



**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF CROSS ROADS
MONDAY, September 19, 2022, at 6:00 P.M.
LOCATION:
IN PERSON at 1401 FM 424, CROSSROADS, TEXAS 76227
Or
View via Zoom Meeting**

1. Call to Order – **6:03 P.M.**
2. Roll Call: **Mayor Tompkins; Council Members Neubauer, Meek, King, Gaalema, and White-Stevens**
3. Invocation – **Pastor Clarence Dalrymple, Aubrey Faith Assembly**
4. Pledge of Allegiance – **Donna Butler**
5. Citizens Input (Items on the agenda and not on the agenda).
 - **Bob Gorton, 4000 W Oak Shores; average response time for fire and EMS too high, cost of street projects have doubled, would like to know why properties are being discussed in Executive Session**
 - **Via Zoom, Randy Wallace, 5601 W Oak Shores; the Parks Board enthusiasm of Council Member King's support, commended King for his leadership, thanked the police department for their vacation watch, and thanked Chief Short and the PD for their service**
6. Council Members' announcements and updates.
 - **White-Stevens thanked Ron King and Ron Zohfeld for dedication to the Park Board, thanked retired officer David Lighfoot for his service**
 - **Gaalema congratulated the Park Board for their preliminary park strategic plan**
7. Mayor's announcements and updates.

Tompkins announced October 1st, 2022 will be the one-year anniversary of Cross Roads Police Department; Salad and Go is now open; the Town's Labor Day event was successful; Parks and Recreation Board had a service day at the town park, and there was a 10.8% increase in sales tax income
8. Updates; Discussion of Same.
 - a. Town Administrator Announcements and Updates, including financial, development and permit reports – **Kristi Gilbert stated the Tipps Road Culvert Improvement bid opening was held; solid waste disposal RFP will be on the October agenda; a permit and finance update was given**
 - b. Law Enforcement – **Shaun Short delivered the August police report**
 - c. Fire Department – **Paul Rust was not available. Mayor Tompkins presented Chief Rust's August fire and EMS report**
 - d. Committee Reports – MDD, Parks, Connectivity Committee, Historical Committee, Road Committee
**John Knox, MDD President, gave an update.
Sharon Baca, Road Committee Chair, asked for applicants.**

CONSENT AGENDA

9. Consider approval of the amended July 25, 2022, Council Meeting Minutes.
10. Consider approval of the August 15, 2022, Council Meeting Minutes.
11. Consider approval of the August 2022 Financials.
12. Consider approval of an amendment to the Fiscal Year 2021-2022 Budget.
13. Consider approval of the sale of a 2020 Chevrolet Tahoe police vehicle outfitted for a K-9 unit to the City of Tioga.
14. Consider authorizing the Mayor to designate individuals to review proposals for solid waste service for the purpose of making a recommendation to the Town Council.

**Motion to approve the Consent Agenda made by Meek;
Second by Neubauer;
Passed unanimously.**

CONVENE INTO BOARD OF ADJUSTMENTS – 6:32 P.M. to 6:36 P.M.

15. CONDUCT A PUBLIC HEARING, discuss and consider action on a request from applicant Eliud Aranda on behalf of property owner Imperial Products Supply requesting a variance from the required 15-foot rear yard setback as set forth in Section 14.03.076(d)(5) of the Code of Ordinances to allow for the continued placement of an existing structure eight (8) feet from the rear property line where a 15 foot setback is required for property located at 8801 US 380. (2022-0808-05VARIANCE)
**Motion to approve made by White-Stevens;
Second by Neubauer;
Passed unanimously.**

RECONVENE INTO REGULAR TOWN COUNCIL MEETING

REGULAR SESSION

16. CONDUCT A PUBLIC HEARING, discuss, and consider an application by property owner West Crossroads to amend the future land use map from C-2 Commercial to C-1 Commercial for Lot 2-R of the Amy's Place Addition, generally located at 3201 US 380 to allow for the continued operation of medical and professional offices. (2022-0808-01FLUP)
**Opened Public Hearing at 6:37 P.M.
Closed Public Hearing at 6:44 P.M.
Motion to approve made by White-Stevens;
Second by Neubauer;
Meek opposed;
Passed 4 to 1.**

17. CONDUCT A PUBLIC HEARING, discuss, and consider an application by property owner West Crossroads to amend the zoning map from C-2 Commercial to C-1 Commercial for Lot 2-R of the Amy's Place Addition, generally located at 3201 US 380 to allow for the continued operation of medical and professional offices. (2022-0808-02ZC)
Opened Public Hearing at 6:45 P.M.
Closed Public Hearing at 6:48 P.M.
Motion to approve made by Gaalema;
Second by Neubauer;
Meek and White-Stevens opposed;
Passed 3 to 2.
18. CONDUCT A PUBLIC HEARING, discuss, and consider an application by Barry Leming with Speed of Light on behalf of property owner Blanche Dillon to request a special use permit for Tract 63 of the R.J. Moseley Abstract A0803A, generally located at 2201 Moseley Road to allow for the installation of a communication tower approximately 190 feet tall. (2022-0808-03SUP)
Opened Public Hearing at 6:49 P.M.
Closed Public Hearing at 7:01 P.M.
Motion to approve made by Meek with the following contingencies:
1. Applicant provides engineer stamped drawings and foundation plans,
2. A 20-foot setback for the tower and a 10-foot setback for the equipment building,
3. A minimum 6-foot fence enclosure around the utility building and tower.
Second by Neubauer;
Passed unanimously.
19. CONDUCT A PUBLIC HEARING, discuss, and consider items related to the Fiscal Year 2022-2023 budget.
Opened Public Hearing at 7:01 P.M.
Closed Public Hearing at 7:27 P.M.
Motion to approve provided that any budgeted lump sum expenditures greater than \$25,000 from the funds listed on pages 127-128 of the Agenda Packet shall require Council approval. [Funds listed on Pages 127-128 include Fund 265-Police Donations, Fund 310-Capital Improvements, Fund 320-Park Improvements, Fund 330-Vehicle & Equipment Replacement, Fund 350-Public Safety Building, Fund 370-Road Improvement]
Made by Gaalema
Second by King;
White-Stevens and Neubauer opposed;
Passed 3 to 2.
20. Discuss and consider approval of a resolution establishing a pay plan for Town employees.
Motion to approve the reconsideration of agenda item 20 to approve the 2023 Pay and Step Plan schedule from August 15 provided that COLA raises shall be paid as part of the annual review for both Administrative and Police personnel, provided that all pay raises are subject to the review and approval of the Mayor, with an effective date of the Resolution being October 1, 2022
Made by Gaalema;
Second by King;
White-Stevens opposed;
Passed 4 to 1.

21. Discuss and consider approval of bid documents for the Phase 1 Street Rehabilitation project and other associated road maintenance items.
Motion to approve bid documents for the Phase 1 Street Rehabilitation for Mill Creek Road only, and authorize staff to advertise requests for proposals for the project and road maintenance work on a per unit basis
Made by Gaalema;
Second by Neubauer;
Passed unanimously.
22. Discuss and consider items related to the Town's Vision 2035 Strategic & Comprehensive Plan project.
Pam Mundo gave a project update.

EXECUTIVE SESSION – 8:37 P.M. to 8:58 P.M.

23. The Town Council will convene into Executive Session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:
- a. Section 551.071 Consultation with Attorney – Contemplated or Pending litigation James Edland v. Town of Cross Roads, Texas, Case No. 22-0056-362
 - b. Section 551.071 Consultation with Attorney – Zoning and land use entitlements
 - c. Texas Government Code, Section 551.072 - Deliberation Regarding Real Property; to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person: Fish Trap Road; FM 424; Naylor
24. Take action as may be necessary or appropriate on matters discussed in Executive Session.
No action was taken.

ADJOURN – 8:58 P.M.

T. Lynn Tompkins, Jr., Mayor

Donna Butler, Town Secretary