

TOWN OF EDGEWOOD
ORDINANCE NO. 1999-I

1684120

AN ORDINANCE GRANTING THE PETITION BY OWNERS OF
A MAJORITY OF 92 ACRES OF TERRITORY CONTIGUOUS TO
THE CURRENT WEST BOUNDARY OF THE TOWN OF
EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.

WHEREAS, owners of a majority of 92 acres of territory contiguous to the current West boundary of the Town of Edgewood petition the Town to annex the territory; and

WHEREAS, the annexation petition delivered to the Town Mayor complies with the requirements of NMSA 1978, S3-7-17 (Repl. Pamp 1987) and was, prior to signature by petitioners, duly approved by the Town Clerk, pursuant to NMSA 1978, S3-1-5 (Repl. Pamp. 1987) and

WHEREAS, in particular, the annexation petition is accompanied by two maps labeled Exhibits "A" and "B" showing respectively, the external boundary of the territory proposed to be annexed and the relationship of such territory to the existing Town boundary; and

WHEREAS, the governing body of the Town of Edgewood has determined that the Town is capable of providing municipal services to the territory proposed to be annexed within a reasonable time and that the annexation is in the best interests of the Town as a whole.

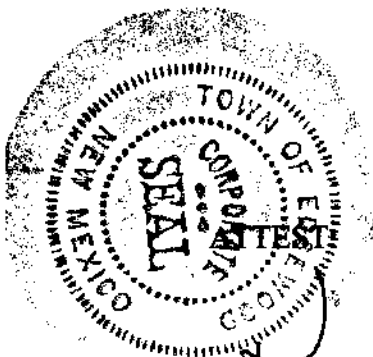
1684121

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF
EDGEWOOD THAT:

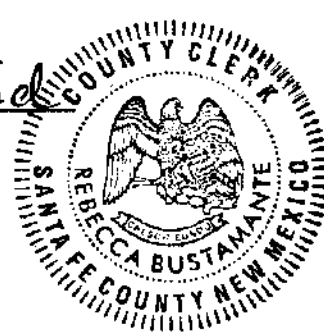
The territory described and defined in the maps attached hereto as Exhibits "A" and "B" is hereby annexed to the Town of Edgewood and is hereby made subject to all of the laws and ordinances which shall now or hereafter apply to land within the Town limits. Further, the Council hereby directs the Town Clerk to file a copy of the maps of the annexed territory in the office of the Clerk of Santa Fe County and of any other County in the event the annexed territory extends into another County and to send copies of the ordinance and of the maps of the territory so annexed to the Secretary of Finance and Administration and to the Secretary of Taxation and Revenue.

APPROVED, PASSED AND ADOPTED this 1st day of September at an open meeting held at the Edgewood Community Center, Town of Edgewood, New Mexico.

Lawrence B. Keaty
Town of Edgewood

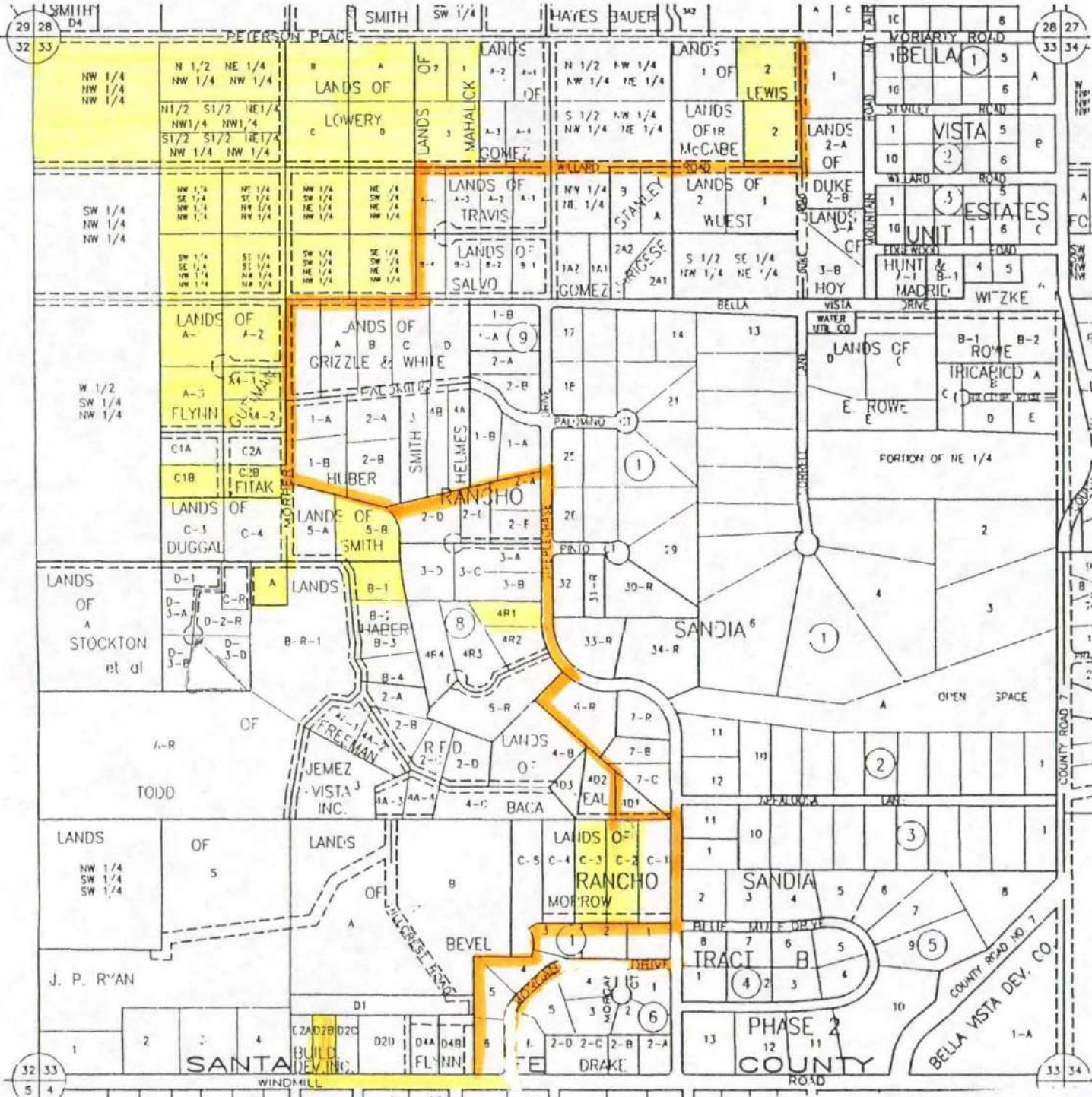


Rene Alarid
Town Clerk



COUNTY OF SANTA FE 1089, SS 333
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 8 day of Sept A.D. 19 94, at 9:33 o'clock A.M. and was duly recorded in book 1689, page 120-122 of the records of Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
Craig Urban
Deputy

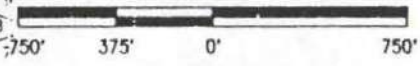


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ASSOCIATED
DEVELOPMENT INC.



SCALE: 1" = 750'



LEGAL DESCRIPTION
T 10 N
R 7 E
SEC 33

UNIFORM PROPERTY CODE
1042055

MAP AMENDED THROUGH
JULY 1, 1997

M 39

1684122

Edgewood Town Council
September 1, 1999
Regular Session

TIME, PLACE & ATTENDANCE The Governing Body of the Town of Edgewood met in regular session on September 1, 1999 at the Edgewood Community Center with the following members present: Mayor Lawrence Keaty; Councilors Chuck Ring, Bob Stearley, Howard Calkins and Gary Chemistruck. Also present were Karen Alarid, Town Clerk-Treasurer; Carole Apple, Municipal Judge and guests. (See attached list)

CALL TO ORDER Mayor Keaty called the meeting to order at 6:30 p.m.

MINUTES Councilor Chemistruck moved to approve the minutes of August 4, 1999 regular session as presented. Howard Calkins seconded the motion. All voted aye. Motion carried.

JUDGE'S REPORT Karen Alarid read the municipal court report as submitted by Judge Carole Apple for the month of August, 1999.

Cases	0
Fees collected	0
Fines collected	0

Howard Calkins moved to accept the Judge's report for the month of August, 1999. Chuck Ring seconded the motion. All voted aye. Motion carried.

TOWN ENGINEER Mayor Keaty advised those present that a work session had been held and rating/ranking of engineering proposals had been tabulated. The number one ranked firm was Dennis Engineering. Gary Chemistruck moved to consider Dennis Engineering as the Town Engineering Firm. Bob Stearley seconded the motion. All voted aye. Motion carried.

ENGINEER CONTRACT Gary Chemistruck moved to accept the engineering contract as presented by Dennis Engineering. Chuck Ring seconded the motion. All voted aye. Motion carried.

ATTORNEY PROPOSALS It was reported that the following had submitted a proposal to the Town to provide professional legal services: Joseph B. Campbell, Kenneth S. McDaniel, Coppler & Mannick, Duane F. Keating and Law & Resource Planning Group. After rating & ranking the proposals the number one firm is Coppler & Mannick. Howard Calkins moved to accept the rating & ranking of the above. Chuck Ring seconded the motion. All voted aye. Motion carried.

Howard Calkins moved to authorize the Mayor to negotiate an agreement with Coppler & Mannick. Gary Chemistruck seconded the motion. All voted aye. Motion carried.

PUBLIC HEARING ZONING ORD. Mayor Keaty advised the public that the council would be considering Adoption of worksession

council had a
ne the council will

Post-It® Fax Note	7671	Date	12-1699	# of pages	4
To	Martha Torrez	From	Karen Alarid		
Co./Dept.	Rural Dev	Co.	Town of Edgewood		
Phone #		Phone #	286-4518		
Fax #	761-4976	Fax #	286-4519		

consider adopting a zoning map. Councilor Stearley asked that the Clerk go over the changes that have been made to the original document. The Clerk advised the council that during the worksession on Monday the council asked that the following wording be added to the NonConformance Certificate section: Nonconformance Certificate shall not be issued to incorporated and annexed residents who are grandfathered in the Town of Edgewood. This wording was not added due to the advise from the Middle Rio Grande Council of Governments. Mr. Joe Quintana with MRGCOG was introduced. Mr. Quintana advised the council that if the wording was added to the section then there would be no reason to have that section in the document. Mr. Quintana advised the council that the purpose of having this in the ordinance is to recognize those that are in nonconformance and allow them to continue as they are, however they would not be able to expand. Comments were received from the public. Diane Stearley advised the council that City of Albuquerque is facing this issue. They had issued nonconformance certificates and allowed 40 years for residents/businesses to be in conformance to the ordinance. The 40 years is coming up. Chuck Ring moved to not include the wording that a nonconformance certificate shall not be issued...Bob Stearley seconded the motion. Chuck Ring, Bob Stearley & Howard Calkins voted aye. Gary Chemistruck voted nay. Motion carried.

Howard Calkins moved to adopt the Zoning Ordinance as amended. Chuck Ring seconded the motion. Chuck Ring, Bob Stearley and Howard Calkins voted aye. Gary Chemistruck voted nay. Motion carried.

**SUBDIVISION
ORDINANCE**

Mayor Keaty advised the public that the subdivision ordinance document has been reviewed. No written comments were received from the council. Gary Chemistruck asked that the wording related to the Planning Board read the same as the Zoning Ordinance. Joe Quintana advised the council that this document will be used to regulate the area outside the town limits for a 3 mile radius. It was questioned whether under the design standards if a dead end street(cul-de-sac) needs a 60 feet radius. The Council asked that it be changed to 50 feet. Also throughout the document it mentions Santa Fe County Clerk/Treasurer. That will be changed to appropriate County Clerk/Treasurer since the Town will be dealing with Bernalillo, Torrance and Santa Fe Counties. Chuck Ring moved to adopt the Subdivision Ordinance as amended. Howard Calkins seconded the motion. All voted aye. Motion carried.

**BUSINESS
REGISTRATION**

Mayor Keaty advised the public that the Business Registration Ordinance will require businesses located within the Town to register once a year. Those business that have paid their fee to Santa Fe County will not register with the Town until January 2000, however new business will pay a prorated fee. Gary Chemistruck moved to adopt the Business Registration Ordinance as presented. Bob Stearley seconded the motion. All voted aye. Motion carried.

**BUSINESS
LICENSE**

The council was advised that the Business License ordinance will require all business from outside the town limits coming into the town limits to conduct business will be required to pay a business license fee. The public questioned whether a Realtor out of Albuquerque would be required to pay a license. They would have to pay the fee.

Gary Chemistruck moved to adopt the Business License ordinance as presented. Chuck Ring seconded the motion. Gary Chemistruck, Chuck Ring and Howard Calkins voted aye. Bob Stearley voted nay. Motion carried.

MGRT – ¼%

Mayor Keaty advised the public that the council will be considering adopting a ¼% gross receipts tax. This would bring the tax rate to 5.75% effective January 1, 2000. A gentleman from the audience questioned why the taxes were being increased. After the election it was discussed that no taxes would be increased. The Mayor clarified that at meetings held it was stated that the town would not increase the tax rate more than what the rate was being paid at the time of incorporation. Ray Seagers stated that was his understanding also. Howard Calkins moved to adopt ordinance number 1999-P reference ¼% MGRT. Bob Stearley seconded the motion. Howard Calkins, Bob Stearley & Chuck Ring voted aye. Gary Chemistruck voted nay. Motion carried.

PUBLIC HEARING
ANNEX 16.72
ORD. 1999-G

Gary Chemistruck moved to adopt Ordinance 1999-G reference annexing 16.72 acres of property to the town. Howard Calkins seconded the motion. All voted aye. Motion carried.

ANNEX 100.91
ORD. 1999-H

Gary Chemistruck moved to adopt Ordinance 1999-H reference annexing 100.91 acres of property to the town. Bob Stearley seconded the motion. All voted aye. Motion carried.

ANNEX 92
ORD. 1999-I

Howard Calkins moved to adopt Ordinance 1999-I reference annexing 92 acres of property to the town. Bob Stearley seconded the motion. All voted aye. Motion carried.

ANNEX 60.32
ORD. 1999-J

Howard Calkins moved to adopt Ordinance 1999-J reference annexing 60.32 acres of property to the town. Gary Chemistruck seconded the motion. All voted aye. Motion carried.

ANNEX 1132
ORD. 1999-K

Mr. [redacted] advised the council that he did not want to be included in the proposed annexation reference ordinance 1999-K. The ordinance would annex 1174 acres. Mr. [redacted] owns 42 acres of property that he would like to delete from the annexation. Howard Calkins moved to adopt ordinance 1999-K for 1132 acres. Bob Stearley seconded the motion. All voted aye. Motion carried.

ANNEX
ORD. 1999-L

Mayor Keaty advised the council that he would like to table action on Ordinance 1999-L. Gary Chemistruck moved to table action on ordinance 1999-L. Howard Calkins seconded the motion. All voted aye. Motion carried.

ANNEX 692.45
ORD. 1999-M

Gary Chemistruck moved to adopt ordinance 1999-M reference annexing 692.45 acres of property. Chuck Ring seconded the motion. All voted aye. Motion carried.

PLANNING

Mayor Keaty advised the council that he would like to appoint the

BOARD

following individuals to the Planning Board: Sue West, Ed Whitworth & Norman Bentzen. Mayor Keaty advised the public that the Town Council will act as the Planning Board for a period of time. This will give the appointed individuals time to get familiar with the subdivision and zoning ordinances. Also two other individuals need to be appointed to the board.

Howard Calkins moved to accept the Mayor's appointments to the Planning Board. Bob Stearley seconded the motion. All voted aye. Motion carried.

**LIQUOR
LICENSE**

Mayor Keaty advised the public that in the future the town may have a special election reference questions pertaining to liquor. The Mayor told the public of the worksession with the Alcohol & Gaming department. Ms. Robin Dozier Otten advised the council that before any beer & wine license would be issued the town must conduct an election and bring this question to the residents. Also the public can be asked if transferring of liquor licenses will be allowed. If no election is held on this question transfers can be done. Also the public can be asked if Sunday sales will be allowed. Mayor Keaty said that he expects that an election could take place in November.

**HOLIDAY
SCHEDULE**

Chuck Ring moved to adopt resolution #1999-7 reference holiday schedule. Gary Chemistruck seconded the motion. All voted aye. Motion carried.

**PAYMENT
OF BILLS**

Chuck Ring moved to approve payment of bills as presented. Howard Calkins seconded the motion. All voted aye. Motion carried.

ADJOURN

There being no further business Gary Chemistruck moved to adjourn the meeting. Bob Stearley seconded the motion. All voted aye. Motion carried.

APPROVED

Passed, approved and adopted this 6th day of October, 1999.


Mayor Pro-Tem - Bob Stearley

ATTEST:


Town Clerk-Treasurer - Karen Alarid