



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, March 17, 2022 4:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Chairman Thomas Scroggins called the meeting to order at 4:08 p.m.

Pledge of Allegiance

- Chairman Thomas Scroggins led the Pledge of Allegiance

Roll Call

- Present: Chairman Thomas Scroggins, Secretary Scott Adair, Mrs. Melodie Good, and Mr. L. E. Rubin (Virtual)
- Absent: Vice-chair John Thompson
- Present: City Manager Dr. Martin Moore and Deputy Clerk Amy L. Lopez

Approval of Agenda

- Secretary Adair made a motion to approve the agenda for March 17, 2022. The motion was seconded by Mrs. Melodie Good. Vote: Chairman Tom Scroggins– yes; Secretary Scott Adair– yes; Mrs. Melodie Good - yes; Mr. L. E. Rubin- yes. With a 4-0 vote the agenda for the March 17, 2022, Planning and Zoning Meeting was approved as written.

Approval of Minutes for February 24, 2022 and March 3, 2022

- Secretary Adair made a motion to approve the February 24, 2022 Meeting Minutes as written. The motion was seconded by Mr. L. E. Rubin. Vote: Chairman Tom Scroggins– yes; Secretary Scott Adair– yes; Mrs. Melodie Good - yes; Mr. L. E. Rubin- yes. With a 4-0 vote the minutes from February 3, 2022, was approved as written.
- Secretary Adair made a motion to approve the March 3, 2022 Meeting Minutes as written. The motion was seconded by Mr. L. E. Rubin. Vote: Chairman Tom Scroggins– yes; Secretary Scott Adair– yes; Mrs. Melodie Good - yes; Mr. L. E. Rubin- yes. With a 4-0 vote the minutes from March 3, 2022, was approved as written.

Discussion – Business & Peddlers Licenses

- Chairman Scroggins introduced new Planning and Zoning Commissioner, Melodie Good.
- Chairman Scroggins introduced Melodie Good as a new commissioner to Planning and Zoning. He then explained the commission has been discussing a peddler's permit, regarding door-to-door salesmen and began a discussion.
- Secretary Adair said he recalls we were asked to make suggestions to the Council on this.
- Chairman Scroggins explained P&Z has, in the past, written a lot of the ordinances for the city and what we are doing now instead of writing the ordinance, we will outline our concerns and give them to the Council, who would then have the attorney write the ordinance and continued the discussion.
- Mrs. Good suggested including adding an article into the Newsletter to let people know they can contact the city regarding peddlers or other concerns and continued the discussion.
- A discussion began regarding cyber security within City Hall.

- Chairman Scroggins asked if there should be a change to the current ordinance or a separate peddler's license.
- Secretary Adair explained section 8-2-2 has most of what we need already in there.
- Chairman Scroggins asked if the fees would not be mentioned in the ordinance.
- City Manager Dr. Moore explained not having fee within the ordinance is ideal because if fees change, the ordinance does not have to. He further explained we might have to update ordinances to pull out those fees.
- Secretary Adair asked why fees would change.
- City Manager Dr. Moore said the fees would go up enough to cover staff costs, we cannot budget fees this year because we would need a year of trends before we can do that, and recommended the commission tackle those fees after budget time. The discussion continued.
- Mrs. Good asked what happened that the peddler's license came up. She then said it seems 8-2-2 explains it well enough.
- City Manager Dr. Moore said there are issues, such as parking, public safety, and being on private properties and we need to ensure the safety of residents. He explained we want to be able to let residents know if they are a legitimate business within the city and be able to have a system to report those that are not legitimate.
- Mrs. Good asked if the problem is compliance or wanting to collect fees.
- City Manger Dr. Moore said the main concern is compliance and safety.
- Chairman Scroggins said Belen has recently upped the fees for problem properties and began a discussion.
- City Manager Dr. Moore said he would recommend running the amendments through the Council's process rather than the Planning and Zoning Process because Planning and Zoning Commission hearings require two hearings rather than one. The discussion continued.
- Mrs. Good said it seems like the ordinance we have is good enough, we just need people and businesses to know we are enforcing it.
- City Manager Dr. Moore said there is not much for the Planning and Zoning Commission to write, other than the concern that it might be interfering with properly zoned uses within the city, but there is always something of a bleed over and recommended moving the issue to Council. The discussion continued.
- City Manager Dr. Moore said animal welfare issues also bleeds back to P&Z, with lot sizes.
- Chairman Scroggins said section 8-2-2 is essentially a peddler's license, stating they have to have a license and we could recommend the City Council eliminate fees as stated and reword it to not include fee schedules and include something to include door-to-door section to the ordinance.
- City Manager Dr. Moore said we need to make our ordinance effective and enforceable and there are certain ordinances that need cleaned up.
- Chair Scroggins said we could recommend that fixing this ordinance would be to reword the fees so that we don't have to update the ordinance as the fees change, but if we can agree this is a good ordinance, we would not have to necessarily change anything else and continued the discussion.
- Chairman Scroggins began a discussion regarding codifying ordinances.
- City Manager Dr. Moore said we are going to have to make everything uniform, we are making progress, but the other part is taking federal laws that are blended into the US Code and integrating them into our ordinances, so that the ordinances can be enforced through our

Municipal Court. He then said Municode is still a very young program within the city, and we are still getting everything entered and organized. The discussion continued.

- City Manager Dr. Moore asked if the commission is wanting to clean up the ordinances as an action item and so if so, we might want to add that to future agendas.
- Chairman Scroggins said by the next meeting we should be able to look through the ordinance of businesses and vote on some changes that need to be made and began a discussion.
- City Manager Dr. Moore said the Council has been directing him to take changes they are asking for to be given to the attorney so that it is defensible and continued the discussion.
- Mrs. Good said we should try to inform residents what is required and began a discussion.
- Chairman Scroggins said the City Council should do something about informing the public about regulations and asked if Council is planning on discussing this at the joint meeting.
- Chairman Scroggins said we might not need to discuss Animal Welfare or the Comprehensive plan unless there is something the City Manager feels we need to address something specific.
- Mrs. Good asked what the Comprehensive Plan is.
- Chairman Scroggins explained it the plan for the future of the City that is reviewed every five years to see what goals we have met and what items might need to be addressed for the future. The discussion continued.
- City Manager Dr. Moore began a discussion regarding business licenses and special use permits for cannabis businesses.

Items of Discussion at the City Council Special Workshop with P&Z

a.) Animal Welfare –

- Not discussed at this time.

b) Comprehensive Plan

- Not discussed at this time.

Public Comment

- Jody Skelton said door to door people should have something from the city that says they have a permit to do so.

Commission Discussion/Future Agenda Items

- Chairman Scroggins said peddler's permits should be on the next meeting to identify changes and vote to send suggested changes to Council.
- City Manager Dr. Moore suggested having a cleanup the zoning code, including hearings and amendments, and fees.

General Discussion Topic

- Not discussed at this time.

Adjourn

- Secretary Adair motioned to adjourn. The motion was seconded by Mrs. Good. With a 4-0 vote the meeting was adjourned at 5:17 p.m.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk
(Taken and transcribed by Lisa Adair, Municipal Clerk,
Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

Scott Adair, Secretary

Melodie Good

L.E. Rubin