

MINUTES
VILLAGE OF LOS RANCHOS
6718 RIO GRANDE BLVD NW
BOARD OF TRUSTEES REGULAR MEETING - 7:00 P.M.
FEBRUARY 13, 2002

Present:

John Hooker, Mayor
Penny Rembe, Trustee
Leo Bartolucci, Trustee
Barbara Chavez, Trustee

Annabelle Silvas, Clerk
Hank Rosoff, Administrator
Cyndie Tidwell, Planning
David Mathews, Attorney
Allen Leatherwood, Treasurer

Absent:

David Siegel, Trustee

1. CALL TO ORDER

The Village of Los Ranchos Governing Body held a Regular Meeting on Wednesday, February 13, 2002, in the Warren J. Gray Hall. The meeting was called to order at 7:00 p.m.

A. Approval of Agenda

Motion: Trustee Rembe moved approval of the agenda. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

Motion: Trustee Rembe moved to table Item 4.C to the March 27th Board of Trustees Meeting. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting - January 23, 2002

B. Receive Department and Committee Reports

1. Police
2. Fire
3. Animal Control
4. Court
5. Building Inspections

C. Approval of Home Occupation Renewals

Motion: Trustee Rembe moved approval of the Consent Agenda. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

4. PUBLIC HEARINGS AND APPLICATIONS

A. A request by Celia Tomlinson, for Blake Chanslor, Trustee and Ronald Chanslor for final plat approval for a major subdivision creating three (3) lots in the A-1 Zone. The Planning and Zoning Commission heard this item at their Regular Meeting held on January 22, 2002, and have forwarded their recommendation of approval for the preliminary plat to the Board of Trustees for consideration. The property is located at 1111 Green Valley Road NW, legally known as Tract A-2-A & A-2-B, Hellman Subdivision and Tract 202-C-1-A-1-B, MRGCD Map No. 27. This parcel contains approximately 6 acres.

Attorney Mathews stated that the above request should be changed from "final plat approval" to "preliminary plat approval."

Planner Tidwell stated that the setbacks are the same as for all A-1 zoned properties. The setbacks from the fronts of the property are 25', the side 10' and the rear 25'. She stated that two of these parcels are already developed.

Motion: Trustee Bartolucci moved approval of a request by Celia Tomlinson, for Blake Chanslor, Trustee and Ronald Chanslor for preliminary plat approval for a major subdivision creating three (3) lots in the A-1 Zone and the recommendations made by Village staff. **Trustee Rembe** seconded the motion.

Vote: Motion carried unanimously.

B. Discussion and Approval of Home Occupation Renewal of The Navajo Rug Restoration Studio - Wayne and Kerry Kinnick - 535 Los Ranchos Road NW - TABLED FROM THE JANUARY 23 PUBLIC HEARING

Planner Tidwell stated that the Village has received complaints from a neighbor. She stated that she and her Assistant Jessica have conducted a thorough investigation and find that the business is being conducted well within the guidelines of the Home Occupation. She stated that the propane tank has been removed.

Motion: Trustee Rembe moved approval of the Home Occupation Renewal of The Navajo Rug Restoration Studio. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

C. Discussion and Approval of Home Occupation Renewal of Liz Sanchez Stable/Elm Tree Farm - Liz Sanchez - 7622 Rio Grande NW - TABLED FROM THE JANUARY 23 PUBLIC HEARING

Item tabled to March 27th Regular Board of Trustees Meeting.

D. Discussion and Approval of Home Occupation Renewal of Far Horizons Archaeological and Cultural Trips, Inc. - Mary Dell Lucas - 826 Mullen Rd NW TABLED FROM THE JANUARY 23 PUBLIC HEARING

Planner Tidwell stated that she received a telephone call and a written complaint from a neighbor on that cul-de-sac stating that there were many cars and many truck deliveries. She stated that after investigation, it was discovered that there were several employees coming to the house every single day. At the same time, construction workers were remodeling the house. She stated that after reviewing the ordinance, it was apparent that her business has outgrown the home occupation status. She stated that Ms. Lucas was given a two month grace period of the renewal application to decide how she might adjust her business to fit the ordinance.

Mary Dell Lucas stated that she desires mediation with the neighbors to resolve this and that her business is currently at a stand still.

Planner Tidwell stated that the existing home occupation license does not address the issue of employees other than family members. The special use zone or permit could address that issue and be tailor-made for that particular business in its specific neighborhood.

Comments and Concerns from Neighbors

Has no problem with the business and there is no noise coming from the business and would hate to see her have to leave.

Has concerns that the business will pickup again.

Has concerns with the safety of the children living in the area.

Serious depreciation on neighboring properties.

Residential nature of this neighborhood is being seriously threatened.

Feels that property is threatened.

Mayor Hooker suggested that the Board give Ms. Lucas 90 days to come up with a solution regarding her business.

Motion: Trustee Rembe moved to defer for 90 days, while the neighborhood and Ms. Lucas goes into mediation to resolve the issues for a Special Use zone change.

Motion: Trustee Rembe amended her motion and moved to defer to the appropriate body in 90 days depending on the outcome of the mediation in the neighborhood. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

5. OLD BUSINESS

A. Discussion and Approval of Plan for Review of 2010 Master Plan

Motion: Trustee Rembe moved to defer to the August 14th Regular Board of Trustees Meeting. **Trustee Bartolucci** seconded the motion.

B. General Discussion of Draft Zoning Ordinance and Transmittal of Comments from Trustees to staff

Discussion will take place at the February 27th Regular Board of Trustees Meeting.

6. NEW BUSINESS

A. Approval of Job Description for the part-time position of Zone Code Enforcement Officer

Motion: Trustee Rembe moved approval of the Job Description for the part-time position of Zone Code Enforcement Officer.

Vote: Trustee Bartolucci no; Trustee Rembe aye; Trustee Chavez no. **Motion fails 2 to 1.**

B. Approval to appoint Lori Webb as Temporary Deputy Clerk for the March 5, 2002 Election

Motion: Trustee Rembe moved approval to appoint Lori Webb as Temporary Deputy Clerk for the March 5, 2002 Election. Trustee Bartolucci seconded the motion.

Vote: Motion carried unanimously.

C. Approval of Contract Grant Agreement between New Mexico Forest Re-Leaf and Village of Los Ranchos

Motion: Trustee Bartolucci moved approval of Contract Grant Agreement between New Mexico Forest Re-Leaf and Village of Los Ranchos. Trustee Rembe seconded the motion.

Vote: Motion carried unanimously.

D. Discussion and Approval of Agreement between New Mexico State Highway & Transportation Dept. and Village of Los Ranchos for New Mexico Unified Certification Program

Motion: Trustee Rembe moved approval of Agreement between New Mexico State Highway & Transportation Dept. and Village of Los Ranchos for New Mexico Unified Certification Program. Trustee Bartolucci seconded the motion.

Vote: Motion carried unanimously.

7. FINANCIAL BUSINESS

A. Discussion and Approval of Audit Report for the 2000/2002 Fiscal Year

Administrator Rosoff stated that this is the formal report that the auditor briefed the Board on in November 2001 before it was submitted to the state auditors and there have been no changes made to it.

Motion: Trustee Rembe moved approval of Audit Report for the 2000/2002 Fiscal Year. **Trustee Bartolucci** seconded the motion.

Vote: Motion carried unanimously.

B. Discussion and Approval of Resolution No. 2002-2-1 - Mid Year Budget Amendment

Motion: Trustee Bartolucci moved approval of Resolution No. 2002-2-1 - Mid Year Budget Amendment. **Trustee Rembe** seconded the motion.

Vote: Trustee Bartolucci aye; Trustee Rembe aye; Trustee Chavez aye. Motion is passed unanimously.

8. REPORTS

A. Mayor's Report

Mayor Hooker reported on the upcoming Easter Egg Hunt, the March 11th Oath of Office Ceremony for the outgoing and new trustees. He stated that he and Trustee Rembe met with professional mediators who have offered their services for the 4th Street Lawsuit. He stated that the plaintiffs' have made an offer to settle. He stated that he will be going to Washington in March as a member of the MRGCOG governing board for the National Association of Regional Council Policy Conference. He stated that he has recently received complaints regarding speeding on Rio Grande between Ortega and El Pueblo.

B. Administrator's Report

Administrator Rosoff stated that he spoke with Gig Brummel about the Village's investments. He stated that starting in April, Waste Management will be instituting a cost of living rate increase. He stated that he met with the Spring Fest committee. He stated that the designers for the Dietz Farm lift station intend to submit the design by February 25th for the March 26th P & Z hearing.

He stated that Chief Clarke and Brian Fox visited the Pierce factory where the new fire truck is being built.

C. Legal Report

Attorney Mathews reported on the status of the Bowers vs. Rembe case. He stated that the Fire Board is tentatively scheduled for March 15th and 16th. In regard to the 4th Street lawsuit, he is currently preparing the affidavits for Village staff.

D. Planner's Report

Planner Tidwell stated that the Planning & Zoning Commission will be reviewing the subdivision ordinance.

E. Fire Dept. Report

There was no Fire Department report.

9. TRUSTEES INFORMAL DISCUSSION

Trustee Bartolucci stated that he attended the memorial services for Chet Caldwell. He stated that the Nunzio house sold for \$2.2 million, and the Scott house on Eakes road sold for \$2.8 million.

Administrator Rosoff stated that he is in contact with the real estate agent that handled the sale of the Unser property.

10. ADJOURNMENT

Motion: Trustee Bartolucci moved adjournment of the meeting at 9:30 p.m. **Trustee Rembe** seconded the motion.

Vote: Motion carried unanimously.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this _____ day of _____, 2002.

ATTEST:

Annabelle Silvas, Clerk