

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
September 17, 2020

This meeting was streamed on Facebook Live
<https://www.facebook.com/riocommunities>

Call to Order

- Chairman Thomas Scroggins called to order the Planning and Zoning Commission meeting at 6:36 p.m.

Pledge of Allegiance

- John Thompson led the Pledge of Allegiance.

Roll Call

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

Approval of Agenda

- Secretary L. E. Rubin made the motion to approve the agenda for September 17, 2020. The motion was second by Lawrence Gordon. Vote: Chairman Thomas Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes; Dennis Kintzler - yes. With a 6-0 vote the agenda for the Planning and Zoning meeting was approved.

Approval of Meeting Minutes from September 3, 2020

- John Thompson made the motion to approve the Meeting Minutes for September 3, 2020. The motion was seconded by Scott Adair. Vote: Chairman Thomas Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes; Dennis Kintzler - yes. With a 6-0 vote the agenda for the Planning and Zoning meeting was approved.

General Commission Discussion

- Code Enforcer Reeves explained the nonconformance certificate request; an accessory building is located is not up to our ordinance, but the owner has asked for a nonconformance certificate and described where the building was situated, and explained there was access for emergency vehicles, it does match the home, and he recommended it be approved and began a discussion.
- Scott Adair said we will need to make it clear why the noncompliance certificate is being given and began a discussion.
- Tom Scroggins said we will add this to the agenda for the next meeting as an action item and began a discussion.
- Tom Scroggins said maybe we need to discuss if we would do that if there was only an easement and not City property as well.
- Code Enforcer Reeves said we might need to add that if the City builds on the property, the certificate might need to be revisited and began a discussion.
- Code Enforcer Reeves presented the substandard lien addition to Chapter 11, proposing a definition of substandard building, a substandard lien of \$250 plus interest of 10

percent files and recorded against the property and remain on the property until it is brought to compliance.

- John Thompson said the property owner should have time to bring the building up to compliance and began a discussion.
- L. E. Rubin began a discussion about a quit claim.
- Scott Adair asked if there is anything in the State's statute about this and began a discussion.
- L. E. Rubin asked where the fee amount came from and began a discussion,
- Code Enforcer Reeves said the mortgage company will find the lien and not clear the deed until the lien is taken care of, they can pay the lien and satisfy the lien but then we would have the new owners information and give them time to take care of it or reapply the lien to the new owner and began a discussion.
- Code Enforcer Reeves said any other expense incurred to the City to get the property taken care of will be added to the lien.
- Scott Adair said Albuquerque has \$100 a month charge rather than a percentage and continued the discussion.
- Tom Scroggins asked Scott Adair to draft the amendment to the ordinance and suggested it be put as an action item for the next meeting.
- Dennis Kintzler asked if this could apply to RVs.
- Code Enforcer Reeves said we will have to address that since it is becoming as well.
- Tom Scroggins said that can also be addressed in the next meeting and continued the discussion.
- Tom Scroggins said at the end of the month he will be starting some treatments and John Thompson as Vice-chair will be acting Chair until I can get back.
- Dennis Kintzler asked if P&Z will be getting another member and began a discussion.

Public Comment

- No comments were made.

Animal Control

- Tom Scroggins asked for comments on animal control.
- John Thompson said Scott Adair said we should not be limited to the same restrictions as a large city.
- Lawrence Gordon said there should be limits to lot sizes and possible consent of the neighbors and began a discussion.
- John Thompson said maybe we should work on the neighborhood project before tacking animal control.
- Tom Scroggins said we need to have an idea of how much square footage is needed for certain animals.
- John Thompson said we need to address what combination of animals can be had.
- Dennis Kintzler said that is why it is important residents register their animals and began a discussion.
- L. E. Rubin said we will have to address the health hazard and nuisance of animal waste and not just how many animals are allowed and began a discussion.
- Code Enforcer Reeves said we also need to address the proper disposal of animal waste.
- Tom Scroggins said the ordinance will have to be specific enough to let residents know what is allowed.
- L. E. Rubin said we do not have an ordinance to support livestock, but we have nothing against it and began a discussion.

- Tom Scroggins said people with horses, without a lot of space, but feed their horses well.
- L. E. Rubin said it the waste that is a problem and continued the discussion.
- Code Enforcer Reeves said the biggest things we need to include are livestock, registration and waste and began a discussion.
- John Thompsons said we should have something that states that we restrict animals to specific animals but have the right to involve the livestock and began a discussion.
- Tom Scroggins said maybe we should invite a large animal vet to tell us what we should be looking to include in the ordinance and began a discussion.
- Dennis Kintzler said we need to have some teeth to handle the complaints.
- Code Enforcer Reeves said he has enough teeth to deal with the nuisance, but the problem is how many animals should be allowed and began a discussion.
- Code Enforcer meets with a retired code enforcer and his recommendation is to enforce by lot size and square feet and began a discussion.
- L. E. Rubin began a discussion about vicious animals.
- L. E. Rubin said we will need to present Council with an amendment to the animal control ordinance.
- Tom Scroggins said we can discuss that at the next meeting.

Vacant Property

- Code Enforcer Reeves said the problem he has is with violation letters being sent out and not reaching a person, and no one is available for months to contact while it is going into foreclosure, we have vagrants, we need to be able to board up the property and secure.
- Tom Scroggins said the problem is identifying the responsible party for the homes and maybe the substandard building lien might be able to be used in this case and began a discussion.
- Lawrence Gordon said we will need to put a time frame of trying to contact the owners before putting a lien on it and began a discussion.
- Code Enforcer Reeves said at some point we have to ask the Council to step in and clean the property, but most likely the City would not get the money back.
- L. E. Rubin said we cannot leave the hazard there and began a discussion.
- Code Enforcer Reeves said it really depends on how the procedure is written and followed, to help protect the City and continued the discussion.
- Tom Scroggins said vacant property and the zone grid will be moved to the next meeting's agenda.

Zone Grid

- Not discussed at this time.

Adjourn

- Lawrence Gordon moved to adjourn and carry the neighborhood plan to the next agenda. John Thompson second the motion and the meeting adjourned at 8:05 p.m. with a 6-0 vote.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

L. E. Rubin, Secretary

Scott Adair

Lawrence Gordon

Dennis Kintzler