

**Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Regular Meeting of Board of Aldermen
August 16, 2018 at 6:30 p.m.**

The Board of Aldermen meeting was called to order at 6:30 p.m. by Mayor Skip Blancett.

Mayor Blancett gave the Invocation and the Board of Aldermen led the Pledge of Allegiance to the United States and Texas flags.

Board Members Present: Mayor Skip Blancett, Mayor Pro-tem Fred Brown, Aldermen Andy Jackson, Michael Coggin, Frank Coachman, and Michael McDougal.

Staff Present: Village Administrator Don Ferguson and City Secretary Cara McPartland

Citizens Communications

Kent Bass of 1615 Mill Creek Drive asked the Board to consider the resurfacing of Mill Creek Drive and cited deteriorating street conditions. He stated Mill Creek Drive is the only street in Salado that has a view of Salado Creek and the golf course and should be considered one of Salado's signature residential streets, which is important in conveying a positive image of Salado.

John Cole of 1420 Old Mill Road spoke of his previous comments to the Board asking for the Village's support of Mill Creek's deed restrictions, but he did not favor issuance of permits to allow for recreational vehicle (RV)/travel trailer parking in driveways. He questioned why this issue was brought to the Board and expressed concerns regarding the Board's authority relating to deed restrictions.

Peter Stebbins of 1206 Ambrose Drive questioned how and why the Village would change deed restrictions regarding RVs/travel trailers. He suggested the following addition to the proposed ordinance: "Conditional use parking of a RV or travel trailer can only be approved if it does not conflict with deed restrictions." He said the burden of proof of conflict would be on the applicant.

1. Zoning Board of Adjustment

Hold a public hearing and reconsider action taken by the Board of Aldermen on July 19, 2018, relating to a request for a variance from Section 5.3C1B of the Village of Salado Zoning Ordinance, which prohibits fences in the front yard of any Single-Family Residential lot, to allow for construction of a front yard fence on property located at 620 De Grummond Way in Salado, Bell County, Texas (*Village Administrator*)

Mayor Blancett convened as the Zoning Board of Adjustment at 6:44 p.m.

Village Administrator Ferguson stated the referenced variance was posted in error for the Board of Aldermen to consider, rather than the Zoning Board of Adjustment. This item is necessary in order for the Zoning Board of Adjustment to ratify the Board of Aldermen's previous action taken to approve the variance request after the public hearing was held on July 19, 2018. Reasoning for the variance request and subsequent Board action was reviewed.

Mayor Blancett opened the public hearing at 6:46 p.m. and called three times for public speakers. No public comments were heard. Mayor Blancett closed the public hearing at 6:47 p.m.

Mayor Pro-tem Brown moved to approve the request for a variance from Section 5.3C1B of the Village of Salado Zoning Ordinance, which prohibits fences in the front yard of any Single-Family Residential lot, to allow for construction of a front yard fence on property located at 620 De Grummond Way, as presented. Alderman Coggin seconded. Motion carried on a vote of 5-0. Mayor Blancett reconvened as the Board of Aldermen.

2. Consent Agenda

- A. Approval of minutes of the Regular Board of Aldermen meeting of August 2, 2018.
- B. Approval of minutes of the Special Board of Aldermen meeting of August 9, 2018.
- C. Approval of the July 2018 Financial Statements for the Village of Salado.

Alderman McDougal moved to approve the Consent Agenda, as presented. Alderman Coachman seconded. Motion carried on a vote of 5-0.

3. Village Administrator's Report

- Wastewater Project Update

Village Administrator Ferguson reported collection system crews are working on West Village Road and are expected to return to Main Street in October to install the low-pressure main on the east side of Main Street, as well as the two lift stations. He noted the Village is coordinating any road closures/detours with Salado ISD. He reported treatment plant work continues, with completion of both the collection system and treatment plant anticipated in January 2019.

Mayor Blancett asked for information on Royal and Church Streets. Village Administrator Ferguson replied that the Board's next agenda will contain an item considering an interlocal agreement with Bell County for Royal Street chip sealing to be timed during optimal weather/construction conditions. He advised the engineer is actively working on options for Church Street to be presented for future Board consideration.

- Potential Annexation of Salado ISD Properties

Village Administrator Ferguson reported that Salado ISD (the District) is interested in annexation into the Village in order to obtain wastewater service, which would significantly reduce the amount the District currently spends on sewer service. He advised that meetings have been held with the District's superintendent and architects to examine options for accessing the Village wastewater

system. He cited cost estimates for service to District campuses and noted legal counsel is working on an annexation agreement for future Board consideration.

- Interstate 35 Gateway Sign Project

Village Administrator Ferguson reported the southbound side sign sculpture should be ready for installation within the next 2-3 weeks. He said TxDOT has requested the lighting schematic to determine whether it can assist in providing power to the sign. He noted that TxDOT discussions are ongoing about the possibility of providing power to the northbound gateway sign, which is currently solar-powered.

- Stagecoach Inn Redevelopment Project

Village Administrator Ferguson reported that developers plan to open 2 of the 3 hotel buildings over Labor Day weekend. He spoke of a recent walk-through of the project and finish-out work, including landscaping. He reported on hotel reservations and expanded restaurant operations to include breakfast. He noted that the Certificate of Occupancy will be issued pending inspections. He advised of parking lot asphalt repairs and removal of the ADA ramp from the right-of-way at the request of TxDOT. He noted the Village's attorney is finalizing a revised development agreement which will be presented to the Board for future consideration.

- Sales tax collections for the Village of Salado

Village Administrator Ferguson reported that the Village's August check, representing June collections, totaled approximately \$46,000, up 11 percent from the same period last year. He noted this is the largest August check in the Village's history, with fiscal year-to-date collections running well ahead of budget.

Mayor Blancett spoke favorably of Stagecoach renovations. In response to Alderman Coggin, Village Administrator Ferguson replied there will be an update presented to the Board on the Sanctuary development during September 2018.

4. Ordinances

- Consider approval of the second and final reading of an ordinance of the Village of Salado, Texas establishing the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, severability and repealer. (*Village Administrator*)

Village Administrator Ferguson reviewed key ordinance provisions, including the requirement for residential/commercial property owners to connect within 90 days of being notified that wastewater service is available.

Alderman Coachman moved to approve the ordinance establishing the requirements for mandatory connection to a public wastewater system, as presented. Alderman Jackson seconded.

Mayor Pro-tem Brown offered an amendment to the motion to allow single family residential property owners on Main Street, Royal Street, and West Village Road to opt-out of connecting to the wastewater system based on affordability concerns. Mayor Blancett called for a second to Mayor Pro-tem Brown's amendment to the motion. Amendment died for lack of a second.

Mayor Blancett called for a vote on the original motion. Motion carried on a vote of 4-1, with Mayor Pro-tem Brown voting against.

- B. Consider approval of the second and final reading of an ordinance of the Village of Salado, Texas, amending Salado Zoning Ordinance No. 2015.04, adding the parking of a recreational vehicle and travel trailer in a driveway as a conditional use in Single-Family Estate Residential District (SF-21), Single-Family Residential District (Single Family Home) (SF-7), Single-Family Residential-Patio Home District (SF-PH), and Single Family-Attached Residential District (Condos and Townhouses) (SFA); and providing for the following: findings of fact; repealer; severability; effective date; proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson advised that the proposed ordinance caption needs revising and asked for the Board to provide input on any additional amendments for possible inclusion in the ordinance. He stated the revised ordinance would then be presented to the Board for action on the ordinance's final reading. He noted the ordinance does not address the issue of loading/unloading RVs/travel trailers, which should be included in a revised version.

Discussion addressed specific ordinance provisions, which do not apply to boats and utility trailers, and concerns that the ordinance is cumbersome and hard to understand.

Mayor Pro-tem Brown moved to pull this item and include it on a workshop agenda for more public input. He noted that this ordinance was prompted by requests from the leadership of Mill Creek Community Association (MCCA) asking the Board for help in enforcing its covenants.

Alderman Coachman asked Mayor Pro-tem Brown if he would consider an amendment to kill this item entirely. Discussion addressed enforcement issues and the Board's reconsideration of this ordinance given public input.

Mayor Pro-tem Brown moved to deny approval and kill any further discussion/action on this item. Alderman Coachman seconded.

Alderman Coachman explained that although the Board approved the proposed ordinance on first reading based on Planning and Zoning Commission's recommendation, subsequent information provided a more detailed picture of the Commission's and MCCA's reasoning and impetus for this ordinance. He said this is a perfect opportunity for the subdivisions of Mill Creek to come together as a single unit to establish an homeowners' association (HOA) and collect fees to help with enforcement actions without involving the Village of Salado. Mayor Pro-tem Brown stated that cities normally do not get involved with deed restrictions, but were responding to MCCA's requests for assistance.

New MCCA President John Cole spoke of this ordinance as a “dead issue.”

Pat Wanzor of 2220 Indian Trail spoke of her husband’s service on an early MCCA Board and stressed that despite deed restrictions being in place, MCCA has never had the power to enforce them, nor did MCCA mandate the collection of dues.

Paul Cox of 2716 Winners Circle stated his understanding that there was no legal action available to property owners for enforcement, absent an HOA. He said that the Village may have to get involved, as Mill Creek is such a big portion of the Village and the potential for negative impact on property values. He did not favor the conditional use permit process, which he felt leaves it to the neighbors to be the “bad guys.”

Peter Stebbins of 1206 Ambrose Drive cited statutes allowing property owners to bring suit at their own expense, whether or not there is an HOA in place. He said that MCCA could seed some funds for potential suits without the need to involve the Village.

Mayor Blancett called for a vote on the previously stated motion to discontinue any further discussion/action on this item. Motion carried on a vote of 5-0.

Mayor Blancett spoke on getting beyond divisions in the community in order to make it better for all citizens, regardless of where they live.

5. Discussion and Possible Action

- A. Discuss and consider possible action approving Contract Amendment No. 4 with McLean Construction relating to the construction of the collection system for the Salado Wastewater System. (*Village Administrator*)

Village Administrator Ferguson highlighted specific items and recommended approval of the amendment, which results in a net deduction of \$17,875 from the total project cost.

Alderman Coachman moved to approve Contract Amendment No. 4 with McLean Construction, as presented. Alderman Jackson seconded. Motion carried on a vote of 5-0.

Mayor Blancett asked Village Administrator Ferguson to address rumors that the Village has incurred an additional \$2,500,000 in debt for Salado Wastewater System project. Village Administrator Ferguson replied such rumors are not true and confirmed the project is on-budget and funded through voter-approved bonds.

- B. Discuss and consider possible action authorizing the Village Administrator to post and publish the required notice regarding the public hearing on the Proposed Fiscal Year 2019 Village of Salado Budget and the required Notice of the Proposed Tax Rate needed to help fund the Budget and public hearing regarding the tax rate. (*Village Administrator*)

Village Administrator Ferguson recommended approval of authorization to post and publish the required notices of public hearings on the Proposed Fiscal Year 2019 Village of Salado Budget

and Proposed Tax Rate. He presented tentative public hearing dates to be finalized before publication.

Alderman McDougal moved to approve authorizing the Village Administrator to post and publish the required notice regarding the public hearing on the Proposed Fiscal Year 2019 Village of Salado Budget and the required Notice of the Proposed Tax Rate needed to help fund the Budget and public hearing regarding the tax rate. Alderman Coachman seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action relating to the proposed acquisition of the Mill Creek Golf Course by the Village of Salado. (*Village Administrator*)

Village Administrator Ferguson advised that no action is needed, as the sellers have verbally withdrawn their offer. No action was taken.

6. Workshop

- A. Discuss and consider issues relating to the Proposed Fiscal Year 2019 Operating Budget for the Village of Salado. (*Village Administrator*)

Village Administrator Ferguson reported that the Proposed Fiscal Year 2019 Operating Budget is reflects an approximate \$1,000 increase from last year's budget. He highlighted certain expenditures, including staff pay adjustments (excluding the administrator); Police Department vehicle replacements; low water crossing improvements (with pursuit of grant funding); right-of-way maintenance/landscaping; signage/landscaping for Pace Park; Police Department rifles, body cameras, and desktop/laptop computers; additional Visitor's Center staff and part-time trolley drivers; and anticipated Hotel Occupancy Tax revenue. He noted the budget reflects the Village being off of the Stagecoach treatment plant by January 2019. General Fund revenue sources and expenditures were reviewed, as well as proposed property, M & O, debt service and rollback tax rates. He provided examples of tax rate impact on the average property owner, with a small annual increase due to debt service, not M & O.

Discussion addressed funds available for street assessments/improvements, approximate cost for Royal Street improvements, impact of budget cuts to maintain effective tax rate, and conservative projections of sales and Hotel Occupancy Tax revenues.

Mayor Blancett asked Board members to provide Village Administrator Ferguson with possible budget workshop dates.

- B. Discuss and consider issues relating to the potential adoption and enforcement of subdivision deed restrictions. (*Mayor Skip Blancett*)

Mayor Blancett advised this item was placed on the agenda to address concerns raised during citizens communications at the Board's August 2nd meeting.

Village Administrator Ferguson stated that cities typically do not enforce deed restrictions and such enforcement is between individual property owners or through HOA action. He noted that cities do not have the authority to change subdivision deed restrictions or covenants, which vary greatly among subdivisions and HOAs and may be quite outdated or even illegal. Discussion did not favor the Village pursuing any involvement in enforcing deed restrictions.

Mayor Blancett stated the importance of citizen involvement in reviewing and updating the Village's Comprehensive Plan, development of an overlay district to help guide development once the wastewater system is completed, and annexation of certain properties.

Mayor Pro-tem Brown moved to adjourn. Alderman Coggin seconded.

Adjournment

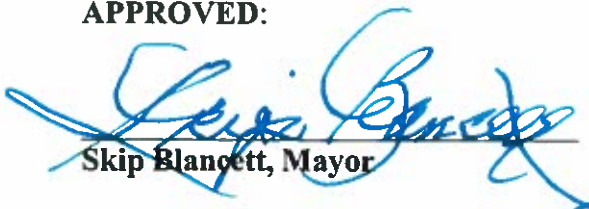
Mayor Blancett called the meeting adjourned at 7:56 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 6th of September, 2018.

APPROVED:


Skip Blancett, Mayor

ATTEST:


Cara McPartland, City Secretary

