

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
April 28, 2020

**I. CALL TO ORDER**

Mayor Snover called the Meeting to order at 6:01 pm. The Regular Meeting of City of Aztec Commission to be held at 6:00 pm Tuesday, April 28, 2020 was virtual using Public Dial-In Number: 1-866-899-4679, Access Code: 726-192-141

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Invocation (led by Commissioner Randall)
- B. United States Pledge of Allegiance (led by Mayor Pro-Tem Fry)
- C. New Mexico pledge of Allegiance (led by Mayor Pro-Tem Fry)

**III. ROLL CALL**

Members Present: (Members were on web call) Mayor Snover; Mayor Pro-Tem Fry; Commissioner Austin Randall; Commissioner Mark Lewis; Commissioner Mike Padilla (In Person)

Members Absent: None

Others Present: City Manager Steve Mueller; City Attorney Tyson Gobble (web call); IT Director Wallace Begay; City Clerk Karla Saylor

**IV. PRESENTATION**

Minding the Gap – Susan Hodgman, Behavioral Health Services Director, SJC

Mayor Snover introduced Susan Hodgman from Behavioral Heals Services. She explained that it is called Minding the Gap because when the County Commission commissioned the gap report it showed a lot of gaps in behavioral health. She was hired as a central person to start bringing the various behavioral health practitioners and agencies together. She explained that some of the challenges are services and treatment; difficult accessibility; resources; and training. She mentioned that we have gaps in collaboration, public education, and service capacity. Susan explained that in the entire County we only have 35 agencies listed, she will be meeting with these agencies and asking what they think some solutions are. Ultimately they will put together a behavioral health summit and bring everyone together for a conference to start addressing these issues and create solutions.

**V. APPROVAL OF AGENDA ITEMS**

MOVED by Commissioner Randall to approve the agenda as given;  
SECONDED by Mayor Pro-Tem Fry

A roll call was taken; All voted Aye: Motion passed five to zero

**VI. CONSENT AGENDA**

- A. Commission Meeting Minutes April 14, 2020
- B. Annual Financial Audit Contract for FY2020
- C. FY21 Municipal Fire Protection Fund Distribution Application
- D. Resolution 2020-1180 Authorizing signatures for Municipal Court Cash bond Checking Account
- E. Resolution 2020-1181 Authorizing Signatures for Motor Vehicle Department Bank Account
- F. Resolution 2020-1182 Authorizing Signatures for City Accounts
- G. Resolution 2020-1183 Municipal Surplus
- H. RFP 2020-742 Fiber Optic Cable Furnish & Installation
- I. ITB 2020-735 East Aztec Pump Station Award
- J. RFP 2018-624 Airport Engineering Task Order 3
- K. Lucero Trust Land Donation to the City of Aztec
- L. Letter of Support for Nomination of the Trail of the Ancients to the National Scenic Byway
- M. Resolution 2020-1185 Authorizing FAA CARES Act Funding Application
- N. Resolution 2020-1186 Special Budget Resolution

MOVED by Commissioner Randall to Approve the Consent Agenda as given  
SECONDED by Commissioner Lewis

A roll call was taken; All voted Aye: Motion passed five to zero

**VII. ITEMS REMOVED FROM CONSENT AGENDA**

None

**VIII. PRESENTATIONS**

NONE

**IX. CITIZENS INPUT (3 Minutes Maximum)**

NONE

## **X. BUSINESS ITEMS**

### **A. Resolution 2020-1184 FY19 Audit Acceptance**

City Manager Steve Mueller explained that Ben Martinez with CRI will be presenting the annual financial report for FY19 and he turned it over to Mr. Martinez.

Ben Martinez with CRI thanked Commission for choosing them for the audit and mentioned that in compliance with the state audit rule they were here to present the results of the audit. They were in Aztec the week of November 11<sup>th</sup>, 2019 and they had no audit findings this year. This was delivered on December 13<sup>th</sup> for review, the independent auditors report and the exit conference or dated for December 16<sup>th</sup> and he will be presenting those results tonight. The City received an unmodified opinion which is the best opinion that the City could get and this means that the financial statements are presented in accordance with standards and there were no areas that they could not support a balance or find appropriate audit evidence. The other auditors report they have is called the Yellow Book Report which is on internal control an opinion is not given but if there were any findings they would be listed here. Looking at the financial statement for general fund, special revenue, capital projects and debt service we have had an upward trend over the past 5 years in assets and liabilities; most of the increase has been in capital assets (infrastructure). When it comes to liabilities over the last 5 years there has been an increase of about 12 million and this comes from pension liability, OPEB liability which is related to PERA and the retiree health care. The net position has been pretty stable. The Fund Balance of the General Fund has slowly increased over the 5 years. Looking over the budgets and being conscious and monitoring the budgets, they have usually come in with the actual expenses below the budgeted amount. The 2 prior year finding were resolved. The fact that those findings were cleared and there were no additional finding this year speaks pretty highly of the finance operations. The improvement points that are recommend are the IT policies and procedures. Ben thanked Kathy Lamb the Finance Director and City staff, everyone was really helpful.

Commission thanked Ben Martinez for his presentation. Mayor Snover mentioned that we know we have a high speed finance department but it's nice to hear from someone looking from the outside in to reinforce what we already know. He gave kudos to Kathy and her team for the hard work.

**MOVED by Commissioner Randall to Approve Resolution 2020-1184 FY19 Audit Acceptance SECONDED by Mayor Pro-Tem Fry**

A roll call was taken; All voted Aye: Motion passed five to zero

**B. Intent to Adopt Ordinance 2020-502, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages**

City Manager Steve Mueller explained that this was recently on the ballot for the March 3<sup>rd</sup> Municipal Election and the citizens voted in favor of Sunday alcohol sales by the drink. When we put this in place we determined that Chapter 4 should be revised and in doing so we thought the easiest way to do that would be to have Chapter 4 reference the state statute, Chapter 60 specifically; by doing this will allow any amendments to chapter 60 would automatically be incorporated into our Chapter 4, so in the future by making this ordinance any changes that happen at the state level would be referenced in Chapter 4 of the City Code.

City Attorney Tyson Gobble mentioned that they worked on this for 2 or 3 weeks and if the State does revise any of the alcohol code relevant to Sunday sales or to Chapter 4 of the City Code, it would automatically be adopted by this reference. He also mentioned that with the next 2 items on the agenda there were some corollaries that had to be changed with some of the changes we did to Chapter 4 and some of the changes that the voters voted for the Sunday alcohol sales.

Commissioner Randall asked if since we are citing a State statute if the link will be updated or will there be a link to the state statute that way they don't have to pull up the State website as well.

City Manager Steve Mueller mentioned that yes Wallace will make sure that the link is the most current and he feels that this will be the easiest for the citizens and staff to answer questions.

**MOVED by Commissioner Randall to Approve the Intent to Adopt Ordinance 2020-502, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages SECONDED by Commissioner Lewis**

A roll call was taken; All voted Aye: Motion passed five to zero

**C. Intent to Adopt Ordinance 2020-503, Amending the Municipal Code of Aztec, New Mexico, Chapter 1, Section 12-2-2 Alcohol. In reference to Chapter 4.**

City Manager Steve Mueller mentioned that this refers to the fines specific to Chapter 4 schedule and the appropriate changes that needed to be made to get this updated and current.

**MOVED by Commissioner Lewis to Approve Intent to Adopt Ordinance 2020 503, Amending the Municipal Code of Aztec, New Mexico, Chapter 1 Section 12-2-2 Alcohol. In reference to Chapter 4 SECONDED by Mayor Pro-Tem Fry**

A roll call was taken; All voted Aye: Motion passed five to zero

**D. Intent to Adopt Ordinance 2020-504 Amending the Municipal Code of Aztec, New Mexico, Chapter 16, to Establish Article XII. Fee Schedule for Liquor License Fees**

City Manager Steve Mueller mentioned that this refers to the fee schedule in Chapter 16 of the City Code and establishes the fee schedule for the City liquor license that follows once the State liquor license is established.

Commissioner Randall asked what the difference is with the club license and why it's only \$50. Steve Mueller explained that these are established by State Statute.

MOVED by Commissioner Randall to Approve Intent to Adopt Ordinance 2020 50, Amending the Municipal Code of Aztec, New Mexico, Chapter 16, to Establish Article XII. Fee Schedule for Liquor License Fees SECONDED by Mayor Pro-Tem Fry

A roll call was taken; All voted Aye: Motion passed five to zero

#### **XI. QUASI JUDICIAL HEARINGS (Land Use)**

NONE

#### **XII. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS**

City Manager Steve Mueller mentioned that he wanted to continue to acknowledge and thank first responders, EMS, law enforcement, grocery store workers and all the people out there on the front lines doing what they do day to day to allow us to continue with our daily lives. He reminded everyone of the importance of the census. In the future he wants to get with all Commission and talk about a time for a virtual retreat. We will also start talking about the budget workshops for FY21.

City Attorney Tyson Gobble echoed what Steve Mueller said about the people on the front line. He reminded everybody to be safe and follow the current orders in place and don't forget to support our local businesses. They are counting on us, make sure you patronize the businesses that remain open.

Commissioner Padilla mentioned that he would also like to commend the finance department. He mentioned that Kathy and Kris have done a phenomenal job for all the years they have been with the City. He mentioned that he was contacted by a citizen who walks at Tiger Pond every day and they were concerned with the amount of liquor bottles and fire pits right next to the water. Commissioner Padilla said that when he was driving around up there on Sunday he noticed people camping up there. He feels that we need to do patrols or something because our park is being misused and we need to take care of it.

Commissioner Lewis mentioned that the Water Commission meeting has been canceled. Keep the people fighting this virus in your minds, he has 3 clients who are hospitalized right now. He thanked Kathy Lamb as well and mentioned that she does an outstanding job. Please patronize the local businesses that are open.

Commissioner Randall mentioned that having worked in the finance department before that he takes a lot of pride in it. He mentioned that there is probably not many cities in the State that have zero findings, they are required to report everything; even a PO that is \$10 over and we had zero findings. He gave kudos to Kathy and the whole team, he said it makes him feel good that they are open and honest and top of things. He wants everyone to be careful and safe and he knows its tough especially on the stay at home moms that are stuck with kids at home but he feels that we are doing a good job.

Mayor Pro-Tem Fry mentioned that she had a conference call with Steve Mueller and Cindy Iacovetto from the Senior Center to get her up to date on NWNM Seniors and it was eye opening. Tomorrow she will be meeting with Sherri Sipe because she has been a part of that organization for a long time and can give her important information. She decided to catch up with the artists on the piano project and she mentioned that Timothy Gordon is an incredible artist, they have 4 pianos in process. She mentioned that she has been through many audits with the non-profits that she's worked for over the years and incredible to have zero findings, we are fortunate to have a team that can do that.


Mayor Snover offered condolences to the family, friends and loved ones of County Commissioner Margaret McDaniel, she passed last week after a prolonged battle with cancer. He looked at NMDOH and we have 2974 covid-19 confirmed cases and 110 deaths and about 15% of the confirmed cases are from San Juan County. This is kind of where the rubber meets the road in his mind. He mentioned that we need to take the necessary precautions. We need to cover our face in public it adds another layer of protection for everyone, keep social distancing and we as City staff and Officials need to set the example for our citizens to follow. He thanked Staff for keeping essential services up and running; the Senior Center and School District for keeping as many fed as possible. He gave a shout out to the Governor and State leadership for getting in front of this as quickly as possible. He gave the finance department a pat on the back.

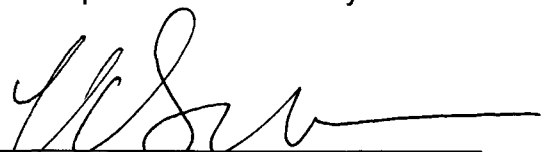
### **XIII. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 7:13 pm **SECONDED** by Commissioner Lewis



ATTEST:

  
Karla Sayler, City Clerk

  
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Mayor, Victor Snover

MINUTES PREPARED BY:

  
Sherlynn Morgan, Administrative Assistant