



TOWN OF PERALTA

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Bryan R. Olguin
Mayor

M. Leon Otero Pro Tem
Claudio Moya
Joseph Romero
Randy Smith
Councilors

MEETING MINUTES

THE GOVERNING BODY FOR THE TOWN OF PERALTA HELD A REGULAR MEETING ON TUESDAY, JANUARY 26, 2021 AT 6:00PM IN THE PERALTA TOWN HALL, 90-A MOLINA ROAD, PERALTA, NM.

THE MEETING WAS AVAILABLE LIVE ON ZOOM ID 942 6765 6772 PASS CODE 247537

1. **CALL TO ORDER** – Meeting was called to order at 6:05pm by Mayor Olguin. Present in Council Chambers were Councilor Leon Otero and Mayor Bryan Olguin. Present via Zoom was Councilor Randy Smith. Absent were Councilor Romero and Councilor Moya.
2. **PLEDGE OF ALLEGIANCE**- was led by Mayor Olguin.
3. **CONSIDERATIOAN AND POSSIBLE ACTION TO APPROVE THE AGENDA FOR JANUARY 26, 2021.** Motion to approve the Agenda was made by Councilor Otero, second by Councilor Smith. Agenda Approved.
4. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES FOR NOVEMBER 24, 2020.** Motion to approve the Minutes for November 22, 2020 meeting was made by Councilor Smith, second by Councilor Otero. Minutes Approved.
5. **DEPARTMENT REPORTS**
 - a. Police report for Town of Peralta - Presented by Mayor Olguin; the November & December Police reports are attached.
 - b. Peralta Volunteer Fire Department - Presented by Councilor Smith; the November & December Fire reports are attached.
 - c. Municipal Court Report - Presented by Mayor Olguin; the November & December Municipal Court reports are attached.
 - d. Town Clerk Report – Presented by Town Clerk Taylor; Clerk Report is attached.
 - e. Finance Report – Presented by Deputy Clerk/Treasurer Robbins; Reported 2nd Quarter P&L financial statement. Reported GRT total thru December 2020 and each Fund Account Balance. December 31, 2020 Financial reports are attached. Mr. Robbins also explained the Budget Adjustment Resolution 2021-005 to the Governing Body for the Fire Protection Fund. The final item for discussion by Mr. Robbins was to gain Council approval to close the five town credit cards with Wells Fargo Bank. The Town General Fund Account, Waste Water Account, Savings Account and 4 Certificates of Deposit are now held at New Mexico Bank & Trust. All deposit accounts have been terminated with Wells Fargo Bank. It is more prudent to open the Town's credit card accounts with New Mexico Bank & Trust. The Governing Body agreed and approved the closure of the credit cards with Wells Fargo Bank and to open the new credit cards with New Mexico Bank & Trust.
6. **PUBLIC COMMENTS** There were no Public Comments.
7. **DISCUSSION ITEMS**
 - a. Introduction by Steven Otero LLPS Board member of the new Superintendent for LLPS, Dr. Arsenio Romero and a new LLPS Board member, Eloy Giron. Dr. Romero stated he is concerned about students not being allowed to attend in class and is working diligently on a way to make that occur as soon as possible. He gave the Council a brief history of his education and experience that brought him back to the county where he grew up. He thanked everyone for their support during his visit to Peralta Elementary just a few days prior. He looked forward to working with the Town of Peralta in the future.
 - b. Capital Outlay Discussion with NM State Senators and State Representatives. Councilor Otero thought the meeting discussion went well, and that projects towards Waste Water, Streets and Public Works would be their focus and the award amounts would be in the \$250,000 – 750,000 range. Councilor Smith agreed and added that Senator Greg Baca said there are GO Bonds that had been approved but, that not many entities were applying for these funds. Councilor Smith said he was doing a diligent investigation as to how to apply for these approved GO Bonds for Capital funding specifically towards the Town's Community Center project.

8. PUBLIC HEARING

a. Review Planning and Zoning Commission's Recommendation to the Peralta Governing Body – Comprehensive Ordinance Section 21 Zone Ordinance Amendment to zone the entire property as Commercial. Description is Tract 115B1, 116A and 113A2 totaling 2.86 acres. Mayor Olguin recognized receiving two more letters from a town resident opposing the zone change and the letters were added to the record. Town Clerk Taylor swore in the parties that had requested to be able to speak during the Public Hearing. These individuals were April and Johnny Gonzales, Martha Gonzales and Mrs. Cherie Kiehne. Mayor Olguin opened the hearing before the Governing Body. Mayor Olguin stated the purpose of this hearing was not to approve a specific business from operating but, to decide if a zone change to Commercial would be approved or denied. Councilor Smith asked to reserve his comments until this request was discussed as an Action Item. April Gonzales asked if the Council had received the Petition in addition to the letters of opposition. Mayor said they had. Mayor Olguin then addressed a resident comment on the petition that stated they felt the Town of Peralta was turning into an Industrial Park. He further stated that there was no evidence of 'Industry' within the Town of Peralta but, only business enterprises. The Councilors in attendance also agreed there is no evidence of the Town turning into an Industrial Park". Mrs. Gonzales further stated they wish to keep the rural heritage that the Town of Peralta has enjoyed for hundreds of years. Martha Gonzales stated her brother has severe health and medical issues that could cause him to suffer greatly if a commercial business were located on this parcel. Mrs. Kiehne stated that Peralta property along Highway 47 was currently zoned Commercial and they were only wanting unify the zoning of their land. Mayor Olguin once again stated we are only meeting to amend a zoning designation, not to approve a specific business. Councilor Otero said the Town Council and P&Z Commission worked for many months over the last several years on the Town's Comprehensive Zoning Ordinance. The intent was that Highway 47 was the business corridor through the Town and each property fronting Highway 47 would be zoned Commercial. Both Councilors Smith and Otero referenced the Town Overlay Zone to determine what type of business would be allowed and approved if it bordered Highway 47, no matter the depth of the property. Councilor Smith felt he would make his comments at this time, rather than hold them for the Action Item. He wanted to address the Comments on the Petition. That there were many common or similar remarks; Rural life style, Traffic and Noise. He felt that this zoning change to Commercial was a win – win situation. If this property were to be used to construct homes the traffic, animal and noise factors would be worse than if it were a single business operation. Mayor Olguin asked if the Town Attorney Steven Chavez could make any comments. Mr. Chavez stated that the buyers of the property would need to apply for Conditional Use to the property. He also said the zoning change to Commercial would also need to include the Highway 47 Overlay Zone by default.

9. ACTION ITEMS

- a. Consideration and Possible Action to Approve Planning and Zoning's Recommendation to the Peralta Governing Body to take action on the request of the Comprehensive Ordinance Section 21 Zone Ordinance Amendment to rezone Tracts 115B1, 116A and 113A2, 2.86 ac. To be entirely zoned Commercial. Mayor Olguin asked for a Motion, Councilor Otero made Motion to Approve the rezoning to Commercial within the Overlay Zone, second by Councilor Smith. Roll Call Vote; Councilor Otero Aye, Councilor Smith Aye. Approved.
- b. Adoption of Resolution No. 2021-001 Open Meetings Act and Schedule. Motion to approve was made by Councilor Smith, second by Councilor Otero. Approved.
- c. Adoption of Resolution No. 2021-002 Parliamentary Procedures of Robert's Rule of Order. Motion to approve was made by Councilor Smith, second by Councilor Otero. Approved.
- d. Adoption of Resolution No. 2021-003 Designation and Deposition of Public Records. Motion to approve was made by Councilor Smith, second by Councilor Otero. Approved.
- e. Adoption of Resolution No. 2021-004 Appointment of Mayor Pro-Tem. Mayor Olguin recommended to re-appoint Councilor Otero as Mayor Pro-Tem. Motion to approve was made by Councilor Smith, second by Councilor Otero. Approved.
- f. Adoption Resolution No. 2021-005 Budget Adjustment Resolution (BAR) Amending the Fiscal Year 21 Budget. Motion to Approve was made by Councilor Smith, second by Councilor Otero. Approved.
- g. Approval for Reappointment of Town Clerk. Mayor Olguin recommended to re-appoint Kori Taylor as Town Clerk. Motion to approve was made by Councilor Smith, second by Councilor Otero. Approved.
- h. Approval for Reappointment of Deputy Clerk/Treasurer. Mayor Olguin recommended to re-appoint Steven Robbins as Deputy Clerk/Treasurer. Motion to Approve was made by Councilor Smith, second by Councilor Otero. Approved.
- i. Approval for Reappointment of Fire Chief. Mayor Olguin recommended to re-appoint John Dear as Peralta Fire Chief. Motion was made to approve by Councilor Smith, second by Councilor Otero. Approved.
- j. Approval for Reappointment of the Planning & Zoning Commissioners. Mayor Olguin recommended to re-appoint the existing Commissioners to the Planning & Zoning Commission. Motion to approve was made by councilor Smith, second by councilor Otero. Approved.

10. GOVERNING BODY REPORTS

Councilor Smith - No report
Councilor Otero - No report
Mayor Olguin - No report

Councilor Moya - Absent
Councilor Romero – Absent

11. NEXT MEETING – A SPECIAL MEETING WILL BE HELD on Tuesday, February 9, 2021 at 6:00pm at the Peralta Town Hall, 90-A Molina Rd, Peralta, NM. **THE NEXT REGULAR TOWN COUNCIL MEETING** will be held on Tuesday, February 23, 2021 at 6:00pm at the Peralta Town Hall, 90-A Molina Rd., Peralta, NM 87042. Until further notice all Public meetings are not open to the public but, will be held via Zoom.

12. ADJOURNMENT - Mayor Olguin asked for Motion to Adjourn the regular meeting. Motion to Adjourn was made by Councilor Otero, Second by Councilor Smith, Approved. Meeting was Adjourned at 7:38pm.

STEVEN ROBBINS



Transcribed by: Steven Robbins, Deputy Clerk/Treasurer

KORI TAYLOR



Attest by: Kori Taylor, Town Clerk/Utility Director