



**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF CROSS ROADS
MONDAY, July 25, 2022 at 7:00 P.M.**

LOCATION:

IN PERSON at 1401 FM 424, CROSS ROADS, TEXAS 76227

Or

View via Zoom Meeting

1. Call to Order – 7:00 P.M.
2. Roll Call: **Mayor Tompkins, Council Members Neubauer, Meek, King, Gaalema, and White-Stevens.**
3. Invocation – **Lesly Louis, Charisma City**
4. Pledge of Allegiance – **Chris Paus**
5. Citizens Input (Items on the agenda and not on the agenda).
 - **Bob Gorton, 4000 W Oak Shores Drive, stated Fire and EMS response times are unacceptable.**
 - **Randy Wicker, 3750 W Oak Shores Drive, stated trees along Potter Shop, Tipps, and Keyes are hazardous to drivers.**
 - **Brian Lagano, 11301 Cedar Creek Drive, asked that Council not restrict the freedom to use fireworks.**
 - **James Kovacik, 700 E Oak Shores Drive, asked that Council not restrict the use of fireworks.**
 - **Gordon Rae, used the raised hand feature via Zoom but could not be heard.**
 - **John Murray, 600 Historic Lane – his email in support of the ordinance for a two-axle limit on the Historic Lane bridge was read.**
6. Council Members' announcements and updates.
 - **Wendy White-Stevens is concerned with the direction the Town may be headed, would like to keep the human element during the growth of the Town, asked the public to continue to support Council, Mayor, town staff, citizens, and neighbors, announced the last two Saturdays for the Community Market.**
 - **Ron King announced his gratitude and excitement to serve on the Parks and Rec Board, thanked Chief Rust and Chief Short for their hard work, stated it's the first time the Town has had fully trained paramedics on staff.**

- **Greg Gaalema wished Ron King a happy birthday, then Council, Staff, and members of the audience sang the Happy Birthday song to Council Member King.**
7. Mayor's announcements and updates.
Mayor Tomkins announced that Police Officer Draught was recognized by Mothers Against Drunk Driving of North Texas for his training and commitment; thanked Cross Roads Police for participating in Advance Rapid Response Training; thanked Council and Debbie Womack for a successful Council Workshop Retreat where they focused on the Town's Vision 2035 and the Town's overall goals; announced a 20.9 percent increase in sales tax.
 8. Updates; Discussion of Same.
 - a. Town Administrator Announcements and Updates – **Kristi Gilbert gave an update on the TXDOT 380 project; Phase 2 projected completion date is May 2024; the Town is working with TXDOT regarding the options on 380.**
 - b. Financial Reports – **Kristi Gilbert gave the financial update and explained the Town is tracking where it should be and took questions and recommendations from Council Member Gaalema.**
 - c. Building Permits and Development – **Kristi Gilbert announced the Walmart remodel, Rustic Furniture Warehouse's completion, Salad and Go is approaching opening, Chick-Fil-A's canopy and Oak Hill Ranch Phase 1 are nearly completed; Rodney is reviewing a lot of pool permits.**
 - d. Law Enforcement – **Sgt. Danny Rounsavall gave the Police Department report.**
 - e. Fire Department – **Chief Paul Rust gave the Fire and EMS report**
 - f. Committee Reports – **Ron Zohfeld gave the Parks and Recreation report, stating they are looking for two new members; no other committee reports were given.**

CONSENT AGENDA

9. Consider approval of the June 20, 2022, Council Meeting Minutes.
10. Consider approval of the June 24 – 26, 2022 Council Retreat Minutes
11. Consider approval of the June 2022 Financials.
12. Consider approval of a final plat application for Block B, Lots 1 and 2 of the Oak Bluff Addition, comprised of property located at 60 Cedar Lane, within the Town of Cross Roads. (2022-0606-04FPLAT)
13. Consider approval of an application for a tree removal permit submitted by Rick Davis, for property located at 2051 Oak Point Dr. Applicant is requesting permission to

remove a tree which is over 18" diameter at breast height which is located near a swimming pool in the back yard at the above address.

**Motion to approve the consent agenda made by Gaalema;
Second by Neubauer;
Passed unanimously.**

CONVENE INTO BOARD OF ADJUSTMENTS – 8:07 P.M.

14. CONDUCT A PUBLIC HEARING, discuss and consider action on a request from property owner Anibal Garcia requesting a variance from the setback regulations established per Section 14.03.074(b)(14)(c) and Section 14.03.074(d)(2) of the Code of Ordinances to allow for the placement of a detached garage ten (10) feet from the side property line where a 15 foot setback is required for a pool located at 183 Las Colinas. (2022-0622-01VARIANCE)

Opened Public Hearing at 8:07 P.M.

- Kristi Gilbert explained as the Board of Adjustments, actions are of a quasi-judicial capacity, meaning the only appeal to the judgement would be to District Court, and approval requires affirmative vote of 4 out 5 Council members.
- Andi Garcia, applicant, spoke to Council to explain his request to align the driveway to the garage doors.

Closed Public Hearing at 8:11 P.M.

**Motion to approve the variance made by Neubauer;
Second by King;
Passed unanimously.**

RECONVENE INTO REGULAR TOWN COUNCIL MEETING – 8:12 P.M.

REGULAR SESSION

15. CONDUCT A PUBLIC HEARING, discuss and consider a recommendation on a replat application for Lot 3R2, Block A of the Volunteer Enterprises Addition for property generally located at the southeast corner of US 380 and Naylor Road within the Town of Cross Roads, also referred to as Cross Roads Market Square. (2022-0404-02REPLAT)

Opened Public Hearing at 8:13 P.M.

- No one from the public spoke.

Closed Public Hearing at 8:13 P.M.

- Kay Neubauer asked for clarification regarding the replat request.
- Kristi Gilbert explained the original plat expired, gave a general overview of the project, and explained why the application was being acted upon at this meeting.

**Motion to deny the replat made by White-Stevens;
Second by Gaalema;
Passed unanimously.**

16. CONDUCT A PUBLIC HEARING, discuss and consider a recommendation to the Town Council on a request by applicant Andrew Burke on behalf of owner Margarito Espinoza for a special use permit to allow for outdoor retail sales for property located at 8801 US 380, Cross Roads, Denton County, Texas. (2022-0404-08SUP)
Opened Public Hearing at 8:21 P.M.

- Ramon Aranda, property owner and applicant, Andrew Burke spoke.
- Shiva Kondru, property owner of 114-acre Stallings Tract behind 8801 US 380 requested access to his property through the 8801 US 380 property.

Closed Public Hearing at 8:28 P.M.

- White-Stevens asked Planning and Zoning Commission Chairperson Zuczek why the Commission recommended approval.
- Chairperson Zuczek stated applicant responded positively to all the Commission's requests and the Commission believes the business will be a positive asset to the Town.
- White-Stevens' expressed concern for future development and the impact on future business.
- Meek stated this business will bring in sales tax income and stated there had been no objections when the application was first submitted.

**Motion to approve the SUP made by Meek;
Second by Gaalema;
White-Stevens voted no;
Passed 4 to 1.**

17. Discuss and consider approval of a civil/landscape plan and technical site plan application submitted by Dutch Bros Coffee Shop for property located at 11950 US Hwy 380 within the Town of Cross Roads. (2022-0606-02TSP)

**Motion to approve made by Gaalema;
Second by White-Stevens;
Passed unanimously.**

18. Discuss and consider action on a request by Daniel Manks on behalf of property owner Brittney Samford for an exception from the Town's noise restrictions to allow for a fireworks display at 11:45 p.m. on December 31, 2023 at The Hillside Estate located at 901 Moseley Road.

**Motion to approve made by Neubauer;
Second by White-Stevens;
Passed unanimously.**

19. Discuss and consider items related to the Fiscal Year 2022-2023 budget.
Motion to authorize Kristi Gilbert and Mayor Tompkins to find health insurance solution, taking any increase in cost from another area of the budget to make up the difference made by Gaalema;
Second by White-Stevens;
Passed unanimously.

Motion to include long-term disability made by Gaalema;
Second by King;
Passed unanimously.

5-Minute Recess – 9:56 P.M. to 10:01 P.M.

A consensus was given by Council to allow Kristi Gilbert to get bids on chip seal for approximately \$50,000.

~~**A consensus was given by Council to allow Kristi to move money to fix the drainage at the entrance to Oak Shores.**~~

20. Consider approval of an ordinance limit traffic on the bridges on Historic Lane to two axles.
Motion to approve the ordinance with Town Attorney's language made by Gaalema;
No second;
Motion died.
No further action taken.
21. Discuss and consider approval of a resolution establishing the Historic Advisory Committee and making appointments to said committee.
Motion to approve the resolution made by Meek;
Second by Neubauer;
Passed unanimously.
22. Discuss and consider approval of a resolution establishing the Road Maintenance Advisory Committee and making appointments to said committee.
Motion to approve the resolution and appointing Rob Puma and John Low as members made by White-Stevens;
Second by King;
Passed unanimously.
23. Discuss and consider action on cleanout and repairs to the Tipps Road culvert east of Moseley including taking action on the bid for repairs or modifying the scope of work.
Motion to approve action made by Gaalema;
Second by Meek;
Passed unanimously.

EXECUTIVE SESSION – 10:35 P.M. to 11:02 P.M.

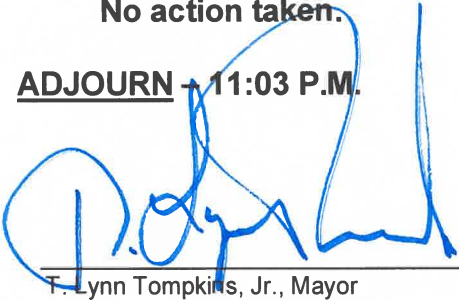
24. The Town Council will convene into Executive Session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Section 551.071 Consultation with Attorney – Pending litigation James Edland v. Town of Cross Roads, Texas, Case No. 22-0056-362.
- b. Section 551.074 Personnel – Town Administrator Performance Evaluation

25. Take action as may be necessary or appropriate on matters discussed in Executive Session.

No action taken.

ADJOURN – 11:03 P.M.



T. Lynn Tompkins, Jr., Mayor



Donna Butler, Town Secretary