

**COUNCIL OF THE VILLAGE OF BOSQUE FARMS
MINUTES OF THE REGULAR MEETING
MAY 21, 2020**

1. CALL TO ORDER

Mayor Russell Walkup called the meeting to order at 6:00 p.m.

2. ROLL CALL

Present were Mayor Russell Walkup, Councilor Bill Kennedy, Councilor Bryan Burks, Councilor Ronita Wood, Clerk/Administrator Gayle Jones, Assistant Clerk Fable Hoesch and Attorney Mark Jarmie. Councilor Richard Goshorn arrived at 6:12 p.m.

3. SILENT INVOCATION

Mayor Walkup asked everyone to remember the first responders, and families affected by COVID-19.

4. PLEDGE OF ALLEGIANCE

Councilor Burks led the Pledge of Allegiance.

5. APPROVAL/DISAPPROVAL OF AGENDA

Councilor Wood moved to approve the agenda with the amendment of 6:00 p.m. for the time of the Council Meeting to start. Councilor Burks seconded. **Motion carried unanimously.**

6. APPROVAL/DISAPPROVAL OF MINUTES

April 28, 2020 Budget Workshop

Mayor Walkup stated the minutes would stand as presented.

April 16, 2020 Regular Meeting

Mayor Walkup stated the minutes would stand as presented.

7. DEPARTMENTAL REPORTS

There were no Departmental Reports.

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8. MAYOR & COUNCILOR'S REPORTS

Councilor Wood reported there will be a parade for the high school seniors on Saturday morning at 10:00 a.m. She reported the Fair Board met on Tuesday evening and they were up in the air about the fair still taking place. She stated they will still have the car show and the parade at this point. She didn't have an update on the Library Board as they haven't met due to COVID 19. She also stated she and her sister have been picking up trash on the Loop while they are out walking.

Councilor Burks reported the Fire Department replaced all the SCBA's using a grant written by one of the fire fighters. They are not in service yet, as they are waiting on a mask fit machine that will verify they are wearing the right sizes and are fitted correctly. They have responded to several fires and currently out on 2 fires. There is a Boy Scouts of America Unit in the area. There is a boys' troop and a girls' troop and both are stationed at the Peralta Methodist Church. They have been meeting virtually and are active in the community.

Councilor Kennedy reported that he, Councilor Burks, and Councilor Goshorn sat in on a virtual Valeo meeting with the Los Lunas Fire Department and Valencia County Fire Department on Tuesday night. The meeting was reporting on COVID 19.

Councilor Goshorn wasn't present at the time reports were presented.

Mayor Walkup asked everyone to check out the tree sculpture on the Woodall property. He stated it was a nice addition.

9. TREASURER'S REPORT

Yvonne Maes gave treasurer's report for April. Councilor Kennedy moved to approve the treasurer's report. Councilor Burks seconded. **Motion carried unanimously.**

10. NON-AGENDA ITEMS

Lillie McNabb congratulated the new Mayor and Council. She also thanked them for everything they have done. Mayor Walkup thanked her for decades of service.

11. NEW BUSINESS

A. Consideration of a Variance at 280 Del Norte Court for Jim and Kim Dixon per ordinance 10-1-16 and 10-1-5

Planning and Zoning Officer Mike Montoya gave background. The Dixon's had requested adding 2.5 feet to an existing 6-foot wall because of a neighbor dispute.

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The Planning and Zoning recommended denying the variance for not meeting the conditions of ordinance 10-1-16 C.

Councilor Wood moved to deny the variance at 280 Del Norte Court for Jim and Kim Dixon per ordinance 10-1-16 and 10-1-5 G. Councilor Burks seconded.

Mayor Walkup took public comment.

Steve Scholl, attorney for the Dixon's, stated the height restrictions apply to front fences in the ordinance and not side fences. Mr. Scholl showed Council a sample of the material that the Dixon's want on top of the fence. Mr. Scholl stated the Planning and Zoning got hung up on a "personal issue". He also stated the addition to the fence will enhance privacy and security.

Mr. Michael Burnell at 260 Del Norte Court stated he didn't appreciate malicious comments about him. He questioned if the wall was safe and where does the liability lie if the variance is granted.

Mayor Sharon Eastman stated the considerations the Commission made were based on the "5 criteria" for a variance. This was discussed at length and determined this request did not meet that criteria.

Roger Offerdahl at 400 Garcia Lane stated he has no objection to the wall addition and it was tastefully done.

Cheryl Ortega neighbor, stated the addition was tastefully done.

Maya Sanchez at 315 Del Norte Court stated the wall has added character to the neighborhood. She questioned how clear is the ordinance. Mike Montoya, the Planning and Zoning officer stated the ordinance is very clear that it needs to follow the state standards. A wall of that height needs to be engineered to be done correctly. Ms. Sanchez asked if it was the type of construction that was in question. Mr. Montoya stated they need to follow the steps and it needs to come before the commission. Ms. Sanchez asked what would be the best solution.

Mayor Walkup suggested if anyone has questions about any structure being put up, talk to the Planning & Zoning, so that all the steps are followed and the Planning and Zoning can make sure they are in compliance with everything that is required by the Village.

Judge Dolly Wallace asked for the definition of a wall. Definition was found under 10-1-4 D. Wanted to know if the material attached to the wall fits into the definition of a wall.

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Councilor Wood had concerns for the police being able to see over the wall. Officer Andrew Owen stated it does make it easier for the police department to see over the wall into the property, especially in the front.

Councilor Burks read the definition of a wall from the ordinances.

Henry Smith at 420 Garcia Lane stated he has a wall around his property and it is over 6 feet high. He pointed out other properties that had walls over 6 feet. He supports the wall.

Charles Tabet at 380 Garcia stated the wall looks nice and has no problem with the wall.

Attorney Mark Jarmie was concerned that the Planning and Zoning Commission didn't hear Mr. Vergeer's concerns. He recommended council defer acting on the variance, and send it back to Planning and Zoning to develop a record that is full and complete for the council's consideration. Council doesn't have to act tonight.

Mayor Walkup asked for a vote. All abstained. **Motion failed.**

Councilor Burks moved to defer the Variance request back to Planning and Zoning. Councilor Wood seconded. **Motion Carried unanimously.**

Mayor Eastman asked how can Planning and Zoning ensure all parties are present at the July meeting? Mayor Walkup stated he would have the Planning and Zoning Officer make sure that all parties are invited.

B. Consideration of Preliminary Budget for FY 2020-2021

Councilor Kennedy moved to approve the Preliminary Budget for FY 2020-2021. Councilor Goshorn seconded. **Motion carried unanimously.**

C. Consideration of Contract Amendment with Molzen-Corbin for Design for the Second Clarifier at the Wastewater Treatment Plant.

Clayton Ten Eyck of Molzen-Corbin explained the Preliminary Engineering Report has been completed and the Environmental Clearance has been sent to the state for review. He went over the summary of needs and alternatives. He also went over the phases.

Clayton proposed doing the Preliminary design for Phase 1 and go ahead with the disinfection UV system.

Jonah Ruybalid, project manager for Molzen-Corbin, introduced himself and talked about the amendment and asked if we had any questions about the amendment.

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Jerry Paz, Executive Vice President, thanked the Mayor and Council for their confidence in them to work on our infrastructure projects.

Councilor Kennedy moved to approve the Contract Amendment with Molzen-Corbin for Design for the Second Clarifier at the Wastewater Treatment Plant in the amount of \$463,391 dollars excluding Gross Receipts Tax. Councilor Burks seconded. **Motion carried unanimously.**

D. Consideration of Appointment of Alternate Judge

Mayor Walkup stated Judge Wallace is requesting council approve Cheyenne Haddock-Singh for Alternate Judge. Councilor Wood moved to approve the appointment of Cheyenne Haddock-Sing as Alternate Judge. Councilor Burks seconded. **Motion carried unanimously.**

12. ADJOURNMENT

Mayor Walkup adjourned the meeting at 7:20 p.m.

PASSED, APPROVED AND ADOPTED THIS 18th OF JUNE, 2020

Russell Walkup, Mayor

(SEAL)

ATTEST:

Gayle A. Jones, Clerk/Administrator