

A G E N D A

... for the Regular Meeting of the Farmington City Council to be held at 7:00 p.m., Tuesday, October 22, 2013 in the Council Chamber, City Hall, 800 Municipal Drive, Farmington, New Mexico. . .

1. Roll Call and Convening the Meeting:
2. Invocation: Father Guy Mackey of St. John's Episcopal Church.
3. Pledge of Allegiance:
4. Acceptance of Consent Agenda: Those items on the agenda that are marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on without discussion with one motion. If any item proposed does not meet with approval of all Councilors or if a citizen so requests, that item will be heard under Business from the Floor.
5. *Approval of Minutes for:
 - (a) the Regular Meeting of the City Council held October 8, 2013; and --10
 - (b) the Regular Work Session of the City Council held October 1, 2013. -11
6. *Approval to Declare worn-out, unusable or obsolete vehicles and equipment (Administrative Services, Central Warehouse, General Services and Vehicle Maintenance) surplus to the needs of the City and not essential for municipal purposes, and to authorize the City Manager or his designee to dispose of such surplus property pursuant to State Statutes. ----- 1
7. *Approval of Confirmation of Reappointments of City Attorney Jay Burnham and Electric Utility Financial Analyst Susan Nipper to the New Mexico Municipal Energy Acquisition Authority (NMEAA) Board of Directors. ----- 2
8. *Approval of Warrants up to and including October 19, 2013.
9. Proclamation declaring November 1, 2013 as "Extra Mile Day."
10. Recommendations from the Planning and Zoning Commission: ----- 3

Acceptance of Consent Agenda: Those items marked with an asterisk (*) have been placed on the Planning and Zoning Commission Consent Agenda and will be voted on without discussion with one motion. If any item does not meet with approval of all Councilors or if a citizen so requests, that item will be removed from the Consent Agenda and heard in regular order.

- * (1) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. SUP 13-10 from Evers & Sons, represented by John Stewart, requesting a Special Use Permit to allow light manufacturing and outside storage at 130 Airport Drive in the GC, General Commercial, District.

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on October 10, 2013.----- 4

- * (2) Adoption of the recommendation from the Planning and Zoning Commission as contained within the Community Development Department Petition Report to approve Petition No. SUP 13-11 from Derrick Rangel requesting a Special Use Permit to allow a single-family residential use at 115 N. Wall Avenue in the CB, Central Business, District.

The recommendation of the Planning and Zoning Commission passed by a vote of 7-0 on October 10, 2013.----- 5

- 11. Presentation from GreenPlay, LLC on the process for the Parks, Recreation & Cultural Affairs Master Plan.

- 12. New Business:

- (a) Mayor

- (1) Appointment to the Metropolitan Redevelopment Agency Commission.

- (b) Councilors

- (1) Consideration of whether to remove from the table and take action on the Traffic Control Signal Policy; **and** Consideration of adoption of the proposed Traffic Control Signal Policy. (Councilor McCulloch) ----- 6

- (c) City Manager

- (1) Discussion of and direction to staff on how to proceed with spay/neutering and a veterinarian program at the Regional Animal Shelter.----- 7

- (2) Request for permission to publish notice of intent to adopt an ordinance amending several sections of the City Code to reassign the Park Ranger-Animal Control officers from the general direction of the Parks, Recreation and Cultural Affairs Director to the Chief of Police. ----- 8

- (d) City Attorney

- (e) City Clerk

13. Business from the Floor:
 - (1) Items removed from Consent Agenda for discussion.
 - (2) Any other Business from the Floor.
14. Closed Meeting to discuss the acquisition of real properties located within the MRA district, pursuant to Section 10-15-1H(8).
15. Approval of Land Acquisition Agreement between the City and Robert and Mary Culpepper for donation to the City of two pieces of property located in the 300 block of West Main Street for the purpose of housing and operating a Native American Art Museum for a minimum of five years. ----- 9
16. Adjournment.

AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

CITY OF FARMINGTON
INTER-OFFICE MEMORANDUM

TO: Mayor Roberts and City Council

FROM: Edward Smylie
Purchasing Officer

DATE: October 16, 2013

SUBJECT: Declaration of Worn-Out, Unusable or Obsolete Property

USING DEPARTMENT: Administrative Services, Central Warehouse
General Services, Vehicle Maintenance
=====

The Central Purchasing Division of the Administrative Services Department concurs with the recommendation from both the Central Warehouse and Vehicle Maintenance to declare the attached list of vehicles and equipment as worn-out, unusable or obsolete.

If it is determined the best disposal method for this property is through the City's internet-based Public Surplus auction system, authorization is requested to grant the Warehouse Superintendent authority to issue an immediate e-mail award notification to the highest cash bid received meeting the bidding requirements set forth.

Edward Smylie (Presenter)
Consent Agenda/Council Meeting 10/22/2013

xc: Eric Schlotthauer - Accounting, Controller
Debi Dalton - Accounting, Staff Accountant – Fixed Assets
Sarah Talley - Accounting, Staff Accountant – Grants Administration
Jerry Parson - Vehicle Maintenance Superintendent
Bob Schrag - Warehouse Superintendent
Terry Page - Fire Chief
Dennis Bugg - Administrative Fire Fighter

| UNIT # | VIN / SERIAL # | YEAR | MAKE | MODEL / DESCRIPTION |
|--------|-------------------|------|-----------|------------------------------|
| 240 | 4P1CA02GXLA000632 | 1990 | PIERCE | 30T FIRE TRUCK W/105' LADDER |
| 656 | 1GCEG25KXPF309196 | 1993 | CHEVROLET | G25 3/4T PANEL VAN |
| 9109 | 1F9FT4287SB140472 | 1995 | FERRARA | PUMPER FIRE TRUCK |
| 9207 | 1FMDA31X5TZA48441 | 1996 | FORD | AEROSTAR 7 PASSENGER VAN |
| 9582 | 1FMNU41S72EB97221 | 2002 | FORD | EXCURSION 4X4 4DR |
| TS001 | 44090-30111 | 1993 | TORO | TURF SWEEPER 1655HL |
| TS002 | 44089-50116 | 1995 | TORO | TURF SWEEPER 1655HL |

Interoffice Memo

Date: October 14, 2013
To: Mayor and Council
From: Jay Burnham, City Attorney
RE: New Mexico Municipal Energy Acquisition Authority

As you may remember, the New Mexico Municipal Energy Acquisition Authority, or NMMEAA, was formed in 2008 in order to enter into a pre-paid natural gas purchase agreement funded by the issuance of tax exempt bonds in order to purchase gas for participating municipal utilities at a discount. The NMMEAA by-laws require Farmington, as a participant in the gas purchase contract, to appoint two representatives to the NMMEAA Board of Directors.

Originally, Maude Grantham-Richards and I were appointed and served on the board. When Maude left the City, Susan Nipper was appointed to her position. Our terms have now expired.

We are both ready, willing and able to continue serving on the Board if that is what the Council wishes. The purpose of this memo is to request the City Council to re-appoint Sue and me to the Board to serve four year terms or until replaced at the Council's pleasure.

Dianne, please place this for action on the agenda for the Council's October 22nd meeting. Thanks.

xc: Rob Mayes, City Manager
Dianne Smylie, City Clerk
Mike Sims, Electric Utility Director
Susan Nipper, Business Operations Manager, FEUS

- * **Adoption** of the Planning and Zoning Commission Action in the Community Development Petition Report and **approval** of Petition SUP 13-10, a request from Evers & Sons, represented by John Stewart, for a special use permit for light manufacturing and outside storage in the GC General Commercial District located at 130 Airport Drive.

Recommendation of approval by the Planning and Zoning Commission on October 10, 2013 by a vote of 7-0.

- * **Adoption** of the Planning and Zoning Commission Action in the Community Development Petition Report and **approval** of Petition SUP 13-11, a request from Derrick Rangel for a special use permit for a single family residential use for property located at 115 N. Wall Avenue in the CB Central Business District

Recommendation of approval by the Planning and Zoning Commission on October 10, 2013 by a vote of 7-0.

COMMUNITY DEVELOPMENT PETITION REPORT
Planning and Zoning Commission Action Summary
Petition SUP 13-10 – Light Manufacturing and Outside Storage at
130 Airport Drive

A. Staff Report, October 10, 2013

PROJECT INFORMATION

| | |
|--|--|
| Applicant | Evers & Sons Inc. |
| Representative | John Stewart |
| Date of Application | September 12, 2013 |
| Requested Action | Special Use Permit for Light Manufacturing and Outside Storage |
| Location | 130 Airport Drive |
| Existing Land Use | Oil Related Business with Light Manufacturing |
| Existing Zoning | General Commercial |
| Surrounding Zoning & Land Use | North, South, East & West: GC General Commercial/Commercial |
| Notice | Publication of Notice for a public hearing of the City Council appeared in the Daily Times on Sunday, September 22, 2012. Property owners within 100 feet were sent notice by certified mail on Wednesday, September 18, 2013 and a sign was posted on Friday, September 27, 2013. |
| Staff Planner | Cynthia Lopez, Senior Planner |

STAFF ANALYSIS

Project Description

The petitioner is requesting a special use permit for light manufacturing and outside storage for an oil-related business in the GC General Commercial District located at 130 Airport Drive. Ever's and Sons lease the building and they modify/refit pumping stations at well site locations around the area. They will utilize the building to assemble/pre-build concrete forms prior to installing them in the field and as office space.

The company will operate from 7:00 a.m. to 5:30 p.m. Monday through Saturday. Materials will be delivered and the assembled products will be sent to the field by light duty automobiles/trailers. They originally stated that they would not need outside storage but have decided that they would need to have some outside storage of materials. Materials consist of, but are not limited to, carbon steel pipe, carbon steel fittings, carbon steel flanges, lumber and rebar.

The Unified Development Code (UDC) use table does not have a specific category for this type of light manufacturing. The closest interpretation in the use table to this type of use is the manufacture or production of artwork/toys, which is a permitted use in the GC General Commercial District. Also the UDC requires a special use permit in the GC district for an outdoor storage and production yard. The owner wishes to formalize his use of the building and decided that since he wants to be able to have some outside storage that he would like to get a special use permit that covers both his light manufacturing use and the outside storage.

Section 2.4.54 for outside storage requires a site plan be filed with the findings of fact and conclusions of law and that the outside storage be screened from view. It also requires that the storage area is kept free of litter and debris and that the storage area is properly watched and secured against theft, vandalism, damage or loss.

ISSUES

Police Department: Captain McPheeters

- The Police Department supports the proposed SUP and sees no significant adverse impact to Police operations or to Public Safety by the proposed SUP. However, due to the historical and ongoing frequent presence of street inebriates in the surrounding area of the SUP, the Police Department recommends that exterior storage of products and materials be secured in such a manner so as to discourage or preclude street inebriates from sleeping in or unlawfully secreting themselves within the stored materials and products for the purpose of diminishing police contact and enforcement of unlawful activities.

Water/Wastewater Admin.: Ruben Salcido

- Ensure there's proper turn radius needed for the delivery trucks onto Arrington from Airport Drive. The past occupant ran over the curb many times and a few times hit the existing fire hydrant.

Community Development: Cynthia Lopez

- Section 2.4.54 for outside storage requires a site plan be filed with the findings of fact and conclusions of law and that the outside storage be screened from view. It also requires that the storage area is kept free of litter and debris and that the storage area is properly watched and secured against theft, vandalism, damage or loss.

STAFF CONCLUSION

Staff concludes that the special use permit for the light manufacturing and outside storage are appropriate. The property has some outside areas that are already screened and these can be utilized easily by Ever's & Sons.

STAFF RECOMMENDATION

The Community Development Department recommends **approval** of Petition SUP 13-10, a request from Ever's & Sons, represented by John Stewart, for a special use permit for light manufacturing and outside storage in the GC General Commercial District located at 130 Airport Drive.

FINDINGS OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission held a public hearing on October 10, 2013 and made the following findings:

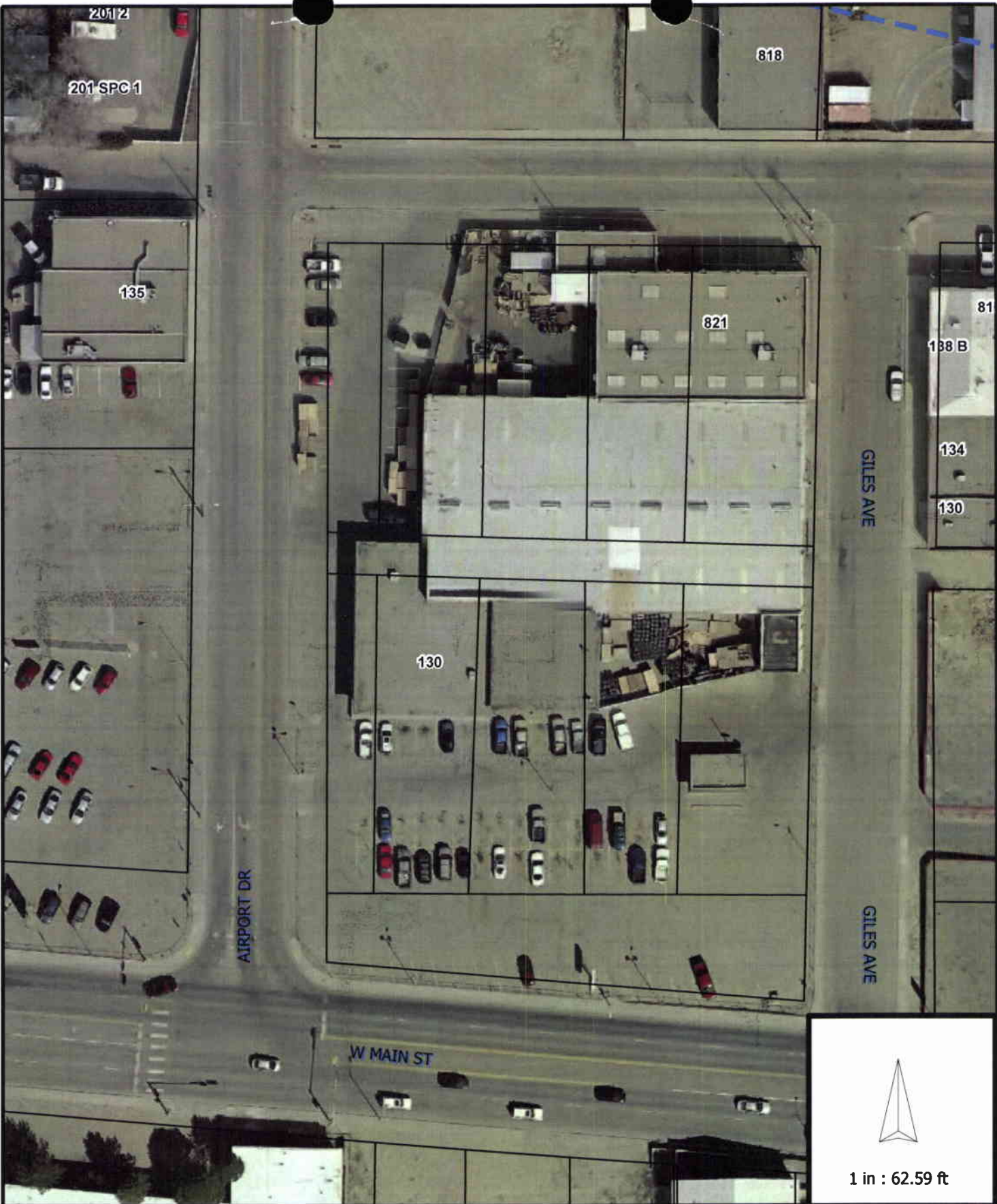
1. The owner of the property is the Marlo Webb represented by John Stewart of Evers & Sons Inc.
2. The subject property is a 2.19 acre parcel of land located at 130 Airport Drive.
3. The subject property is in the GC General Commercial District.
4. Pursuant to Table 2.5.54 of the City of Farmington Unified Development Code (UDC); outside storage requires a site plan be filed with the findings of fact and conclusions of law and that the outside storage be screened from view. The UDC use table does not have a specific category for the type of light manufacturing that Ever's and Sons will use at the site. The closest interpretation in the use table to this type of use is the manufacture or production of artwork/toys, which is a permitted use in the GC General Commercial District.
5. The petitioner is requesting a special use permit to allow the light manufacturing use and for outside storage.
6. The property has existing screened areas for outside storage and the petitioner will utilize these areas for the outside storage.

Planning and Zoning Commission Action of SUP 13-10 on October 10, 2013:

A motion was made by Commissioner Langenfeld, seconded by Commissioner Ragsdale, to **approve** Petition SUP 13-10, a request from Evers & Sons, represented by John Stewart, for a special use permit for a light manufacturing use and outside storage for property located at 130 Airport Drive.

AYE: Vice-Chair Cardon, Commissioner Buchanan, Jaques, Langenfeld, Ragsdale, Thompson, and Ziesmer.
NAY: None
ABSTAINED: None
ABSENT: Commissioner Freeman, Arnold (Alt), and Washburn (Alt.)

Motion passed 7-0.



1 in : 62.59 ft

ATLAS: E-6

COMMUNITY
DEVELOPMENT
DEPARTMENT

130 Airport Drive

9/16/2013