

# Planning & Zoning Minutes

## November 7, 2019

### Call to Order

- ◇ Tom Scroggins called meeting to order at 6:35 p.m.

### Roll Call

- Present: Chairman Tom Scroggins, Vice-Chairman John Thompson, Dennis Kintzler, Jim Winters, Scott Adair, and Lawrence Gordon
- Absent: Secretary L. E. Rubin
- Present: Deputy Clerk Amy Lopez

### Approval & signing of minutes of October 17, 2019 Regular Meeting Minutes.

- ◇ Jim Winters made a motion to approve the October 17, 2019 Regular Meeting Minutes. Lawrence Gordon seconded the motion. With a 6-0 vote, the motion was approved as amended.

### General Discussion

- Dennis Kintzler began a discussion about Herman Tabet's Property.
- Tom Scroggins began a discussion about meeting times until New Years, all agreed the regularly scheduled meetings would be fine.
- Lawrence Gordon was able to get the photos of Charmartin to the City.
- Jim Winters said there is now a fence around the hole.
- Jim Winters said there will be a lot of talk about the Census until April, there was a meeting today to raise awareness of what the Census does and does not do and what programs benefits and began a discussion.
- Jim Winters talked about the Park Study meeting and said there will be a presentation at the November 12<sup>th</sup> City Council Workshop and began a discussion.
- Tom Scroggins asked who the study was done through and began a discussion.

### Abatement

- Jim Winters handed out Abatement Ordinances and said he, Scott Adair and a citizen found some Abatement Ordinances, weeded through them and we will be able to narrow it down some more.
- Jim Winters began to talk about New Mexico Mainstreet package, numbered packet 2, and began with page 12.
- Tom Scroggins said the City does not have agencies, but we could work with the water department and other relevant agencies.
- Jim Winters said we will need to find out who will be looking to see which houses are dilapidated, maybe the Code enforcer, Fire Chief, and maybe we can put it in the newsletter for neighbors to report abandoned or empty homes.
- Lawrence Gordon said it might be harder to get
- Tom Scroggins asked if we want a list of all the homes in a city, regardless of the building's status, so that if anything happens, we would already have the information and began a discussion.
- Jim Winters asked what they thought of the list on page 12 and why they thought we might need abatement and began a discussion.
- Scott Adair referred to the National Building Code for abatement conditions, page 3, section 302 of packet 17 and began a discussion.
- John Thompson said our concerns would be safety hazard, vandalism, eye-sore, health hazard.
- Jim Winters said that on page 10, Chapter 8 is not used.
- John Thompson said we should not get rid of chapter 8 and began a discussion.
- Jim Winters said whoever would tear anything down has to have credentials and began a discussion.
- Jim Winters asked if we are okay with what we have or find something more suitable and began a discussion.
- Jim Winters said every ordinance they have looked through used the Nation Building Code, which we use.

- Scott Adair said another reason that needs to be added to the list is unpaid taxes.
- Jim Winters said to look at packet 19 from the City of Aztec and began a discussion.
- Jim Winters said we also have a Nuisance Ordinance and asked if Abatement should be included under Nuisance and began a discussion.
- Jim Winters asked if there was comment regarding eliminating chapter 8 and began a discussion.
- Jim Winters referred to the Aztec packet and said it was written in 2018, and possibly by our attorney.
- Tom Scroggins asked how prohibited relates to condemning buildings and who would condemn them.
- Jim Winters said it for us the Fire department will be the best option for us.
- A discussion began regarding the amount of State Police presence in Belen and Rio Communities.
- Jim Winters asked if, at this point, are there things we need to add to ours.
- Dennis Kintzler asked if it went before City Council if they would have problems with.
- Jim Winters said we could ask Council for a joint meeting.
- John Thompson listed some of the Belen abatement laws and asked how we want to structure it because building would be building, and noise would be noise.
- Jim Winters said it would be a separate section of the Nuisance Ordinance and began a discussion.
- Jim Winters said maybe we need a block chart.
- Tom Scroggins said he likes that the Council would have to make the decision with a hearing.
- Dennis Kintzler said he likes that it had the chance to be worked out before going to Abatement.
- Tom Scroggins said he really likes Aztec's Ordinance.
- Dennis Kintzler asked if building permits will still be reviewed by Jim Winters after he takes his place on Council.
- Jim Winters explained Tom Scroggins will be doing it now and explained how the floodplain portion would work and began a discussion.
- John Thompson said we need a block chart to fit the pieces together, what is a subset of what and once we get that it will come together and asked if there was a table of contents.
- Jim Winters said he would get that and email it and began a discussion.
- Jim Winters asked what we want to do next time.
- Dennis Kintzler said he thinks we have what we need.
- Jim Winters said there is one from Bloomfield and another one and we should look those next time and began a discussion.
- John Thompson said protecting City Liability should be included in the list.
  - Resident said in the Santa Fe Abatement took the liability and cost off the City and put it on the homeowner and began a discussion.

#### **Hearing Procedures**

- Not discussed at this meeting.

#### **ADJOURN**

- Jim Winters moved to adjourn. Scott Adair second the motion and the meeting adjourned at 8:10 p.m. with 6-0 vote.

Respectfully submitted,

---

Amy L. Lopez, Deputy Clerk

---

Date

Approved:

---

Thomas Scroggins, Chairman

---

L. E. Rubin, Secretary

---

John Thompson, Vice-Chairman

---

Lawrence Gordon

---

Dennis Kintzler

---

Jim Winters

---

Scott Adair