

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
March 26, 2019**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, March 26th, 2019, at 6:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

George G. Mullen	Luis Florez
Kent Bratcher	Jeff Youtsey
Terry Hill	Raul Rodriguez
Manuel Madrid Jr.	Bill Rogers

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.

Special Reports

None.

City Departments and Employees

None.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda as written. The motion was seconded by Councilor Rogers who asked to pull Item 6 (B). Upon vote, the motion carried 8-0. Item 6(B): Councilor Rogers asked Community Development Director about the revised sign ordinance to be considered and whether the new version contained a lot of changes and if the signs and billboards were in the same Ordinance. Jim responded that there were many changes and that signs and billboards were in separate sections of the ordinance. Councilor asked if the Council could receive a copy of the proposed ordinance before the meeting to which Jim replied yes. Councilor Rogers moved to approve Item 6(B). After a second by Councilor Rodriguez a vote was taken, and the motion passed 8-0.

The consent agenda includes:

CONSENT AGENDA

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March 26, 2019**

1. **Approval of Minutes** **March 12, 2019**

2. **Consideration of Bids:**

3. **Contracts, Leases and Agreements:**

4. **Appointments:**

A. Approval of appointment of Sylvia Bueno to the Housing Authority Board as the resident board member (*term to expire September 2022*)

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. Steven Jenkins	Wastewater	WW Assistant	\$2482 per month CA22

B. Temporary Promotion (trial):

1. <u>Angel Gonzales</u>	Water	Acting Foreman	\$3539 per month
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C. Accept the resignation of Anthony Urban, Solid Waste Department Equipment Operator, and effective March 22, 2019

D. Permission to advertise and fill:

1) Solid Waste Department Equipment Operator

6. **Dates of Hearing:**

A. Approval to set a public hearing on April 23, 2019 for consideration of an ordinance for the

zone change from Suburban Acreage -2 type "SA-2" to Manufactured Home District "MH". Lot 13 of Block 1 of the Grand Heights Redivision and Tracts A and B of Grands Heights Block 1 Lot 14 Summary Plat; Located on the north side of the 2400-2500 Block of W. Missouri Ave.; Owners- Noemy Carbajal, Leticia Quiroz, Angelica Navarrette and Faustino Aguilar.

B. Approval to set a public hearing on April 23, 2019 for consideration of an ordinance amending Section 9-11 of Artesia City Code. Purpose of the ordinance is to amend the existing sign regulations.

7. ***Travel and Training:**

A. F&A – Permission for one (1) employee to attend the Clerks Spring conference in Ruidoso, NM

B. Police – Permission for two (2) employees to attend the Selective Traffic Enforcement Program (STEP) in Alamogordo, NM

C. Police – Permission for one (1) employee to attend the SFST Instructor refresher course in Clovis, NM

- D. Police – Permission for one (1) employee to attend the Law Enforcement Coordinators symposium in Albuquerque, NM
- E. Police – Permission for one (1) employee to attend the Advanced Roadside Impaired Driving Enforcement (ARIDE) training in Las Cruces, NM
- F. Executive and Legislative – Permission to attend the NMML District meeting in Artesia, NM
- G. Museum – Permission to attend the NM Humanities Council exhibit opening reception in Albuquerque, NM

8. Routine Requests for City Facilities:

- A. *Artesia Police Department – Use of Guadalupe Park on Saturday, April 27, 2019 from 11:00 am – 2:00 pm for the Annual Child Safety Fair. Use of city services and road closures as stated on application.

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:

Public Hearings

- 7. **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 rescinding Sections 4-2-1, 4-2-2, 5-1B-8, and 5-1C-10 of the Artesia City Code concerning panhandling

City Attorney Matt Byers presented a report to the Council asking for approval to rescind portions of the City Code concerning panhandling. He stated this was in response to a threat of a lawsuit by ACLU who stated to Artesia as well as many municipalities across the nation that restricting panhandling was violating freedom of speech.

Mayor Raye Miller declared the Public Hearing open to public input.

A citizen, Robert Duncan, addressed the Council stating he didn't want the rescinding to push panhandlers to his private property. Attorney Byers stated he still had the right to post signs for no trespassing or soliciting but Mr. Duncan stated he didn't want to have to do that. After some discussion, a motion was made by Councilor Mullen with a second by Mayor Pro Tem Florez to approve Ordinance 1050 Rescinding Sections 4-2-1, 4-2-2, 5-1B-8 and 5-1C-10. Upon roll call vote, the ordinance passed 7-1; Councilor Rodriguez voting Nay.

ORDINANCE 1050

Period for Hearing Visitors

There were no visitors

Committee Reports:

Budget & Finance-No report

Recreation- No report

Police and Fire- Councilor Bratcher reported the Committee would try to meet Monday

Planning- No report

Recreation- No report

Infrastructure- No report

Government-No report

Personnel

- A. *Continue discussion of employee insurance quotes and approval of selection of plans and a plan provider for the FY 2019-2020

Human Resources Director Sandi Countryman presented numbers comparing what we would pay Cigna to what we would pay Blue Cross Blue Shield. The fact that there was a significant savings by going with Blue Cross Blue Shield and that Cigna was going to remove University Medical Center in Lubbock, she asked the Council to approve contracting insurance services with Blue Cross Blue Shield.

A motion to award the contract to Blue Cross Blue Shield was made by Councilor Bratcher with a second by Mayor Pro Tem Florez. Upon Vote, the motion passed 8-0.

Public Safety

Police

Chief Kirk Roberts stood for questions.

Fire

Chief Kevin Hope stood for questions.

Community Development

Community Development Director Jim McGuire presented the Councilors a preliminary list of fees for the Aquatic Center Admissions and Programs. After discussion, Council directed McGuire to proceed with discussions with United Pool.

Infrastructure Department

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

City Attorney

City Attorney Matt Byers stood for questions.

City Clerk

A. *Consideration and approval of a resolution to accept the Cultural Plan for the Arts & Cultural District

City Clerk Aubrey Hobson presented the Council with an amended Resolution for the acceptance of the Cultural Plan for the Arts and Cultural District. Councilor Rodriguez moved, and Councilor Bratcher seconded to approve Resolution 1697, "A Resolution approving the Cultural Plan for the Arts and Cultural District". Upon vote, the motion passed.

RESOLUTION 1697

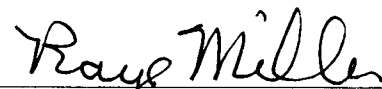
Mayor

Mayor Miller reported Mayor Janway would like the City to adopt a resolution similar to what Carlsbad did. He stated he had a copy and each Councilor could look at it and bring it to a Council meeting if they saw fit.

New or other business from Councilors

Mayor Pro tem Florez brought a situation to the Council concerning Roselawn Manor and lights in their parking lot. Fire Chief Hope stated the Fire Department was doing inspections on the apartments at this time.

There being no further business, the meeting was adjourned at 7:15 p.m.



Raye Miller - Mayor

ATTEST:



Aubrey Hobson - City Clerk