

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
May 10, 2016

**I. CALL TO ORDER**

Mayor Burbridge called the Meeting to order at 6:01pm at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

**II. INVOCATION**

The Invocation was led by City Attorney, Larry Thrower

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by General Services Director, Steve Mueller

**IV. ROLL CALL**

Members Present: Mayor Sally Burbridge; Mayor; Commissioner Sheri Rogers; Commissioner Austin Randall; Commissioner Katee McClure

Members Absent: Pro-Tem Sherri Sipe

Others Present: City Attorney Larry Thrower; City Manager Josh Ray; Administrative Assistant Sherlynn Morgan; Project Manager Ed Kotyk (see attendance sheet)

**V. AGENDA APPROVAL**

MOVED by Commissioner Randall, SECONDED by Commissioner McClure to Approve the Agenda with the exception of Item XI. Paschall Enterprises, Inc. DBA Five Fifty Brewing- New Liquor License Hearing

**VI. CITIZEN RECOGNITION**

Bil Homka, Community Development Director recognized the yard of the month winners as Robert and Debra Martinez at 713 Sabina Street.

**VII. EMPLOYEE RECOGNITION**

Josh Ray, City Manager recognized Motor Vehicle Department for excellent customer service. Josh recognized the winners of the Chamber Banquet, Business of the year, Anytime Fitness, Educator of the Year, Steve Lanier, and Citizen of the Year, Cindy Iacovetto, Community Center Director.

## **VIII. CONSENT AGENDA**

MOVED by Commissioner Rogers, SECONDED by Commissioner Randall to Approve the Consent Agenda as presented

- A. Commission Workshop Meeting Minutes, April 26, 2016
- B. Commission Meeting Minutes, April 26, 2016
- C. Travel Requests
- D. Disadvantaged Business Enterprise (DBA) Program for Aztec Municipal Airport
- E. Resolution 2016-998 Surplus
- F. Senior Citizen Agreement for Use of Community Center

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

None

## **X. CITIZENS INPUT**

Erin Banry addressed the Commission on ethical concerns on the Liquor License for Five Fifty Brewing. He mentioned that this presents a conflict of interest to himself and others in the community due to being a high residential area. He mentioned that members in the community feel that the activities for this business plan would be inappropriate for a residential area.

## **XII. LIQUOR LICENSE HEARING**

- A. Paschall Enterprises, Inc. DBA Five Fifty Brewing-New Liquor License

Item was pulled from agenda and will be heard at June 14, 2016 Commission Meeting

## **XI. BUSINESS ITEM**

Final Adoption of Ordinance 2016-450 Amending Chapter 22 Section 22-513 Commercial Use of Public Property

Josh mentioned that this is the Final Adoption to allow commercial use of public property with reasonable controls for Food and Vending Trucks in the area. There have been no comments to date. Commissioner McClure requested clarification on what City streets and other City properties would allow such food and vending trucks. It was mentioned that they will be allowed in any Park, Street or City Facility.

MOVED by Commissioner Randall, SECONDED by Commissioner Rogers to Approve the Final Adoption of Ordinance 2016-450 Amending Section 22-513 Commercial Use of Public Properties

A Roll Call Was Taken: All Voted Aye Motion Passed Four-Zero

- A. Final Adoption of Ordinance 2016-451 Amending Chapter 11, Article IX Food Catering, Food Vending and Mobile Vending Units

Josh mentioned that this follows with item A and mentioned that we have not received any comments to date. Commissioner McClure questioned who set the rule that vendors can sell 500 feet to 100 feet from a school, church or childcare facility. It was clarified that it is State code.

MOVED by Commissioner Rogers, SECONDED by Commissioner Randall to Approve the Final Adoption of Ordinance 2016-451 Amending Chapter 11, Article IX Food Catering, Food Vending and Mobile Vending Units

A Roll Call Was Taken: All Voted Aye Motion Passed Four-Zero

- C. Bid 2016-549 Sanitary Sewer Interceptor Award

Josh mentioned that this item has been on the City's infrastructure improvements list for several years. Funding was secured for the project in June 2013 and the design of the project was finalized in March 2016. He reviewed the dollar amounts from the staff summary with commission. Josh mentioned that there were four bids with Smithco Construction coming in at the lowest bid. The project will begin in July, 2016 and is scheduled to be complete by May 2017.

MOVED by Commissioner McClure, SECONDED by Commissioner Rogers to Approve the award of Bid 2016-549 to Smithco Construction, Inc. in the amount of \$3,533,970.00 plus gross receipts tax

## **XII. LAND USE HEARINGS**

Mayor Burbridge opened the Land Use Hearing for 2016-036 Variance 822 Maddox Avenue. 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 reviewed the Order of Presentation.

### **A. 2016-036 Variance 822 Maddox Avenue**

Bil Homka, Community Development Director mentioned that this is a Variance application so the applicants can add a small addition to their home. He mentioned that is currently zoned as A-1 Agricultural-Rural. The addition is proposed for the front elevation of the house located on its right side. It will measure about 121-1/2 across the front of the façade and extend about eight feet toward Maddox Avenue. This addition would not require a variance if the property were zoned R-1 because it would meet the 25' setback requirement in the single family district. Bill reviewed the findings of fact with commission and it is the department's recommendation to approve this application.

MOVED by Commissioner Rogers, SECONDED by Commissioner Randall To Approve The 2016-036, application for a Variance to the city zoning code, Section 26-2-25 (1) Setback regulations that requires a 40' front yard setback in the A-1 Agricultural – Rural zoning district, and allow an additional encroachment of eight feet (8') for the six (6) reasons listed in the Findings of Fact

A Roll Call Was Taken: All Voted Aye Motion Passed Four-Zero

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

Josh Ray recognized the parks crew on the appearance of the City Parks. He mentioned the ground breaking ceremony that will be held on May 19<sup>th</sup> for the Solar Field off of Swire Ave. at 11:00am hosted by Guzman Energy. Josh mentioned that we will be scheduling workshops for budget meetings.

Mayor Burbridge mentioned that Dr. Barkman will continue to be the representative for San Juan Regional board. She also mentioned that Dr. Sabol is no longer with his office. The Mayor attended the board meeting for San Juan Regional a couple of weeks ago and mentioned that they have found a candidate for CEO. She mentioned that she was in San Antonio last week attending the National League of Cities Conference. She mentioned that there were two topics of interest which were devices such as cell phones, ipads, laptops, desktops on what access and capabilities employees can have on them. The second was on Drones and remote control airplanes. The Mayor mentioned that some of our businesses have come together to promote their business by staying open late on Friday's.

Commissioner Rogers mentioned that she attended the Chamber Banquet and it was very nice. She thanked Josh and staff for keeping Commission updated o topic of events. She also mentioned that she appreciates the early notice on the City wide power outage that will occur on June 2<sup>nd</sup>.

Commissioner Randall mentioned that the San Juan Water Commission meeting was cancelled. He mentioned that he will be attending the Lodgers Tax meeting on Monday.

Commissioner McClure mentioned that she will be attending the Library Board meeting tomorrow. Commissioner McClure mentioned that she was unable to see the Liquor License hearing sign that the State posted on the building for the HUB. She mentioned that the postman will be picking up nonperishable food for the ECHO food bank. She mentioned that early voting has started for the primary election and mentioned that she will be attending coffee with the chief.

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

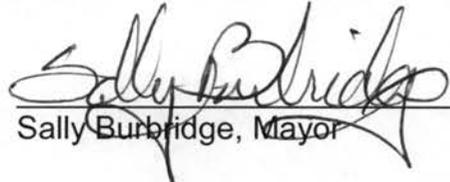
Chief Mike Heal mentioned that there will be extra officers patrolling the night of the power outage.

Kate Skinner Library Director thanked Commissioner McClure for the reminder of the Library board meeting. She mentioned the Library is working on the summer reading program and handed out postcards to commission.

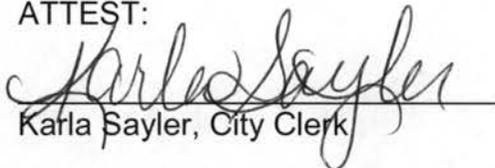
Cindy Iacovetto, Community Center Director mentioned that anybody is welcome to eat at the Senior Center for \$6 a plate. She mentioned that there is no Circus this Friday at the Center it is a Magic Show.

#### **XV. ADJOURNMENT**

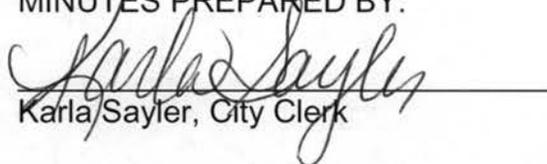
Moved by Mayor Burbridge, SECONDED by Commissioner Rogers to adjourn the meeting at 7:15 pm.

  
Sally Burbridge, Mayor

ATTEST:

  
Karla Saylor, City Clerk

MINUTES PREPARED BY:

  
Karla Saylor, City Clerk



ATTENDANCE SHEET

COMMISSION MEETING

DATE: 5-10-16

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--- PLEASE PRINT---

NAME	ADDRESS OR AFFILIATION
Sue Carter	Citizen of Aztec
DeLan Mx	COA
Kate Shinn	COA - Libran
Lynn M. Brown	CO
BRIAN WATSON	COA
Cindy L. Deenetho	COA - ASCC
Jina Roper	COA
Lori Schiess	COA
STEVE MUELLER	COA
MIKE HED	COA