



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, November 18, 2021 5:30 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Chairman Thomas Scroggins called the meeting to order at 5:48 pm.

### **Pledge of Allegiance**

- Mr. Lawrence Gordon led the Pledge of Allegiance.

### **Roll Call**

- Present: Chairman Thomas Scroggins, Vice-chair John Thompson (virtual), Secretary Scott Adair, and Vice-chair John Thompson – yes (virtual)
- Absent: Mr. Lawrence Gordon
- Present: City Manager Dr. Martin Moore and Deputy Clerk Amy L. Lopez

### **Approval of Agenda for November 18, 2021:**

- Vice-chair John Thompson – yes made a motion to approve the agenda. The motion was second by Vice-chair John Thompson – yes. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes; L. E. Rubin- yes. With a 4-0 vote the agenda for the November 14, 2021 Planning and Zoning Meeting was approved as amended.

### **Approval of Minutes for November 4, 2021:**

- Vice-chair John Thompson – yes made a motion to approve the November 4, 2021 Meeting Minutes as written. The motion was seconded by Vice-chair John Thompson. Vote: Chairman Tom Scroggins- yes; Vice-chair Thomson – yes; Secretary Scott Adair- yes; L. E. Rubin- yes. With a 4-0 vote the minutes from November 4, 2021 was approved as written.

### **Discussion, Consideration, and Decision – Animal Survey Information**

- Vice-chair Thompson began a discussion regarding the animal survey.
- Secretary Adair explained the most common issues people had with animals within the city and said we need to be able to enforce whatever we decide. He then asked if there were any other questions we need to ask now that we have this compiled information.
- Vice-chair Thompson said there are challenges to interpreting the data.
- Secretary Adair said a very small people put just smell, but 60% were collectively concerned about smell, animal treatment, noise, and potential property damage and continued the discussion.
- Secretary Adair said 15 of the 97 comments were about stray or dangerous dogs running around and we might need to present that to Council as well as what our recommendations are.

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. 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 AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.

- Vice-chair Thompson said City Council could say that it is not a broad enough response rate to make any decisions and began a discussion.
- Chair Scroggins said we need to figure out what kind of situation we have, we have several different ideas of that kind of City we have.
- Manager Dr. Moore explained the City of Roswell has a wide range of land, home and animal types and you are going to find that often in New Mexico. He then said one of the comments was that the residents are not responding and feels that is their way of saying it is none of your business or I don't care and said it makes making public policies difficult. The discussion continued.
- Chair Scroggins asked Secretary Adair what his impression was of the people that responded where for or against this animal ordinance.
- Secretary Adair said most of the surveys were a positive response and wanting to fix this and continued the discussion.
- Vice-chair Thompson said 64% think a fee should be charged for animal registration and we might need to ask how much we would charge.
- Secretary Adair said there are options, something reasonable, and we have to make sure our ordinance it enforceable.
- Vice-chair Thompson said we will need to ask what type of community most residents consider the City.
- Chair Scroggins said if another survey is done, we should ask about other pets, such as hamsters, turtles and began a discussion.
- Vice-chair Thompson said the city should not be involved in that.
- Secretary Chair said the idea that we should even attempt to regulate animals within the dwelling, but we need to address what we are going to present to Council.
- Manager Dr. Moore said you are talking about direct input from the residents of the City, and he recommends presenting the findings to the Council and ask them what direction they would like you to take in the December 9<sup>th</sup> meeting and continued the discussion.
- Chair Scroggins said the Governing Body should be the one that decides what type of city we have and asked if we should send them the collected summary and began a discussion.
- Mr. Rubin said a lot of work went into the report and thought it was interesting that some people's not answering the survey was their answer, and it comes down to how the animals are taken care of. Mr. Rubin said he used to think only dogs and cats should be allowed, but now he is thinking he might not want to regulate other animal types.
- Vice-chair Thompson asked if we want to change the ordinance at all.
- Manager Martin Moore suggested having just the animal survey on the agenda of the next meeting.
- Vice-chair Thompson said we have to create the zoning and began a discussion.
- Chair Scroggins said he would like to see Vice-chair Thompson and Secretary Adair to work together to answer some more of the questions and began a discussion.

### **Discussion – Accessory Building Setbacks**

- Manager Dr. Moore explained the Fire Chief said he will be willing to come to the next meeting to discuss setbacks, including RVs.

### **Discussion – City Manager – Zoning Grid**

- Manager Dr. Moore explained the work is under way and it might be ready for the next meeting.

### **Discussion – City Manager (Special Workshop with Council 12/9/2021**

- Manager Dr. Moore explained .... Council does want to discuss the Comprehensive Plan ....
- Chair Scroggins asked if we want to discuss the letter and began a discussion.
- Manager Dr. Moore said we are going to discuss having a complete analysis of what we have accomplished in the current comprehensive plan.
- Vice-chair Thompson said as clarification to the public regarding the letter, we are asking Council to give us direction on the update of the comprehensive plan.

### **Public Comments**

- Tommy Westmoreland said regarding the animal survey, if people have a problem, they will speak out about it, he does not feel the animals need to be micromanaged. He then said the problem with the comprehensive plan, although it is well written, it is not being carried out; we make progress, and we fall back. He asked not to change the comprehensive plan but just follow through with it and asked that Planning and Zoning would consider Los Luna's peddlers ordinance so that we can control the amount of people roaming around the streets. He then said the amount of yard sale and yard work signs makes the city look bad. He then said he feels you are on the way to doing things the right way, but he will keep criticizing the areas that he feels need improvement. He then asked if Planning and Zoning had any input into the purchase of the land for the fire department.
- Vice Chair Thompson said no.
- Thomas Zanotti: Could not respond on city website. It did not work. Maybe if you had, you have had gotten better response. Consequently, my thoughts are not recorded.
- The Commission said that could be a consideration for the next meeting.
- Stacia Rountree Gonzalez: You could look at lot size in regard to the number of livestock allowed if you're debating rural vs suburban.

### **Commission Discussion/Future Agenda Items**

- Vice-chair Thompson said he has not attended in person for a while and because he was able to visit his homes that he has lived in the past. He explained the home he lived in within the County was absent of rules and saw the need for code enforcement, we need to have rules enforced. He said if we don't stay on top of it, it will be overwhelming in the future.
- Manager Dr. Moore said we have three properties that have abatement going on and are being prepared to be demolished.
- Mr. Rubin asked Manager Dr. Moore if the City will make the Code Enforcer position more attractive to get one to stay.
- Manager Dr. Moore said there are three types of code enforcement, zoning and development enforcement, nuisance enforcement and fire code enforcement. He continued to explain it is

unfair for one part-time person to fill all three types of enforcers, we have to hire another one, but we can also have additional officers, such as help from the fire department. The discussion continued.

- Vice-chair Thompson asked if the fire department has the right to cite people.
- Manager Dr. Moore said yes if it is a safety issue and continued the discussion
- Manager Dr. Moore said we must be clear and let the residents know our ordinances will be enforced and continued the discussion.
- Tommy Westmoreland asked how many code enforcement officers can you have.
- Manager Dr. Moore as many as we can afford and continued the discussion.

**Adjourn**

- Vice-chair Thompson motioned to adjourn and carry the neighborhood plan to the next agenda. Mr. Rubin second the motion and the meeting adjourned at 7:05 p.m. with a 4-0 vote.

Respectfully submitted,

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Amy L. Lopez, Deputy Clerk

Approved:

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Thomas Scroggins, Chairman

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John Thompson, Vice-Chairman

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Scott Adair, Secretary

\_\_\_\_\_  
Lawrence Gordon

\_\_\_\_\_  
L.E. Rubin

Date: \_\_\_\_\_

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