

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

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

Alderman Coggin gave the Invocation and Mayor Blancett called for a moment of silence for the passing of former President George H.W. Bush. 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 Andy Jackson, Michael Coggin, and Michael McDougal.

Salado High School Student Representative Present: Grace Barker

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

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

Approval of minutes of the Regular Board of Aldermen meeting of November 15, 2018.

Alderman Jackson moved to approve the minutes, as presented. Alderman McDougal seconded. Motion carried on a vote of 4-0.

2. Status Reports

A. Village Administrator's Status Report

- Wastewater Project Update

Village Administrator Ferguson reported that sewer main construction is completed and work is wrapping up on the two lift stations. Formal tank testing will occur in the next 7-10 days. He reported on treatment plant construction progress. He anticipated completion of the collection system by mid-December and the treatment plant by mid-January. He said a Request for Qualifications (RFQ) has been issued for wastewater system operations, with responses due by 2:00 p.m. on Monday, January 7, 2019.

- Salado Plaza Drive Road Improvement Project

Village Administrator Ferguson reported a contractor has been secured and expected repairs to cost about \$4,500. It was noted there will be a need to close the street for a short period, as concrete will be used for repairs, rather than asphalt.

- Church Street Road Improvement Project

Village Administrator Ferguson reported the project has been completed at a cost of about \$58,000 and before/after photos were displayed.

- Christmas Stroll

Village Administrator Ferguson reported that this year's event was the largest ever, with perfect weather for the first weekend, and good sales reported by businesses. He noted that weather for the upcoming weekend is likely to include rainfall and extra officers will be on duty for Saturday.

- Salado ISD Property Annexation

Village Administrator Ferguson reported the ISD is working with the title company and surveyor to wrap up work on the metes and bounds description needed for the annexation petition, which is anticipated to be submitted to the Village in January. It was noted that a special meeting will be called in order to initiate design work for the ISD wastewater connections in order to facilitate construction in January. He reminded that the ISD is responsible for design/construction costs. He anticipated a funding agreement and construction contract amendment to be presented to the Board in January.

In addition, Village Administrator Ferguson reported on significant rainfall expected to impact Salado and monitoring of creek flooding.

B. Salado Police Chief Status Report

- Calls for service
- Citizens on Patrol Program
- Salado Police Reserve Program

Chief Ashe presented November 2018 increased calls for service, number of reports written, increase in citations/warnings issued, number of arrests (DWI/narcotics-related as a result of traffic stops), and response time averages.

Chief Ashe reported that Citizens on Patrol (COP) volunteers patrolled for 16 hours in 8 shifts over a 7-day period and found 6 unlocked business doors.

Chief Ashe reported on the hiring of new officer Joseph Jeffers who will start field training on December 9, 2018.

Chief Ashe thanked Salado High School faculty/students for installing a trellis at the Salado Police Department building to help define the walkway directing people to the public entrance. He said

the only issue with the Stroll was clearing the area after the parade. Extra help at crosswalks was provided by two Bell County Sheriff's deputies and extra light was provided by lights loaned by Bell County Sheriff's Department. He noted Sergeant Hicks received a public safety award from Sons of the American Revolution last month.

Chief Ashe also reported on: delivery of long guns; purchase of a 22-caliber rifle for the purpose of putting down deer; ordering of body cameras, delivery of new desktop computers; Stroll preparations; and receipt of \$2,100 check from Bell County District Attorney (from seizure funds).

There was brief discussion of recognition of COPs volunteers and students who worked on the trellis project.

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 November.

D. Tourism Director's Report

- Salado Marketing Plan Update

Tourism Director Chadley Hollas reported positive feedback was received on the first weekend of Stroll activities. He said that there are no numbers to report on the marketing plan as the first campaign just started. Discussion addressed the Tourism Advisory Board, its meeting schedule, large Stroll and parade crowds, and appreciation to Deanna Whitson and Kaye Coachman for their work helping to make Stroll a success.

3. Public Hearings and Possible Action

- Hold a public hearing and consider approval of an ordinance of the Board of Aldermen of the Village of Salado, Texas, amending the Comprehensive Plan Future Land Use Map to change the future land use category of approximately 8.44 acres in the H.W. Hurd Survey, Abstract No. 398, from Public (Municipal) within the Village's Historic District to Parks within the Village's Historic District; providing findings of fact; providing for enactment; repealing conflicting ordinances and resolutions; including a severability clause; establishing an effective date; and providing proper notice and meeting. (*Village Administrator*)

Mayor Blancett explained procedures for tonight's public hearings and speakers and opened the public hearing.

Village Administrator Ferguson briefed Board members on the proposed ordinance pertaining to Pace Park property, which is intended to make the Future Land Use Map consistent with the Comprehensive Plan. He advised that notice of the public hearing was published in the Salado

Village Voice, with no feedback received. He reminded that tonight's agenda items are not about rezoning of property, but to amend the Future Land Use Map, create two new zoning districts, and modify one definition in the Village's Zoning Ordinance.

Discussion between Village Administrator Ferguson and Alderman Coggin established that this ordinance was vetted by legal counsel and was unanimously recommended for approval by the Planning and Zoning Commission at its November 27, 2018 meeting.

Mayor Blancett announced the call for speakers three times. Hearing none, Mayor Blancett closed the public hearing.

Alderman McDougal moved to approve the ordinance, as presented. Alderman Jackson seconded. Motion carried on a vote of 4-0.

- B. Hold a public hearing and consider approval of an ordinance of the Board of Aldermen of the Village of Salado, Texas, amending the Comprehensive Plan Future Land Use Map to change the future land use category of approximately 1.18 acres in the H.W. Hurd Survey, Abstract No. 398, from Retail within the Village's Historic District to Parks; providing findings of fact; providing for enactment; repealing conflicting ordinances and resolutions; including a severability clause; establishing an effective date; and providing proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson stated this ordinance pertains to the property commonly referred to as Sirena Park. He explained the intent of the proposed ordinance is to make the Future Land Use Map consistent with the subject property's use.

Discussion established that this ordinance was fully vetted by legal counsel and unanimously recommended for approval by the Planning and Zoning Commission at its November 27, 2018 meeting.

Mayor Blancett opened the public hearing and announced the first call for public speakers.

Linda Reynolds of 507 Santa Rosa requested the following addition (see italics) to the ordinance: ". . . amending the Comprehensive Plan Future Land Use Map to change the future land use category of approximately 1.18 acres in the H.W. Hurd Survey, Abstract No. 398, from Retail within the Village's Historic District to Parks *within the Village's Historic District*; . . ." She stated reasoning for the additional language is to be consistent with wording of the ordinance presented in Agenda Item 3A.

Mayor Blancett announced the second call for public speakers.

Darlene Walsh of 1110 Mill Creek Drive questioned whether there was a need to survey or replat the subject property, and noted the acreage amount listed in Bell County Appraisal District (BCAD) records is over 2 acres. She also questioned why there is only one taxpayer ID number for the property when the Village and the Stagecoach Inn property owners have an agreement

relating to the parking lot, which she said divides the property into different types of future land use.

Mayor Blancett announced the third call for public speakers. None were heard.

Mayor Blancett closed the public hearing.

In response to speakers' comments, Village Administrator Ferguson said the aforementioned additional language relating to the Historic District can be added to the ordinance in the interest of clarification. He stated that a survey is not needed on the subject property to recategorize the property on the Future Land Use Map and noted single tracts of land can have several different zoning categories, nor does the Zoning Ordinance require metes and bounds descriptions for zoning of property. BCAD's assignment of property ID numbers, which as an example, can show common ownership of different tracts under one property ID number.

Brief discussion addressed easements for public access to the subject property.

Alderman McDougal moved to approve the ordinance, as recommended by staff. Mayor Pro-tem Coachman seconded. Alderman Coggin requested to add the additional abovementioned language regarding the Historic District to the motion. Aldermen McDougal and Coachman agreed to the additional language per Alderman Coggin's request. Motion carried on a vote of 4-0.

- 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 creating a zoning district for Public Facilities 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 and providing an effective date; and providing proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson explained that the Village's Comprehensive Plan has multiple sections referencing public facilities, but there is no such zoning district listed in the Village's Zoning Ordinance. He said there is a need to create a Public Facilities zoning district in order to properly zone publicly owned/operated properties. He noted that this zoning district would still be required to comply with all parking, landscaping, and development standards as outlined in the Zoning Ordinance. He provided examples of permitted uses for Public Facilities zoned properties. He advised that the Planning and Zoning Commission unanimously recommended approval following its public hearing on November 27, 2018.

Mayor Blancett opened the public hearing and announced the first call for speakers.

Bryan Fritch of 2519 Hester Way spoke of the history of the Mill Creek Golf Course's zoning as residential before and after the Village's incorporation. Mr. Fritch commented on efforts undertaken by the current golf course owners to sell the subject property and was cautioned by Village Administrator Ferguson to keep comments relevant to this agenda item. Mr. Fritch said that his comments provide basic background information and continued to cite specific appraisal information and associated concerns of potentially affected surrounding property owners. Mr.

Fritch strongly urged the Board to create the proposed zoning district that the golf course would fall under. Village Administrator Ferguson reminded that this agenda item is to create a Public Facilities zoning district and not to rezone the golf course property.

Mayor Blancett announced the second and third calls for public speakers. Hearing no further speakers, Mayor Blancett closed the public hearing.

Discussion between Alderman Coggin and Village Administrator Ferguson established that the Salado Public Library, as well as other governmental properties, could be zoned Public Facilities subject to required zoning procedures. In response to Alderman McDougal, Village Administrator Ferguson stated that creating this zoning district would allow for the library to be zoned to match its use. It was noted that this agenda item has been fully reviewed and approved by the Village's legal counsel.

Alderman Jackson moved to approve the ordinance, as presented. Mayor Pro-tem Coachman seconded. Motion carried on a vote of 4-0.

- D. 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 creating a zoning district for Private Recreation and amending the Use Regulations Chart; repealing any ordinance in conflict therewith; providing for a penalty; providing a severability clause; providing for publication and providing an effective date. (*Village Administrator*)

Village Administrator Ferguson said multiple properties are identified in the Village's Comprehensive Plan as being private recreation, but no such zoning district has been created in Village's Zoning Ordinance. He noted that this zoning district, if approved, would still be required to comply with all parking, landscaping, and development standards as outlined in the Zoning Ordinance. He cited types of permitted uses allowed and advised the Planning and Zoning Commission recommended to not approve the proposed ordinance to create a Private Recreation zoning district on a vote of 3-2 at its November 27th meeting. Village Administrator Ferguson recommended approval.

Mayor Blancett opened the public hearing and announced the first call for public speakers.

Bryan Fritch apologized for speaking earlier on the wrong agenda item. He added the following to his earlier comments: "I find it very strange that those currently opposed to changing the zoning of the Mill Creek Golf Course to recreational are the same people, who not long ago, were touting the immense benefits the golf course brought to the community. To not change the zoning of the Mill Creek Golf Course to recreational, something that should have been done years ago, would be a thumb in the eye to every property owner who bought or built in this area, partly because of the golf course. The only reason I can see leaving the residential zoning in place is to facilitate the sale of the golf course property to housing developers or for the ownership group to develop it themselves."

Mill Creek Golf Course property owner, Ron Gravette, P.O. Box 1289, Salado, Texas, said "this is a proposal for changing the zoning on private property" and described it as a ludicrous

designation. He said it makes no sense and makes it extremely onerous for the Mill Creek Country Club group to operate in an effective and positive fashion and to ensure the property is well-taken care of. He stated the property's use is as a semi-private golf course with a restaurant and liquor license. He likened the changed of zoning of the golf course property to changing the rules for the G.I. Bill for the military or to changing the rules for Social Security. He stated that this is an overreach by government and said "you are the government." Mr. Gravette noted Village Administrator Ferguson's citing of golf courses, parks, health clubs, and driving ranges as part of the list of permitted uses, and said that Mill Creek golf course is the only facility that fits that description. He felt that this item is specifically targeted to damage the property rights of Mill Creek Country Club, LLC. He stated this activity is "in direct violation to the Fifth Amendment to the Constitution." He said it will lower his property's value and there will be punitive damages demanded, should the Board "make this decision."

Mayor Blancett announced the second call for public speakers.

Mill Creek Golf Course property owner, Billy Helm, P.O. Box 1162, Salado, Texas, said "the real deal is it's private property, we own the property, we should be able to do whatever we want to do." He referenced "this administration" and "existing and future memberships" as "trespassing on our private property." He spoke of spending millions of dollars to provide a service for the community that "everybody begged us to do." He closed by stating if the Board wants to override Planning and Zoning's recommendation, then "we'll do what we need to do."

Village Administrator Ferguson clarified that this item is to create a Private (as opposed to Public) Recreation zoning district and read the entire list of twenty permitted uses included in the proposed ordinance.

Mayor Blancett announced the third call for public speakers. Hearing none, Mayor Blancett closed the public hearing.

Village Administrator Ferguson requested that if the Board desires to approve the ordinance, to include the following change to Exhibit A in the motion: "10. Park (Private ~~or Public~~)"

Discussion between Alderman McDougal and Village Administrator Ferguson established that this item is not about re-zoning of Mill Creek Golf Course, but is to create a zoning district based on a use listed in the Village's future land use plan. He noted that zoning/rezoning actions may happen in the future to properly zone properties according to existing or proposed land use. Alderman McDougal said many people expressed concerns that the golf course might go away and were particularly concerned about possible future owners of the golf course. He cited specific comments made to him by those concerned about the future of the golf course property and its value to the community and to individual property values. Village Administrator Ferguson clarified that the Village can initiate zoning/rezoning or a property owner can petition the Village to zone/rezone a property and reminded that zoning decisions can be changed through the zoning process. Alderman McDougal expressed confidence that the current owners will keep the golf course operating for as long as they own it and felt that people are not concerned about the current owners, but are concerned about possible future owner(s). Discussion emphasized that this agenda item is not about rezoning of the golf course, but is to create a Private Recreation zoning district, and does

not change the zoning of the golf course. It was noted that extensive discussions with legal counsel were held on the proposed ordinance.

Alderman McDougal moved to approve the ordinance, as presented. Alderman Jackson seconded.

Alderman Coggin felt that recommendations from the Planning and Zoning Commission need to be respected and noted there was a 3-2 vote against approval. However, he said that approval of this ordinance does not change the golf course property's zoning.

Motion carried on a vote of 4-0.

- E. 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 amending Section 5 Definitions; providing findings of fact; providing for enactment; repealing any ordinance in conflict therewith; providing for a penalty; providing a severability clause; providing for publication and providing an effective date; and providing proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson explained the following proposed amendment would allow for more flexibility for owners of private recreational facilities, as it removes part of the definition relating to exclusive use versus use by the general public:

“Private Recreation Facility or Private Park: A recreation facility, park or playground which is not owned or operated by a political subdivision, ~~and which is operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public.”~~

He advised that the Planning and Zoning Commission voted 3-2 to recommend approval of the definition change at its November 27th meeting. Discussion between Mayor Pro-tem Coachman and Village Administrator Ferguson established that the amended definition cleans up the Village Zoning Ordinance to eliminate issues with public play at the golf course and with Sherrill Park.

Mayor Blancett opened the public hearing. After announcing three calls for public speakers, none were heard. Mayor Blancett closed the public hearing.

Alderman McDougal moved to approve the ordinance, as presented. Alderman Jackson seconded. Motion carried on a vote of 4-0.

Brief discussion addressed work underway by the Comprehensive Plan Update Committee to update and correct any inconsistencies in the plan.

4. Discussion and Possible Action

- A. Discuss and consider possible action regarding the proposed purchase of grinder pumps for the Salado Wastewater System. (*Village Administrator*)

Village Administrator Ferguson explained conditions that will require some initial customers to have grinder pumps installed in order to receive wastewater service. He said plans call for the Village to purchase the grinder pump stations for the subject customers, who will be required to install and maintain those stations. He stressed the importance of uniformity of stations and installation in order to avoid issues that may void warranties. After extensive research, he recommended purchase of E/One grinder pump stations, which are designed to handle commercial and residential waste, and provided details on specifications, including the station's unique electronic sensor and five-year warranty. It was noted that the uniqueness of the electronic sensor design feature qualifies this as a sole source purchase. Staff's recommendation is for purchase of thirty-nine (39) E/One grinder pump stations from Environmental Improvements, Inc. of Buda, Texas at a cost of \$4,200 per station for a total cost of \$163,800, to be paid from wastewater bond proceeds. He advised plumbers will be required to go through a brief training course on installation to preserve the station warranties.

Discussion addressed the favorability of using a vendor with a highly recommended track record and immediate response capability; agreement assigning responsibility to customer for installation/maintenance; grinder pump locations; acquisition of grinder pumps for initial system connections; and intent to lessen burden on customers through the Village's purchase of grinder pumps.

Mayor Pro-tem Coachman moved to approve the sole source purchase of thirty-nine (39) E/One grinder pump stations from Environmental Improvements, Inc. of Buda, Texas. Alderman Jackson seconded. In response to Alderman McDougal's inquiry, Village Administrator Ferguson confirmed that the unique technology of the electronic sensor qualifies this as a sole source purchase exempt from competitive bidding requirements. Motion carried on a vote of 3-0. Mayor Pro-tem Coachman brought up a possible conflict of interest and withdrew his motion. Alderman Jackson restated the aforementioned motion as presented by Mayor Pro-tem Coachman, to approve the sole source purchase of thirty-nine (39) E/One grinder pump stations from Environmental Improvements, Inc. of Buda, Texas. Alderman Coggin seconded. Motion carried on a vote of 3-0. Mayor Pro-tem Coachman abstained.

- B. Discuss and consider possible action approving Amendment No. 6 (Church Street Reconstruction) of the contract with McLean Construction of Killeen, Texas relating to construction of the Salado Wastewater Collection System. (*Village Administrator*)

Village Administrator Ferguson explained the need for the contract amendment due to the planned extension of wastewater service to Salado ISD schools. He stressed that this amendment is an opportunity to keep the contractor on board at current contract pricing without having to re-bid the contract to extend service to Salado ISD and is not the result of project delays, as the contractor is finishing on schedule. He noted there is no additional cost to the Village for this 70-day extension.

Discussion addressed a 90- versus 70-day extension and confirmed there is no additional cost to the Village.

Alderman Coggin moved to approve Amendment No. 6 (Church Street Reconstruction) of the contract with McLean Construction of Killeen, Texas, as presented. Alderman McDougal seconded. Motion carried on a vote of 4-0.

Brief discussion addressed procedures for possible future connections to the wastewater system.

- C. Discuss and consider possible action appointing David Hays to the Village of Salado Tourism Advisory Board. (*Village Administrator*)

Village Administrator Ferguson recommended approval of the appointment of David Hays to replace Sam Halabi, who recently resigned from the Board.

Alderman McDougal moved to approve the appointment of David Hays to the Tourism Advisory Board. Mayor Pro-tem Coachman seconded. Motion carried on a vote of 4-0.

- D. Discuss and consider possible action authorizing the Village Administrator to develop and implement a Village of Salado Leadership Academy. (*Village Administrator*)

Village Administrator Ferguson detailed the proposed hands-on learning program, including curriculum and timeframe.

Alderman Coggin moved to approve authorizing the Village Administrator to develop and implement a Village of Salado Leadership Academy. Alderman Jackson seconded. Motion carried on a vote of 4-0.

- E. Discuss and consider possible action accepting the resignation of Salado Police Chief Rick Ashe. (*Village Administrator*)

Village Administrator Ferguson spoke highly of Chief Ashe's long tenure in law enforcement, as well as his service as a former mayor of the Village of Salado, and his family's active community involvement. He noted that Salado Police Department under Chief Ashe has significantly reduced its turnover rate. He wished Chief Ashe much success in his future position as police chief in Kenedy, Texas and stated it is likely an interim chief will be appointed pending hiring of a replacement.

Chief Ashe thanked the Board and Village of Salado for their support and for the opportunity to serve. He said this is a good move professionally, as he will be in charge of a much larger department/support staff.

Mayor Pro-tem Coachman moved to accept the resignation of Salado Police Chief Rick Ashe, with a heavy heart and much gratitude and appreciation for his service to the community. Alderman Jackson seconded. Motion carried on a vote of 4-0.

Mayor Blancett thanked Chief Ashe for putting Salado's Police Department back together and for an outstanding job. He wished him well in his new position.

Before adjournment by Mayor Blancett, Alderman McDougal distributed a copy of correspondence submitted to him by John Cole immediately prior to tonight's meeting regarding surface conditions of newly resurfaced Indian Trail. Also, there was a brief reminder of this weekend's Army-Navy game.

Adjournment

Grace Barker moved to adjourn. Alderman Coggin seconded. Mayor Blancett called the meeting adjourned at 8:22 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 3rd of January, 2019.

APPROVED:



Skip Blancett, Mayor

ATTEST:



Cara McPartland, City Secretary

