

**CITY OF AZTEC  
COMMISSION MEETING MINUTES  
January 14, 2014**

**I. CALL TO ORDER**

Mayor Burbridge called the Meeting to order at 6:00 p.m. in the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM

**II. INVOCATION**

The Invocation was led by Judge Carlton Gray

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Electric Director, Ken George

**IV. ROLL CALL**

**MEMBERS PRESENT:** Mayor Sally Burbridge; Mayor Pro-Tem Jim Crowley; Commissioner Sherri Sipe; Commissioner Gene Current

**MEMBERS ABSENT:** Commissioner Roberta Locke

**OTHERS PRESENT:** City Manager, Joshua Ray; City Attorney, Larry Thrower; City Clerk, Karla Saylor; Project Manager, Edward Kotyk (see attendance sheet)

**V. AGENDA APPROVAL**

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the Agenda.

All Voted Aye, Motion Passed Four to Zero

**VI. CITIZEN RECOGNITION**

City Manager, Josh Ray mentioned that IT Director, Wallace Begay will be videoing the Commission Meeting to put on the City's website and the City's YouTube page.

Code Compliance Officer, Bob Carmen presented the Aztec Spirit Award for Yard of the Month to Ken and Wilma Burns at 704 Sagebrush Drive, and Commercial Spirit Award of the Month to Durango Joe's.

## **VII. EMPLOYEE RECOGNITION**

Josh stated that we received a letter from Amy Warner from ECHO thanking us for donating 3505 pounds of food, \$760.00 dollars totaling 5785 pounds of food to the Food Drive. Josh mentioned an article that was in the Talon from a citizen saying how great the lights look around the City and all the improvements that are being done throughout the City. He thanked the Electric and Public Works Department for all they do to make the City look good. The article also mentioned kudos to our City Planner. The Mayor also thanked everybody involved in making the City look great. He also mentioned that the Police Department received their Certificate of Accreditation from the Professional Standards Council.

## **VIII. CONSENT AGENDA**

MOVED by Mayor Pro-Tem Crowley to Approve Consent Agenda, SECONDED by Commissioner Sipe with the exception of Item E. Electric Department Banner Policy and Item G. Resolution #2014-929 Seeking Public Vote of Local Economic Development funds for Retail Businesses.

- A. Special Commission Meeting Minutes, December 3, 2013
- B. Commission Meeting Minutes, December 10, 2013
- C. Special Commission Meeting Minutes, December 23, 2013
- D. Travel Request
- E. Pulled
- F. Community Development Department Destruction
- G. Pulled

All Voted Aye; Motion Passed Four to Zero

## **IX. ITEMS FROM CONSENT AGENDA**

- E. Electric Department banner Policy

Mayor Pro-Tem questioned if there has been any discussions with regards to the banner policy. Mayor Burbridge stated that there has been no discussion. Commission and Staff reviewed the policy that is being proposed and discussed some amendments to be made.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the updated policy and specifications for approved community even banners to be hung over Main Avenue or displayed on city property with the following amendments in the policy:

- In the first paragraph after banners are scheduled on a first come first serve basis we will add request with overlapping display periods shall be decided by the Community Development Department.
- In the second paragraph it should read Once the display period has ended the banner will be removed by the City and temporarily stored at the Aztec Electric Department.

All Voted Aye; Motion Passed Four to Zero

G. Resolution #2014-929 Seeking Public Vote of Local Economic Development funds for Retail businesses.

Mayor Burbridge stated that Commission has not had time to discuss this recommendation from Economic Development Advisory Board. She gave a background regarding this. She stated that there is a change to the LEDA Statute on the Legislative level to allow funds for retail businesses however there has to be a local public vote. Commission and Staff stated that the local Economic Development Act would allow arts and cultural districts in its consideration of the use of local economic development funds. If this is passed there is no timeline to hold the election.

MOVED by Commissioner Sipe, SECONDED by Mayor Burbridge to Approve resolution 2014-929 Seeking Public Vote of Local Economic Development funds for Retail Businesses.

**X. CITIZENS INPUT**

Katie McClure stated that due to the loss of Fantasy of Lights her and a few other citizens have come up with the idea of having City of Lights competition which would be between businesses in the City during the Christmas season. She would like to present the idea in a Workshop for Commission in the future.

**XI. BUSINESS ITEM**

A. Plat Suspension: Jenkins Ranch

Roshana stated that staff anticipates this suspension should be removed fairly quickly, the developer is waiting for the ground to thaw to finish a temporary a cul-de-sac and have provided estimates for sidewalk and paving completion to the City's Engineer and he is reviewing those estimates to ensure that they meet what the market is, and once those are approved the City will follow up with the developer so that the developer can secure or update their bond as needed. She stated that this particular development has no build out at this time.

MOVED by Mayor Pro-Tem Crowley, SECONDED by Commissioner Sipe to Approve Declaration of Suspension for Jenkins Ranch Subdivision Phase 1

All Voted Aye; Motion Passed Four to Zero

B. Plat Suspensions: Mesa Escondido

Roshana stated that particular subdivision is the subdivision located off of North Light Plant Road. She stated that the developer asked the City to do the plat suspension so there is time for the developers to prepare their engineering, get some general cost estimates to see where they are at, and to see if they can move forward with development of the subdivision. She also stated that this is a 200 lot subdivision, three of which are open space, one lot that is developed and does have a home on it. Mayor Burbridge asked if Plat Suspensions have an indefinite time period. Roshana stated that under code it is indefinite.

MOVED by Commissioner Current, SECONDED by Mayor Pro-Tem Crowley to Approve Declaration of Suspension

All Voted Aye; Motion Passed Four to Zero

C. Plat Suspensions: Pioneer Heights

Roshana stated that Pioneer Heights Subdivision is at approximately a 50% build out however we do not have an active Subdivision Improvement Agreement in place. She stated that the City did establish a Memorandum of understanding with the Developer in 2010 with the intent that a new improvement agreement would be developed and to this date there is no new Subdivision Improvement Agreement so the City is requesting to move forward with the Plat Suspension. The Subdivision has infrastructure that is not complete and one of the primary roads has not been completed. She stated that in the original Subdivision Improvement Agreement the bond that was provided to the City was never finalized from a signatory standpoint.

Peggy McWilliams, Owner of Pioneer Heights Subdivision went over the Memorandum of Understanding that was given to her when it was approved by the City Commission on 3/15/2005 and the last Subdivision Improvement Agreement from 5/17/2010. Larry Thrower, City Attorney went over the laws and rules for suspension with the McWilliams.

MOVED by Commissioner Sipe, SECONDED by Mayor Burbridge to Approve Declaration of Suspension for Pioneer Heights.

All Voted Aye; Motion passed Four to Zero

D. Intent to Adopt Ordinance. 2014-432 Amending Chapter 1 General Administration

Roshana stated that this amendment to this chapter was at the recommendation by Judge Carlton Gray, because under the old version of City Code there was a section titled Code Compliance that included various code violations and left out specific code violations that have been updated with Land Use Code.

A Roll Call Was Taken; All Voted Aye; Motion Passed 4-0

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to Approve the Intent to Adopt Ordinance 2014-432 Amending Chapter 1 General Administration

E. Intent to Adopt Ordinance #2014-433 Amending Chapter 2 Administration

Roshana stated that Ordinance was to update the Community Development Director title per job description. She stated that the second item is every time the City goes through Chapter 2 with Economic Development Advisory boards there is an issue with code that is found.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the Intent to Adopt Ordinance 2014-433 Amending Chapter 2 Administration

A Roll Call Was Taken; Motion Passed 3-0, 1 Abstained

F. Resolution #2014-930 Recognizing Aztec Community Events

Resolution #2014-930 was tabled and will be discussed in a future workshop.

MOVED by Mayor Burbridge, SECONDED by Commissioner Sipe to table Resolution #2014-930 Recognizing Aztec Community Events

## XII. LAND USE HEARING

Mayor Burbridge opened the Land Use Hearing for a sign variance for Wines of the San Juan. Mayor Burbridge stated that this hearing would be conducted under Procedures mandated by the New Mexico Court of Appeals in Battershell versus the City of Albuquerque, which were intended to protect the due process rights of our parties. Mayor Burbridge subsequently identified the parties and City Staff. Mayor Burbridge then asked Commission if they would accept the parties and they

did. She reviewed the procedures and then asked if any members of the Commission had a conflict of interest, bias, or engaged in ex parte communication, there were none. Mayor Burbridge then swore in the parties and then reviewed the Order of Presentation.

Planning Technician, Joshua Hedgpeth presented the Staff Summary and stated that two comments have been received, the first from Citizens Bank and the second from Christa Romme, both saying that the sign is a good idea. Mayor Burbridge asked is this a variance to the sign code or the sign policy. Roshana stated that it is a variance to the sign code.

Commission and Staff Discussed Finding of Facts #1-5. The Community Development Department recommends DENYING this application for a variance to Aztec Municipal Code Sec. 20-4-7.7(2), Temporary Sign regulations, for Wines of the San Juan, located at 233 Hwy. 511 in Blanco, New Mexico, to allow Wines of the San Juan to place a temporary over the street banners on City property located over the North Main Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-5 and vote "NO" to show the motion as DENIED.

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to Approve the application for a variance to Aztec Municipal Code Sec. 20-4-7.7-7(2), Temporary Sign Regulations, for Wines of the San Juan, located at 233 Hwy. 511 in Blanco, New Mexico, to allow Wines of the San Juan to place a temporary over the street banners on City property over North Main Ave. in Aztec, New Mexico, accepting Findings of Fact #1-5.

A Roll Call Was Taken; All Voted Aye; Motion Passed 4-0

### **XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

Josh stated that Commission had received the FY13 Audit. Josh mentioned that this is Roshana Moojen, Community Development Director's last meeting with Commission. It was decided that the workshop for Resolution #2014-930 would be on January 28<sup>th</sup> before the Commission Meeting.

Mayor Burbridge stated that she had dinner with Mayor Chad Auer from Firestone, Colorado. She stated that Mayor Chad Auer reported they had a 431% growth since 2010. She stated that Mayor Chad Auer stressed to her is to market the community all the time, tell folks how great we are, and what we have going on in the community.

Commissioner Sipe stated that she attended the Conoco Phillips breakfast and there was discussion on how much oil and gas brings to our state. She stated that she wanted to congratulate the Police Department on their Certificate of

Accreditation. She also stated that she received some nice comments on the new medians and how nice the City looks.

Commissioner Current stated that we have an answer to a clean environment in our own state and mentioned that natural gas is clean energy. He is proud to work in the industry of oil and gas. He also is proud of the improvements in our City.

#### **XIV. DEPARTMENT REPORTS**

Roshana wanted to give an update on the FEMA Site Assessments. She stated that the Project Manager for FEMA stated that Aztec is the most prepared community they have ever seen. She has spent two full days on site and transferring data to official forms and funding should start coming in for debris removal and for emergency projects and the permanent work would be a little slower and it would be approximately a twelve month time period. She stated after that we will be moving forward on Large Scale Hazard Mitigation Grant Applications to mitigate the Hampton and Blanco Arroyos.

#### **XV. CLOSED SESSION**

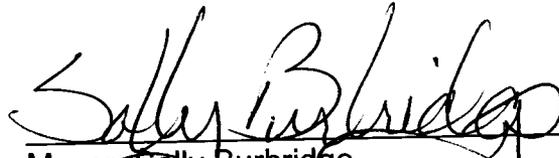
Closed Session of Pursuant to State Law, Section 10-15-1(H-8) to Consider the Approval of Purchase of Real Property.

Commission went in to closed session at 8:55pm to discuss the Purchase of Real Property than came out of closed session at 9:25pm and mentioned that there were no other items discussed other than to Consider the Approval of Purchase of Real Property.

All Voted Aye: Motion Passed 4-0

#### **XVI. ADJOURNMENT**

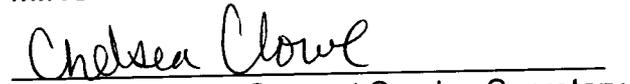
MOVED by Commissioner Sipe to adjourn the meeting at 9:25 pm SECONDED by Mayor Burbridge.

  
Mayor, Sally Burbridge

ATTEST:

  
Karla H. Sayler, City Clerk

MINUTES PREPARED BY:

  
Chelsea Clowe, Support Service Secretary



ATTENDANCE SHEET

COMMISSION MEETING

DATE: 1/14/14

PAGE 2 of 2

--- PLEASE PRINT---

NAME	ADDRESS OR AFFILIATION
CAROLAN GRAY	COA
STEVE MUEYER	COA
Bill Watson	COA
Nash Riley	Durango Jobs
Roshana Moogin	CWA
Brittany P. Arnold	WSJ
Joshua Wedepohl	COA
BOB Corman	COA
Katie McClure	Citizen
MIKE HEAL	COA
Wallace Beery	COAIT
Brittany Murphy	West Side plaza-D-Aces
Susan Carter	<del>Citizen</del>
Austin Randall	COA

