

**Village of Salado  
Salado Municipal Building  
301 North Stagecoach Road  
Salado, Texas  
Minutes of Regular Meeting of Board of Aldermen  
June 7, 2018 at 6:30 p.m.**

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

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

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

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

### **Proclamation**

A proclamation of the Village of Salado, Texas, recognizing recent Salado High School graduate Kayla Manning for her service as the student representative on the 2017-18 Salado Board of Aldermen.

Mayor Blancett highly praised Kayla Manning for her service and read the proclamation. After presentation of the proclamation, Alderman McDougal presented Ms. Manning with an engraved pen and her name plaque, as tokens of appreciation for the service rendered as Salado High School's representative on the 2017-18 Board of Aldermen. Ms. Manning thanked the Board for the opportunity to serve this past year and spoke of the knowledge gained from her time on the Board.

### **Citizens Communications**

Mary Ann Fiorenza of 117 Salado Creek Place provided examples of unsafe situations and expressed concerns regarding vehicle/pedestrian traffic and lack of lighting on Main and Royal Streets. She hoped that Royal Street pavement will be repaired soon and also mentioned a hanging tree limb that needs removal.

#### **1. Consent Agenda**

- A. Approval of minutes of the Regular Board of Aldermen meeting of May 17, 2018.
- B. Approval of minutes of the Special Board of Aldermen meeting of May 24, 2018.

Village Administrator Ferguson noted the following addition to Consent Agenda Item 2A on Page 2 of the May 17, 2018 regular meeting minutes: "*Mayor Pro-tem Brown moved to approve the*

*resolution. Alderman McDougal seconded. Motion carried on a vote of 5-0. Mayor Blancett read the resolution. . .”*

Alderman McDougal moved to approve the Consent Agenda, as amended. Mayor Pro-tem Brown seconded. Motion carried on a vote of 5-0.

## **2. Status Reports**

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

- **Wastewater Project Update**

Village Administrator Ferguson reported that collection system crews are wrapping up work on Church Street and will be starting on Blacksmith Road next week, with Main Street to follow. He also reported on lift station excavation work and Century Link line relocation. He advised that there will be a large concrete pour at the treatment plant site beginning around 3:00 a.m. this morning and ending mid-morning. Discussion established that the early morning concrete pour is necessary due to daytime heat. He anticipated a preliminary cost estimate for the Royal Street Improvement Project and draft rate study to be presented to the Board on June 21, 2018. He spoke on a change order to be presented to the Board for needed safety bollards to be installed across from Spring House that may be paid from contingency funds. Village Administrator Ferguson advised there will be a wastewater meeting for east side affected property owners on Monday, June 25, 2018 at 6 p.m. and a similar meeting for west side affected property owners on Tuesday, June 26, 2018 at 6 p.m. He noted the second public hearing on the wastewater impact fee will be held on Thursday, July 5, 2018 at 6:30 p.m.

- **Salado Community Garden Project**

Village Administrator Ferguson reported the initial meeting of the Community Garden Advisory Board was held this week, at which time officers were elected. It was noted that all but seven plots are being used and plans are underway to install informational signage on site.

- **Stagecoach Inn Redevelopment Project**

Village Administrator Ferguson reported on status of room openings anticipated this month; use of old Sugar Shack location as the new Stagecoach Inn lobby; closing of access road entrances equipped with fire gates; routing of all entrance traffic down Main Street; development agreement provisions regarding exclusive use of parking lot area via a short-term lease; and long-term ability to acquire the parking lot area property for a small fee, if desired. Stagecoach owners concur that a separate lease agreement would be needed for exclusive use of the parking lot area. He also noted the need to draft and execute a separate tax abatement agreement and expenditure plan for Hotel Occupancy Tax generated funds.

- **Main Street Public Restrooms**

Village Administrator Ferguson reported on available restrooms for public use and noted major upcoming changes in pedestrian flow and water access. He advised meetings are planned to proactively address parking/public access (to Salado Creek) issues affecting pedestrians and property owners.

In addition, Village Administrator Ferguson reminded there will be a public call issued on June 14<sup>th</sup> seeking input on the budget. He asked the Board to provide input on changing the Board's planned Goals and Priorities Workshop to Thursday, June 28, 2018, with general agreement to start at 5:30 p.m.

In response to earlier citizen comments regarding pedestrian safety on Main/Royal Streets, Alderman Coggin asked Village Administrator Ferguson if crosswalks were being considered. Village Administrator Ferguson replied affirmatively, and spoke of an overall safety plan to include fresh painting, signage, and stepped-up enforcement during busy times. Discussion also addressed a possible walkway, various public restroom options and costs, water access/navigable streams, and associated property rights.

#### B. Salado Police Chief Status Report

- Calls for service

Chief Ashe presented May 2018 calls for service, reports written, citations issued, number of arrests, and response time averages. He advised that Citizens on Patrol (COP) volunteers patrolled for 24 hours (12 shifts) and found 8 unlocked business doors.

- Officer Trading Card Program

Chief Ashe distributed officer trading cards, explained the purpose of the cards to help with community outreach, particularly for introducing police officers to children, and thanked Breaking Records Media for its sponsorship and assistance in taking photos for the cards.

- Bike Training for Officers

Chief Ashe reported that Officers Hicks and Cooley have both completed bike training, with bike patrols planned for special events.

- Salado Police B-B-Q Team

Chief Ashe thanked the Strawberry Patch and Wings on Main for sponsoring the Police Department's team that participated in the Rotary Club B-B-Q Cookoff, which won a prize for best name.

- Police Memorial Week

Chief Ashe reported quite a few people came by during Police Memorial Week bringing food and children's drawings. He also thanked Small Cakes of Temple for bringing cupcakes.

- History Days

Chief Ashe reported on enforcement/patrol efforts for History Days and reminded that National Night Out is scheduled for October 2, 2018 and will be planned as a community-wide event at the Civic Center, rather than individual neighborhood gatherings.

Brief discussion addressed the number of speeding trucks and recognized the contribution of COP in helping to keep crime down.

#### 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 May. He advised the burn ban is in effect and noted the Fire Department also participated in the Rotary Club B-B-Q event.

#### D. Tourism Director's Report

- History Days
- Area CVB Outreach
- Salado Tourism Advisory Board

Tourism Director Chadley Hollas reported on assistance with History Days and strong social media presence. He advised online digital marketing is underway with a higher than expected "click-through" rate. Area CVB outreach efforts continue, including a visit to Round Rock, which is experiencing significant growth. He noted that the Tourism Advisory Board is scheduled to meet at the end of this month.

### 3. Resolution

Consider approval of a resolution of the Board of Aldermen of the Village of Salado, Texas authorizing the Village of Salado to participate in the Bell County Regional Hazard Mitigation Plan. (*Village Administrator*)

Village Administrator Ferguson explained the need for approval from participating entities, including the Village of Salado, in order for FEMA to approve the Bell County Multi-Jurisdiction Hazard Mitigation Plan. He recommended approval of the resolution, which would allow entities to apply for mitigation project grant funding, once final FEMA approval of the Plan is obtained.

Mayor Blancett entertained public comments and none were heard.

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

#### 4. Ordinances

- A. Consider approval of the first reading of an ordinance of the Village of Salado, Texas repealing Ordinance No. 2013-05 and relacing it with Ordinance No. 2018-08 regulating signs; providing for the following: findings of fact, severability, penalties; repealer, an effective date, and proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson requested that this item be continued until the Board's regular meeting on June 21, 2018 to further refine the draft ordinance.

- B. Consider approval of the first reading of an ordinance of the Village of Salado, Texas, regulating the operation of mobile food vehicles in the Village of Salado; requiring a permit; providing for the following: findings of fact, severability, penalties; repealer, an effective date, and proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson provided an overview of the draft ordinance including key provisions that enhance public health, safety, and welfare, require restroom access, and significantly reduce the permit fee.

Mayor Pro-tem Brown requested addition of language mandating submission of records confirming that sales tax is being properly collected and reported. Brief discussion addressed impact of new regulations on renewal of existing permits and enforcement of the ordinance by Salado Police Department.

Mayor Pro-tem Brown moved to approve the ordinance on first reading, with the addition of the aforementioned language pertaining to sales tax collections. Alderman McDougal seconded. Motion carried on a vote of 4-1. Alderman Coggin voted against.

Village Administrator Ferguson stated applicants would be mandated to document sales tax reported to the State Comptroller's office from the previous year's sales in Salado. He said failure to provide such documentation would bar issuance of a permit.

- C. Consider approval of the first reading of an ordinance of the Village of Salado, Texas, amending Ordinance No. 2014.03 which regulates the operation of golf carts and utility vehicles on public streets to modify the definition of Village and to require driver's license and age requirements for operators of golf carts and utility vehicles on public streets; providing for the following: findings of fact, severability, penalties; repealer, an effective date, and proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson explained this amendment updates the reference to the Village of Salado's designation from a General Law Type B to a General Law Type A municipality, requires the driver must be at least 16 years of age, and requires drivers to hold a valid driver's license. He clarified that while a driver's license would be required, it does not have to be a Texas-issued license.

Alderman McDougal stated this would be a significant change for the community and felt that allowing someone younger than 16 years of age to drive should be the responsibility of the golf cart owner. He asked if this item was supposed to be accompanied by a survey and Mayor Blancett replied a survey was not discussed pertaining to golf carts.

Alderman Coggin said it might be more user-friendly to require that there be a licensed driver in the vehicle. Village Administrator Ferguson said the impetus for the draft ordinance came from citizens' requests. He pointed to the differences in the margin of error when driving on a public street, such as Main Street, versus driving on a golf course, and spoke to the ability of a licensed passenger to gain quick control of a vehicle, if needed. Alderman McDougal agreed that a licensed driver should be required on Main Street, but not all streets. Village Administrator Ferguson spoke of problematic aspects of applying the regulations to select streets and noted that one of the citizens requesting this amendment is present at tonight's meeting.

Larry Nathanson of 3901 Chisholm Trail, provided examples of 5-6 year-olds driving golf carts with their parents sitting next to them. As a COP member, he recounted incidents of kids driving golf carts at night in subdivision(s) with no parent present and their friends hanging out the back. Mr. Nathanson stated the importance of passing this regulation in the interest of safety for all individuals. He said we are asking for something serious to happen if this ordinance amendment is not passed. Discussion established that there were five written comments, in addition to Mr. Nathanson's letter, received by the Village from the public on this issue. Alderman McDougal expressed concerns regarding the impact to the Village if this ordinance amendment were approved and Mr. Nathanson said the impact would be to make Salado safer.

Mary Fiorenza recounted a near-accident about a year ago involving two little girls who were speeding around the Brookshire Brothers parking lot in a golf cart while their mother was inside the store. She spoke of past golf cart wrecks resulting in injuries to children and of the golf cart traffic on her street. She said there is every reason to require a driver's license.

Chisholm Trail resident Carol McDougal said this is a golf course community and an asset for Salado. She understood safety concerns, but felt as a grandmother, it is her right to determine whether her 10-year old grandson or any of her grandchildren, should be allowed to drive a golf cart, with her seated right beside him. She spoke of hearing about less government in our lives and said it is time to hold parents/grandparents responsible instead of punishing a whole community for the acts of just a minute few. She said she is a very protective grandmother and asked that her rights not be taken away because a few others are not doing their job. Mrs. McDougal stated that she saw both sides, but felt this is too much government.

Kayla Manning of 154 Dove Hollow understood the limitation on very young children, but offered as an example, a 14-year old who used a golf cart to get to and from babysitting jobs within Mill Creek, that did not entail driving on busy streets or crossing the interstate. She recognized safety issues, but felt there could be a compromise on lowering the minimum age requirement to something less than 16 years.

Discussion addressed concerns related to the Village's liability in the event of an accident; golf carts subject to State of Texas statutes regulating operation of bicycles, mopeds, etc; responsibility

of parent to decide when a child is ready to operate a bike or golf cart; obligation of golf cart drivers to follow traffic laws; setting of a reasonable minimum age requirement; and scheduling a possible workshop to further discuss this item.

Linda Reynolds of 507 Santa Rosa agreed with Ms. Manning's comments, and referencing the 14-year old referenced in those comments, said the benefits of riding a bike should be considered, as opposed to driving a golf cart.

Village Administrator Ferguson said it is imperative that the parent be required to sit next to the driver, and not in the back of the vehicle. In response to Alderman McDougal, Village Administrator Ferguson said filing of lawsuits is always possible, regardless of whether the Village is found to incur any liability. Alderman McDougal was concerned about the sudden impact to Salado as a golf course community, should this ordinance be approved.

Tim Fleischer read excerpts from a 2015 Amarillo Police Department document on golf cart regulations. Discussion between Village Administrator Ferguson and Alderman Coggin established that there is no legal way for a golf cart to cross the interstate due to speed limit-based State regulations. It was acknowledged that both sides on this issue have valid arguments and discussion favored holding a workshop during the Board's regular meeting on June 21, 2018.

- D. Consider approval of the first reading of an ordinance of the Village of Salado, Texas, regulating the keeping of chickens in the Village of Salado; requiring a permit providing for the following: findings of fact, severability, penalties; repealer, an effective date, and proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson advised the Board held considerable discussions in the past, but an ordinance was never formally adopted. He noted complaints received about chickens roaming at-large and said there can be public health and nuisance problems. Key provisions of the ordinance were reviewed, including issuance of permits; number of chickens allowed on certain lot sizes (rear yard only); enclosures; distance/zoning requirements; prohibition on roaming chickens/roosters; no slaughtering of hens; food storage precautions; exemptions (for veterinarians, shelters, etc.); \$300 fine per violation; permit fee of \$25 to be paid by the property owner/tenant; and need to provide a driver's license for identification purposes.

Discussion established that the Village does not enforce deed restrictions and that the most stringent applicable regulation controls.

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

## **5. Discuss and Consider Action**

- A. Discuss and consider possible action regarding past due late fees owed by the Holiday Inn Express on Hotel Occupancy Tax payments made for the quarters ending December 31, 2016 and June 30, 2017. (*Village Administrator*)

Village Administrator Ferguson explained circumstances surrounding the failure to pay late fees on the subject quarterly payments, which included a mailed payment that was not received by the Village. He noted that staff does not have the authority to waive late fees related to a tax, which is a responsibility of the Board of Aldermen. The taxpayer has indicated that he is willing to pay the late fees for the 2017 quarter in question, but not for the ending quarter of 2016. Previous city administration was contacted regarding past conversations with the taxpayer and it was determined that the late fees were not waived and there was not an attempt to collect them at that time. Mayor Pro-tem Brown expressed concerns about setting a precedent for others who paid late fees in the past and the possibility of a grievance being filed against the Village with the Texas State Comptroller or Attorney General. Village Administrator Ferguson replied that State taxes were paid, therefore, the State would be unlikely to intervene in any dispute between the property owner and the Village over late fees.

Holiday Inn Express owner Sunny Sayani stated all of his taxes were paid on time in 2016. After contacting the Village in 2016 about the check, which was never cashed, Mr. Sayani stated a new check was issued, but he was not told by then Interim Village Administrator David Miller that late fees were due. He said no one else was pursued for payment of late fees and felt he was being singled out. Village Administrator Ferguson had advised Mr. Sayani that this matter would be placed on an agenda for the Board's consideration. Mr. Sayani claimed that his requests for TxDOT/sewer-related information were not responded to in a timely manner. He said Holiday Inn Express collects the largest amount of Hotel Occupancy Tax for the Village and residents have always been referred to Village businesses. Mr. Sayani stated his 2017 late fee payment was not paid due to the lack of police patrols of his parking lot where numerous vehicle break-ins occurred that negatively impacted hotel business.

Mayor Pro-tem Brown reminded Mr. Sayani that the issues with TxDOT and police patrols of his parking lot (which is outside of the Village of Salado Police Department's jurisdiction) are irrelevant to payment of late fees. Mr. Sayani conveyed his earlier statement to Mayor Blancett that he has no problem paying the 2017 late fees, but withheld the 2016 late fee payment because of the car break-ins that occurred. Mayor Pro-tem Brown reiterated that it has been pointed out numerous times that the Holiday Inn Express is outside of the corporate limits of the Village and the jurisdiction of the Salado Police Department. Mr. Sayani said he is ready to come into the Village of Salado limits. Village Administrator Ferguson advised Mr. Sayani was provided the aforementioned requested information, including sitting in on a conference call with TxDOT, and stressed that no one has singled out Mr. Sayani, who is obligated to pay his taxes, whether or not payments are pursued by the Village. Village Administrator Ferguson confirmed that multiple discussions with Mr. Sayani have established Mr. Sayani's desire to annex his property once wastewater service is available. Mr. Sayani spoke on donating his current working wastewater system to the Village, if he is able to connect to the Village system. In response to Alderman Coachman, Village Administrator Ferguson replied there are no other taxpayers that owe late fees, other than Mr. Sayani.

Mayor Pro-tem Brown moved to not waive the past due late fees owed by the Holiday Inn Express on Hotel Occupancy Tax payments made for the quarters ending December 31, 2016 and June 30, 2017. Alderman McDougal seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding plans for the Independence Day fireworks display on Saturday, July 7, 2018, in Salado, Texas. (*Village Administrator*)

Village Administrator Ferguson recommended approval of the plans for the Independence Day festival to take place at Sherrill Park on Saturday, July 7, 2018. He noted that the low water bridge across Salado Creek will be closed to traffic during the fireworks show.

Alderman Jackson moved to approve the plans for the Independence Day fireworks display on Saturday, July 7, 2018, as presented. Mayor Pro-tem Brown seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action authorizing the Village Administrator to execute a contract with *Blackboard Connect* to provide mass communications services for the Village of Salado. (*Village Administrator*)

Village Administrator Ferguson reviewed the proposed agreement, which would offer a wide range of communications to reach community members via phone, text, email, Facebook, Twitter, etc. He explained the differences between the Code Red reverse 911 system, which is used primarily for emergency purposes, and *Blackboard Connect*, which will be used for more routine, non-emergency purposes. He provided details on messaging (priority/emergency versus non-priority), notification groups, activation procedures, community surveys, and system set-up.

In response to Alderman Coggin, Village Administrator Ferguson replied that if approved, implementation would take about 30-45 days. Discussion addressed the advantages of *Blackboard Connect*.

Alderman Coachman moved to authorize the Village Administrator to execute a contract with *Blackboard Connect* to provide mass communications services for the Village of Salado. Alderman Jackson seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action regarding a proposed *Village of Salado Community Notification System Operating Policy*. (*Village Administrator*)

Village Administrator Ferguson highlighted the policy needed to effectively manage use of *Blackboard Connect*.

Mayor Pro-tem Brown moved to approve the proposed *Village of Salado Community Notification System Operating Policy*, as presented. Alderman Jackson seconded. Motion carried on a vote of 5-0.

## **Adjournment**

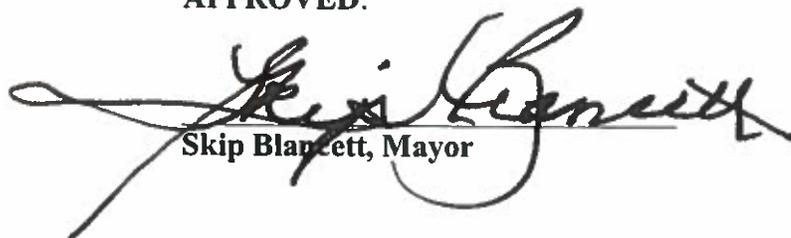
Mayor Blancett called the meeting adjourned at 9:00 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 21<sup>st</sup> of June, 2018.

APPROVED:

  
Skip Blawett, Mayor

ATTEST:

  
Cara McPartland, City Secretary

