

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – DECEMBER 21, 2016 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - 27 E. FRONTAGE ROAD

• **CALL TO ORDER.**

Mayor Bassett called the meeting to order at 6:30 p.m.

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

Also Present: Clerk/Treasurer Juan Torres, Attorney Randy Autio, Deputy Clerk Carla Salazar, and Staff Rebecca Sanchez.

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

MOTION: Councilor Ring made a motion to approve the Agenda with changes. He would like Item numbers 9, 10, and 11 moved right after Approval of Agenda.
Councilor Simmons seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

2. APPROVAL OF MINUTES.

a. Approval of the Draft Regular Council Meeting Minutes of November 16, 2016

MOTION: Councilor Simmons made a motion to approve the Draft Regular Council Meeting Minutes of November 16, 2016.
Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

b. Approval of the Draft Regular Council Meeting Minutes of December 7, 2016

MOTION: Councilor Simmons made a motion to approve the Draft Regular Council Meeting Minutes of December 7, 2016.
Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

3. ACKNOWLEDGEMENT OF CONSENT AGENDA.

a. Acknowledge receipt of the Library Report for the month of November, 2016

b. Acknowledge receipt of the Draft Parks & Recreation Committee Meeting Minutes for the month of October, 2016

c. Acknowledge receipt of the Draft Animal Control Advisory Board Meeting Minutes for the month of November, 2016

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

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VOTE: All Councilors voted aye. The motion carried.

4. ACKNOWLEDGEMENT AND DISCUSSION OF PLANNING & ZONING COMMISSION MEETING MINUTES.

- a. Discuss and acknowledge receipt of the Planning & Zoning Commission Meeting Minutes of November 21, 2016
- b. Discuss and acknowledge receipt of the Planning & Zoning Commission Meeting Minutes of November 26, 2016
- c. Discuss and acknowledge receipt of the Planning & Zoning Commission Meeting Minutes of December 5, 2016

MOTION: Councilor Simmons made a motion to accept the Acknowledgement of the Planning & Zoning Commission Meeting Minutes.
Councilor Ring seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

5. MATTERS FROM THE MAYOR.

- a. Appointments and reappointments for given terms of the Planning and Zoning Commissioners of the Town of Edgewood as follows:

Cheryl Huppertz:	01/01/17 – 12/31/17
Garry Bryant:	01/01/17 – 12/31/17
Lorenzo Stanton:	01/01/17 – 12/31/18
James H. Lee:	01/01/17 – 12/31/18

6. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Ring: None

Councilor Abraham: None

Councilor Simmons: Made mention of a recent visit to other wastewater plants in Bernalillo and Rio Rancho and thanked New Mexico Rural Water for providing some alternative to what we are faced with.

Councilor Abrams: Made mention that the Santa Fe Board of County Commissioner just passed four resolutions that the Health Policy and Planning Commission has been working on over the last year:

Resolution 2016-138


A Resolution in Support of the appropriation of Funds for the "New Mexico Grown Fresh Fruits and Fresh Vegetables for School Meals Program" and maintenance of funding for the "Double-Up Food Bucks Program" by the New Mexico Legislature

Resolution 2016-140

A Resolution confirming the uses of the Santa Fe County Health Care Assistance Fund to Support the County Health Care Action Plan and to increase the provision of Health Care Services for Santa Fe County Residents

Resolution 2016-143

A Resolution regarding Santa Fe County's role in Behavioral Health Services and funding and planning for a Crisis Triage Center in Santa Fe County

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Resolution 2016-142

A Resolution Supporting Legislation in the 2017 Legislative Session that implements Dental Therapy, including the training and licensure of Dental Therapists

He encouraged anyone who wanted more information to come speak with him.

7. AN UPDATE AND DISCUSSION OF THE WASTERWATER P.E.R. by Tappan Mahoney with Dennis Engineering

Mr. Tappan Mahoney with Dennis Engineering gave an update on the Wastewater PER. Mr. Mahoney stated that he had received comments on the P.E.R. from NMED and that since then numerous correspondence, discussion and dialogue has taken place with them. He has also met with USDA and they have provided comments on the P.E.R. as well.

Mr. Mahoney stated that we have preliminary approval of the P.E.R. from NMED and USDA. He is looking at wrapping up the current P.E.R. next week. It will show phasing and cost cutting options and it will address some of the financial concerns NMED has. He feels the P.E.R. will be approved with conditions. The conditions will not be with respect to the technical content. It will have to do with financials and the need for the Town to implement the wastewater ordinance. The Town will also need to show an increase in customer base through connections, etc....

Additionally, he also provided a second P.E.R. specific to the Reuse and Disposal Project and USDA is interested in funding that project. NMED concurs that the Reuse and Disposal Project should be completed.

He then stood for questions

Councilor Simmons said she appreciated the research. She mentioned that phasing and cutting costs wherever we can will be helpful. She also mentioned that just looking at other systems, which she and the Mayor did with New Mexico Rural Water was helpful.

The Mayor asked if we would have one P.E.R. or two?

Mr. Mahoney said we would have two because USDA wanted to also see one that just addressed the Reuse and Disposal Project.

Councilor Simmons asked if we had a copy of the original scope of work that started this project. The Mayor did not believe so but Mr. Mahoney said he did have it and would bring it to Town Hall.

8. PUBLIC HEARING

Quasi-Judicial Procedure

Certification that Public Notice of this Meeting has been posted as required: Verified by the Planning & Zoning Administrator Larry Sullivan.

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.

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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 by Mr. Jonathan Pillars, 8 acres of land, more or less, located on Woodline Drive, known as Tract P-1-R-1-B, Section 21, T10N, R7E, NMPM, in the Town of Edgewood, New Mexico on a decision made by the Planning and Zoning Commission of the Town of Edgewood.

Councilor Abrams stated he had no conflict of interest or ex-parte communication.

Councilor Abraham stated she had no conflict of interest, but has ex-parte communication. Mayor Bassett asked if she felt she could judge this case honestly. Councilor Abraham stated yes. Mayor Bassett asked if any of the Council has concerns of Councilor Abraham hearing this appeal.

No objections noted.

Councilor Simmons stated she had no conflict of interest or ex-parte communication.

Councilor Ring stated he had no conflict of interest, but shook Mr. Pillars hand after a meeting.

Mayor Bassett stated he has no conflict of interest or ex-parte communication.

Mayor Bassett asked if anyone present had concerns about her or any of the Council hearing this Public Hearing. No objections noted.

Mr. Larry Sullivan stated this is the second appeal by Mr. Johnathan Pillars of decisions made by the Planning & Zoning Commission on his application for approval of a minor subdivision. When the matter was first heard in August, the Council remanded the case to P & Z with directions to reconsider four requirements imposed as preconditions for final approval. Based on new evidence, P & Z rescinded three of the four conditions, but found the requirement of roadway and cul de sac improvements should not be withdrawn. Mr. Pillars is currently appealing the P & Z denial of minor subdivision approval upon his failure to show compliance with town roadway standards.

Mr. Pillars stated he is appealing due to misleading information in exhibit A, an illustration that Mr. Sullivan drew up letting Mr. Pillars know that the road way must be 20' in width. Mr. Pillars stated he created his property to image Mr. Sullivan's drawing and then was told his road did not meet town standards, as the road is required to be 24' wide.

The Council agreed to the staff illustration of exhibit A, and requested a 6" compacted base (or equivalent) with an all-weather surface. This included a cul de sac or hammer head be put in place and a 20' wide road. Mr. Pillars stated he is away at his winter home and drove in for this appeal. He mentioned he would not return until summer and believes he would need until the first meeting in August to comply with these conditions.

The towns attorney, Mr. Autio stated, an option is to wait until August 2017, and at that time have the Fire Department and the Road Supervisor, Mr. Norton Henninger confirm that the conditions set out on exhibit A have been met.

MOTION: Councilor Simmons made a motion to defer the request for appeal by Mr. Jonathan Pillars until the first meeting in August of 2017 to meet the conditions set out on exhibit A.

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.

9. TOWN OF EDGEWOOD POLICE REPORT – Chief Ron Crow

Police Report and Animal Control Report for the month of November 2016.

Chief Crow presented council with the Police Report for the month of November which stated as follows: The Police Department had 513 Dispatch Activities of which 145 were from Santa Fe Regional Dispatch and 368 were self-initiated, 79 traffic stops, issued 24 traffic citations, took 21 offense reports, 8 crash reports and made 6 arrests.

The Animal Control Division had 25 dispatch activities of which 16 were from the Santa Fe Regional Dispatch and 9 self-initiated. They took in 12 animals adopted 6 and transferred 0 to other agencies and had 10 reclaimed. Volunteers donated 83.5 hours during the month.

Chief Crow also mentioned Cops for the Holidays would be on December 22nd, 2017

MOTION: Councilor Abrams made a motion to approve the Police Report and Animal Control Report for the month of November 2016.
Councilor Ring seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

10. DISCUSSION OF THE ANIMAL CONTROL ORDINANCE

a. Changes to the Animal Control Ordinance proposed by the Animal Welfare Advisory Board.

Police Chief Ron Crow and Animal Control Officer Mike Ring read off a list of proposed changes to the current Animal Control Ordinance. Most of the proposed changes involve changes, additions or clarifications to the list of definitions, refining standard for such thing as yard enclosures, setting limits on the number of animals owned and how many litters they can have and revising fees, permits and fines to better reflect actual costs.

A discussion followed during which it was decided by the Governing Body that the Town was not yet ready to move forward with a Call for a Public Hearing to discuss and act on the proposed changes.

b. Call for a public hearing

11. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

The following people spoke during Public Comment: Kenneth Brennan, Staci Boswell, Tim Fleming, Frank Payne, Patti Welch, Abraham Robledo, Paul Caster, Elaine Summerhill, Vickie Averhoff, Chuck Willard, Shirley Bremley, Tamera High (sp), Rey Fulwiler, Sherry Stewart, Ron Portillo, and Torry Mormen.

Most spoke out defending pit bull dogs and opposed banning any specific breed of dog, People also expressed sympathy for people who felt terrorized by a recent dog attack. One gentleman spoke about

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the recent dog attack which involved a group of “pit bulls” who had escaped their yard and attacked dogs being walked by neighbors ...The incident he said, left the neighbors walking their dogs extremely frightened. A gentleman who said it was dogs involved in the recent incident said his dogs were not dangerous and he invited people to his home to meet them. A few speakers offered their help as the Town looks to make changes to the Animal Control Ordinance.

Mayor Bassett invited all the speakers and all those in attendance at the meeting to attend the next meeting of the Animal Control Advisory Board on January 3rd, 2017.

12. MATTERS FROM THE CLERK/TREASURER.

a. Financial Report for November, 2016

Mr. Torres introduced the Financial Report for the month of November. He mentioned the GRT is down again which raises some concern.

He stated beginning January 2017 the Environmental Gross Receipt Tax (EGRT) will become effective, but we would not see the results until March 2017. This EGRT will be put forth to the Wastewater and will receive its own column in the GRT sheet.

Councilor Abrams is concerned with the Wells Fargo CD Fund and its criteria to meet the Department of Finance and Administration (DFA) requirements. Mr. Torres stated it does meet the DFA requirements.

MOTION: Councilor Simmons made a motion to approve the Financial Report for November 2016. Councilor Ring seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

13. RESOLUTION NO. 2016-23 – TOWN OF EDGEWOOD ANNUAL OPEN MEETING ACT RESOLUTION

Mayor Bassett mentioned when the Library moves to their new location this Resolution will need amending to follow guidelines.

MOTION: Councilor Ring made a motion to approve Resolution No. 2016-23 – Town of Edgewood Annual Open Meetings Act. Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

14. ANNOUNCEMENTS and/or CALENDAR REVIEW.

a. Next Regular Council Meeting – January 4th, 2017 @ 6:30 P.M.

b. NOTE: Town Hall offices will be closed on Monday, January 2nd in observance of New Year’s Day.

15. FUTURE AGENDA ITEMS.

a. Joint Council/P&Z Commission meeting now set for January 7th at 2:30 PM

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of December 21, 2016. Councilor Ring seconded the motion.

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VOTE: All Councilors voted aye. The motion carried.

Mayor Bassett adjourned the meeting of December 21, 2016 at 9:19 p.m.

PASSED, APPROVED AND ADOPTED THIS 4th day of JANUARY, 2017



John Bassett, Mayor

ATTEST:



Juan Torres, Clerk/Treasurer

