



**MINUTES OF WORKSHOP AND REGULAR TOWN COUNCIL
MEETING FOR THE TOWN OF CROSS ROADS
LOCATION: 1401 FM 424, CROSS ROADS, TEXAS
Monday, July 15, 2013
EXECUTIVE 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, July 15, 2013. The meeting was held within the boundaries of the Town and was open to the public.

1. CALL TO ORDER - 6:00 P.M.
2. ROLL CALL

PRESENT ABSENT

| | | |
|------------------------|---|---|
| Mayor Smith | X | |
| Councilmember Birdsong | X | |
| Councilmember Fisher | | X |
| Councilmember Kille | X | |
| Councilmember Russo | X | |
| Councilmember Dickey | X | |

Mayor Smith convened into Executive Session at 6:02 P.M.

EXECUTIVE SESSION – 6:00 PM

3. PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, SUBCHAPTER 551, SECTIONS 551.074(A) "PERSONNEL MATTERS", 551.071 (2) "CONSULTATION WITH ATTORNEY", AND SECTION 551.072 (PURCHASE, SALE OR EXCHANGE OF LAND), RESPECTIVELY, THE COUNCIL WILL ENTER INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
 - A. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE RELATING TO TOWN ADMINISTRATOR KATHERINE RITCHIE.
 - B. TO CONSULT WITH THE TOWN ATTORNEY 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 THE TEXAS OPEN MEETINGS ACT: LEGAL ADVICE REGARDING VILLAGE OF CROSS ROADS PLANNED DEVELOPMENT AMENDMENTS.
 - C. CONSULT WITH THE TOWN ATTORNEY TO DELIBERATE ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL ESTATE WHERE OPEN DELIBERATIONS WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE TOWN IN

NEGOTIATIONS WITH A THIRD PERSON REGARDING PROPERTY GENERALLY
LOCATED AT 3500 MOSELEY ROAD.

Mayor Smith reconvened into Regular Session at 7:06 P.M.

CONVENE INTO REGULAR SESSION – 7:06 PM

4. CONSIDER AND TAKE APPROPRIATE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.

No action taken.

CONSENT AGENDA

All matters listed as Consent Agenda are considered to be routine by the Town Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE JUNE 17, 2013 TOWN COUNCIL MEETING MINUTES.

No action taken.

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS REPEALING ARTICLE 3.08 "TREE PRESERVATION AND PROTECTION" OF CHAPTER 3 "BUILDING REGULATIONS" OF THE TOWN OF CROSS ROADS CODE OF ORDINANCES AND ADOPTING A NEW ARTICLE 3.08 "TREE PRESERVATION AND PROTECTION".

Motion made by Council member Russo, seconded by Council member Birdsong to approve an Ordinance repealing Article 3.08 "Tree Preservation and Protection" of Chapter 3 "Building Regulations" of the Town of Cross Roads Code of Ordinances and adopting a new Article 308 "Tree Preservation and Protection". Motion carried unanimously.

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS AMENDING ARTICLE 6.04 "PROPERTY MAINTENANCE REGULATIONS" OF CHAPTER 6 "HEALTH AND SANITATION" OF THE TOWN OF CROSS ROADS CODE OF ORDINANCES.

Motion made by Council member Dickey, seconded by Council member Kille, to approve an Ordinance amending Article 6.04 "Property Maintenance Regulations" of Chapter 6 "Health and Sanitation". Motion carried unanimously.

REGULAR SESSION

8. 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 taken.

9. COUNCILMEMBERS' ANNOUNCEMENTS AND UPDATES

No announcements or updates given.

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ADMINISTRATIVE, SELECT COMMISSIONS, COMMITTEES, BOARDS, AND TASKFORCE UPDATES:

- a. Economic Development Committee Update – Chair Sheehy
- b. Comprehensive Planning Committee Update – Chair Seybold
- c. Road Repair Committee Update – Chair Roberson

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

11. 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. Action on your statement may only be taken at a future meeting.

No citizens requested to speak.

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS, ESTABLISHING THE CROSS ROADS MUNICIPAL DEVELOPMENT DISTRICT.

Discussion only; no action taken.

13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A MINOR AMENDMENT TO VILLAGE OF CROSS ROADS PLANNED DEVELOPMENT ALLOWING OVERHEAD POWER AROUND THE PERIMETER OF THE PROPERTY AND PERIMETER LANDSCAPE AMENDMENTS.

Discussion only; no action taken.

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AMENDMENT TO COMMERCIAL BUILDING APPLICATION #2013-0508-01C.

Discussion only; no action taken.

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AMENDMENT TO COMMERCIAL BUILDING APPLICATION #2013-0508-02C.

Discussion only; no action taken.

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING WAL-MART SIGN VARIANCE REQUEST.

Motion made by Council member Birdsong, seconded by Council member Kille, to approve the Wal-Mart Sign Variance Request. Motion carried unanimously.

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING WHATABURGER SIGN VARIANCE REQUEST.

Motion made by Council member Kille, seconded by Council member Dickey, to approve the Whataburger Sign Variance Request. Motion carried unanimously.

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING GENERAL FUND DISTRIBUTION.

Motion made by Council member Dickey, seconded by Council member Kille, to establish a Public Safety Fund by renaming the Money Market Fund to the Public Safety Fund and to transfer \$150,000 from General Funds into the Public Safety Fund. Motion carried unanimously.

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL AERIAL SPRAYING FOR WEST NILE VIRUS.

Motion made by Council member Kille, seconded by Council member Dickey, to approve and follow the Denton County Health Department's actions. Motion carried unanimously.

20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING JUNE FINANCIAL REPORTS.

Motion made by Council member Russo, seconded by Council member Birdsong, to approve the June Financial Reports. 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 only be taken at a future meeting.

Peter Pohlman, 1301 Keyes Lane addressed the Council and explained he is wanting to move his boundary line on his two tracts of land; not subdivide his property and stated he believes his request should meet the platting requirement exceptions of the Town of Cross Roads Code of Ordinance Section 10.03.002 "Subdivisions excluded from platting".

22. TOWN COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

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

No requests were made.

23. FUTURE MEETINGS

All scheduled meetings are held in the Council Chambers. All citizens are invited to participate; schedule may change.

Mayor Smith listed future meetings.

Mayor Smith reconvened into Executive Session at 7:50 p.m.

EXECUTIVE SESSION

24. PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, SUBCHAPTER 551, SECTIONS 551.074(A) "PERSONNEL MATTERS", 551.071 (2) "CONSULTATION WITH ATTORNEY", AND SECTION 551.072 (PURCHASE, SALE OR EXCHANGE OF LAND), RESPECTIVELY, THE COUNCIL WILL ENTER INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
- A. TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE RELATING TO TOWN ADMINISTRATOR KATHERINE RITCHIE.
 - B. TO CONSULT WITH THE TOWN ATTORNEY 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 THE TEXAS OPEN MEETINGS ACT: LEGAL ADVICE REGARDING VILLAGE OF CROSS ROADS PLANNED DEVELOPMENT AMENDMENTS.
 - C. CONSULT WITH THE TOWN ATTORNEY TO DELIBERATE ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL ESTATE WHERE OPEN DELIBERATIONS WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE TOWN IN NEGOTIATIONS WITH A THIRD PERSON REGARDING PROPERTY GENERALLY LOCATED AT 3500 MOSELEY ROAD.

Mayor Smith reconvened into Regular Session at 8:45 P.M.

CONVENE INTO REGULAR SESSION

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

No action taken.

26. ADJOURN

Mayor Smith adjourned the meeting at 8:45 p.m.



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



Steve Smith, Mayor
Town of Cross Roads, Texas