

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
July 28, 2020

**I. CALL TO ORDER**

Mayor Snover called the Virtual Meeting to order at 6:00 pm. The Regular Meeting of City of Aztec Commission was held at 6:00 pm Tuesday, July 28, 2020 and will be streamed live on [www.youtube.com](http://www.youtube.com)

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**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; Project Manager Ed Kotyk; City Clerk Karla Sayler (see attendance sheet)

**IV. APPROVAL OF AGENDA ITEMS**

MOVED by Commissioner Randall to approve the agenda as given;  
SECONDED by Commissioner Lewis

All voted Aye: Motion passed five to zero

**V. CONSENT AGENDA**

- A. Commission Meeting Minutes July 14, 2020
- B. Resolution 2020-1192 FY20 Fourth Quarter Report
- C. Resolution 2020-1194 Authorizing Assignment of Authorized Officers for SAP 20-E2180-STB NM Hwy 173 Waterline Relocation

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

All voted Aye: Motion passed five to zero

**VI. ITEMS REMOVED FROM CONSENT AGENDA**

NONE

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

NONE

**VIII. BUSINESS ITEMS**

**A. Resolution 2020-1193 FY21 Annual Budget Adoption**

City Manager Steve Mueller explained that this is the final budget for FY21 and asked if there were any follow up questions from what was presented at the workshop.

MOVED by Commissioner Padilla to Approve Resolution 2020-1193 FY21 Annual Budget SECONDED by Commissioner Lewis

A Roll Call was taken: All voted Aye: Motion passed five to zero

**B. Aztec Museum FY21 Funding Request**

City Manager Steve Mueller explained this is a funding request for the Museum. He turned it over to the President of the Museum Board Jack Scott. He explained that they have been closed down with the Governor's health order. They did apply for PPP funding and they've gotten some of that and because they can't open they haven't used very much of that money.

Mayor Pro-Tem Fry if they museum had any other fundraising opportunities or if they have any other options for funding for museums. She is really worried about the city's finances and concerned about funds we let go of in these uncertain times. Jack explained that basically a lot of the funding comes from the people coming in and donations.

Commissioner Padilla mentioned that the Museum really helps with tourism and asked if we fund some of the money now could we come back and give additional at a later time because he doesn't want to lose the museum.

Mayor Snover mentioned that when we were trying to figure out a way to combine the visitor center and the museum he has not let that go and he feels like we still need to find a way to make this happen and he realizes that we can't do that right now but he really wants to look at doing this. Jack says

that the City was going to come back with a different proposal because at that time the City would take over the hole upstairs and they would have to move everything out. This would have caused an access problem for the museum and the board voted it down. He mentioned that they would be willing to reevaluate and look at a different proposal and try to work something out. City Manager Steve Mueller said that he would get with Jack and begin to revisit that idea. Mayor Snover asked Jack if there was anything being done to improve traffic and if there were any initiatives to try and do something virtual or partnering with the visitor's center in order to get people there. Jack explained that they have an active Facebook page and a website. Mayor Snover asked what the funds would be used for and Jack read a list of items that the money was used for in 2019.

Commissioner Randall has the same financial concerns. Mayor Pro-Tem mentioned that she was thinking maybe \$5,000 and look at it later when we know more about our own finances. Mayor Snover mentioned that it was part of the MRA to get the visitor center on Main Street and he feels like that is a higher priority in his opinion than having the archive of the museum. Commissioner Padilla explained how we got the visitor center building and explained that he doesn't want it turned into something that can't be utilized with tourism because that's what it was originally dedicated for. He agrees about giving them some now and then come back and look at it later. Jack regained connection and said that utilities run about \$4,000, insurance runs around \$2,000, maintenance of the ground around \$500, and \$2,000 in wages so right around \$30,000

MOVED by Commissioner Randall to Approve funding to the Aztec Museum in the amount of \$5,000 SECONDED by Mayor Pro-Tem Fry

A Roll Call was taken: All voted Aye: Motion passed five to zero

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

Mayor Snover read the land use script and swore all parties in. He asked if there were any challenges, conflicts of interest or personal bias that needed to be declared and there were none.

### **A. Application for Zone Change from the Mobile Home (MH) Zoning District to the Limited Retail/Neighborhood Commercial (C-1) Zoning District, for Property located at 214 W. Zia St.**

Community Development Director Steven Saavedra explained that this application is for Frank and Ernest Martinez. He explained that in 2018 there was a mobile home sitting on this parcel. The owners moved the mobile home

and just left the metal building on the parcel and that is in a nonconformance status. The mobile home district allows mobile homes not commercial storage buildings. He explained that this is not considered a spot zone. The request is to get the zoning and use in conformity. Steven explained that this is in the MRA district. Steven said that he has only heard from 2 interested parties and one of those was just asking for more information. The other caller just asked if the owner could remove the spray paint from the boards because it was devaluing the area, he stated that staff is recommending the zone change with the conditions that they adhere to City Ordinance COA 26-3-152 District Landscaping Requirements should a significant remodel occur and the spray paint be removed on the board windows. Steven stated that it's important when we are making these decisions that it follow the City's Comprehensive plan in all respects and this would be in line with the plan.

Ernest Martinez explained that they are wanting to make a little shop out of it, something for tourists. They feel that it would help the City with GRT. Frank Martinez mentioned that his cousins Carlos Gonzales and Sandra Maestas all share meters. Their grandfather split the property. The City asked them to move the mobile home so that they can start getting the utilities separated. The way it is now is that Carlos Gonzales and their shop are on the same meter. The Gonzales property and Maestas property now have their own meters and they are unable to get utilities to the shop until the can get the zone change.

Sandra Maestas said that she didn't have a problem with anything she just wanted to make sure that it was understood that the property behind her rental was on their meter whenever the trailer was there. She wanted to make sure the coordinates are right because the fence that's behind her house is not put in the proper location, they still have 10 feet over from where it was placed. Steven Saavedra explained that we would need documentation from either owner to make sure that there are no encroachment issues. Typically though that's a civil issue and the City does not get involved unless there's an encroachment on City property. Carlos Gonzales said that he does not oppose the zone change.

Mayor Snover closed to testimony and opened for discussion. Commission all felt this would be a good thing. Mayor Snover closed to discussion.

MOVED by Mayor Pro-Tem Fry to Approve the zone change 20-01 a request from Frank Martinez and Ernest Martinez for a zone change from the (MH) Mobile Home District to the (C-1) Limited Retail/Neighborhood Commercial District for property located at 214 W. Zia St., Aztec, NM with conditions that they adhere to City Ordinance COA 26-3-152 District Landscaping Requirements

should a significant remodel occur and the spray paint be removed on the board windows SECONDED by Commissioner Lewis

A Roll Call was taken: All voted Aye: Motion passed five to zero

**B. Application for a Variance to Minimum Parking for a Dwelling (COA Sec.26-3-171) and the Requirement Landscaping Requirements (COA Sec.26-3-152) for Property Located at 205 S. Main Ave.**

Community Development Director Steven Saavedra stated that this is a variance to the minimum parking and landscaping requirements for property located at 201, 203, 205 and 207 Main Ave and 100, 104, 108, 110, 118, 120, 122, 124 and 126 W. Chuska Ave. This is a mixed use property of commercial and office space in the front and residential in the back. He mentioned that a variance is specifically about a specific hardship, it's unique to this particular piece of property; and this property or property owner cannot enjoy the same rights that other individuals are allowed to. The applicant Christopher Engle is in the process of remodeling because in the fall of 2019 it experienced a fire and all the occupants had to leave the property. The owner is wanting to remodel the residential and commercial up front. The parking requirements say that you need 2 parking spaces for every residential unit. The owner will have 13 units so that is 26 parking spaces in addition to the City Code states that if there is a remodel with valuation of over \$30,000 landscaping requirements are needed. The parking that has occurred prior to the remodel has been on City property on Main and Chuska. There is very little room for parking, this is in the MRA district. Steven noted that deep within the landscape code there is a provision that says if 90% of the property is utilized by structures they do not have to meet the parking requirements. If the owners are to adhere to the parking and landscaping requirement then most of the structures would have to go away to account for the parking stalls and landscaping. City staff is recommending approval for each of the variances, because we feel that this property is unique and meets the requirements for a variance.

MOVED by Commissioner Lewis to Approve Variance 20-01, a request from Christopher P. Engle, for a variance to COA 26-3-171(1), 26-3-17 (7), and 26-3-152 with the conditions of: resubmit clear and detailed construction plans, utility plans, and identify the location of the dumpster and or poly cars area on the subject property; An area needs to be shown and dedicated for the dumps or poly carts per COA 21-27; and Public parking along Main Ave. and W. Chuska does not belong or reserved to any private party, business, or residential unit (s) SECONDED by Commissioner Randall

A Roll Call was taken: All voted Aye: Motion passed five to zero

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

City Manager Steve Mueller commended staff on overcoming the challenges that keep arising with the COVID-19 pandemic. With the rain we are dealing with flooding concerns from a few residents and we will still monitor the water situation for drought.

City Attorney Tyson Gobble recognized Steve Mueller, Staff and Commission for the foresight and thinking outside the box with the COVID situation and the way it has impacted the local economy and businesses in Aztec. He liked the temporary use permits for businesses allowing use of City Property.

Commissioner Padilla attended the COG meeting and they made some corrections on the way they have Aztec's staffing. He thanked the Mayor for allowing him to be a participant in the Airport Board meeting and he hopes that they have a decent response from the board on the agreements.

Commissioner Randall mentioned that he attended the LTAB meeting and they are looking for a new member contact Sherlynn if you are interested. He commended the Finance Department on the hard work on the budget. He also thanked Steven Saavedra for the good information provided in the staff summaries.

Commissioner Lewis thanked Chief Heal for his handling of a situation that arose between local youth and other residents.

Mayor Pro-Tem Fry mentioned that she attended the San Juan County Partnership and the new director seems to have a handle on things. She will be gathering information on community gardens to present to EDAB. She talked to Steve Mueller and found out the City has 17 canopies that the City can lend to businesses or restaurants.

Mayor Snover said that he appreciates Chief's patience and wanted him to know that he is in his thoughts with his mother's passing. He attended the 4CED Executive Board Meeting. He mentioned how lucky we are to have the caliber of staff from the top to the bottom, Commissioners included he thinks we've all done a really good job handling this situation. He has had comments from some neighbors regarding the flooding stuff and they were complimentary about how quickly we got out there to at least see what could be done. That's the big thing our staff is so good at we do our very best to address concerns and give them reasonable expectations and make things happen. He mentioned that with the Governors new orders schools won't be starting until after Labor Day for in person learning. The online portion would start August 10<sup>th</sup>.

Steven Saavedra reminded everyone about the 1<sup>st</sup> Comprehensive Plan meeting on Thursday, July 30<sup>th</sup> starting at 6:30 pm and this is truly important to discuss zoning issue, landscaping, parking, mobile home, etc. They have received a lot of surveys.

**XI. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 7:20 pm **SECONDED** by Commissioner Lewis



A handwritten signature in black ink, appearing to read 'V. Snover', is written over a horizontal line.

Mayor, Victor Snover

ATTEST:

A handwritten signature in black ink, appearing to read 'Karla Sayler', is written over a horizontal line.

Karla Sayler, City Clerk

MINUTES PREPARED BY:

A handwritten signature in black ink, appearing to read 'Sherlynn Morgan', is written over a horizontal line.

Sherlynn Morgan, Administrative Assistant