
- Volunteer Roadside Cleanup – 9:00 AM Saturday, April 20, 2013, Meet at Town Hall
- Administrative Staff Meeting – 3:00 PM Monday, May 6, 2013 Council Chambers
- Economic Development Committee - 7:00 PM, Monday, May 6, 2013 Council Chambers
- Planning & Zoning Commission– 7:00 PM, Tuesday, May 7, 2013 Council Chambers
- Comprehensive Planning Committee – 7:00 PM, Wednesday, May 8, 2013, Council Chambers
- Park Board Meeting – 7:00 PM, Tuesday, May 14, 2013, Council Chambers
- Official Canvass of May 11, 2013 Election - 12:00 PM, Monday, May 20, 2013, Council Chambers
- Town Council Meeting – 7:00 PM, Monday, May 20, 2013, Council Chambers

*Mayor Smith convened into Executive Session at 8:01 P.M.*

**CONVENE INTO EXECUTIVE SESSION**

- 24. PURSUANT TO THE OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, CHAPTER 551, THE TOWN COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE SESSION AS AUTHORIZED BY SECTION 551.071 (CONSULTATION WITH TOWN ATTORNEY) AND SECTION 551.072 (PURCHASE, SALE OR EXCHANGE OF LAND) TO CONSULT WITH THE TOWN ATTORNEY AND TO DELIBERATE ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL ESTATE WHERE OPEN DELIBERATIONS WOULD HAVE A DETRIMENTAL ON THE TOWN IN NEGOTIATIONS WITH A THIRD PERSON REGARDING PROPERTY GENERALLY LOCATED AT 3500 MOSELEY ROAD.**

*Mayor Smith reconvened into Regular Session at 8:30 P.M.*

**RECONVENE INTO REGULAR SESSION**

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**

No discussion; no action taken.

**26. ADJOURN**

Motion made by Council member Fisher, seconded by Council member Birdsong, to adjourn. Meeting adjourned at 8:31 p.m.

  
Shannon DePrater, TRMC, Town Secretary  
Town of Cross Roads, Texas

  
Steve Smith, Mayor  
Town of Cross Roads, Texas