

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING - JUNE 6th, 2018 @ 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, Sherry Abraham, and Linda Holle.

Councilor(s) Not Present: Audrey Jaramillo

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

PLEDGE OF ALLEGIANCE.

I. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the Agenda removing Item(s) IV. J-O.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

II. SPECIAL RECOGNITION.

A. Recognition letters for Officer James Walker (2), Officer David Lovato and Officer Jason Hunter

Chief Crow introduced the Town of Edgewood Officers receiving a recognition letter. He thanked them for their service and expressed the community's gratitude. Chief Crow spoke about the Officers' exceptional qualities and the reasons they are being recognized. He then presented individual certificates of recognition.

III. CONSENT AGENDA.

- A. Town Council Meeting Minutes for April 18, 2018.
- B. Town Council Meeting Minutes for May 2, 2018.
- C. Call for a Public Hearing (Legislative) Final Infill Annexation Zone Designations (Remaining/Misc. properties). To be heard July 18, 2018.

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

VOTE: All Councilors voted aye. The motion carried.

IV. DISCUSSION ITEMS:

- A. Public Comment on General Matters.

Prior to opening up Public Comment, Mayor Bassett read a letter regarding the possible acquisition of EPCOR Water being considered by the Town of Edgewood.

Ms. Susan Simons informed the community that Friends of Estancia Valley Animals (FEVA) will be holding their annual spay and neuter event on July 7, 2018 at the Edgewood Community Center. All appointment times were filled the first day reservations were taken. There is currently a waiting list. Ms. Simons noted that FEVA is a non-profit organization and they are holding a fundraiser to raise money.

Former Councilor Chuck Ring stated the Town should be excited about its first High School currently under construction - the Estancia Valley Classical Academy (EVCA). He announced a fundraiser is underway for the school and raffle tickets can be purchased through him.

Mr. Gerald Curtis stated the Council Meeting Agenda should have included a discussion about EPCOR and the possible purchase of the Water System by the Town of Edgewood. He also questioned why the Estancia Valley Classical Academy is not required to hook-up to the Wastewater System.

Ms. Linda Kallish spoke about the proposed Blasting Ordinance and inquired if the blasting has any effect on the well water levels in the area.

Ms. Tonya Mangum expressed her concerns of infrastructure and water issues and mentioned the number of schools having feed the children programs.

Mr. Martin Stanek, In-House General Counsel for EPCOR's US Operations, acknowledged that EPCOR received the Town of Edgewood's letter, which is a Notice of Intent to Acquire Edgewood's Water System. He stated how proud EPCOR is of delivering safe drinking water 24 hours/day. Mr. Stanek concluded by stating EPCOR is not for sale and will not let the Town of Edgewood buy them out.

Ms. Linda Burke, Executive Director Greater Edgewood Area Chamber of Commerce, informed the community of the following upcoming events: The Junior Zoo Keeper Event at Wildlife West and Cowboy Days scheduled June 14 – 30. A full schedule of events can be found at: <https://edgewoodchambernm.com>. Ms. Burke noted the local newspaper, The Mountain View Telegraph, will cease publication with their last edition dated June 14, 2018.

Ms. Janelle Turner spoke of the Town history stating that in 1999 or 2000 the Town inquired about purchasing EPCOR. She noted discussion about extending the wastewater collection lines to Sections 34 and 16 were discussed in April 2004. Due to community concerns the wastewater lines were not extended.

B. Matters from the Mayor

Mayor Bassett had good news to report. The Town of Edgewood has received Municipal Arterial Program (MAP) funding for the Church Street paving project. He also announced receipt of \$12,000 for Wi-Fi at the Library and Soccer Park. These funds, applied for by the Town and distributed by the State, were the result of a settlement from a lawsuit alleging price-fixing by Random-Access Memory (RAM) Manufacturers.

C. Matters from the Councilors

- a. Councilor Audrey Jaramillo
Not present.
- b. Councilor Sherry Abraham asked if the Town could put the firework ban on the electronic sign. She also asked if the Town could schedule a public meeting on July 21 or 28 to address the rumors on water and sewer.
- c. Councilor John Abrams expressed his joy for funding of the Wi-Fi to be available at the Library and Soccer Park.
- d. Councilor Linda Holle mentioned she held a Community Input Meeting on Saturday, June 2, attended by a dozen constituents. The topic of concern was the Town's intent to acquire Epcor. Councilor Holle also is interested in having a public meeting on the water acquisition issue in the near future. She added that she plans to continue holding Community Input Meetings on a quarterly basis.

D. Matters from the Clerk/Treasurer

Mr. Juan Torres stated the Department of Finance Authority (DFA) has transitioned to its new automated financial system. Although there were some snags, the Town did meet the June 1 deadline for submission of the interim budget.

Mr. Torres informed the Governing Body that Councilor Abrams will be assisting with the server setup at the Police Department and installation of the network at the new Town Offices.

Mr. Torres announced the State has changed its criteria for ICIP (Infrastructure Capital Improvements Plan) submissions, requesting that only long-term assets lasting over ten years be considered. He stated the Town will hold its first of three ICIP Public Hearings during the next Council meeting on June 20, 2018.

V. **ACTION ITEMS:**

- A. Discussion, consideration and action on appointing Karen Bardwell to the Lodgers Tax Board of the Town of Edgewood.

MOTION: Councilor Abrams made a motion to approve the appointment of Karen Bardwell to the Lodgers Tax Board of the Town of Edgewood.
Councilor Abraham seconded the motion.

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

- B. Public Hearing (Quasi-Judicial) Application for New Mexico Development, LLC for a Zone Change of 1.30 acres, from RS (Residential Services) to C2 (Commercial Business) at Lot 9 Blk 2, Carl's Subdivision of T10N R7E SEC 27 Edgewood, Santa Fe County, New Mexico (21 Main Street).

Mayor Bassett opened the Public Hearing at 7:15 p.m.

Mayor Bassett asked for certification that public notice of this Hearing had been posted as required. Ms. Tawnya Mortensen answered in the affirmative.

Mayor Bassett read the rules governing a Quasi-Judicial Hearing and then introduced Ms. Tawnya Mortensen, Town of Edgewood Planning & Zoning Administrator.

Mayor Bassett then polled each member of the Governing Body regarding Conflict of Interest and Ex-Parte Communication in this matter.

Councilor Abrams stated he had no conflict of interest and had no ex-parte communication.

Councilor Abraham stated she had no conflict of interest and had no ex-parte communication.

Councilor Holle stated she had no conflict of interest and had no ex-parte communication.

Mayor John Bassett stated he had no conflict of interest but had ex-parte communication, as he is their neighbor and received notice of the Hearing. Mayor Bassett stated it will not impair his ability to hear this matter.

Ms. Mortensen identified the area in question and the applicant's request. She stated in 2004 Dennis Engineering petitioned to be annexed into the Town of Edgewood and requested RS (Residential Services) Zoning at the time of annexation. The reasoning behind this particular zoning designation was due to Dennis Engineering's plan to build their new office on the property, per P & Z Meeting Minutes from 1/26/04. The applicant was granted RS Zoning. Staff was not provided a reason for the current zone request of C2 (Commercial Business).

Mr. Steve Williams stated NM Development is requesting a zone change from RS to C-2. He included the history of the filing process. He clarified in 2004 Dennis Engineering requested RS zoning, which he mentioned was true, but they originally requested C Zoning. The requested C Zoning was denied and Dennis Engineering accepted the offer of RS Zoning. Also, he wanted to clarify and correct the Commission Minutes that stated there were only 16 parking spaces, as there are 36 parking spaces, and 1-wheel chair access parking space. He concluded that the Zone Change request will benefit NM Development which would enhance marketability and financing options. He added that they have been paying Commercial Taxes, and wants to be uniform with C-2 Zoning lots nearby.

Mayor Bassett inquired if the 10" waterline was present in January of 2004?

Mr. Williams confirmed it was not.

Mayor Bassett asked if there were plans for any expansion or changes to the building?

Mr. Williams restated it is for enhancing marketability and financing options.

Mayor Bassett inquired if their sewer system would need expanding?

Mr. Williams stated if the sewer system ever reached the building of NM Development LLC, that they would hook-up into it.

Staff recommendation is that 21 Main should remain with RS Residential Services Zoning. The current zone designation suits the applicant's current business and it suits the neighborhood as well.

MOTION: Councilor Abraham made a motion to approve the Application for New Mexico Development, LLC for a Zone Change of 1.30 acres, from RS (Residential Services) to C2 (Commercial Business) at Lot 9 Blk 2, Carl's Subdivision of T10N R7E SEC 27 Edgewood, Santa Fe County, New Mexico (21 Main Street).

Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Holle voted aye.

The motion carried.

C. Discussion, Consideration and Action on Ordinance 2018-03 making an amendment to the Town of Edgewood Zone Map.

MOTION: Councilor Abrams made a motion to approve Ordinance 2018-03 making an amendment to the Town of Edgewood Zone Map.

Councilor Abraham seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Holle voted aye. Councilor Abrams voted aye.

The motion carried.

D. Public Hearing (Quasi-Judicial) on the application of Thomas S. Torres for a Zone Change on two lots, from RS (Residential Services) to C2 (Commercial Business) at Lot 25-A (32 Cactus Rd), Edgewood Estates, T10N R7E SEC 27 NMPM of 1.564 acres and Lot 25-B (28 Cactus Rd) T10N R7E SEC 27 NMPM of 1.565 acres. Edgewood, Santa Fe County, New Mexico.

Mayor Bassett asked for certification that public notice of this Hearing had been posted as required. Ms. Tawnya Mortensen answered in the affirmative.

Mayor Bassett read the rules governing a Quasi-Judicial Hearing and then introduced Ms. Tawnya Mortensen, Town of Edgewood Planning & Zoning Administrator.

Mayor Bassett then polled each member of the Governing Body regarding Conflict of Interest and Ex-Parte Communication in this matter.

Councilor Holle stated she had no conflict of interest and had no ex-parte communication.

Councilor Abraham stated she had no conflict of interest and had no ex-parte communication.

Councilor Abrams stated he had no conflict of interest and had no ex-parte communication.

Mayor John Bassett stated he had no conflict of interest and has ex-parte communication, as he is their neighbor, and he spoke to Mr. Torres of a water leak. He states it will not impair his ability to hear this Public Hearing.

Ms. Mortensen identified the area in question and the applicant's request. She stated the current zoning of 32 Cactus Rd. and 28 Cactus Rd. is RS Residential Services which is

very fitting for this area. It is also the zone description requested by the applicant upon petitioning to be annexed into the Town of Edgewood in 2004, per the P & Z Meeting minutes from 2004. There is commercial property on the north end where Cactus meets Church Street. The idea behind RS is to transition from C2 to Residential but still allow a business that fits in a residential area and will not cause a negative impact on the residents in the area. The area has a large amount of residential. Commercial zoning could possibly upset the balance of this neighborhood.

Mr. Steve Williams stated Mr. Thomas Torres is requesting a zone change from RS to C-2. He included the history of the filing process. He clarified in 2004 Mr. Torres requested RS zoning, which he mentioned was true, but they originally requested C Zoning. The requested C Zoning was denied and Mr. Torres accepted the offer of RS Zoning. He concluded that the Zone Change request will benefit Mr. Torres which would enhance marketability and financing options. He added that they have been paying Commercial Taxes, and wants to be uniform with C-2 Zoning lots nearby.

Mayor Bassett inquired if these lots would consist of the office type building will be on one lot, and one on the other including the parking. He also asked if Mr. Torres thought of combining the lots.

Mr. Williams stated the thought has not been extended that far. He included that the building would not be built if sewer collections if not included.

Staff recommends keeping the RS zoning.

Mayor Bassett ended the Public Hearing at 7:49 pm

MOTION: Councilor Abraham made a motion to approve the Application of Thomas S. Torres for a Zone Change on two lots, from RS (Residential Services) to C2 (Commercial Business) at Lot 25-A (32 Cactus Rd), Edgewood Estates, T10N R7E SEC 27 NMPM of 1.564 acres and Lot 25-B (28 Cactus Rd) T10N R7E SEC 27 NMPM of 1.565 acres. Edgewood, Santa Fe County, New Mexico.

Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Holle voted aye.

The motion carried.

E. Discussion, Consideration, and Action on Ordinance 2018-04 making an amendment to the Town of Edgewood Zone Map.

MOTION: Councilor Abrams made a motion to approve Ordinance 2018-04 making an amendment to the Town of Edgewood Zone Map.

Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Holle voted aye.

The motion carried.

At 7:50 p.m. Mr. Torres received a text message from Councilor Jaramillo stating she was unable to call in due to lack of bandwidth.

F. Town of Edgewood Public Hearing (Legislative) – Continued from the meeting of May 16, 2018: Discussion, Consideration, and Action on Ordinance 2018-____; Town of Edgewood Recreational Facilities Rules and Regulations.

Mayor Bassett stated this Item (V. F.) needs to be re-heard at another Public Hearing once it has been re-noticed.

MOTION: Councilor Abrams made a motion to table until re-noticing has occurred for the Town of Edgewood Public Hearing (Legislative) – Continued from the meeting of May 16, 2018: Discussion, Consideration, and Action on Ordinance 2018-____; Town of Edgewood Recreational Facilities Rules and Regulations.
Councilor Abraham seconded the motion.

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

G. Public Hearing (Legislative) on an Ordinance 2018-05 Governing Procurement for the Town of Edgewood.


Mayor Bassett introduced the Public Hearing on an Ordinance 2018-____ Governing Procurement for the Town of Edgewood.
He asked for certification that public notice of this Hearing had been posted as required. Ms. Carla Salazar answered in the affirmative.
Mayor Bassett read the rules governing a Legislative Hearing and then introduced Mr. Juan Torres the Town of Edgewood Clerk/Treasurer.

Mr. Torres stated an Ordinance for governing procurement for the Town of Edgewood is long overdue as there has never been such a document in place. He reviewed the Ordinance and its rules and guidelines. Mr. Torres concluded by stating this Ordinance would offer transparency into how the Town procures and bids its services, and what vendors and contractors can expect when they do business with the Town.

Councilor Holle inquired if there was a back-up person to place Purchase Orders if Mr. Torres was unavailable for an extended period. Mr. Torres stated that he is the only Certified Procurement Officer, but delegation of his duties is allowed under certain circumstances. Councilor Holle then reviewed requested changes.

Councilor Abraham requested clarification on Formal and Informal Procurement Procedures regarding the threshold amounts.

MOTION: Councilor Abrams made a motion to approve Ordinance 2018-05 Governing Procurement for the Town of Edgewood.

 Initials

Councilor Abraham seconded the motion.

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

H. Discussion, consideration and action on Ordinance 2018-09, A Resolution authorizing 20% pick-up of PERA General Members for the Town of Edgewood

Mr. Torres stated currently the Town of Edgewood Employees (not including the Police Department) have been paying 100% of their PERA Retirement. He stated he is requesting the Town pick up 20% of that, as the Town currently pays a portion of the Police Department's PERA. Mr. Torres stated that this would raise the employees' take-home pay and help with employee retention.

Councilor Abraham asked how many employees would be affected by this change and what the estimated cost would be. Mr. Torres stated sixteen employees would be included under this 20% pick-up. He will get back to the Governing Body with the total estimated cost of this change.

MOTION: Councilor Holle made a motion to approve Ordinance 2018-09, A Resolution authorizing 20% pick-up of PERA General Members for the Town of Edgewood.
Councilor Abrams seconded the motion.

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

I. Discussion, consideration, and action on a Lease Agreement with the State Land Office on Section 32

Mr. Roger Holden, the Parks and Recreation Program Manager stated he recently submitted an application for a 25-year lease for Section 32, as the Town's lease lapsed on June 2, 2018. The Town has been given a grace period to renew the lease, only if a check is delivered to the State with a signed application by tomorrow, June 7, 2018. Mr. Holden added that the Town was not granted a 25-year lease, but only the option for a 5-year lease. A plan of action with actionable commitments was agreed to by the Town. The cost of the 5-year lease for Section 32 has increased from the previous lease. The new lease has a first-year cost of \$3,822 and ends with a fifth-year cost of \$4,137.24. Mayor Bassett and Mr. Holden informed the Governing Body that at this time the Town does not have vehicle access to Section 32, as it has been denied by the adjacent subdivision.

Councilor Holle asked what the actionable commitments were.

Mr. Holden stated the actionable commitments consisted of: perimeter fencing, signage, barriers for off-road vehicles, and trail construction.

MOTION: Councilor Abraham made a motion to approve a Lease Agreement with the State Land Office on Section 32.

Councilor Holle seconded the motion.

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

- ~~J. Discussion, consideration and action on a job description for: Court Clerk~~
- ~~K. Discussion, consideration and action on a job description for: I.T. Employee~~
- ~~L. Discussion, consideration and action on a job description for: Police Administrative Assistant~~
- ~~M. Discussion, consideration and action on a job description for: Administrative Assistant~~
- ~~N. Discussion, consideration and action on a job description for: Janitorial Worker~~
- ~~O. Discussion, consideration and action on a job description for: Maintenance Worker~~
- P. Discussion, consideration and action on the Financial Report for the month of April 2018.

Mr. Torres stated the Town is very fortunate this year, as our retail-trade has been continuously high. He continued to review line items in the Gross Receipts Tax Report. Mr. Torres expressed concern that Wells Fargo Bank is allowing overage purchases on the Town's credit cards and then charging the Town over-the-limit fees. Mr. Torres is currently looking for a credit card that would suit the Town's needs better. Councilor Abraham expressed concern about paying for two websites and not having the one we are switching to up and running. Deputy Clerk Carla Salazar stated migration to the new website is almost complete. Ms. Salazar has a few adjustments to make prior to final approval for the website to go live.

MOTION: Councilor Abraham made a motion to accept the Financial Report for the month of April 2018.
Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

VI. ANNOUNCEMENTS and/or CALENDAR REVIEW.

- A. Next Regular Council Meeting – June 20, 2018 @ 6:30 p.m.
- B. Public Hearing (Quasi-Judicial) on an Application for a Zone Change from SU to C2. Application of Bryan Hackell representing Fellow Laborers with Christ (Woods End Church) for a Zone Change of 2.38 acres, from SU (Special Use) to C2 (Commercial Business) at Tract 4-A-1-B Lands of Fellow Laborers with Christ located in the SE ¼ of T10N R7E SEC 21 Edgewood, New Mexico aka 0 Pinto Rd. To be heard June 20, 2018.
- C. Public Hearing (Legislative) to repeal and replace the Animal Control Ordinance of the Town of Edgewood. To be heard June 20, 2018.
- D. Public Hearing (Legislative) to amend the Town of Edgewood Zoning Ordinance to reflect the Animal Control ordinance of the Town of Edgewood. To be heard June 20, 2018

Councilor Abraham asked if the Town could schedule a public meeting on July 21 or 28 to address the rumors on water and sewer.

Councilor Abrams requested that the items struck from tonight's Agenda Item V. J-O be included on the next Agenda as one item under the Consent Agenda.

VII. ADJOURN

MOTION: Councilor Abraham made a motion to adjourn the meeting of June 6, 2018.
Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

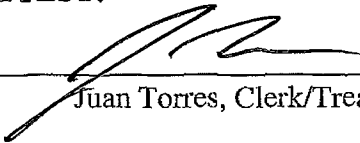
Mayor Bassett adjourned the meeting of June 6, 2018 at 8:43 p.m.

PASSED, APPROVED, AND ADOPTED THIS 20th day of JUNE 2018.



John Bassett, Mayor

ATTEST:



Juan Torres, Clerk/Treasurer

