

MINUTES - TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING - OCTOBER 18, 2017 @ 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: Rita Loy Simmons, Sherry Abraham and Linda Holle.

Councilor(s) Not Present: John Abrams

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

PLEDGE OF ALLEGIANCE.

I. APPROVAL OF AGENDA.

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

VOTE: All Councilors voted aye. The motion carried.

II. CONSENT AGENDA.

- A. Town Council Meeting Minutes for October 4, 2017
- B. Joint Town Council and Planning & Zoning Workshop Meeting Minutes for October 4, 2017
- C. Planning and Zoning Commission Meeting Minutes for September 25, 2017
- D. Planning and Zoning Report for the month of September 2017
- E. Police Report for the month of September 2017
- F. Animal Control Report for the month of September 2017

MOTION: Councilor Abraham made a motion to approve the Consent Agenda, withholding Item B, the Joint Town Council and Planning & Zoning Workshop Meeting Minutes for October 4, 2017, to reflect a question she had asked during the Workshop.
Councilor Holle seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

III. DISCUSSION ITEMS:

- A. Public Comment on General Matters

Susan Simons discussed the possibility of changing the Town's Sunday liquor law.

Tappan Mahoney discussed the wastewater connection for his property on Route 66 and handed a letter to the Governing Body. He also discussed the technical analysis memorandum of the wastewater plant. He talked about the service area with respect to capacity of the plant, hardness

of the water, the current wastewater ordinance, and that line extensions be considered for the commercial corridor.

B. Sewer Connection Discussion: Councilor Sherry Abraham

Councilor Abraham expressed concerns about expanding sewer service to residential areas instead of the commercial corridor. She wanted to know why the focus is on residential waste instead of commercial. Mayor Bassett said it was to dilute the commercial waste. Councilor Abraham asked that the Town look into all options to dilute the waste and to make sure we do not end up with another boondoggle plant. She then expressed concern that the Town switched engineering firms mid-stream because we didn't like what they presented. Deputy Clerk Salazar responded that Dennis Engineering resigned from the Town. The Town did not initiate the change. Clerk-Treasurer Torres added that the PER was adopted and accepted. He stated that the Town was informed by multiple funding agencies that they would not fund the plant proposed in the PER (Preliminary Engineering Report). NMED (New Mexico Environment Department) recommended the Town obtain a technical memo from a different engineering firm to ensure a fresh set of objective eyes looking at the plant. Councilor Abraham asked if NMED would approve the technical memo before it came to Council. Deputy Clerk Salazar answered yes, since they are funding it, they have to review it. Councilor Abraham then asked if NMED would guarantee that we would have a plant that is expandable for economic development of our commercial area. Deputy Clerk Salazar answered that NMED would not guarantee that. NMED will approve the technical memo only.

Councilor Abraham then discussed the service area and current design. Mayor Bassett stated that a decision would not need to be made tonight. Deputy Clerk Salazar added that the service area was specified in the PER and that Smith Engineering did not choose it. Councilor Abraham brought up HDR's mention of additional residential waste. Deputy Clerk Salazar stated that Phase One is an actual design and will be constructed. Councilor Abraham asked if the Town was going to force residents to connect and if the Town would enforce the ordinance on commercial customers that are not connected. Clerk/Treasurer Torres brought up the discussion from last meeting about how Staff had requested guidance from Council as to whether they wanted the ordinance followed. He said the guidance was to enforce the ordinance. Councilor Abraham requested a Public Hearing for those that would be forced to connect. Councilor Simmons expressed concern about the connection fees for those required to connect.

C. Matters from the Mayor

1. Brews on Bachelor

Mayor Bassett discussed the event. He stated that it was a qualified success. The event wasn't bad for a first time. He asked for anyone to share any ideas on how to improve it next year.

2. Citizens Police Academy

Mayor Bassett expressed gratitude to Chief Crow. He encouraged the Council and any others to attend.

3. Resolution 2012-23 providing for Rules Governing the Conduct of Meetings of the Governing Body of the Town of Edgewood

Mayor Bassett distributed paperwork and would like Council to consider adopting an annual

resolution setting out the guidelines for operating procedures of the Governing Body. He specifically mentioned creating guidelines for site visits. Clerk/Treasurer Torres mentioned that this topic was discussed in his recent training and it was recommended that the Governing Body adopt a yearly resolution setting forth operating procedures, minutes, and guidance as to how meetings shall be conducted for the year.

4. First Choice ground-breaking:

Mayor Bassett mentioned the upcoming ground-breaking for the new First Choice Medical Center.

D. Matters from the Councilors

Councilor Holle recognized Boy Scout Pack 185 for meeting with the Governing Body. She also mentioned that she was attending the Citizen's Police Academy. She thanked Staff for their hard work on the Brews on Bachelor event and also thanked Roger Holden for taking pictures at all the Town events.

Councilor Abraham questioned the status of the Animal Control Ordinance changes. Chief Crow responded that they were ready, pending some potential changes from Santa Fe County. He would like the Town's Ordinance to mirror that of the County's with respect to the leash section. Mayor Bassett asked to move forward with what we had and we could look at amending it later if need be.

E. Matters from the Clerk/Treasurer

Clerk/Treasurer Torres gave an update on the audit. He requested that the Governing Body thank Dora Garcia for all her hard work if they were in the office. He gave an update on the findings. Clerk/Treasurer Torres also mentioned that there would be some upcoming changes to the Personnel Policy Manual. He stated that he and Deputy Clerk Salazar would be at trainings for the next five weeks.

IV. ACTION ITEMS:

A. Approval of the promotion of James Solomon to Maintenance Supervisor.

Mayor Bassett introduced James Solomon and brought forth his application and resume. Mr. Solomon introduced his family and stated that he is excited for the opportunity. Councilor Simmons stated that she is glad the Town recognized his conduct and abilities. Mayor Bassett asked for a motion.

MOTION: Councilor Simmons made a motion to accept the promotion of James Solomon to Maintenance Supervisor.
Councilor Abraham seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Holle voted aye. The motion carried.

B. TOWN OF EDGEWOOD, NEW MEXICO. RESOLUTION NO. 2017-19. (RESTATING AND REPLACING RESOLUTION NO. 2017-13) RELATING TO THE \$2,696,483 LOAN AGREEMENT DATED DECEMBER 12, 2014 (THE "LOAN AGREEMENT") BY AND BETWEEN THE TOWN OF EDGEWOOD, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY (THE "FINANCE AUTHORITY"), ENTERED INTO FOR THE PURPOSE OF PERFORMING SITE WORK AND ACQUIRING AND CONSTRUCTING A FACILITY CONTAINING ADMINISTRATIVE OFFICES, A MUNICIPAL COURT, A LIBRARY, A MULTI-PURPOSE MEETING ROOM AND A SEPARATE POLICE DEPARTMENT FOR THE GOVERNMENTAL UNIT; FURTHER RELATING TO RESOLUTION NO. 2015-26 AUTHORIZING AN AMENDMENT TO THE LOAN AGREEMENT TO PROVIDE FUNDING FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF AN ANIMAL SHELTER, A MUNICIPAL COURT, A LIBRARY, A MULTI-PURPOSE MEETING ROOM AND A SEPARATE POLICE DEPARTMENT FOR THE GOVERNMENTAL UNIT; AUTHORIZING A SECOND AMENDMENT TO THE LOAN AGREEMENT TO PROVIDE FUNDING FOR THE PURPOSE OF PERFORMING SITE WORK AND ACQUIRING AND CONSTRUCTING A FACILITY CONTAINING ADMINISTRATIVE OFFICES AND FOR THE CONSTRUCTION OF AN ANIMAL SHELTER, A MUNICIPAL COURT, A LIBRARY, A MULTI-PURPOSE MEETING ROOM AND A SEPARATE POLICE DEPARTMENT FOR THE GOVERNMENTAL UNIT; EXTENDING THE TIME TO EXPEND PROCEEDS OF THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE AMENDMENT TO THE LOAN AGREEMENT.

Mayor Bassett stated this was a new resolution that amended the loan agreement by extending the time line of the loan being used to fund the renovations at the Old Fire Station and Edgewood Elementary School which are to house the Police Department and Town Hall respectively. Mayor Bassett gave a history of the loan and of the process of what has been done to date.

MOTION: Councilor Simmons made a motion to approve Resolution No. 2017-19 (restating and replacing Resolution No. 2017-13) relating to the \$2,696,483 loan agreement dated December 12, 2014 (the "loan agreement") by and between the Town of Edgewood, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority (the "Finance Authority").
Councilor Abraham seconded the motion.

VOTE: Councilor Holle voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

C. FINDINGS OF FACT AND CONCLUSIONS OF LAW in the matter of an appeal of a decision made by the Planning and Zoning Commission of the Town of Edgewood of an application for a Minor Subdivision by Jonathan Pillars.

Mayor Bassett stated these were the Finding of Fact and Conclusions of Law in the matter of an appeal of a decision made by the Planning and Zoning Commission of the Town of Edgewood of an application for a Minor Subdivision by Jonathan Pillars. He then stated he would entertain a motion.

MOTION: Councilor Holle made a motion to approve the Findings of Fact and Conclusions of Law in the matter of an appeal of a decision made by the Planning and Zoning Commission of the Town of Edgewood of an application for a Minor Subdivision by Jonathan Pillars. There was no second.

The Motion died due to lack of a second.

D. Sewer System Collection Line Design Decision

Mr. Cody Sipes, of Smith Engineering Company, gave a brief review of his last presentation and restated what had been completed was a 30% design of the service area and in the next six months the firm would be completing a 60% design layout. In order to get a 60% design of the whole area, a decision was needed on some presented alternatives. He also stated he was looking for some consensus that the planning area was correct. Mr. Sipes stated that Smith Engineering had analyzed two alternatives to direct wastewater to the existing wastewater plant. He then discussed the following alternatives and their associated costs.

Option 1A consists of installing a lift station on Quail Trail near the existing Edgewood Senior Center. The new lift station would connect to the existing manhole on the southeast corner of the intersection of Quail Trail and Church Street. This alternative would require the Town of Edgewood to obtain easements to build the new lift station. The lift station would eventually service the existing and future residents located between Cactus Road and Capital Road/Quail Trail, south of Church Street.

Option 1B consist of installing approximately 3600 linear feet of pipe and nine new manholes to gravity feed the existing and future service connections between Cactus Road and Quail Trail along a drainage swale. The new infrastructure would be installed across the existing Edgewood Senior Center and cut diagonally towards the existing sewer system through private property. This alternative would connect to an existing manhole that is located west of the existing lift station.

Option 2A consists of approximately 3000 linear feet of gravity sewer line across private property to connect to Alternative 1B. If Option 1B is not selected than an additional 1000 linear feet of gravity sewer line will be required to connect to a manhole west of the existing Lift Station. A shallow gravity sewer line (<8 feet deep) would be installed to serve between North Odette Court and Williams Ranch Road. The feasibility of this option

decreases if Alternative 1B is not selected.

Alternative 2B consists of installing deep sewer (greater than 16 feet deep) from east of North Odette Court almost to Williams Ranch Road. The amount of deep sewer would be approximately 1900 linear feet in length (shown on sheet 30 of the drawings). This alternative would increase the service area served by the Lift Station at Dunkin Road.

Councilor Simmons stated she would like to see in writing what the land acquisition costs would be.

Councilor Abraham asked for clarification on Option 1B and if there could be infiltration. Mr. Sipes answered there should not be infiltration and they could use infiltration resistant lids, etc...and the costs are built in to cover that.

Councilor Simmons asked if there could be infiltration in any of the options.

Mayor Bassett stated he thought it might happen.

Councilor Abraham remarked that the report states area 1B encourages development and asked Mr. Sipes where that development would take place.

Mr. Sipes answered that would be on private property.

There was some additional discussion about the options, flooding and how close the plans were to Bachelor Draw. There was also a discussion of the number of connections that would be made depending on what alternative was selected. There was further discussion about deep sewer maintenance and how expensive it would be as well as general maintenance. Discussion also took place about the cavern system in Edgewood and whether the caverns reached into the planned sewer design area. There was consensus that there would be Geotech done in the area and that Alternative 2B would be ruled out.

Councilor Simmons stated that since the cost of acquisition of right-of-way easements was unknown, she did not think a decision could be made right away.

Councilor Abraham wanted to know if either of these options supported commercial growth in the area. Mr. Torres answered that they did not.

Councilor Abraham stated she still has some concern about the waste water treatment plant being able to handle what it needs to handle.

Mr. Torres stated this is basically a plan for the future.

Councilor Simmons stated she thought we may have to look at something other than private property.

MOTION: Councilor Holle made a motion to table the Sewer System Collection Line Design Decision until a full Council was available.

The Motion died due to lack of a second.

Councilor Abraham stated she would like to postpone until we get more information such as how many land owners will be impacted and what fair market value is.

Mr. Torres asked Mr. Sipes to provide a cost to design out all the alternatives.

MOTION: Councilor Abraham made a motion to postpone the Sewer System Collection Line Design Decision until further information can be provided regarding the right-of-way and easement expense.
Councilor Simmons seconded the motion.

VOTE: Councilor Holle voted nay. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

E. PUBLIC HEARING - Legislative Procedure - Ordinance No. 2017-03. An Ordinance adopting the New Mexico Uniform Traffic Code by Reference.

Police Chief Ron Crow stated that he had reviewed these changes and concurred with them.

MOTION: Councilor Simmons made a motion to approve Ordinance No. 2017-03. An Ordinance adopting the New Mexico Uniform Traffic Code by Reference.
Councilor Holle seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye, and Councilor Holle voted aye. The motion carried.

F. PUBLIC HEARING - Zoning Ordinance - Legislative Procedure. A Public Hearing on the adoption of an amendment to Zoning Ordinance 2014-02 providing for code enforcement regulations, requirements and procedures.

Mayor Bassett asked if public notice of this meeting had been posted as required.

Ms. Schmidt answered in the affirmative.

Mayor Bassett read through the procedures for a Legislative Hearing. He then asked for confirmation from members of the Governing Body that they had no pending Land Use Applications that could benefit themselves with the new changes to the ordinance.

Councilor Simmons verified she has no pending Land Use Applications with the Town of Edgewood.

Councilor Abraham verified she has no pending Land Use Applications with the Town of Edgewood.

Councilor Holle verified she has no pending Land Use Applications with the Town of Edgewood.

Mayor Bassett verified he has no pending Land Use Applications with the Town of Edgewood.

Mayor Bassett then introduced Michelle Schmidt, Code Enforcement Officer for the Town of Edgewood, and asked her to review the changes she has requested be made to the ordinance concerning penalties. She did so, reviewing the changes that have been made after hearing from the public and the local Municipal Court Judge. She did clarify, after a question from Councilor Simmons, that she would only site violators if she could see something from the public right-of-way and that she would not be searching people's property to look for violations. Ms. Schmidt also stated her procedure for violators is working well.

MOTION: Councilor Simmons made a motion to approve an amendment to Zoning Ordinance 2014-02 providing for code enforcement regulations, requirements and procedures.
Councilor Holle seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Holle voted aye. The motion carried.

V. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Next Regular Council Meeting – November 1, 2017 @ 6:30 p.m.

VI. FUTURE AGENDA ITEMS

- A. November 1, 2017: PUBLIC HEARING - Zoning Designations - Legislative Procedure. Zoning Designations for Infill Annexation Area North of I-40 & East of 344. This will be the first of several Hearings on Zoning Designations for the Infill Annexation Areas.
- B. November 1, 2017: Ordinance No. 2017 – 04. Amendment to the Town of Edgewood Zone Map.
- C. November 1, 2017: PUBLIC HEARING – Master Plan Amendment – An amendment to the Zoning Ordinance of the Town of Edgewood - Legislative Procedure.

VII. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of October 18, 2017.
Councilor Holle seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

Mayor Bassett adjourned the meeting of October 18, 2017 at 8:42 p.m.

PASSED, APPROVED AND ADOPTED THIS 1st day of NOVEMBER 2017

John Bassett

John Bassett, Mayor

ATTEST:

Juan Torres

Juan Torres, Clerk/Treasurer

