

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
August 28, 2018**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, August 28, 2018 at 6:00 p.m. in regular session with Mayor Miller presiding, and the following present, to wit:

Bill Rogers
Raul Rodriguez
Terry Hill
Manuel Madrid Jr.

George G. Mullen
Mayor Pro tem Luis Florez

The following were absent:

Kent Bratcher
Jeff Youtsey

Also present:

Matt Byers, City Attorney
Aubrey Hobson, City Clerk

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez and all joined in the Pledge of Allegiance.

New requests for City Facilities

None.

City Departments and Employees

None.

Special Reports

Consideration and approval of Kennemur Land Division-Preliminary Plat-County. Located within the three-mile platting jurisdiction of the City of Artesia per 3.20.1.A.2 and 3.20.5.4 NMSA. The division of Tract 1 of the Menefee Land Division #2 into Lots 1-3, being 1.258, 1.876 and 1.90 acres in size. Located at the 900 Block of W. Thoroughbred Rd.; Owner- Ray and Kaylee Kennemur; Agent- Harcrow Surveying LLC.

Community Development Director Jim McGuire informed the Council the location is in County and it is located three miles from City limits which comes under our jurisdiction for zoning. He also informed the Council the property is being divided up into three lots.

Councilor Rodriguez moved to approve the Kennemur Land Division-Preliminary Plat-County. Councilor Madrid provided a second and upon vote, the motion carried 6- 0.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda removing Item #5 B, C, D and E from the Consent Agenda for separate consideration. Councilor Hill provided a second and upon vote, the motion carried 6-0

CONSENT AGENDA August 28, 2018

1. **Approval of Minutes** August 14, 2018
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
 - A. *Approval of the 2018/2019 Outside Request PSAs
 - 1) Artesia Advocacy Group/Chaves County CASA 081418-1 (\$25,000)
 - 2) Artesia Paws and Claws PSA Number 081418-2 (\$9,981)
 - 3) Artesia Clean & Beautiful PSA Number 081418-3 (\$43,769)
 - 4) Artesia Main Street PSA Number 081418-4 (\$42,750)
 - 5) Artesia Community Crime and Drug Coalition PSA Number 081418-5 (\$43,769)
 - 6) Artesia Department of Development PSA Number 081418-6 (\$35,000)
 - 7) My Neighborhood PSA Number 081418-7 (\$32,065)
4. **Appointments:**
 - A. Approval of the reappointment of Felipe Garcia to the Recreation Commission Advisory Board (*term to expire August 2021*)
 - B. Approval of the appointment of Greg Tutak to the Recreation Commission Advisory Board (*term to expire August 2021*)
5. **Personnel Resignations, Hirings, Promotions, and Transfers:**

Upon recommendation of the Mayor, subject to successful completion of required pre-employment testing, permission to:

 - A. Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. Chris Archuleta	Wastewater	Wastewater Assistant	\$2363 per month

- G. Fire – Permission for one (1) employee to attend the NM Fire Service conference in Ruidoso, NM

8. Routine Requests for City Facilities:

9. Routine Resolutions (to be assigned a number by staff)

10. Budgeted Items:

11. Quarterly Journal Entries

12. Non-budgeted Items:

13. *Payment of Bills

The Councilors inquired about the resignations on the Consent Agenda, Human Resources Sandi Countryman informed the Council the reasoning why the employees are resigning.

Councilor Rodriguez moved to approve item #5 B, C, D and E. Councilor Mullen provided a second and upon vote, the motion carried 6-0.

5. Personnel Resignations, Hirings, Promotions, and Transfers:

B. Accept the resignation of David Watson, Fire Lieutenant/Paramedic, effective September 7, 2018

C. Accept the retirement of James Styck, Humane Officer, effective January 1, 2019

D. Accept the resignation of Ryan Hagedorn, Police Officer, effective August 22, 2018

E. Accept the resignation of Bernadette Castaneda, Commission on Aging Assistant Supervisor, effective September 11, 2018

Public Hearings, including consideration of final passage of any ordinance as to which proper notice has been published.

A. Consideration and approval of an ordinance for the sale of City property (postponed from July 10 and July 24, 2018 meetings)

City Clerk Aubrey Hobson proposed to the Council to dismiss Item A due to the buyers not acquiring the specific property.

Councilor Rogers moved to dismiss the Public Hearing for an ordinance for the sale of City property. Councilor Madrid provided a second and upon vote, the motion carried 6-0.

B. Consideration and approval of an Ordinance to amend Chapter 9-1 “General Zoning Provisions” of the Artesia City Code.

Community Development Director Jim McGuire informed the Council the Planning and Zoning Committee had several meetings to discuss the chapters and regulations for the sign ordinance.

Mayor Miller opened the Public Hearing to any public input. There was none.

Councilor Rodriguez moved to approve an ordinance to amend Chapter 9-1 "General Zoning Provisions" of the Artesia City Code. Councilor Hill provided a second and upon roll call vote, with the following votes recorded:

Yay – Councilor Rogers, Mayor Pro tem Florez, Councilors Mullen, Hill, Madrid and Rodriguez.
Nay – None
The motion passed 6-0.

ORDINANCE 1028

C. Consideration and approval of an ordinance to amend Chapter 9-2 "Rules and Definitions" of the Artesia City Code.

Community Development Director McGuire stated to the council chapter 9-2 is approved by the Planning and Zoning Committee and was not a sufficient amount of change made to the Chapter.

Mayor Miller opened the Public Hearing to any public input. There was none.

Councilor Hill moved to approve an ordinance to amend Chapter 9-2 "Rules and Definitions" of the Artesia City Code. Councilor Mullen provided a second and upon roll call vote, with the following votes recorded:

Yay – Mayor Pro tem Florez, Councilors Madrid, Rogers, Rodriguez, Mullen and Hill.
Nay – None
The motion passed 6-0.

ORDINANCE 1029

D. Consideration and approval of an ordinance to amend Chapter 9-11 "Signs" of the Artesia City Code

Community Development Director McGuire stated the Planning and Zoning committee approved the chapter 9-11 and several changes were made.

Mayor Miller opened the Public Hearing to any public input.

Mrs. Haley Klein Artesia Chamber of Commerce, explained to the Council the public has concerns hiring a licensed contractor in the proposed chapter. Mrs. Klein stated this causes more expenses for the business owners.

Mayor Pro tem Florez recommended to postpone Chapter 9-11 and have the Planning and Zoning Committee discuss the public's concerns.

There was some discussion regarding the Sign Ordinance Chapter 9-11

Mayor Pro tem Florez moved to postpone Chapter 9-11 "Signs" of the Artesia City Code until the next meeting. Councilor Mullen provided a second. Upon vote the motion carried 6-0.

Mayor Miller asked Director McGuire to get with Clerk Hobson when a date was set so a potential quorum notice could be run so everyone who wanted could attend.

- E. Consideration and approval of an ordinance for Bush and Bowman Public ROW Dedication Plat. Dedication of right-of-way to the public for Bowman Drive being 50 feet wide and approximately 1326 feet in length and Bush Avenue being 50 feet wide and approximately 844 feet in length. Located in the E1/2 NW1/4 SE1/4 of Section 7, T.17 S., R.26 E. north of JJ Clarke Avenue; Owner- Yates Farms LLC; Agent- Harcrow Surveying LLC.

Community Development Director McGuire informed the Council that specific portions of Bush and Bowman are not a dedicated right of way.

Mayor Miller opened the Public Hearing to any public input. There was none.

Councilor Rogers moved to approve an ordinance for Bush and Bowman Public ROW Dedication Plat. Councilor Hill provided a second and Upon roll call vote, with the following votes recorded:

Yay – Councilors Rodriguez, Madrid, Rogers, Mayor Pro tem Florez and Councilors Mullen, Hill.

Nay – None

The motion passed 6-0.

ORDINANCE 1030

- F. Consideration and approval of an Ordinance for Kennemur Land Division- Final Plat-County Located within the three-mile platting jurisdiction of the City of Artesia per 3.20.1.A.2 and 3.20.5.4 NMSA. The division of Tract 1 of the Menefee Land Division #2 into Lots 1-3, being 1.258, 1.876 and 1.90 acres in size. Located at the 900 Block of W. Thoroughbred Rd.; Owner- Ray and Kaylee Kennemur; Agent- Harcrow Surveying LLC

Community Development Director McGuire informed the Council the final plat needs to be approved to be sent to Eddy County for their approval.

Mayor Miller opened the Public Hearing to any public input. There was none.

Councilor Rogers moved to approve for Kennemur Land Division- Final Plat-County Located within the three-mile platting jurisdiction of the City of Artesia. Councilor Rodriguez provided a second and Upon roll call vote, with the following votes recorded:

Yay – Councilors, Rogers, Madrid, Rodriguez, Mayor Pro tem Florez, Councilors Mullen and Hill.

Nay – None

The motion passed 6-0.

ORDINANCE 1031

Period for Hearing Visitors

None.

Comments from Public Officials and Contracted Services

None.

Committee Report

None.

Personnel

Human Resources Director Sandi Countryman informed the Council she attended a job fair that was hosted by New Mexico Workforce Solutions.

Public Safety

Police

Police Chief Kirk Roberts informed the Council there was a discussion at the Police & Fire Committee meeting regarding a change to a resolution that designates the rates for certain police department supervisors to work at public events. Chief Roberts also reported on a discussion of adding a person to the take home policy as was discussed at the retreat.

Mayor Miller directed Chief Roberts to discuss the matters at the Police & Fire Committee meeting and add it on the next agenda.

Fire

Fire Marshal Brendon Harvey stood for questions.

Community Development

Community Development Director Jim McGuire gave project updates and stood for questions.

Infrastructure Department

Infrastructure Director Byron Landfair gave project updates and stood for questions.

City Attorney

City Attorney Matt Byers stood for questions.

City Clerk

City Clerk Aubrey Hobson reminded the Council on September 11th at 5:30pm is the public hearing for the utility lien appeals.

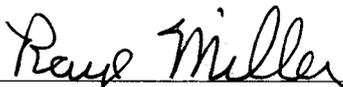
Mayor:

Mayor Miller informed the Council that he was contacted by the ACLU regarding an ordinance concerning panhandling in the City. He directed the City attorney and Planning and Zoning Committee to investigate the matter.

New or other business from Councilors

None.

There being no further business, the meeting was adjourned at 6:54 pm on August 28, 2018.



Raye Miller – Mayor

ATTEST:



Aubrey Hobson - City Clerk