

CITY OF AZTEC
COMMISSION MEETING MINUTES
October 23, 2018

I. CALL TO ORDER

Mayor Victor Snover called the Meeting to order at 6:00 pm at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

II. INVOCATION

The Invocation was led by Commissioner Austin Randall

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Snover

IV. NEW MEXICO PLEDGE

I Salute The Flag Of The State Of New Mexico And The Zia Symbol Of Perfect Friendship Among United Culture's.

The New Mexico pledge was led by Mayor Snover.

V. ROLL CALL

Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;
Commissioner Sipe; Commissioner Mark
Lewis; Commissioner Austin Randall

Members Absent: None

Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker;
Project Manager Ed Kotyk; City Clerk Karla Sayler (see
attendance sheet)

VI. AGENDA APPROVAL

MOVED by Commissioner Lewis to Approve the Agenda as given
SECONDED by Mayor Pro-Tem Fry

All voted Aye: Motion passed five to zero

VII. CITIZEN RECOGNITION

Mayor Snover recognized the AHS Band for their accomplishments in winning 1st place in division for 2018 pageant of bands and they won best brass, woodwinds and percussion in the state.

VIII. EMPLOYEE RECOGNITION

NONE

IX. CONSENT AGENDA

- A. Commission Workshop Minutes October 9, 2018
- B. Commission Meeting Minutes October 9, 2018
- C. Participation Agreement with San Juan County for Pictometry License Agreement
- D. State Grants in Aid FY19
- E. Resolution 2018-1103 Certification of Capital Asset Inventory
- F. Resolution 2018-1106 Quarterly Budget Review
- G. Resolution 2018-1107 Municipal Surplus
- H. Re-Bid ITB 2019-663 Western Red Cedar Poles
- I. Public Regulation Commission State Fire Marshal Division Agreement
- J. Economic Development Advisory Board Appointment

Moved by Commissioner Sipe, **SECONDED** by Commissioner Randall to approve the Consent Agenda as given with the exception of Items (C) and (F).

All Voted Aye: Motion Passed Five to Zero

X. ITEMS FROM CONSENT AGENDA

(C) Participation Agreement with San Juan County for Pictometry License Agreement

Commissioner Randall asked how the County decides what the cost will be and Ed explained that the amount is based on the amount of sectors and aerial chosen.

Moved by Commissioner Randall, **SECONDED** by Commissioner Lewis to approve Authorized Participation Agreement with San Juan County for Pictometry License Agreement

All Voted Aye: Motion Passed Five to Zero

(F) Resolution 2018-1106 Quarterly Budget Review

Commissioner Sipe asked about the revenue decrease from NM Self Insurers fund. Kathy Lamb Finance Director explained that the City Manager and Mayor didn't attend the safety meeting that is required. City Manager Steve Mueller mentioned that he is already scheduled for this year.

Moved by Commissioner Sipe, SECONDED by Mayor Pro-Tem Fry to approve Resolution 018-1106 FY19 First Quarter Budget Adjustments

All Voted Aye: Motion Passed Five to Zero

XI. CITIZENS INPUT (3 Minutes Maximum)

NONE

XII. BUSINESS ITEMS

A. Aztec Sparkles Lighting Contest Awards

Project Manager Ed Kotyk explained that this information was presented at the workshop and would stand for additional questions.

Moved by Commissioner Randall, SECONDED by Commissioner Sipe to Approve Aztec Sparkles Lighting Contest Awards in the amount of \$2,320, awarded to each of four Residential and four Commercial winners in the form of non-transferable credits to City of Aztec utility accounts.

A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero

XIII. LAND USE HEARINGS

A. OG 18-04 Hilcorp Inc. Drill Site Permit (Glen Swire #1)

Mayor Snover opened the hearing up to discussion amongst themselves after being tabled 2 weeks ago. Commissioner Randall recused himself. Mayor Pro-Tem Fry stated that she was comfortable with the conditions that Community Development laid out. Commissioner Sipe is not sure that the landscaping will help and thinks we should just go with the fencing. Mayor Snover felt like this is too close to people's homes and the river. City Attorney Nicci J. Unsicker explained that we cannot make them shut the well down because of Federal and State laws.

Moved by Commissioner Sipe, SECONDED by Mayor Pro-Tem Fry to Approve OG 18-04 an Oil and Gas Well application submitted by Keri Hutchins, on behalf of Hilcorp San Juan, L.P. for permission to modify an existing well at the location indicated

per the staff report, with recommended conditions and suggested fining of facts with the exception of landscaping.

A Roll Call was taken: 3 Voted Aye/ 1 Voted Nay: Motion Passed Three to One

B. OG 15-05 Hilcorp Inc. Drill Site Permit (Fay Burdette #1)

City Attorney Nicci J. Unsicker requested that Commissioners who have had ex-parte communications identify themselves (Mayor Snover, Mayor Pro-Tem Fry and Commissioner Sipe) identified themselves. She asked them to summarize the communication and then not consider this information in their decision. She also mentioned that we would reopen the hearing so that Hilcorp could give their side.

Mayor Snover explained that his ex-parte communication was an email and phone call from Anna Evers explaining that she didn't receive any notice of the land use hearing. She expressed concerns about recompleting that well because of a potential investor and that could jeopardize the business interest.

Mayor Pro-Tem Fry explained that her ex-parte communication was an email and long voice message that contained the same detail that the Mayor mentioned and they went into the dangers of fracking and the potential of earthquakes, concern for the Ruins and downtown historical buildings being effected.

Commissioner Sipe explained that her ex-parte communications were an email and phone call and she explained that the item was tabled and she explained she would talk to Steven Saavedra about her being notified. She also received a long voicemail from Gene Chaffee.

Commission understood that they cannot consider any of this in the hearing today. City Attorney had the Mayor reopen the hearing by having him read the land use script and swearing in all parties.

Ben Mitchel the representative for Hilcorp explained that they have no concerns about the ex-parte communication. Mayor Snover closed the hearing and opened up to discussion amongst commission. Mayor Pro-Tem Fry explained that she felt the Community Development did a good job laying out conditions and felt we should go with that. Commissioner Sipe agreed but also felt we should go with fence and not the landscaping. Mayor Snover mentioned that he is more in agreement but mentioned that we have an ordinance on landscaping requirements and he feels that we should uphold the ordinance at a minimum. There was a lot of discussion about landscaping. The Mayor reopened the hearing to discuss landscaping ideas. Steve Saavedra Community Development Director explained that perhaps the landscaping should be natural to area maybe a vine, rabbit bush and pinion trees. The idea behind landscaping is to mitigate and not cover. Ben Mitchel mentioned that Hilcorp would be willing create visual screening when the development takes place and there is no longer natural vegetation. City Attorney struggled with this because who defines this and who enforces it, so it needs to be laid out now. Mayor Snover closed the hearing.

Moved by Commissioner Sipe, **SECONDED** by Mayor Pro-Tem Fry to Approve OG 18-05 an Oil and Gas Well application submitted by Keri Hutchins, on behalf of

Hilcorp San Juan, L.P. for permission to modify an existing well at the location indicated per the staff report, with recommended conditions and suggested fining of facts adding that the well would be screened and landscaping plan be submitted and approved by Community Development Department with drought resistant plants.

A Roll Call was taken: 4 Voted Aye, Motion Passed Four to Zero

XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

City Manager Steve Mueller mentioned that we are currently in stage 2 water restrictions and right now we are in great shape but the concern will be next year depending on snow pack coming into spring, on November 1st he will scale back to stage 1 just to let people know that we are not totally out of water restrictions.

Commissioner Sipe mentioned that she attended Chiefs presentation as well and thanked him for doing. She attended EDAB last week and had a presentation on the closure of the San Juan Generating plant and the Mine and the impact to the community.

Mayor Pro-Tem Fry thanked Chief Heal for the school shooting presentation. She attended a sparkles meeting and is excited for the holidays.

Commissioner Randall mentioned he attended the LTAB meeting last week. He will be out of town the 2nd Tuesday in December.

Mayor Snover mentioned the Airport Advisory Board was canceled because no quorum. ECHO meeting this week. He thanked Chief for the presentation he did for the community.

XV. DEPARTMENT REPORTS

NONE

XVI. ADJOURNMENT

Moved by Mayor Snover, SECONDED by Commissioner Lewis to adjourn the meeting at 7:30 p.m.



A handwritten signature in black ink, appearing to read "Victor Snover".

Mayor, Victor Snover

ATTEST:

A handwritten signature in black ink, appearing to read "Karla Sayler".

Karla Sayler, City Clerk

MINUTES PREPARED BY:

A handwritten signature in black ink, appearing to read "Sherlynn Morgan".

Sherlynn Morgan, Administrative Assistant



COMMISSION

Meeting

ATTENDANCE SHEET

DATE: 10-23-18

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NAME	Address or Affiliation
Carlton Gray	COA
Mike Deal	COA
Debra Green	COA
Steve Morse	COA
Susan Aguirre	101 N Main
Ken George	206 French Drive
Ed Martinez	424 E Blanco / COA
Alexis Arcey	151c CR6480
Rebecca Garcia	23 road 3090
Cassandra Rodriguez	1609 N Glen Mary Dr.
Ferran Mendietta	516 Ruins Road space 58
Brooklyn Shaw	111 Road 2553
Morgan Damar	50 county road, 3051,
Ronald Cole	705 Sagebrush Dr.
Angus Sledzinski	47 rd 2581
Zsuzsanna Workman	341 Arnold Drive AHS BAND
Serenity Hall	39 Rd. 5109 - AHS BAND
Anjee Hall	AHS Band
Jessica Sledzinski	47 road 2581 Aztec
Rhiannon Todd	408 Po. Box LaPlata, NM
Anthony Gross	1205 Pollard Ave Aztec

