



**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF CROSS ROADS
MONDAY, DECEMBER 13, 2021 at 7:00 P.M.**

**LOCATION: IN PERSON at
1401 FM 424, CROSSROADS, TEXAS 76227
Or Virtually Via Zoom**

1. Call to Order – 7:00 P.M.
2. Roll Call: **Mayor Tompkins; Council Members Phillips, Meek, King, Gaalema, and White-Stevens**
3. Invocation – Mike Spencer, Denton Bible Church
4. Pledge of Allegiance – Chief Shaun Short
5. Council Member's announcements and updates.
White-Stevens: The November 29th Special Called MDD meeting was not held under a cloak of secrecy. Council Members Phillips and Gaalema and Mayor Tompkins' seats are up election on May 7th. The first date to file for a place on the ballot is January 19th, and the last day is February 18th. Everyone has the same opportunity to create the change they want to see by running for a place on Council. As of November 1st, the agenda item allowing Council to request future agenda items was removed and she would like it to be replaced permanently. She would like any Council Member requests with support of another Council Member be place on the following agenda. She requests the purchasing policy be put on the agenda for action in January.
Phillips: The Salvation Army Bell Ringing was a lot of fun and there was a lot of support for which he was thankful.
6. Mayor's announcements and updates.
Thanked Council Members Meek and Phillips for making the motion to have one meeting in December. Presented the 25% increase in sales tax. Noted the special edition of the Town Newsletter focusing on the Cross Roads Police Department and Little Elm Fire and EMS. Announcements regarding the US 380 meetings, updates, and options to submit feedback, stating the January 19th expanded deadline. He has drafted a letter to TXDOT in opposition to the right of way dedication on the south side of 380 that would affect businesses, and he is requesting an economic impact study. Santa Around Town by Little Elm Fire was appreciated. The Salvation Army Red Kettle Challenge goal was raised to \$3000.00. Bell Ringers on Saturday were the Mayor and his wife, Shiryl, Council Member Meek and wife, Theresa, Council Member Phillips and his wife, Shirley, MDD Member LQ Vann, Park Board Member Herman Oosteriwik and his wife,

Johanna. Town Hall will be closed on December 23rd and 27th for the Christmas holiday. Offices will be closed on January 31st in observance of New Years. If Council Members have something they would like on the agenda, they may email the Mayor and state their case.

7. Citizens Input (Items on the agenda and not on the agenda)

Email:

- Virden and Elva Seybold were against Items 15 and 18**

In-Person:

- Kelly Berry, Las Colinas Trail, questions regarding car crashes and number of Cross Roads Police officers on duty, land purchase; against excess spending and ad valorem tax**
- Bill Berry, Las Colinas Trail, 21-22 budget, NEPD reimbursement, Fire and EMS costs, asked for financial codes, street repairs, Covid funds, sale of NEPD building**
- Randy Wicker, W Oak Shores, thanked the Mayor and Council, Chief Short, and Chief Rust for their service and jobs well-done**
- Bob Gorton, W Oak Shores, financial expenses; what about loss of sales tax due to the 380 expansion and widening**
- John Knox, W Oak Shores, for Item 20, he recommended LQ Vann be reappointed to the Municipal Development District, stating several professional accomplishments, adding Vann has served on MDD since its inception**
- Chris Paus, Clear Spring Trail, against Item 15 due to location and outdoor storage; against Item 17 due to how the structure looks; for Item 18 but for a maximum of 25 for 30 square feet**

8. Updates; Discussion of Same.

- Town Administrator Announcements and Updates – Kristi Gilbert**
- Financial Reports**
- Building Permits and Development**
Town Administrator Gilbert stated audits have begun, encouraged citizens to make comments to TXDOT feasibility study, County road bond update, explained financials will look different with new software and gave an overview of reports, explained finances regarding sale of NEPD building, gave permit update: In Review are 7 residential, 8 sign, and 4 tree; Issued are 3 residential, 8 sign, 3 tree, 9 miscellaneous, 1 commercial for Rustic Furniture Warehouse, and 1 tenant finish out for Mod Pizza; Anticipated Openings are Dunkin Donuts/Baskin Robbins in January, Fire House Subs by March, Bank of America in April; Rustic Furniture had a preconstruction meeting; the pre-con for Oak Hill Ranch is on hold for the plans showing a two-lane collector road
- Law Enforcement – Chief Shaun Short**
Chief Short gave a detailed review for November
- Fire Department – Chief Paul Rust**
Chief Rust gave a detailed review for November
- Parks and Recreation Board/Connectivity Committee/Municipal Development District**
 - Parks and Recreation Board Chairperson Zohfeld announced the final Holiday Pop-Up Market on Saturday, December 18th, stating Santa Claus will be there**
 - Municipal Development District President Knox gave a brief overview of MDD**

and how the board is funded by sales tax income; noted the MDD funded the new Town website and is currently working on steps to build business retention

CONSENT AGENDA

9. Consider approval of the November 15, 2021 Council Meeting Minutes.
10. Consider approval of the November 2021 Financials.
11. Consider approval of an application for a tree removal permit submitted by Robert Poorman, for residential property located at 1030 E. Oak Shores Drive.
12. Consider approval of an application for a tree removal permit submitted by Janine Sprecher, for residential property located at 1071 E. Oak Shores Drive.
13. Consider approval of an application for a tree removal permit submitted by Reed Fiegenger, for property located at 2000 E. Oak Shores Drive.
14. Consider approval of an ordinance establishing a construction work zone speed limit of 50 mph on US 380 within the corporate limits of the Town of Cross Roads.

**Motion to approve the Consent Agenda made by Gaalema;
Second by Phillips;
Passed unanimously.**

REGULAR BUSINESS

15. CONDUCT A PUBLIC HEARING, discuss, and consider a request by Larry Coker on behalf of owner Anthony Cimino for a change in zoning from A-Agricultural to C2-Commerical 2 and request a Special Use Permit to allow for outdoor retail sales for Tract 87B, of the J. Bridges Abstract A0036A, generally located at 5400 FM 424, Cross Roads, Denton County, Texas. (2021-0809-01ZC, 2021-0809-03SUP)

Opened Public Hearing at 8:08 P.M.

- Steve Uzategui, representative for Ewing, answered questions from Council
- Paula Paus, Clear Springs Trail, against SUP, stating it goes against the Town Vision and land use plan
- Steve Zuczek, Oak Shores, against SUP due to outdoor storage and provided Council with aerial photos of other Ewing locations
- Kelly Berry, Las Colinas Trail, against SUP due to the outdoor storage and its proximity to residential areas
- Jenna Hyde, working with applicant, in favor of SUP, stating this project is a good use of the property and a miss for the Town if denied
- Randy Wicker, Oak Shores, against SUP stating it's disingenuous to submit plans then not follow those plans; he would like to see how much sales tax would be brought to the Town from the project

Closed Public Hearing at 8:33 P.M.

- White-Stevens in favor of the SUP outlining sanctions: against any outdoor storage, supplies not to exceed the height of the screening device, Staff's recommendations,

engineering requirements, require screening

- Meek noted plans call for improved surface using concrete or asphalt and a landscape buffer between the fence and 424; expressed interest in the potential sales tax based on determining the best use of the property

- Phillips pointed out the amount and look of outside storage

- Tompkins noted that the outside storage is not nice to look at; stated the Town does not want to be driven solely by money

Motion to deny both the Zone Change and the SUP made by Gaalema;

Second by King;

Meek and White-Stevens voted no;

Passed 3 to 2.

16. Discuss and consider approval of an application for a tree removal permit submitted by Century Custom Homes, for property located at 5601 Foothills Dr. to remove trees greater than eighteen (18) inches in diameter at breast height.

Motion to approve made by Phillips;

Second by Gaalema;

Passed unanimously.

17. Discuss and consider action on a commercial building permit application for property generally located at the southeast corner of FM 424 and US 380 for CVS Covid Testing Building. (2021-1108-04C)

Motion to deny made by White-Stevens;

No second;

Motion failed.

Motion to approve for one year made by Meek;

Second by Phillips;

Gaalema and White-Stevens voted no;

Passed 3 to 2.

18. Discuss and consider action on a request from K&P Signs, on behalf of Mod Pizza, appealing the Building Official's denial of a sign permit and requesting a variance from the sign regulations to allow for approximately 47.25 total square feet of signage on the rear of a strip building.

Motion to deny made by White-Stevens;

No second;

Motion failed.

Motion to approve up to 25 square feet made by Gaalema;

Second by Meek;

Passed unanimously.

19. Discuss and consider action on Amendment One of the Professional Services Agreement between the Town of Cross Roads and SAFEbuilt, Texas, LLC.

Motion to approve made by Phillips;

**Second by White-Stevens;
Passed unanimously.**

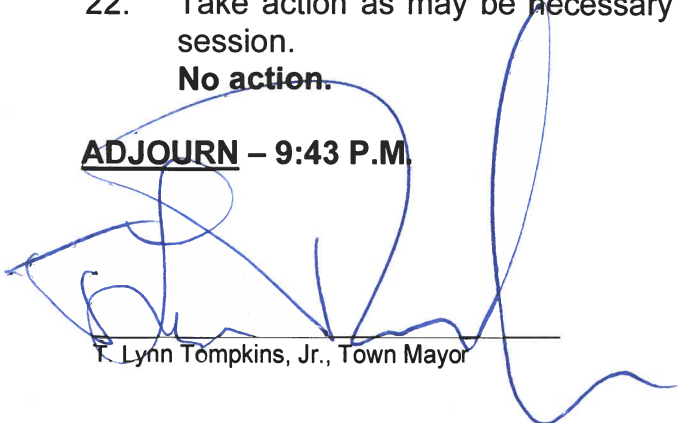
20. Discuss and consider approval of a resolution authorizing appointments to the Cross Roads Municipal Development District.
**Motion to reappoint John Knox and appoint Bill Berry to seats 2 and 4 made by White-Stevens;
Second by Phillips;
Gaalema voted no;
Passed 4 to 1.**

EXECUTIVE SESSION – 9:11 P.M.

21. The Town Council will convene into Executive Session pursuant Texas Government Code, annotated, Chapter 551, Subchapter D for the following:
- a. Texas Government Code, Section 551.074 Deliberation Regarding Personnel Matters
– to discuss the duties of a public officer: Police Chief duties
- Reconvened – 9:42 P.M.**

22. Take action as may be necessary or appropriate on matters discussed in Executive session.
No action.

ADJOURN – 9:43 P.M.



T. Lynn Tompkins, Jr., Town Mayor



Dorna Butler, Town Secretary