

**Village of Salado**  
**Salado Municipal Building**  
**301 North Stagecoach Road**  
**Salado, Texas**  
**Minutes of Regular Meeting of Board of Aldermen**  
**March 5, 2020 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 Frank Coachman, Aldermen Rodney Bell, Amber Preston Dankert, John Cole, and Michael Coggin.

Salado High School Representative: Averie Piatt

Staff Present: Village Administrator Don Ferguson, City Secretary Cara McPartland, Police Chief Pat Boone, Fire Chief Shane Berrier, and Tourism Director Chadley Hollas

**Zoning Board of Adjustment**

Hold a public hearing and consider action regarding a request for a variance from Section 5.3(B)(2) of the Village of Salado Zoning Ordinance to allow for the extension of a privacy fence into the front yard of a property located at 109 Royal Street, Salado, Bell County, Texas. (*Hauptstrasse Brewing Company, LLC*)

The Board convened as the Zoning Board of Adjustment, which includes Mayor Blancett as a voting member.

Village Administrator Ferguson reviewed statutory procedures for variance requests; role of the Zoning Board of Adjustment; description of subject property; proposed fence layout; specific 12 ½ foot section of fence requiring a variance; and conditions required for approval of a variance. He displayed the map showing the 12 ½ foot section of fence that would require a variance. He stated the applicant requested to make an initial presentation and would like to follow up with answers to questions posed during public comments.

Applicant K.D. Hill, speaking for co-applicants in attendance Graydon Hill, Jay Ritch, and Tricia Ritch, displayed photos of the subject property and adjacent commercial properties. She said 77 parking spaces are proposed. She stated that there is mechanical equipment behind Main Street-facing businesses that is not screened from view. She said the purpose of the variance request is to improve aesthetics and maximize the potential of the Rio Salado property and adjacent properties as well. As justification for the variance request, Mrs. Hill stated that certain Main Street-facing businesses have pivoted their entrances to face their back alley, however, the mechanical equipment has not been moved and said it is unsightly. She said the plan is to maximize this space for its parking, safety, accessibility, and aesthetics, including installation of a

sidewalk along the right-of-way, which will ensure that foot traffic will be going to the sidewalk. She spoke of a meeting held yesterday with adjacent property owner, Morris Foster, discussing an agreement to change the fence height to under 5 feet, which Mr. Foster believes will not be detrimental to his property or his tenants. Mrs. Hill stated the applicants' intend to keep working with Mr. Foster to ensure continued communication for the good of the entire south side. She pointed out that if Mr. Foster wished to build the fence, he could do so without the need for a variance. She cited the unusually large front yard of the subject property as a reason for the variance request. Mrs. Hill noted points of entry and exit from the parking lot. She said the extension will allow for two extra parking spaces and make the parking lot safer. As additional justification for the variance request, she stated the ordinance was applicable to a normal neighborhood, not for a property historically used as a feed lot and not for one that pivoted its entrances from Main Street to an alley. Photos of the parking lot, fence layout/design, sidewalk location, and neighboring businesses were displayed. She said they will not interfere with deliveries to Peddlers Alley and spoke of plans to improve aesthetics, including landscaping and safety lighting.

Applicant Jay Ritch emphasized reasoning for the variance request and said a wood fence, as opposed to quarry blocks, leaves additional room to execute turning lanes in the parking lot, as well as minimizing cut-through traffic and maximizing vehicle and pedestrian safety.

Discussion addressed entry/exit points into the parking lot; status of Peddlers Alley as privately-owned property; fence acting to help channel pedestrian flow onto the sidewalk; discouraging cut-through traffic through parking lot; installing a fence versus quarry blocks; safety issues with quarry blocks versus fencing; possibility of adjacent property owner who is not in opposition requesting permit for fence, thereby avoiding need for a variance request; and applicants' communication with surrounding property owners/tenants to work out an amenable solution and to address misinformation circulated on social media regarding the variance.

Mayor Blancett opened the public hearing at 7:06 p.m.

Shawn Miller of 21685 Stillman Valley Road in Killeen, spoke of his background in law enforcement and current employment at Chupacabra. He said a fence would be cutting off business from at least a dozen different people by blocking this parking lot off. He questioned the privacy fence and cited negative impacts such as auto and pedestrian traffic concerns, ability to operate business as usual, criminal activity, safety to patrons and employees at night, EMS vehicle access, negative effect on local economy, public events, and aesthetics. He stated this is a historical town and described fences as an eyesore that would go up everywhere and generally not be "Salado-friendly."

Gary Verdun of 819 Indian Trail stated that if the only part of the fence needing a variance is a 12 ½ foot section, he did not see where the legal requirements for allowing a variance were met and questioned the visibility argument made by the applicants. He said there are other options besides a privacy fence.

Chupacabra Craft Beer/Kitchen and Lone Star Winery owner Rachel Strong spoke of her understanding of variances as requiring special circumstances and not harming surrounding

businesses. She stated there is nothing special, unique, or new about this parking lot, said a 5-foot tall wooden fence is not necessary, and felt it is detrimental to public safety and to the businesses along Peddlers Alley. She said a “No Parking” sign can accomplish the same thing as a fence. Ms. Strong felt that approving a variance will set a precedent for others who want a fence in their front yards. She stated her understanding of conditions required for a variance and did not see where a hardship, special circumstances, or conditions depriving the owner of use of their land existed. She said granting the variance for the fence would create a public safety hazard by: blocking visibility to pedestrians and traffic; blocking her business and other businesses from public view; decreasing the likelihood of potential customers and revenue for Salado; making daily deliveries from large trucks very difficult; increasing likelihood of crime by blocking visibility for police patrolling in general area; and making it difficult for fire and rescue to do their job in the very likely event of an accident.

Applicant Jay Ritch said that comments relating to the fence’s safety have strayed to include the totality of the fence, not the 12 ½ foot section that is relevant to the variance request. He said that the subject section does not limit visibility toward Royal Street and is under 5-feet in height. He stated the current parking is undefined and unregulated, felt the variance clearly improves safety, and the 12 ½ foot extension of a 5 foot fence will not impact EMS access or police visibility into the alley.

Mayor Blancett announced first call for speakers.

Chris Lillibridge of Quail Ridge Road spoke of personally cautioning visitors to Salado about parking issues in the Main/Royal Street area and said it is an unregulated, dangerous area. He said everything the Hills have touched in our town has benefitted everyone directly or indirectly. He felt a variance for a 12 ½ foot section of fence maximizing safety should be considered in a positive light. He said the brewery is beautiful and what they plan to do with the restaurant and parking lot is going to be wonderful for our community and its safety.

Mayor Blancett announced the second call for speakers.

Ellen Burnett of Whisper Trail in Belton spoke of her family’s frequent visits to Salado. She questioned the layout of the parking lot, including ingress/egress, and impact on pedestrian traffic and vehicle parking while visiting multiple businesses. While not taking a side on the variance, Ms. Burnett said that she did not see where the previously stated conditions required for a variance were proven.

Judy Fields of 818 Blaylock Circle expressed concerns regarding building a fence in the Historic District. She spoke of her experience as a certified dispute counselor for personal and businesses issues through a process mandated by judges who prefer this alternative method for efficient dispute resolution outside of court. She said the parties participate and are in control of resolving their issues. She highly recommended the disputing parties have a meeting with a neutral monitor on neutral ground to resolve the concerns of the proposed variance requested by the original party. She stated either party can choose to have attorneys present or not at their meetings. Mrs. Fields said this process works, benefitting everyone concerned by soothing hard feelings, saving court

costs, and time. She strongly urged parties to get together to try to peacefully resolve this fence issue to the benefit of everyone.

Mayor Blancett announced the third and final call for speakers.

Shawn Miller spoke again of his former experience as a TABC agent and of the duty to report breaches, such as any disruption of EMS, fire, or police activity that he felt would be caused by a fence, even at a lower height than originally planned.

A Mill Creek resident spoke of his acquaintance with parties on both sides and wished they could get together to resolve this dispute. He said Salado has been through a lot and hoped the parties could work together in a synergistic way, not against each other.

Hearing no further speakers, Mayor Blancett closed the public hearing at 7:31 p.m.

Mayor Blancett allowed applicant K.D. Hill the opportunity to answer questions from the Board.

K.D. Hill offered to read the text of previously submitted reasons for the variance request. Mayor Pro-tem Coachman asked Mrs. Hill about the possibility of postponing action on this item for two weeks in order for her to consult with Morris Foster. Mrs. Hill said she has spoken with Mr. Foster and compromised by lowering the height of the fence. Mayor Pro-tem Coachman clarified that he meant possible discussion with Mr. Foster about applying for the fence permit, thereby avoiding the need for a variance request. Mr. Ritch did not want to drag out the process, but said it would not do any harm to allow more time to ask Mr. Foster about applying for a fence permit.

Discussion addressed whether the Board should postpone taking action; requirement that the Board make affirmative findings on all conditions required for approving a variance; need to state reasons for action taken; need for the Board to specify a date for reconsideration, if item is postponed; and effect of lack of action by the Board. Mayor Blancett invited K.D. Hill to comment.

K.D. Hill cited the following special circumstances: a Main Street-facing business has pivoted its main entrance without pivoting mechanical equipment; parking lot that maximizes space for everyone, is safer, and directs people toward the sidewalk; her right to use the parking lot and maximize the potential of the lot; fence provides better aesthetics than quarry blocks; addressing of safety concerns by lowering fence height to under 5 feet; and her rights as a property owner.

Jay Ritch spoke of discussions with the adjacent property owner regarding compromise solutions, opposition efforts regarding the entire fence and the extension that requires a variance, and the adjacent property owner's lack of objection. Alderman Dankert inquired about Rio Salado's capacity, which Mrs. Hill stated as 130 persons.

K.D. Hill said they are not hurting any businesses, but just want to use the parking lot to its full potential and make it safer.

Rachel Strong spoke of her willingness to speak with the applicants and did not feel that earlier comments indicated special circumstances. She stated this variance would be detrimental to her

business and said that the applicants feel their business is in competition with hers. She did not see a wooden fence as safer than a quarry block, as there are mothers with strollers and children.

Hearing no further discussion, Mayor Blancett entertained a motion.

Alderman Bell moved to deny the variance request based on the fact that it does not meet the hardship requirements needed for approval and would create a precedent for future requests. Alderman Cole seconded.

Discussion addressed what factors constitute a hardship (for example, required number of parking spaces based on capacity; building setbacks) and possible landscaping.

Motion to deny carried on a vote of 4-2, with Mayor Pro-tem Coachman and Alderman Dankert voting against.

The Zoning Board of Adjustment adjourned at 7:53 p.m. and reconvened as the Board of Aldermen.

### **1. Citizens Communications**

No citizen comments were heard.

### **2. Consent Agenda**

Approval of minutes of the Regular Board of Aldermen meeting of February 20, 2020.

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

### **3. Status Reports**

#### **A. Village Administrator's Status Report**

- Wastewater Project Update

Village Administrator Ferguson reported approximately 26 of the 29 unconnected properties in the initial service area are connected or are in the process of connection. Written notice will be sent to the remaining 3 unconnected property owners. He advised that sewer main breaks stemming from Main Street construction have been repaired. He noted that wastewater customers will be receiving new wastewater bills in April based on their last 12 months water usage or winter averaging. He reported bids will be sought for the acquisition of a public restroom trailer for Main Street.

- Main Street Improvement Project

Village Administrator Ferguson reported curb/gutter and sidewalk construction continues. He noted that Rock Creek culvert work is nearing completion. Work is underway to resolve the conflict that exists between the sewer main and the drainage structure near the intersection of Main Street and Salado Plaza Drive, which will not involve moving the sewer line. He advised the project is on schedule and completion is projected for early summer.

- Public Works Maintenance Worker Vacancy

Village Administrator Ferguson reported that Franklin Smith has accepted a maintenance position with Belton ISD. He also reported that Tourism Director Chadley Hollas is leaving in early April to pursue endeavors in Vermont. He noted that both positions have been posted.

In addition, Village Administrator Ferguson noted that the Weather Service issued its spring flood risk assessment this afternoon and there are no strong signals for either below or above normal rainfall for the next 3 months.

- Main Street Public Restroom

No report was provided on this item (see above mentioned Wastewater Project Update).

- Sanctuary Development

Village Administrator Ferguson reported on the groundbreaking ceremony held March 2<sup>nd</sup> for Phase I and anticipated work to begin next week.

- 2020 Salado General Election Preparations

Village Administrator Ferguson reported on early voting/election day voting dates, positions on ballot, cancellation of the Library District's election, and polling location for early voting/election day at the Salado Civic Center.

In addition, Bell County Public Health District representatives Gene Mikeska and Cathy Brem gave an update on preparations for the corona virus (COVID-19), including recognizing symptoms, learning about its transmission/risk factors, containment measures, emergency operations, and communications plans. Village Administrator Ferguson introduced Salado's representative on the District Health Board, Dave Broecker, who was also present. Discussion addressed reporting of cases, scheduling a public meeting in coordination with the Bell County Public Health District, and future availability and allocation of testing.

#### B. Salado Police Chief Status Report

- Calls for Service
- Citizens on Patrol Program

Police Chief Pat Boone reported on February's decreased calls for service, including number of reports written, arrests, and increased citations/warnings. He also reported on decreased response times and number of house watch requests.

#### C. Salado Fire Chief Status Report

- Calls for Service

Fire Chief Shane Berrier reported on the number of EMS, fire, and motor vehicle accident calls responded to within Bell County and the Village of Salado for the month of February. He spoke on April fundraising events and T-shirt sales.

#### D. Tourism Director's Report

- Salado Marketing Plan Update
- Upcoming Events

Tourism Director Chadley Hollas reported on planning for upcoming advertisements, distribution of new visitor's guides, spring event planning, design of group marketing materials, and website traffic showing a 200 percent increase over the same period last year. He spoke on improved imagery and expanded information for the new visitor's guides, consistent messaging, and details on March/April events/festivals and cancellation(s). Mayor Blancett thanked Director Hollas for his service, as his last day of employment with the Village is April 4, 2020.

### 4. Discussion and Possible Action

- Discuss and consider possible action authorizing the Village Administrator to execute a contract with *Laser Spectacles* to perform a laser light show for the Salado Art and Cultural District on Friday, April 24, 2020. (*Village Administrator*)

This item was heard after Agenda Item 4E.

Village Administrator Ferguson explained that \$1,650 in grant funding, in-kind donations, and Hotel Occupancy Tax (HOT) funds will be used to cover event costs. Discussion addressed possible amount of HOT funds that may be used and specific language referenced by Alderman Coggin relating a compromise agreement, should the show need to be re-scheduled or cancelled. Village Administrator Ferguson advised such language can be amended to reflect more specific terms.

Alderman Coggin moved to approve authorizing the Village Administrator to execute a contract with *Laser Spectacles*, as presented, including authorization to add or amend language that defines in more detail the compromise section of the agreement. Mayor Pro-tem Coachman seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action authorizing the Village Administrator to seek bids for the acquisition and installation of an odor control system for the Royal Street lift station.  
(*Village Administrator*)

This item was heard after Agenda Item 4C.

Village Administrator Ferguson explained that there are still some complaints about odor at the Royal Street lift station after installation of a coal filter hood. He requested Board direction on the possible acquisition of a manufactured odor control system at an estimated cost of \$100,000 that could be funded by remaining wastewater bond funds.

Discussion established that at the time the system was designed, the decision was made to build the system without an odor control system, which could be added later if needed, and that any odor issues are not the result of design or engineering flaws. It was noted that multiple bids will be sought, should the Board desire to proceed. Village Administrator Ferguson stated that the odor control system is self-contained and would be located behind the existing fence.

Mayor Pro-tem Coachman moved to approve authorizing the Village Administrator to seek bids for the acquisition and installation of an odor control system for the Royal Street lift station, as presented. Alderman Coggin seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action authorizing the Village Administrator to contract with *Extraco Technology* to provide technology services for the Village of Salado and amending the Fiscal Year 2020 General Fund Budget to reflect the expenditure for such work.  
(*Village Administrator*)

This item was heard after Agenda Item 4A.

Village Administrator Ferguson explained the Village's current information technology (IT) specialist, while providing cost-free services, has found it less feasible to respond in a timely fashion on an ongoing basis. After researching various options, Village Administrator Ferguson recommended contracting with Extraco Technology for certain services at a monthly cost of \$1,292.50. He noted the firm has extensive experience and is an insured technology service provider. He advised that Extraco representatives are present to answer any questions.

Discussion among the Board, staff, Extraco President Patrick Johnson, and Technology Specialist Peter McNeil included departments and services covered under the agreement; data protection; monitoring/security; response time/prioritization; patch testing; available onsite or remote support; and the vendor search process.

Alderman Bell moved to approve authorizing the Village Administrator to contract with *Extraco Technology* to provide technology services for the Village of Salado and amending the Fiscal Year 2020 General Fund Budget to reflect the expenditure for such work, as presented. Mayor Pro-tem Coachman seconded.

Discussion addressed additional costs associated with any future additional work stations, effective date of agreement, obtaining written quotes from multiple vendors, and after hours support.

Motion carried on a vote of 3-2, with Alderman Cole and Alderman Dankert voting against.

- D. Discuss and consider possible action regarding plans for the *Que on Main BBQ Cook-off* on Saturday, May 2, 2020. (*Village Administrator*)

Village Administrator Ferguson introduced Rotary Club representatives Kenny Kelarek and Deanna Whitson, who presented details on the event, including registration/admission, cooking team locations, and use of funds raised for community service projects.

Alderman Bell moved to approve plans for the *Que on Main BBQ Cook-off* on Saturday, May 2, 2020, as presented. Mayor Pro-tem Coachman seconded. Motion carried on a vote of 5-0.

### Addendum to Agenda

#### **4. Discussion and Possible Action**

- E. Discuss and consider possible action regarding the proposed Eagle Scout Project relating to the installation of a flag pole at the Salado Municipal Building. (*Village Administrator*)

This item was heard after Agenda Item 3D.

Village Administrator Ferguson introduced Eagle Scout candidate Tyler Meyners, who presented details on his project to install a flagpole at the Municipal Building. He advised a vendor has been identified, a permit application will be submitted, and the anticipated dedication day is scheduled for Memorial Day weekend. Discussion addressed the approximate project cost of \$1,950 and fundraising activities.

Alderman Cole moved to approve the Eagle Scout Project relating to the installation of a flag pole at the Salado Municipal Building, as presented. Alderman Dankert seconded. Motion carried on a vote of 5-0.

#### **Adjournment**

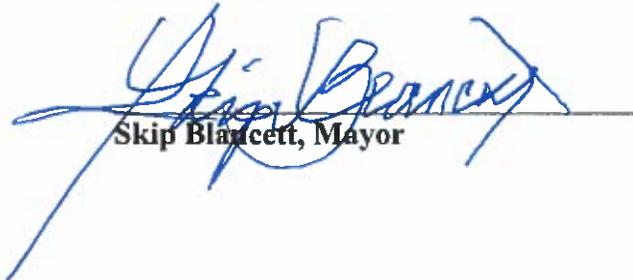
Alderman Cole moved to adjourn. Alderman Dankert seconded. Mayor Blancett called the meeting adjourned at 9:00 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 19<sup>th</sup> of March, 2020.

APPROVED:

  
Skip Blawett, Mayor

ATTEST:

  
Cara McPartland, City Secretary

