

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – NOVEMBER 6, 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 PM.

Councilors Present: Chuck Ring, Sherry Abraham, John Abrams

Councilors Not Present: Rita-Loy Simmons

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

- **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

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

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

2. APPROVAL OF CONSENT AGENDA.

- A. Approval of the Regular Council Meeting Minutes of October 16, 2013.
- B. Acknowledge Receipt of the Planning & Zoning Commission Meeting Minutes of October 15, 2013.
- C. Acknowledge Receipt of the Planning & Zoning Commission Meeting Minutes of October 29, 2013.

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

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

3. MATTERS FROM THE MAYOR.

Mayor Hill stated that he wanted to express his thanks to the community for the support during the recent loss of his father.

Mayor Hill welcomed Scout Troop 217 and stated they are present to gain knowledge of the government and earn a Merit badge. Mayor Hill requested that Council take a break before the Closed Session to give the scouts a chance to talk to the Councilors and Mayor.

A. Proclamation – East Mountain First Responders Appreciation Lunch.

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Mayor Hill read the Proclamation and proclaimed Friday, November 8, 2013, as East Mountain First Responders Appreciation Day. Mayor Hill requested Chief Radosevich take the Proclamation to the luncheon at Coldwell Banker in Cedar Crest.

B. Lease of Santa Fe County Building.

Mayor Hill stated that The Santa Fe County Board of County Commissioners approved the lease of the Santa Fe County Building, located next to the Community Center for the amount of \$1.00 per year for the Town's Police Department and Animal Control.

C. Private Video Surveillance Signs.

Mayor Hill stated that a citizen brought forward a concern as to the appearance to a video recording notice sign that was put up on a road in Edgewood. Mayor Hill wanted to assure the Council and the public that this was not placed by the Town, but was placed by a private party on a private road. In discussion with Chief Radosevich, he stated the Town reach out and offer to help them establish a neighborhood watch program. The Town of Edgewood wants every neighborhood to be aware that our Police Department stands ready to assist in the establishment of neighborhood watch programs, as we are all concerned with property crime here in Edgewood.

Mayor Hill stated that the Town of Edgewood had received two letters earlier today, from the Department of Transportation, indicating that the Town had been awarded two grants for trail improvements in the amounts of \$28,602.00 and \$29,521.00 for trails north of Dinkle Road and the other trail from the elementary school to the Town's recreational field. Mayor Hill wanted to thank Dennis Engineering as they are the ones who put the grant together and did all the follow up that was needed to get this successfully awarded.

Mayor Hill announced that the Town of Edgewood has moved the Section 16 Public Meeting from this Saturday, November 9th to Saturday November 16th at 10:00 a.m. at the Edgewood Community Center. There was a need to gather further information before the meeting; this will be the third and final public meeting, other than the final meeting before the Council.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Ring stated that the meeting for The Northern Transportation District was moved from the November 1st to November 8th, and will not be able to attend the East Mountain First Responders Appreciation Luncheon. He also stated that one of the topics for discussion at The Northern Transportation District meeting was going to be a resolution for service to the Ski Area from Santa Fe. There have been preliminary discussions about it and personally he feels the district should consider charging a fee to people who use it to ski or hike, because the original reason for it was to transport people who needed it to get to work or healthcare facilities. Councilor Ring stated if anyone had any different ideas about that, they could contact him before 6:00 a.m. on the 8th of November, and he would be happy to relay ideas on this subject.

5. MATTERS FROM THE ATTORNEY.

Mr. Rael stated that his matters would be addressed during the closed session.

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6. MATTERS FROM THE MUNICIPAL JUDGE.

A. Judge White will present his report for the month of October, 2013.

Judge White presented his report for the month of October, 2013. He stated the Court received a check for \$850.00 from the MVD for double payments and overpayments that had been made over the last couple of years. The problem is that if someone pays their fine to the wrong entity then the right entity still wants the fine paid to them. The Court was able to refund some money to people that the Court knew had overpaid, because Ms. Smith kept such good records, and the good software the Court has in place. The rest of the money went into the Town's General Fund. Judge White expressed his appreciation for Ms. Smith having kept such good records. Judge White also voiced his appreciation for Kay Davis McGill, and Estefanie Muller in their foresight and cooperation when Kathy had to be out on a Court day, and also for Tracy Sweat for stepping into Kathy's position for the day and doing such a great job. Judge White also stated that Kay and he had also agreed that Christal Hambly would be cross trained into the Court as well.

7. RBC MARKETING UPDATE REGARDING BOND ELECTION - Mr. Paul Cassidy.

Mayor Hill introduced Mr. Paul Cassidy. Mr. Cassidy wanted to revisit what had been discussed at an earlier meeting on a general obligation bond program to address streets and also the animal shelter construction. In order to issue General Obligation Bonds it has to be approved by voters at a city wide election. The next election is the first Tuesday in March. In order to get this on the ballot the Council will need to approve an Election Resolution at the first meeting in December and add two questions. One of the items for discussion is making sure what the Council's intent is, to determine whether the Town is going to do two questions, the amount, and what the tax consequences are to that. The amount for 2013 is still a preliminary number, there are still properties that the owners protested the amount of the assessed value and their tax protests have mostly been settled but this number will continue to change up until probably January or February. The community however, continues to grow and it is expected that the tax base will also continue to grow over time. The way the tax bill is put together, and it was done for the residents in the Santa Fe County portion of the community, but also shows the total tax rate for any residents of the Town that live in Bernalillo County. Property taxes are the payment source for annual payment on a bond issue; a bond issue is no more than a loan.

Since this is the first bond issue that the Town is considering, the payment is being scheduled for twenty years in order to keep the interest as low as possible. The life of the assets the Town is building should also have duration of twenty years, which is an important concept. In addition, state law and the constitution lays out the type of projects that can be included as election items on the ballot.

Mayor Hill opened up for Council discussion. Councilor Ring asked if there had been residences or maybe commercial properties identified in Bernalillo County, and incidentally Sandoval County too that had been considered in the tax base. Mr. Cassidy stated that there was some assessed valuation considered in Bernalillo County but that the Local Government is not aware that the Town boundaries extend into any surrounding

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Counties other than Bernalillo and Torrance. Mayor Hill stated that the Town is not a part of Torrance County, and that the Town does indeed extend into Sandoval County, as well as Santa Fe and Bernalillo Counties. Ms. Muller stated that there would be a special election for the bond and a regular municipal election; they will run together so there will be two different ballots, and two different resolutions. Mayor Hill wanted to be clear what the requirements were for the time lines that needed to be met. Councilor Ring stated that he felt like \$3 million for the roads seemed like a great figure and that he felt the shelter should be at \$670,000.00. Councilor Abrams stated that he was curious about the number for the animal shelter, he stated that he really didn't have any documentation to base a number on at this point. Ms. Davis McGill then stated that the administration felt safe with the numbers because the infrastructure was there because of the building and that the discussion she had had at the time with Mr. Ring, and with Ms. Muller, was that the Town would have this amount and then build a building based on the budget. She also spoke with Dennis Engineering and the Town didn't want to have a veterinary clinic, this is just for the animal care and shelter. This is a rough figure and the administration felt safe with it. The Mayor stated that the Town was thinking of a building near the public works building. That the land was already identified and that this would be phase one to serve the current and immediate future needs, and he felt this was a reasonable number as well.

MOTION: Councilor Ring made a motion to approve the amount of \$3 million for roads and up to \$670,000.00 for the Animal Shelter. Councilor Abrams seconded the motion.

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

8. AGREEMENT – New Mexico Department of Transportation-Town of Edgewood Highway Safety Projects – Chief Fred Radosevich.

Chief Radosevich reviewed the agreement with the Mayor and Council. This is the second year that the Town of Edgewood has participated in the Highway Safety Projects. The Traffic Safety Bureau, a division of the Department of Transportation, pays overtime costs for our officers to work traffic enforcement. The first agreement is Operation DWI, in which they pay two officers at a time to work, what they call saturation patrols, and during that time the officers are out there and all they are looking for is drunk drivers, that is their primary mission, the amount is for \$5,544.00. The second one is what they call One Hundred Days and Nights of Summer, it starts in June of 2014 and runs through September, it is a traffic safety program that allows overtime for officers who do nothing but work traffic enforcement, school zones, construction areas, anywhere that the Police Department feels they need to work, the amount for this is \$2,342.00. What the agreement does is pay officers, working at a time and a half rate, overtime, and they reimburse the Town for the overtime pay. The agreement allows the Mayor to sign it, and the designate the Chief of Police as the project manager, and Estefanie Muller as the finance manager. The Chief goes through all the paperwork, turning everything in, do the reimbursements then submit it to Ms. Muller for the financial part and then it is sent

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up to Santa Fe and they reimburse the Town.

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

Mr. Ryan Brightbill stated that he is an Edgewood resident within the Santa Fe County area. He stated as a citizen he feels as though the counties forget the individuals that live on the outskirts in the less populated areas. He referred to the area of Nugent from 344 to Broken Arrow, from Nugent to Frost, and also the potholes on Frost from 344 to Horton Rd. In contacting the County he is referred to the Town and the Town refers him to the County and so it seems that no one is taking responsibility for the road maintenance. Mr. Brightbill went on to state that he included law enforcement in this and that there is a portion of Horton Rd. that needs to be better monitored for off road vehicles that are probably not registered within the State of New Mexico. Mr. Brightbill stated that he is exploring the possibility of running for Santa Fe County Commission or possibly for Council for the Town of Edgewood.

Mayor Hill responded he had requested the Town Administrator contact the Santa Fe County Manager, on this issue, also what the Town is planning to do, if this road bond is passed and the Town identifies the highest priority road on the list prepared by Planning and Zoning and this would require partnership with Santa Fe County. Horton Road is in the Town and the west side of the road is in the county. This has created a dilemma with regard to the improvement of that road. Mayor Hill stated that he thought the Town had a solution, but it will require a little bit of cooperation with Santa Fe County, and in the maintenance of Horton Road. Mayor Hill further stated that this subject also plays into discussion that may take place regarding reapplying to the Municipal Boundary Commission and it also has to do with the discussions with the State Land Office and discussions regarding Section 16. These things are all coming together and it is timely as Dennis Engineering is putting together some valuable information that the Town reviewed today. Mayor Hill stated that he just wanted Council as well as Mr. Brightbill to know that Town is trying to seek that discussion with Santa Fe County.

Mr. John Bassett inquired if the Town had received anything on M.A.P. requests this year. Mayor Hill stated he would be sure to make response to Mr. Bassett's question at the next meeting so that the Town would have more clarity on the subject.

10. MATTERS FROM THE ADMINISTRATOR/PLANNER.

A. Town of Edgewood Signs.

Ms. Davis McGill stated that there had been progress made with enforcing the Sign Ordinance. She stated Tracy and Steve are in the process of pulling any signs that have been attached to any road signs, posts, or in the median. Ms. Davis McGill stated that Tracy and she are sending letters to the business owners that cite the ordinance. All signs that are removed by the Town staff are being stored at the Municipal Offices and will be kept for 30 days. The businesses may come and retrieve their signs during normal business hours. Mayor Hill stated that the Sign Ordinance had been reviewed carefully, and that there is some ambiguity there, and that when there is ambiguity the Town should err on the side of caution. The Town does have a permissive Sign Ordinance which

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indicates that if something is not specifically permitted in the ordinance, then it is prohibited, so the Town could do more than it is but would rather come to Council with some clarification, some definition clarifications and some language change without a wholesale re-do of the Sign Ordinance. The Town may need to make a few minor adjustments to the ordinance and it will be brought to Council sometime in the near future, probably in January.

Ms. Davis McGill then added that the Town is not being punitive of the businesses and appreciates the businesses and what they bring. The Mayor then stated that he felt the issue was that there was sort of a proliferation of people sticking signs up on the right-of-way, anything from a local event to a business or for whatever reason, and if the Town didn't enforce the Sign Ordinance it becomes an issue that needed to be addressed, and again that the Town was trying to find the right balance between being supportive of the Town's businesses and yet making sure that public safety and the cleanliness of the Town is being maintained.

B. Update on Capital Project Funding.

Kay Davis McGill stated that the Department of Finance found no issue with the Town's audit and the Town is on the list for the December bond sales in March and be ready to proceed with the paving of East Venus Road.

C. Professional Services Agreement with Mr. Roger Holden.

Ms. Kay Davis McGill stated that Mr. Holden has worked extensively on the Route 66 Initiative, and it has benefited the Town of Edgewood. It recently came the Town's attention that he has used his personal finances for expenses, especially his mileage. The Town had a professional services agreement drawn up; the scope of work is identified in this agreement, where Mr. Holden will provide representation of the Town in its interests as directed by the Mayor or Town Council from time to time. This is an agreement for one year, from the date of approval. Councilor Ring asked if this agreement had been gone over with Mr. Holden, and Ms. Davis McGill said that it had. The Mayor then stated that in the future the Town may consider a possible part time position in Parks and Recreation that they would ask Mr. Holden to fill. Councilor Abrams inquired if the Town's attorney was able to review this agreement and Ms. Davis McGill stated that he had. Councilor Abrams asked if there were any issues with any other organizations either private or non-profit. Ms. Davis McGill stated that this agreement was only for when Mr. Holden is representing the Town of Edgewood.

MOTION: Councilor Abrams made a motion to approve the Professional Services Agreement between the Town of Edgewood and Mr. Roger Holden. Councilor Ring seconded the motion.

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

D. Identify Roads to be placed on the Bond Election Question.

Ms. Davis McGill asked for guidance in which roads are priorities to be placed on the bond election. Mayor Hill stated that he wasn't asking for answers tonight, but that this

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had been brought up before and that he wanted to let the Council know that at the next Council Meeting, he felt like Council was going to have to make a clear decision. Councilor Abrams wanted to make a suggestion to put Horton Road at the top of the list, and that Council takes a long hard look at Rainbow and Walker Road, based on the traffic counts. The Mayor stated that he would like this to be added as a full agenda item and possibly putting an ad in the paper to invite the public to give their input. The Mayor felt the Town could find the resource to help with any expenses beyond what is needed to take care of the roads.

E. Update Traffic Totals – Steeplechase, Walker, and Rainbow Roads were reviewed.
F. Ms. Davis McGill stated that the town Received and MOU today for the amount of \$25,000.00 from Santa Fe County for Library Services.

11. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – November 20, 2013 @ 6:30 P.M.

The Mayor will be present.

B. Regular Council Meeting – December 4, 2013 @ 6:30 P.M.

NOTE: The Town Hall Offices will be closed as follows:

Monday, November 11, 2013 Veteran's Day.

Thursday, November 28, 2013 Thanksgiving Holiday

Friday, November 29, 2013 President's Day

12. FUTURE AGENDA ITEMS.

A. Road Priorities.

B. Adoption of Resolution for a Moratorium on Annexation Requests.

C. Language Revisions to the Sign Ordinance.

13. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(2) the following will be discussed in Closed Session.

Limited Personnel Matters

MOTION: Councilor Abrams made a motion to go into Closed Session to discuss Limited Personnel Matters. Councilor Ring seconded the motion.

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

MOTION: Councilor Abrams made a motion to come back into Open Session. Councilor Abraham seconded the motion.

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

Councilor Abrams affirmed only Limited Personnel Matters were discussed during Closed Session, and no action was taken.

Councilor Ring affirmed only Limited Personnel Matters were discussed during Closed Session, and no action was taken.

Councilor Abraham affirmed only Limited Personnel Matters were discussed during Closed Session, and no action was taken.

Mayor Hill affirmed only Limited Personnel Matters were discussed during Closed Session, and no action was taken.

14. ADJOURN.

MOTION: Councilor Abrams made a motion to adjourn the meeting. Councilor Abraham seconded the motion.

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

Mayor Hill adjourned the meeting at 8:04 PM.

PASSED, APPROVED AND ADOPTED this 14th day of NOVEMBER, 2013.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer