

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
Tuesday, October 12, 2021

**CALL TO ORDER**

Mayor Victor Snover called the meeting to order at 6:00 pm at Aztec City Hall, 201 W. Chaco, Aztec NM 87410

**I. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**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. APPROVAL OF AGENDA ITEMS**

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

All Voted Aye: Motion Passed Five to Zero

**IV. CONSENT AGENDA**

- A. Commission Meeting Minutes September 28, 2021
- B. Intergovernmental Agreement-Detention Center Services with San Juan County
- C. City Attorney Contract Renewal
- D. Certification of Inventory Count for FY2021
- E. Intergovernmental Contract for Library Services Agreement with San Juan County
- F. Intergovernmental Contract for Senior Center Services with San Juan County
- G. Aging and Long Term Services Agreement Senior Center Renovations
- H. Resolution 2021-1253 Special Budget Resolution Intergovernmental Fund Library and Senior Center

MOVED by Commissioner Lewis to approve the Consent Agenda; SECONDED by Commissioner Randall

All Voted Aye: Motion Passed Five to Zero

**V. ITEMS FROM CONSENT AGENDA**

NONE

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

Tony Martinez wanted to thank the commission and city officials for helping provide a path for medical and adult use cannabis. He appreciates that the community is taking a pro-business stance, and that they will be a resource for the community, be it in education or law enforcement by helping them to determine a legal shipment vs. an illegal shipment. They want to be transparent and a positive contributor to the local economy and community.

**VII. BUSINESS ITEMS**

**A. Final Adoption of Ordinance 2021-517 Amending Chapter 26 for Cannabis Establishments and Uses**

Steven Saavedra stated that they are moving forward with cannabis industry and the regulations. He highlighted what was discussed at the Sept 14<sup>th</sup> meeting. Initially they proposed a special or conditional use permit for every cannabis establishment within the City of Aztec that would have to be applied for, the commission did not favor that proposal. The other proposal would entail certain zoning districts where specific cannabis establishments could fit in. Steven stated they looked at everything from retail dispensaries, cultivation, production, couriers etc. Steven also mentioned the setbacks the commission elected to go with. They elected to set 300ft. from Cannabis facility to property line. It is all highlighted in the final adoption. He also stated that cannabis establishments will be treated like any other business and that because it is commercial it will not be in the A1, R1, R2 or PUD zones. Cannabis will not be allowed as a home occupation even though every adult over 21 can currently have 6 plants and up to 12 per household. The city has taken the no smell no sight approach on regulating cannabis. Mayor Snover stated that he hasn't had any calls of concern from the community regarding the adoption of the ordinance. Mayor Pro-tem Fry stated that she also has not received negative comments on the ordinance. Commissioner Lewis stated that when he walked the businesses on Aztec Blvd. he asked the owners and they had any opposition to the ordinance and found had no negative input.

MOVED by Commissioner Lewis to approve Final Adoption of Ordinance 2021-517 Amending Chapter 26 for Cannabis Establishments and Uses; SECONDED by Mayor Pro-Tem Fry

Four Voted Aye one voted Nay: Motion Passed Four to One

**B. Award of the Reservoir Rehabilitation Design to Bohannon Huston, Inc.**

Steve Morse stated that they are looking to start the design of the rehabilitation of reservoir one. There was a feasibility study done in 2019 by Bohannon Huston. Staff agrees to rehab reservoir one



there were two proposals submitted. Bohannon Huston's new proposal was only 1.1 percent higher than the proposal from 2019. Steve Morse requested that the commission approve the proposal which includes data collection, design bidding and construction services. There will be a lot of construction services that will be needed in the construction phase. The total that is being requested is \$334,327 for Bohannon Huston to perform the design and construction services. Commissioner Padilla asked how much was spent on the initial study in 2019. Steve Morse stated that it was \$30,000-\$40,000 dollars. Commissioner Padilla asked if they were using the same design and construction. He has concerns that we have already paid for it once two years ago and feels we may be getting double dipped. Steve stated that they looked at many different options so they could evaluate many different facets. Since this is dealing with state monies they have to make sure all designs and engineering reports meet state standards. They are going to start doing the design drawing very soon. Commissioner Padilla asked if there was a lot of change in the design and construction phase. Steve Morse stated that the initial study was just to evaluate the feasibility. Commissioner Lewis asked if when the reservoir is completed will it use direct flow from an irrigation canal for that or will it be a pump. Steve Morse responded that once the reservoir is renovated it will have a new inlet from the ditch and be fed by gravity, it would also help when the redesign and replacing of the reservoir 3 pumps. They will be evaluating the pumps and piping for getting pumps that will get the water up quicker to reservoir 3. During the summer they are pumping out of the lower Animas Ditch as the river is lower during the summer season. Once reservoir one is completed it will gravity flow out of the Aztec ditch.

MOVED by Commissioner Padilla the Award of the Reservoir Rehabilitation Design to Bohannon Huston, Inc.; SECONDED by Mayor Pro-Tem Fry

All Voted Aye: Motion Passed Five to Zero

C. Resolution 2021-1251 NMDOT McWilliams Rd LP50032

Anthony Bolling requested to approve the state grant for paving of McWilliams road. This is the follow up budget adjustment. Anthony mentioned that \$663,170.71 that will be a reimbursement from the state via the DOT. The city portion of this project is \$34,900.00.

MOVED by Commissioner Lewis to approve Resolution 2021-1251 NMDOT McWilliams Rd LP50032; SECONDED by Commissioner Randall

All Voted Aye: Motion Passed Five to Zero

D. Purchase of Potable Water Pipe and Appurtenances for NM 173 Waterline Relocation Project

Steve Morse stated they have a project replacing the water pipes that extends near the bend coming up from the water plant. It would be from around the bend all the way to the city's upper east storage tanks at the first divide development. The pipe is old and undersized in part of the system, it is shallow and leaks in several places. Steve mentioned that for three miles the NMDOT is going to upgrade 173 from about motocross road to about halfway between the city's pump station and the first divide. As part of NMDOT's project it is going to impact the city's pipe. They have requested money and have received \$1.5 million dollars from the state to fund at least the design of all the pipeline and

construction of phase 1, from motocross road to just beyond the pump station. The design is ready to be submitted to NMDOT and also to MNED who is giving the City the money. They need to leave it to bid for four weeks so the timeline is looking like 6-7 weeks and then they will evaluate the bids and submit to Commission. With all of that Steve stated that he is thinking 8-9 weeks before moving forward, it may be around December that they will be able to issue a contract to a contractor. This all has to be submitted by May when the state will start doing their roadwork, he stated that it is prudent to have the city buy the pipe now so it will be ready when the contractor starts work. They have gotten pricing on the pipe and would like commission's approval to purchase the pipe now. The city will have to buy and store the pipe, but they would like the supplier to store and deliver the pipe when the contractor needs it. If it has to be stored by the City it may have to be stored in the fence at the wastewater treatment plant. Steve asked for the commission's approval of \$282,946.72 to purchase the pipe, valves, fire hydrants etc. Commissioner Randall asked if the pricing was comparable to others. Anthony Bolling stated that they did put is out across the CES contract to all the different plumbing suppliers, this was the lowest. They also did a cost benefit analysis before coming before commission. Steve mentioned they compared the piping cost to those of N. Main and they are within the ballpark. Commissioner Lewis asked how long it would take to get the pipe, Steve stated about 6 weeks to the suppliers facility and ready by the end of January beginning of February to be delivered to the city.

MOVED by Commissioner Randall the Purchase of Potable Water Pipe and Appurtenances for NM 173 Waterline Relocation Project; SECONDED by Commissioner Padilla

All Voted Aye: Motion Passed Five to Zero

#### **VIII. QUASI JUDICIAL HEARING**

None

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

Paul Eckert stated that he attended a Chamber of Commerce meeting and it is growing in attendance. He asked the Mayor and commissioners if the 2<sup>nd</sup> meeting in November and December need to be cancelled with the caveat that should something arise they can either hold the meeting or schedule a special meeting if need be, Commission approved.

City Attorney Steve Murphy had nothing new to report.

Commissioner Randall had nothing new to report.

Commissioner Lewis stated he attended the concert at the museum which was very well attended and very entertaining.

Commissioner Padilla mentioned that he was able to attend the candidate forum, he wanted to commend the candidates for doing a professional job. He mentioned that it needs to be made clearer to citizens that they don't have to just vote for their district but for all districts.



Mayor Pro-Tem also attended the concert at the museum and was very happy with the outcome and attendance. She mentioned the last piano performance October 2<sup>nd</sup> at 550 which was also well attended. She also mentioned the energy and activities for the month of October which is jam packed.

Mayor Snover stated that he opened the highlands game a few weeks back. He stated that it was a great thing to see the outdoor recreation going on there. He also mentioned the candidate forum and was happy with the professional outcome. The Chamber has been going strong and they are really pushing events and helping the community. He mentioned the PD and their quick response times and how they treat the community. Jeff Blackburn stated that Don Greenwood suffered a stroke, he was the first parts director for the City of Aztec.

Chief Heal mentioned safe treats will be the last week in October from 4-6 at the participating businesses on Main Street. He commended Steven Saavedra on all of the work he has done with the Cannabis infrastructure.

#### **XI. FUTURE AGENDA ITEMS**

<b>Item</b>	<b>Meeting</b>
November and December Commission Meeting Schedule	October 12
Aztec Sparkles Lighting Contest Award Plan	October 28
North Main Extension Update	October 28
Closed Session Pending Litigation Police Department	November

There was no discussion on upcoming event list.

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

#### **XII. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 6:48 pm **SECONDED** by Commissioner Lewis

Mayor Victor Snover

ATTEST:

Karla Sayler, City Clerk



MINUTES PREPARED BY:

Alisha Campbell, Administrative Assistant