



**MINUTES OF TOWN COUNCIL REGULAR SESSION  
MEETING FOR THE TOWN OF CROSS ROADS  
LOCATION: 1401 FM 424, CROSS ROADS, TX 76227  
MONDAY, MARCH 17, 2014  
WORKSHOP SESSION – 6:00 P.M.  
REGULAR SESSION – 7:00 PM**

Call to Order - 6:00 p.m.

**WORK SESSION - 6:00 P.M.**

**1. Discussion of agenda items posted for consideration on the Regular Session Agenda for March 17, 2014.**

The Mayor and Council went through the agenda and discussed items where they had questions.

*Mayor Smith called a short recess.*

**CONVENE INTO REGULAR SESSION - START TIME 7:00 PM**

**2. Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Steve Smith	Mayor	Present	
Bruce Birdsong	Council member	Present	
Larry Fisher	Council member	Present	
Alan Hauf	Council member	Present	
Wally Kille	Council member	Present	
Tony Russo	Council member	Present	

**3. Mayor's Announcements and Updates**

- Commercial / Residential Development

The Mayor updated the Council and residents on the following:

- Tree Mitigation
- TxDOT Light at Fishtrap and Moseley Intersection
- Commercial Development
- Residential Development
- Town Hall Addition Elevation
- Sponsoring of Aubrey Area Library Kids Summer Reading Program
- Road Side Clean Up Event
- Cancelled May 10, 2014 Election and moved Street Maintenance Sales Tax Election to November

Discussion only, no action taken.

#### 4. Council members' Announcements and Updates

Council member Fisher announced that the land for the new Denton ISD high school has been purchased. DISD anticipates opening the high school with three grades in 2016, with a proposed addition of a 9<sup>th</sup> grade center opening at a later date.

Discussion only, no action taken.

#### 5. Commission and Committees Announcements and Updates

- Planning & Zoning Commission - Chair Moore
- Park Board Committee - Chair Bacon
- Municipal Development District - President Sheehy
- Comprehensive Planning Committee - Chair Seybold

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

#### 6. 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 Citizens Input.

*Mayor Smith moved the following agenda item forward:*

#### 26. Citizen 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. Action on your statement may only be taken at a future meeting.*

Mr. Mike Oglesby, 654 Lake Shore Boulevard, Oak Point introduced himself to the Council and audience. Mr. Oglesby announced he is running for Justice of the Peace, Precinct 5, gave a brief bio, and briefly explained the JP Court system, and why he decided to run.

*Mayor Smith convened into Public Hearing at 7:30 p.m.*

### **CONVENE INTO PUBLIC HEARING**

#### 7. Conduct a Public Hearing to hear Public Input regarding a proposed Zoning Change from C2 Commercial to Residential Single Family; subject property being 2201 South Highway 377, Cross Roads, Texas.

No Public Comment.

#### 8. Conduct a Public Hearing to hear Public Input regarding proposed changes to Section 14.03.008 Architectural Guidelines of the Town of Cross Roads' Code of Ordinances.

No Public Comment.

*Mayor Smith reconvened into Regular Session at 7:31 p.m.*

**RECONVENE INTO REGULAR SESSION**

- 9. Consider and take appropriate action regarding a proposed Zoning Change from C2 Commercial to Single Family Residential; subject property being 2201 South Highway 377, Cross Roads, Texas.

Motion made by Council member Fisher, seconded by Council member Birdsong, to approve the proposed Zoning Change from C2 Commercial to Single Family Residential. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Fisher, Council member
<b>SECONDER:</b>	Bruce Birdsong, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

- 10. Consider and take appropriate action regarding Tree Removal Permit Application #2014-0304-01TR, subject property being 5555 Summit Trace, Cross Roads, Texas.

Motion made by Council member Birdsong, seconded by Council member Fisher, to approve Tree Removal Permit Application #2014-0304-01TR, subject property being 5555 Summit Trace, Cross Roads, Texas. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bruce Birdsong, Council member
<b>SECONDER:</b>	Larry Fisher, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

- 11. Consider and take appropriate action regarding Tree Removal Permit Application #2014-0305-01TR, subject property being 1450 Forest Hills, Cross Roads, Texas.

Motion made by Council member Birdsong, seconded by Council member Fisher, to approve Tree Removal Permit Application #2014-0305-01TR, subject property being 1450 Forest Hills, Cross Roads, Texas. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bruce Birdsong, Council member
<b>SECONDER:</b>	Larry Fisher, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**12. Consider and take appropriate action regarding Setback Variance Request Application #2014-0307-01VR, subject property being 1985 Woodlands, Cross Roads, Texas.**

Motion made by Council member Kille, seconded by Council member Birdsong, to approve Setback Variance Request Application #2014-0307-01VR, subject property being 1985 Woodlands, Cross Roads, Texas.

Council member Kille amended his motion to include at least five feet difference between water's edge and structure. Council member Birdsong agreed to the friendly amendment. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED WITH STIPULATIONS [UNANIMOUS]</b>
<b>MOVER:</b>	Wally Kille, Council member
<b>SECONDER:</b>	Bruce Birdsong, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**13. Consider and take appropriate action regarding Preliminary Plat Application #2014-0114-01PP for subject property being Oak Bluff Addition, Lots 1, 2 and 3, Block A.**

Motion made by Council member Russo, seconded by Council member Fisher, to approve Preliminary Plat Application #2014-0114-01PP, subject property being Oak Bluff Addition, Lots 1, 2, and 3, Block A. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tony Russo, Council member
<b>SECONDER:</b>	Larry Fisher, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**14. Consider and take appropriate action regarding Replat Application #2014-0128-03RP; subject property being Lot 2, Block A Cross Roads CVS Addition. Request is to divide existing lot into two lots for development.**

Motion made by Council member Fisher, seconded by Council member Kille, to approve Replat Application #2014-0128-03RP with the stipulation the front yard setback will allow parking north of the fire lane. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED WITH STIPULATIONS [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Fisher, Council member
<b>SECONDER:</b>	Wally Kille, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**15. Consider and take appropriate action regarding Technical Site Plan Application #2014-0128-03SP; subject property being Lot 2, Block A Cross Roads CVS Addition.**

Motion made by Council member Fisher, seconded by Council member Birdsong, to approve Technical Site Plan Application #2014-0128-03SP. Motion carried unanimously.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Larry Fisher, Council member  
**SECONDER:** Bruce Birdsong, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**16. Consider and take appropriate action regarding Landscape Plan Application #2014-0128-04LP; subject property being Lot 2, Block A Cross Roads CVS Addition.**

Motion made by Council member Birdsong, seconded by Council member Russo, to approve Landscape Plan Application #2014-0128-04LP with the east/west shrubs be a minimum of 18 inches and remove the large tree on the west boundary and replace with two crepe myrtles to match the CVS Property. Motion carried unanimously.

**RESULT: APPROVED WITH STIPULATIONS [UNANIMOUS]**  
**MOVER:** Bruce Birdsong, Council member  
**SECONDER:** Tony Russo, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**17. Consider and take appropriate action regarding Civil Plans Application #2014-0128-05CIVIL; subject property being Lot 2, Block A Cross Roads CVS Addition.**

Motion made by Council member Russo, seconded by Council member Fisher, to approve Civil Plans Application #2014-0128-05CIVIL, contingent upon Mustang SUD's review and approval. Motion carried unanimously.

**RESULT: APPROVED WITH STIPULATIONS [UNANIMOUS]**  
**MOVER:** Tony Russo, Council member  
**SECONDER:** Larry Fisher, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**18. Consider and take appropriate action regarding Commercial Building Application #2014-0128-01COM; subject property being Lot 2, Block A Cross Roads CVS Addition.**

Motion made by Council member Russo, seconded by Council member Kille, to approve Commercial Building Application #2014-0128-01COM, contingent upon providing verification of 80000 lumens per acre. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED WITH STIPULATIONS [UNANIMOUS]</b>
<b>MOVER:</b>	Tony Russo, Council member
<b>SECONDER:</b>	Wally Kille, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**19. Consider and take appropriate action regarding an Ordinance of the Town of Cross Roads, Texas, amending Chapter 8 (“Offenses and Nuisances”) of the Code of Ordinances of the Town of Cross Roads, Texas, to add a new Article 8.09 to establish regulations prohibiting disruptive behavior, loitering and aggressive panhandling in certain public places.**

Motion made by Council member Kille, seconded by Council member Hauf, to approve Ordinance 2014-0317-01 of the Town of Cross Roads, Texas, amending Chapter 8 (“Offenses and Nuisances”) of the Code of Ordinances of the Town of Cross Roads, Texas, to add a new Article 8.09 to establish regulations prohibiting disruptive behavior, loitering and aggressive panhandling in certain public places. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Wally Kille, Council member
<b>SECONDER:</b>	Alan Hauf, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**20. Consider and take appropriate action regarding an Ordinance of the Town of Cross Roads, Texas, amending the Code of Ordinances of the Town of Cross Roads, Texas by adopting Article 8.10, (“Curfew Hours for Minors,”) in Chapter 8 (“Offenses and Nuisances”) establishing a curfew between the hours of 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. on the following day; and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday for persons under seventeen (17) years of age.**

Motion made by Council member Fisher, seconded by Council member Birdsong, to approve Ordinance 2014-0317-02 of the Town of Cross Roads, Texas, amending the Code of Ordinances of the Town of Cross Roads, Texas by adopting Article 8.10, (“Curfew Hours for Minors,”) in Chapter 8 (“Offenses and Nuisances”) establishing a curfew between the hours of 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. on the following day; and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday for persons under seventeen (17) years of age with a change to section 8.10.003(b) to refer to section 8.10.002(c) not 8.10.002(3). Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Fisher, Council member
<b>SECONDER:</b>	Bruce Birdsong, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**21. Consider and take appropriate action regarding an Ordinance of the Town of Cross Roads, Texas, amending the Code of Ordinances of the Town of Cross Roads, Texas by amending Article 12.09 (“Stopping, Standing and Parking”) and Article 12.10 (“Penalties for Illegal Parking and Standing”) of Chapter 12 (“Traffic and Vehicles”), to add new sections establishing additional regulations for the stopping, standing and parking of vehicles.**

Motion made by Council member Hauf, seconded by Council member Russo, to approve Ordinance 2014-0317-03 of the Town of Cross Roads, Texas, amending the Code of Ordinances of the Town of Cross Roads, Texas by amending Article 12.09 (“Stopping, Standing and Parking”) and Article 12.10 (“Penalties for Illegal Parking and Standing”) of Chapter 12 (“Traffic and Vehicles”), to add new sections establishing additional regulations for the stopping, standing and parking of vehicles. Motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Alan Hauf, Council member
<b>SECONDER:</b>	Tony Russo, Council member
<b>AYES:</b>	Birdsong, Fisher, Hauf, Kille, Russo

**22. Consider and take appropriate action regarding proposed changes to Section 14.03.008 Architectural Guidelines of the Town of Cross Roads' Code of Ordinances.**

Motion made by Council member Birdsong, seconded by Council member Fisher, to approve the proposed changes to Section 14.03.008 Architectural Guidelines of the Town of Cross Roads' Code of Ordinances. Motion carried unanimously.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Bruce Birdsong, Council member  
**SECONDER:** Larry Fisher, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**23. Consider and take appropriate action regarding the February 17, 2014 Town Council Meeting Minutes.**

Motion made by Council member Fisher, seconded by Council member Birdsong, to approve the February 17, 2014 Town Council Meeting Minutes as amended. Motion carried unanimously.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Larry Fisher, Council member  
**SECONDER:** Bruce Birdsong, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**24. Consider and take appropriate action regarding the March 10, 2014 Special Town Council Meeting Minutes.**

Motion made by Council member Hauf, seconded by Council member Kille, to approve the March 10, 2014 Special Town Council Meeting Minutes as presented. Motion carried unanimously.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Alan Hauf, Council member  
**SECONDER:** Wally Kille, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

**25. Consider and take appropriate action regarding the February 2014 Financial Reports.**

Motion made by Council member Kille, seconded by Council member Fisher, to approve the February 2014 Financial Reports. Motion carried unanimously.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Wally Kille, Council member  
**SECONDER:** Larry Fisher, Council member  
**AYES:** Birdsong, Fisher, Hauf, Kille, Russo

## 27. Town Council requests for future agenda items

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

Council member Birdsong requested that Council consider changing the term length to three years and have two council positions up every year.

Council member Fisher requested that the Municipal Development District proposed vision be on the next agenda for consideration.

## 28. Future meetings and events:

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

- **CANCELLED** - NEPD Commission Meeting - Thursday, March 20, 2014 at 7:00 PM
- American Cleanup / Don't Mess with Texas Trash Off - March 29, 2014
- Planning & Zoning Commission Meeting - Tuesday, April 1, 2014 at 7:00 PM
- Administrative Staff Meeting - Monday, April 7, 2014 at 3:00 PM
- Municipal Development District Meeting - Monday, April 7, 2014 at 7:00 PM
- Park Board Committee Meeting - Tuesday, April 8, 2014 at 7:00 PM
- Comprehensive Planning Committee Meeting - Wednesday, April 9, 2014 at 7:00 PM
- Roads Committee Meeting - Wednesday, April 16, 2014 at 7:00 PM
- NEPD Commission Meeting - Thursday, April 17, 2014 at 7:00 PM
- Town Council Meeting - Monday, April 21, 2014 at 7:00 PM

Mayor Smith listed the future meetings.

## ADJOURN

Motion made by Council member Kille, seconded by Council member Hauf to adjourn. Meeting adjourned at 8:07 p.m.

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

  
Steve Smith, Mayor  
Town of Cross Roads, Texas