

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – FEBRUARY 6, 2013 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

CALL TO ORDER.

Mayor Hill called the meeting to order at 6:30 P.M.

Councilors Present: Chuck Ring, Rita-Loy Simmons, Sherry Abraham, John Abrams.
Also present was Ms. Kay Davis, Administrator, Ms. Estefanie Muller, CMC, Clerk-Treasurer, and Mr. Marcus Rael, Town Attorney.

PLEDGE OF ALLEGIANCE.

1. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the Agenda as presented.
Councilor Ring seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Abrams voted aye. The motion carried.

2. APPROVAL OF CONSENT AGENDA.

A. Approval of the Regular Council Meeting Minutes of January 16, 2013.

B. Acknowledge Receipt of the Planning & Zoning Commission Meeting Minutes of January 23, 2013.

Mayor Hill indicated the Planning & Zoning Meeting Minutes were not available at this time and requested an amendment to the Consent Agenda motion.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda omitting Item 2B the receipt of Planning & Zoning Meeting Minutes.
Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Ring voted aye. Councilor Abraham vote aye. Councilor Simmons voted aye. The motion carried.

Mayor Hill stated he is having the minutes transcribed verbatim which takes a bit longer but would make them available as soon as they were complete. He added it is important for the Council to have a clear idea of the interaction between the public, staff and the Commission.

3. MATTERS FROM THE MAYOR.

A. Proclamation – Honor Mr. Chester Hill’s 90th Birthday.

Councilor Ring read the Proclamation honoring Mr. Chester Hill and Mayor Hill presented the proclamation to him.

Mayor Hill stated he would like to continue to honor the Elders of the Community in this

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fashion, and more would come forward. He also took this time to recognize the birthdays of members of the Council including himself and added his wife had provided cupcakes and coffee for the occasion.

B. Pending Legislation regarding Public Agendas.

Mayor Hill reviewed this item stating the Legislation would likely pass requiring Public Agendas be posted a minimum of 72 hours prior to the meeting.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons discussed a meeting at the Santa Fe Senior Center in which Commissioner Anaya attended regarding a Community Garden.

Councilor Ring discussed the meeting of NCRD on February 1, 2013 regarding their annual audit. He also discussed the Food Pantry fund raiser event that successfully raised almost \$6,000.00 which will fund the organization for another year. He thanked everyone who contributed to the event.

Councilor Abrams stated he had been working on the Town Website. He has asked the Council and some Town staff to proofread the site and is hoping to launch the site officially very soon. He also discussed the Santa Fe County Health Planning & Policy Commissions work on the final draft of the current State of Health which includes recommendations to the County Commissioners. He stated there would also be some forward motion of the Edgewood Trail system soon and was hopeful the Council would consider a budget amendment or Resolution to assist with some of the funding.

Councilor Simmons stated she had provided a copy of a proposed Resolution for funding of the Interstate Stream Commission to help with Regional Water Plans. She asked if the Mayor could bring this forward.

Mayor Hill responded they could not move on it this evening but he would make copies available for the Councilors and requests it be placed on the next Agenda.

Mayor Hill also discussed the Ground Breaking Ceremony for the Equestrian Facility stating this was going to be a wonderful addition to the community.

5. MATTERS FROM THE ATTORNEY.

A. Matters from Court of Appeals.

Mr. Rael reviewed the letter the Town received regarding the In-Fill Annexation decision from the Court of Appeals stating it had been denied. He explained the process and the details of the decision. He added this was a decision he was not happy with and did not feel the Town Council and Citizens would be either.

Mayor Hill responded stating the Council should take some time to absorb the decision and decide if it is still in the interest of the Town and the residents to pursue this further now that quite a bit of time has gone by. He added the issue goes beyond the Town of Edgewood but impacts other municipalities in the way the process was handled. He stated they do need to have a discussion and make a decision by February 25, 2013.

Councilor Ring expressed concern for the individuals who may have made decisions based on the assumption the annexation would or would not come through. He added there are some in the community who probably like a better closure to the issue. He stated he was not inclined to just let this denial stand.

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Councilor Abrams expressed his disappointment at the length of time this has drawn on and requested an opportunity to read the details of the decision. He added that the Towns boundary and territorial issues are fairly unique and it may be in our best interest to pursue a unique solution with the Commission and the State. This needs to be resolved because providing services to the community is our responsibility and its' difficult to do that with the current swiss cheese borders we have.

Mayor Hill responded the Boundary Commission was created by Legislative action and State Law and therefore the question is, what was the intent of the Legislature. He added there is clearly a flaw in the system but this may be a good opportunity for the Town to evaluate its role in helping to remedy the problem for itself and other municipalities in the future.

Councilor Simmons agreed stating there is a complete disconnect, and the time taken for the final ruling has no connection to the original intent of uniting neighbors on one side of the street to the other.

Mayor Hill stated they would discuss this in more detail in closed session but would also have discussion with the Municipal League over the next week and come up with a plan and decision at the next meeting.

6. MATTERS FROM THE MUNICIPAL JUDGE.

A. Judge White will present his report for the month of January, 2013.

Judge White presented his monthly report to the Council. He also thanked Mr. Chester Hill for his service and for providing for our freedom. He also discussed an article in the paper regarding the seizure of income tax returns from individuals who own money to the Courts. He discussed the reasons this may not be a good idea and offered to answer questions regarding this and his report.

Councilor Ring asked about the on line citation payments.

Judge White responded there was a small service fee of a little less than 6% and but were seeing an increase in people utilizing the online payment option.

Councilor Simmons stated that Councilor Ring and Judge White had also served our Country and thanked them.

7. PUBLIC COMMENTS OF GENERAL MATTERS.

Mr. Carl Calamia asked about Williams Ranch Road and if there had been a decision about speed humps.

Ms. Kay Davis responded they had concluded that placing two speed radar signs was the best option and she would be providing more information on them to the Council at a later date. There would be one sign facing each direction.

Mayor Hill responded that he was surprised at the reasonable cost for these signs as compared to the speed humps and feels this is a better solution.

Councilor Ring added the Police Department would be adding more officers and this would help all over the Town.

Mr. John Bassett acknowledged Mr. Chester Hill and his service and provided a handout for the Council regarding a revision of the Subdivision Ordinance that the Planning & Zoning Commission had been working on. He stated they had agreed at the last P & Z meeting to pass this forward to the Land Use Committee.

Ms. Arianna Abrams discussed trails and safety for pedestrians and equestrians along the newly paved roads.

Councilor Ring pointed out that Councilor Abrams father was a pilot in the Vietnam War and he was shot down and killed, another hero people may not be aware of.

Mayor Hill stated there is a lot of sentiment on The Council tonight expressing pride in our parents and children and added he is proud to be part of a community that experiences input from all the generations.

8. REVIEW AND DISCUSSION FOR SUBMITTAL OF GRANTS – Mr. Tappan Mahoney, Dennis Engineering.

A. Local Government Road Fund and Municipal Arterial Project (MAP).

Mr. Tappan Mahoney of Dennis Engineering provided an update on grant applications that were made on behalf of the Town. He outlined road improvements and construction that has taken place over the last 5 years utilizing funds from the MAP and the COOP programs as well as the Town. He explained in detail how the programs work and funds are distributed. He added it was time to begin the next round of applications and just needed to know what direction the Mayor and Council would like to go.

Mayor Hill stated Mr. Henninger, Road Supervisor had provided his suggestions and felt they could come back at the next meeting with some specific recommendations for Mr. Mahoney.

Councilor Ring asked if funds from either of these programs could be used to improve the trails along the roads.

Mr. Mahoney responded that it would have to be in conjunction with new road improvements and could not be used to create or improve trails along roads that have already been done.

Councilor Simmons asked if the MAP could be made available in the Town Office so they may study it further.

Mr. Mahoney stated it could be.

B. Road Identification for Legislative Request.

Mayor Hill reviewed this item for the Council stating the Legislature is requesting the Town specify which road or roads they will improve in order to be considered. He added the Legislators suggested identifying a specific road and also to indicate if the planning has been done for that road in order to have a better shot at receiving funds.

Councilor Simmons suggested Venus Road either East or West.

Mayor Hill stated he felt Venus East should be a priority in light of the amount of time and money the Road Department invests every year in maintenance.

Councilor Abrams stated there is still a portion of Church Road which was not completed because they did not receive MAP funds for it. He felt that finishing that project should be a priority.

Councilor Ring stated he agreed with both, that East Venus and the portion of Church should be considered.

Mayor Hill asked if there were any objections from the Council in identifying East Venus for the Capital Outlay for the Legislature or should they list both.

MOTION: Councilor Simmons made a motion to establish East Venus as #1 priority for improvements through Capital Outlay. Councilor Ring seconded the motion.

Mr. Carl Calamia asked about funds allocated for Church Road and if West Venus did not create dust that affected East Venus.

Mayor Hill responded they had applied for funds for Church Road but did not receive them and West Venus has a paved section that reaches to 344 and therefore the dust from West Venus is too far west to affect East Venus.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Abrams voted aye. The motion carried.

MOTION: Councilor Abrams made a motion to apply for MAP or Grant Funding for the completion of Church Road. Councilor Ring seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Abrams voted aye. The motion carried.

9. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Mayor Hill called for Public Hearing and asked if notice had been posted as required. Ms. Muller certified that it had.

A. Consideration for amendment to the Town of Edgewood Personnel Ordinance No. 2003-05, Section 2.28.100. L. Overtime.

Mayor Hill stated in keeping with the theme of the evening, Ms. Davis also has a son that has served in Iraq and was awarded two Bronze Stars.

Councilor Simmons stated her son served in Desert Storm.

Ms. Davis reviewed this item for the Council explaining the number of hours they must accrue before they can cash it in. She explained the officers are being asked to work a lot of overtime while the department is short staffed and that these hours are a financial liability, therefore it would be in the interest of the Town and its officers to allow this payout.

Mayor Hill asked for public comment at this time.

Mr. Carl Calamia stated he was in agreement with the payout of comp time.

MOTION: Councilor Ring made a motion to approve Amendment to the Town of Edgewood Personnel Ordinance No. 2003-05, Section 2.28.100.L. Overtime. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Abrams voted aye. The motion carried.

10. MATTERS FROM THE ADMINISTRATOR/PLANNER.

A. Discussion of Planning & Zoning Commission.

Ms. Kay Davis reviewed this item for the Council stated there are a couple of individuals who have expressed an interest in serving on the Commission. She asked the Council if they had anyone they could recommend to serve as well.

Mayor Hill stated they are still actively seeking individuals to serve but understands it is a big commitment. He added one of the individuals would only be able to serve if the meeting was held on a different night and if there was no objection he may consider moving the meetings to Tuesday nights. He asked to schedule a time with Councilor Abraham to discuss some options and they may consider opening it up to people who live in the extra-territorial part of the Town to help encourage participation. He stated the main objective is to serve the interest of the Town, land owners and their applications.

11. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – February 20, 2013 @ 6:30 P.M.

B. Regular Council Meeting – March 6, 2013 @ 6:30 P.M.

C. Regular Council Meeting – March 20, 2013 @ 6:30 P.M.

Mayor Hill reviewed this item for the Council.

Councilor Abraham asked about a list of the upcoming Town events.

Mayor Hill responded they would be bringing this forward soon and they would also need to be looking at the budget timeline for the next few meetings.

Councilor Ring asked about checking into the amount that was donated to the Animal Control.

Ms. Muller indicated it was around \$14,000.00 to date.

12. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(7) the following will be discussed in Closed Session.

Pending Litigation.

MOTION: Councilor Ring made a motion to enter into Closed Session. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Abrams made a motion to come back into Open Session. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

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Councilor Abrams affirmed only the item listed was discussed and no action was taken.
Mayor Hill affirmed only the item listed was discussed and no action was taken.
Councilor Ring affirmed only the item listed was discussed and no action was taken.
Councilor Abraham affirmed only the item listed was discussed and no action was taken.
Councilor Simmons affirmed only the item listed was discussed and no action was taken.

13. FUTURE AGENDA ITEMS.

Mayor Hill asked for a consensus to make an administrative decision regarding the recent Court of Appeals decision.
All Councilors agreed.

14. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn. Councilor Ring seconded the motion.

VOTE: All Councilors voted aye.

Mayor Hill adjourned the meeting at 8:10 P.M.

PASSED, APPROVED and ADOPTED this 20th day of February, 2013

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer