

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 7:00 p.m. on Tuesday, October 25, 2011. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

Upon roll call, the following were found to be present, constituting a quorum:

MAYOR	Tommy Roberts
COUNCILORS	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel (arrived late)

constituting all the members of said Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Bob Campbell
CITY ATTORNEY	Jay B. Burnham
DEPUTY CITY CLERK	Melody Coyner

The meeting was convened by the Mayor. Thereupon the following proceedings were duly had and taken:

INVOCATION: The invocation was offered by Pastor Keith Berryman of First Baptist Church.

Community advocate and member of the Navajo Nation Water Board Bert Sandoval led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda that are marked with an asterisk (\*) have been placed on the Consent Agenda and will be voted on by one motion. He stated that if any item did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard under Business from the Floor.

\*MINUTES: The minutes of the Regular Meeting of the City Council held October 11, 2011 and the minutes of the Regular Work Session of the City Council held October 4, 2011.

\*AGREEMENT BETWEEN THE CITY AND THE SALVATION ARMY for administration and operation of "The Roof" winter shelter from November 1, 2011 through March 31, 2014, subject to appropriation of funding by the City Council (cost to the City \$57,000). Letters of Interest accepted until September 15, 2011 with one letter of interest being submitted.

\*AGREEMENT BETWEEN THE CITY AND FOUR CORNERS FOUNDATION, INC. for sale of City-owned property located at 520 Hydro Plant Road (purchase price \$186,000); approval to authorize the Mayor to sign the summary plat relative to the subject property; and approval to direct staff to draft an ordinance and publish a notice of intent to adopt an ordinance pertaining to the sale of the subject property, in accordance with Section 3-54-1 NMSA 1978.

\*ACCEPTANCE OF THE CONVEYANCE OF LOT 1B OF CECIL'S SUBDIVISION #2 REPLAT 'A' from San Juan County to the City, in fee simple (land occupied by the San Juan County Detention Center lift station facility and spill containment berm and all assets included therein).

\*ADOPTION OF RESOLUTION NO. 2011-1414 authorizing the City Manager to prepare and submit an Application for Transportation and Utility Systems and Facilities on Federal Lands for the renewal of the Bureau of Land

Management Recreation or Public Purposes Lease for  
Lions Wilderness Park (Section 25).

\*WARRANTS PAYABLE for the time period of October 10, 2011 through  
October 23, 2011, for current and prior years, in the amount  
of \$8,457,668.81.

There being no requests to remove any items, a motion was made by  
Councilor Darnell, seconded by Councilor Fischer to approve the Consent  
Agenda, as presented. The roll was called with the following result:

Those voting aye: Dan Darnell  
Mary M. Fischer  
Gayla McCulloch

Those voting nay: None

Those absent: Jason Sandel

The presiding officer thereupon declared that three Councilors  
having voted in favor thereof, the said motion carried.

EXTRA MILE DAY PROCLAMATION

The Mayor presented a Proclamation declaring November 1, 2011 as  
"Extra Mile Day".

TOTA' WARRIOR BASEBALL TEAM DAY PROCLAMATION

The Mayor presented the athletes and coaches of the Tota' Warrior  
baseball team with a Proclamation declaring October 25, 2011 as "Tota'  
Warrior Baseball Team Day."

Councilor Sandel arrived at the meeting at 7:08 p.m.

RECOGNITION OF CITY EMPLOYEES/"GET PINKED" CAMPAIGN

Mayor Roberts proudly announced that City employees took a very  
active role in the 2011 "Get Pinked San Juan County" campaign benefiting  
the Cathy Lincoln Memorial Cancer Fund by raising at least \$12,677.36  
(far exceeding their goal of \$3,000). In addition to that, he announced  
that the Farmington Fire Department raised an additional \$11,400 by  
selling "Get Pinked" T-shirts. He noted that because staff exceeded  
their goal, the Council has agreed to "get pink" for tonight's meeting by  
wearing pink hair or wigs. The Mayor and Council expressed their sincere  
appreciation to the employees for their efforts.

Noting that there were many great "Get Pinked" decorations  
displayed throughout the City, the Mayor awarded trophies to the winners  
of the decorating contest (third place - Customer Care (East Annex),  
second place - Police Department Records and Administration and first  
place - Electric Engineering).

San Juan Medical Foundation director Jane Kolesnik expressed  
astonishment at the amount of money that the City raised and stated that  
it will greatly benefit cancer victims in the community.

Announcing that he is the president of the Patricia K. Jennings  
Memorial Foundation, Councilor Sandel agreed to donate an additional  
\$2,500 on its behalf.

PRESENTATION/LADERA ELEMENTARY SCHOOL STUDENTS/NO PHONE ZONE PLEDGE

Debra Mayeux of Farmington Walk and Roll introduced Ladera  
Elementary School fifth grade students Justin Medina, Jordan Crum, Josh  
Goats, Emily Nguyen, Mikell Harmon, Rebekah Mackey, Bryce Lucas, Logan  
Byrum and Logan Shorthair who explained the "Ladera No Phone Zone  
Pledge", an effort to improve safety for children walking or riding bikes  
to and from school by encouraging pledges not to talk on cell phones when  
driving in school zones. She encouraged the Mayor, Council and members  
of the audience to take the pledge.

Following brief discussion, the Mayor and Council expressed their  
unanimous support of the Pledge by agreeing to sign it tonight. They  
also expressed their appreciation to Ms. Mayeux, the students and their

teacher Mrs. Ashworth for their efforts in developing and promoting the Pledge. The presentation was concluded with a hearty round of applause.

#### PROJECT SCOPE PRESENTATION/AIRPORT MASTER PLAN UPDATE

Providing brief opening remarks, Four Corners Regional Airport Manager Ben Trujillo stated that the Airport Master Plan is a tool to analyze market trends, assess facility requirements and plan for anticipated growth and development of the airport. He noted that the Master Plan was last updated in 2004 and that Airport consultant WHPacific has initiated the process to update the Plan to include projects that will extend the useful life and value of the Airport to meet the air transportation needs of the Four Corners region through 2031. In addition, he noted that the Master Plan is 95 percent funded by the New Mexico Department of Transportation, State Aviation Division and the City is responsible for the remaining 5 percent, for a total project cost of \$100,000. He introduced WHPacific Airport Senior Planner Wendy Renier.

Ms. Renier introduced WHPacific Senior Engineer Mark Huntzinger who is present to answer any questions the Council may have. She announced that the first Planning Advisory Committee ("PAC") meeting was held this afternoon, noting that PAC members were selected from a cross-section of the community to act as liaison to the general public and provide input and recommendations for the Master Plan. She pointed out that the 2004 Airport Master Plan ("2004 Plan") and the 2008 Action Plan ("2008 Plan") did not have a Federal Aviation Administration ("FAA") approved Airport Layout Plan to qualify for 95 percent funding of eligible projects. Utilizing a powerpoint presentation, she briefly reviewed the Airport Plan update, including 1) the general purpose; 2) FAA parameters; 3) an overview of the scope, schedule and progress to date; 4) Airport issues; 5) Plan goals; 6) the public involvement process; 7) City decision points; and 8) FAA and State review and approval points.

In response to inquiry from Mayor Roberts, Ms. Renier confirmed that the Airport Advisory Commission and Mr. Trujillo were consulted in selecting PAC members.

Councilor Fischer encouraged WHPacific to make an extra effort to work with the neighborhood east of the airport that is most affected by airport noise (e.g. providing notice of meetings).

Councilor Sandel requested a list of Airport capital improvements based on the 2004 Plan and 2008 Plan, with Council comments, to provide to state and federal representatives. In response, Mr. Huntzinger stated that the City submits an updated Capital Improvement Plan that includes projects from the 2004 Plan and 2008 Plan, in addition to new projects, to the FAA and the State on an annual basis. Councilor Sandel expressed concern that prior planning documents may not prioritize the extension of the runway and restated his belief that it should be the top priority of the Airport.

#### RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION:

\*CONSENT AGENDA: Community Development Director Mary Holton requested that those Planning and Zoning Commission recommendations marked with an asterisk (\*) be placed on the Planning and Zoning Commission Consent Agenda and voted on by one motion. She asked that if any item proposed did not meet with approval of all Councilors or if a citizen so requested, that item would 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. ZC 11-13 from Russell Little, Brian Huffhines and Felix and Viola Briones, represented by Russell Little, requesting a zone change from the LNC, Local Neighborhood Commercial, District to the MU/RPO, Mixed Use/Residential Protection Overlay, District for three properties located at 212, 214 and 216 North Auburn Avenue.
- \*(2) Adoption of the recommendation from the Planning and Zoning Commission, as contained within the Community Development Department Petition Report, to approve Petition No. ZC 11-14 from John Tafoya, represented by Wade Parker, requesting a

zone change from the IND, Industrial, District to the MU, Mixed-Use, District for Lot 3A of the Blacks Addition located at 617 West Cedar.

There being no requests to remove any items, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the Planning and Zoning Commission Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

#### METROPOLITAN PLANNING ORGANIZATION MAJOR THOROUGHFARE PLAN

Metropolitan Planning Organization ("MPO") Planner Joe Delmagori reminded the Council that at the July 12, 2011 regular City Council meeting they approved the MPO Major Thoroughfare Plan ("MTP") Alternative #3, which included changes primarily within the northeast Farmington area and Glade Road and the extension of Dustin Avenue north of Cougar Trail as proposed collectors. He stated that at the MPO Joint meeting with the Policy and Technical Committees ("MPO joint meeting") on July 27, 2011, staff reported that the Council had approved the MPO MTP Alternative #3; but that because of the strong opinions voiced during the Council meeting regarding paving Glade Road, staff recommended to the MPO that Glade Road from Piñon Hills Boulevard and the extension of Dustin Avenue north of Cougar Trail, as shown on the City's MTP, be removed from the MPO MTP for the following reasons:

- 1) Since the proposed roads in Alternative #3 have no connection with Glade Road or the extension of Dustin Avenue, there is no reason to include them from the regional perspective.
- 2) With no other connections, Glade Road will primarily function as an access connection that serves a recreational area and holds no regional significance.
- 3) By removing Glade Road, the possibility of paving would remain a local decision that would be determined by the owner of the roadway at that point in time.

He stated that revisions presented at the MPO joint meeting also included two other minor modifications: 1) the extension of Hood Mesa Trail would be shown as a proposed collector rather than as a proposed minor arterial; and 2) Foothills Drive from Lakewood to Hood Mesa Trail would be shown as a proposed classification change from a collector to a minor arterial. He further stated that the Policy Committee approved an amendment to the MPO MTP Alternative #3 by removing Glade Road from Piñon Hills Boulevard and the extension of Dustin Avenue north of Cougar Trail (as shown on the City's MTP) from the MPO MTP; changing the extension of Hood Mesa Trail from a proposed minor arterial to a proposed collector; and changing the classification of Foothills Drive from Lakewood to Hood Mesa Trail from a collector to a minor arterial. He requested Council approval of the amendment to the MPO MTP Alternative #3, as approved by the MPO Policy Committee.

Noting that the MPO MTP treatment of Glade Road was a major topic of discussion at the July 12, 2011 City Council meeting, Mayor Roberts expressed concern that the Council's decision to adopt the MPO MTP Alternative #3, which included Glade Road as a proposed collector, was not considered when the MPO Policy Committee amended the MPO MTP Alternative #3. He pointed out that Glade Road has been shown as a collector on the City's MTP since October 1995.

Noting that he and Councilor McCulloch are members of the MPO Policy Committee, Councilor Darnell explained that the recommended changes were not presented or received as circumventing the wishes of the City Council, but as a way to remove a road (Glade Road) from the MPO MTP that has no regional significance. He stated that the MPO MTP addresses regional traffic and that the City's MTP addresses local traffic and that one does not necessarily have to be identical to the other.

Stating that she was absent from the MPO joint meeting, Councilor McCulloch expressed a desire for Glade Road to remain on the MPO MTP as an unpaved access to the Glade Recreation Area ("the Glade").

In response to inquiry from Mayor Roberts, Community Development Director Mary Holton explained that, besides the regional traffic versus local traffic aspect of the two MTP's, the MPO MTP is important for long-term funding purposes and the City's MTP is important for securing rights-of-way. She echoed Councilor Darnell's contention that the two MTP's do not have to be the same.

Councilor Sandel reiterated his position that staff needs to coordinate the development of the MPO and City MTP's with the Bureau of Land Management ("BLM") to ensure that the area continues to meet the needs of the community.

Mr. Delmagori responded to questions from Councilor Sandel concerning the proposed parallel road to New Mexico Highway 516 intersecting with Glade Road and New Mexico Highway 170 and the MPO vision for Foothills Drive.

Reiterating his concern that the Council's decision to adopt the MPO MTP Alternative #3 was not considered when the MPO Policy Committee amended it, Mayor Roberts stated that institutional consistency is important not only to the institution, but to the community as well.

Following discussion, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to approve the MPO Policy Committee amendment to the MPO MTP Alternative #3, with the exception of the removal of Glade Road and with a recommendation to the MPO Policy Committee that Glade Road be put back on the MPO MTP as a proposed collector.

Addressing the Council on behalf of the off-road vehicle community, Darryl Dunlap contended that there is nothing to stop future Councils from paving Glade Road since there is no document stipulating that decision. He reiterated his concern that paving roads in the Glade will create safety hazards for motorcyclists and ATV riders. He urged the Council to wait 18 months for the BLM to complete the Recreation Area Management Plan before making any decisions regarding the MPO or City MTP's.

The Mayor called for the vote upon the motion to approve the MPO Policy Committee amendment to the MPO MTP Alternative #3, with the exception of the removal of Glade Road and with a recommendation to the MPO Policy Committee that Glade Road be put back on the MPO MTP as a proposed collector. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch
Those voting nay:	Mary M. Fischer Jason Sandel

The Mayor voted in favor of the motion and declared the motion carried.

#### APPOINTMENT TO THE ADMINISTRATIVE REVIEW BOARD

After providing the Council with background and professional information, Mayor Roberts asked the Council's consideration of the appointment of Nick Martin (term to October 2013) to the Administrative Review Board.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor Sandel to confirm the appointment of Nick Martin to the Administrative Review Board, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

#### CANCELLATION OF NOVEMBER 22, 2011 REGULAR CITY COUNCIL MEETING

Due to the Thanksgiving holiday, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to cancel the November 22, 2011 regular City Council meeting, and upon voice vote the motion carried unanimously.

#### COUNCIL BUSINESS

##### City of Farmington Bike Map

Contending that a portion of Foothills Drive near Wildwood Park is "scary" for bicycling due to the lack of appropriate infrastructure, Councilor Sandel questioned why the *City of Farmington Bike Map*, ranks it as "Somewhat Suitable". In response, City Manager Rob Mayes stated that he will investigate the scoring of that portion of Foothills Drive.

Mayor Roberts and Mr. Mayes commended staff for the quality of the *Bike Map*.

Private Development/Private Ownership of Streets and Drainage Facilities

Citing the opinion of the City's legal counsel that the City has no authority over the streets and drainage facilities in private developments, Councilor Sandel contended that it creates a public safety risk and asked for Council consensus to pursue changes to the Unified Development Code ("UDC") to address this issue. Following brief discussion, it was the consensus of the Council to schedule review of the UDC with respect to private developments for a future City Council Work Session.

"Get Pinked" Campaign

City Manager Rob Mayes thanked the Mayor, Council and department heads for their support of City employees by "getting pinked" for tonight's meeting.

City Attorney Jay Burnham presented a proposed ordinance dealing with parking enforcement at San Juan College and stated that notice of intent to consider said ordinance has been published two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978. He recommended the ordinance, if adopted, be given the number 2011-1250. The title of the ordinance being:

AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR ISSUANCE OF PARKING CITATIONS ON EDUCATIONAL INSTITUTION CAMPUSES BY AUTHORIZED INSTITUTION SECURITY PERSONNEL.

After consideration of Ordinance No. 2011-1250, a motion was made by Councilor Sandel, seconded by Councilor Darnell that said ordinance be passed and adopted as presented.

San Juan College Vice President for Student Services David Eppich expressed his appreciation to the Council for their consideration of the subject ordinance, stating that it will help with safety issues on campus.

In response to inquiry from Councilor Fischer, Mr. Eppich stated that the college will educate the students and staff regarding the ordinance and assured her that warnings will be issued during its initial implementation.

The Mayor called for the vote upon the motion that said ordinance be passed and adopted as presented. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel
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Those voting nay:	None
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The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion was carried and Ordinance No. 2011-1250 duly passed and adopted.

Mr. Burnham also presented a proposed ordinance amending certain sections of the Unified Development Code and stated that notice of intent to consider said ordinance has been published two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978. He recommended the ordinance, if adopted, be given the number 2011-1251. The title of the ordinance being:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE

After consideration of Ordinance No. 2011-1251, a motion was made by Councilor Sandel, seconded by Councilor Darnell that said ordinance be passed and adopted as presented. The roll was called with the following result:

Those voting aye:

Dan Darnell  
Mary M. Fischer  
Gayla McCulloch  
Jason Sandel

Those voting nay:

None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion was carried and Ordinance No. 2011-1251 duly passed and adopted.

There being no further business to come before the Council, the meeting was adjourned at 8:57 p.m.

The Deputy City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 96-844, et seq.

Approved this 8th day of November, 2011.

Entered in the permanent record book this 9<sup>th</sup> day of November, 2011.

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Tommy Roberts, Mayor

SEAL

ATTEST:

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Dianne Fuhrman, City Clerk