

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JUNE 15, 2016 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - 27 E. FRONTAGE ROAD

• **CALL TO ORDER.**

Mayor Bassett called the meeting to order at 6:30 p.m.

Councilors Present: Chuck Ring, Sherry Abraham, and John Abrams

Councilors Not Present: Rita Loy Simmons

Also Present: Deputy Clerk Linda Holle, Attorney Robert White, and Rebecca Sanchez

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the Agenda.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

2. ORGANIZATIONAL MEETING.

A. Approval of Library Advisory Board Chairman.

Mayor Bassett announced Mrs. Barbara Holden has offered to serve as the Library Advisory Board Chairman. The position has been vacant for almost one year. At the Library Advisory Board meeting on May 19, 2016, a motion was made to nominate Mrs. Holden the new Chairman. The motion passed. The Mayor brought forth for Council's approval, Barbara Holden as Chairman of the Library Advisory Board.

MOTION: Councilor Ring made a motion to approve Mrs. Barbara Holden as the Library Advisory Board Chairman.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

3. APPROVAL OF CONSENT AGENDA.

A. Approval of the Draft Regular Council Meeting Minutes of June 1, 2016.

B. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes of June 6, 2016.

C. Acknowledge Receipt of the Draft Library Board Meeting Minutes and Library Report for the month of May 2016.

D. Acknowledge Receipt of the Draft Parks & Recreation Committee Meeting Minutes for the months of April and May 2016.

E. Acknowledge Receipt of the Draft Animal Control Advisory Board Meeting Minutes for the month of May 2016.

F. Acknowledge Receipt of Judge White's Report for May 2016.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. Approval to Hire Police Chief.

Mayor Bassett offered for Council's consideration and approval, Mr. Ronald Crow, as the new Police Chief. He stated Mr. Crow is currently employed by the Santa Fe County Sheriff's Department and is a local resident and graduate of Moriarty High School. Mr. Crow was introduced and spoke about his accomplishments and experience. After Council's vote to approve Mr. Crow's hire, Mayor Bassett announced the new Chief would begin his employment with the Town in early July. Arrangements will be made for his swearing-in at that time.

MOTION: Councilor Abraham made a motion to offer the Chief of Police position to Mr. Ronald Crow.
Councilor Abrams seconded the motion.

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

B. BMX Park Update.

Mayor Bassett stated insurance for the BMX Park will cost the Town \$500 per year. He advised the Park will need to be monitored to ensure it is safe. No motorized vehicles will be permitted.

Councilor Rita Loy Simmons arrived at 6:39 pm.

C. Banning Fireworks

Mayor Bassett stated a letter was received from the Governor's Office advising the Town consider a ban on fireworks. The Town usually follows Santa Fe County's lead. The County passed a Resolution yesterday proclaiming severe drought conditions and banning fireworks in certain areas. Mayor Bassett asked Council if they would like to enact a similar resolution, given the fact of the Dog Head Fire in the area. He stated the 72-hour rule would need to be honored to call a Special Meeting to put a Resolution on the Agenda. Councilor Simmons inquired whether the meeting could be conducted via phone. Councilor Abraham requested a Special Meeting be called to act on the proposed resolution. Councilor Simmons wanted to address the matter during the current meeting and asked for the Legal Counsel's input. Attorney Mr. Robert White stated this matter could be addressed in an Emergency Meeting but that would require a 24-hour notice. He stated scheduling a Special Meeting, with a 72-hour notice would be the better option; the statute addressing Emergency Meetings calls for an immediate threat. Councilor Ring asked Mr. White if the Dog Head Fire would be cause to call for an Emergency Meeting.

Mr. White stated he did not believe this specific fire was caused by fireworks and he would be more comfortable if a Special Meeting was called to address the ban on fireworks. The Council discussed holding a Special Meeting on Saturday, June 18, 2016 at 8:00 pm at the Town Offices. Mr. White stated the 72-hour notice would begin at the time of posting. The Governing Body then discussed other options and decided it would be best to have the Special Meeting on Monday, June 20, 2016 at 7:00 pm at the Town Offices.

MOTION: Councilor Simmons made a motion to have a Special Meeting on June 20, 2016 at 7:00 pm at the Town Offices to address the ban on fireworks. Councilor Ring seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

D. Alternate Judge Update

Mayor Bassett stated the Town of Edgewood received letters of interest from two applicants for the Alternate Judge position, only one of whom was a qualified elector, as defined by NMSA 1978 § 3-1-2. Councilor Abraham asked whether more applicants might apply if the deadline was extended. Councilor Abrams stated since this was not an item on the agenda, Council could not take any action. He recommended extending the deadline and reposting the position to obtain a larger pool of applicants.

E. Wal-Mart Update

Wal-Mart District Manager, James Torres, contacted Mayor Bassett to inform him Wal-Mart was reviewing the Town's request to change the exterior paint scheme back to the original colors of green and brown. Mr. Torres believes upper management will agree to the request but has nothing concrete to report yet. Mayor Bassett stated he spoke to Mr. Torres about the trash in the vicinity and suggested Wal-Mart consider installing some fencing to contain some of the fugitive trash.

F. Engineering Proposals

Mayor Bassett stated the Selection Committee is reviewing the engineering proposals and may have something to report next meeting.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Ring stated he is working to obtain funding to build a new 28,000 sq. ft. Medical Center west of the Santa Fe County Fire Station.

Councilor Abraham suggested taking another look at what the Town is doing with its administrative staff. Upon her review of the following job descriptions: Town Administrator, Planning and Zoning Administrator, Clerk-Treasurer, and Deputy Clerk, Councilor Abraham found some of them to be duplicative. Some positions are doing jobs not covered in the job descriptions. She also stated a concern with consistency in advertising positions; that job ads should match the job descriptions. Councilor Abraham's concern with the Planning and Zoning Administrator job posting is that it calls for qualifications that are not requirements in the job description, which might limit our candidates. Councilor Abraham also expressed concern that the pay code for the

Planning & Zoning Administrator, which is currently being advertised, is higher than the pay code for the Clerk/Treasurer, and does not have near the same job requirements and responsibilities as the Clerk/Treasurer.

Councilor Simmons announced her attendance at the Estancia Basin Water Planning Subcommittee meeting, where work is being done to complete a state water planning template.

Councilor Abrams expressed his appreciation that the Planning and Zoning Commission has picked up Resolutions 2012-01 and 2012-02 for review.

**6. ESTANCIA VALLEY ECONOMIC DEVELOPMENT ASSOCIATION (EVEDA)
– Ms. Myra Pancrazio**

Ms. Pancrazio thanked Mayor Bassett for hosting EVEDA's annual meeting at Alta Maes in May and introduced Betty Cabber, EVEDA's Chairman and Torrance County Assessor. Ms. Pancrazio announced it was time to renew the Professional Services Agreement between the Town and EVEDA. She stated it is identical to the agreements with all the surrounding communities, thus EVEDA does not play favorites. Ms. Pancrazio stated EVEDA had assisted three new businesses in locating to the Town of Edgewood in the last two months and the Association had been working with a retail franchise for the past eighteen months. She informed Council there is a big investor on EVEDA's Board by the name of Brycon Construction, who finances projects such as hospitals and big office complexes. Regarding Councilor Ring's earlier mention of a Medical Center project, she recommended the Council talk to Torrance County about the project to see what the two governments could do together. She stated on June 29th the Wind Project will make its first PILOT (payment in lieu of taxes) payment to Torrance County. Ms. Pancrazio applauded the Edgewood Town Council for passing the GRIP (Gross Receipts Investment Policy) Ordinance, as it is an incentive to small businesses to open up in rural areas. Per Ms. Pancrazio, to attract foreign manufacturers one must be in a foreign trade zone. Albuquerque requested a ninety mile extension of their foreign trade zone which now includes Edgewood as well as all of Torrance County. There is interest in the I-40 corridor here for warehouse opportunities, as there is easy on and off access to the highway. EVEDA has a new website with up-to-date demographic data at all times.

7. MATTERS FROM THE ATTORNEY.

A. Infill Annexation Appeal

Attorney Robert White stated on May 27th an appeal was filed regarding the Municipal Boundary Commission's decision on the infill annexation. He stated the appellant has thirty days to file a statement of issues, which runs out next week.

8. TOWN OF EDGEWOOD POLICE REPORT – Interim Chief Kuchan.

A. Police Report and Animal Control Report for the month of May 2016.

Interim Chief Kuchan summarized the Police and Animal Control Reports and provided a breakdown of data by Beats with Beat #2 being the busiest. The Animal Control Division took in eleven animals, reclaimed two and adopted out three. Volunteers donated 37.5 hours in the Animal Shelter. Councilor Ring inquired about shop-lifting calls, since he

did not see any listed in the report. Interim Chief Kuchan stated the reporting system does not break out calls for shop-lifting. Mayor Bassett expressed his appreciation to Interim Chief Kuchan for his service and leadership during the transition between Police Chiefs. Interim Chief Kuchan concluded by welcoming Mr. Ronald Crow as the new Edgewood Police Chief.

MOTION: Councilor Abrams made a motion to accept the Police and Animal Control Reports for the month of May 2016.
Councilor Simmons seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

9. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Ms. Julia Wood spoke about banning fireworks. She stated the State of Arizona has not allowed personal fireworks for decades and said the Town should follow suit. She does not understand why the Town follows Santa Fe County's lead to ban fireworks and stated we should lead the County. Ms. Wood commented Planning and Zoning personnel carry more power than any other entity in the country, so if they get paid more they probably earn it.

Ms. Susan Simons shared a reminder that the Spay and Neuter Van will be in Edgewood on Friday and Saturday, June 17 & 18. She thanked the Town for the \$1,000 allocated to support this service.

10. CALL FOR PUBLIC HEARING.

A. Infrastructure Capital Improvement Plan (ICIP) Discussions scheduled July 6, July 20, and August 3, 2016.

MOTION: Councilor Abrams made a motion to call a Public Hearing for discussion on the Infrastructure Capital Improvement Plan (ICIP) scheduled for July 6, July 20, and August 3, 2016.
Councilor Simmons seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

11. CALL FOR PUBLIC HEARING.

A. Request for a zone change from SU – Special Use zoning to R2 – Conventional Residential for the property located at: 506 Dinkle Road, Tract B, as shown on “Land Division of a portion of the Lands of Donald E. & Mary E. Huston” being located in portions of Sections 14, 23, & 24, T10N, R7E, N.M.P.M. Town of Edgewood, Santa Fe County, NM.

Mayor Bassett stated the date for this hearing will be July 20, 2016.

MOTION: Councilor Abraham made a motion to call for a Public Hearing on July 20, 2016 to discuss the zone change from SU – Special Use zoning to R2 – Conventional Residential for the property located at: 506 Dinkle Road.

Councilor Simmons seconded the motion.

Councilor Ring requested discussion. He asked if this matter is in regard to the portion of the property where the house sits. Mayor Bassett responded in the affirmative. Councilor Simmons stated the area in question is about seven acres. She added it is always helpful for Council to have a map.

VOTE: All Councilors voted aye. The motion carried.

12. APPROVAL OF RESOLUTION.

A. Equestrian Rest Stop Resolution No. 2016-06.

MOTION: Councilor Simmons made a motion to adopt the Resolution of Support to Designate and Manage the Santa Fe County Equestrian Center as an Overnight Equestrian Rest Stop.
Councilor Abrams seconded the motion with discussion.

Councilor Abrams asked about the kiosk to be installed by the Town and whether it would be a highway sign on the federal highway. Mayor Bassett stated the kiosk would be right on the property like those found in national parks. Councilor Abraham asked if the Town would collect and keep the funds. Councilor Ring stated the expectation is that those using the overnight Equestrian Rest Stop would also spend money at local businesses, generating additional GRTs (gross receipt taxes). Councilor Abraham would like to see the funds collected at the Equestrian Rest Stop earmarked for Parks and Recreation or trails. Councilor Simmons suggested the funds be used for summer camps at Wildlife West. Councilor Abrams stated cost of the facility upkeep must be considered.

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

13. APPROVAL OF RESOLUTION.

A. BLM (Bureau of Land Management) 80 Acre No Cost Lease Resolution No. 2016-07.

Mayor Bassett stated this property abuts the southwest corner of Section 32.

MOTION: Councilor Simmons made a motion to adopt Resolution No. 2016-07 a Resolution of Support for a No Cost Lease of BLM Department of Interior Land in Torrance County.
Councilor Abrams seconded the motion.

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

14. MATTERS FROM THE CLERK/TREASURER.

A. Road Projects Update

Mayor Bassett announced the Entrada del Norte paving project is complete. He stated a strip of paving was put down on Dinkle Road overlaying the old chip seal. The contractors are working on the large culvert on Horton Rd at Bachelor Draw. Other culverts have already been installed. Mr. Tappan Mahoney of Dennis Engineering stated the Horton Road is on or ahead of schedule. The scheduled completion date is early September, however, Mr. Mahoney is now anticipating an early August or late July wrap-up of the project.

15. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF MAY 2016.

Mayor Bassett stated Mr. Juan Torres had an emergency so the Mayor would be covering for him tonight. The Mayor announced the Gross Receipts Tax (GRT) report for June has not yet been received from the State. Councilor Abraham stated she still has concerns with certain months' distribution figures on revenue from sales of food. She stated there was a total of \$92,000 in April, but wondered if that made up for the \$30,000 in each of March and January. She stated the Town receives between \$73,000 and \$76,000 each month. Councilor Simmons concurred. Councilor Ring requested a GRT comparison spanning a two year time period.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of May 2016.

Councilor Ring seconded the motion with discussion.

Councilor Ring stated the financial report shows tires purchased for police vehicles either in Bernalillo County or the Town of Bernalillo. He inquired as to why they were not purchased locally, so the Town could receive the GRTs from the purchases. Councilor Abrams asked if the Town was paying for 2 months of electricity, since the report showed payments made on May 4th and 25th to the utility. Councilor Abraham asked when the Town will go solar. Mayor Bassett stated Mr. Torres working on scheduling a meeting with a solar power company representative.

VOTE: All Councilor voted aye. The motion carried.

16. ANNOUNCEMENTS and/or CALENDAR REVIEW.

- A. Regular Council Meeting – July 6, 2016 @ 6:30 P.M.
- B. Regular Council Meeting – July 20, 2016 @ 6:30 P.M.

NOTE: The Town Hall Offices will be closed on Monday, July 4, 2016 in observance of Independence Day.

NOTE: The Town Hall Offices will be closed at 3:00 P.M. on Friday, July 1, 2016 for carpet cleaning.

17. FUTURE AGENDA ITEMS.

- A. Speed Limit Recommendations for Various Roads.

- B. Dedication Request for Barton Ct.
- C. Proposed Resolution for application of 2018/2019 Transportation Alternatives Program (TAP) funds.
- D. Proposed Resolution for application through NMFA for a Drainage Study Grant.

18. 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.

MOTION: Councilor Ring made a motion to go into Closed Session at 8:12 pm. Councilor Simmons seconded the motion.

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

- Infill Annexation Appeal
- Pending Litigation – Hellen Gonzalez v. Town of Edgewood; and Town of Edgewood Police Department; and Chief of Police Fred Radosevich, in his individual and representative capacities.

MOTION: Councilor Abrams made a motion to come back into Open Session at 8:35 pm.
Councilor Abraham seconded the motion.

Councilor Abrams affirmed only items noted on the Agenda were discussed and no decisions were made in Closed Session.

Councilor Simmons so affirmed.

Councilor Abraham so affirmed.

Councilor Ring so affirmed.

Mayor Bassett so affirmed also.

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

MOTION: Councilor Abrams made a motion to accept the Attorney's suggestion in Closed Session that we file a motion on behalf of the Town to intervene as an Interested Party in the Infill Annexation Appeal.
Councilor Simmons seconded the motion.

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

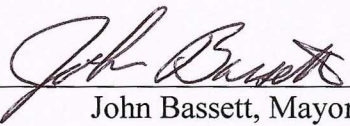
19. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of June 15, 2016. Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

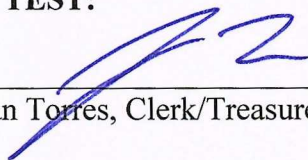
Mayor Bassett adjourned the meeting of June 15, 2016 at 8:37 p.m.

PASSED, APPROVED AND ADOPTED THIS 6th day of July, 2016



John Bassett, Mayor

ATTEST:



Juan Torres, Clerk/Treasurer