

CITY OF AZTEC
COMMISSION MEETING MINUTES
Tuesday April 12, 2022

CALL TO ORDER

Mayor Michael A. Padilla Sr. 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 Chief Heal
- B. United States Pledge of Allegiance led by Mayor Michael A. Padilla Sr.
- C. New Mexico pledge of Allegiance led by Mayor Michael A. Padilla Sr.

II. ROLL CALL

Members Present: Mayor Michael A. Padilla, Sr.; Mayor Pro-Tem Ken George;
Commissioner Austin Randall, Commissioner Colby King;
Commissioner Jim Crowley

Members Absent: None

Others Present: City Manager Paul Eckert; City Attorney Steven Murphy

III. PROCLAMATION

National Autism Month

Commissioner Colby King read the Proclamation for National Autism Month

Volunteer Appreciation Month

Commissioner Austin Randall read the Proclamation for Volunteer Appreciation Month

IV. PRESENTATION

NONE

V. APPROVAL OF AGENDA ITEMS

MOVED by Commissioner Randall to approve Agenda as presented; SECONDED by Commissioner Crowley

All Voted Aye: Motion Passed Five to Zero

VI. CONSENT AGENDA

- A. Commission Meeting Minutes March 22, 2022 (PULLED)
- B. SJ Basin Rodeo Association Roping Arena Agreement (PULLED)
- C. Airport Engineering Services Agreement Contract Task Order 1
- D. Acceptance of Final Draft Airport Layout Plan (ALP) report for Aztec Municipal Airport 2022
- E. FY23 Municipal Fire Protection Fund Distribution Application

MOVED by Commissioner Crowley to approve the Consent agenda with the exception of Items A and B for further discussion; SECONDED by Commissioner Randall

All Voted Aye: Motion Passed Five to Zero

VII. ITEMS REMOVED FROM CONSENT AGENDA

- A. Commission Meeting Minutes March 22, 2022

Mayor Padilla requested that Line 30 of the March 22, 2022 minutes reflect Mayor Padilla Read and Presented the National Vietnam War Veterans Day Proclamation and line 34 to reflect Commissioner King Read and Presented the Aztec Wrestling Proclamation and line 101 to reflect it was not the Final Adoption of Ordinance 2022-523 but the Intent to Adopt Ordinance 2022-523.

MOVED by Commissioner Crowley to Approve Item A from the Consent Agenda as amended; SECONDED by Mayor Pro-Tem George

All Voted Aye: Motion Passed Five to Zero

- B. SJ Basin Rodeo Association Roping Arena Agreement

Mayor Padilla expressed some concerns with the agreement: Item 5 section 1 paragraph 4. He mentioned that it needs to be changed to one million dollars, it was corrected so that it could be signed at the meeting. City Attorney Steven Murphy had some concerns about the sub-leasing of the facility, he mentioned that the Agreement should be tabled until the next meeting.

MOVED by Commissioner Crowley to approve Item B from Consent Agenda as amended to be tabled for two weeks; SECONDED by Commissioner Randall

All Voted Aye: Motion Passed Five to Zero

VIII. CITIZENS INPUT (3 Minutes Maximum)

Bill Dees 809 S. Rio Grande Aztec, wanted to address Commission about doing away with the recycling services in the City and to revisit making the City a Second Amendment Sanctuary City.

IX. BUSINESS ITEMS

- A. Resolution 2022-1278 Accepting and Approving Fiscal Year 2021 Fiscal Audit and presentation from CRI

Finance Director Anthony Bolling mentioned the Office of the State Auditor released the annual audit report for the City on March 16th. CRI's Sara Specht presented Commission with the findings:

- Audit Timeline
- Auditors Reports
- Financial Statement Highlights
- Value- Added Suggestions

MOVED by Mayor Pro-Tem George to approve Resolution 2022-1278 Accepting and Approving Fiscal Year 2021 Fiscal Audit; **SECONDED** by Commissioner Randall

All Voted Aye: Motion Passed Five to Zero

X. QUASI JUDICIAL HEARING

Mayor Padilla opened the Quasi-Judicial Hearing and reviewed the hearing procedures and swore in all parties who were interested in testifying. He then asked if any members of the Commission had a conflict of interest, bias or engaged in ex parte communication, there were none.

- A. CUP 22-01 Conditional Use Permit-To Allow a Church in a C-1 Commercial Zoning District, located 501 N Main Ave Ste 200, N. Main Ave

Mayor Pro-Tem Mentioned that he knows all the parties in the case and wanted it recorded, but that he can be fair and impartial. Commissioner Crowley read information in relation to the case on Community Development Director Steven Saavedra's computer, but that he can also be fair and impartial. Mayor Padilla had also talked to Steven about the case but can also be fair and impartial.

Community Development Director Steven Saavedra mentioned that this is an application for a conditional use permit to allow a zone change for property located at 501 N

Main Suite 200 to place a church in a neighborhood and commercial district. He presented Commission with slides to show where the property is located and the district it is in. He reviewed the staff summary with commission and mentioned that City staff feels it appropriate to give the recommendation for approval. Commission has

MOVED by Commissioner Randall to approve CUP 22-01 Conditional Use Permit-To Allow a Church in a C-1 Commercial Zoning District, located 501 N Main Ave Ste 200, N. Main Ave with the following conditions, ensure a signed permit is obtained and ensure parking is in compliance with our code; SECONDED by Commissioner King

All Voted Aye: Motion Passed Five to Zero

B. ZC-21-02 Zone Change from O-1 Office & Intuitional District to C-1 Limited Retail/Neighborhood Commercial District with a conditional use to allow a pet grooming Establishment

Community Development Director Steven Saavedra mentioned that this is to allow a pet grooming establishment at 412 S. Park, Aztec. Steven presented Commission with slides showing where the request for zone change is located. He mentioned the request is to rezone the property from O1 to C1. Steven also pointed out comments from his staff summary that was presented to commission in the agenda packet. He mentioned that spring of last year they applied for zoning approval, but Pet Grooming did not fit into the O1 zoning district code. He mentioned that there is a complication with the change from a neighboring property. He mentioned that City Staff thought it important to change the zoning to reflect the actual use. Pet grooming business is not identified within our zoning code, if need be, there is no issue with issuing a CUP to the business. The recommendation from City staff is to re-zone the property to allow the Pet Groomer with some safeguards and requirements in place for example no illuminated signs because it is in a neighborhood, noise control is in good standing, dumpster enclosure and lastly ADA parking should be established, and landscaping would be a plus. Mayor Padilla asked if the applicants would be required to do the safeguards that Steven mentioned and Steven said that it is a requirement now for new businesses and mentioned that no it wouldn't have to be done right away over time the hope is they would get there. It would be the discretion of Commission to decide. Mayor Padilla said they could leave the zoning the way it is and give them a CUP in that zoning, the City would be okay. Attorney Steve Murphy mentioned that the commission could do that. He also mentioned that in his opinion there were rules and regulations that were enacted years ago and that at some point and time the City is going to have to enforce them. He said that in his opinion commission should do a conditional use for this property.

Durango resident and neighboring property Mr. Todd Danney stated he is ok with issuing a CUP because he has some concerns about re-zoning including a decrease in his property value, any fume issues and noise concerns only because he is planning on have a elderly family member move in to this house.

Commissioner Crowley read from City Code on the landscape requirements on new construction and had some questions regarding the concerns that Mr. Daney presented and asked if they were in our current ordinance or code. Steven mentioned that they are in the current code.

Property owner Kelly Townsend mentioned that he thought the property was already zoned commercial and were shocked that this has come up technically limited use and the rules that apply to it. He said they just want this to be a successful business for a long time. Commission reviewed code and asked Mr. Townsend if he is ok with them issuing a CUP for this application only and if he moves someone else into the property he would have to comply with the new rules. Mr. Townsend responded that he would be ok with Commission issuing a CUP for the current tenants. Mayor Pro-Tem asked Steven when the code is applied. Steven reviewed the code with commission and responded to their questions about the new code. There were concerns that if they allow this to keep happening, we could be liable for potential litigation down the road if we are not consistent with the code.

MOVED by Mayor Pro-Tem George to approve ZC-21-02 Zone Change from O-1 Office & Intuitional District to C-1 Limited Retail/Neighborhood Commercial District with a conditional use to allow a pet grooming Establishment with the condition the property owner has one year to bring the property to code, parking, landscaping and trash recepticle; **SECONDED** by Commissioner Crowley

Three Voted Nay: Motion Failed Three to Two

MOVED by Commissioner Randall to deny ZC-21-02 Zone Change from O-1 Office & Intuitional District to C-1 Limited Retail/Neighborhood Commercial District with a conditional use to allow a pet grooming Establishment with the condition the property owner has one year to bring the property to code; **SECONDED** by Commissioner King

Four Voted Aye: Motion Passed Four to One

XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS

City Manager Paul Eckert mentioned a suggestion to hold public workshops for the budget including department presentations on April 26th 3:00-6:00pm and a second on April 28th 3:00-6:00pm. He also mentioned the next tentative date for the final Strategic Planning Meeting be on May 10th. Commission discussed what they would like to review at the next meeting, project and future vison for the City.

Mayor Pro-Tem George mentioned that several of the Commissioner went to the Municipal League Training, he felt it was informative and recommended that the City bring in the presenter for a legislative training session.

Commissioner Randall mentioned they stocked Riverside Pond with more trout.

Mayor Padilla mentioned that he spoke at the Leadership San Juan meeting on Friday the 7th, he mentioned there was a good turnout. He mentioned that he met with the Mayors of Bloomfield, Kirtland, and Farmington they are in the process of trying to put the Tri-City together. He mentioned that the projects on the list should be getting done sooner rather than later.

IT Director Wallace Begay presented what his department's Strategic plans, vision, and mission are for the future.


Community Director Steven Saavedra mentioned that on the future list the final adoption for the Planning and Zoning Board will come before commission at the next meeting on April 26th. He also mentioned that at that meeting there will be a zoning item to bring before Commission as well. He mentioned the trail that the City of Farmington, San Juan County and City of Aztec have been working on together.

XII. FUTURE AGENDA ITEMS

Item	Meeting
Resolution - Transportation Project Fund (TPF) grant app to NMDOT	April 26
Employee Classification Plan Update	April 26
YCC Agreement	May 10
Draft Budget Workshop	May 10
Final Acceptance of the 2022-24 Commission Strategic Plan	May 10
Commission Walkabout	June

XII. ADJOURNMENT

Mayor Padilla moved to adjourn the meeting at 8:22 pm



Mayor Michael A. Padilla, Sr.


ATTEST:



Karla Saylor, City Clerk



MINUTES PREPARED BY:



Alisha Campbell, Administrative Assistant