CITY COUNCIL MEETING
November 6, 2017
6:00 p.m.

Mayor Jerah Cordova called the Regular Meeting of the Belen City Council to order at 6:02 p.m. Roll Call taken by Brian McBain, Deputy City Clerk.

PRESENT:	Councilor David Carter Mayor Pro-Tem Frank Ortega Mayor Jerah Cordova Councilor Darlene Aragon
NOT PRESENT:	Councilor Wayne Gallegos
CITY MANAGER:	Leona Vigil
DEPUTY CITY CLERK:	Brian McBain
REPORTER:	Julia Dendinger, VC News Bulletin
OTHERS:	See attached Sign-in Sheet

PLEDGE OF ALLEGIANCE
Mayor Cordova led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Cordova asked for a motion to approve the agenda. Councilor Aragon made a motion. Mayor Cordova asked for a second. Councilor Ortega seconded the motion.
Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor David Carter	Yes	Motion Carried

APPROVAL OF MINUTES

Mayor Cordova asked for a motion to approve the minutes dated October 16, 2017 as presented. Councilor Ortega made a motion. Mayor Cordova asked for a second. Councilor Aragon seconded the motion.
Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor David Carter	Yes	Motion Carried

PUBIC COMMENTS
Mayor Cordova asked if there was anyone with a public comment.

There were no public comments and this portion of the meeting was closed.

PRESENTATIONS

A) **PRESENTATION OF THE LIFESAVING AWARD TO SERGEANT JOSEPH CHAVEZ AND OFFICER DAMIAN RIVERA OF THE BELEN POLICE DEPARTMENT.**
Chief Scott Conner advised that Officer Rivera was out on an accident call and could not make it in tonight, however, Sgt. Chavez was present. Chief Conner advised that both Officer Rivera and Sgt. Chavez responded to a

call, when arriving on scene they noticed that the front door to the home was open. Once the officer entered the home they observed a male unconscious on the floor, both officers preformed lifesaving tactics, and preserved the life of the gentleman, without their efforts this gentleman would have died. Chief Conner presented Sgt. Chavez with the lifesaving certificate and lapel pin, and read the certificate to the members present in the meeting.

Officer Rivera arrived shortly after Item B was presented, and was called up by Mayor Cordova so that Chief Conner could recognize him also. Chief Conner presented Officer Rivera with the lifesaving certificate and lapel pin, and read the certificate to the members present in the meeting.

B) FIRST QUARTERLY FINANCIAL REPORT PRESENTATION.

Roseann Peralta presented the first quarter financial report for FY2018, she reviewed her report with the Council and summarized the pages that have been made a part of these minutes. Ms. Peralta advised that GRT is a little low but will increase once we receive property tax payment from the county, most of the expenses and revenue seem to be on track as expected, by the next report most of the items should be balanced out. Councilor Carter was concerned with the drop in cash balances of $200,000, and asked for clarification as to why this may have occurred. Ms. Peralta said this was due to some of the expenditures and transfers, mostly the payment of the street sweeper maintenance that occurred, before we had stated that we want to keep at least $500,000 or more at all times, and at this time we are at $581,000, this will look better once we receive property tax and some franchise payments that will be coming in soon. Councilor Ortega asked how we are doing in GRT, wondering if our projections are working out as planned. Ms. Peralta advised that we are a short $48,000 on GRT compared to what we currently have budgeted, however, we usually get an increase in November and December so that should even it out, we will now in January or February, we are hoping to gain more than we spend in the end. Councilor Ortega asked how we paid for the flooding and water pumping events. Ms. Peralta advised that this came out of the emergency fund, and we then had to use some of the reserves. Councilor Ortega advised that it appeared we are really low in the paving/streets fund, he asked that when we have a water break, can the water department fund be used for street paving instead of it coming out of this maintenance fund. Ms. Peralta advised that if a contractor does this work, then yes, the water fund for the breaks can be used, but if we do this ourselves, then it must come out of the street maintenance fund which is from the gas tax. Councilor Ortega asked what happen to the funding that the State accidentally took out of the ISO, was it ever returned to us. Ms. Peralta advised that the State will be sending us $296,000 which is more than what is usual but they did not cut back any more from that.

Mayor Cordova advised that Officer Rivera was now present and asked Chief Conner to come up so that he could present Officer Rivera with his award, the Council then went back to Item A above.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL/DISAPPROVAL OF THE AIRPORT ENGINEER CONTRACTOR AWARD.

Ms. Roseann Peralta presented the evaluation committee scores that were given for the Airport Engineer RFP, four proposals were submitted, based on the scores the committee recommends award to Armstrong Consultants out of Albuquerque. Councilor Ortega asked for a recommendation from the City Manager. Ms. Leona Vigil advised that she was not a part of the evaluation committee, and did not go through all the proposals, however, Roseann did fall all of the requirements of the RFP process, stating the facts of the committee only. Ms. Deborah Abington advised that she was part of the committee, the previous engineer would be the most familiar with the Airport but all of the companies that applied are well qualified and confident that the RFP process was done correctly, she also advised that she will work with whomever the Council selects. Councilor Carter asked who was on the committee, Mayor Cordova advised that Lawrence Kanishiro, Manny Garcia, Deborah Abington, and Steve Tomita was on the committee. Councilor Carter stated that based on the evaluation, each one has their strong points and weaknesses, some scores were tough but evenly tough so the committee did serve it purpose. Councilor Carter asked if we had worked with Armstrong before or if anyone knew of them. Ms. Peralta stated that we have not worked with them in the past, this would be the first time for this company, they have done work with the Gallup, Clayton and Taos airports.

Mayor Cordova asked for a motion. Councilor Carter made a motion to approve the recommendation of Armstrong Consultants. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:
Councilor Frank Ortega Yes

Councilor Darleen Aragon	Yes	
Councilor David Carter	Yes	Motion Carried

PUBLIC HEARING WITH POSSIBLE ACTION

PUBLIC HEARING AND INPUT TO VACATE 225 FEET ON THE NORTH END OF 7TH STREET.
Mr. Steve Tomita introduced the area that would be discussed and showed the Council a map of the area. The vacation of this property concerns the need of the plans for the new Circle K building. Mr. Ralph Jaramillo advised that the drains will not be effected negatively with this change, the drain in the alley is being replaced now and will be built to service this area, and based on the current plans, there will be grading for drainage. Mayor Cordova asked if there were any concerns from the public that needed to be noted. Mr. Tomita advised that this will not take place until the planning and zoning is finalized and there has been no concerns from the public at this time.

Mayor Cordova opened the Public Hearing and asked if there was anyone in the audience that would like to speak for or against this item.

There being no discussion from the public, Mayor Cordova closed the public hearing and advised that action will be taken on this item at the next Regular Council Meeting on 11/20/2017.

PUBLIC HEARING AND INPUT OF A REQUEST FOR ZONE CHANGE FROM R-1 TO C-1 AS REQUESTED BY CIRCLE K STORES INC. ON 705/701/621 WEST ARAGON ROAD IN BELEN.
Mr. Steve Tomita introduced the area that would be discussed and showed the Council a map of the area. The zone change of this area will be needed in order for Circle to move forward with the process of building a new store. Mr. Tomita advised that one resident was concerned with the traffic in the area and the lights that might shine in their property if this change takes place, however, after further research and advisement from DOT, there does not seem to be a problem with this concern. Councilor Ortega asked if there would be any effect to the traffic at the Little Casers. Mr. Tomita advised that there will be some stack up, but given the street layout, there is room for this stacking that area, especially if you use a different route in and out, we are still awaiting a report from the traffic engineer at NMDOT. Councilor Carter asked if the boundary off 7th street would be egressed, which would alleviate some flow getting out of that area. Mr. Tomita advised that yes this will be egressed in that area.

Mayor Cordova opened the Public Hearing and asked if there was anyone in the audience that would like to speak for or against this item.

Rick Hughes from Circle K spoke for this change and stated that he is hoping the Council will approve this change so that they can start their process of building this new improved store.

Mayor Cordova asked if there was any further discussion from the audience, there being no other discussion, Mayor Cordova closed the public hearing and advised that action will be taken on this item at the next Regular Council Meeting on 11/20/2017.

PUBLIC HEARING AND INPUT OF A REQUEST FOR ZONE CHANGE FROM C-1 TO R-1 AS REQUESTED BY RAYMOND SALAZAR ON 312 & 314 RIVER ROAD IN BELEN.
Mr. Steve Tomita introduced the area that would be discussed and showed the Council a map of the area. The zone change of this area will be needed so that the owner can sell this property. Mr. Tomita advised that they cannot find proof that this property was ever changed to be a C-1, county records show this as residential, while city records show this as being changed to commercial, so with this change, we will make this zone correct and recorded. Councilor Aragon advised that it can be difficult to get a commercial loan but can be a bit easier to receive a residential loan, which is why these changes are taking place. Councilor Ortega asked if this would affect some of the businesses in the area. Mr. Tomita advised that there will not be any affects to the businesses in the area.

Mayor Cordova opened the Public Hearing and asked if there was anyone in the audience that would like to speak for or against this item.

Mr. Raymond Salazar advised that he can no longer take care of these properties, he has always provided these rentals to citizens at a reasonable price but based on his health concerns, he can no longer keep up the property and would like to sell the homes. Mr. Salazar also stated that he has been a resident of Belen since 1978, returning from service in the US military, and currently has buyers interested in the property but cannot move forward until the property has been re-zoned. Mr. Salazar also advised that if the Council ever needed support in bringing in the hospital to Belen, please contact him so that he can help, why should he have to pay his money to Albuquerque for all his medical needs. Councilor Ortega thanked Mr. Salazar for his service in the army.

Mayor Cordova asked if there was any further discussion from the audience, there being no other discussion, Mayor Cordova closed the public hearing and advised that action will be taken on this item at the next Regular Council Meeting on 11/20/2017. Councilor Ortega and Councilor Carter will not be present for the next meeting but would like to call in so that they have the chance to vote on all items.

PUBLIC HEARING/INPUT AND APPROVAL/DISAPPROVAL OF THE ORDINANCE CONTAINING AMENDMENTS TO THE CURRENT SOLID WASTE ORDINANCE IN CHAPTER 8 OF THE BELEN MUNICIPAL CODE.

Mr. Brian McBain presented the Council with the amended solid waste ordinance, reviewing all changes/amendments that have been proposed. The Council was concerned with how the mandatory service was interpreted and added some clarification to the ordinance itself. The Council also advised some grammatical changes that would further clarify this ordinance as it relates to solid waste service within the municipality, and how the contractor would provide these services to the citizens. Mr. McBain advised that the majority of the changes to this ordinance had to do with grammatical changes and updating modern terminology for solid waste services.

Mayor Cordova opened the Public Hearing and asked if there was anyone in the audience that would like to speak for or against this item.

There being no public discussion, Mayor Cordova closed the public hearing.

Mayor Cordova asked for a motion. Councilor Ortega made a motion to approve as amended. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor David Carter	Yes	Motion Carried

Ordinance Number 2017-14

CITY MANAGER'S REPORT

Leona Vigil stated: The City of Belen offices will be closed Friday in observance of Veterans Day, tomorrow there is a Valencia County Winter Coordination Meeting which the police, fire and street departments will be attending. Tomorrow there is a VALEO meeting. We are working to finalize the Pro-Tec office building lease, in 10/13/17, there were some City wide e-mail issues that have been addressed. Dale Tafoya will be out of the office this week, Ralph Jaramillo will be here in his place. Another water meter pre-con will take place tomorrow due to a turnover in the company and the new staff coming on board. DC Sewer project is doing well, the will be starting on the school very soon. Well #5, the water quality is good and they are setting the pump up now to get the max amount of gallons as promised. Loves is currently doing some pressure testing. County residents are calling due to the notice in the paper about 11/30/2017 being the last day they can use the convenience center, we are just referring them to Conejo for now. Two light polls were taken down by Circle T due to a traffic accident, we are waiting to see if we can get insurance money to repair those lights. The community maintenance department will start putting Christmas lights up the week of the 13th, they have already received their DOT permit to do this. AC Disposal is reviewing their contract, and we will adjust the items that they requested, we will then send to our attorney for review. We reposted an IT positon because we only received 2 applications, a water laborer 1 will be posted as well as an airport laborer will be posted on Thursday, there are also opening in police and fire. Would like to ask Steve Ethridge what is happening with the lights on the freeway that need replacement. Mr. Steve Ethridge advised that on the bypass, parts have been ordered today so hopefully by the end of the week we will have them

done, there is at least a dozen of them to repair. Ms. Vigil also stated that the tennis courts project is complete, Vivian field plan review has been complete, BNSF is still in negotiations with the City on how to complete the utility upgrades, Fire Station ground breaking will take place on 11/14/17 at 10 am, the Cavco well mandate is coming up and we are working on the PER to complete by 2/8/2018. Steve and I discussed Loves, we will need to grant an easement to set up an electricity box, waiting on traffic report from Circle K to determine if we will need a middle easement, Tractor Supply lease is still in negotiations and waiting approval from DFA, Dominos soil test is complete but they may have found something that need remediation, Keter has received a two day occupancy so that they can start some manufacturing.

Councilor Carter wondered if when we get Well 5 on board, can we use this mix to help on the arsenic levels of the Cavco well. Ralph Jaramillo advised that we cannot take the well out of service but the PER will give us options but is looking like we will need to treat that water. Councilor Ortega also advised on the West Aragon tank, divers looked at this a few years ago and said we will need maintenance on that tank within 5 years, we want to make sure we add this to the ICIP and look at getting a budget for this.

COMMUNICATIONS FROM THE CITY COUNCIL

Councilor Carter stated: Bad news on Follow the Star, this event will not take place this year due to the setbacks of having a director and production staff to do this, would rather put out a high quality program next year. The Eagles beat the district to the north in a nail biter, great game and the bracket came out yesterday, the Eagles are #2 in the bottom bracket with a bye next weekend. The food pantry is running good, they really like the extra space over there, and they have been real easy to work with.

Councilor Ortega stated: Congrats to the Belen Eagles as district champions. I also want to send prayers to our neighbors to the east in Texas due to the shooting that took place at the church. I did speak with the police Chief about things like this happening in a small town, we all must be vigilant of this, please be careful out there.

Councilor Aragon stated: I met with some concerned citizens on Bernard in regards to AC Disposal, they are concerned with the trash of a convenience center, Charles gave us all a tour and really reached out to the citizens, and seems that he is really doing a great job with the property, Charles cares and listens to the community, but we will see what happens. Went to the Mainstreet meeting, we are still working on bylaws, we have 3 Board seats that we are putting people into. Food, Fun and Fashion show is coming up on 11/17/2017, tickets are available at $12, and this is the only fund raiser for the year. Library Café is open, food is great and is open Monday through Thursday. NM Mainstreet meeting is on Wednesday for the Council to attend.

Mayor Cordova stated: Wanted to advise the citizens and Council that we are going to file an appeal concerning the ruling on the hospital issue and is now headed to the Court of Appeals.

ADJOURNMENT:

Mayor Cordova asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Ortega made a motion to adjourn. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor David Carter	Yes	Motion Carried

Jerah Cordova, Mayor

Brian McBain, Deputy City Clerk