

**Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Regular Meeting of Board of Aldermen
December 16, 2021 at 6:30 p.m.**

The Board of Aldermen meeting was called to order at 6:30 p.m. by Mayor Michael Coggin. *The meeting was conducted in person and using videoconferencing. Public participation was available via videoconference.*

Alderman D. Jasen Graham gave the Invocation and the Board of Aldermen led the Pledge of Allegiance to the United States and Texas flags.

Board Members Present: Mayor Michael Coggin, Mayor Pro-tem Rodney Bell, and Aldermen John Cole, Paul Cox, Jason Howard, and D. Jasen Graham attended in person.

Staff Present: Village Administrator Don Ferguson, City Secretary Cara McPartland, Police Chief Pat Boone, Tourism Director Andrea Howard, Assistant Administrator Stacey Ybarra, and Utility/Permit Clerk Leticia Gauna.

Presentations

- A. Presentation by Bell County Judge David Blackburn of the Annual Hotel-Motel Occupancy Tax check from Bell County to the Village of Salado.

Bell County Commissioner Bill Schumann thanked the Village of Salado for its support and presented a check in the amount of \$8,349.00, which represents Salado's portion of Hotel-Motel Occupancy Taxes collected by Bell County. He noted this year's check reflects an 8 percent increase from the previous year. Mayor Coggin expressed appreciation to Commissioner Schumann and Bell County for its strong partnership with the Village.

- B. Presentation by Bell County Tax Assessor Collector Shay Luedeke of the Annual Child Safety check from Bell County to the Village of Salado.

Tax Assessor Collector Shay Luedeke reported on a higher number of vehicle registrations this year and presented historical statistics on allocations to the Village. He cited statutory language regarding allowed expenditures of funds and presented a check in the amount of \$2,687.76. As these funds may be spent on child safety programs such as school crossing guards, Village Administrator Ferguson advised that the Board will consider an item on its next agenda to assign these funds to Salado ISD, in keeping with past tradition.

- C. Introduction of new Village of Salado employees by the Village Administrator.

Village Administrator Ferguson introduced newly hired Assistant Village Administrator Stacey Ybarra and Utility/Permit Clerk Leticia Gauna and spoke highly of both employees' experience and qualifications.

D. Presentation by representatives of Oncor regarding a recent review of the local Oncor Distribution System (*see Agenda Addendum, page 11 of these minutes*)

Oncor Distribution District Manager Brent Makovy gave a presentation on improvements to Oncor's delivery of power; service area; corporate structure/history; system reliability; existing infrastructure and planned improvements/expansions/upgrades; and winter preparedness.

Discussion addressed alternate utility pole routes, including possible underground lines and associated challenges; lack of available power during last winter's storm event; Oncor's role as a delivery company; and additions to routine maintenance.

1. Citizens Communications

Jeffrey W. McClure of 123 Rock Creek thanked the Board for its service and commented on past ordinances relating to firearms and parking that he did not support. He commended the Village's mobile food vehicle ordinance as exemplary. He detailed his opposition to criminal penalties for ordinance violations, which he felt would be better resolved as civil matters. He specifically referenced Ordinance No. 2020-09 regulating parking of large trucks on residential properties and cited various weight ratings of trucks that would be in violation of the ordinance. He cited Texas Transportation Code §522.003(5), which defines "commercial motor vehicle," and felt that Ordinance 2020-09 should be reconsidered to remove criminal penalties in favor of civil penalties. Discussion between Mayor Coggin and Village Administrator Ferguson established that penalty provisions are ultimately the Board's decision and can be reviewed by the Village's attorney for possible future reconsideration.

Linda Reynolds of 1110 Mill Creek Drive asked if north side development is being abandoned for Belton. She thanked the Board for its hard work and expressed hope that the current Board and Mayor Coggin might have made progress bringing businesses on the north side of Salado into the Village and connecting them to the sewer system. She questioned whether the Village has totally abandoned the hotels and "the 2484 corner." She asked "Will Belton will soon swoop in and own property which has been a huge tax profit for Salado for years?"

2. Consent Agenda

- A. Approval of minutes of the Regular Board of Aldermen meeting of November 18, 2021.
- B. Approval of the November 2021 Financial Statements for the Village of Salado (*see Agenda Addendum, page 10 of these minutes*).

Alderman Cole moved to approve all Consent Agenda items, including Addendum Item 2B, as presented. Alderman Cox seconded. Motion carried on a vote of 5-0.

3. Discuss and Consider Possible Action Regarding Any Item Removed from the Consent Agenda

No items were removed.

4. Status Reports

A. Village Administrator's Report

- Wastewater Extension Project Update

Village Administrator Ferguson reported crews have started work on service extensions to the Library, with Salado Plaza and West IH-35 extensions to follow. He advised preparations are underway to annex the subject properties and anticipated a 90-day project completion timeframe.

- American Rescue Plan Act Funding Plan Status Report

Village Administrator Ferguson reported bids are being sought for sawtooth repairs on the South Ridge one-lane low water crossing to be done after the beginning of the year; design work has been authorized for the Mill Creek Drive Culvert Enhancement Project; and a Request for Qualifications (RFQ) will be issued after the new year for design of the Stagecoach Road/Chisholm Trail Drainage Improvement Project.

- Salado Stroll Update

Village Administrator Ferguson reported on record crowds for the kickoff parade; large crowds for both Stroll weekends; Main Street closure for the laser light show went well; initially installed solar powered rail lighting was vandalized the first weekend; string lighting installed for the second weekend; and significant trash issues during second weekend. He noted an after-event meeting will be held next week with the Chamber of Commerce to assess this year's event and plan for next year.

- Sales Tax Collections

Village Administrator Ferguson reported the December check, representing October sales, totaled \$60,722.81, an increase of 19 percent from the same period last year; Fiscal Year to Date collections totaled \$176,091.44, up 17 percent from the prior year; and collections are running about 2 percent ahead of budget.

- Habitat Conservation Plan Update

Village Administrator Ferguson reported an 11-member panel consisting of representatives from participating entities interviewed firms that responded to the Request for Proposals (RFP) for plan development; panel meeting to be held tomorrow to finalize a recommendation; and respondent cost proposals ranging from approximately \$1,300,000 to \$1,700,000. He advised of a phased approach to allow for entities to pursue grant funding opportunities.

In addition, Village Administrator Ferguson reported new radar speed signs will be installed on Salado Plaza and Old Mill Road. Discussion addressed the Village's cost-sharing for initial phase of Habitat Conservation Plan development and public parking signs. Mayor Coggin expressed appreciation to Tourism Director Howard and the Salado Police Department for their work in making Stroll a success. Regarding citizen comments from Linda Reynolds earlier in this meeting, Mayor Coggin and Village Administrator Ferguson spoke on the current status of north side development resulting from discussions over the past two years, including the developer's submission of a plat to the Planning & Zoning Commission and the Board of Aldermen in January. It was noted that the developer has requested deannexation for the portion within Belton's ETJ, as it was made clear to the developer that the Village wanted the business in Salado. Also noted were active discussions with Holiday Inn Express owners and another potential buyer of north side property regarding extension of wastewater service.

Additional discussion addressed future plans for Christmas decorations on streetlight poles and estimated January delivery of a back-ordered golf cart.

B. Salado Police Chief Status Report

- License Plate Reader Program Update

Chief Boone presented November statistics on number of license plate images captured (111,004); number of deleted license plates (80,113); no license plate images retained for investigative purposes; no system alerts; system used once for suspicious vehicle ID; number of times system used for criminal investigative purposes (4); system accessed by SPD (5) and SPD administrative use (12).

- Calls for Service Report

The following statistics were presented for November: a decrease in calls for service (499); 9 offense/incident reports; 5 supplemental reports; 4 crash reports; 2 warrants obtained; 31 citations issued; 143 warnings issued; 2 arrests; Priority 1-4 response times; and 135 house watches/security checks.

- Citizens on Patrol Program Update

Chief Boone reported that one business was found unsecured and the owner was contacted. He noted COP volunteers helped during the Scottish Gathering event/parade.

Discussion addressed additional license plate reader camera(s) on the west side; golf cart ordinance enforcement; ATV night driving; and increased number of license plate reads in November.

C. Salado Fire Chief Status Report

- Calls for Service

No report was heard.

D. Tourism Director's Report

- Salado Marketing Activities

Tourism Director Andrea Howard reported on the following November marketing statistics: number of website/app users (275), including percentage of new/returning visitors; 327 total sessions and increased total pageviews; and upcoming attendance at a one-day Southwest Showcase event in Austin on January 26th in partnership with the Bell County Expo Center and the Killeen and Temple Convention and Visitors Bureaus.

- Visitors Center Activities

Tourism Director Howard reported 793 visitors stopped in the Visitors Center, down 3 from October 2021. She reported on trolley service dates/hours for November and Stroll and thanked all of the volunteer trolley drivers.

- Upcoming Events

Tourism Director Howard provided details on the following upcoming events:

- Stagecoach Wine Trail; Axis Winery and Salado Winery (January 21-31)
- Northbound and Down Music Festival; Barrow Brewing (March 11-13)
- Wildflower Art and Craft Fair (March 26-27)
- Rogue Art and Wine Festival; Salado Winery (March 26-27)

Discussion addressed Salado's statewide standing as a tourist/event destination and January presentation to the Board of Aldermen on the impact of Hotel Occupancy Tax (HOT) funds disbursements.

5. Ordinances

- A. Consider approval of an ordinance of the Village of Salado, Texas authorizing and ordering the issuance of Village of Salado, Texas, permanent improvement refunding bonds; establishing parameters with respect to the sale of bonds and authorizing the pricing officer to approve the amount, interest rates, price and terms thereof, and enacting other provisions incident and related thereto. (*Village Administrator*)

Village Administrator Ferguson explained the proposed ordinance would allow the Village to take advantage of saving should interest rate conditions warrant and establishes parameters and procedures for refunding of the Village's wastewater bonds in a timely fashion to maximize savings for the Village. He noted that a similar "parameters" ordinance was adopted, but expired in May 2020.

Discussion among the Board, Village Administrator Ferguson, Financial Adviser Chris Lane, and Bond Counsel Jerry Kyle addressed rates for recent transactions; goal to achieve double the savings threshold; current interest rate; approximate closing timeframe; collateral capacity of lender; and estimates of potential savings dependent on rates.

Mayor Pro-tem Bell moved to adopt the “parameters” ordinance, as presented. Alderman Cole seconded. Motion carried on a vote of 5-0.

- B. Consider approval of an ordinance of the Village of Salado, Texas amending Ordinance 2019-06 establishing rates for wastewater service to be charged in the Village of Salado; and providing for the following: findings of fact; conflicts and repeal; effective date; no vested interest; penalties and enforcement; proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson advised this item will be continued until late January to allow for annual recalculation of rates based on prior year’s usage.

6. Discussion and Possible Action

- A. Discuss and consider possible action authorizing the Village Administrator to execute an interlocal agreement with the City of Temple regarding the implementation of a unified law enforcement reporting system for the Salado Police Department. (*Police Chief Pat Boone and Village Administrator*)

Village Administrator Ferguson briefly explained the purpose of this item, which would authorize the Village’s participation in a records management system (RMS), along with 15 other law enforcement agencies in Bell County, that would more efficiently obtain, assess, and utilize criminal information. He introduced City of Temple Police Chief Shawn Reynolds and Chief Boone, who were present to provide details on the proposed RMS and answer questions. Topics included:

- Advantages of a multi-agency database, including more effective information sharing and reduced costs for each participant in the consortium
- Domains and data sharing, including ability of each agency to define its own configuration and access to data and shared data management
- Memorandum of Understanding (MOU) setting out rights and responsibilities of agencies such as data input, hosting, and administering the RMS database
- Data quality standards
- Anticipated target date for project completion dependent

Discussion addressed benefits of sharing information using the proposed RMS; lower annual cost of using RMS versus existing CopSync system; collaboration among participating agencies to provide better level of service and crime fighting; Service Level Agreement; annual payment schedule and termination provisions; security safeguards; Village of Salado’s license plate reader data kept separate from RMS data as a standalone system; and remaining agencies scheduled to act on joining the consortium.

Alderman Graham moved to authorize execution of an interlocal agreement with the City of Temple regarding the implementation of a unified law enforcement reporting system for the Salado Police Department. Mayor Pro-tem Bell seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding proposed amendments to the Sanctuary Development Agreement. (*Mayor Michael Coggin*)

This item was heard after Agenda Item 6F.

Mayor Coggin advised that six months of negotiation have resulted in a draft agreement for Board consideration. He highlighted amendments to the following sections in the draft agreement:

- Replacing Section 6.03 Open Space in its entirety, with a recommendation to add a metes and bounds description for parkland in the ordinance amending the agreement
- Addition of Section 9.01(c) relating to Roadway Improvements, specifically acceptance by the Village of engineer-certified roadway improvements constructed by the Owners;
- Addition of Section 9.01(d) relating to Roadway Improvements, specifically acceptance by the Village of completed and operational street lighting, with the Village responsible for electricity costs and the Owners remaining responsible for maintenance and repairs
- Addition of Section 11.011 Issuance of PID Bonds, which does not obligate the Village to issue any PID bonds or levy a PID assessment, should a PID District be created
- Replacing Section 11.02 Hotel Occupancy Tax Reimbursement/Section 11.03 Economic Development Grants/Section 12.01 Term in its entirety, establishing an expiration date of January 1, 2036 for the agreement

Remaining amendments relate to certain terms and definitions in the Chapter 380 Economic Development Agreement and the Wastewater Service Agreement. Mayor Coggin noted addition of a new Section III(A) (3.4) System Credits regarding system credits of \$6,000,000 for wastewater impact fees. He also highlighted Section III(B)(6.3) Connection Easements, stating the Village will make rights-of-way/easements available for wastewater line improvements. He noted Section II(D) adds a new Section 1.141 Maximum Payment Amount specifying a total not to exceed \$3,000,000. In summary, Mayor Coggin said this agreement now has an expiration date and caps developer incentives to no more than \$9,000,000 (includes a maximum of up to \$3,000,000 in tax rebates), which is an improvement over the current agreement that does not contain an expiration date or caps. Village Administrator Ferguson stated the developer is working on submitting back-up documentation for incentives.

Discussion addressed legal review of the current agreement and proposed amendments. Discussion resulted in the following recommendations:

- Clarify that certification on the roadway's condition must be accepted by the Village's engineer prior to acceptance into the Village's road inventory
- Change Section 9.01(d) Roadway Improvements relating to street lighting from "The Village will. . ." to a stronger verb (such as *shall*)
- Addition of language to Section 9.01(d) to include an engineering assessment or warranty of 24 months to hold the developer to account for quality of the street lighting
- Change Section I(D)(11.011)(c) Issuance of PID Bonds from ". . . exceed the net proceeds of the PID bonds to be *if* issued by the Village."
- Change Section I(G)(12.01Term) and Section II(A)(Section 1.09 Expiration Date) to add time as follows: "This agreement shall expire on January 1, 2036 at 12:01 a.m."

- Specify \$3,000,000 figure as defined in Section 1.141 of “Maximum Payment Amount” at the end of Section II(E)(3.01 Annual Property Tax Grants); to the last sentence of this section, add “*and cannot be rolled over into subsequent years.*”
- Break down each sentence of Section III(B)(Section 6.3 Connection Easements) into separate subsections labeled A, B, C, etc.
- Emphasis that the Village is under no obligation to use power of eminent domain to obtain easements

Discussion addressed the Village’s oversight of wastewater connection plans and approval; effect of wastewater impact fee waivers on Village’s future expansion plans and anticipated impact fees collected from upcoming developments; wastewater line expansion or additional treatment plant as drivers for potential development; possible town hall meeting as an incentive for developer to renegotiate; need for more detailed park concept plans; planned Royal Street improvements and grant funding options; construction entrance off FM 2268 to minimize impact on Royal Street; other future developments that will cause increased traffic; and public messaging/education on the negotiation process and agreement amendments.

Alderman Graham moved to approve modification of the agreement, including the recommendations as discussed at tonight’s meeting for reconsideration by the Board, and to provide public information on the proposed amendments. Alderman Cox seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action approving the Construction Plat and Construction Plans for West Amity Duplexes located off West Amity Road in the E-T-J in the Village of Salado. (*Village Administrator*)

Village Administrator Ferguson advised that this item will be continued until the Board’s first meeting in January, pending Bell County Engineer’s concurrence on the plat/plans.

- D. Discuss and consider possible action approving the Concept Plan for Sage Hill at Amity located off FM 2484 within the E-T-J of the Village of Salado, Texas. (*Village Administrator*)

Village Administrator Ferguson reviewed the proposed Concept Plan for the 22.89-acre single phase residential development containing 30 lots. He highlighted subdivision access and water/wastewater services to be provided by Salado Water Supply Corporation and on-site septic facilities, respectively. He noted that the Planning & Zoning Commission recommended approval of this item at its December 14th meeting. The applicant’s engineer Monty Clark offered to answer any questions. Discussion reviewed changes made to the Concept Plan to bring it into compliance with the Village’s Subdivision Ordinance.

Alderman Cole moved to approve the Concept Plan for Sage Hill at Amity, as presented. Alderman Cox seconded. Motion carried on a vote of 5-0. (Mayor Pro-tem Bell acted as Presiding Officer for voting on this item, as Mayor Coggin briefly left the dais.)

- E. Discuss and consider possible action approving the creation of a task force to work on the development of an ordinance regulating the parking of recreational vehicles within the corporate limits of the Village of Salado. (*Village Administrator*)

Mayor Coggin reassumed duties as Presiding Officer at this time and introduced this item.

Village Administrator Ferguson spoke on the proposed task force's scope of work and membership consisting of two representatives from the Board of Aldermen (Aldermen Graham and Cox); two representatives from the Planning & Zoning Commission (Commissioners Cunningham and Lassiter); and one citizen representative, Jeff McClure.

Alderman Cole spoke of Mill Creek Property Owners Association status and deed restrictions/covenants regarding RVs. Village Administrator Ferguson responded that the Village does not enforce subdivision deed restrictions, explained that Village ordinances do not have to be consistent with deed restrictions, and noted that the more restrictive regulation would apply. He reminded that ordinances regulate the entire Village, not a single subdivision. Alderman Cox asked for feedback on regulating RV parking via the Village's Zoning Ordinance that includes a variance request process. He stressed the importance of public input on this issue in trying to come up with logical solutions. Brief discussion continued on enforcement and the task force's charge to develop regulations that will protect property owners, while maintaining safety and aesthetics.

Alderman Graham moved to approve creation of the task force, as presented. Mayor Pro-tem Bell seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action approving the addition of Bluff Circle into the Village of Salado Street Maintenance inventory and declaring it a public street. (*Mayor Michael Coggin*)

This item was heard after Agenda Item 6A.

Village Administrator Ferguson advised that residents have been maintaining their small, cul-de-sac street over the years, but have approached the Village about the possibility of adding Bluff Circle to the Village's street maintenance inventory and declaring it a public street. He noted this is the first step of a process that will include future Board consideration and action.

Bluff Circle Homeowners Association President Danny Allen spoke on past maintenance and level of traffic. He requested the Village's assistance with ongoing maintenance. Discussion included possible reasoning for the street's original designation as private at the time of development; size of existing pothole(s) and associated cost estimates; understanding that the HOA will pay for pothole repairs; need for future drainage work; taxes paid by Bluff Circle residents for the road/property taxes; effect on the Village's roads budget; and historical imposition of HOA fees to help pay for road maintenance.

Alderman Cole moved to approve the addition of Bluff Circle into the Village of Salado Street Maintenance inventory and declaring it a public street. Alderman Graham seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider possible action regarding the proposed extension of recent amendments made to the Village of Salado Subdivision Ordinance. (*Village Administrator*)

This item was heard after Agenda Item 6E.

Village Administrator Ferguson explained the need to extend the previously approved amendments to allow time for the Planning & Zoning Commission to complete its Subdivision Ordinance review and recommend changes to the Board. Discussion addressed various dates and the anticipated timeframe to complete the review.

Mayor Pro-tem Bell moved to extend the recent amendments to the Village of Salado Subdivision Ordinance through June 1, 2022. Alderman Graham seconded. Motion carried on a vote of 5-0.

- H. Discuss and consider issues relating to the proposed closure of the Main Street Bridge over the Salado Creek during future Christmas Stroll events. (*Alderman John Cole; this is a workshop item and no action will be taken on this item at this meeting*)

Alderman Cole favored closure in the interest of safety and provided examples of European cities that have closed streets to allow pedestrian-only traffic. He spoke of his own experience helping people cross the Main Street Bridge with strollers. He felt that shop owners would benefit from having pedestrian traffic made inviting by closing the street to vehicles and decorating for the holidays. Alderman Cox spoke of comments from business owners during the last Tourism Advisory Board meeting unanimously indicating that they did not favor street closure. Alderman Cox suggested making bridge traffic one-lane going one-way to the south and noted alternate routes to direct traffic around the south end of Main Street. Discussion addressed need for business owner input and a wider sidewalk on the bridge. Village Administrator Ferguson said there are abandoned bridge structures that may be available through TxDOT that can be elevated and made accessible for pedestrians. Mayor Coggin spoke on the history of similar discussions and felt there is some merit to having a brief “test” closure on one day in the winter and summer seasons, allowing for pedestrian traffic only, to gauge the effectiveness and impact of a such a closure. Mayor Coggin spoke of a previous proposal for a stepping stone project that would cross Salado Creek that was estimated would cost approximately \$600,000. Mayor Coggin suggested that Village Administrator Ferguson explore with TxDOT the option of spanning the creek with an abandoned bridge structure and asked that Tourism Director Andrea Howard work on a one-day trial run event that includes street/bridge closure. Mayor Coggin also suggested looking at the stepping stone project again as a possible alternative.

Addendum to Agenda

2. Consent Agenda

- B. Approval of the November 2021 Financial Statements for the Village of Salado.

All Consent Agenda items approved unanimously on 5-0 vote (*see page 2 of these minutes*).

Presentations

- D. Presentation by representatives of Oncor regarding a recent review of the local Oncor Distribution System. *(see page 2 of these minutes)*

Adjournment

Mayor Pro-tem Bell moved to adjourn. Mayor Coggin called the meeting adjourned at 9:28 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 6th of January, 2022.

APPROVED:



 Michael Coggin, Mayor

ATTEST:


 Cara McPartland, City Secretary

