

**MINUTES  
TOWN OF EDGEWOOD  
REGULAR COUNCIL MEETING – NOVEMBER 16, 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: John Abrams, Rita Loy Simmons, Sherry Abraham, and Chuck Ring

Also Present: Clerk/Treasurer Juan Torres, Deputy Clerk Carla Salazar, Staff Rebecca Sanchez.

• **PLEDGE OF ALLEGIANCE.**

**1. APPROVAL OF AGENDA.**

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

**VOTE:** All Councilors voted aye. The motion carried.

**2. APPROVAL OF MINUTES.**

Approval of the Draft Regular Council Meeting Minutes of November 2, 2016.

**MOTION:** Councilor Simmons made a motion to approve the Draft Regular Council Meeting Minutes of November 2, 2016.  
Councilor Abrams seconded the motion with a comment.

Councilor Abrams stated there was an update of the Council Minutes of 11/2/16, page 5 of 7. This update included adding the representative's names from dennis ENGINEERING.

Mr. Juan Torres stated Mayor Bassett, himself, **Richard Runyon and Tappan Mahoney from dennis ENGINEERING** will be attending a Water Trust Board Meeting for an application for funding on November 3<sup>rd</sup>. Then the Water Trust Board will make their deliberations and get back to us with their decision.

**VOTE:** All Councilors voted aye. The motion carried.

**3. ACKNOWLEDGEMENT OF CONSENT AGENDA.**

- a. Acknowledge receipt of the Draft Library Board Meeting Minutes and Library Report for the month of October, 2016
- b. Acknowledge receipt of the Draft Parks & Recreation Committee Meeting Minutes for the month of September 2016
- c. Acknowledge receipt of the Draft Animal Advisory Board Meeting Minutes for the month of September and October, 2016

**MOTION:** Councilor Ring 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. Appointment of Patricia E. Burns to the Edgewood Animal Welfare Advisory Board

Ms. Burns stated she is interested in being on the Animal Control Advisory Committee to help the Animal Control, the Animal Control Officers, and the animals. She stated she is a big animal advocate and has been for the past 15-20 years. She has worked with both cats and dogs at her previous community in Pennsylvania.

**MOTION:** Councilor Abrams made a motion to approve the appointment of Patricia E. Burns to the Edgewood Animal Welfare Advisory Board.  
Councilor Abraham seconded the motion.

**VOTE:** All Councilors voted aye. The motion carried.

b. Appointment of Jan Parks to the Edgewood Animal Welfare Advisory Board

Ms. Parks stated she has lived in Edgewood since 2009, and has been volunteering for the past several months doing photography and administrative work for the Animal Control.

**MOTION:** Councilor Simmons made a motion to approve the appointment of Jan Parks to the Edgewood Animal Welfare Advisory Board.

**VOTE:** All Councilors voted aye. The motion carried

c. Re-Appointment of Debbi Stack to the Edgewood Animal Welfare Advisory Board

**MOTION:** Councilor Ring made a motion to approve the re-appointment of Debbi Stack to the Edgewood Animal Welfare Advisory Board.

**VOTE:** All Councilors voted aye. The motion carried

d. Town complaint form

Mayor Bassett introduced the Town complaint form to the Council and community. He stated the Lawyers said the documentation of complaints is important. Councilor Abraham said if the Councilors receive a complaint what are the steps they should take. Mayor Bassett stated give them the website address for the complaint form.

e. Code Enforcement/Planning Assistant Job Discussion

Mayor Bassett would like to advertise for the Code Enforcement/Planning Assistant position and asked if the Councilors have come up with suggestions. Councilor Abraham stated she spoke to MRCOGG and they mentioned Dona Ana County at one point had

their Code Compliance under the Sheriff's Department. Mayor Bassett stated communities like that usually have a civil division, in which the Town office does not. He would like to advertise for the position and see what they receive as applicants. Councilor Abraham thinks it takes a special person to be a Code Enforcer and would like that position handled by a police officer. Chief Crow stated he looked into other municipalities and how their Planning & Zoning departments are running. He stated the surrounding areas have it ran separately, but did state at one-point Estancia tried to have the Code Enforcement fall under the Police Department and changed it back due to difficulties of running both departments. He stated he believes Code Enforcement should not be under the Police Department. He believes it would detour from public safety. Councilor Ring stated that health safety and welfare is also considered public safety and falls under the Police Department. He stated he is open to looking into other options and just wants the safety and protection of the Code Enforcer.

f. Christmas Tree Lighting & Bonfire Event

Mayor Bassett invited everyone out to the 1<sup>st</sup> Annual Christmas Tree Lighting and Bonfire Event. He stated it will be held on Friday, December 9, 2016 at 5:30 pm, he mentioned the Moriarty High School Choir, Roosevelt Middle School Band, Edgewood Middle School Choir and South Mountain Elementary Choir will be performing. He included hot drinks and cookies will be served.

g. Auditor Exit

Mayor Bassett stated the Auditor has completed the Towns audit. The exiting review will be Monday, November 28<sup>th</sup>, and Councilor Abrams confirmed his presence at the exiting review.

h. Sidewalk Issue

Mayor Bassett stated the sidewalk repair at State Highway 344 and Church Street had a minor hiccup and is moving forward. He stated the sidewalk corners broke off and were not accepted by the State Highway Department, in which they have filled and corrected. He mentioned the road signage for Church Street has been added. He stated during the recent rain storm the intersection drained nicely.

**5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**

Councilor Ring stated the First Choice bond passed, which puts three million towards the twenty-five thousand square foot facility. He stated another 4.5 million is needed to raise for the facility. Councilor Ring would like to show his appreciation to the County of Santa Fe, Commissioners, First Choice, Mayor Bassett, and the Community for the support of the bond.

**6. TOWN OF EDGEWOOD POLICE REPORT – Chief Ron Crow**

a. Chief Crow will present his report for the month of October 2016

Chief Crow stated during the month of October the Police Department was very busy. They were down two officers and one on light duty. The Police Department had 500

dispatch activities of which 342 were self-initiated and 164 were from Santa Fe Regional Dispatch. He included 87 traffic stops, took 32 offense reports, 9 crash reports, and made 9 arrests. He included the Animal Control Division had 13 dispatch activities of which 3 were self-initiated and 10 were from Santa Fe Regional Dispatch. They took in 24 animals, adopted 24 and transferred 3 to other agencies and had 2 reclaimed. He stated volunteers donated 83.5 hours; the highest he has seen yet.

Chief Crow stated the trunk-or-treat event was a success. He stated they stopped counting at 750 kids, and as they ran out of candy Smith's kept supplying them, in which he would like to say thank you.

Councilor Abraham had concerns of the kennel cleaning and how the septic system was designed to be a dry system. Chief Crow explained the cleaning process and stated a water test was completed for inside and outside kennels. Mr. Mike Ring stated in the week long test 146 gallons was used in the inside kennels and 141 gallons for the outside kennels of which the outside kennels do not drain into the septic tank.

Councilor Simmons pointed out the Police Reports still have the old PD address. Chief Crow stated they have since contacted Crime Star as they do not have access to make that update.

**MOTION:** Councilor Abrams made a motion to accept the Town of Edgewood Police Report for the month of October 2016.  
Councilor Ring seconded the motion.

**VOTE:** All Councilor voted aye. The motion carried.

**7. CALL FOR PUBLIC HEARING AT THE REGULAR COUNCIL MEETING ON DECEMBER 21, 2016.**

A. Notice of Appeal to the Town Council on denial of a Minor Subdivision for property located at: Woods End Ranch, located along Woodline Drive, Tract P-1-R-1-B, Section 21, T10N, R7E, N.M.P.M., Town of Edgewood, New Mexico. Mr. Johnathan Pillars-Appellant/Applicant.

**MOTION:** Councilor Abraham made a motion to call for a Public Hearing at the regular Council Meeting on December 21, 2016.  
Councilor Ring seconded the motion.

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

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

Speakers: Tim Fleming, Lilly Lai, Janelle Turner, Bill Richard, Paul Cravens, Karen Cleaver, Julie Fulwiler and Rey Fulwiler

All speakers listed above spoke about a recent dog attack in the Square H neighborhood and their concern about neighborhood public safety and the animal control ordinance.

Some recounted the history of the dog bite incident and gave their account of the incident...that on November 6<sup>th</sup> a group of dogs (apparently pit bulls owned by people who own a dog breeding business in Albuquerque and who just moved into the neighborhood) had escaped from their yard and attacked dogs being walked on their leashes by a resident of the neighborhood, during which the owner of the leashed dogs was also bitten.

All agreed that at the heart of the matter was their concern for public safety. They reiterated that they are now afraid to walk in the neighborhood and that they are afraid to let their children play outside in the neighborhood. There was also some concern that at least one of the dogs participating in the attack should have been classified as a dangerous dog and the rest should have been labeled potentially dangerous animals.

All the speakers wanted the town to enforce the current animal control ordinance to their fullest extent. Some called for a public hearing to amend the animal control ordinance. A few wondered why not all witnesses to the attack were contacted prior to the municipal court appearance. A few proposed we look at the Tijeras Animal Control Ordinance.

Chief Crow and Officer Ring did stand up and take some questions from the council and answered to some of the questions and comments brought forth by the residents.

In the mist of the public comments about the dog bite incident, Mrs. Linda Burke, Executive Director of the Edgewood Chamber of Commerce spoke about upcoming chamber events. She also reported the Chamber Facebook page reach is growing

## **9. MATTERS FROM THE CLERK/TREASURER.**

### **a. Edgewood Chamber of Commerce Proposed Contract**

Mr. Torres introduced the contract from the Chamber of Commerce and a letter from the Towns Attorneys. He stated the attorney's recommendation was to not approve the contract as it is in violation of the Anti-Donation Clause, the Procurement Code, and has a potential conflict of interest. Mr. Torres recommendation is to send the contract to the attorneys to come up with a contract that is not in conflict of the Anti-Donation Clause and the Procurement Code. Councilor Simmons stated in the past if perceived a value for what we pay for, that perception can transcend the issue. Councilor Abraham stated the Council recently heard the Department of Finance Authority if a measurable service was verifiable, then it would not be a violation of the Anti-Donation Clause. Her other concerns are that the amount of work they would be doing is not the value of the \$850 a month, its more. She would like to propose an increase to the monthly amount at the next budget meeting. The Procurement was another concern, as it states 3 bids are required for services, if the valued amount is under \$20,000. The Chamber of Commerce President James Reeder asked what is the conflict of interest the attorney addressed in the letter. It was identified that Council Simmons has paid dues in the past. Councilor Simmons asked Mayor Bassett if that means that they are not allowed to be part of the Chamber. Mayor Bassett read a portion of letter that states, "vote or otherwise participate in any official act involving any business which the official has a private financial interest.

**MOTION:** Councilor Abraham made a motion to send the proposed Edgewood Chamber of Commerce Contract back to the attorneys to come up with a workable contract to send out for 3 bids.  
Councilor Ring seconded the motion.

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

b. E-Rate

Mr. Torres stated E-Rate is a federal reimbursement program specific to the library. This program is for internet, telephone, hardware, and software as well as services. Mr. Torres stated we have signed up with Mr. Mike Boyle to assist us with this reimbursement program, and he would receive 22% of our savings. This service would not need a Request for Proposal or any bidding of any type as his payment would be lower than \$2,000. We are sought out to receive 80% reimbursement, and if we were to get more libraries involved it could raise our reimbursement percentage to 90%.

c. Request for Proposal (RFP) Services for Engineering - Sewer Line Extensions  
Mr. Tones stated we just received approval from PTAB and the Environmental Department to move forward with our RFP for engineering for our sewer line extensions to the residential mains. He stated we will advertise beginning on November 27, 2016, and the RFP will be due December 30, 2016. There will be a potential 230 customers to hook up to the new sewer line, and they will have approximately six months to begin the process to connect, as the ordinance states.

d. Cooperative Educational Services (CES)

Mr. Torres stated CES is a cooperative purchaser association that started with the school systems and have now extended to local public bodies to piggy back on that procurement that has been established. He stated they are 2-3 % lower than state contract pricing.

e. Grants.gov

Ms. Carla Salazar stated she has registered the Town of Edgewood with the Federal Grant Association to look for Federal Grants. She stated our first grant has been filled for the Police Department to receive access to the surplus equipment.

## 10. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF OCTOBER 2016

Mr. Torres introduced the Financial Report for review.

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

Councilor Ring seconded the motion with discussion

**VOTE:** All Councilor voted aye. The motion carried.

**11. ANNOUNCEMENTS and/or CALENDAR REVIEW.**

- a. Next Regular Council Meeting – December 7th, 2016 @ 6:30 P.M.
- b. NOTE: Town Hall offices will be closed on Thursday, November 24<sup>th</sup> in observance of Thanksgiving and on Friday, November 25<sup>th</sup>, 2016 in observance of Presidents' Day

**12. FUTURE AGENDA ITEMS.**

- a. Public Hearings will be held during the Regular Council Meeting of December 7<sup>th</sup>, on the following
  - (1) Lodgers Tax Ordinance; (2) Adoption of an amendment to the Zoning Ordinance changing the definition of "Building Height" and Rescinding the Personnel Ordinance and putting in place a Personnel Policy
- b. A. Public Hearing will be held during the Regular Council Meeting of December, 21<sup>st</sup>, 2016 on a Request for Appeal by Mr. Jonathan Pillars

**13. CLOSED SESSION**

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(2) the following will be discussed in Closed Session:

- Limited personnel matters

Mayor Bassett called for a Closed Session at 8:35 p.m.

**MOTION:** Councilor Abrams made a motion to go into Closed Session at 8:35 p.m. Councilor Ring seconded the motion.

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

Mayor Bassett called for an Open Session at 8:56 p.m.

**MOTION:** Councilor Abrams made a motion to go back into Open Session at 8:56 p.m. Councilor Abraham seconded the motion.

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

**Councilor Abrams verified that only items noted were discussed and no actions were taken.**