



**MINUTES**  
**SEPTEMBER 20, 2010**  
**TOWN OF CROSS ROADS**  
**REGULAR AND EXECUTIVE SESSION**  
**TOWN COUNCIL MEETING**

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

The Council of the Town of Cross Roads convened a regularly scheduled Council meeting at 7:00 p.m. The meeting was held in the Town Hall Council Chamber, located at 1401 FM 424 Cross Roads, Texas. The meeting was open to the public with the following business.

1. **MAYOR SCHRAEDER CALLED TOWN COUNCIL MEETING TO ORDER AT 7:00 PM.**

2. **ROLL CALL**

	<b>PRESET</b>	<b>ABSENT</b>
<b>MAYOR SCHRAEDER</b>	<b>X</b>	
<b>COUNCILMEMBER DICKEY</b>	<b>X</b>	
<b>COUNCILMEMBER FISHER</b>	<b>X</b>	
<b>COUNCILMEMBER RUSSO</b>	<b>X</b>	
<b>COUNCILMEMBER SEYBOLD</b>	<b>X</b>	
<b>COUNCILMEMBER SMITH</b>		<b>X</b>

3. **VISITORS/CITIZENS FORUM INPUT FOR ITEMS ON THE AGENDA. NO DELIBERATION OR DISCUSSION MAY TAKE PLACE BY THE TOWN COUNCIL DURING THIS AGENDA ITEM**

Steve Chase, 4641 New Hope Road, spoke against Oncor's proposed route for transmission lines that would go through the "Greenbelt" and/or cross parts of Cross Roads –within town limits or the ETJ.

Bill Bacon, 400 Bridle Ridge Ranch Road, Cross Roads, supported Mr. Chase and his objections to the transmission line relocation.

4. **DISCUSS, CONSIDER, AND ACT ON FINANCIAL REPORTS** (*Reporting Officer – Mayor Schraeder*)
  - A. **DISCUSS, CONSIDER, AND APPROVE THE LIST OF BILLS FOR AUGUST 2010.**

**MOTION** – Councilmember Seybold made a motion seconded by Councilmember Russo to approve the list of bills for August 2010.

**MOTION PASSED UNANIMOUSLY**

- B. **DISCUSS, CONSIDER, AND APPROVE THE FINANCIAL REPORTS FOR AUGUST 2010.**

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**MOTION** – Councilmember Seybold made a motion seconded by Councilmember Fisher to approve the financial reports for August 2010.

**MOTION PASSED UNANIMOUSLY**

**5. DISCUSS, CONSIDER, AND APPROVE JULY 12, 2010, AUGUST 16, 2010, COUNCIL MEETING MINUTES.**

**MOTION** – Councilmember Seybold made a motion seconded by Councilmember Dickey to approve the minutes for the July 12, 2010, Council Meeting.

**AYE** – Councilmember Dickey, Councilmember Seybold

**ABSTAIN** - Councilmember Russo, Councilmember Fisher

**MOTION** – Councilmember Fisher made a motion seconded by Councilmember Russo to approve the minutes for the August 16, 2010, Council Meeting

**AYE** – Councilmember Dickey, Councilmember Russo, Councilmember Fisher

**ABSTAIN** - Councilmember Seybold

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

**A. ADMINISTRATIVE REPORT** – *Reporting Official Town Secretary Katherine M. Ritchie requests formal action of the appointment of Judy Moudy as the Court Clerk.*

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Seybold to appoint Judy Moudy as the Court Clerk.

**MOTION PASSED UNANIMOUSLY**

**B. BUDGET COMMITTEE REPORT** – *Reporting Official Budget Committee Chair Carol Roberts reported the updated proposed 2010-2011 fiscal year budget followed the proposed allocations including the 5% increase for the Interlocal Fire Service Agreement between Town of Cross Roads and the City of Aubrey.*

**C. COMPREHENSIVE PLANNING COMMITTEE REPORT** – *Reporting Official Committee Chairman Virden Seybold reported the September 8<sup>th</sup> committee meeting had been cancelled. The next meeting will be on September 22. Kent Spurgin will report on fire station proposals.*

**D. PARK BOARD REPORT** – *Reporting Official Committee Chair Gale Bacon reported on the September 14<sup>th</sup> committee meeting: Scout project plans have been finalized; Tim Anthony Services has completed trimming of trees in the park; Tony Russo and Gale inspected the trees for insect infestation, 3-4 trees are losing leaves – decision made to wait to see if gets worse before treating trees.*

**E. PLANNING & ZONING COMMITTEE REPORT** – *No report*

**F. ROAD REPAIR COMMITTEE REPORT** - *Reporting Official Chairman Wally Kille reported on the September 16<sup>th</sup> committee meeting; pot holes on Pottershop Road have been repaired; mowing of easements has been completed; debris from the storms has been removed from the bridges; a letter was received from the mayor of Oak Point thanking the town for the repairs and higher speed limit on Naylor Road; council members said Mill Creek is now in much better condition thanks to Katherine Ritchie's efforts in obtaining millings to put on the road.*

**7. DISCUSS, CONSIDER AND ACT ON ONCOR ELECTRIC TRANSMISSION LINES RE-LOCATION.**

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Fisher to adopt the resolution written by Town Attorney David Berman stating the Town of Cross Roads is opposed to having the transmission lines located in the area of Cross Roads.

**MOTION PASSED UNANIMOUSLY**

**8. DISCUSS, CONSIDER, AND ACT ON INTERLOCAL FIRE SERVICE AGREEMENT BETWEEN TOWN OF CROSS ROADS AND THE CITY OF AUBREY FOR THE FISCAL YEAR 2010 – 2011.**

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Fisher to accept the Interlocal Fire Service Agreement between the Town of Cross Roads and the City of Aubrey for the fiscal year 2010-2011.

**MOTION PASSED UNANIMOUSLY**

**9. RECESS REGULAR COUNCIL MEETING AND CONVENE AN EXECUTIVE SESSION. COUNCIL MAY CONVENE INTO A CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE: SECTION 551.074 DELIBERATIONS REGARDING PERSONNEL SALARY ISSUES AS PERTAINING TO THE 2010 – 2011 FISCAL BUDGET.**

Regular Council Meeting was recessed at 8:33 PM.

**10. ADJOURN EXECUTIVE SESSION AND RECONVENE REGULAR COUNCIL MEETING AND CONSIDER ACTION IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION.**

Executive Session was recessed at 9:22 PM and Regular Council Meeting was reconvened.

**11. DISCUSS, CONSIDER, AND ACT ON PROPOSED 2010 – 2011 BUDGET TABLED AT THE AUGUST 16, 2010, COUNCIL MEETING.**

**MOTION** – Councilmember Seybold made a motion seconded by Councilmember Fisher to adopt the proposed 2010-2011 fiscal year budget with the addition of an increase of \$1000 to the amount budgeted for the Aubrey Area Library.

**MOTION PASSED UNANIMOUSLY**

**12. DISCUSS, CONSIDER, AND ADOPT ORDINANCE # 2010-0816-02, THE 2010 – 2011 FISCAL YEAR BUDGET FOR THE TOWN OF CROSS ROADS.**

**ORDINANCE # 2010-0816-02**

**AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**MOTION**—Councilmember Fisher made a motion seconded by Councilmember Dickey to adopt ordinance # 2010-0816-02 an ordinance of the town of cross roads, Texas, approving and adopting a budget for the fiscal year October 1, 2010 through September 30, 2011; providing that expenditures for said fiscal year shall be made in accordance with said budget; providing a severability clause; providing a repealer clause; and providing an effective date.

**MOTION PASSED UNANIMOUSLY**

13. **DISCUSS, CONSIDER, AND ADOPT ORDINANCE # 2010-0920-01 NEW RATE FOR ATMOS ENERGY CORP., MID-TEX DIVISION.**

**ORDINANCE # 2010-0920-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CROSS ROADS, TEXAS (“TOWN”) APPROVING NEW RATES FOR ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) IN RESPONSE TO THE COMPANY’S THIRD RATE REVIEW MECHANISM (“RRM”) FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT JUST AND REASONABLE RATES; EXTENDING THE RRM PROCESS FOR TWO CYCLES AND ADOPTING A NEW RRM TARIFF, INCLUDING COST RECOVERY FOR A STEEL SERVICE LINE REPLACEMENT PROGRAM; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY.**

**MOTION** – Councilmember Fisher made a motion seconded by Councilmember Dickey to adopt Ordinance #2010-0920-01 an ordinance of the town council of the Town of Cross Roads, Texas (“town”) approving new rates for Atmos Energy Corp., Mid-Tex division (“Atmos Mid-Tex” or “Company”) in response to the company’s third rate review mechanism (“rrm”) filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect just and reasonable rates; extending the rrm process for two cycles and adopting a new rrm tariff, including cost recovery for a steel service line replacement program; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; and requiring delivery of this ordinance to the company.

**MOTION PASSED UNANIMOUSLY**

14. **DISCUSS, CONSIDER AND ACT ON ORDINANCE # 2010-0920-02 AMENDMENT TO THE BUILDING CODES FOR THE ABATEMENT OF DANGEROUS BUILDINGS.**

**ORDINANCE # 2010-0920-02**

**AN ORDINANCE OF THE TOWN OF CROSS ROADS, TEXAS, AMENDING CHAPTER 3 (“BUILDING REGULATIONS”) OF THE CODE OF ORDINANCES OF THE TOWN OF CROSS ROADS, TEXAS, TO AMEND SUBPARTS (b)(1) AND (b)(2), OF ARTICLE 3.02 (“BUILDING CODES ADOPTED”), TO ADOPT THE PROVISIONS OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; PROVIDING A REPEALING CLAUSE; PROVIDING A**

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**SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.**

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Seybold to table action until further study of the ordinance.

**MOTION PASSED UNANIMOUSLY**

- 15. DISCUSS, CONSIDER, AND ACT ON APPROVING EXCEPTION TO APPLICATION # 2010-0817-01 TO ADD A VERTICAL PARAPET WALL AT THE PEAK OF AN EXISTING BUILDING. SUBJECT PROPERTY LOCATED AT 10,000 HIGHWAY 380.**

**MOTION** – Councilmember Seybold made a motion seconded by Councilmember Fisher to accept the Architectural Review Committee's recommendation to approve the exception to the application #2010-0817-01.

**MOTION PASSED UNANIMOUSLY**

- 16. DISCUSS, CONSIDER AND ACT ON PARKING PROBLEMS ON MOSELEY ROAD AND KEYES LANE.**

**MOTION** – Councilmember Fisher made a motion seconded by Councilmember Seybold to refer this item to the Road Committee for recommendations on parking along Keyes Lane and Moseley Road.

**MOTION PASSED UNANIMOUSLY**

- 17. 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.**

Rhonda Castleberry, 2051 Oak Point in Cross Roads, spoke against the use of fireworks in the town limits of Cross Roads. She presented copies of articles about injuries and deaths attributed to use of fireworks to Katherine Ritchie, Town Secretary.

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

None presented.

- 19. TIME, DATE, AND LOCATION OF NEXT MEETINGS - *All citizens invited to participate.***  
Planning & Zoning Commission Meeting – 7:00 PM, Tuesday, September 28, 2010, Council Chambers  
Administrative Staff Meeting – 9:00 AM Tuesday, October 5, 2010, Conference Room  
Park Board Meeting – 7:00 PM, Tuesday, October 5, 2010, Town Park Benches  
Comprehensive Planning Committee – 7:00 PM, Wednesday, September 22, 2010, Council Chambers  
Comprehensive Planning Committee – 7:00 PM, Wednesday, October 13, 2010, Council Chambers  
Road Repair Committee Meeting - 7:00 PM, Thursday, October 14, 2010, Conference Room  
Council Meeting – 7:00 PM, Monday, October 18, 2010, Council Chambers

- 20. MOTION TO ADJOURN REGULAR COUNCIL MEETING**

**MOTION** – Councilmember Russo made a motion seconded by Councilmember Fisher to adjourn the Regular Council Meeting at 10:00 PM.

**MOTION PASSED UNANIMOUSLY**

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Approved by Mayor Ross Schraeder                      Date

I, Katherine M. Ritchie, Town Secretary of, Town of Cross Roads, Denton County, Texas, do hereby certify that the following Council Meeting Minutes are a true and correct record of the proceedings from the Town Council Meeting.

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Town Secretary Katherine M. Ritchie                      Date