

Planning & Zoning Minutes

December 5, 2019

Call to Order

- ◇ Tom Scroggins called the meeting to order at 6:30 p.m.

Roll Call

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

Approval & signing of minutes of November 21, 2019 Regular Meeting Minutes.

- ◇ Jim Winters made a motion to approve the November 21, 2019 Regular Meeting Minutes as amended. Dennis Kintzler seconded the motion. With a 6-0 vote, the motion was approved.

General Discussion

- Scott Adair asked if we would be able to meet with the attorney.
- Tom Scroggins said he has not heard back from them but would email Monday and began a discussion.
- A discussion began about the Solid Waste RFP.
- Tom Scroggins asked Jim Winters to bring the group up to date on Commissioner terms.
- Jim Winters explained the cycle of Planning and Zoning Commission.
- Tom Scroggins said we will be losing Jim Winters at the first of the year and we will have to recommend a replacement or a different number all together.
- Dennis Kintzler said we should have an odd number and 7 is a good number.
- Tom Scroggins said we need to think about is who will be the 7th, who will be up for reappointment, and who will want to stay.
- L. E. Rubin and Dennis Kintzler still want to be commissioners.
- Dennis Kintzler asked if we need to bring this to the Mayor Pro-tem and began a discussion.
- Dennis Kintzler asked what happened to the cleanup day dumpster and began a discussion.
- Tom Scroggins said we will need to have ideas for replacement by next time and began a discussion.
- A discussion began about future meeting dates through the holiday season.
- Gordon Reeves asked if he could have the weed ordinance changed to 12" rather than 20" to help keep the weeds from getting to 3' high.
- Tom Scroggins began a discussion about the Christmas ornaments going up.
- Tom Scroggins asked if we would have to make an amendment for the weeds.
- Jim Winters said yes and suggested if one change is made, they should review the whole ordinance.
- Jim Winters said to be expecting to be discussion an ordinance on animals other than cats and dogs.
- Dennis Kintzler said some zoning could be changed to include/exclude some animals and began a discussion.
- Jim Winters suggested the lawyer be consulted about animals.
- Gordon Reeves mentioned Jason Gonzalez will be involved in inspections prior to renewing business licenses.
- Jim Winters said we will need to make an ordinance to do that and began a discussion.
- Tom Scroggins asked what happens if a vehicle is being used as yard decoration for a business.
- Gordon Reeves said he would have to look into that and began a discussion.
- Deputy Clerk Lopez presented drawings of potential layouts for City Hall and began a discussion.
- Gordon Reeves mentioned plans have been submitted and permits issued for an urgent care next door.
- Lawrence Gordon asked what was happening with Gentry's columns and began a discussion.
- Dennis Kintzler asked if there are fees to have a fire inspection done.

- Gordon Reeves said yes, and we really need to have inspections done before licenses are issued.
- A discussion began about the Oasis Plaza and the Tilery property.

Abatement

- Tom Scroggins said he has not been able to speak with attorney, but we still need to discuss what we have, and said he liked the example from Aztec.
- Tom Scroggins said if there is going to be a building abatement ordinance, it should have been included in the existing nuisance ordinance.
- Scott Adair said we should have it as its own section in the nuisance ordinance and began a discussion.
- Jim Winters said passed out Article IV from T or C and explained if the Fire Department is involved in the abatement process, they would have more knowledge, certifications and in any case would stand up better in court if they worked with code enforcer. A discussion began.
- Tom Scroggins said he likes that the fire department chief is responsible and began a discussion.
- Jim Winters said he thinks they might have cut and pasted from the State Fire Code.
- Lawrence Gordon asked if the Code Enforcer sees something can he report it to the Fire Department.
- L. E. Rubin said it depends on whether it is a building code or a fire code violation, it might fall under CID.
- A discussion began about hiring CID to inspect problem buildings.
- Jim Winters said we should really utilize the lawyer, so we don't spend so much time on it and began a discussion.
- Scott Adair said if we have the attorney look at it first, it will go smoother with Council.
- Tom Scroggins asked if we are getting codify.
- Jim Winters said it will have to be put on the next budget.
- Jim Winters said the Animal Ordinance itself needs to take care of animals other than cats and dogs, because they are the only animals they will catch.
- Jim Winters said the lack of inspectors for various things is a real problem and it holds things up, Los Lunas hires their own CID inspector and we need to think about doing the same and maybe share their inspector and began a discussion.

Hearing Procedure

- Jim Winters handed out three sets of rules and asked to look at the City of Rio Communities version and explained the steps.
- Jim Winters said you will explain what the hearing is about and what kind of outcome it might produce and explained the general rules of fairness.
- Scott Adair asked if the Chairman would be responsible for going through the script.
- Jim Winters said yes and went on to explain who can talk, swearing in and the rules for documents, time limits of speakers, the order of speakers and number of speakers.
- Lawrence Gordon asked if the speakers need to include their address on the signup sheet to know if they are within 100 feet and began a discussion.
- An audience member asked if it had to be 100 feet because it is different if there is a school or church.
- Jim Winters explained it would be heard by Council and not us.
- A discussion began about time limits and discussion time, postponing a decision to the next meeting.
- Jim Winters went through rules 13-18, making a change to 16 to say at a time.
- Jim Winters said it is important to have a microphone for the hearing impaired, the Council room should be reserved if a large number of letters that have to be sent out, copies for the audience of important documents, whether the attorney should be present, out of town owners should have the ability to send in a statement to be read, and we need to have copies of Robert's Rules.
- Dennis Kintzler said any statement mailed in needs to be notarized and began a discussion.

- Tom Scroggins said we will still be working on Abatement and Hearings, and he will try to speak with the attorney and a few of us might have to meet with him outside of the meeting.
- Lawrence Gordon asked about having a recommendation for a new Commissioner on the agenda.
- Tom Scroggins said if someone talks to you and asks to be added to the agenda, he needs to know the Thursday before the meeting.
- A discussion began about posting sites.
- Lisa Adair said he will be asking Council to remove the gas station from the list of posting sites and possibly add the Oasis Café.

Builders

- Not discussed at this meeting.

ADJOURN

- Scott Adair moved to adjourn. L. E. Rubin second the motion and the meeting adjourned at 8:08 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