

CITY OF AZTEC
COMMISSION MEETING MINUTES
August 13, 2019

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Invocation (led by Commissioner Randall)
- B. United States Pledge of Allegiance (led by Electric Director Ken George)
- C. New Mexico pledge of Allegiance (led by Electric Director Ken George)

III. ROLL CALL

Members Present: Mayor Victor Snover;
Commissioner Sipe; Commissioner Mark Lewis; Commissioner Austin Randall

Members Absent: Mayor Pro-Tem Fry

Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker; Project Manager Ed Kotyk; City Clerk Karla Saylor (see attendance sheet)

IV. APPROVAL OF AGENDA ITEMS

MOVED by Commissioner Sipe to approve the agenda as given; SECONDED by Commissioner Randall

All voted Aye: Motion passed four to zero

V. CONSENT AGENDA

- A. Commission Meeting Workshop Minutes July 23, 2019
- B. Commission Meeting Minutes July 23, 2019
- C. Commission Meeting Special Workshop Minutes July 25, 2019
- D. Special Commission Meeting Minutes July 25, 2019
- E. Temporary Construction Permit (TCP) for NM 173 NMDOT Project
- F. Resolution 2019-1144 Polling Place Designation Amendment
- G. Resolution 2019-1145 Closing of Time Certificate of Deposit for City of Aztec

- H. Resolution 2019-1146 Opening and Closing Time Certificate of Deposit for City of Aztec
- I. Memorandum of Understanding (MOU) between City of Aztec Public Library and Mosaic Academy Charter School
- J. Resolution 2019-1147 FY20 Annual Budget Adoption
- K. ITB 2019-703 Water Plant #3 & #4 Control & SCADA Upgrade Award
- L. Memorandum of Understanding City of Farmington Electric
- M. Resolution 2019-1149 Application for \$50,000 New Mexico Finance Authority Planning Grant

MOVED by Commissioner Lewis to Approve the Consent Agenda as given
SECONDED by Commissioner Sipe

All voted Aye: Motion passed four to zero

VI. ITEMS REMOVED FROM CONSENT AGENDA

NONE

VII. PROCLAMATION

NONE

VIII. PRESENTATIONS

Employee Recognition – Electric Department
Ken George explained that he will have the information ready for the next meeting.

IX. CITIZENS INPUT (3 Minutes Maximum)

Kathleen Sullivan voiced concerns about the trash and recycling costs she mentioned that she does not like to not have a choice about the recycling. She also had concerns about a dog park in Aztec.

X. BUSINESS ITEMS

- A. Final Adoption of Ordinance 2019-492: An Ordinance Amending Chapter 22 Public Property, Section 22-513 and Incorporating the Fee into Chapter 16 Fee Schedule

City Manager Steve Mueller mentioned that this is the encroachment fee that was left out of one of the chapters so this will just make them consistent.

MOVED by Commissioner Randall to Approve Final Adoption of Ordinance 2019-492. An Ordinance Amending Chapter 22 Public Property, Section 22-513 and

Incorporating the Fee into Chapter 16 Fee Schedule **SECONDED** by
Commissioner Sipe

A Roll Call was Taken; All voted Aye; Motion passed four to zero

- B. Final Adoption of Ordinance 2019-493: Amending Chapter 24 Traffic to Include Using a Handheld Mobile Communication Device as a Violation and Section 1-12 to Include Penalty and Fees for Such Violation

City Manager Steve Mueller mentioned that we have received no comment from the public.

MOVED by Commissioner Lewis to Approve Final Adoption of Ordinance 2019-493: Amending Chapter 24 Traffic to Include Using a Handheld Mobile Communication Device as a Violation and Section 1-12 to Include Penalty and Fees for Such Violation **SECONDED** by Commissioner Randall

A Roll Call was Taken; All voted Aye; Motion passed four to zero

- C. Intent to Adopt Ordinance 2019-494: Amending Chapter 21 Solid Waste And Recyclables

City Manager Steve Mueller mentioned that this deals with chapter 21 and this defines recycling and fees to encompass the new trash service.

MOVED by Commissioner Sipe to Approve the Intent to Adopt Ordinance 2019-494: Amending Chapter 21 Solid Waste and Recyclables **SECONDED** by Commissioner Lewis

A Roll Call was Taken; All voted Aye; Motion passed four to zero

- D. San Juan County Household Hazardous Waste Program

City Manager Steve Mueller mentioned this deals with the program that the County and the City of Farmington have cost shared over the past couple of years. The County has asked if the City of Aztec would like to partner with them this year. The cost will be \$65 per vehicle. It is scheduled for September 21st. This cost has not been budgeted. Waste Management does offer an at your door service at an additional cost to citizens. Electric Director mentioned that he feels this would be a disservice to the public to not have this and he offered to help. Mayor Snover explained that he is looking at the worst case scenario and it could get expensive.

MOVED by Commissioner Randall to Approve the partnering with San Juan County for Household Hazardous Waste Program SECONDED by Commissioner Sipe

A Roll Call was Taken; All voted Aye; Motion passed four to zero

E. FY 20 Funding Application: Aztec Vintage Social/Steamers and Dreamers

Ed Kotyk said that he was asked by Cindy Iacovetto to speak on her behalf. Ed explained that the Vintage Social is teaming up with the Truck show and other entities. She is hoping that by moving the event outside in the fall she will get more people to attend than in the winter time. The funding will help with the cost of the band and security. This is an attempt to boost Steamers and Dreamers and the other events by combining them. Mayor Snover mentioned that this is short notice and there is no data on what to be anticipated. Commission want a report back as to how the event went.

MOVED by Commissioner Randall to Approve the funding request for Rein Dance Association on behalf of Steamers and Dreamers in the amount of \$3,700 SECONDED by Commissioner Sipe

A Roll Call was Taken; All voted Aye; Motion passed four to zero

XI. QUASI JUDICIAL HEARINGS (LAND USE)

A. OG 19-02 Recompletion "Hydraulic Fracturing" of the Bruington Gas Com C #1R Gas Well

Mayor Snover read the land use script and asked if any Commissioners had any conflicts, personal bias or ex-parte communication to declare. There was none.

Erikka Martinez Community Development Administrative Assistant explained that this request seeks approval to recomplete an existing gas well located within Aztec's municipal limits on private property. The proposed site is in the City's southwestern area of Aztec. The technical location is NWNW of Section 26, T30N, R11W 770' FNL, 495' FWL, In the City of Aztec, San Juan County, New Mexico. According to San Juan County Assessors, John Fifield et al. owns the parcel of property where the gas well resides.

The well site information is as follows:

Well Name:	Bruington Gas Com C #1R
Lease No.	Fifield 4176
Existing Pad Area:	0.28 Acres
New Pad Area:	N/A

Total Parcel Area: 160 acres
Building Info: N/A
Floodplain: Zone X
Arroyo: Approximately 425-feet from well pad
Access: Pepsi Way
Contractor: Baywater Drilling
Formation: Dakota

Ben Mitchell submitted the recompletion application on behalf of Hilcorp Energy Company, located at 382 Road 3100 in Aztec, NM. The application includes, but not limited to: the State of New Mexico OCD permit application, a copy of the oil and gas lease agreement, sites maps, and a noise mitigation plan. The applicant did not include a wildlife or weed mitigation plan (threatened or endangered (T&E), as this is an existing well site.

The submittal indicated the well location is approximately 903 feet from the nearest commercial structure and 1,011 feet from the nearest residential dwelling unit. Access to the location utilizes existing access easements and Pepsi Way. The submittal indicated primary access from NM State Highway 550 and Pepsi Way. This access point is inside Aztec's municipal limits. During drilling and subsequent operations, all equipment and vehicles need to be confined to the well site and cannot obstruct any access easement or right-of-way.

The recommendation for approval is contingent on the applicant adhering to all of the processes and performance measures described in all mitigation plans, and all other regulations whether they be federal, state, or local in origin. The approval is also conditioned upon the applicant maintaining compliance with the industry's own Standard Best Management Practices and City of Aztec's Oil and Gas regulations. The Community Development Department requires prior notification before construction and drilling of the said well. In addition, a site visit during the construction of recompletion from the Hilcorp Energy Company is required to ensure all mitigation plans and conditions of approval are met during and after construction. Community Development does not feel landscaping is necessary, as a result of the location, lack of visibility from the right-of-way, and no future development plans in the near future. However, Community Development is concerned with drilling noise in and around the well pad. The Community Development Department does not object to this application, OG 19-02 a request to modify an existing gas well at the prescribed location and recommends approval, with the following conditions:

1. The development must adhere to all of the processes and performance measures described in submitted documents, including the Surface Use Plan of Operations and Surface Reclamation Plan, as well as all other applicable regulations promulgated by federal, state and local jurisdictions;
2. The applicant needs to notify the Community Development Department before construction, drilling, and recompletion for the said well commences;
3. The applicant needs to reinstall the fence surrounding the well pad, with the screening slats once recompletion is concluded pursuant to this application;
4. The applicant needs to adhere to the submitted Noise Mitigation Plan. Additionally, onsite construction and drilling operation hours need to be from 7:00 AM to 7:00 PM and limited to Monday through Friday, because of the sensitivity of residential units within 1,011-feet from the well pad and 2,500-feet from the Presidential Inn Suites Hotel

Tom Duggan who was representing Hilcorp mentioned a couple of corrections on the staff summary. The section is 21 not 26 and the pad is 2 acres not .2 acres.

Mayor Snover closed the hearing to testimony.

MOVED by Commissioner Sipe to Approve OG 19-02, a Gas Well named Bruington Gas Com C #1R gas well, submitted by Ben Mitchell, on behalf of Hilcorp Energy Company, with staff's recommended conditions 1 – 4
SECONDED by Commissioner Randall

A Roll Call was Taken; All voted Aye; Motion passed four to zero

XII. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS

City Manager Steve Mueller mentioned that we have a special meeting next Tuesday and NMML annual conference at the end of August.

Commissioner Sipe mentioned that tomorrow is Senior day at the fair tomorrow. She enjoyed Connie Mac. NWNM Seniors meeting this week at the senior center in Aztec and a regular board meeting, EDAB and MPO.

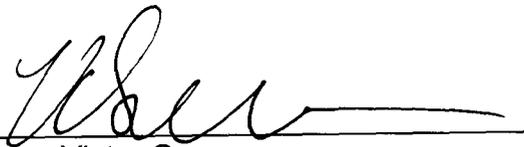
Commissioner Randall mentioned that he would be gone for the 1st meeting of September. He mentioned that it is fair time.

Mayor Snover mentioned he attended an ECHO board meeting and they are going through a transition, they will have a special board meeting next week.

XIII. ADJOURNMENT

Mayor Snover moved to adjourn the meeting at 7:15 pm SECONDED by Commissioner Sipe





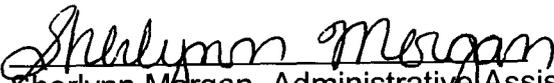
Mayor, Victor Snover

ATTEST:



Karla Saylor, City Clerk

MINUTES PREPARED BY:



Sherlynn Morgan, Administrative Assistant

