

Village of Salado, TX
Regularly Scheduled Board of Aldermen
Meeting Minutes
Municipal Building, 301 N. Stagecoach Rd.
Thursday, May 7, 2015 6:30 p.m.

Members present: Mayor Skip Blancett, Mayor Pro Tem Fred Brown, Alderman Frank Coachman, Alderman Hans Fields, Alderman Michael McDougal, Alderman Amber Preston Dankert

Members Absent: None

Others Present: Lyndsey Barrett– Acting Village Secretary, Jack Hensley - Chief of Police, Debbie Charbonneau – Executive Director, Kim Foutz – Village Administrator, Morgan Bird – Student Representative

I. Call to Order: Mayor Blancett called the meeting to order at 6:31 p.m., quorum present.

1. Larry Sands led the invocation.
2. Pledge of Allegiance and Texas Pledge were recited.

II. Reports:

Mayors Report: The Mayor asked student representative Morgan Bird to introduce special guest - teachers Terri Seaton and Jaime Wentreck, members of the Salado High School Student Leadership Class, and class officers who participated in the Keep Salado Beautiful Clean-up Day in which they provided landscape and yard clean-up at the municipal building. The Mayor then thanked the class for their participation and demonstration in leadership. He also thanked Susan Terry for making this happen. Mayor Blancett reminded the audience that May 9th was election day, there are three Alderman seats open.

Environmental Report: No report

ETJ / Annexation Report: No report

Ordinance Committee Report: Alderman Coachman stated there will be a meeting next Friday, May 15th to discuss the landscape ordinance. Alderman Fields expressed his pleasure that the meeting was scheduled after not meeting for a while.

Main Street Report: Mayor Pro Tem Brown reported that the final presentation by A&M regarding the Main Street Design was a great success. There will be workshop meetings in the future to gather input from the community.

Street Improvement Committee: Alderman McDougal deferred this report to Dustin Fagley with Wheeler APAC who will be handling the spot repairs, asphalt overlays, and ribbon curbs on Thomas Arnold, Mill Creek Drive, and Salado Plaza. The project will start next Wednesday, May 13th. There will be some street closures, as well as one way traffic control, however, they will only work on one street at a time to try and keep those closures to a minimum and disrupt traffic flow as little as possible. The repairs on Thomas Arnold will not start until school dismisses for the year in order to ensure school traffic is not hindered. Alderman McDougal informed that John Simcik, with KPA, had furnished a timeline for repairs, which we were well within. He said there would be a lot of progress in a short period of time. Administrator Foutz mentioned that crack seal maintenance would be started the third week of May and would require a three man crew. She asked for volunteers to drive the truck three days a week for the duration of those repairs.

Stagecoach / Wastewater Report: – Alderman Fields reported there was some progress made. He informed that in May of last year the Village took over operation of the Stagecoach Wastewater Treatment Plant. At that time the operator had agreed to operate the plant at no charge to the Village. The operator has since terminated that agreement and the Village is seeking a contract with a new operator. Additionally, the Village had signed an Effluent Filed License Lease Agreement which required payments that would eventually total \$5000 per month. During the April 23rd BOA meeting discussion and action was taken to terminate the Effluent Field Agreement with

Stagecoach Properties and Morris E. Foster. By doing so, the Village is saving \$164,000 in future lease payments. The Village will be electing to discharge effluent into the creek. Administrator Foutz said the Village would be establishing rates for the customers that are on that line and bringing them forward for consideration within the next two meetings, as well as, a contract for services in regard to the operation of the plant.

Village Administrator Operational Report: no report

Monthly Reports (given at the first meeting each month):

Police Department Report – Jack Hensley, Chief of Police: Monthly report for April 2015. (see attached)

Mayor Blancett confirmed with the Chief that when I-35 gets backed up because of an accident or something out of our control, Main Street is being shut down to keep both the 18-wheelers and fast drivers from being on our main road. The mayor then asked if some of the mischievous actions reported were people hitting concrete mailboxes. The chief replied there had been no reports of damage to brick type mailboxes in a while. Alderman Fields asked what the 32 people charged with crossing property in the 1200 block of Robertson Rd. referred to. Chief Hensley explained that those were mostly warnings as a result of people crossing private property in order to avoid traffic control devices.

Fire Department Report – Shane Berrier, Fire Chief: Monthly report for April 2015. 10 EMS call within the Village/14 EMS calls outside of Village. 6 fire calls within the Village/1 fire call outside of Village. 7 motor vehicle accidents within the Village/6 motor vehicle accidents outside the Village. Chief Berrier clarified that fire calls include assisting on downed trees. Chief Berrier also reported on the fire at Mill Creek Golf Course earlier this week. A contractor was soldering and caught the insulation on fire in the building that houses the golf carts. There were no reported injuries. All golf carts were removed from the building. Belton did assist with the fire and Mayor Blancett expressed his desire to write a thank you letter. Alderman McDougal expressed his gratitude and pride in the actions of Chief Berrier.

Chamber of Commerce/Tourism Bureau Report – Debbie Charbonneau, Director: Monthly report for April 2015. (see attached)

III. Proclamations:

N/A

IV. Public Comments:

3. N/A

V. Consent Agenda

4. Consider approving the Consent Agenda items:

- a. Minutes, Special Called Meeting, March 9, 2015
- b. Minutes, Special Called Meeting, April 15, 2015
- c. Minutes, Regular Meeting, April 23, 2015
- d. Minutes, Special Called Meeting, April 29, 2015

Alderman McDougal made a motion to approve the Consent Agenda as presented, Alderman Dankert seconded, and the motion passed unanimously (5-0).

VI. Regular Agenda:

5. Public Hearing – Hold a public hearing and consider adopting Ordinance 2015.06 creating a civil offense for a school bus stop arm violation involving a camera enforced school bus; providing defenses and presumptions; providing requirements, procedures, and fees relating to the administrative adjudication of a civil school bus stop arm violation; providing for an appeal to municipal court; providing powers, duties, and functions of the director, enforcement officers, and hearing officers; providing for the imposition, collection, and disposition of civil fines, penalties, and costs for a civil school bus stop arm violation; providing for a civil fine of \$300.00.

Administrator Foutz reminded the BOA that at the last meeting they approved a resolution and interlocal agreement with Dallas County Schools, Texserve, for the installation and administration of a busguard system, specifically cameras on the inside and outside of busses. This ordinance outlines the enforcement of penalties for violations captured by the cameras. She reiterated that both the city and the school district will each receive 12.5% of the collected revenues.

7:15 p.m. Mayor Blancett opened the meeting for public comment.

Stephen Peters (Salado) – “The state is getting rid of red light cameras. They are nothing but a revenue grab for municipalities and the agencies that provide them. On a fine of \$300 the agency that is doing it gets \$225. The school board is getting \$37.50 and the city is getting \$37.50. That doesn't seem to be a real good deal for the school district or the city. It doesn't seem like we have a problem. I don't know how many violations we have issued for school bus signs, but it doesn't seem like we have a problem. It's a revenue grab for Dallas or whatever organization they have and I just don't think that it's the thing to do. I just wonder also if the city judge is going to be the authority, which I think he is, how is he the appellate authority on school bus violations that happen outside the Village? And many of the miles driven by these school buses are not in the Village limits, the county has seen not to do anything. I'm not sure why we're doing anything either. We don't have a problem. Where we ought to have our local police enforce the state law and the city gets the entire funds.”

7:18 p.m. Mayor Blancett closed the meeting for public comment.

Motion was made by Alderman Coachman to approve item #5, an ordinance creating a civil offense for a school bus stop arm violation involving a camera enforced school bus. Alderman Dankert seconded and Mayor Blancett called for discussion.

Alderman Dankert stated she felt strongly about the motion because right now the Village does not have the extra money to purchase the equipment to donate to the school. This is free to us and really not about the money. Even if we don't make a cent, if we save one kid walking off a bus, that is worth it. It comes down to just protecting our kids. She does not feel the Village is getting into this as a money making opportunity.

McDougal wanted to confirm that the SISD had issued a letter of support and whether or not the school board expressed any concern about the fines.

Administrator Foutz confirmed the Village had received that letter. Chief Hensley assured the BOA that when this was originally presented to the SISD, all of their questions had been answered satisfactorily. He also confirmed that we were not looking at this as a revenue source, but rather as a way to get the equipment that would ultimately benefit the Salado school children.

Mayor Pro Tem Fred Brown commented that if people were going to break the law they would do it whether there is a camera on the bus or not. He mentioned people in College Station went nuts over the red light cameras and they were finally thrown out. Citizens of College Station felt the cameras were a money grab and he feels the same way about this. He feels it is not a big issue that we have and the people in Dallas will make a lot of money off of this and it really bothers him because he saw how red light cameras were abused and the fines people got that they didn't deserve.

Chief Hensley pointed out that once a violation is observed by Texserve, it is sent to SPD for review. If SPD feels like no violation occurred, the matter is dropped. He stressed that every case will come to SPD before a ticket is issued no matter where the violation occurred in the SISD.

Alderman McDougal asked if this will capture any vehicle passing a school bus while it is loading or unloading.

Chief Hensley confirmed. He also confirmed that Dallas County was not concerned about low volume.

Alderman Fields asked if this was strictly traffic or if there were cameras on the inside of the bus.

Chief Hensley confirmed that there were cameras running inside the bus and on the back of the bus that started with ignition.

Mayor Blancett re-read the motion and it passed unanimously (5-0).

6. Presentation, discussion, and possible action on a site plan for Hidden Glen Senior Living Community.

Mayor Pro Tem Brown excused himself from this item.

Administrator Foutz informed the BOA that the developers of Hidden Glen Senior Living Community had presented the Village with an alternative concept plan from a development that had been previously approved through a Chapter 380 grant. This particular project is part of the Department of Housing and Community Affairs. They are now entering the development process. We have received their building plans, we have processed their plat, and we have now received a proposed concept plan. When we received the proposed concept plan we began evaluation from an administrative level and realized immediately it was not consistent with the Chapter 380 agreement. Mrs. Foutz pointed out the differences in the two plans (see attached).

Mark Feaster, KES Development – After putting out bids to local sub-contractors they found the majority of them are tied up with I-35 and other local jobs. This resulted in very few competitive which is causing a significant increase to construction cost. Nothing about the quality or amenities of the project are going to change. The plan has gone from a circle to a contoured street ending in a cul-de-sac. The plan includes landscaped islands, bump-outs, and staggered buildings. The walking trail and garden area have been moved to the North side of the property. Still a gated community. This plan is a more efficient plan for them to work with.

Alderman Dankert asked if the property would be fenced completely, stating that our Ordinance would require it.

Mark Feaster replied that it would be fenced if required.

Alderman Fields noted that the new concept plan shows a single lane coming out and asked if they believed that was safe.

Mark Feaster replied it was designed to meet the safety requirements of the Village. The original plan also only had one (1) exit. There is a cart path that exists to the rear of the property.

Alderman Dankert asked if there is an amended drainage plan. The new drawing indicated there are homes where the original drainage was. Where is the developer purposing to re-route that water?

Victor Turley, Project Engineer, 13911 Blackberry, Salado – The drainage will continue to go in the same direction, it all goes to the low side and then will be directed to the detention pond.

Alderman Dankert pointed out the line drawn around the bottom of the property, because there will be runoff from the property, that whole area floods.

Victor Turley stated that it floods on the North side, but not on the side indicated. There was a channel that was on a different design. The circle complicated the drainage. This design basically separates the drainage that flows both ways, flows to the end of the cul-de-sac and then will be directed to detention pond.

Alderman Dankert asked about the landscape plan, pointing out that the scaling was off on the trees. She noted they were large and green on the plan, but that in reality they would not be that developed when planted.

Mark Feaster replied that the landscape plan would encompass the same dollar amount as originally presented. A more detailed landscape plan would be forthcoming.

Alderman McDougal asked why this plan was being presented instead of honoring the original configuration and were the size of the units changed.

Mark Feaster replied that the main reason was cost. The new plan eliminates a lot of paving and infrastructure, making the design much more efficient. The unit sizes were not changed.

7:50 p.m. Mayor Blancett opened the meeting for public comment.

Danny McCort, former Mayor, – Expressed that when he was mayor, they worked forever to get this design. From what he understands two more designs have come out since then. He asked how many more would there be before this is finished. He stated he would have never supported this project with the new concept plan being presented. He thinks it looks like Section 8 Housing. He feels the original plan looks more like a nice plan for Salado, this looks like it should be in Belton or Temple. He stated cost overruns should be expected and had they started construction when this was originally approved, maybe their cost would have been closer to what was estimated at the time. He stated the developer had 500 communities and 17,000 units. They should expect cost overruns. He thinks they came in like a car salesman. He feels they should stick with what was originally approved or sell the property. They should stick with what they promised. He stated that although the original design still only has one entrance/exit, the looped design helps get firetrucks and ambulances in and out.

Merle Stalcup, former Mayor, – Stated that approximately two (2) years ago the BOA at that time was presented with this project and he personally worked strongly behind the scenes on this. They fought a number of questions concerning it. They sought answers and did investigations to determine if the answers given were correct. It took a strong vote and a lot of soul searching to approve the project as it was originally presented to them. He is now concerned that after all that work and effort, they come back with a one (1) street semi curve design. He does not feel this has the same value as the original presentation. He feels baited and switched. He acknowledges the cost but feels with the size of their company and the fact that their website has an in house construction company listed, they should be able to complete this project as originally presented. He feels the new design should be rejected.

Bryan Fritch, former Alderman, – Spoke directly from prepared comments (see attached) with the following additional comments. He noted the new pictures do not resemble the old ones. He also asked, as a concerned citizen, what relationship Mayor Pro Tem Brown has with this development since he excused himself.

Stephen Peters, former Alderman, - Stated he was on the board when this was originally presented to the Village and was a staunch supporter because of a visit to one of their facilities in Bastrop, discussions with their contractors, and because they were presenting something that was aesthetically pleasing to the Village of Salado. It was a contentious issue at the time. He too thinks it was a bait and switch and wonders what the plan was to begin with. He wonders if cost is an issue. Unsure if it would have been approved if they had originally presented the plan they are now purposing. He doesn't feel what is on the site plan now fits in to the Village.

8:04 p.m. Mayor Blancett closed the meeting for public comment.

Jim Markel, KES Development – Clarified that the site plan, architectural plans, and drainage plans had been submitted to the city and approved for quite some time. This is the first time the amended site plan has come before the board. It is essentially to try and present a more efficient site plan that saves money. They are not talking about changing anything architecturally. They are not reducing amenities, the size of the clubhouse, or the size/number of units. They are simply trying to reduce infrastructure. He reiterated that at the end of the day they were prepared to build what was originally submitted. He noted this was not a bait and switch and that they are a highly reputable company. He said if there was some middle ground that could be reached, they were open to suggestions and discussions.

Motion was made by Alderman Fields to disapprove the revised concept plan. Alderman McDougal seconded.

Alderman Fields - Expressed that he was on the board at the time the original plan was presented and also travelled to Bastrop to tour a facility. Even at that time he was against the project. He still today does not like the fact that it is low income.

Alderman McDougal - Questioned the appearance of the new concept plan and noted that it does not seem to be anything like what the original board approved. Security and drainage are still an issue with the presented concept plan.

Alderman Dankert – Stated she understood the cost situation and was open to setting up a committee to work with the developer on a further revised plan that would look more like the old plan, but potentially save the developer money as well.

Alderman Fields – Clarified that his motion simply disapproved this plan, but did not necessarily preclude future discussions.

Motion was re-read by Alderman Fields to disapprove the site plan for Hidden Glen Senior Living Community, the straight line design presented. Motion passed unanimously (4-0) with Mayor Pro Tem Brown recused from vote.

7. Presentation, discussion, and possible action on a contract for soil, concrete, and HMAC testing service fees with Langerman Foster Engineering Company for the 2015 Street Rehabilitation Program in an amount not to exceed \$10,000.

Administrator Foutz – On April 23rd the BOA approved a change order for our street program. That was a result of some savings we are experiencing on the paving portion on Thomas Arnold Rd. As a result, it impacted our testing contract that was to be approved. This is the revised contract posted on the Agenda up to \$10,000.00, the actual savings is reduced from \$13,364.00 to \$8,762.00. This is to do the soil testing, the concrete, and HMAC testing. It is a simple contract using a contractor who is recommended by John Simcik with KPA. This revises the total street program obligated to date to \$364,017.50.

Alderman McDougal – We all agreed that testing was important and this is actually saving us money which is good business.

Motion was made by Alderman McDougal to approve a contract with Langerman Foster Engineering for soil, concrete, and HMAC testing services in the amount of \$8,762.00. Alderman Coachman seconded and the motion passed unanimously (5-0).

ORDINANCES:

N/A

MICSELLANEOUS:

N/A

Mayor Blancett closed the Regular Session at 8:18 p.m.

VII. Workshop Session:

Mayor opened the Workshop Session at 8:24 p.m.

8. Discuss naming of a bridge on I-35 – Kim Foutz informed the BOA that Alderman Dankert had requested the Village look in to the possibility of naming the bridge that was damaged earlier this Spring after the gentleman who lost his life, Clark Davis. We currently don't have much information except that TxDot had returned our phone calls letting us know it was possible, there would be some sort of fees involved, and they would get back to us with more information. Alderman Dankert stated she has noticed some bridges are named after people and thought it would be an appropriate gesture and honor. She spoke with TxDot as well and found out we would be required to purchase the signs through them and then they would install. We can raise funds for this project or accept donations. TxDot also allows for a naming ceremony at the bridge in which we could include the family of the deceased. Alderman Coachman asked about cost and we indicated we were waiting on a TxDot reply regarding cost. Alderman Coachman suggested any additional funds raised be used to finish the fire department building, Alderman Dankert said they could also possibly be used for a scholarship for the victim's 7 year old daughter. The BOA were in agreement this was an appropriate project to move forward with.

9. Discuss Code Enforcement philosophy and approach including potential cases and case types – Chrissy Lee presented a PowerPoint presentation outlining various code enforcement issues currently seen in the Village. (see attached presentation) Lengthy discussion was held regarding the appropriate responses to both nuisance, as well as, life safety issues. It was determined by the BOA that any life safety issues currently outstanding should be proactively rectified and nuisance complaints should be handled reactively. A particular case was brought to the board's attention of a non-conforming accessory building. The BOA came to the determination to request the homeowner bring the building to compliance with current ordinance or request a variance. The Mayor instructed Mrs. Lee to prepare this issue for workshop one final time and then present the item to the BOA for action at a future meeting. Possible action being a resolution supporting the enforcement efforts of Village staff.

Mayor closed the Workshop Session at 9:28 p.m.

Mayor opened the Executive Session at 9:33 p.m.

Mayor closed the Executive Session at 9:43 p.m.

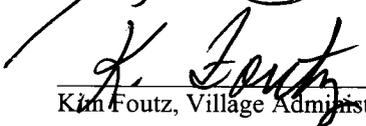
There being no further business, the meeting was adjourned at 09:44 p.m.

APPROVED:



SKIP BLANCETT, Mayor of the Village of Salado, Texas

ATTEST:



Kim Foutz, Village Administrator