

**TOWN OF EDGEWOOD**  
**SPECIAL COMMISSION MEETING MINUTES**

**October 11, 2022, Tuesday @ 6:30 P.M.**

**EDGEWOOD TOWN HALL COMMISSION CHAMBERS - 171A State Rd. 344 Edgewood, NM 87015**

**I. WELCOME, INTRODUCTION, & ROLL CALL**

A. INVOCATION

B. PLEDGE OF ALLEGIANCE

C. NM FLAG SALUTE ~ *"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."*

Mayor Jaramillo called the meeting to order at 6:33 PM.

Roll Call: Commissioner Brennan, Commissioner Donner, Commissioner Powers, Commissioner Anaya, Commissioner Jaramillo – All Commissioners Present.

**II. AGENDA APPROVAL**

Mayor Jaramillo asked if the Commissioners wanted to add Commissioner comments; the Commission did not need to add this to the Agenda.

MOTION: Commissioner Anaya moved to approve agenda for October 11, 2022

SECOND: Commissioner Brennan

ROLL CALL VOTE: All aye, Motion passed.

**III. PUBLIC COMMENT**

- A. *Debbie Brennan*. 94 Square H RD, Historic society and historical landmark is great idea. El Dorado train station was demolished and doesn't want to see that happen here.
- i. Mayor Jaramillo said there would be time for comment under the hearing in section IV on this topic, but people were welcome to make comments now as well.
- B. *Corrella*. 106 Square H RD, moved to Edgewood when only one stop light and many things have changed over the years with more businesses and still keep small Town charm. Would like to see EES as a benefit to Town, have activities, and put money into it.
- C. *MESD Superintendent Teresa Salazar*, Moriarty Edgewood School District (MESD) Superintendent. 126 Dinkle Rd, read on behalf of MESD, on behalf of the District opposes Resolution 2022-26, does not define state buildings, it is proper to look at Cultural Property Act. NMSA 1978 Section 18-6-3, state land includes owned by a political subdivision. MESD is a political subdivision and objects to this Resolution. They believe it is not in the best interest of the District or the Town.
- D. *MESD Board Vice-President Elizabeth Howells*, Current MESD Board Member, wanted to know why MESD was not included in the letter sent out to those regarding the well.
- i. *Mayor Jaramillo* said here at the Town we are very open with communication and happy to hear from and will answer questions from the public when deemed appropriate.
- ii. *Brad Hill* stated the Town did send a registered certified letter to the District.

- E. *Linda Holle*. 26 Vista Cerritos, she is concerned with lack of due process because the Town is skirting state statutes pertaining to public notice and public hearings and Ordinances. Why is Ordinance and resolution being circumvented. She wants to see the redline copy and suggests two public hearings and Planning & Zoning is being left out of the process. We shouldn't be rushing through items and think about items. Possible Quorum was posted and stated business would not be discussed at PSCOC meeting but saw Jaramillo and Powers present to PSCOC.
- F. *Chandler Houston*. Would like to talk about two issues, overlay is 1000 feet, this will restrict what we can do to the property. Prohibits mining, gravel bit since the 80s and was allowed to exist under current Ordinance and with new may limit. Sand and gravel may work, would like to have language G. non confirming uses (or state that no chemicals or page 54 G).
- G. *Ricky Parker* 251 Church Street, who owns the water rights to section 24, this is by flood plain. Who owns the well. Are they going to complain, wants to know when it will get pumped.
  - i. Commissioner Powers said EPCOR owns it and it is a public water supply well.

#### IV. DISCUSSION AND ACTION ITEMS

- A. **ORDINANCE NO. 2022-007; AN ORDINANCE ADOPTING A REVISED COMPREHENSIVE ZONING CODE FOR THE TOWN OF EDGEWOOD, NEW MEXICO, INCLUDING ESTABLISHING REGULATIONS, REQUIREMENTS, AND PROCEDURES, PROVIDING FOR PENALTIES FOR ANY VIOLATIONS THEREOF, AND REPEALING ORDINANCE NO. 2019-03.**

Mayor Jaramillo requested certification that this hearing of the Governing Body has been posted as required. Staff confirmed this was posted as required. Mayor Jaramillo read a legislative public hearing script to differentiate from a quasi-judicial hearing. Opened Public Hearing at 6:48 PM.

- i. *Mark Moll* Do all prior Ordinances have to be repealed. Master Planning Zone, Campbell Ranch has an agreement with Town of Edgewood that the master plan only has to adhere to the zoning Ordinance when created. Master Plan Campbell Ranch would need to adhere to previous. Concern is adhering to a 20 year old zoning in current conditions
  - a. *Brad Hill* in the past this is what has been done. Amendments need to be done under the requirement under existing Ordinance, with precept of 2019. If a new amendment would come with the updated Ordinances. Amendment was withdrawn, but if it was sent again would fall under new.
- ii. *MESD Superintendent Teresa Salazar* Can we have a redlined copy of the Ordinance? Can you show what changed?

[District's attorney in attendance with Superintendent Salazar, Board President Armijo, and Board Vice-President Howells].

- a. *P&Z Manager Brad Hill* This is a new Ordinance, the old one pagination was so poor, the letter and numbering was hodge-podge and not able to compile and updated as new. Changed Council to Governing Body, Mayor to Manager, did catch two that will be brought to attention, corrected indexing, major change was overly zone, it was in three sections, and all had different criteria and different protocols. We took all overly zones and made



one section and put all three sections together and added one, airport, flood, well head, and historical all in one place.

Task was to go over Ordinance and update, governing body is universal and if you aren't specific Commission can be page 86 you will see there are two references under the sec 36 A Council and recommend changing to Governing Body, then on paragraph B council needs to be changed to Governing Body. 1 substantive request, it is an egregious section we will not allow residents to have storage sheds and two projects are coming up and would need to be update otherwise new development would be rejected. Recommend delete Section 8 page 20 delete para E and F; do not feel comfortable enforcing this section and can't have this for building under this Ordinance. These have been in since 2019. Either need to enforce or change. There are a lot of things that need to be changed but this is critical to change, nuisance needs more input. Would like to do comprehensive review of the zoning Ordinance and have ready for January. Just trying to clean this up and fix the overly. Wellhead does not change use or zone of properties but would prohibit gas stations or toxic dump. The intent to protect the ground water. Chandler's concerns will be addressed, when a use exist prior to the overly that use remains as long as it is there and does not change drastically. Under old ord. said that there can be no gas station outside of 500 feet of the well head, we would have to ask for all gas stations to shut down, not the intent but clarified that the station cannot be built with in the 500 feet. Clarified the language. That is what we tried to do here.

- iii. *Linda Holle* Asked Mr. Brad Hill, who all did work on this Ordinance.
  - a. *Brad Hill* worked with legal counsel and individually with Planning and Zoning Commissioners. Had practical reasons why they all couldn't meet but met with each P&Z for their input and went over the Ordinance.
- iv. *Linda Holle* asked if we could get the changes up on the screen and mentioned the packet was not up properly Sunday.
- v. *P&Z Manager Brad Hill* stated that it was corrected and reposted.
- vi. *Mayor Jaramillo* asked if it would be difficult to bring up the computer or run some copies for the people who are here.
- vii. *Manager Sensanbaugher* said he would get his computer.
- viii. *Brad Hill* said really everything stayed the same except the items he pointed out. The master plan amendment did not change whatsoever. None of the Code Enforcement aspects of the Ordinance changed with that exception of the development review. Everything else was the method by which overlay zones are implemented, changed and they were all put into one section; all universal and consistently the same.
- ix. *MESD Board President Charles Armijo* President of MESD Board, feels this was really rushed and feel we are all trying to do what is best. Everything felt rushed. Latitude and

longitude coordinates posted were not correct. Technical errors made in a hurry. Feels very rushed. Thumbprint of an expedited agenda.

- a. *Manager Sensanbaugher* Staff printed two sided and scanned one sided. Found out yesterday morning. The moment we found out about it we corrected it.
- b. *Commissioner Powers* Asked about the coordinates.
- c. *Brad Hill* County Assessor's website was where coordinates retrieved from for the posted sign.
- d. *Mayor Jaramillo* Said it would be appropriate to look onscreen and have Brad walk through the changes. Staff turned on the screen and projected the Ordinance with changes.
- e. *Brad Hill* Need to allow other building, not just stick-built. Then everything really stays the same until you get to the overlay section. Would look to state building code and what they allow. Page 59 did remove airport, flood and well head section from where they were in previous and moved to overly section.
- f. Staff turned on the second screen in the room.
- g. *Brad Hill* Section 25- every section includes "intent" instead of being inconsistent. All overly zones stayed the same, cleaned up language in well head. It used to say for example that gas stations could only be in a wellhead protection zone, that was corrected. Protocol is largest change, does not change zoning of property, it is not proper to treat as a zone change, it is an overlay. So changed wellhead protection from being a zone change to a protection zone. Protocol is different since an overlay zone is not a zone change so it is not appropriate to treat it as a zone change since it is not a zone change. Restrictions are to keep out of water supply.

*Mayor Jaramillo* asked Brad to talk more about these changes proposed.

*P&Z Manager Brad Hill* continued and explained that there are prohibitions in the zone to protect the water table , industrial, mining, feed lots, fracking, automotive fueling, collection or disposal sites, airports, etc. The uses are master plan on one side and master plan on the other. You can get a special use permit on either side to use for one of these high impact activities, but what is permissive under their current zone is still permitted. Even within the zone, the zone could be changed as long as an adverse use is not proposed. Even within one of these overlays, the current use could be continued over an amortized period, up to five years to change out. There is no immediate impact. There are many wellhead protection zones throughout the Town. With a wellhead protection zone, we have always protected the water well providing water to the public, so there is no reason why not to do that. Could change zone as long as high impact use is not involved. If wellhead is capped the protection can be removed, it is not permanent.



EPCOR came to P&Z to be under protection. How they use it is between them and their regulatory agency, which is the Public Regulation Commission (PRC). Flood plain zones under FEMA, and we are currently going under but is in Ordinance. Airport has triangles as accident zone, restrictions for landing and takeoff for end of runway. Historic District and Landmark taking language from state statute and used with legal. There may be a historical district north of Town maybe donated in the future, a major landmark, and needs to be protected and that is part of why this needs to be done. We don't have a historical district like many communities but do have buildings may be appropriate to have protected throughout Town and should have the consideration to do this.

- h. Brad mentioned page 86 – B and A – Council needs to be changed. Recommends changing to Governing Body.
        - i. Brad shared these were the changes and asked for any other questions.
  - x. *MESD Superintendent Teresa Salazar* One concern that there has been no involvement with the Public Education Department (PED) or the school district and what may change the future for students and Town. They don't feel it is in the District's best interest or the Town's best interest.
    - a. *Brad Hill* The wellhead protection does not have an impact on the use of the property.
    - b. *Teresa* clarified she meant the Historical.
    - c. *Brad* clarified the Ordinance does not establish any sites and that is a separate discussion.
  - xi. *Mark Moll* The Campbell ranch only must adhere to 1999 Master Plan zoning requirements which is 20 years old. He would like to see something added into the zoning for master plan communities to adhere to zone in place and not when created. Too many hypothetically.
    - a. *Brad Hill* all concerns are valid, but the public does get confused between zoning and development review. Zoning is what is allowed on a property. As to what actually happens on a property is subject to other ordinances such as road or subdivision ordinances that affects what a development looks like. Zoning is a vested right but does not grant anyone the right to build a structure or road. Your concerns are related to separate ordinances. Final plat approval is in the subdivision ordinance.
    - b. *Commissioner Brennan* clarifies if someone changes their Master Plan, do they then have to abide by the current ordinances in effect.
    - c. *Brad Hill* confirms that is correct.
  - xii. *MESD Board Member Charles Armijo* Question on wellhead protection, are all wellhead protection 1000 feet?
    - a. *Brad Hill* Yes, they are.

- b. *Mayor Jaramillo* asked how far out it goes.
- c. *Brad Hill* indicated on the Town map; just past Highway 344.
- d. *Manager Sensenbaur* This is a common practice all around NM and elsewhere. He confirmed to Commissioner Jaramillo they are similar to this and no particular studies were required.
- e. *Brad Hill* Zone and zoning are not the same. Zones are not the same and not a zoning activity. Commissioner Jaramillo stated these are overlay. Introduced Nann Winter, lawyer on Land Use.
- f. *Commissioner Anaya* Thank you for taking this task on. We asked you to clean up policies and procedures and have done a fantastic job with staff. Recognized the mistake and thank you for that. Would like to make a motion if no

- xiii. *MESD Board Vice-President Elizabeth Howells* Section 26 of the zoning Ordinance zone states that the site development plan is required on all applications for a zone change to establish change for special use zone district. Has such a plan been developed for the zone change you wish to implement on the school district's property and on Section 16?
  - a. *Brad Hill* We are not changing the zoning.
  - b. *Mayor Jaramillo* It is what he was explaining; the zoning does not change. The overlay on top is what changes. The Special Use the District has stays, it does not change.
  - c. *Brad Hill* Confirms the Special Use zone does not change.

There were no other questions or comments; entertained a motion.

**MOTION:** Commissioner Anaya made a motion to approve the Zoning Ordinance 2022-007 with corrections where Council is mentioned changed to to Governing Body and under Section 8 remove E and F completely from the document.

**SECOND:** Commissioner Powers seconded.

*Mayor Jaramillo* reiterates the changes: Strike under Section 8 E and F on page 20; changing any references from Council to Governing Body in particular, page 36 A and B, but do a "search and replace" in Word to check all.

*Commissioner Brennan* asks Section 4 definition. B sub 1 abandoned building would this be empty building on sale for 90 days. Brad Hill says it is unclear and needs to be addressed in January; we have a staggering number of abandoned buildings in Edgewood and vagrant activity. Some properties the ownership cannot be identified. *Commissioner Brennan* Sec. 8 pr B width of driveways (does only one need to be 14 foot). Brad Hill clarified.

*Commissioner Brennan* said there is another instance of Council on page 61.

*Commissioner Powers* said there is another on page 62 and asked if we should change the motion.

*Commissioner Jaramillo* said there is no need to change our motion since we gave permission to do the replace all.



*Commissioner Brennan* said these changes are good to allow other building such as sheds.

**ROLL CALL VOTE:** Commissioner Donner aye, Commissioner Brennan aye, Commissioner Powers aye, Commissioner Anaya aye, Commissioner Jaramillo aye. The Motion Passes.

**Closed Public Hearing at 7:47 PM**

**B. RESOLUTION NO. 2022-028; DESIGNATING WELLHEAD PROTECTION OVERLAY ZONES**

**MOTION:** Commissioner Powers moved to approve Resolution 2022-28.

**SECOND:** Commissioner Anaya seconded.

*Manager Sensanbaugher* offered to bring it up on screen and did.

*Commissioner Powers* said we already have a lot of circles on the map and these were designed and intended to protect from contamination because they are serving members of the public.

*Manager Sensanbaugher* said that is correct and to their knowledge these two wells before us tonight are the only two that provide water to a public system that do not have that, so this brings it into consistency with the rest of the wells.

[Facebook video time marker 1:19:00]

*Leota Harriman* Independent newspaper Reporter. Keep referring to the public hearing but she hasn't seen anywhere that this was noticed. She is wondering where and when that happened.

*Brad Hill* it was noticed that there would be an amendment to the Zoning Ordinance and indicated as a public hearing.

*Mayor Jaramillo* confirmed that it says Notice of Public Hearing. At the top of the packet.

*Brad Hill* confirmed that is what was printed in the newspaper as well.

*Mayor Jaramillo* brought the paper notice from the packet to the podium and handed it to the reporter.

Staff scrolled through the Resolution on screen.

No other comments or questions; entertained a motion.

**ROLL CALL VOTE:** Commissioner Powers aye, Commissioner Brennan aye, Commissioner Anaya aye, Commissioner Donner aye, Commissioner Jaramillo aye. The Motion Passes.

**C. RESOLUTION NO. 2022-026; DESIGNATING CERTAIN STRUCTURES A HISTORIC LANDMARK AND A RELATED PARCEL OF LAND AS A HISTORICAL AREA IN ACCORDANCE WITH SECTION 3-22-1 NMSA 1978 ET SEQ. AND TOWN OF EDGEWOOD ORDINANCE NO. 2022-07.**

**MOTION:** Commissioner Anaya made a motion to approve Town of Edgewood's Resolution 2022-026; designating certain structures a historic landmark and a related parcel of land as a historical

area in accordance with section 3-22-1 NMSA 1978 et seq. And Town of Edgewood Ordinance 2022-007.

**SECOND:** Commissioner Brennan seconded.

*Mayor Jaramillo* requests comments and recommendations from Staff.

*Manager Sensenbaugh* stated no comments, only recommend approval.

*Commission Powers* shared this came to our attention due to the demolition of south complex, and the information we received from the public was that Edgewood is a young town, but we have our own history. And although our buildings were not built in the 1700s or 1800s, this is our oldest standing school building in Edgewood. It will take on greater significance as time goes on. Members of the public at the meetings have expressed (some in their 40s) how much this school means to them. This younger Town has a different need, but it has historical significance, and the Landmark overlay zone will be important for that as well as the other areas that we are considering for designation.

*Commissioner Jaramillo* wanted to add to history and cultural significant as well. At the school board meeting the other night there was a community member that brought up the Challenger disaster. Many people talk about their experiences and grandkids going to EES and basically fall carnivals and festivals all the events being here for those and the community always came together and was supported. Very big sense of community and history here. Edgewood is young but part of its identity has been here. Edgewood Elementary School is in the Heart of Edgewood. That means a lot, it is part of our history and important to the community. We had about 150 people come to a Public meeting and over 500 petition signatures to preserve the building and not allow demolition of the building. Reiterate that again as part of our consideration here is to listen to the community. Our job here, as elected officials by you all, by the over 500 people who signed the petition, by the 150 people that came to the meetings and emails and phone calls...only one or two people on social media and a school board member saying "rip it down"... but out of all the hundreds of people who do not have that position it is very different...we are here as elected officials to represent you. And this is part of that, to preserve the elementary school.

*Commissioner Brennan* adding to that he has talked to a lot of people even in Albuquerque, who used to live here and went to Edgewood Elementary and they question on why would you tear down such a beautiful building. It is very reminiscent of the 80s. It has its own unique architecture and it still a useful structure. Edgewood is a young town, but we are building a history. But the only way to build a history is to protect it. Failure to protect history is to erase your identity. We are here to protect the identity of Edgewood.

*Susan Simons* 27 Hillcrest, I'm glad you started something like this there was a little store on 66 and 344, it was a restaurant and in the back would do plays, torn down and built Smiths, not objecting to Smiths, but hoping it will save little buildings and windmills. Heard that little store was a school building. This is the beginning. We do need to protect and save what we have before it is gone.



*Sherry Abraham* 21 Walker Lane Thank you for protecting our community and listening to the community and letting us have a voice in our community. Thank you, I think this is a great move. I appreciate all of you.

*Chuck Ring* 4 Derecho Lane Moved here in 1985, and watched some of the things that have been referenced disappear. Old Venus school house, stronger then any bottle of whiskey you could drink, we would be well ahead if we had a well head and if we had agricultural protection area back then we'd still have it and could've had museum. Thank you for taking this on.

*Commissioner Donner* has an 8 year old son, goes to the Charter. He loves history and read a quote to Commissioner Donner the other day: *"What a country to chooses to save, is what a country chooses to say about itself."* We are choosing to save this building because the people have spoken out and asked us to fight for it. Shows we are strong and that we are trying to preserve what we have.

*Jeff Hauslings* are other sites being looked at this, I know that the school is mentioned but what other sites, so I can show my kids other buildings that are historical.

*Commissioner Jaramillo* said that was a great question and the District had brought forward a purchase order to demolish EES which, in part, made this a high priority because they were going to use their own fund or state funds. Maybe they could address why but we are still hoping to work together on that. We have an outstanding offer on the building and have not heard official word back on that. This is high priority because of everything being moved forward on the District's side to demolish.

*Commissioner Donner* This has expedited the process but is the first of many to preserve, the windmill and many places that do need preserved in Edgewood as well.

*Commissioner Powers* This brought to our attention, and it had never occurred to us the building would be destroyed, then it came on the radar. This brought up the issue question of what is worth preserving in Edgewood. Chuck Ring and Brad Hill mentioned other things that had been destroyed that have cultural and historic value. So, you have to start someplace and the fact that this was an imminent destruction – once it is gone, it is gone. So that brought the subject matter up and we are looking at other areas, along Historic Route 66. And then Mr. Hill referenced an area that will be a big boon to Edgewood that is a historic landmark we are also considering and actively looking at. So, that is how this came about and prompted us to take a look at what is Edgewood's history what might go away? Because nothing else is under eminent threat of destruction but that doesn't mean it won't be at some point.

*Commissioner Anaya* I've been in the East Mountains for 60+ years, sat on boards, donated many hours of my time to this community. And very proud to serve our people, our community, and our Town (both here and Moriarty). I've seen destruction on many buildings, ones my Dad and Grandad built, when you grow up with this labor you grow up with a fondness of that labor and you were taught by your elders. And when the elders pass away, there goes a 100 years of history.

Dad could tell me every place where they grew beans, but sometimes we have to look and see what is valuable to us and being small and young community, we all need to look at that. I remember going to school at the old red brick building, now the old Administration building. History is history and thank you for doing this, it is a start, we have a long ways to go and the staff is doing great trying to do this. We will continue to support our staff and community. Thank you for coming and tell us if we want to hear it or not.

*Commissioner Jaramillo* asked Commissioner Anaya where the red brick building is.

*Commissioner Anaya* said it is brown now and it is in Moriarty. It was a school built in the 1940s. it was built by a lot of community members.

*Sherry Abraham* asked if it is still standing.

*Commissioner Anaya* answered it is. It is still being used by the District administration. They also moved into Mountainview, they did a nice job and repurposed that elementary school. So we know that repurposing works. That is what we want to do – take the oldest building in the area, Edgewood, and beautify it, utilize it. We have to find ways to save as much money as we can and we can do that by remodeling. He would rather put in a new toilet than have to build a new bathroom.

*Commissioner Brennan* Every historical society throughout the Country started with their first structure/endeavor they all start with one and move to grow. That is where we are and every one in the future, we build off the first one from today.

*Manager Sensanbaugher* Read a text and email statement from resident, *Linda Burke*, for public comment: In 2001, she worked on old schoolhouse a WPA project from the 1930s or 40s that was also home to Edgewood's very first Town Hall and the Homestead Restaurant. The state's Department of Cultural Affairs found the building worth putting on the list of endangered places list. Unfortunately, because Edgewood did not have an ordinance to protect historic sites, Smith's, the owner of the property, decided to tear down the building, and instead put in a gas station. This was a huge loss for the community and its history for the culture of our Town. The proposed Ordinance is a valuable tool to preserve the community's history and identity.

**ROLL CALL VOTE:** Commissioner Brennan, Commissioner Powers, Commissioner Donner  
Commissioner Anaya, Commissioner Jaramillo, All voted aye. The Motion Passes.

**D. RESOLUTION NO. 2022-27; AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS TO PRESERVE, PROTECT, ENHANCE OR PURCHASE RECENTLY DESIGNATED HISTORIC LANDMARKS AND HISTORICAL AREAS.**

**MOTION:** Commissioner Brennan made a motion to approve.

**SECOND:** Commissioner Powers seconded.



*Mayor Jaramillo* requested Staff's comments and recommendation.  
*Manager Sensanbaugher* said no comments, just recommend approval.

Manager Sensanbaugher scrolled through the Resolution on screens.  
There were no other comments or questions from anyone.

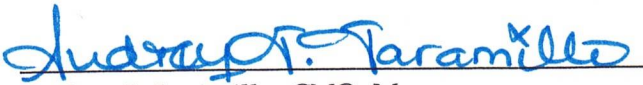
**ROLL CALL VOTE:** Commissioner Donner aye, Commissioner Brennan aye, Commissioner Jaramillo aye, Commissioner Powers aye, Commissioner Anaya aye. The Motion Passes.

V. **PUBLIC COMMENTS** – Mayor Jaramillo stated we have had a lot of them, but we are always welcoming more. Confirmed no other comments.

VI. **ADJOURN**

Mayor Jaramillo adjourned the meeting at 8:17 pm. Enthusiastic applause.

**PASSED, APPROVED and ADOPTED** this 17<sup>th</sup> day of January 2023.

  
Audrey J. Jaramillo, CMO, Mayor

**ATTEST:**

  
Nina McCracken, Clerk

