

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – AUGUST 21, 2013 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

• **CALL TO ORDER.**

Mayor Hill called the meeting to order at 6:30 P.M.

Councilors Present: Chuck Ring, Rita-Loy Simmons, Sherry Abraham, John Abrams.

Also present was Ms. Kay Davis, Town Administrator, Ms. Estefanie Muller, CMC, Clerk-Treasurer, and Mr. Marcus Rael, Town Attorney.

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

Mayor Hill stated the applicant for the Item 7 had withdrawn their appeal and requested Council remove this item from the Agenda.

MOTION: Councilor Abrams made a motion to approve the Agenda removing Item 7. Councilor Abraham seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

2. APPROVAL OF CONSENT AGENDA.

A. Approval of the Regular Council Meeting Minutes of August 7, 2013.

B. Acknowledge Receipt of Planning & Zoning Commission Meeting Minutes of August 6, 2013.

C. Acknowledge Receipt of the Police Department Report for the month of July, 2013.

D. Acknowledge Receipt of the Animal Control Report for the month of July, 2013.

E. Acknowledge Receipt of the Library Board Minutes and Report for the month of July, 2013.

MOTION: Councilor Simmons made a motion to approve the Consent Agenda. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

3. MATTERS FROM THE MAYOR.

Mayor Hill recognized the passing of Representative Easley.

Councilor Abrams requested the Town Council send condolences to his family.

Mayor Hill stated he would direct staff to put something together. He also discussed the storm that caused the power outage and resulted in the Town computers being down for a while but the IT people had made all the repairs and everything was back online now.

Mayor Hill also discussed some of the issues at the wastewater plant stating they would have to buy water for the roads until the pump can be replaced.

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4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons discussed the issue at the Senior Center regarding office supplies stating it is an asset to the Community and needs to be supported. She also discussed the use of the athletic field by the soccer teams.

Councilor Abraham stated the Run, Rally, and Rock event had been successful. She also stated she would be receiving her certificate from the Municipal Officials Leadership Institute at the annual conference.

Mayor Hill stated this is quite an accomplishment especially considering how quickly she did it.

5. MATTERS FROM THE ATTORNEY.

None.

6. PUBLIC COMMENTS OF GENERAL MATTERS.

Mr. Ronald Roy discussed some of the road problems on Entranosa Road and Broken Arrow from the recent rains. He added there needs to be some engineering on the draining for these areas and expressed concern over the pipeline that is being installed.

Mr. Norton Henninger responded from the audience that it is a natural draw and that culverts had never been installed by the County.

Mayor Hill stated he would direct staff and the attorney to look into it. He stated he was concerned the pipeline company may have contributed to the problem and would need to be notified.

Councilor Simmons expressed frustration over this pipeline installation and the number of entities that have little say in how the work is done.

Mr. John Bassett discussed the recent rains saying this is about as good as it gets but is sorry for others misfortune with the flooding.

Ms. Janelle Turner discussed some of her concerns regarding the Open Meetings Act and Inspection of Public Records Act stating if the Town maintains a website it is required that the form for records inspection is available on the site as well as instructions for how to obtain access to public records. She also stated the amended Zoning Ordinance from May of 2012 was still not available on the website. She presented a letter to the Council on procedures.

Mayor Hill responded that it is the Commissions prerogative to make their rules. He added the training from the Municipal League indicated that closed deliberation are common, and the preferred practice. He assured Council what they are doing is in accordance with the Municipal League Attorney has advised us as such.

Councilor Ring asked if the Commission was subject to the same requirements as the Council regarding Closed Sessions.

Mayor Hill responded they can do all of closed session as is preferable according to the Municipal League. This is the common and accepted practice in most municipalities and is what was advised at the training with the Municipal League. He added there will also be a joint training for both the Commission and Council scheduled as soon as possible with Mr. VanVleck of the Municipal League. He added Mr. Rael would attend this joint meeting as well.

Councilor Ring stated he was surprised they would not be held to the three conditions imposed on the Council for a closed session.

Mayor Hill responded they are not a governing body. He added if and when the Council

acts in a Quasi Judicial fashion it would be the preferred method for them to deliberate in Closed Session. The Town should be employing best practices and this is the preferred method.

Ms. Elaine Murphy discussed the flooding that occurred on Entranosa Road stating there is no mechanism in place to funnel the water into the arroyo. She added this has changed since the pipeline was installed.

7. PUBLIC HEARING.

Quasi-Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

A. Request for Appeal for Preliminary Plat, Tract 6, Lands of Padilla, 245 Entranosa Road, creating 2 lots from 34.7 acres, zoned R-1.

THIS ITEM WAS WITHDRAWN.

8. MATTERS FROM THE ADMINISTRATOR/PLANNER.

None.

9. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF JULY, 2013.

Mayor Hill reviewed this item stating the Gross Receipts Taxes are up over this same month last year.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of July. Councilor Ring seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

10. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – September 4, 2013 @ 6:30 P.M.

B. Regular Council Meeting – September 18, 2013 @ 6:30 P.M.

C. Woofstock – Saturday, August 24, 2013 @ 10:00 A.M. Town Multi-Purpose Field.

D. New Mexico Municipal League Annual Conference, Taos, NM – August 27-30th.

E. Town Hall Meeting – Section 16 Master Plan – Saturday, September 21, 2013 @ 10:00 A.M. Edgewood Middle School.

F. Infrastructure Conference – Albuquerque, NM – October 22-24, 2013.

Mayor Hill reviewed this item for the Council. He also discussed a meeting he would be attending with Mr. Roth the Vice President of Health Sciences at UNM and Senator Beffort in an effort to bring an Urgent Care Facility to Edgewood.

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He also discussed the change of location for the Section 16 meeting scheduled for September 21, it will now be held at the Edgewood Middle School cafeteria at 10:00 AM.

11. FUTURE AGENDA ITEMS.

- A. Public Notice of Intent to Adopt – Infrastructure Capital Improvement Plan 2015-2019 (I.C.I.P.) by Resolution (September 4, 2013 Council Meeting)
- B. Santa Fe County I.C.I.P. Presentation – Mr. Craig O’Hare (September 4, 2013 Council Meeting).
- C. Public Hearing – Request for Annexation, Requesting R-1 Residential Zoning for Property Llocated on Tract 13 & 14, Division of Lands for Raymond Moomey. (September 4, 2013 Council Meeting).
- D. Community Center Improvements.
- E. Schedule Joint Meeting with Council & Commission for Training on Code of Conduct and Meeting Procedures.

Mayor Hill reviewed this item for the Council.

12. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting. Councilor Ring seconded the motion.

VOTE: All Councilors voted aye.

Mayor Hill Adjourned the meeting at 7:10 PM

PASSED, APPROVED and ADOPTED this 4th day of September, 2013

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer