

TOWN OF KIRTLAND
Regular Council Meeting Agenda
47 RD 6500 Kirtland, NM 87417
September 11, 2018
4:30 pm

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. REGULAR MEETING

E. APPROVAL OF AGENDA

1. Approval of September 11, 2018 Agenda

F. CONSENT AGENDA

1. Approval of August 14 & 28, 2018 Regular Meeting Minutes and Financial Report

G. UNFINISHED BUSINESS

1. Consideration/Approval to Post Notice for Consideration of AN ORDINANCE FOR AMENDING TOWN OF KIRTLAND ORDINANCE NO. 2017-02 SEC. 11-109j; LIMITING THE EXCEPTION TO THE GENERAL BAN ON SALE OF FIREWORKS TO ONLY "PERMISSIBLE" FIREWORKS.

H. NEW BUSINESS

2. Proclamation of Support for Constitution Week
3. Acknowledgement of the Department of Finance and Administration's approval of the Town's Fiscal Year 2019 Budget, as required by Section 6-6-5 New Mexico State Statutes
4. Request from Kirtland Chamber of Commerce Golf Tournament – Sponsorship of Hole, \$150.00
5. Dan Flack - Consideration/Approval of Replat with Variance Request for Lot Size Requirement and Shared Liquid Waste Systems for Caston and Beckstead Property
6. Dan Flack – Request for Valley Water & Sanitation District Repairs in the amount of \$22,013.39 and \$8,264.90
7. Consideration/Approval of ORDINANCE NO. 2018-02, DESIGNATING (PURSUANT TO THE AUTHORITY IN NMSA 1978 35-14-1) THE MAGISTRATE COURT OF SAN JUAN COUNTY AS THE COURT HAVING JURISDICTION OVER ALLEGED VIOLATIONS OF TOWN OF KIRTLAND ORDINANCES
8. Consideration/Approval to Post Notice for Consideration of AN ORDINANCE ADOPTING BY REFERENCE THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE AS AMENDED THROUGH JULY 31, 2018; PROVIDING FOR THE OPERATION OF OFF-HIGHWAY MOTOR VEHICLES, UTILITY VEHICLES OR GOLF CARTS ON ROADWAYS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE.

9. Consideration/Approval to Post Notice for Consideration of AN ORDINANCE RELATING TO THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE ADOPTED BY THE TOWN OF KIRTLAND; ESTABLISHING A PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE

I. REPORTS FROM ELECTED OFFICIALS

J. COMMENTS/INPUT FROM THE GENERAL PUBLIC

(Limited to 3 minutes per person on subjects the Council has not previously discussed or taken formal action on. No formal action will be taken at the meeting.)

K. TENTATIVE CLOSED EXECUTIVE SESSION

STATE LAW

An Executive Session may be called at any time during the meeting. Pursuant to New Mexico Open Meetings Act New Mexico State Statute: § 10-15-1(H)

Subsections;

(1) Meetings pertaining to issuance, suspension, renewal or revocation of a license, except that a hearing at which evidence is offered or rebutted shall be open. All final actions on the issuance, suspension, renewal or revocation of a license shall be taken at an open meeting;

(2) Limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; provided further that this paragraph is not to be construed as to exempt final actions on personnel from being taken at open public meetings, nor does it preclude an aggrieved public employee from demanding a public hearing. Judicial candidates interviewed by any commission shall have the right to demand an open interview;

(3) Deliberations by a public body in connection with an administrative adjudicatory proceeding for purposes of this paragraph, "administrative adjudicatory proceeding" means a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing. Except as otherwise provided in this section, the actual administrative adjudicatory proceeding at which evidence is offered or rebutted and any final action taken as a result of the proceeding shall occur in an open meeting;

(4) The discussion of personally identifiable information about any individual student, unless the student or the student's parent or guardian requests otherwise;

(5) Meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present;

(6) that portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source is discussed and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process.

(7) Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become participant;

(8) Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body

L. ADJOURN

DISABILITY

The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Town Clerk at the Town Hall Building located at 47 RD 6500 Kirtland, New Mexico at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.

Agenda Posted in (six) 6 Public Places:

1. Monsterslayer, 4187 US HWY 64
2. Kirtland Post Office, 4211 US HWY 64
3. Dairy Queen, 4216 US HWY 64
4. Lower Valley Water Association, 4286 US HWY 64
5. General Supply, 4345 US HWY 64
6. Kirtland Town Hall, 47 Road 6500