

**Regular Meeting of the Roswell City Council
Held in Commission Chambers – Chaves County Administrative Center
Thursday, April 10, 2025, at 6:00 p.m.**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 24-23.

The meeting convened at 6:00 p.m. with Mayor Jennings presiding

ROLL CALL:

<i>Councilor Cortez</i>	<i>present</i>
<i>Councilor Johnson</i>	<i>present</i>
<i>Councilor Oropesa</i>	<i>present</i>
<i>Councilor Corn</i>	<i>absent</i>
<i>Councilor Moore</i>	<i>present</i>
<i>Councilor Heldenbrand</i>	<i>present</i>
<i>Councilor Halvorson</i>	<i>present</i>
<i>Councilor Arnold</i>	<i>present</i>
<i>Councilor Cavin</i>	<i>present</i>
<i>Councilor Marrujo Jr.</i>	<i>present</i>

Councilor Cortez led in the Pledge of Allegiance, and Councilor Marrujo led in prayer.

APPROVAL OF THE AGENDA

1. Approval of agenda - approve the agenda for the April 10, 2025, Regular City Council Meeting.

MOTION: Councilor Halvorson made a motion to approve the agenda for the April 10, 2025, Regular City Council Meeting with the following change:

- Move the following item to the consent agenda: # 26 – The appointment of Heidi Huckabee to the Cemetery Board – Position 1 (1st term April 11, 2025 – March 31, 2027)
- Make the following change on item #18, page 186 – change the word(s) “Present” to Yes for the Roll Call Vote.
- Pull Item #5 from the consent agenda and place it before Item # 23, Zoning Case VAC-25-007 vacation of East 9th Street.

ROLL CALL VOTE:

<i>Councilor Cortez</i>	<i>yes</i>
<i>Councilor Johnson</i>	<i>yes</i>
<i>Councilor Oropesa</i>	<i>yes</i>
<i>Councilor Moore</i>	<i>yes</i>
<i>Councilor Heldenbrand</i>	<i>yes</i>
<i>Councilor Halvorson</i>	<i>yes</i>

<i>Councilor Arnold</i>	<i>yes</i>
<i>Councilor Cavin</i>	<i>yes</i>
<i>Councilor Marrujo Jr.</i>	<i>yes</i>

Councilor Heldenbrand was the second.

Motion passed: 9-0 with Councilor Corn absent

2. Approval of consent agenda - approve the consent agenda for the April 10, 2025, Regular City Council Meeting.

MOTION: Councilor Halvorson made a motion to approve the consent agenda as amended for the April 10, 2025, Regular City Council Meeting

ROLL CALL VOTE:

<i>Councilor Cortez</i>	<i>yes</i>
<i>Councilor Johnson</i>	<i>yes</i>
<i>Councilor Oropesa</i>	<i>yes</i>
<i>Councilor Moore</i>	<i>yes</i>
<i>Councilor Heldenbrand</i>	<i>yes</i>
<i>Councilor Halvorson</i>	<i>yes</i>
<i>Councilor Arnold</i>	<i>yes</i>
<i>Councilor Cavin</i>	<i>yes</i>
<i>Councilor Marrujo Jr.</i>	<i>yes</i>

Councilor Cavin was the second.

Motion passed: 9-0 with Councilor Corn absent

CONSENT ITEMS (items 3-18 will be approved at the time of the approval of the consent agenda)

3. Approval to authorize National Champion Air Races for a one (1) year lease agreement beginning April 1, 2025, and ending March 31, 2026, for Building 100 at the Roswell Air Center.

4. Approval to authorize BS International for a one (1) year lease agreement beginning April 1, 2025, and ending March 31, 2026, for building 117 at the Roswell Air Center.

6. Approval to authorize NM Youth Challenge to enter a 30-year lease agreement due to the significant valued activities to our community and airport therefore this is an in-kind lease which meets the criteria of the FAA.

7. Consider authorization for repair of Waste Water Treatment Plant MRAS Basin Pedestrian Bridge to Smith Co Construction for \$66,146.05 which includes GRT.

8. Consider recommending authorization for approval to issue a purchase order in the amount of \$262,661.55 for the purchase of three SCBA compressors from Municipal Emergency Services.

9. Consider recommending authorization for approval to issue a purchase order in the amount of \$740,030.00 for the purchase of one Class-A HME pumper from Municipal Emergency Services.

10. Consider recommending approval to issue a purchase order in the amount of \$357,340.88 to Howe Medical for the purchase of eight (8) New Lifepak 35 cardiac monitors.

11. Consider recommending authorization for ratification of change order in the amount of \$1,578,283.30 to increase PO 22501369 for Museum disaster recovery remediation inclusive of building, contents, and art and historical objects from current amount of \$850,000 to a new amount of \$2,428,283.30.

12. Resolution 25-20 - adoption of Resolution 25-20 approving budget adjustment for the fiscal year ending June 30, 2025.

Resolution(s)

13. Resolution 25-17: adoption of Resolution 25-17 to dispose of certain surplus personal property listed in the attachment.

14. Resolution 25-18 Weeds - Adoption of Resolution 25-18: Shall mandate the cleanup of approximately sixteen (16) separate properties within the City.

15. Resolution 25-19 Condemnations - adoption of Resolution 25-19 the Resolution shall require the removal or demolition of four (4) dilapidated structures.

Minutes

16. Approval of the minutes from the Regular City Council Meeting on March 13, 2025.

17. Approval of the minutes from the Special City Council Meeting on March 18, 2025.

18. Approval of the minutes from the Special City Council Meeting on March 28, 2025.

NON-ACTION ITEMS (Information Items)

19. NetSuite for Government ERP Presentation (Toni Gomez)

20. Air Center Updates (Bobbi Thompson)

21. Recognition of Becky Hicks and Roswell Transit for earning the New Mexico Grants for Rural Areas Program Transit System of the Year Award (Chad Cole)

22. Employee Out-of-state Travel

PUBLIC PARTICIPATION ON AGENDA ITEMS AND NON-AGENDA ITEMS

In order to speak you must sign up prior to the Council Meeting.

- Nicholas Rubio, President of the Local 51 Utility Worker Union of America. Raise awareness about challenges city workers face, particularly safety. Education and training are vital for safe work practices.
- Charles E. Thompson, Cemetery worker. Wants to see transparency in the commitment to city employees

5. Approval to authorize AerSale for a ten (10) year lease agreement beginning April 1, 2025, and ending March 31, 2035 for Hangar 85 and Building 240 at the Roswell Air Center. Michelle Sanchez presented the item. Two leases were included in the packet one was incorrectly uploaded for Building 240. Correct lease was handed out at City Council.

MOTION: Councilor Heldenbrand made a motion to authorize AerSale for a ten (10) year lease agreement beginning April 1, 2025, and ending March 31, 2035 for Hangar 85 and Building 240 at the Roswell Air Center.

Councilor Cavin was the second.

VOICE VOTE: was unanimous 9-0 with Councilor Corn being absent.

PUBLIC HEARING(S)

23. APPLICATION FOR CASE VAC-25-0007: Request Vacation of East 9th Street 60' wide Public Right-of-Way (ROW) from N Main Street to N Virginia Avenue; and vacate adjacent north & south alleys from 8th St to south of 10th St from Public Rights-of-Way and convert to 25' Public Utility and Reciprocal Access Easements for Infill Development in the C-2 Community Commercial & I-1 Light Industrial Zoning Districts.

MOTION: Councilor Halvorson made a motion to hold a public hearing to request Vacation of East 9th Street 60' wide Public Right-of-Way (ROW) from N Main Street to N Virginia Avenue; and vacate adjacent north & south alleys from 8th St to south of 10th St from Public Rights-of-Way and convert to 25' Public Utility and Reciprocal Access Easements for Infill Development in the C-2 Community Commercial & I-1 Light Industrial Zoning Districts.

Councilor Cortez was the second.

City Clerk: Do you solemnly swear or affirm that the testimony you give is the truth the whole truth and nothing but the truth under penalty or perjury?

Mayor Jennings: Mr. Hicks and Mr. Hicks and Mr. Gross Mr. Krumland are you going to speak I mean I didn't know you didn't stand up to swear and I guess you got to swear too

Mr. Krumland: No one observes your honor You're just going to observe I don't know about being honored but that's all right He'll take it All right Good evening

Meredith Hildreth: Mr. Mayor members of the council This is a zoning case that was heard by the planning and zoning commission already and the final decision rest with you regarding a vacation of 9th street east ninth street between Main and Virginia Avenue On April 1st 2025 the city of Russell Planning and Zoning Commission voted 5 to one to vacate the East Ninth Street right of way between Main Street and Virginia Avenue to vacate an adjacent section of the alley right away north of East Ninth Street ending south of 10th Street vacate an adjacent alley right of way from East Ninth Street South to East 8th Street and convert rights of way to utility and access easements This is the zoning map that shows the properties under consideration that are contiguous to the Ninth Street and alley right of ways to be under consideration for vacation And as you can see they're zoned C2 community commercial and I1 light industrial And they're in commercial and industrial corridors This is a conceptual rendering for infield development for a service lane on East N Street rendered by Smith Engineering Company These are staff photos This these slides are looking from Main Street toward East 9th Street and the Roswell Ford properties on the north and south of East Ninth Street on Main Street And this slide is looking west along Ninth Street and looking north from Ninth Street These slides are looking south down the alley from 9th Street toward 8th Street And then the last slide I mean the last picture there is looking from 8th Street up that alley toward Ninth Street This is the excerpt of the preliminary East Ninth Street right of way vacation replat by Smith Engineering The full plat is in exhibit F of your pack The Roswell subdivision code specifies that vacation plats the procedure is the application shall the applicant shall include a plat declaring what is to be vacated Such a plat shall be processed and considered in the like manner as that of plats for minor subdivisions and those minor subdivision plats go through planning and zoning commission that commission makes a recommendation to the city council The city council reviews the final decision This is a graphic map by Smith Engineering showing the East Ninth Street right of way vacation in the Ninth Street is in yellow and the alleys are in blue Back in 1981 there was a vacation of dedication lot seven and 8 Block 7 North Spring River edition on the same Ninth Street So a little bit of the Ninth Street right of way was already vacated back in 1981 case 81-007 This is an excerpt from the conference's master plan The future or the preferred land use scenario map showing the star shows the area of under consideration And next to a conceptual metropolitan redevelopment area in the black hash mark that would be the railroad district And in 2020 city council revised the boundaries of the railroad district metropolitan redevelopment area and the property the properties under consideration are in the blue circle and they are in a section of this district This area is also part of it north of 9th Street and just a little section of 9th Street at the intersection of Main are in the ah flood zone These are letters from the utility companies from solid waste and from the fire Marshall These are in your packet under exhibits H and J These are the sanitary sewer maps and the water map showing the sanitary sewer going down the alley and that alley to be under consideration for vacation will be converted to a utility easement Nothing will be built across the alley right of ways It will still remain as access and utility easements And in the water map there is no water on Ninth Street just on Main and Virginia As of today's date the planning and zoning office has received zero written protest letters zero verbal protests and one inquiry for zoning case VAC-25-00007 And then there's some legal standards from the New Mexico state statutes regarding vacations abandonments reverbed public roads streets and highways The property or property rights acquired by purchase or condemnation by the state or any commission department bureau agency or political subdivision state for public road street or highway purposes shall not revert until such property or property rights are vacated or abandoned by formal written declaration of vacation or abandonment which has had duly declared by the state or any commission department institution bureau agency or

political subdivision of state inherit the property or property you right has vested And then also section 67-2-7 Any owner of lands abiding any highway street or road his heirs or assigns may petition state or any commission department bureau agency or political subdivision thereof who believes a section of any road or public road street or ride of way is not or no longer needed for public purposes and may petition the state or any commission department bureau agency or political subdivision thereof for a formal determination of abandonment or vacation And I might add that earlier vacation of Ninth Street was also for an auto like auto dealership as well So it's been in that use for a really long time These are the legal standards that the city has adopted amending chapter two of the municipal code This is in exhibit k of your packet So this is real property transactions article 7 section 2-201 No existing municipal purpose prior to the sale exchange or donation of real property belonging to the city such real property shall be determined to be not essential for any municipal purpose The mayor and city manager or his designee shall make this determination writing and communicate the determination to the governing body as appropriate under this article And then section 2.202 talks about appraisal and I stand for questions

Mayor Jennings: Questions from members of Well we don't have testimony first so if we could Mr. Gross I believe would you like to come forward and testify as to your first or who else is that's fine If you want Mr. Hicks wants to go first that's fine Whatever

Scott Hicks: Good evening Mayor Council My name is Scott Hicks I'm with Smith Engineering 401 North Penn is the address of the office Yeah We're the agent acting on behalf of the owners of Roswell Ford who are here in the audience tonight we assisted them with preparation of the application and some of the exhibits that you saw that Meredith discussed earlier Thank you Meredith we're here to present this case and hope that you will consider the approval of the recommendation of the P&Z commission that we got last week for vacating of 9th Street between Main and Virginia and then converting the alleys adjacent to those properties along there as rather than alleys So a little history of how we got here and why and why now and you might hear more about this later I won't go into too much detail but last year and prior to that there was plans being made and designs underway for a new Ford dealership on West Second Street And in October we had the flood and it went through that corridor of the Spring River where it is now and about 5 ft deep and it inundated as you well know all those properties down there And so that pretty much stopped any work at Roswell Ford They lost all their inventory vehicles parts and a lot of damage to the buildings that were there So they got with Ford and being that it was much quicker to renovate and repair where they were than to go and reconstruct or go construct the new facility out They chose to stay right where they're at and made the determination to rebuild right there where they're currently at So Toby and his crews got to work and within a couple of months they had that showroom and parts department back in business and that that was a minor miracle in itself as much as damage was done So that also presented opportunity for newer and more modern facilities across the street and Ford is behind that This is part of that It gave us the opportunity also to look at 9th Street and the congestion that's been in that corridor forever with our customers and vehicles going through there on a daily basis And by vacating the ride of ways some things could be done to make more efficient customer service through there safer corridor for the public and also some advantage to the city as we'll get into for no longer having that that ride of way for their maintenance So we met with engineering we met with Mr. MacCornack and Mr. Najar and we went over our idea here and got positive feedback initially so we went next to the neighbor Mr. Rhoads owns the southeast parcel there and we had a couple meetings with him because he was

going to be affected of course with this and he he's on board He actually signed the application so he was good with this and then I went to the utility companies because there are there are utilities that run the alley other than sewer city sewer there is gas there is power and there was communications there So I talked to all those utility companies and explained what we would be doing and they were in no opposition of it whatsoever and they sent emails that Meredith included in the packet I also talked to solid waste Abraham out of solid waste and he had no opposition He can still get in and serve the facility for solid waste pickup so there was several people that we talked to before we ever submitted the application to P&Z so we got to P&Z We presented the case last week Um a little bit of a surprise came up at the last minute this this 2403 I think we've worked through that I'll hear more about that later But up until then in my previous cases of rights of way no compensation was being asked for by the city either alley or right away So that's how we approached this initially and then when that came up it came up the day before the meeting it came up on Monday The meeting was Tuesday night so it was a bit of a surprise but we talked about it We got our recommendation by the commission and then I think we've got subsequent consequences or conversations with staff and I think we've got a work around there if that becomes an issue So um we've got we've got the plat prepared It's preliminary plat There will be an easement in Ninth Street running from Main to Virginia to allow emergency access all the way through there as well as the customers that come through and Mr. Rhoads if he needs to get to his property on my street but he usually use Virginia They've got a big access on Virginia for that yard So we've covered that base We talked to the fire marshal He had a concern about the height of the canopy that we're going to have across there we assured him that we would make it high enough for his trucks he was good with that He had a couple of other items that would be will be addressed during development so we've got that taken care of So at the meeting also we had a letter by Mr. Najar He pointed out several items in support of that You can read those or you can if you want to hear those right off the bat there's a savings of \$40,000 in not repaving that street There was a mill and fill program going on in the area And by not milling and repaving that street alone it saves the city about \$40,000 so that's a savings right off the bat for the city that money can be spent on another street somewhere else Once this is vacated then Rowell Ford will take over the maintenance of that paving so it's a win a win for everybody We feel it's a win for the public because it's a much safer corridor now with a one-way circulation through there It's a win for the city for no more perpetual maintenance for the street and it's a win for the Ford to get their customers in and out more efficiently So I think we've covered all the bases I even talked to DOT As you know Main Street's a DOT jurisdiction I talked to the district engineer from Cisco out there and he emailed me in in support of this as well because it now eliminates these left hand turning movement coming out of Ninth Street onto Main and that's a concept always for an unprotected left-hand turn So I think we covered all the bases I think we're excited about this There's great things to come in the Ford I'll let Toby talk more about that But with that I'll stand for any questions

Mayor Jennings: Anyone have questions for Mr. Hicks Councilor Halvorson

Councilor Halvorson: thank you for the information Sure So are you looking at keeping this road open to the public but going eastbound

Scott Hicks: it will remain open for Ford customers and it will go eastbound

Councilor Halvorson: So not to because on page 205 of our packet there's section 6727 it says that if the who believes the section of public road street or highway is no longer needed for public purposes Has anyone any kind of street count how many vehicles actually use that road

Scott Hicks: we will do that when we go to a permit process with the DOT

Councilor Halvorson: So that's jumping ahead Isn't this jumping ahead then without that count I can't really make a very good decision without having

Scott Hicks: Yeah, and that that didn't come up when we've had our conversations with engineering before that We would have done that maybe if we had it didn't, we're not really changing the use for that corridor and it's 90% used by customers Ford anyway

Councilor Halvorson: I mean I know I use the road and I don't know that's what I'm saying without a count I don't know how

Scott Hicks: Well there's eight street and 10th street you know up and down

Councilor Halvorson: Oh I understand

Mayor Jennings: Any further questions

Councilor Heldenbrand: yeah Mr. Hicks you just said there's 8th Street and 10th Street What if somebody wants to vacate 8th Street and somebody wants to vacate 10th Street

Scott Hicks: they'd have to come before it

Councilor Heldenbrand: What would it do to traffic law that's what I'm concerned and listening to Councilor Halverson who deemed that it's no longer needed for public purposes

Scott Hicks: That's by the city Pardon that's by the city and

Councilor Heldenbrand: it hasn't been done yet let me have my that's my question What creates no longer needed for public per

Scott Hicks: Well I think that that was a review by the city engineer and in his letter

Councilor Heldenbrand: but he has already approved this Did you not Mr. Najar you you've already given us a thumbs up approval without doing what Mr. Hicks says needs to be done

Scott Hicks: No I don't think it needs to be done for that court of it'll be done for the permit process for the

Councilor Heldenbrand: I'm a fact-driven person and I don't see any facts from Mr. Najar

Mr. Najar: counselor I gave testimony presenting my facts at P&Z and they're not in your packet

Councilor Heldenbrand: Well you should have been maybe

Mr. Najjar: I'm not going to say against that As far as the counts I went back and looked at the I've been I know been with this street I think if we were to do a traffic count you would take the number of traffic right divide by two because most of that traffic is customers dropping off your vehicle picking up your vehicle and I'm sure there's a few like Councilor Halverson but if you look at the on my again in my letter I went from 2003 813 I think 21 and you look at the Google pictures that night stream has been used forever basically serving the forklift when this came up as city engineer street department Yeah let me get this one off my inventory and the other thing is too based on as city flood plain manager there's been a lot of damage over there and the business the structure across the street I don't see it coming back real quick and having a modern whether it's Ford or wherever having a modern business there and if you look at the downtown area those blocks are very short so I know they're using in essence they were already using ninth street but by now using from 8th street to 10th street It's a bigger property Yes By 60 ft If you paid attention over the years where the car wash used to be that was the property line Where the service building is that's the property line on the property line If you were building over there all the cars are parking in between We had a 26 ft lane or two lanes for the traffic So as I look at it was already being used and the distance between 8 Street and 10th Street in comparison to modern streets is very short I gave an example a testimony was look at the alley behind Buffalo Wild Wings It was vacated The reason it was vacated because we turned that one in to access when Buffalo Wild Wings and whatever fast food place was there They wanted accesses off of Main Street Said "No I didn't want McDonald's and two other businesses playing chicken in the center lane trying to access it." So, I said "No access." DOT agreed with me We vacated the alley and they paved the alley between Buffalo Wild Wings that other business and the hotel They all paved the alley And basically it's an alley people think it's an alley but on paper it's been vacated It's an easement for those businesses to get in and out and minimize the traffic there Across the street we have what we call the overflow parking lot for the convention center We vacated 10th Street there so we could make that property which is city property better for the purpose that it was going to be used for

Councilor Heldenbrand: I don't deny anything what you're saying here What I'm saying or asking of you where is the fact that we can look at that says it's no longer needed All I'm hearing is verbiage

Councilor Heldenbrand: I don't have any fact in front of me to say that it's no longer needed

Mr. Najjar: My letter was presented in testimony presented supported two things No the new finish please So it supported two things The planning and zoning process that we have right and it supported ordinance 24-03 that right now it's easement right away once the vacation process is done it now becomes real property and then I also supported that based on all the stuff that I had and all the factors that my determination my recommendation that it became non-essential because we had eight street and 10 So all that was my testimony supporting PNZ supporting ordinance 24-03 which didn't make your packet and

Councilor Heldenbrand: maybe it should have made in our package so that we were aware of that and I understand you know I take my vehicle over there and I get it serviced over there and I

understand the ins and outs of that traffic flow over there I'm not saying all I'm saying is give us some proof Mr. Najar They are you know all I'm hearing is verbal proof

Mr. Najar: I have a letter I had a letter with pictures trying to document and other steps If you look in the packet

Councilor Heldenbrand: that's not before this committee the council today

Mr. Najar: I didn't prepare the packet This is not my responsibility to prepare the packet for this item

Scott Hicks: I bought a copy of the letter you want us to read

Councilor Heldenbrand: Well that we're here trying to make a decision based on fact and we don't have

Mr. Najar: Absolutely It makes it dang difficult This is a quasi-judicial This is a quasi-judicial process

Councilor Heldenbrand: That's right

Mr. Najar: That letter should have been in front of you

Councilor Heldenbrand: and it's not

Mr. Najar: So was it omitted purposely or accidentally

Councilor Heldenbrand: I don't make the packets Mr. Najar

Mr. Najar: Neither do I The pack is going to come out Yeah

Mr. Yntema: Sorry I need to jump in I think the engineer is speaking out of turn Let me define some legal points here So the city engineer by stat or by ordinance has certain authorities In particular he has engineering control over streets roads and alleys However ordinance provides that it's the mayor and manager together who make a determination about whether or not there's public need that is communicated So Mr. Najar presenting evidence on behalf of the city is simply not something that he is by ordinance empowered to do without going through the mayor manager The second part is that real property is land or anything attached to it erected on including anything that may be served with or without injured to the land can also be corporeal or incorporeal which would be easements So Mr. Najar again stepping out of his lane by saying that real easement a right of way is not real property It absolutely is And then finally the point is that we have to follow our ordinances in order to effectuate this correctly or is subject to challenge Um in this circumstance without a determination from the mayor and the manager concurrently there's still a public use under city law Similarly unless there's compensation presented to the city you run into an anti-donation violation because real property carries with it a value And this easement has a value and the city should be compensated under ordinance and state constitutional law

Mr. Najar: and Hess is wrong in a couple of things They made recommendations and again without you seeing your letter I my letter its recommendations and my letter also stated that it was right of away and it became real property again support the 24-03 I supported both the planning of zoning and 24-03 but if you don't get to see the letter then

Councilor Heldenbrand: well I just feel it's not full testimony not full facts are given to us panel the final

Mr. Yntema: let me speak to that Mr. Najar's throwing sand Mr. Najar does not present the facts at a hearing it is the applicant's burden Mr. Najar should not be the one asking for it to be presented on behalf of an applicant That would be potentially seen as endorsing an application which city staff does not do without mayor and city manager

Councilor Heldenbrand: Well let me just now I'm confused Mr. Najar

Mr. Najar: I don't know what to say You know I made my recommendations like I've done for lots of other stuff Yeah And apparently there's a the letter is not supposed to be seen or

Councilor Heldenbrand: Yeah As I said you bring us all back and you gave that testimony and now we're not seeing that testimony

Louis Najar: And I don't see anybody volunteering for you guys to see the letter so I don't know what to say

Chad Cole: Quite frankly you wrote the letter So if you can't communicate the letter

Louis Najar: I can communicate the letter and I have a copy with me if I want to run down it

Chad Cole: Yeah sure

Louis Najar: That's what so So describe the process of the engineering P&Z I mean the appealing process and switch glasses Engineering department has reviewed the case and recommends vacation of ninth street and alley easement is requested by applicant Recommends existing 19th is centered in the operations of Roswell Ford Right of way with extends from face of building to face of building See enclosed aerial photos from Chavis County partial map So you have the parcel map There's arrows pointing as I described for the what was it with the car wash and the service building and then of course there's park cars parked in the in the ride of way vacating Ninth Street would remove Ninth from the responsibility and maintenance from the streets department such potholes curb repair brick paper repair and other ninth street was not put in the mill fill list for was on for the October 24 flood based on the recently completed mill and fill streets in the flood area Calculating present worth from the ITB-25-00001 fiscal year 25 mill fill The square yard cost is 29.25 per square yard The payment area is approximately 1,326 square yards The savings not to mill and fill was \$38,787.55 Number four Similarly the alley of the payout removing the alley from off the inventory for pavement maintenance and pothole patrol would be a savings to the city vacation process reverts the area back to real property which is then taxable revenue for the city and county again after the process And again it's real property Not I'm not discounting that there's

no compensation for it Just that I agree with 24-03 From a future planning perspective eastbound ninth street dead ends at Virginia It serves no other properties to continue eastwardly in a direct travel You know AWC no longer using that And behind that is a railroad track So from a planning point of view Ninth Street will never go any further than Virginia This portion of Roswell has a history of homeless persons Vacation of an alley and fencing an alley would force all pedestrians to use Virginia or Main Street and keep them out of the alley especially with the little Shell Station there this is a safer alternative for travel and police enforcement the case packet on page paragraph 7 page 36 of 75 defines other requirements So that was that reference was to the P&Z packet But basically what I told them if we have to relocate the fire hydrant if we have to move a street light if we have to remove do all that that's their cost Plus I want dead end MCD dead end signing on the alleys 8 street and 10th street if we remove pavers I want all the pavers taken to the street department we can use those pavers to repair other parts in the future And there was some other stuff that I requested that the developer do if it passes and it's vacated that we collect basically all our city apparatus and we put them back in our department so we can reuse them The vacation on ninth street and creation of alley easements also assists with the infield and economic prosperity for the city of Roswell and of course Roswell quarters Recent 2024 flood event has also impacted the immediate neighborhood with a severe damage to Roswell Convention Center and Goddard Museum Additional improvement to Roswell Ford would be a welcome site to the neighborhood In closing engineering recommends vacation of Ninth Street and creation of an alley easement as requested by P&Z case 25-00007 which at every P&Z case engineering is always asked what do you think recommend this kind of stuff So what I'm doing is what I'm supposed to be doing recommending or pulling stuff Say I know I don't agree with that Again I'm making recommendations I'm not making determinations That's the governing body Current street ninth street use is not an essential needed street nor needed for municipal portion Vacation of ninth street creation alley easement will ease the financial burden and the liability of the municipal municipality of Roswell Mexico Sincerely Louis Najar P. E. Then I had pictures November 2021 March 2008 8-13-21 Going back on Google if you look on Ninth Street for business plus I don't have to deal with ninth street no more

Councilor Heldenbrand: Well that would I think would have been beneficial had that been in our packet to see what you were discussing and talking about there

Louis Najar: And again I made that testimony like I do every month at P&Z There's questions on the next case I'll be glad to answer questions That's my job

Councilor Heldenbrand: Thank you Mr. Najar giving us some clarity

Mayor Jennings: Thank you next we have council lady Halvorson and Cortez and then Arnold

Councilor Halvorson: I understand why you want to do this It makes complete sense especially being the owner of Roswell Ford the question I have is you guys keep mentioning 24-03 I can't find it in my packet

Scott Hicks: Yeah I might also add that that 24-03 wasn't part of the PNZ packet either when it was up It wasn't included We didn't learn about it till Monday before the meeting So maybe we

could have addressed some of those issues but we've had I think we've got some discussions that have taken place since we still work that out

Councilor Halvorson: So I know we just went through an audit with me for a while and that was my concern when you mentioned is this an anti-donation because I know you mentioned we did it to 10th Street where the parking lot is but the city owns that parking lot Are we allowed to just give this huge street was not huge but the street to a private entity would have been anti-donation

Hess Yntema: Yeah Mr. Mayor Councilor Halvorson my opinion is no Something has tangible value to the city which it a right of way does you have to we wrote this ordinance partly presupposing what the audit findings would be because the city has in the past given property away So what this did is simply say we made determination that the city doesn't need it So we're not giving away something that's useful to us The council through the ordinance gave that determination to the mayor and to the manager concurrently so that one person couldn't just say it And then the second part was that we'd have an appraisal so that we'd know what to charge for the property that's being conveyed

Councilor Halvorson: That's my concern I don't know if we're given all the information and I'm wondering if we should vote to table this but I'm not going to do it right now because I know there's other people who want to speak but I'm wondering we should hold it till next month so we can actually review all the information and

Hess Yntema: Mr. Mayor and Mayor Pro Tem the so the way the ordinance is written it provides that this has to be heard by the council today unless the applicant seeks a continuance

Councilor Cortez: Mr. Mayor I think I have a couple of questions probably for a couple of different people this ordinance I guess speak for you Ordinance 24-03 it seems like it puts another process in front of the vacation process And so I'm kind of curious how we get to the point where we're having we're following a vacation process set out in our zoning ordinance and also New Mexico subdivision law and subdivision acts and we are not preemptively through our city process making this determination prior to proceeding because it would seem like you couldn't vacate if I'm reading this right and thinking about the sequencing and you tell me where I'm wrong where we are saying before you could even contemplate a disposal of real property through a vacation which we're saying a vacation is a disposal of real property How could we initiate the vacation process without doing this first

Hess Yntema: that's correct And that's why that I was not included in the initial application process And I'm sympathetic when there's a new law I mean engineering firm is not exactly who would need to know about how real property conveyances work in a municipal corporation in southeastern New Mexico But they were told ahead of time they were requested to or they were asked if they wanted to continue the hearing to talk with the manager and the mayor They declined that unless I'm incorrect

Scott Hicks: No we talked with them after I appreciate that

Hess Yntema: And so that's the Yeah So the way it's the it's labor and time and there's a sever then there's a the section two of the ordinance itself says any parts that are in conflict are repeated So in so much as the zoning code is in conflict with the ordinance so the ordinance takes precedence

Councilor Cortez: So the ordinance repeals the zoning ordinance

Hess Yntema: Well in so much as it conflicts So there's a case in state law It's New Mexico in *rex Madrid v. UU Bar Ranch* And what the court says is there you read them in harmony and ultimately when the council's making its decision it should have all of the check mark However you get there everything needs to be checked before final conveyance is made

Councilor Cortez: I got you Next question Thank you That was very helpful how my next question we all will agree that this is real property because it's land and there's a real property interest with an easement How did the city come to does the city own the road the ride or way dedicated in the Spring River edition do they own it in fees somewhere

Hess Yntema: so that is typically something the applicant would produce I've looked into it and haven't actually been able to make a determination partly because it's unclear we I haven't been able to find the applicable law for when the conveyance was made in what 1901 It was 1891 So 1991 So I have a copy of the plan Yeah So in current New Mexico law if it says for public use as you're aware then it becomes fee and anything else is some form of writing In a subdivision

Councilor Cortez: in a subdivision

Hess Yntema: So this was a subdivision

Councilor Cortez: and the convinces the dedication on the subdivision

Hess Yntema: right and so I am not I can't unfortunately and I've looked and I haven't found it yet what the answer is to an 1891 conveyance on a subdivision in the plat

Councilor Cortez: Would it be based off of dedication because we would have been a territory at the time Because my understanding is that when we vacate right of ways that are dedicated in subdivisions that of course the adjacent property owners have no interest

Hess Yntema: Yes

Councilor Cortez: It would seem hard for me to believe that the city would own that in fee because logically then they could sell that strip

Hess Yntema: Correct Yeah

Councilor Cortez: To another party

Hess Yntema: That's true But I can't say at this point that I know absolutely that the city owns it does The legal presumption is that we own it as a right of way easement it's possible we do owe them the fee and I haven't been able to figure that out 100% yet

Councilor Cortez: Right and I appreciate that I just know for example the DOT for example and when you condemn property or you purchase a property there is an exchange there is a conveyance instrument which would be a deed right and so I'm curious as to the disposition because we're talking about disposing of real property purchased or condemned and I'm wondering how that intersects in this situation and just for how we would look at these the way

Hess Yntema: if you look at the Madrid v. UU Bar Ranch the court kind of takes for granted that a highway regardless of how it's acquired In this case it probably right of way is just real property for the purpose of the state code when it comes to conveying interest in real property

Councilor Cortez: All right Thank you Um Mr. Hicks thanks for coming tonight How do we how do we know you're still there's basically still going to be a road there right go on a one-way road from Main Street to Virginia

Mr. Hicks: correct

Councilor Cortez: How I mean I'm assuming that people that are not going to Roswell Ford are going to occasionally turn onto said road Um how do we you know I mean are we just assuming that well since it's still left as a road how would you characterize that situation

Mr. Hicks: there there'll be signage as such but yes there'll be people to turn in there but they will have that south 20 ft to go all the way through So to answer your question councilor Halverson yes it will remain open and the public will be using it because they will be going to Ford and they can go through all the way and that will remain open all the time We have to maintain that 20 foot easement access easement open all the way from Main to Virginia and that will satisfy both emergency services and roads or whoever later buys that proposition See what what's going to happen here is if this goes through there's 60 ft left of that ride of way and properties on the north and south adjoining get their portion of that and that becomes real property that will now be taxed for those owners But we have had discussions just more information we have had discussions with the city manager and the mayor we would have had those conversations and discussions earlier had we known that this ordinance was going to be applied It was a it was a little piece of the bigger ordinance amending chapter 2 of city code It's just a little paragraph in there So I was unaware of it We were all unaware of it until Monday before that meeting It didn't leave us time to get with them So we've done that subsequently and we would like an offer that hey we're not going to want this thing to get hung up over a little bit of compensation or appraisal that kind of thing So maybe there's an opportunity for a conditional approval motion kind of thing that we do that

Mr. Hicks: we certainly don't

Hess Yntema: Like there's two parts that are necessary One is the actual determination as communicated by the mayor and manager and then the second is the appraisal So yeah I mean conditional vacations are a lawful thing but it I guess what you're really could condition on those

two but depending on how the appraisal comes in at it would have to go to council again potentially If it's over \$10,000 unlikely it can't be done administratively

Councilor Cortez: Mr. Mayor I guess so I guess I just want to say that it seems like that the 24-03 ordinance by definition and the interpretation that you provided and the intent of it would have to exist prior to initiating a vacation to Missouri like it would have to be step one prior to this That's what it sounds like to me the way you're describing it That's all I got to say and I appreciate the time I yield Thank you sir

Mayor Jennings: Thank you Councilor Lady Arnold

Councilor Arnold: Mr. Yntema Can you explain because here's what I'm missing I mean it seems like we have a very viable request from a respected member of our community understanding that the process the actual process should have been that they took it to the city manager and to the mayor for review and then the appraisal and then and so those steps were obviously missing I think the request is definitely something that is has value and should be considered and we can kind of keep going in that circle but we all I think are under the impression that there's a couple steps missing So please advise how to best assist our business owners in moving forward I mean we understand that this is something was a little off I think all of us up here understand that We understand that on this one probably a vote is required instead of the ability to table So if you could recommend the actual process we need to take recommend how we can do it precise and quickly and inform our constituents of what they need to be doing from step one to step whatever But if you could just kind of tell me that so we can move this you know I mean I definitely don't want to run around any more questions but I mean I get where we are at and where we're at is this is not in order And so we just need a report

Hess Yntema: Yes Mr. Mayor Councilor Arnold The simplest thing would be really the only thing that we can do because the way the zoning code is written is the applicant asks to continue it for 30 days while we get the appraisal done and the mayor and the manager can confer and communicate their opinion as to whether or not there's a municipal purpose And then and then it comes back here the next the next month Yeah it's as simple as that

Councilor Arnold: Perfect Let's do that Well I think

Mayor Jennings: let's go ahead and hear Does this conclude your testimony

Mr. Hicks: yes Unless there's any more questions for me Thank you everyone

Mayor Jennings: Mr. Gross

Toby Gross: Toby Gross 1316 Alicia Lane Mr. Mayor Council thank you Cristina for moving that forward But we've turned everything we do in Roswell we meaning TNT Construction and the Krumland Auto Group everything that we do here in Roswell is done right It's done step by step We pay our fees We pay everything we're supposed to do And everything that we've touched in this town resonates add shines and it's productive for Roswell We were unaware of this particular ship We did turn to your staff meaning P&Z meaning everywhere we should have turned and asked

what we needed to do and how we needed to do it We ended up here with not having what we need And I assure you we would have had what we needed before I showed up here So I'm asking you to I think the only way out is to do a continuance and let us get our eggs in a in a basket It's almost Easter and we'll come back and visit with the mayor and the city manager Chad and we'll get our appraisal done that'll satisfy Mr. Hess and the team and we'll be back in front of you asking permission to do what we want to do which is to build a beautiful new Ford facility One thing that hadn't been mentioned already is that we're increasing the size of the facility by what we're doing which is going to increase the traffic on that street If you do a traffic study it is probably 90% Roswell Ford's traffic Going and coming we don't want to take anything away from anybody We left the one lane going through for Mr. Rhoads and for anybody that wants to go down it won't be in impaired in any way I ask for your help and understanding that time is of the essence There's tariffs coming our way I have steel orders sitting on my desk waiting to order the steel before the tariffs If they do or don't we still need to get it coming But I ask for your consideration and extending this case till next month Thank you for understanding

Mayor Jennings: Is there any further comments we have question

Councilor Moore: I just wanted to say thank you to them I appreciate your understanding and this process it is you know we can't normally we always want to blame who didn't put the paper who brought the paper who said what but it is all the responsibility of the people that provide us information We can't go snatch the paper from him or whatever So we want to thank you for your understanding this process of these couple of things that are missing I think I didn't even haven't even heard the mentioned so I appreciate your understanding We look forward to doing business with you I look forward to going to get my new you know my new car get it together but I just want to thank you for your patience and so the since he said he would be to that the continuance continue to vote on the continuing or once he said that we're done

Hess Yntema: it's his as a matter of right for 30 days so until the next meeting

Councilor Moore: So just in the minutes just that this is going to be on So thank you We look forward to

Toby Gross: I would request that if there's anything else that we need to come back and have this whole then I would I would like that provided to us

Councilor Moore: I'm sure you take care of that with the city manager and Mr. Thank you

Mayor Jennings: Yes ma'am

Jessica Vickers: I don't want to beat the dead horse but I will take my fault for 24-03 not being in a packet I sent Mary with an email I left that off We realized it Monday informed the applicant and gave them the option to postpone and go forward with this process So I want to make that very clear They were informed on Monday Yes it was late notice but we did not push them to go forward with this hearing today We did give them the option to wait to go through the proper process and come back next month So I do just want to make sure you all understand that we did not push this

forward So I realize that was left out and I will apologize for that but I just want to make sure you knew that.

Mayor Jennings: Councilor Oropesa

Council Oropesa: Thank you Mr. Mayor I guess I'm just confused because if that road is going to be owned by Ford why is it that we're talking about compensation if they going to leave it open for traffic to go through even a one-way

Hess Yntema: Mr. Mayor councilor they the them leaving traffic to go through is not something the city can enforce At that point we're relinquishing our right to allow the public to travel that way

Councilor Oropesa: So they if we approve this not tonight probably but next month they also would be able to pull it down the street

Hess Yntema: Yes The street will legally speaking the street will cease to exist It will there be those will be their full private property Absolutely And if the city wanted to reopen the street the city would have to condemn or purchase the easement from them

Councilor Oropesa: because I think it'd be very hard for them to determine as far as the traffic is concerned who is a customer and who is not as far as you know traffic just going through

Hess Yntema: Yeah So I no engineer so I'm not going to tell you how to build a bridge but ultimately it's the mayor and the manager concurrently who have the discretion to say yes we agree with whatever principles were done in the traffic study period

Councilor Oropesa: So just the fact that it's open doesn't mean that they're off the hook as far as compensation is concerned

Hess Yntema: Correct Yeah So what would happen if the city gave up its right to allow the public to use it which has a tangible value you can think about it in the inverse So if we have construction we have to purchase a construction easement to put our equipment on people's land and that has a value Normally it's nominal but if we don't then we're subject to a lawsuit

Councilor Oropesa: Thank you

Mayor Jennings: there's one thing I would just like to say when I look when I looked at this and I tried to look at I talked with some of the county officials and they said most of their land are on different kind of different easement and they state that they go back to the owner if it's not used for a public road and our city rights are not stated in the same manner as I can see it because I think when you on the city streets I think there's been a few court cases that state that we own the street because there are some problems if we do if we do work on a street that does not belong us and we cannot use we cannot use our city money to build a road that doesn't belong to the city and that's you know by anti-donation cost I think because of this ordinance I think it shall we it says we shall have an appraisal and I don't think we can get away from that the city manager and myself from our position I think when you read that whole ordinance there I think we have to have that I don't

think it's something that we can get away from I would tell you I think that it would be if it's possible I don't know how quick we can get the appraisals done I would I would think that with the problems we have going on right now with the tariffs if as quick as we can get some of this done I would I would say that we do it get the appraisers and see what we can do I don't know if it has to wait until the next regular meeting or if it can be in a special meeting I don't know

Hess Yntema: Mr. Mayor you can call a special meeting on any topic

Mayor Jennings: Well I mean so yeah totally fine Just so long as we give the 3 days' notice I'm dealing with exact And I just think I do think that this it's a questionable thing I don't know if he's going to put a gate on the front of the street He can put a gate and shut it so you can go down it at any time and gate on the back That's all possible It appears they're going to close the gates to the alleys off which I assume I don't know if that means we have to have a place to put the trash If we were going to vacate the alleys I think it said another thing north and south alleys from 8th Street to 10th Street So those alleys will be vacated Does that mean they're going to put gates and lock those up where are we going to pick up the trash I don't know if that was discussed in the meetings what kind of facilities we had I don't know So anyway but I don't know if they put a gate on Ninth Street or not I mean is that something that happens to shut it off or do they just leave it open and then you know that's one question And then what happens if somebody has an accident or something on that street is that our liability or is that their liability if we gave it to them it's their property and so they might want to gate I think that's something that and it might help them with access into the Ford place if they do that I think those are some there But I don't if in looking at the problems with the tariffs and all the stuff going on I would not be opposed if we had a meeting a special meeting as soon as we can get the appraisals and things done so we can get that done I would say that the appraisals you know the city if we're going to vacate it we just have to figure out make sure we get the money and that's it and we vacate it and I think that we go through it without a problem I am not opposed to a special meeting if we can do it to help him order steel That is I think the I think the Ford dealership will it will be quite an improvement I would just caution you with the some of the new laws on FEMA where they are going back and if you build back in the same spot you have to build it up to flood level If you have to haul 6 ft of material in there where a lot of that stuff was four or five feet deep that water that's going to be a significant cost I But I think under the new FEMA law that started January 1st of this year you it might have to be built up to flood levels And I think that might also fall in the next case we have as well about the FEMA restrictions about building back where you are they make some changes as I recall from what talking with the FEMA people about what happens in New Orleans and everything else They don't want to have people building back in a flooded area You know that's I don't know you There's other people going to have to look that up better than me But so that's where we were going And I think if we since I guess the applicant was Mr. Krumland that you represent Mr. Krumland and Mr. Gross asked that we bring this up at the next meeting regularly scheduled meeting for sure or before that if that's the way I understood it I would have a motion I guess to lay this on the table till the call of the chair or to the next regularly scheduled meeting that

Hess Yntema: Mr. Mayor It just goes to the next meeting as a function of law

Mayor Jennings: as a function of law

Hess Yntema: Yeah And you can you can call it a special meeting Yeah

Mayor Jennings: So then if that's the case then I will assume that they've been asked for continuance and it would be is there any objection to a continuance I can't object It's on the so it's on his application the item is continued till the next regular meeting All right Next, we go to item

Appeal Hearing(s)

24. CASE ZOC-25-0003 - Hold a public hearing on an appeal on Zoning Case ZOC-25-0003.Request for Zone Change from R-2 Residential to RVP Recreational Vehicle Park for 3.3 acres at address to be assigned as 1507 S Sunset Ave. Legal Description: Subd: SUNSET VILLA A Block: 0 Lot: 1 THRU 9 AND: - Lot: 12 THRU 18, S: 8 T:11S R: 24E DOC# 202403751 QCD
Meredith Hildreth presented the item.

Councilor Cortez: Mayor after discussing with the counsel I have a potential conflict So I would like to recuse myself of this

Mayor Jennings: so we've had Is there any objection to Mr. Cortez being excused from a potential conflict of interest is there any objections seeing none you may be excused

Councilor Cortez: Thank you sir I will sit and listen in the audience

MOTION: Councilor Halvorson made a motion that we have the appeal hearing ZOC 25-03 Hold a public hearing for zoning case VC 25-003 request for a change from R2 to RVP resting recreational vehicle parking where the address is 1507 South Sunset for a zone change from R2 residential to RVP recreational vehicle park for 3.3 acres and address to be assigned at 1507 South Sunset Avenue legal description listed there

Mayor Jennings: We have a motion by Councilor Halvorson and a second by

Councilor Cavin: second

Mayor Jennings: councilor Cavin now we have two individuals signed up to speak on this Hopefully we can keep it within our three-minute limit We have Yes we have to be sworn in we have Jason Garcia and Mr. Fresquez So if you would both be sworn in please raise your right hand And Madam Clerk

City Clerk: do you solemnly swear and or affirm that the testimony you give is the truth the whole truth and nothing but the truth under penalty of perjury

Mr. Fresquez and Mr. Jason Garcia. I do

Mayor Jennings their both sworn in

Meredith Hildreth: Good evening Mr. Mayor members of the council This is zoning case ZOC 25-00003 and this is a zoning case appeal The planning and zoning commission made a decision on March 4th 2025 and voted 6 to zero to rezone the 3.3 acre Sunset Villa A subdivision planted in

1964 from R2 residential to RVP recreational vehicle park On March 6, 2025 a formal application of appeal was presented to the City Clerk by Larry D. Fresquez agent for Morris Schertz And this is the formal written of appeal And this is asking the city council for a public hearing to hear the appeal of planning and zoning commission And this is the language on the appeal interpretation of the buffer zones for residential single family that was written on the appeal The zoning ordinance article 3 procedures amendments and changes section five procedures appeals an appeal of a planning and zoning commission decision five This is the language in the plan in the zoning ordinance In making a decision on the appeal city council shall consider only those concise and specific points on which the appellant in his or her written notice of appeal urges the city council to set aside the decision of the planning and zoning commission So this is the language that was on the application for appeal interpretation of the buffer zones for residential single family This is the zoning map of the area The property with the star is the property under consideration that was already approved by planning and zoning commission This shows that the property is zoned R2 To the south is the Casa Maria Nursing Home and a vacant piece of property also owned by Casa Maria Three duplexes and three single family homes And you can see that Riley Drive dead ends there on the south next to an apartment complex That is also our three to the north and to the east are R1 single family residential subdivisions and on the other side of Sunset on the west is R1 that's undeveloped is 12 acres and then to the south of the Hondo is of our four track that's like 19 plus acres and has a single family home There is one little there's one single family home in a different track just north of the Hondo here on the west side of Sunset There's a little there's a one residence right there on Sunset it's an it's a rental property and that's right adjacent to the property under consideration and that's under the blue circle This is a staff photo of the Rio Hondo in the alley north of the pro property that's not contiguous to the property under consideration You can see it on the map up there as well That's a 60 foot buffer between the property under consideration and the estate type properties north of the Hondo You can see the aerial where this is a large vacant track under consideration and the adjacent land uses there on the aerial These are staff photos of the property under consideration as well as the duplex just to the south of it You can also see the fences on the east side of the alley adjacent to the property under consideration This is a big vacant piece of land This is the property is in FEMA AE flood hazard zone So it's in the flood hazard zone might be appropriate for something that's more resilient to flooding to happen there than maybe other things that go there This is the comprehensive master plan the preferred land use scenario This shows the property with a little star there on the sunset corridor It's a mixed density corridor as we discussed earlier in the slides And then it's also in the infill redevelopment opportunities area said designated This is the plat from 1964 the Sunset Villa A plat And that was filed a long time ago 60 years ago and it's been sitting there you can see that there's maybe I don't know if you can see it but there are 20 foot alley right of way on the north side So it separates there's an alley separating the property under consideration for the subdivision to the north with a 20 foot alley right away to the east as well to the south as well So it's got 20 foot alley right of way all around it including the little house So as of today's date the planning and zoning office has received 12 written protest letters representing 11 properties within the 100 foot notification area and one indicating address of a property outside the 100 foot notification area from zoning The letters were presented to the planning and zoning commission meeting at the on March 4th 2025 Five people spoke in opposition or expressed concerns during that public hearing and then the appeal was filed on March 6 2025 And those letters are in the packet based on the planning and zoning commission's March 4th 2025 6-0 decision to approve the zone change from R2 to RDP and the appeal file with the city clerk on March 6 2025 City Council has requested a hold conduct a public hearing on the

appeal of the zoning case and vote to either hold or overturn the plan and zoning commission's decision and we stand for questions

Councilor Heldenbrand: When I saw I think you originally only had one objection for P&Z Did I read in here somewhere where you only had one you received one written protest there were 12 This is at the time of this writing the planning and zoning office has received one written protest and two verbal protests and zero inquiries That's on page 255 of our packet When these protests came in did they come in after the

Meredith Hildreth: after the planning and zoning commission packet was put together the protest letters came in

Councilor Heldenbrand: before planning and zoning was the planning and zoning commission aware of those

Meredith Hildreth: yes they were included in their back

Councilor Heldenbrand: I just saw the verbiage here and it was not consistent with what was in our package and I wanted to know

Meredith Hildreth: those letters came in after this was posted I believe

Councilor Heldenbrand: for the planning and zoning commission not for this meeting

Meredith Hildreth: give me one second for the letters exhibit H was received on 2-27-2025

Councilor Heldenbrand: and the P&Z commission meeting was what day

Meredith Hildreth: it was on March 4th

Councilor Heldenbrand: March 4th

Meredith Hildreth: Yes So these other ones were received on 3-3-2025 the day before

Councilor Heldenbrand: Because they're not dated

Meredith Hildreth: the one on the back is

Councilor Heldenbrand: so you're exhibit because you just received them the day before the meeting then

Meredith Hildreth: yes

Councilor Heldenbrand: they all happen to come in all at the same time

Meredith Hildreth: yes sir these are in exhibit two

Councilor Heldenbrand: thank you for the clarity And you're saying also that this last letter here we were received is outside the 100 foot notification

Meredith Hildreth: Yes sir

Councilor Cavin: Mr. Mayor so all the members of the planning and zoning were able to see all these letters that were opposed to this and to go ahead and move forward with this

Meredith Hildreth: Yes sir

Councilor Cavin: What was that vote

Meredith Hildreth: six to zero

Councilor Cavin: And what kind of conversation went on and why did they make that decision if they had these people who all showed up to the meeting to speak did any of these people that wrote these letters show up to speak to that meeting

Meredith Hildreth: yes sir

Councilor Cavin: All of the one two

Meredith Hildreth: There were there were five people who showed up to speak in opposition or had concerns I can tell you who they were

Councilor Cavin: Well I'm just curious I mean if they had concerns and they had opposition five of them how many people were there speaking in favor of this change

Meredith Hildreth: Mr. Garcia spoke in favor No Yeah thank you It's

Mayor Jennings: Well while she's discussing this we should have we had we got Mr. Fresquez and Mr. Garcia so everybody come forward if it needs to Now I did not know I did have one question here on one thing It says in here that these are for RV parks and the other in all the in all the protest letters it says a mobile home park Are they the same thing they're not one in the same thing under the law And so we're one is a facility I guess yours is for a RV park Yes ma'am So that they can park RVs there for short term And the other it's not for a mobile home Can't put mobile homes on it You can just have an RV park And then Council Arnold you wanted to clarify something and just and then we'll go back I'm sorry

Councilor Arnold: Mr. Mayor so Meredith at the beginning of your presentation I understood that you said that we as a case we are supposed to focus on exactly what the application for appeal is regarding Correct So this is where I need clarification because I mean I'm having a whole lot but I don't know that it actually explains why we should accept Mr. Fresquez's complaint that he disagrees with the P&Z's interpretation of the buffer zones How is the buffer zones an issue and I mean that I think is actually our focus Correct their interpretation They're actually going against

what the P&Z determined regarding those buffer zones So for me all of this additional information clouds my specific judgment on this specific application So could we could you help me focus on what it is he's disagreeing with or the interpretation thereof

Meredith Hildreth: Mr. Mayor Councilor Arnold I believe the applicant of the appeal can best discuss that with you

Mayor Jennings: Councilor Moore I'm sorry No Well would you like any questions he wants She wants to share with Mr. Fresquez would you well we have to let the applicant go first

Hess Yntema: So this is an appellate proceeding So the person bringing the appeal goes first And so it's his burden to show that P&Z's determination needs to be overturned for the reason he stated

Mayor Jennings: I'm sorry Go ahead

Larry Fresquez: Mr. Mayor and counselors Thank you for your time I'm not really sure how to address you once they explain the appellate process

Councilor Halvorson: name and address please

Larry Fresquez: Larry Fresquez 606 North Kentucky Avenue Roswell But those letters of protest say if I may address that say my mobile home park because that's what was thought to be going in there regardless of why it was misunderstood or understood Once the residents found out it was an RV park most of the residents in the single family homes own RVs that were that spoke at the P&Z meeting and they understand what happens in an RV park and the length of RVs and the requirements you should have to be able to stop an RV especially going over that heel over the Hondo River to be able to turn into the facility especially if they're towing vehicles as far as the buffer which is what I appealed on I didn't know it would be limited to only discussing that nonetheless that's what it is I've been dealing with the planning and zoning department in Roswell for 43 years which they have a very difficult job and I appreciate everything that they have to go through in interpreting the laws and the requirements and the opposition to any zoning that comes before them and the rights of the property owners Like Mr. Garcia has every right to make an application to develop that property any way he chooses as long as they fall into the guidelines the property zoned R2 which is you know low density residential but not quite not restricted just a single family and I don't know where in the zoning laws that it says you have to have a buffer but that's what I've been taught by planning and zoning I served on the last two comprehensive planning committees for the city of Roswell and Chaves County and buffers are discussed throughout all of the engineering companies education which I understand the P&Z commissioners nor the city councilors are required to go through that process however you're educated through your staff but those 22 single family residences that abut the proposed RV park will be affected but in their future values and their peace of living in their residences if this RV park is approved It's more industrious and commercialized than a mobile home park a mobile home park and my understanding from visiting with Louis Najar over the years you just almost can't oppose those for civil rights laws They're and they are a replacement to single family homes An RV park is people coming and going living there temporarily I understand the code is actually limits them to 180 days but it's just the concern to the neighboring single family property owners and how it will affect

their future lives and their peace of living and enjoying their personal property rights as they live there You've got generators going people traveling on vacation with RVs they tend to be in a party mode they're on vacation There's different activities unlike what you can't prevent in a single family residential neighborhood I realize But Still it's an elevated level of activity with an RV park where you have basically people coming from all over the country passing through and enjoying their lives at their leisure into the night There's no ordinances against their generators or whatever entertainment they might have Most RV parks I notice when I look at their marketing and so forth like Town and Country is getting ready to have a concert in their RV park here in 2 weeks which is wonderful but most RV parks are on the edge of a city They're not internal Chaves County Planning and Zoning changed their ordinance where they don't allow RV parks in flood zones which this property is in the AE zone and that's for safety reasons because of the fact that RVs tend to get washed away in flood zones and so I would just I would ask each one of you to consider if you had an RV park that was developed in your neighborhood you know how would you feel about that how would that affect your life and your family especially people with children and how would you deal with that because this is zoned R2 and I can't go to any commercial property and just request to build a commercial venture there and get it approved just for the sake of doing infill throughout the city of Roswell which Meredith mentioned the infill jurisdiction but I don't think we should discriminate against older neighborhoods with lots of vacant land in it and promote infill that goes against the lifestyle that people would have been accustomed to That's all I have Any questions

Mayor Jennings: any questions

Councilor Heldenbrand: Mr. Fresquez we do have a noise ordinance that I don't know whether you're aware of to combat late night loud activities So to say that we and that would be upon the property owner not the individual staying here He would be the one that would be cited for that Just to make you aware of that The other question I have is where are these other individuals that showed up at P&Z where are they tonight do you know

Larry Fresquez: two of them are on the highway north of town They are they one's a truck driver and his truck broke down and his wife's a bus driver and she went out to help him and they both own a 40ft RV and they spoke at the P&Z meeting their next door neighbor that's opposed to it he had surgery for a brain tumor a year or so ago So he's not always to get out He was expecting a ride from them He's probably 45 years old another one that spoke up just had some a stroke and he wasn't able to attend So I don't know about the other two why they didn't show up

Councilor Heldenbrand: Just curious They were able to I was curious just as well But nonetheless it doesn't mean that they're not still opposed to it So it's always good to hear the testimony because that's what we're here doing right and so thank you

Mayor Jennings: Thank you Council Moore I'll give you another chance I'm sorry

Councilor Moore: no thank

Councilor Marrujo: I would like to abstain from this the fact is that I know him very

Mayor Jennings: well Yeah you have to do it at the beginning Yeah So yeah

Hess Yntema: Mr. Mayor this is a quasi-judicial matter So the way it needs to be conceptualized is if you wouldn't want somebody with conflict that an individual has ruined a case as a judge they shouldn't be doing it So judges wouldn't take cases for close personal crimes

Mayor Jennings: So you shouldn't be excused Well that one's one two three I had to have six You have to have six Yeah

Hess Yntema: I'm sorry In order to overturn the board you would need six votes

Mayor Jennings: There are seven So I would ask I would ask is there any objection to excluding Mr. Marrujo what's his reason for he said because he was a good friend and on the advice of counsel we should exclude him because if he was we're judges and he shouldn't be judging on the basis of a friend Is there any objection to excluding Councilor Marrujo councilor you're excused Thank you for bringing being up front

Larry Fresquez: Can I ask a question yes Is there any other councilors that might have a conflict

Mayor Jennings: well he just left

Larry Fresquez: besides that are sitting up here right now that might have some relationship with Mr. Garcia

Mayor Jennings: No I don't Anybody is anybody related to Mr. Garcia or I grew up in the neighborhood but I don't think that matter

Councilor Cavin: Mr. I have a question for counsel So if two more of us decided that we had a conflict here and

Hess Yntema: the decision would automatically stand

Councilor Halvorson: P&Z decision

Mayor Jennings: and I can't vote so it doesn't matter what I do can't vote on this one

Councilor Cavin; Well I would have to make a comment that just about everybody up here has had some dealings at some point in time with Mr. Fresquez and so there could be a conflict amongst all of us And I mean that's the problem with being in a quasi-judicial deal that either you can be that person to make that decision and not put anything else out in front of it because like I said I mean I could Carlos has Darryl has I mean so if we all decided to go ahead and say I got a conflict of interest then this is all over with

Hess Yntema: Yeah And I can only give you that you have to it's your unconsciousness the judge of it It's you know would you given your relationship with either party want to judge ruling on a case where you're against that party

Mayor Jennings: So that means that if you so if you decide to sit in judgments it means you have a conscience and if you decide not to you don't have the way it is

Hess Yntema: Yeah So it's think of yourself as a judge If you had a I mean the simplest way I put it is if you're in a lawsuit with Mr. Fresquez do you want the do you want the judge to have said what councilor Marrujo said and would you be like "Oh yeah totally keep that judge right?" And that's the standard

Councilor Halvorson: as he said I'm friends with both of us and that includes both I mean if I was a judge I would Yeah, I would

Hess Yntema: It's about the it's a matter of degree right yeah,

Councilor Heldenbrand: it's a matter of you looking whether you can judge facts or forget anything else right

Councilor Halvorson: because I can I can separate

Hess Yntema: Yeah So would a reasonable person think that the friendship is so strong that he can't do it that's what we have to do And I and I don't I can't make that choice for all of you typically business relationships though are an automatic no so if you have an existing one or you have a pending future one that's a big no And familiar relationships too

Councilor Cavin: And as I'm going to assume that Councilor Cortez has an actual business interest with one or either one of these which is a real conflict but it can't if we have a personal a personal thing for one or for the other that's an entirely different situation I mean that's just my opinion

Larry Fresquez: May I ask a question Mr. Yntema So you're saying if six of them don't vote in favor of Mr. Garcia's automatic approval

Hess Yntema: vote in favor of you

Mayor Jennings: Oh you have to have six votes

Larry Fresquez: I'd have to have six votes

Hess Yntema: Yes

Larry Fresquez: well it's real hard not to have a conflict of interest in a small town when you have right relationships with everybody you know I voted for Christina She's the only politician I've ever let put a sign in my yard Just kicked her out of the room Yeah So there you go There you go Let me count the times you turn me down Yeah I voted for Tim Jennings for 31 of the 32 times he's ran for office We've had that discussion And Juan and I have served on several committees together So had I known that I probably shouldn't be here

Larry Fresquez because Mr. Schertz doesn't know all these people I don't know Mr. Schertz at all

Hess Yntema: So again for in terms of Councilor Marrujo it's really you got to ask yourself would a reasonable person if you were judging a case with Mr. Fresquez and somebody else think you're going to be part of it And if you don't think so you have a duty to vote on it But if you do think so you have a duty to recuse yourself

Larry Fresquez: well with integrity if that's supposed to be integrity that means they should all vote in my favor because of the because of the zoning law It doesn't seem clear that you could vote for the greater good of the property owner and not the neighborhood The community is supposed to be what is best served for by planning and zoning the entire community

Hess Yntema: The legal standard applicable to zone changes specific community interests I guess you know if you if we all would have been fair

Councilor Cavin: Mr. Mayor and a question for you Larry with your reasoning Can you tell me why you had six members of planning and zoning vote for this since you were at that meeting and you argued it why did they vote against you in that in that meeting

Larry Fresquez: I not to offend anyone on the planning and zoning staff They've got a job to do and I don't understand all of their rules Meredith and I and Louis we've worked together for many years and worked through a lot of different issues But frankly I mean they make the recommendations like Louis said earlier they make the recommendations They don't say what has to happen They follow the rules presented to P&Z Commission The P&Z Commission has seldom in the last 40 years had a broad education on P&Z matters The Chavis County P&C Commission has actually had several of their commissioners over the years go on to workshops for that purpose So frankly I don't think to answer your question Will I don't think the P&C commissioners understand the rules because you're talking about going to R2 to basically I don't know what the zoning an RV park is a specific zoning right it's not commercial It's not industrial but it fits right up there with commercial and industrial It's a busy activity I don't think the P&Z commission understood all that and the impact it has on the neighborhood That's why I think they voted that way because infill is very vague in the comprehensive plan as to how you handle that I mean what is infill was it just because it was the area was developed and subdivided over 50 years ago so can I take a property in the north part of town and say this is infill so I'd want my zoning to be for an RV park next to \$400,000 homes as opposed to \$200,000 homes I mean where's the balance come in well

Councilor Cavin: I would say I drove that area today And I don't know if I want something going on there or for it to look like it looks like today because I can only imagine at any given point in time you got people who put tents up around there that police officers have to go get out of those areas because you have homeless

Larry Fresquez: I think Mr. Garcia's had to deal with that before with people living over there So I don't know

Councilor Cavin: So I in and the fact that they voted if you had 12 13 minutes I understand they opposed it You had people that showed up and they were opposed to it but yet it was still passed

So that is making sense to me with all the dealings I've had with ETZ as you're talking about and on this So right thank you for responding

Mayor Jennings: Why don't we hear from Mr. Garcia I mean if you want if you care to I mean I don't you know that's your choice you know whatever if you'd like to I mean I think this is a this is a really interesting thing about where this is because of the because of floods and stuff we've been through you know growing up there in that neighborhood that area could be very prone to flooding And growing up in the neighborhood and I mean I was I played in that lake across the street I've fished in there I've done everything I've walked up and down that Hondo for miles And but I'm when I sit there and you say are you is it better off to be an RV park or homes and my thing is an RV park they at least have a chance to get up and get in their truck when it starts raining and leaving Now if your home is there you don't have that chance And I'm not sure I have a great deal of concern about the new flood standards that FEMA is putting out about what's in the flood plain about how you can have to build that And maybe Mr. Najar might know more about that than me But if you have to build it up 3 ft you're not going to be able to put your house on there I mean without an awful lot of cost to build it up And so the RV park might I mean it only rains 12 inches a year here We just normally we don't get it all at once And so I'm just saying an RV park might be the only use for that land So I have mixed feelings about whether you're just saying growing up and knowing more and knowing everybody who lives over there whether to deny to put housing in there might be worse than putting an RV car because at least the RV park have a chance to get away if it rains And so that's I have mixed emotions on this and I just maybe I shouldn't say this but I think just growing up there I know what it's like And I've seen the foot of dirt that is right along Second Street all across in front of Dwayne Green's house It's a foot deep under that thing full of blow sand because it all blew across there because of that We had that one other time when I was here and it raised the we had one sand fill up in front of our house at 1208 Avenue in Del Sombre It filled up the yard 3 in and I cut the yard I had to push through all that stuff and wait for the grass to grow up So I do remember that kind of stuff happening and but I just don't know that they'll be able to put houses there So in some respects I think I can feel his way is the best opportunity for use of the property rather than leaving it there And I don't know but I don't know if Louis knows anything about the new law they passed but they don't want to be building in houses back in flood areas is my understanding Well it build it up a foot but you can't you can't pack that stuff very good I'll be quiet Mr. Garcia I'm sorry Just

Jason Garcia: Well Mr. Mayor and city council members I appreciate the opportunity to come up here My name is Jason Garcia I live at 4900 Thunderbird Road Roswell New Mexico And I do have my notes prepared to speak but I wanted to address a couple of things prior to me going through these bullet points I did not understand or recognize the contention that this little piece of land has been for the last 60 years And I've owned it for about five And I'll tell you that I've come under attack on numerous occasions by Mr. Larry Fresquez this last one being the most orchestrated effort that he's done And we have not seen Mr. Schertz And if you look at the county accessories page Mr. Schertz is buying up land all over Roswell and he's not done one thing with any of those vacant lots And so I just want you to keep that in consideration is that's not healthy for Roswell So there are rules and guidelines for all RV parks and one of those is to have a fence put around it and there's low lighting efforts that I have in place in my plan and it mitigates a lot if not almost everything that was in the 12 contentious letters and the five folks that got up to speak barring the bumper zone um my mitigation procedures addressed all of those concerns Some of

those were had to deal with drinking that's already going on apparently in the alleyways in their neighborhood I asked you to look at that that apartment complex that's a block away that's been vacant for probably 10 to 15 years that looks like a heroin den nobody's doing anything about that and I don't hear any complaining about that at the moment anyway I'm looking to beautify this area and do something with it And Mr. Mayor was absolutely correct in that the considerations of which there are many cost of building the flood zone the fact that I will have to build it up regardless of what goes in that property and then just the shortage of RV spaces that we have in Roswell So my assistant that's what I call him helped me go around Roswell to count RV spaces And if I let me back up I've been in contact with an RV architect that does this kind of thing to help lay out a very efficient plan for an RV park And so because it's only 3.3 acres our planning factor is give or take about 50 slips So it's not a huge RV park but even with the 50 slips when you go around Roswell and count the RV spots that are available and this is you know rough numbers this is a 20% increase in RV availability within Roswell And so when you're looking at Reno Air Race critical shortages of housing I think that that's a significant increase that it would be helpful for a lot of different tourism events that happen in Roswell that we're bringing to Roswell the UFO Festival Eastern New Mexico State Fair Reno Air Race obviously and things like that And so my plan is to have a very small clean short-term monitored RV park that has rules and it has on-site supervision And so I just wanted to kind of address that first I have been working with the small development office down at Eastern and that's kind of where I came up with this plan because originally I was going to do something else with that property but I've gone through many iterations of brainstorming looking at business plans looking at best use scenarios for a piece of property of that size in that location And I did come to the conclusion that an RV park would be a good use of that piece of property It does fit the infill which I hope that that's important and it fits into the master plan It will utilize existing utilities that are very close it increases the city's tax base It addresses the accommodation challenges that we're going to face real fast It was been it was platted in 1964 as we've already heard and nothing's been done with it does collect illegal dumping on a regular basis that I have to contend with It's often overgrown with weeds which is a very it's a challenge for me to keep that mowed down it attracts lots of reckless driving and stirs up dust almost on a daily basis it does not prohibit anyone from speeding up and down those alleyways at the moment And so I've got my mitigating factors that go to eliminate probably 99% of that stuff So I went out and I pulled some small RV park plats or just designs Not that that's what I'm going to do but that gives you an idea of kind of what it would look like for about 50 slots And like I say once I get an architect to help me draw it out map it out with the right spacing and all that kind of stuff that goes with it may come down 40 I mean I don't know at the moment but to give you an idea a small RV park looks kind of like that If you go to the next slide this is a very small one in Still Water Oklahoma It's a pretty cool layout very clean I don't see any partying going on And to your point there are ordinances We do have a police force I believe here in Roswell I don't believe any of the contentious people that came to talk have contacted the police in regards to their complaints of drug use excessive drinking loud noise speeding Not one of them has come to the city council meeting to complain about their neighborhood And none of them said that they had contacted the police but yet they were going to tell me that that I was going to bring that to their neighborhood So back to the point small clean RV spaces is what I envision so I will just end this with that I'm an NMMI graduate I'm a combat veteran and I'm a proud fourth generation Roswell resident And I'm asking you to strongly consider approving this because it's going to help Roswell and its economy Pending your questions

Mayor Jennings: Questions of Mr. Garcia

Councilor Cavin: Will you plan that will you plan this will it be someone an attendant there all the time or do you

Jason Garcia: My plan is to have an on-site attendant that lives on property And it is going to be full hookup So this this there should not be generator This is not a dry camp It's full hookup And so I don't I know there's a lot of buzz about RV parks going in around Roswell and there are probably some people doing some planning Most of those if you ask them are dry camps with little to no improvement of the service So what is that just open your pasture for some for some campers no mitigation on trash noise all that stuff In my case you plug in there should be no generators If that becomes an issue as an owner I can levy a no generator policy but my intention is not to disrupt the neighborhood And we've already heard that there's at least 60 plus feet all the way around and there's a fence and so on and so forth

Mayor Jennings: Do you have sewer hookups as well

Jason Garcia: yes Sewer Yes that's the intent Water sewer electricity

Mayor Jennings: Any further questions

Councilor Halvorson: we have a question to vote So when we vote on this a yes vote means we vote for the appeal and a no vote means we are against the appeal

Hess Yntema: Correct So what if a vote yes is to overturn and P&Z

Mayor Jennings: voted 5-1 or 6-0 in favor yes So is there any further discussion

Councilor Heldenbrand: Mr. Najar I don't see any testimony from you in my packet

Louis Najar: No there was no written testimony on this one I did give testimony at the hearing P&Z commission as I explained to the commission the concern that they had with people crossing across the empty fields speeding noise all that kind of stuff All that is covered under RVP ordinance I did explain to them as it's been explained to you there is a noise ordinance So this is in the city limits there is supposed to be a solid fence at the back side of this property and there's a 20 or 25 ft alley between them and the and the residents the R2 homes or R2 zoning And then the other thing that came up was it was talked about the traffic on Sunset I said with or without this RV park traffic on Sunset's a problem And that was the gist of my testimony to PNZ commissioner

Councilor Heldenbrand: So you're saying that the traffic is no this will not impact traffic at all on Sunset

Louis Najar: It will impact traffic a little bit but Mr. Garcia's already conceded when we start developing it that he's willing to put in a turn lane to help with the turning of the

Councilor Heldenbrand: So you would make a condition of that

Jason Garcia: yes got a gear council If you can go back to the map of the property actually Yeah there So there's that little dog leg to the left I would allocate part of that as a waiting period so they could watch for traffic in both directions so then they're not just pulling directly out into traffic They're in they're in a preparatory mode to make that move dealing with 40 foot vehicles Runner

Councilor Heldenbrand: So as long as that's a condition you would be willing to accept Yes Or have accepted

Louis Najar: Yeah That was part of the recorded session at P&Z

Mayor Jennings: Any further questions Now if we can get this just so everybody gets it A vote of yes overturns the planning and zone decision to allow the RV park A vote of no allows the RV park to stay that agrees with everybody If the clerk would call the role now it takes six votes to overturn So that I mean there's only seven of or seven of them All right No eight four So it takes seven Oh no Maru's out So it's seven And so it takes Marrujo s out So we excused him So it takes there's seven people voting It takes six yes votes to overturn or to overturn the RV park and leave it the way it is

IN FAVOR: Jason Garcia

OPPOSED: Larry Fresquez

ROLL CALL VOTE:

<i>Councilor Cortez</i>	<i>recuse</i>
<i>Councilor Johnson</i>	<i>no</i>
<i>Councilor Oropesa</i>	<i>no</i>
<i>Councilor Moore</i>	<i>yes</i>
<i>Councilor Heldenbrand</i>	<i>no</i>
<i>Councilor Halvorson</i>	<i>no</i>
<i>Councilor Arnold</i>	<i>no</i>
<i>Councilor Cavin</i>	<i>no</i>
<i>Councilor Marrujo</i>	<i>recuse</i>

Motion passed: 6-1 Councilor Corn being absent and Councilor and Cortez and Marrujo recusal.

NEW BUSINESS / REGULAR ITEMS

25. Consider recommending approval of a 5-year contract in the total amount of \$496,350.00 with Paladin Drones. LT. Fry presented the item.

MOTION: Councilor Halvorson made a motion to recommend approval of a 5-year contract in the total amount of \$496,350.00 with Paladin Drones.

Councilor Heldenbrand wanted to make it clear that the abstract says that the payments will be due and made each year and be paid from the public safety and the public safety tax. That is not how

it was talked about at the Finance Committee that it was to be a line item in their budget and not to be allocated specifically out of the public safety tax.

Councilor Cavin was the second.

VOTE: A voice vote was unanimous with Councilor Corn being absent.

26. Approval of Mayor Jennings' recommendations of appointments to the Cemetery Board as follows: Position 1 - Heidi Huckabe1st Term (April 11, 2025 - March 31, 2027) Moved to the Consent Agenda at the approval of the agenda.

CITY MANAGER REPORTS/ANNOUNCEMENTS

(Information Only)

We received an insurance payment AerSale building, allowing us to start demolition. Our municipal league helped with this. IT moved into building 92 at the airport, leaving the cramped space at the aquatic center, thanks to Parks and Recreation and Bobbi Thompson's team for facilitating and repairing their new offices.

The FAA approved pylons on the airfield, thanks to Xcel Energy for their help in installation. In the next two weeks, Andrew Valadez and his team, along with Frank Rincon and his crew, will be working on water, roads, and parking for the RV sites at the airport, which will generate significant revenue for the city. Bobbi Thompson is issuing a PO to J&G Electric to begin electrical work.

The visitors center reopens next Tuesday, Facility Maintenance has done a fantastic job updating it. Thanks to Councilor Cortez for assisting with GIS mapping of water meters and fire hydrants.

I appreciate the collaboration that helped pass Bill 383, expected to provide around \$75 million for FEMA initiatives to rebuild the civic center and museum. Thanks to the staff for their hard work on this.

Finally, I'd like to commend the mayor for his efforts in Santa Fe, which have significantly benefited our community.

27. Administratively Executed Leases March / April 2025

ADJOURNMENT

Meeting adjourned at 9:49 p.m.

Approved on this 8th day of May 2025.

(City Seal)

Timothy Z. Jennings, Mayor

Amalia Martinez, City Clerk