

**MINUTES  
TOWN OF EDGEWOOD  
REGULAR COUNCIL MEETING  
January 13<sup>th</sup>, 2021 @ 6:30 P.M.**

**TOWN OF EDGEWOOD COUNCIL CHAMBERS – 171A State Rd. 344**

**CALL TO ORDER.**

Mayor Pro-Tem John Abrams called the meeting to order at 6:30p.m.

Councilors Present: John Abrams, Sherry Abraham, Linda Holle, and Audrey Jaramillo.

Also Present: Clerk/Treasurer Juan Torres, Police Chief Darrell Sanchez, Administrative Assistant Courtney Labrum, and Secretary Rachel Martinez

**PLEDGE OF ALLEGIANCE.**

**I. APPROVAL OF AGENDA**

**MOTION:** Councilor Abrams made the motion to approve the agenda. Councilor Holle seconded the motion.

**MOTION:** Councilor Jaramillo made the motion to add public comment and Governing Body comments to the agenda. Councilor Abraham seconded the motion.

Councilor Jaramillo stated that the public hasn't been allowed to speak since October. She also stated these have always been on the agenda and asked why they were removed.

Councilor Abraham stated that at the top of the agenda in red, it encourages the public to participate. She also stated she had received an email from a citizen with concerns and asked to have Councilors comments added back to the next agenda.

**VOTE:** Councilor Jaramillo voted aye. Councilor Holle voted nay. Councilor Abraham voted aye. Councilor Abrams noted nay. The motion died due to lack of majority.

**VOTE:** Councilor Abraham voted aye. Councilor Jaramillo voted aye. Councilor Holle voted aye. The motion carried.

**II. CONSENT AGENDA**

- A. Council Meeting Minutes for October 14, 2020
- B. Council Meeting Minutes for November 2, 2020
- C. Planning and Zoning Report for the months of September, and October 2020
- D. Code Enforcement Report for the months of September, and October 2020
- E. Police Report for the months of September, October, and November 2020
- F. Animal Control Report for the months of September, October, and November 2020
- G. Road Department Report for the months of September, October, and November 2020
- H. Municipal Court Report for the months of September, October, and November 2020
- I. Library 3<sup>rd</sup> and 4<sup>th</sup> Quarter Report for 2020
- J. Wastewater Report for the 3<sup>rd</sup> Quarter of 2020
- K. Approval of the Financials for the month of September 2020
- L. Approval of the Financials for the month of October 2020

**MOTION:** Councilor Abrams made the motion to approve the Consent Agenda. Councilor Holle seconded the motion.

**MOTION:** Councilor Abraham made the motion to pull items IIB, IIG, and IIJ from the Consent Agenda. Councilor Jaramillo seconded the motion.

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**VOTE:** Councilor Jaramillo voted aye. Councilor Holle voted nay. Councilor Abraham voted aye. Councilor Abrams voted nay. The motion died due to lack of majority.

**VOTE:** Councilor Jaramillo voted nay. Councilor Holle voted aye. Councilor Abraham voted nay. Councilor Abrams voted aye. The motion died due to lack of majority.

### III. ACTION ITEM

A. Discussion, Consideration, and Action on the hiring of Colby Hardy as a Police Officer for the Town of Edgewood.

**MOTION:** Councilor Holle made the motion to approve the hiring of Colby Hardy as a Police Officer for the Town of Edgewood. Councilor Abrams seconded the motion.

Councilor Jaramillo stated that she has received several calls and concerns about the individual proposed for hire regarding social media and previous lawsuits against employers. She stated that she has confirmed these accusations and has brought them up with Sergeant Lovato as well as Police Chief Darrell Sanchez.

Police Chief Darrell Sanchez stated that Mr. Hardy comes from the Isleta Police Department and is a graduate of Moriarty High School. Mr. Hardy's current Sergeant is disappointed that he is leaving and had nothing but good things to say about him. In Regard to Councilor Jaramillo's Concerns, Chief Sanchez stated that he has reviewed the ones in which he has information on. The questionable Twitter posts were done as far back as 2012 and Chief Sanchez has looked into Mr. Hardy's TikTok account as well. Mr. Hardy does not deny any of it and states he was young, and he did make a mistake. Chief Sanchez also stated that he dug through Mr. Hardy's background and believes he would do an excellent job for the Town of Edgewood.

Councilor Abrams asked Police Chief Darrell Sanchez if Mr. Hardy has any awards presented to him.

Police Chief Darrell Sanchez stated that Mr. Hardy was the 2020 Officer of the Year for the Isleta Police Department.

Councilor Abraham asked if Chief Sanchez had looked into Mr. Hardy's social media posts prior to being made aware of them.

Police Chief Darrell Sanchez stated the only social media he had looked into prior was Mr. Hardy's Facebook.

Councilor Holle asked who was on the selection committee and how many applicants there were.

Police Chief Darrell Sanchez stated for Mr. Hardy specifically, the selection committee was Sergeant Marez, Sergeant Lovato, and Sergeant Urbina and there was a total of 6 applicants.

**MOTION:** Councilor Abraham made the motion to hold off on hiring Mr. Hardy until further vetting of his social media presence can be done before bringing this forth for consideration. Councilor Jaramillo seconded the motion.

**VOTE:** Councilor Jaramillo voted aye. Councilor Holle Voted nay. Councilor Abraham voted aye. Councilor Abrams voted nay. The motion died to lack of majority.

**VOTE:** Councilor Jaramillo voted nay. Councilor Abraham voted nay. Councilor Holle voted aye. Councilor Abrams voted aye. The motion died due to lack of majority.

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#### IV. CLOSED SESSION

A. As per motion and roll call vote and pursuant to NMSA 1978 Sections ((§ 10-15-1(H)(8)) the following will be discussed in Closed Session: Purchase, Acquisition or Disposal of Real Property or Water Rights. Specifically, the sale of the Town owned building at 1911 Historic Route 66, Edgewood, NM

Councilor Abrams asked Councilor Abraham if she has had any outside contact with any of the individuals, real estate agents, or others regarding what will be talked about in the Closed Session.

Councilor Abraham stated she has had Ex parte communication on this particular item.

Councilor Abrams asked that Councilor Abraham recuse herself from this proceeding.

Councilor Abraham declined.

**MOTION:** Councilor Abrams made the motion to have Councilor Abraham recused from this proceeding. Councilor Holle seconded the motion.

Councilor Jaramillo asked if there is a statute that prevents Councilor Abraham from going into closed session when someone on their own accord contacts her.

Councilor Abrams stated that it is his opinion that the discussion that Councilor Abraham had could have, in some way, sullied our discussion this evening and perhaps sully the action we may take after our discussion.

Councilor Jaramillo stated that she needs to know from Councilor Abraham what exactly happened. She stated that in order to vote on this, she needs to have more information.

Councilor Abrams stated that the discussion here is whether or not to restrict Councilor Abraham from the Closed Session and the Action Item following. It isn't a discussion on whether or not she has done something she has already admitted to.

Councilor Jaramillo stated that it is Councilor Abrams personal preference that Councilor Abraham does not attend the Closed Session.

Councilor Abrams stated that it is not his personal preference rather a belief that there is an intent but cannot talk about it in Open Session.

Councilor Abraham stated she did receive additional information that was not provided to the Governing Body, that she would like to share in the Closed Session. She also stated she is not conflicted in any way, and this has only to do with information provided to her by a person who considers themselves a buyer.

**VOTE:** Councilor Jaramillo voted nay. Councilor Holle voted aye. Councilor Abrams voted aye. The motion carried.

**POINT OF ORDER:** Councilor Jaramillo called for a Point of Order stating Councilor Abraham does not have a conflict of interest, and it is not against the Governmental Conduct Act or the Open Meetings Act. The Point of Order action died due to lack of a second.

Councilor Abrams asked Councilor Abraham to leave the Council Chambers.

Councilor Abraham refused.

Councilor Abrams asked Police Chief Darrell Sanchez to escort Councilor Abraham out of the Council Chambers.

Councilor Abraham gave Councilor Jaramillo documents that she would like to be reviewed in Closed Session before leaving the Council Chambers.

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**MOTION:** Councilor Abrams made the motion to go into closed session as per NMSA 1978 Sections ((§ 10-15-1(H)(8)) the following will be discussed in Closed Session: Purchase, Acquisition or Disposal of Real Property or Water Rights. Specifically, the sale of the Town owned building at 1911 Historic Route 66, Edgewood, NM

**VOTE:** Councilor Jaramillo voted aye. Councilor Holle voted aye. Councilor Abrams voted aye. The motion carried.

Council left for Closed Session at 6:59p.m.

Council returned from Closed Session at 7:43p.m.

**MOTION:** Councilor Jaramillo made the motion to come out of closed session as per NMSA 1978 Sections ((§ 10-15-1(H)(8)) only the following was discussed in Closed Session: Purchase, Acquisition or Disposal of Real Property or Water Rights. Specifically, the sale of the Town owned building at 1911 Historic Route 66, Edgewood, NM. No other items were discussed, and no decisions were made in closed session. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams so affirmed. Councilor Jaramillo so affirmed. Councilor Holle so affirmed. The motion carried.

#### V. ACTION ITEM

A. Public Hearing, Discussion, Consideration and Action on Ordinance 2021 -01, an Ordinance of the Town of Edgewood authorizing the sale of real property owned by the Town, which was formerly utilized as the Town Hall, and which is located at 1911 Historic Route 66, Edgewood, New Mexico.

**MOTION:** Councilor Jaramillo made the motion to postpone this public hearing until the January 27<sup>th</sup> regular meeting and have a Closed Session Special Meeting in between this time so that further information can be gathered. Councilor Holle seconded the motion.

**VOTE:** Councilor Jaramillo voted aye. Councilor Holle voted aye. Councilor Abrams voted aye. The motion carried.

#### VI. CALENDAR REVIEW

A. Town Offices Closed January 18, for Martin Luther King Day

B. Next Regular Council Meeting January 27, 2020

#### VII. ADJOURN

**MOTION:** Councilor Holle made the motion to adjourn the meeting. Councilor Jaramillo seconded the motion.

**VOTE:** All Councilors voted aye. The motion carried.

Mayor Pro-Tem John Abrams adjourned the meeting of January 13, 2021 at 7:48p.m.

PASSED, APPROVED, and ADOPTED this 10<sup>th</sup> day of February 2021.

  
John Abrams, Mayor Pro-Tem

ATTEST:

  
Juan Torres, Clerk/Treasurer



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