

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
Tuesday, September 14, 2021

**CALL TO ORDER**

Mayor Victor Snover called the meeting to order at 6:03 pm at Aztec City Hall, 201 W. Chaco, Aztec NM 87410

**I. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Invocation led by Commissioner Austin Randall
- B. United States Pledge of Allegiance led by Mayor Victor Snover
- C. New Mexico pledge of Allegiance led by Mayor Victor Snover

**II. ROLL CALL**

Members Present: Mayor Victor Snover; Mayor Pro-Tem Rosalynn Fry; Commissioner Austin Randall; Commissioner Mark Lewis; Commissioner Michael A. Padilla Sr.

Members Absent: None

Others Present: City Manager Paul Eckert; City Attorney Steven Murphy; City Clerk Karla Saylor

**III. PROCLAMATION**

**IV. APPROVAL OF AGENDA ITEMS**

MOVED by Commissioner Padilla to approve the agenda; SECONDED by Mayor Pro-Tem Fry

All Voted Aye: Motion Passed Five to Zero

**V. CONSENT AGENDA**

- A. Commission Workshop Meeting Minutes August 24, 2021
- B. Commission Meeting Minutes August 24, 2021
- C. Destruction of Records - Utility Administration
- D. Memorandum of Understanding for Title III State Funding for the Senior Meal Program
- E. Resolution 2021-1240 Senior Foods Program Grant Special Budget Resolution Request
- F. Approval of Taxation and Revenue Department Settlement Package
- G. Airport Housing Lease Agreement

MOVED by Commissioner Randall to Approve the Consent Agenda with the exception that item G be pulled for further discussion SECONDED by Commissioner Padilla

All Voted Aye: Motion Passed Five to Zero

## **VI. ITEMS REMOVED FROM CONSENT AGENDA**

### **G. Airport Housing Lease Agreement**

Commissioner Randall, stated that the wording on the agreement says it is a "housing allowance" he wants to make sure that it does not confuse other employees. The wording makes it sound like the employee will be getting funding for housing, but the employee in the house will actually be getting the money taken out of their check. He would also like to put a mechanism in the lease to review after a year. City Attorney Murphy stated it is recorded as a month to month lease with the caveat of continued employment with the city.

MOVED by Commissioner Randall to approve airport house rental agreement; SECONDED by Commissioner Padilla

All Voted Aye: Motion Passed Five to Zero

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

Mr. Petty John 507 Lovers Lane wanted to address the flooding and speeding on Lovers Lane. He would like the commission to look into the flooding issues including but not inclusive to Lovers Lane. He also addressed the speeding concerns he has about Lovers Lane. He thinks possibly speed bumps that could double as culverts might be a good idea. Mayor Snover had some input about the speeding issues, as they are currently being discussed with Chief Heal and Capitan Morris.

## **VIII. BUSINESS ITEMS**

### **A. Resolution 2021-1243 Infrastructure Capital Improvement Plan**

Finance Director Anthony Bolling requested that the commission pass a resolution to update the Infrastructure Capital Improvement Plan (ICIP). Commissioner Randall mentioned that he initially thought it unwise to put a solar farm before water mitigation, but knowing that all the staff collaborated on it made him feel better about the ranking of the items. Commissioner Lewis stated that this would be good for the long term so as to prepare for the rate increase of power as Lake Mead and Lake Powell are dropping. City Attorney Murphy asked if there was any recourse to possibly get some funds back for the pipe between Aztec and Bloomfield since it was only installed in 2005.

MOVED by Commissioner Lewis to approve Resolution 2021-1243 adopting the City 2023-2027 ICIP; SECONDED by Mayor Pro-Tem Fry.

All Voted Aye: Motion Passed Five to Zero

### **B. Special Budget Resolution 2021-1242 Purchase of Fire Truck - \$691,000**

Finance Director Anthony Bolling stated that Fire Chief Simpson has been able to save the department funds over the years specifically for the intention of purchasing a new Fire Truck. The truck will be purchased on a pricing agreement. He requested that the commission

approve the purchase of an emergency one typhoon 2022 custom rear mount rescue pumper fire engine. Fire Chief Simpson stated that they are a very busy fire station and this would be a great asset.

MOVED by Commissioner Padilla to approve Resolution 2021-1242 Purchase of Emergency One Typhoon 2022 custom rear mount rescue pumper fire engine: SECONDED by Mayor Pro-Tem Fry.

All Voted Aye: Motion Passed Five to Zero

C. 2022-788 Itron Electric Meters Purchase

Finance Director Antony Bolling stated the electric department is in the process of updating every meter in the city. These meters can be read in office rather than having to go to each one to physically be read. Half of the meters for this project have already been ordered, paid for, delivered and installed. This is the second half of the project that has taken longer than expected due to Covid. This project was included in the budget that has already been approved, Anthony asked for the commission to approve the resolution.

MOVED by Mayor Pro-Tem Fry to approve Resolution: 2022-788 Itron Electric Meters: Purchase: SECONDED by Commissioner Lewis.

All Voted Aye: Motion Passed Five to Zero

D. Intent to Adopt Ordinance 2021-517 Amending Chapter 26 Land Use Regulations for Cannabis Establishments

Community Development Director Steven Saavedra stated that he has taken a tour of a Cannabis facility and has spoken to many people in and out of the industry to get their perspective on the topic. He touched base on what was discussed at the workshop on August 24<sup>th</sup>, it is no longer illegal to possess Cannabis for anyone over 21, and per household there can be 6 plants per person up to 12 plants. He learned from other communities that they issue regulations as per what their communities want and need.

Steven mentioned that one of the ways to be allowed to cultivate, produce or distribute Cannabis would be a special use permit that will have to be brought before the Commission every time. There will be some tradeoffs with this route as it would put the Commission on the spot every time a permit is requested. The other consequence to this is that it would slow down the businesses that are trying to acquire these permits. The second way is the identification of specific zoning districts to allow specific use in those zones. He has looked in to zoning and has found which zones seem to be the best fit for each; Cultivation, production and dispensaries. He stated that he doesn't know what kind of economic impact this may have on the City, but there are hopes that it may help in growth.

Mayor Pre-Tem Fry and Mayor Snover voiced some concerns about limiting the amount of licenses. Mayor Snover stated that the 300 feet setback is adequate, if we start adding more is not necessary. Steven stated that the state has left the setback up to the local government, so the city can decide how they want to set those up. Mayor Snover stated that from the NMML his takeaway was that we have to be careful about how we establish the setbacks so as to not treat this industry differently.

City Attorney Murphy stated that the conditional permits are not the way to approach this topic, he believes that it will just become a headache. If the Commission decides to zoning it will be a set standard that can be adjusted.

Commissioner Randall stated that he would like bigger setbacks, and the measurement be from property to facility. He stated that he would like to see the industry more out of town, rather than in town. Mayor Snover stated that when a legal business comes in to town we have to adjust and adapt. Mayor Pro-tem, stated that the 300 ft. set back is good for her as well as indoor growth rather than outdoor. The commissioners agreed that the 300 ft. from property line to property line from schools and daycares is a good standard. Chief Heal stated that the setback for alcohol is 300ft. So the same standard should be used for Cannabis as well. Steven stated that C-1 zoning district would not allow cultivation, eliminating downtown, C-2 would allow cultivation.

MOVED by Commissioner Padilla to approve to Adopt Ordinance 2021-517 Amending Chapter 26 for Cannabis Establishments: SECONDED by Commissioner Lewis.

Motion Passed Four to one: Commissioner Randall Voted Nay

#### **IX. QUASI JUDICIAL HEARING**

None

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

City Manager Paul Eckert, thanked all departments for their swift response to the recent flooding in the city. He mentioned the business walkabout was scheduled for September 16th between 1:00 and 3:00. The walkabout is an opportunity to gather information and create a relationship with businesses.

City Attorney Murphy had nothing to share at this time.

Commissioner Austin Randall Stated that they had a Library Board meeting that went well he is proud of what is going on with the staff over there. He also stated that the vandalism in the parks and library is a concern, he would like to touch base with Jeff Blackburn to see if parks is getting any better. He mentioned that he was driving out by the motocross track and is pleasantly surprised of the amount of people attending. He also stated that the PD has been doing a really great job in pulling over speeders.

Commissioner Mike Padilla stated that he wanted to make the commission aware about the North Main extension meeting he attended, and how well staff did to keep it under control.

Commissioner Mark Lewis stated that after attending NMML with the new regulating and licensing of alcohol they are trying to make it more productive and healthy by requiring food with it. He also stated that there were good rains but it still will not solve the drought problem.

Mayor Pro-Tem Fry went to an MPO policy meeting and they discussed the McWilliams road project. The Chamber Meeting had a large crowd she is hopeful that it will continue. Painted Piano will close October 2<sup>nd</sup> there will be three piano players there.

Mayor Snover stated that it is homecoming and the kids could use some extra community support at the parade and the game.

Senior Center Director Maya Pierce stated that they will remain closed until the end of the month for dine in. She thanked her staff for jumping in and filling any gaps that were needed over the last few weeks. She mentioned they will continue home delivery and drive through services. They deliver to about 90 seniors a day and give out frozen foods for Friday and the weekend. They are talking to Liesel at Encore to try and bring in the Bloomfield Senior Center model in 2022. They are also looking at a kitchen remodel very soon.

Parks/General Services Director Jeff Blackburn stated there has been a decrease in vandalism in the parks. He mentioned putting it on social media has really seemed to help the issue. Police staff has been checking the bathrooms and areas and really helping to keep it to a minimum. He also stated that national public lands is having a cleanup Sept. 25th that he wanted to invite staff to help out with.

Police Chief Mike Heal stated that the PD has had some reports of speeding on Lovers Lane there have been some directed patrols for a week period. He did some research to see which days or times people are speeding. Commissioner Randall asked if we could post a speed sign for 20MPH on the road. Mayor Snover was appreciative to the PD for their responsiveness to the situation.

Public Works Director Steve Morse stated that during the "flood" they were short staffed, but parks and electric helped out and he appreciated all the help. There has also been some water leaks lately on Navajo that have been repaired, and he wanted to show appreciation to the crew who were out until 3:00am. He mentioned the status of the projects they have going on. On N. Main they have the water done for pretty much the whole length, and are about half way on the sewer. They were also going to do some storm pipes, curbs, gutters and paving on the North end to get paving done before it gets too cold. Production pump #5 at the water plant is done and up and running. The ditch pump will hopefully be awarded soon to move forward and get the pump replaced after the ditch shuts down. Commissioner Padilla ask if they had gotten more bids for the ditch pump project. Steven stated that there had been at least three more bids put in for it. They are still going through reviews for regulators for NM 173 water, he has come to the conclusion that they are going to need to buy pipe. It looks like 3 months before they are going to have a contract and if they wait until December for the contractor to buy the pipe, it may not be in place in time for the project to be completed. Ruins Road is out to bid they are waiting for responses. Reservoir road design proposals came in he received one proposal from Gohan in Houston, and their price was only about 1.1 percent higher than 20 months ago. Steve made the recommendation to award the project to Gohan. Williams's sewer is just waiting on the manholes they hope to have that complete soon.

Librarian Angela Watkins thanked Ed Kotyk for maintaining the web page and Facebook input. She also thanked multiple departments for their help on making them feel safer coming to work and going home. She mentioned that they are starting to work more with Vista Nueva again, and also being the library for the Mosaic Charter School. The staff is working fast and productively.

**XI. FUTURE AGENDA ITEMS**

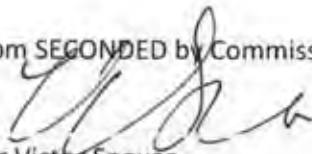
There was no discussion on upcoming event list.

**POTENTIAL FUTURE CITY COMMISSION ITEMS- (Appearing on the Agenda within 30-90 days):**

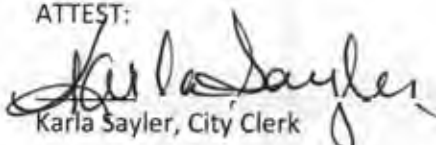
Item	Meeting
Award of Lower Animas Ditch Pump Replacement construction project	September 28
Business Walk About (Public Notice)	September 16
Closed Session Pending Litigation Police Department	October
Commission Strategic Planning	October
Award of Reservoir 1 Rehabilitation Design of Bohannon Huston	November

**XII. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 8:30 pm ~~SECONDED~~ by Commissioner Lewis

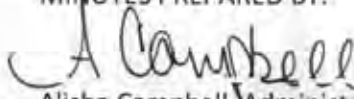
  
Mayor Victor Snover

ATTEST:

  
Karla Sayler, City Clerk



MINUTES PREPARED BY:

  
Alisha Campbell, Administrative Assistant