Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 6:00 p.m. on Tuesday, June 25, 2019. 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
Nate Duckett

COUNCILORS
Linda G. Rodgers
Sean E. Sharer
Jeanine Bingham-Kelly
Janis Jakino

constituting all members of said Governing Body.

Also present were:

CITY MANAGER
Rob Mayes

ASSISTANT CITY MANAGER
Julie Baird

CITY ATTORNEY
Jennifer Breakell

CITY CLERK
Dianne Smylie

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

INVOCATION: The invocation was offered by Minister Nathan Wheeler of Eastside Church of Christ.

Fire Captain Robert Sterrett led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on without discussion 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 June 11, 2019.

*WAIVER TO THE 300-FOOT SEPARATION REQUIREMENT FROM CHURCHES for the Four Corners Rod Run & Open Car Show to be held on July 20, 2019 on Main Street between Locke Avenue and Miller Avenue.

*RECOMMENDATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR APPROVAL OF STREET NAME CHANGES from County Road 5859 to Calder Street and from County Road 5860 to Reagan Street for portions of the unpaved and unmaintained private roadways that are now located within the city limits as a result of the Annexation Order granted to the City on October 6, 2016.

*ADOPTION OF RESOLUTION NO. 2019-1717 removing uncollectible and unsecured utility accounts from the City’s list of accounts receivable.

*WARRANTS PAYABLE for the time period of June 9, 2019 through June 23, 2019, for current and prior years, in the amount of $10,129,457.18.

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

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION:

*CONSENT AGENDA: Public Works Director David Sypher requested that the Planning and Zoning Commission recommendation marked with an asterisk (*) be placed on the Planning and Zoning Commission Consent Agenda and voted on without discussion. He asked that if the item proposed did not
meet with approval of all Councilors or if a citizen so requested, it
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. SUP 19-46
from Life Choices, LLC, represented by Christiana Greene,
requesting a Special Use Permit to allow an inpatient
treatment center on property located at 2670 Piñon Frontage
Road in the OP, Office Professional, District subject to:

(a) the petitioner submitting building plans meeting all
building and fire codes prior any site work or
construction of the facility; and
(b) solid facing fencing being required.

Due to questions from Doug Holmes, 707 W. 31st Street, and Dean
Pecotte, 5720 los Arcos, concerning traffic flow and landscaping
requirements, Associate Planner Francisco Alvarado utilized a PowerPoint
presentation to review the proposed petition and site plan. City
Attorney Jennifer Breckell confirmed that the addition of a
detoxification center on the subject property would require a separate
Special Use Permit.

Following the presentation, there were no requests to remove the
item from the Planning and Zoning Commission Consent Agenda and, as a
result, a motion was made by Councilor Sharer, seconded by Councilor
Rodgers to approve Petition No. SUP 19-46 as presented, and upon voice
vote the motion carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT 2019 ANNUAL ACTION PLAN CAPITAL
PROJECT FUNDS

Utilizing a PowerPoint presentation, Associate Planner Francisco
Alvarado reported that staff is seeking direction from the Council for
allocation of the Community Development Block Grant ("CDBG") 2019 capital
funds, noting that a total of $236,397 is available. He announced that
staff from the Parks, Recreation and Cultural Affairs and the Public
Works Departments submitted five projects for consideration at a total
cost of $342,171.25. He reported that staff is recommending that the
multi-use pathway improvements from Broadway bridge to the intersection of Scott Avenue ($115,000) and the American with Disabilities Act ("ADA")
upgrades at the Recreation Center ($55,250), the Indian Center ($43,750)
and Berg Park ($16,171.25) be considered for funding at a total cost of
$230,171.25. He stated that the remaining $6,225.75 would be set-aside
for contingency purposes. In closing, Mr. Alvarado reported that the
Department of Housing and Urban Development has determined that the
City's Timelines with regard to expending CDBG funds is meeting the
regulatory standard.

Following brief consideration, a motion was made by Councilor
Rodgers, seconded by Councilor Sharer to direct staff to allocate
$230,171.25 of the CDBG 2019 capital funds to the multi-use pathway
improvements from Broadway bridge to the intersection of Scott Avenue and
ADA upgrades at the Recreation Center, Indian Center and Berg Park, as
recommended, and upon voice vote the motion carried unanimously.

CIVIC CENTER/UPCOMING THEATER SEASON

Parks, Recreation and Cultural Affairs Director ShaRa Reeves
introduced newly-hired Civic Center Supervisor Randy West. Mr. West gave
a brief overview of his professional accomplishments and past work
history.

Utilizing a PowerPoint presentation, Mr. West reviewed the
2019/2020 season for the Civic Center and proudly reported that there is
a vast selection of Broadway performances, musical and comedy shows,
family and children entertainment and local festivals and events. He
reported that it is his priority to promote local talent and noted that
several of the shows will offer professional leads with local supporting
casts and provide opportunities to meet musicians and performers that
have graced the stages of New York and beyond.

Following the presentation, the Mayor and Council expressed their
excitement for the quality of the shows being presented and commended Mr.
West for his impressive work over the past four months of employment.
REAPPOINTMENTS TO THE CITIZEN POLICE ADVISORY COMMITTEE

Mayor Duckett asked the Council's consideration of the reappointments of David Bratcher, Rose Grey, Patricia Simpson, Julie Blair and Chuck Culpepper as members of the Citizen Police Advisory Committee (terms to June 2022).

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Jakino to confirm the reappointments of David Bratcher, Rose Grey, Patricia Simpson, Julie Blair and Chuck Culpepper as members of the Citizen Police Advisory Committee, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

Proposed Resolution/Recognition of Hershel "Woody" Williams and Gold Star Families of San Juan County

Mayor Duckett read in full a proposed resolution honoring the efforts of Hershel "Woody" Williams and Gold Star Families of San Juan County. He stated that he intends to read the proposed resolution at the Stand In Honor Banquet scheduled for Thursday, June 27, 2019 at the Civic Center and he asked the Council for consensus to consider adoption of the resolution at the July 9, 2019 regular City Council meeting.

Following brief consideration, it was the consensus of the Council to consider adoption of the proposed resolution at the July 9, 2019 regular City Council meeting and to authorize the Mayor to read the proposed resolution at the banquet.

Outdoor Retailer Summer Market

Mayor Duckett thanked the 17 local individuals and staff members and Jim Glover and Marianne Tenenbaum from Once a Day Marketing for their participation at the Outdoor Retailer Summer Market held in Denver, Colorado last week. He stated that it is his belief that it was a successful trip since some of the retailers have already made contact with Economic Development Director Warren Unsicker. He also thanked Tonya Stinson, Executive Director of the Convention & Visitors Bureau, for pursuing the new branding campaign, Jolt Your Journey.

Councillor Rodgers also expressed his sincere appreciation to those who attended the market.

A Park Above/Rio Rancho, New Mexico

Councillor Sharer announced that he recently visited the all-abilities park in Rio Rancho, New Mexico called, A Park Above, and was so impressed with the facility that he and his family decided to stay another night. He expressed his strong support for developing a similar park in our area.

Update/Sale of Miniature Bottles of Alcohol

At the request of Councillor Rodgers, City Attorney Jennifer Breakell reported that she has determined that the City does not have the legal authority to regulate or ban the sale of miniature bottles of alcohol.

Commendation/Public Works Director

Councillor Rodgers commended Public Works Director David Sypher for his assistance in helping a constituent that was having an issue with a utility meter.

City Manager Rob Mayes presented and read by title Resolution No. 2019-1718 approving the fifth revision to the Fiscal Year 2019 budget. The title of such resolution being:

A RESOLUTION APPROVING THE FIFTH REVISION TO THE FY2019 BUDGET AND REQUESTING STATE APPROVAL.

Acting Administrative Services Director Teresa Emrich briefly reviewed the proposed revisions.
Thereupon, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to pass and adopt Resolution No. 2019-1718, as presented. The roll was called with the following result:

Those voting aye: Linda G. Rodgers  
Sean E. Sharer  
Jeanine Bingham-Kelly  
Janis Jakino

Those voting nay: None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2019-1718 was duly passed and adopted.

PERMISSION TO PUBLISH NOTICE OF PROPOSED ORDINANCE/RESIDENTIAL AND COMMERCIAL CHARGES FOR SANITATION SERVICE

City Attorney Jennifer Breakell requested that staff be directed to publish notice of intent to consider adoption of a proposed ordinance amending Section 23-2-7 of the City Code to provide for an increase in residential and commercial charges for sanitation service.

She provided the Council with a corrected version of the proposed ordinance titled, "Does Not Include At The Door", which amends the residential recycling service cost from $14.66 to $13.72 and clarified that the new rates will take effect with the first billing cycle in August.

In response to inquiry from the Council, Public Works Director David Sypher explained that the ordinance titled, "Does Not Include At The Door," only includes the proposed contractual increases being requested by Waste Management for recycling processing fees, landfill disposal costs, the Consumer Price Index (CPI) and fuel costs. He noted that the other proposed ordinance titled, "Includes At Your Door" contains the contractual increases and adds the collection of household hazardous and e-waste materials. Furthermore, he noted that bulky item pickup could be added at a cost of $50 per request to be billed directly to the customer or included as a service to all customers at a cost of and additional $0.53 per household per month.

Discussion followed and Councilor Jakino suggested that the proposed ordinance that includes the At Your Door Services be considered (at an increase of $2.54 per month) and that the bulky item pickup be offered as a direct bill service.

Mayor Duckett stated that he would like to receive feedback and suggested that staff utilize social media to make the public aware of the proposed additional services and costs.

Following consideration, a motion was made by Councilor Jakino, seconded by Councilor Rodgers to direct staff to publish notice of intent to consider adoption of the proposed ordinance in accordance with State Statutes to include "At Your Door" service for hazardous and e-waste materials and bulky-item pickup as a direct bill service. The roll was called with the following result:

Those voting aye: Linda Rodgers  
Sean E. Sharer  
Janine Bingham-Kelly  
Janis Jakino

Those voting nay: None

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

CITY CLERK BUSINESS

City Clerk Dianne Smylie presented an ordinance dealing with the Local Election Act 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 Compilation. She recommended the ordinance, if adopted, be given the number 2019-1318. The title of the ordinance being:
AN ORDINANCE OPTING-INTO THE ELECTION OF THE CITY’S MUNICIPAL OFFICERS IN THE REGULAR LOCAL ELECTION PURSUANT TO SECTION 1-22-3.1{B} NMSA 1978.

She reported that the proposed ordinance would change the election cycle from March of even numbered years to November of odd numbered years and extend the terms of the seated governing body to December 31, 2021 for Councilors in Districts 1 and 2 and December 31, 2023 for the Mayor, Councilors in Districts 3 and 4 and the municipal judges.

Mayor Duckett expressed his support, noting that there will be a cost savings to the City for opting-in and will establish a single ballot for non-partisan elections.

Councilor Rodgers expressed her support for extending the terms since the Local Election Act is new legislation that is not fully understood at this point in time.

City Manager Rob Hayes noted that there is a statewide momentum to opt-in with 61 of the 105 municipalities adopting ordinances in support of the Regular Local Election cycle.

After consideration of Ordinance No. 2019-1318, a motion was made by Councilor Sharer, seconded by Councilor Rodgers that said ordinance be passed and adopted as presented. The roll was called with the following result:

Those voting aye: Sean E. Sharer, Linda G. Rodgers, Jeanine Bingham-Kelly, Janis Jakino

Those voting nay: None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Ordinance No. 2019-1318 was duly passed and adopted.

There being no further business to come before the Council, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to adjourn the meeting at 7:31 p.m., and upon voice vote the motion carried unanimously.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 2013-1466, et seq.

Approved this 9th day of July, 2019.

Entered in the permanent record book this 10th day of July, 2019.

Nate Duckett, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk