

1 **MINUTES OF A REGULAR MEETING**
2 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
3 **HELD AT THE TOWN HALL**
4 **August 14, 2017**
5

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
7 of the Town on August 14, 2017, at 6:30 P.M.
8

9 Upon roll call the following members were found to be present:
10

11 **PRESENT:**

12 Councilor Jaramillo
13 Councilor Dominguez
14 Councilor Sisneros
15 Councilor Prairie
16 Mayor Torres
17
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20

ALSO PRESENT:

21 **ABSENT:**

Others Present Not Identified
22
23

24 **APPROVAL OF AGENDA: 4a)**

25 Councilor Prairie moved to approve the agenda as presented. The motion was seconded by
26 Councilor Dominguez and the motion carried unanimously.
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29 **PUBLIC HEARING: 5a) Discussion, Consideration and Action on Approval for the**
30 **Proposed Issuance by the Alcohol and Gaming Division of the State of New Mexico of a**
31 **Wholesaler License Appl. No. 1051183 Kaktus Brewing Company, Inc. at 471 S Hill RD.**
32 **Presenter-Ida Fierro**
33

34 Ida Fierro stated that this was a request for a Wholesaler License Application # 1051183 Kaktus
35 Brewing Company, Inc. DBA Kaktus Wine Company located at 471 S Hill RD.
36

37 Ida Fierro just referred to the letter from the State of New Mexico Alcohol and Gaming Division
38 in reference to the application and stated the request and disapproval reads as follows;
39

40 The governing body may disapprove the issuance of transfer of the license if:
41

42 The proposed location is within an area where the sale of alcoholic beverages is prohibited by the
43 laws of New Mexico. (The governing body may disapprove if the proposed location is within 300
44 feet of a church or school unless the license has been located at this location prior to 1981 or
45 unless the applicant/licensee has obtained a waiver from the local option district governing body
46 for the proposed licensed premises.)

47
48 The issuance or transfer would be in violation of a zoning or other ordinance of the governing
49 body. The governing body may disapprove if the proposed location is not properly zoned.
50 Because this office is in receipt of a zoning statement from the governing body, this is not a basis
51 for disapproval.

52
53 The issuance would be detrimental to the public health, safety or morals of the residents of the
54 local option district. Disapproval by the governing body on public health, safety or morals must
55 be based on and supported by substantial evidence pertaining to the specific prospective
56 transferee or location and a copy of the record must be submitted to the Alcohol and Gaming
57 Division within 30 day of the public hearing.

58
59 Ida Fierro Town Clerk stated Dana Koller of Kaktus Brewing Company, Inc. is present to answer
60 any questions you may have.

61
62 Dana Koller stated that the wholesaler's license establishes the ability to distribute kegs to local
63 restaurants that may want to serve our beer.

64
65 Mayor Torres opened the floor for questions from the Governing Body.

66
67 Councilor Prairie asked how it will be distributed.

68
69 Dana Koller stated it would be in a pick-up truck. Operations are not changing at this time.

70
71 Councilor Dominguez stated that at your last hearing, you indicated that if distribution changes
72 were made and a bigger vehicle was needed to distribute your product, you would come before
73 the Governing Body to approve those changes.

74
75 Dana Koller stated that is correct.

76
77 Mayor Torres asked if there were any other questions.

78
79 There were none.

80
81 Mayor Torres opened the floor for questions from the public wishing to speak for or against the
82 issuance of the Wholesaler License for Kaktus Brewing Company, Inc.

83
84 There were no individuals willing to speak for or against the Wholesaler Application for Kaktus
85 Brewing Company, Inc.

86 Mayor Torres entertained a motion.

87

88 Councilor Prairie made a motion to approve the issuance of the Wholesaler License for Kaktus
89 Brewing Company, Inc. The motion was seconded by Councilor Dominguez and the motion
90 carried unanimously.

91

92

93 **APPROVAL OF MINUTES: 6a) Regular Meeting of July 24, 2017**

94 Mayor Torres stated that 321 should be on line 20 on Approval of the Agenda. Councilor
95 Jaramillo made a motion to amend the item under New Business 6d to read Resolution 07-24-
96 17C. The motion was seconded by Councilor Dominguez and the motion carried unanimously.

97

98 Councilor Jaramillo moved to approve the minutes of July 24, 2017 as amended. The motion was
99 seconded by Councilor Sisneros and the motion carried unanimously.

100

101 **NEW BUSINESS:6c) Discussion, Consideration, Action on Request for Waiver for**
102 **Mountain West Brew Fest at Bernalillo. Presenter: Michael Kloeppe**

103

104 The Department of Community Development formally requests a waiver of the 300 Foot Rule,
105 pursuant to Chapter 223 of the Liquor Control Act Section, 60-6B-10, for the purpose of hosting
106 the Mountain West Brew Fest at Bernalillo to be held on the grounds of the Loretto Community
107 Park on Labor Day weekend, September 2-3, 2017.

108

109 The waiver request would allow the temporary serving of alcohol within three hundred feet of
110 Our Lady of Sorrows Catholic Church, First Assembly of God Church, and PB&J Therapeutic
111 Preschool.

112

113 Within the limits set forth in Section 60-6B (G), a license may be granted for proposed issuance
114 if a waiver is obtained from the local option district governing body.

115

116 Michael Kloeppe also requested that the Governing Body grant permission for the Mayor to sign
117 any other waivers that may come in at a later date prior to the deadline.

118

119 Mayor Torres entertained a motion.

120

121 Councilor Jaramillo made a motion to approve the Request for Waiver for the Mountain West
122 Brew Fest at Bernalillo and allow Mayor Torres to sign any waivers that may come in prior to the
123 deadline. The motion was seconded by Councilor Dominguez and the motion carried
124 unanimously.

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NEW BUSINESS: 7b) Discussion, Consideration and Approval on Award of Lodgers Tax Funds July 2017 Funding Cycle. Presenter: Michael Kloeppel

Mike Kloeppel, Director of Community & Economic Development presented the following:

The Lodgers Tax Board met in open meeting on Wednesday, July 26th, 2017 and formulated the following recommendations for funding in the amount of **\$117,343.88**

- **Sandoval County Historical Society: \$13512.00** for the promotion of the public activities at the “Ed Delavy House”, a facility of the Historical Society, and the historical collections housed in the facility. Sept - Nov.
- **Friends of Coronado Historic Sites: \$1000-\$2000** – for the promotion of the event held on October 21st, 2017 “FIESTA OF CULTURES”, this event is the 14th fiesta held,
- **Land of Enchantment Blues Festival: \$25,000.00** – for the promotion, sanitation and security for this event.
- **Sandoval County Sheriff’s Posse Rodeo: \$18,000.00** – for the promotion, marketing and advertising of the Annual Rodeo (3rd weekend in August 18th)
- **TOB Fiestas of San Lorenzo: \$5,000.00** – for advertising, sanitation services and police and fire protection for the Annual Fiestas of San Lorenzo
- **TOB-Brew Fest (Labor Day Weekend Event): \$30,000.00** - for advertising, sanitation services and police and fire protection a Labor Day weekend event
- in the Town of Bernalillo
- **TOB- Rotary Park Pavilion (Capital Outlay): \$23,831.88** – Rotary Park Pavilion will have fabric/awning for shade on the West side of the open structure, for all events held by the Town

Upon award, and prior to payment to all vendors, all recipients of funds will be required to provide proof (tear sheets, ad copy, etc.,) of acknowledgement in each advertisement of “Funded by the Town of Bernalillo.” Additionally, each recipient will be required to report attendance at event, or location directly linked to advertisement.

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164
165 Mayor Torres entertained a motion.

166
167 Councilor Jaramillo made a motion to award the Lodgers Tax July 2017 Funding Cycle in the
168 amount of \$117,343.88. The motion was seconded by Councilor Dominguez and the motion
169 carried unanimously.

170
171 **FINANCIAL SECTION: 8a) Approval of Accounts Payable Voucher List.**

172 Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of
173 \$496,019.87.

174
175 Mayor Torres entertained a motion.

176
177 Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of
178 \$496,019.87. The motion was seconded by Councilor Sisneros and the motion carried
179 unanimously.

180
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182 **MISCELLANEOUS SECTION: 9a) Public Comment.**

183 None

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185 **MISCELLANEOUS SECTION: 9b) Announcements. Presenter: Mayor Torres**

186 Michael Kloepfel stated the last movie in the park will be this Saturday at Athena Park the
187 movie will be Beauty and the Beast.

188
189 Michael Kloepfel stated that the San Lorenzo Fiesta at Rotary Park were enjoyed by all. The
190 rain did not stop the music and the public enjoyed the big dance floor. It was a success and well
191 attended.

192
193 Mayor Torres thanked Michael Kloepfel and all the staff involved that helped out in making the
194 Fiestas a success.

195
196 Andy Edmondson Public Works Director stated that the bid is out for Well 2 treatment bids are
197 due August 23rd. The water line under the bridge for the 550 project will be moved next week.

198
199 There being no further business, Councilor Dominguez moved to adjourn the meeting at 8:53
200 P.M. The motion was seconded by Councilor Prairie and carried unanimously.

201
202 Done this 10th day of July 2017.

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ATTEST:

Ida Fierro, Town Clerk
(seal)

Jack S. Torres, Mayor