

Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Special Meeting of Board of Aldermen
November 30, 2022 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.*

Mayor Michael Coggin 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, Aldermen John Cole, Paul Cox, D. Jasen Graham, and Jason Howard attended in person.

Staff Present: Village Administrator Don Ferguson, Assistant Village Administrator Stacy Ybarra, City Secretary Cara McPartland, Police Chief Gary McHone, and Tourism Director Andrea Howard

1. Citizens Communications

Linda Reynolds of 1110 Mill Creek Drive thanked the Board of Aldermen and spoke of her attendance at the Planning & Zoning Commission's meeting of November 29, 2022. She expressed concerns that some non-elected, appointed Planning & Zoning Commission members did not recuse themselves from discussion of the proposed Historic District Overlay draft ordinance and said she feared that the Commission wanted to "control and devalue" west side business properties.

2. Consent Agenda

Approval of minutes of the Regular Board of Aldermen meeting of November 17, 2022.

Alderman Graham moved to approve the Consent Agenda, as presented. Mayor Pro-tem Bell 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. Staff Reports

A. Village Administrator's Report

- Salado Christmas Stroll

Village Administrator Ferguson reported on parade details/route, extra on-duty police officers, lighting on Main Street Bridge, and the Village's support in providing extra law enforcement, trash collection, portable toilets, and a portion of marketing.

- Street and Drainage Improvements

Village Administrator Ferguson reported crews are finishing work on Salado Plaza Drive concrete repairs, with joint resealing to follow next week; numerous pothole repairs are underway; design work is beginning for Salado School Road/Center Circle; and engineering work continues on drainage improvements.

- All-Abilities Playground

Village Administrator Ferguson reported on fundraising efforts; \$322,288 raised to date, which includes the \$150,000 Texas Parks & Wildlife Department (TPWD) grant and \$50,000 from Fund Balance as allocated by the Board of Aldermen; estimated project cost for Phase I in the amount of \$675,000; expenditures of \$16,439.57 to date; construction to begin when funds have been raised for Phase I; two-year TPWD reimbursement grant, with option to extend; and Communities Foundation of Texas as the designated non-profit donation depository.

- E-T-J Subdivision Review Process

Village Administrator Ferguson reported that Bell County will no longer sign plats for developments in the Village's E-T-J. It was noted that Bell County Commissioners Court will not approve plats, but will continue to review and offer comment. He advised that approval of plats will come from the Village.

In addition, Village Administrator Ferguson spoke on action taken at the Special meeting held earlier today at 5:00 p.m. amending the Sanctuary development agreements. Mayor Coggin spoke of the history of negotiations leading to today's approval of the amendments and highlighted specific amendments, including time limit and maximum amount of tax rebates. He said execution will take place tomorrow. Village Administrator Ferguson noted that the 45-plus year term of the original agreement was significantly reduced to 20 years, caps are included relating to tax rebates/impact fees; and said the amended agreement is much fairer to the Village than the original agreement. Mayor Coggin also noted that PID parameters have also been defined in a more reasonable manner.

Discussion addressed the anticipated delivery of repaired street lights in late December; ongoing negotiations of fees associated with design of Royal Street improvements; status of grant-funded drainage projects and ability to use any leftover funds for other projects; \$675,000 cost for Phase I of the All-Abilities Playground and alternative funding sources, such as sponsorship packages and possible in-kind contributions for site preparation work; continued fundraising for future phases and park maintenance; condition of the reclaimed lumberyard in the Village's E-T-J; and special fund set aside for the All-Abilities playground.

B. Police Chief's Report

- Calls for Service

Police Chief Gary McHone presented the following statistics for October/November: calls for service (545/473); number of offense reports (23/17); number of supplemental reports (10/6); number of crash reports (6/8); number of warrants obtained (1/0); other agency assists (18/7); number of citations issued (24/57); number of warnings issued (113/66); number of arrests (2/2); grand jury referrals (2/2); and average response times. Details were provided on response time definitions. Chief McHone advised that 105/84 house watches/area checks were conducted during October/November.

- License Plate Reader Program

Chief McHone presented October/November statistics on the number of license plate images captured (345,110/306,790); number of deleted license plates (150,000/345,110); license plate images retained for investigative purposes (1/1); system alerts (17/23); average system notification time for alert (3-4 minutes); number of times system used for criminal investigative purposes (1/1); number of times system accessed by SPD (21/1); and number of times system accessed for SPD administrative use (2/2).

- Introduction of New Officers

Chief McHone introduced newly hired officers Charie Blakemore and Jennifer Latta and highlighted their backgrounds and qualifications.

- Citizens on Patrol Program

Chief McHone reported that Citizens on Patrol (COP) volunteers assisted with parade and traffic control during the Scottish Gathering and Highland Games and will assist with Stroll. Officer Sam Mikeska performed a citizens response active shooter training session. He advised that COPs reported 9 unsecured businesses during November.

Discussion addressed continued recruiting efforts for a School Resource Officer for Salado High School; differing response times for Priority I calls; reliability of the license plate reader vendor/cameras; and recovery of a stolen vehicle aided by use of the license plate reader camera system.

C. Tourism Director's Report

- Salado Marketing Activities

Tourism Director Andrea Howard reported that 210/175 new and returning users visited the website/app during October/November and provided available historical data. She reported there were over 1,000 visitors each day to the Village booth at the October F1 Race at Circuit of the Americas; updated Travel Texas Co-op statistics from May 1 to September 30; estimated \$162,000

media value from Village's portion of COVID relief funds; and the Village's participation this year in three programs, including a research dashboard, Pinterest board on the Travel Texas board; and feature article in a monthly newsletter.

- Visitors Center Activities

Tourism Director Howard reported that 423/428 visitors stopped in the Visitors Center during October/November and provided available historical data for 2018 through 2021. She reported on shuttle usage, number of shuttle riders, and thanked all of the volunteer shuttle drivers.

- Upcoming Events

- December 1; Lighted Christmas Parade; Salado Chamber
- December 2-4 and 9-11; Salado Christmas Stroll; Salado Chamber & Village of Salado
- December 3; Tour of Homes; Salado Historical Society
- December 2-3 and 9-10: A Christmas Carol; Tablerock

Discussion addressed calculation of estimated media value (based in part on impressions); next year's approximate \$7,500 cost to participate in three Travel Texas programs; analysis of data to gauge marketing effectiveness; monitoring and additional reporting of hotel, bed and breakfast, vacation rental bookings; and hotel occupancy tax collections.

5. Presentation

Presentation of Village of Salado Music Friendly Community Advisory Board Activity Report.
(*Richard Paul Thomas, Board Chairman*)

Chairman Thomas reported on each of the Board's members; their backgrounds and roles on the Board; mission statement; Facebook/website pages and associated engagement; directory/events calendar; successful past events; upcoming events; and possible funding sources. Discussion addressed possible funding opportunities, grant match requirements, and support from the Village, including event marketing.

6. Ordinance

Consider approval of the first reading of an ordinance of the Village of Salado, Texas, prohibiting outdoor burning within the corporate limits of the Village of Salado, and providing for the following: purpose, findings of fact, severability, repealer, effective date, and proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson reviewed current regulations allowing outdoor burning subject to approval of a burn permit application, payment of a \$20 fee, and inspection by the Salado Volunteer Fire Department. He noted the application states that burning must be conducted in accordance with State law, with the biggest issue being burning within 300 feet of any structure. He advised the proposed ordinance would repeal the current outdoor burning ordinance, but would

allow certain types of fire pits, such as barbecue pits, outdoor fireplaces, and chimineas. He stated that development agreements could address burning of construction-related debris at the building site. He said two readings of the proposed ordinance must be approved for the ordinance to go into effect if the Board desires to proceed.

Discussion addressed clarifying definitions of allowed types of burning; revising the existing ordinance; enforcement issues with ordinances in general; leniency during inspection in an attempt to work with applicants and try to maintain safety; alternatives for dealing with yard waste; option to follow State law under current ordinance; TCEQ definition of “structure containing sensitive receptor”; comparison of Village of Salado and Bell County burn regulations; applicant signature required on burn permit application; Fire Chief Jim Franz’s explanation of the burn permit approval procedure, historic practices, and challenges meeting the TCEQ statutory 300-foot distance requirement; Chief Franz’s interpretation of TCEQ’s 300-foot distance requirement; difficulties associated with the Fire Department’s enforcement of the distance requirement and changing historic practices; assessment of the immediate burn area prior to approval; Chief Franz’s responsibility to cover the ESD’s jurisdiction and preference to not participate in the Village’s approval process; the Fire Chief’s neutrality on approval or denial of the proposed ordinance; responsibility of the applicant to follow regulations as stated on the permit application; allocation of fee collected to the Salado Fire Department; and Bell County’s outdoor burn procedures. Mayor Coggin thanked Chief Franz for his time and input.

Alderman Cole moved to deny approval of the proposed ordinance. Alderman Graham seconded.

Alderman Cox asked to amend the motion to add language reducing the existing \$20 permit fee to \$5. Alderman Graham seconded the amendment to the motion. Alderman Cole accepted the amendment, as stated by Alderman Cox. Mayor Coggin pointed out that the fee goes to the Fire Department. Alderman Cole withdrew his approval of the amendment to reduce the fee from \$20 to \$5. Alderman Graham felt that more people would apply for a permit if the fee were \$5. Alderman Cole reiterated he does not accept the amendment to reduce the fee to \$5 and Alderman Graham rescinded his second to the amendment. Mayor Coggin expressed concerns regarding possible liability to the Village if the fire or its effects causes damage. Discussion continued on notification to the Village of outdoor burns (similar to Bell County procedures) versus continuation of the existing approval process.

In the interest of clarification, Mayor Coggin restated Alderman Cole’s original motion to deny approval of the ordinance. Alderman Graham stated that he rescinds his previously stated second. Mayor Coggin entertained a second to Alderman Cole’s motion to deny approval of the ordinance. Alderman Howard seconded. Mayor Coggin called for a vote as follows: Mayor Pro-tem Bell, aye; Alderman Cox, aye; Alderman Cole, aye; Alderman Graham, nay; and Alderman Howard, aye. Motion to carried on a vote of 4-1.

7. Discussion and Possible Action

- A. Discuss and consider possible action regarding the Concept Plan with a variance for the Rose Woods Subdivision, an approximately 8.60 acre proposed residential development

located east of the intersection of Yellow Rose Drive and Rose Lane in the E-T-J of the Village of Salado, Texas. (*Village Administrator*)

Village Administrator Ferguson stated the proposed residential subdivision is an 8.60-acre single cul-de-sac development located east of the intersection of Yellow Rose Drive and Rose Lane in the Village's E-T-J. He advised the subdivision will be developed in one phase and have 11 lots approximately one-half acre in size. He noted that water and wastewater services will be provided by Salado Water Supply Corporation and private on-site septic facilities, respectively. He stated the developer is seeking one variance from the Village's Subdivision Ordinance requiring 2 temporary dead-end stub outs for every 40 lots. He said the developer is seeking the variance due to the limited size of the proposed subdivision and its proximity to other potential future development in the area. He advised that the Planning & Zoning Commission unanimously recommended approval of the Concept Plan and requested variance at its November 29, 2022 meeting. The Commission felt that it needs to conduct a review the stub-out requirements for possible future revision, particularly for small subdivisions.

Brief discussion addressed the Commission's future review of the Subdivision Ordinance's stub-out requirements and projected spring 2023 start date for construction.

Alderman Cox moved to approve the Concept Plan and variance for the Rose Woods Subdivision, as presented. Alderman Graham seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding the Concept Plan with a variance for the Amity Village Subdivision, an approximately 15.019 acre proposed residential development located south of West Amity Road in the E-T-J of the Village of Salado, Texas. (*Village Administrator*)

Village Administrator Ferguson reviewed the proposed 15.019-acre single cul-de-sac development in the Village's E-T-J consisting of one phase and 23 residential lots approximately one-half acre in size. He stated water and wastewater services will be provided by Salado Water Supply Corporation and private on-site septic facilities, respectively. He noted the developer is seeking a variance from the Subdivision Ordinance that requires 2 temporary dead-end stub outs for every 40 lots. He stated the developer is seeking the variance due to the limited size of the proposed subdivision and its proximity to other potential future development in the area. He concurred with the Planning & Zoning Commission's unanimous recommendation for approval of the Concept Plan and variance at its November 29, 2022 meeting.

Discussion addressed the subdivision's limit on growth and future plat submission to include only the requested variance consistent with this Concept Plan.

Alderman Cox moved to approve the Concept Plan and variance for the Amity Village Subdivision, as presented. Alderman Cole seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action regarding a proposed Historic District Overlay Ordinance. (*Village Administrator*)

Village Administrator Ferguson reviewed task force discussions and input from the well-attended public meeting, which focused primarily on west side properties and development and included some comments regarding parking and land uses. He noted one text change to the proposed ordinance on page 2 to the definition of 9. *Parking*, as follows: “. . .In addition to concrete and asphalt surfaces, gravel, decomposed granite, or pavers are permitted for small parking area surfaces *for parking areas with no more than twenty-five (25) parking spaces.*” He also noted that “medical offices” were added as a permitted use, as there have been medical offices on Main Street in the past. He advised that the proposed Historic District Ordinance (HDO) does not prohibit any uses that exist in the current ordinance. Regarding “exterminators” as an allowed use, Village Administrator Ferguson pointed out that Salado Plaza is not part of the existing Historic District. He stated that the biggest change to the proposed HDO is its boundaries, which excludes west side properties, all churches, and the Walsh’s property next to Representative Buckley’s offices. He conveyed the Planning & Zoning Commission’s request to carefully deliberate and discuss the proposed HDO and to gather more public input prior to the Board of Aldermen taking further action. He noted certain possible compromises to meet the intent of the proposed HDO without including the west side properties, such as adding language to the existing IH-35 west side overlay that would promote consistency with the appearance and scale of the rest of the Village. Mayor Coggin expressed concerns regarding the disparity in appearance of east versus west side properties as growth continues.

Bill Kinnison of 1216 Salado Oaks Drive spoke of concerns expressed at the public meeting about inclusion of west side (of IH-35) properties in the proposed HDO. He said one of the primary reasons that the task force included the west side was to ensure that new development along the access road reflects the “overall historic, cultural, and architectural nature and character of Salado.” He said the goal was to try to make both sides of IH-35 attractive and appealing to travelers, tourists, residents, and future land developers. He noted that Commissioner Jim Lassiter suggested an alternative approach wherein the West Village Road area would be removed from the HDO, but any new west side development would be required to ensure that buildings reflect the historic and architectural nature and character of Salado. He felt that this approach would allay the Salado Historical Society’s concerns about the overall look, character, and integrity of the Village. Mr. Kinnison stated after hearing public comments the Historical Society recommends that this option be considered during public discussions. He specifically recommended a compromise to remove the west side from the HDO and develop a separate west district overlay ordinance that incorporates Sections 1, 2, 3, and 8 of the proposed HDO and to include either consultation with the Historical Society or oversight by the Planning & Zoning Commission. He also strongly recommended that the Methodist Church Chapel, the First Baptist Church, and Church of Christ should not be removed from the HDO, as he said they have state/national historic markers. He said removing them from the HDO “has no restrictions on what they do with their property or with their buildings, just that they remain in the historic district.”

No further public comments were heard.

Discussion addressed the existing IH-35 west side overlay and potential conflict with the proposed HDO; possibility that the west side overlay could incorporate east side properties; fear of over-regulation by west side property owners; whether churches would be subject to building requirements in the proposed HDO and possibility to seek variance(s); possible postponement of

creating an HDO pending a review of the Comprehensive Plan; statutory limitations on cities' ability to regulate certain building/parking requirements; recent zoning actions relating to drive-throughs; conditional use permit requirement for drive-throughs in the proposed HDO; proper zoning of properties according to use; and allowance of drive-throughs on IH-35 frontage properties.

Alderman Cox moved to refer the proposed HDO to the Planning & Zoning Commission for further consideration prior to holding formal public hearings. Alderman Graham seconded.

There was brief discussion of reasoning for removal of church properties from the proposed HDO due to concerns expressed by churches regarding over-regulation and possible future building restrictions.

Motion carried on a vote of 4-1. Mayor Pro-tem Bell voted against.

- D. Discuss and consider possible action regarding the proposed future development of a new municipal building. (*Village Administrator*)

Village Administrator Ferguson requested continuance of this item until receipt of updated financial information. Mayor Coggin spoke on the proposal to Bell County, projected cost, and development of a business plan. He expressed concerns regarding future expenditures and impact on the General Fund. Village Administrator Ferguson and Mayor Coggin stressed the importance of prioritization as the Village works through upcoming projects.

Adjournment

Alderman Cox moved to adjourn. Mayor Coggin called the meeting adjourned at 8:42 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 15th of December, 2022.

APPROVED:


 Michael Coggin, Mayor

ATTEST:


 Cara McPartland, City Secretary

