

**Village of Salado  
Salado Municipal Building  
301 North Stagecoach Road  
Salado, Texas  
Minutes of Regular Meeting of Board of Aldermen  
May 18, 2023, 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 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, and Aldermen Paul Cox, John Cole, D. Jasen Graham, and Jason Howard attended in person.

Staff Present: Village Administrator Don Ferguson and Assistant Village Administrator Andrea Howard.

**CITIZENS COMMUNICATIONS**

Sam Dowdy with the Salado Chamber of Commerce invited Mayor Coggin and members of the Board of Aldermen to attend future Chamber activities, including ribbon cuttings for new businesses in the Village.

Local resident Charles Simmons urged board members to revisit their prior approval of the pedestrian bridge over the Salado Creek. He expressed concern over the lack of an agreement between the Village and the owners of the bridge.

Local resident Theresa Howard expressed concern with, and questioned the content of, a “cease and desist” letter that she recently received from the personal attorney of Mayor Coggin. She asked that a copy of the letter be entered into the official record.

**1. CONSENT AGENDA**

- (A) Approval of Minutes of the Regular Board of Aldermen Meeting of May 4, 2023.
- (B) Approval of Minutes of the Special Board of Aldermen Meeting of May 11, 2023.
- (C) Approval of the April 2023 Financial Statements for the Village of Salado.

Alderman Paul Cox moved to approve the Consent Agenda, as presented. Alderman Jason Howard seconded. Motion carried on a vote of 5-0.

**2. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING ANY ITEM REMOVED FROM THE CONSENT AGENDA**

No items were removed.

### **3. DISCUSS AND CONSIDER ACTION ON ELECTION RELATED MATTERS**

- (A) Administer Oath of Office to Aldermen-Elect D. Jasen Graham, Rodney W. Bell, and Bert Henry.

Mayor Michael Coggin administered the Oath of Office to Aldermen-elect Bert Henry, D. Jasen Graham, and Rodney W. Bell.

- (B) Consider Approval of a Resolution of the Board of Aldermen of the Village of Salado, Texas, Recognizing the Public Service Rendered by John Cole as an Aldermen for the Village of Salado, Texas.

Mayor Coggin presented a proposed resolution recognizing outgoing Alderman John Cole for his four (4) years of service on the Board of Aldermen.

Mayor Pro-tem Rodney Bell moved to approve the resolution, as presented, thanking Alderman Cole for his hard work and dedication to the community. Alderman Cox seconded. The motion carried on a vote of 5-0.

- (C) Consider Approval of an Appointment of Mayor Pro-Tempore for a Term of One (1) Year.

Alderman D. Jasen Graham moved to appoint Rodney Bell as Mayor Pro-tem for a term of one (1) year. Alderman Cox seconded. The motion carried on a vote of 5-0.

- (D) Discuss and Consider Possible Action Designating Signatories for the Village of Salado Bank Accounts.

Alderman Graham moved to designate Mayor Coggin, Mayor Pro-tem Bell, Alderman Bert Henry, and Village Administrator Don Ferguson as signatories for the Village of Salado's bank accounts. Alderman Cox seconded. The motion carried on a vote of 4-0, with Alderman Bert Henry abstaining.

### **4. VILLAGE ADMINISTRATOR'S REPORT**

- Main Street Lighting Repair Project Update

Village Administrator Ferguson advised the light replacement project will be let on May 31<sup>st</sup> with all lights to be replaced by the end of September 2023.

- Water's Edge Wastewater Line Update

Village Administrator Ferguson reported work on the installation of the Water's Edge Wastewater Line is on-schedule according to the developer.

Mayor Pro-tem Bell requested staff to obtain a projected date of wastewater service availability for the Boynton Addition that will be connecting to the subject wastewater line.

- Solana Ranch MUD Update

Village Administrator Ferguson said proposed legislation creating the Solana Ranch Municipal Utility District (“MUD”) has been approved by the Texas House of Representatives and will be considered by the Texas Senate in the next few days. He said the MUD is needed to help fund various capital improvements for the proposed Solana Ranch Development.

- Mustang Springs Development Update

Village Administrator Ferguson reported the TCEQ is reviewing the permit application submitted for the proposed wastewater system that will serve the Mustang Springs Development. He said the developer is addressing concerns with the application raised by a property owner in the area of the planned development.

Ferguson added the developer is also working with the Clearwater Underground Water Conservation District and TCEQ to secure the permits needed for development of a water system to serve the Mustang Springs Development.

- Prospective Development Agreements

Village Administrator Ferguson said the Village staff is currently negotiating development agreements for a mix-used development on Williams Road, south of the Scott and White Clinic, along with a proposed commercial development between the Holiday Inn and Days Inn. In addition, Ferguson said a draft agreement has been presented to the Salado Center developer relating to the proposed acquisition of a wastewater system located within the development near the intersection of FM 2484 and IH 35.

## **5. PUBLIC HEARING AND POSSIBLE ACTION**

- (A) Hold a Public Hearing and Consider Approval of an Ordinance of the Village of Salado, Texas, to Annex, under Chapter 43 of the Texas Local Government Code, Approximately 69.478 Acres of Texas Department of Transportation (“TXDOT”) Owned Right-of-Way on FM 2843, from the South Interstate Highway 35 Service Road, West to a Location just West of Mustang Creek Road, in Bell County, Texas, as Further Described in Exhibit “A”, Lying Partially Within and Partially Adjacent and Contiguous to the Present Corporate Limits of the Village of Salado, Texas, in the Village’s Extraterritorial Jurisdiction in Bell County, Texas; Adopting a Service Plan; and Including the Following: Findings of Fact; Effective Date; Repealer; Severability Clause; and Proper Notice and Meeting.

Village Administrator Ferguson said the proposed annexation, if approved, will take the Village of Salado’s corporate limits west on FM 2843 to the location of the proposed Mustang Springs

Development. He said the proposed annexation is bringing only the TXDOT right-of-way into the corporate limits of the Village.

Ferguson said public notice of the proposed annexation was provided to TxDOT, various service providers and the general public. To date, no comments have been received either for or against the proposed annexation, according to the Village Administrator.

With the exception of law enforcement services, Ferguson said no other Village services will be provided to the area being annexed.

Mayor Coggin opened the public hearing on the proposed annexation at 7:05 p.m.

Developers Dylan and Travis Whitis, who own property on FM 2843, expressed concern that the proposed annexation will result in a portion of their property being located in the Village's E-T-J. The Whitis' said they do not want to be subjected to the Village's subdivision regulations which are more stringent than Bell County's subdivision regulations.

Local resident Linda Reynolds expressed concern about the impact of the annexation on the Village's Police Department which has a limited number of police officers.

Local resident Jack Comeaux said the proposed annexation will not be a burden on the Village or its Police Department.

Local resident Danny Kasper questioned the need for the Village to extend its boundaries on FM 2843.

With there being no further comment, Mayor Coggin closed the public hearing at 7:25 p.m.

Mayor Coggin indicated the annexation of the FM 2843 right-of-way is required in order for the Village to annex the planned Mustang Springs Development which has petitioned to annex into the Village.

Ferguson said the annexation of FM 2843 and the Mustang Springs Development will allow the Village to set a standard for the quality of development between Salado and Jarrell.

While the Village's E-T-J would typically extend a half-mile either side of the TxDOT right-of-way, Ferguson said the Board of Aldermen has the ability to exclude properties from the E-T-J, if it desires to do so.

After further discussion, Alderman Graham moved to approve the proposed annexation and allow individual property owners along the subject right-of-way to opt out of the E-T-J if they so desire. Alderman Cox seconded.

Following a brief discussion regarding the motion, Aldermen Graham and Cox withdrew their motion after learning the Board would have to consider each property owner request for exclusion from the E-T-J.

Mayor Pro-tem Bell moved to approve the proposed annexation without any extension of the Village's E-T-J to those properties on either side of the subject right-of-way. Alderman Cox seconded. The motion was approved on a 4-1 vote, with Alderman Henry voting no.

- (B) Hold a Public Hearing and Consider Approval of an Ordinance of the Village of Salado, Texas, to Annex, Under Chapter 43 of the Texas Local Government Code, Approximately 1,105 Acres of Land Located Northwest of the Intersection of FM 2843 and Mustang Creek Road, in Bell County, Texas, as Further Described in Exhibit "A", Lying Adjacent and Contiguous to the Present Corporate Limits of the Village of Salado, within the Village's Extraterritorial Jurisdiction, into the Incorporated Municipal Boundaries of the Village of Salado, Texas; Granting to all Inhabitants of said Property all the Rights and Privileges of Other Citizens and Binding said Inhabitants by all Acts, Ordinances, Resolutions, and Regulations of the Village; Adopting a Service Plan; and Including the Following : Findings of Fact; Effective Date; Repealer; Severability Clause; and Proper Notice and Meeting.

Village Administrator Ferguson said the proposed annexation, if approved, will bring the proposed Mustang Springs Development into the corporate limits of the Village. He said the annexation was requested by the property's owner, Mor-Maur Mustang, LLC.

Ferguson said public notice of the proposed annexation was provided to various service providers and the general public. To date, he said no comments have been received either for or against the proposed annexation.

He reviewed the municipal service plan for the subject area.

When questioned, Ferguson said the Village's development agreement with the Mustang Springs developer does not require the Village to annex subject property.

Mayor Coggin opened the public hearing on the proposed annexation at 7:51 p.m.

Local resident Matt Maxwell expressed his opposition to the annexation of the Mustang Springs property.

Developer Travis Whitis thanked board members for their earlier decision not to extend the Village's E-T-J in conjunction with the previously approved annexation of the FM 2843 right-of-way.

Local resident Linda Reynolds expressed her opposition to the annexation, noting her concerns about the availability of water for the Mustang Springs Development.

With there being no further public comment, Mayor Coggin closed the public hearing at 7:57 p.m.

Board members discussed the developer's required financial contribution for park improvements in the Village, current lot sales in the development, the efforts currently underway to develop a properly permitted water system for the development and the Village's requirement that all homes in the development be connected to a properly permitted water system prior to their occupancy.

Alderman Howard noted board members had received a letter from Janet Kennedy regarding her concerns with the Mustang Springs development's wastewater treatment plant permit application.

Mayor Pro-tem Bell moved to approve the annexation, as presented. Alderman Graham seconded. The motion passed on a 3-2 vote, with Aldermen Henry and Howard voting no.

- (C) Hold a Public Hearing and Consider Approval of an Ordinance of the Board of Aldermen of the Village of Salado, Texas, Amending the Official Zoning Ordinance to Establish a Historic District Overlay with Procedures and Standards to Protect and Enhance Specific Lands and Structures within the Designated District and Amending the Use Regulations Chart; Providing for Findings of Fact; Providing for Enactment; Repealing Conflicting Resolutions and Ordinances; Providing a Severability Clause; Providing for Publication; Providing an Effective Date; and providing Proper Notice and Meeting.

Village Administrator Ferguson said the proposed ordinance establishes the boundaries for a Historic District, along with standards, procedures and land uses for specific lands and structures within the designated district.

On March 28<sup>th</sup>, Ferguson said the Planning and Zoning Commission unanimously voted to recommend approval of the proposed ordinance with some slight modifications. He said on April 6<sup>th</sup> the Board of Aldermen held a public hearing and continued consideration of the proposed ordinance to allow for additional public comment.

Copies of written comments received by the Village were distributed to board members.

Mayor Coggin opened the public hearing on the proposed ordinance at 8:00 p.m.

Local resident Cathy Sands expressed support for the proposed Historic District Overlay Ordinance, noting many other communities have implemented similar historic district overlay regulations.

Bev Turnbo with the Historical Society said the proposed ordinance will help preserve the historic character of Salado. Turnbo, who chaired the Task Force that developed the proposed ordinance, said great care was taken by the Task Force to protect private property rights in the development of the proposed regulations.

Local resident Charles Simmons urged board members to include the frontage road properties on the west side of the Interstate within the boundaries of the Historic District Overlay.

Local resident Darlene Walsh said the west side frontage road properties should not be part of the Historic District Overlay.

Local resident Sam Morris said the Village is being short-sighted by restricting the maximum building footprint size to 6,000 square feet in the Historic District Overlay.

With their no further public comment, Mayor Coggin closed the public hearing at 8:20 p.m.

Board member discussion focused on the proposed reduction in the maximum allowable building footprint in the Historic District from 25,000 square feet to 6,000 square feet, as recommended in the Village's Comprehensive Plan.

Alderman Graham moved to approve the proposed Historic District Overlay Ordinance, as presented. Alderman Cox seconded. The motion passed with Mayor Coggin, Aldermen Cox and Graham voting yes, Mayor Pro-tem Bell and Alderman Howard voting no, and Alderman Henry abstaining, noting he did not have enough information to vote.

## **6. DISCUSSION AND POSSIBLE ACTION**

- (A) Discuss and Consider Possible Action Approving the Construction/Final Plat and Construction Plans for Drake's Landing Phase III within the corporate limits of the Village of Salado, Texas.

Village Administrator Ferguson said this item was placed on the agenda to allow board members to consider action regarding the proposed Construction/ Final Plat and Construction Plans for Phase III of Drake's Landing, a three (3) phase, 54.029-acre subdivision located northeast of the intersection of Royal Street and Smith Branch Road, within the corporate limits of the Village of Salado.

Ferguson said Phase III consists of 49-residential lots on approximately 15.180 acres. The subject property is zoned SF-7A (Single-Family Residential). He said water for the subdivision will be provided by the Salado Water Supply Corporation while the Village of Salado will provide wastewater.

Ferguson said the Village of Salado's Engineer has reviewed the plat and construction plans and found them to be in conformance with the approved Concept Plan for the development along with the Village's technical standards and subdivision requirements. He added the Planning and Zoning Commission on May 16<sup>th</sup> unanimously voted to recommend approval of the plat and construction plans, as submitted.

Mayor Pro-tem Bell moved to approve the Phase III Construction/Final Plans for Drakes Landing, as presented. Alderman Henry seconded. The motion passed on a 5-0 vote.

- (B) Discuss and Consider Possible Action Selecting a Contractor to Replace the Mill Creek Road Culvert and Authorizing the Mayor to Execute a Contract with the Chosen Contractor.

Village Administrator Ferguson said the Village recently solicited bids for the replacement of the Mill Creek Road drainage culvert. He said five (5) bids were received.

After reviewing the detailed bids and checking references, Ferguson said the Village Engineer recommended the Village contract with SJ&J Construction, LLC to replace the Mill Creek Road culvert in the amount of \$107,111.55.

Alderman Cox moved to award the contract for the Mill Creek Road Culvert Replacement Project to SJ&J Construction, LLC and to authorize the Mayor to execute the contract on behalf of the Village with the chosen contractor. Alderman Graham seconded. The motion passed on a 5-0 vote.

- (C) Discuss and Consider Possible Action Setting the Date, Time and Place for the FY 2023-2024 Village of Salado Goals and Priorities Workshop.

Following a brief discussion, Mayor Coggin stated the Board of Aldermen will hold a workshop to discuss the FY 2023-2024 goals and priorities for the Village on June 15<sup>th</sup>.

## ADJOURNMENT

Mayor Coggin called the meeting adjourned at 8:53 p.m.

Recorded by:

Don Ferguson

These minutes approved on the 1<sup>st</sup> of June, 2023.



ATTEST:

  
 Don Ferguson,  
 Village Administrator/Acting City Secretary

APPROVED:

  
 Michael Coggin, Mayor