

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
January 12, 2021

**I. CALL TO ORDER**

Mayor Snover called the Meeting to order at 6:05 pm Virtual

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**III. ROLL CALL**

Members Present: Mayor Snover; Mayor Pro-Tem Fry; Commissioner Austin Randall; Commissioner Mark Lewis (remote video); Commissioner Mike Padilla (in person)

Members Absent: None

Others Present: Interim City Manager Ken George; City Attorney Tyson Gobble; Project Manager Ed Kotyk; City Clerk Karla Sayler; IT Director Wallace Begay (see attendance sheet)

**IV. APPROVAL OF AGENDA ITEMS**

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

All voted Aye: Motion passed five to zero

**V. CONSENT AGENDA**

- A. Commission Meeting Minutes December 8, 2020
- B. Emergency Commission Meeting Minutes December 10, 2020
- C. Interim City Manager and Assistant Interim City Manager Compensation
- D. Electric Balancing Authority Services Agreement
- E. Resolution 2021-1210 Authorizing Signatures for City of Aztec Municipal Court Cash Bond Checking Account
- F. Resolution 2021-1211 Authorizing Signatures for City Accounts
- G. Covid-19 Extended Sick Leave

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

Comments can be submitted in multiple ways:

- **Hand-Delivered** to 201 S. Chaco, Aztec NM 87410 by Tuesday October 13 at 5:00 pm
- **Mailed** to City of Aztec Commission Comments 201 W. Chaco, Aztec NM 87410 by Tuesday October 13, 2020.
- **Faxed** to (505)334-7609 before 5:00 pm on Tuesday October 13, 2020.
- **Emailed** to [www.ksayler@aztecnm.gov](mailto:www.ksayler@aztecnm.gov) before 5:00 pm on Tuesday October 13, 2020

Comments submitted as listed will be distributed to commissioners and read into the recording during the public comment section. For those who wish to make comment during the meeting, you must join from a computer or mobile device.

**VIII. BUSINESS ITEMS**

A. Announcement of Aztec Sparkles Lighting Contest 2020 Winners

Interim City Manager Ken George read the list of winners.

District 1: 120 Falcon Bluff Rd

District 2: 1009 Kin Kaai Dr

District 3: 800 Anasazi Dr.

District 4 1516 Martin Ave.

District 5: 228 Heritage Ln.

**IX. QUASI JUDICIAL HEARINGS**

Mayor Snover read the land use script and explained the proceedings. He ask if there were any conflicts of interest or personal bias to be declared and there were none.

Parties Listed were sworn in:  
Steven Saavedra at 201 W. Chaco  
Kelly West at 422 N. Main

Eric Edgerton at 193 CR 2900  
Allen Anderson at 403 N. Church  
Nicole Lynam (K Engineering) at 1743 E. Main Drive, Tempe Arizona

- A. Zone Change ZC 20-03 - Amending a Planned Unit Development (PUD) for the Cottonwood Mobile Home Park, located at 200-318 Hesperus Ave, 200-320 Robinson Ave, and 1711 to 1723 Elm St., Aztec, NM, Aztec, NM.

Community Development Director Steven Saavedra explained this is a request from Eric Edgerton and it was initially table from the fall of 2020 the item is back for consideration and since that time the City has agreed to sell the property that was in question of encroachment. We are wrapping up the final plat so that we can do a lot consolidation and go ahead and establish the setbacks as requested for Eric Edgerton.

Eric Edgerton explained that in 2004 when the mobile home park was built the setbacks never got recorded.

Mayor Snover closed to testimony and opened it up for discussion amongst Commission. Commissioner Randall mentioned that he was concerned about the fact that the land transaction has not been finalized yet. City Attorney Tyson Gobble explained that there is a period of time that we must wait after the actual Commission vote and we are almost there. He does not see any issues with closing or anything like that. Mayor Snover closed to discussion.

MOVED by Commissioner Randall to Approve Zone Change ZC 20-03 and Amend the Planned Unit Development (PUD) zoning for the Cottonwood Mobile Home Park, located at 200-318 Hesperus Ave, 200-320 Robinson Ave, and 1711 – 1723 Elm St., Aztec, Nm, Aztec, NM 87410 SECONDED by Commissioner Padilla

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

- B. Variance VAR 20-02 - A variance request to the landscape requirements for a commercial establishment for property located at 417 N. Main Ave, Aztec, NM

Community Development Director Steven Saavedra explained that this request is for a variance to the landscaper requirements from Western Refinery who are represented by K Engineering. The Speed way is planning to install a beer cooler within their facility and City Code requires that any alterations, modifications, remodels of a structure requires landscaping if over \$30,000 if they don't currently have landscaping. The landscaping right now is very limited and they are asking for a variance because landscaping is difficult at this current spot. Steven explained the landscaping plan that was submitted

and they are hoping to get the variance and move forward with the remodel. He explained that staff is concerned with having too much landscaping that might cause problems down the road. He explained that the variance if approved will transfer with the land. Staff is recommending approval but would ask for some additional trees.

Commissioner Randall had questions about where they would work in trees to that spot and Steven explained. Mayor Pro-Tem Fry mentioned that it is important to continue looking at beautification on Main Street. Steven explained that whatever Commission decides will need to be included in the motion.

Nicole Lynam with the landscaping firm that this is a very tight site and with the traffic requirements coming in fueling and all of the other parts going through the area it makes it very difficult to get any additional landscaping into the site. They are proposing to try to get as much landscaping as they can into the existing area. They only have 5 parking space and if we push those parking spaces further away from the property line then it starts to interfere with the traffic coming into the area and they don't want to create a traffic hazard.

Mayor Snover mentioned that this is a unique situation with where it is located and how it is situated. Steven Saavedra wants to verify the property boundary lines because they show a discrepancy and it looks as if parts of the landscaping proposal is Safeway's property. Nicole explained that they have not verified with an actual survey of the property line, but they will make sure to verify with a surveyor before anything gets installed to make sure that everything is within their property.

Commission had concerns with cutting back on already limited parking space. Mayor Snover closed to testimony and opened for discussion amongst Commission. Commission felt that asking for more landscaping than what was proposed could be a safety issue on this cramped lot. Mayor Snover closed to discussion.

MOVED by Commissioner Randall to Approve Variance VAR 20-02 a request from Western Refining, represented by Nicole Lynam – K Engineering and Design – approval of a variance to reduce the required landscaping requirements under COA 26-3-152 SECONDED by Commissioner Lewis

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

C. Variance VAR 20-03 - A variance request to the landscape requirements for a commercial establishment for property located at 416 N. Main Ave, Aztec, NM

Community Development Director Steven Saavedra explained that this is also a request for a variance to the landscape design for Western Refinery by K-Engineering for 416 N. Main Ave. He explained the landscaping plan that was submitted and it currently does

not meet the requirements. This came about because Speedway wants to install a beer cooler at this property as well. This lot is unique also the lot is large enough to accommodate additional areas of landscaping that would not negatively influence the site triangle. One of those is near the neighbors so that there could be a buffer between residential and commercial property. City staff does not take an issue with the request but would ask for additional trees to showcase the intersection of Aztec Blvd. and North Main Ave.

Nicole Lynam explained that this lot is already built out and one of the problems is all of the traffic areas and the lot is built out at the front of the property which is right along the street frontage and there is no way to put landscaping along the sidewalk without impacting the use of the site and the existing fueling area or traffic areas for the ingress and egress. They are trying to get as much landscaping in on the front side so it will be visible from Main Street. They are proposing planters along the front of the store and shrubs. They could do trees in the back along the alley way but they would not be visible from the street and also would have to worry about impacting the power line that runs along the back.

Mayor Snover closed to testimony and opened it up to Commission discussion. Commission felt that to put anything in the alleyway would be pointless and not add to Main Street beautification. Mayor Snover closed to discussion.

MOVED by Commissioner Randall to Approve Variance VAR 20-03 a request from Western Refining, represented by Nicole Lynam of K Engineering and Design to omit and reduce the required landscaping requirement under COA 26-3-152 for property located at 416 N. Main Ave, Aztec, NM SECONDED by Commissioner Lewis

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

D. Conditional Use Permit CUP 20-04 - A request for a conditional use permit to allow a residential apartment in a C-1 Limited Retail / Neighborhood Commercial Zoning District.

Community Development Director Steven Saavedra explained this request is from Tweetie Blancett to convert the Step Back Inn into residential apartments. The property is located in the C-1 district at 123 W. Aztec Blvd. The residential apartment is allowed in the district as long as Community Development review the application and the Commission approves it. He explained that the plan shows 24 units, they are basically taking out a wall between two hotel rooms and making one big room. There are obvious ramifications that could come from this, one being that Aztec loses one of its hotels. There is a benefit also with having more residential units within Aztec. They have not

supplied a commercial development application with the load calculation and a full set of plans.

Commissioner Padilla asked if this has been presented to Lodgers Tax Board or Economic Development because it will affect both of these things and have Public Works or the Electric Department reviewed this because the utility load will change. Steven explained that neither board have been presented with this information.

Mayor Snover Closed to testimony and opened up for Commission discussion. City Attorney Tyson Gobble wanted it on the record that Steven Saavedra presented Mrs. Blancett with the information about tonight's hearing. Steven explained that she was fully aware, information was sent to her via e-mail and snail mail and he spoke with her earlier today to remind her of the meeting. Commission would like the applicant present to answer questions and they all felt that they didn't have enough information on this item. Commissioner Padilla and Randall would like LTAB to review this. Mayor Snover closed to discussion.

MOVED by Commissioner Padilla to table the Conditional Use Permit CUP 20-04 a request for a conditional use permit to all a residential apartment in a C-1 Limited Retail/Neighborhood Commercial Zoning District until we get more information SECONDED by Mayor Pro-Tem Fry

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

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

Interim City Manager Ken George mentioned that they are meeting with departments to get a feel of where we're at as far as our employee's needs.

Interim Assistant City Manager mentioned their visits are to re-assure employees that God willing 2021 will be a better year and there's light at the end of the tunnel.

City Attorney Tyson Gobble welcomed Ken George and Steven Saavedra to the team. He encouraged everyone to fill out the Covid vaccine questionnaire. He thanked staff for all the hard work in 2020 and asked them to keep it up and hopefully 2021 will be a little better.

Commissioner Randall mentioned that he liked that Ken and Steven were meeting with departments.

Commissioner Lewis mentioned that he was unable to attend the Water Commission meeting. He also encouraged everyone to get registered for the vaccine.

Commissioner Padilla said he had a tough time with the Aztec Sparkles Contest decision because there were so many nice places.

Mayor Pro-Tem Fry mentioned that you can go to the City website or the Library website and find out information about registration for the Covid vaccine. They have had 15 – 20 people sign on to the Community Garden and the project is moving forward.

Mayor Snover mentioned that he will have an ECHO board meeting next month. He also mentioned that the ECHO preschool is very excited and appreciative of being award money from the Commission discretionary funds. He mentioned that it's important to take care of our neighbors and community and have each other's back. He mentioned that he is proud to be part of this team and of the staff and things the City is doing.

Everyone echoed that the Christmas lighting downtown looked great. Everyone thanked Senior Center Director Cindy Iacovetto for the holiday meals that were provided.

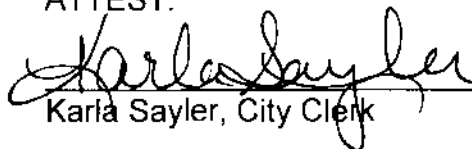
**XI. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 7:55 pm **SECONDED** by Commissioner Lewis



Mayor, Victor Snover

ATTEST:



Karla Saylor, City Clerk



MINUTES PREPARED BY:



Sherlynn Morgan, Administrative Assistant