

**MINUTES OF SPECIAL CITY COUNCIL MEETING**  
**ARTESIA, NEW MEXICO**  
**October 13, 2020**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall with limits in place for the public attendees because of the coronavirus pandemic and the Governor's executive order with Mayor Raye Miller presiding, on Tuesday, October 13th, 2020 at 6:00 p.m., and the following present to wit:

Jarrold Moreau  
Kent Bratcher  
Ignacio Mariscal

Raul Rodriguez  
George G. Mullen  
Jeff Youtsey

Also, present:  
Aubrey Hobson, City Clerk-Treasurer

By telephone:  
Matt Byers, City Attorney

Absent:  
Sam Hagelstein  
Mayor Pro Tem Terry Hill

It was determined 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:**

A. \*CARES Business Continuity Grants discussion and possible action

City Clerk Aubrey Hobson spoke about the list of business names in the packets that we have suggested awarding grants to this year. A total of One Million and Sixty-Five Thousand is to be awarded. We have two businesses that will probably be taken off; Southwest Autobody and Hazwell Flowing that are both out of the city limits.

Councilor Moreau made a motion to approve recommendation of the awards. Second by Councilor Mullen. Upon vote, the motion passed 6-0.

**Approval of Consent Agenda**

The consent agenda for October 13, 2020 was presented for passage with a motion by Councilor Rodriguez, as written. Councilor Mariscal provided a second. Upon vote, the motion passed 6-0.

**CONSENT AGENDA  
October 13, 2020**

1. **Approval of Minutes** \*September 22, 2020
2. **Consideration of Bids:**
  - A. \*Approval of Request for Proposal to provide Juvenile Justice Board Coordinating Agency Contract to Changing Lives Coalition, Inc., Artesia, NM
3. **Contracts, Leases and Agreements:**
4. **Appointments:**
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>
<u>Christopher Mendoza</u>	Wastewater	Assistant	\$2482 per month CA22
  - B. Accept the resignation of Sarah Juarez, Planning & Zoning Administrator, effective October 9, 2020
6. **Dates of Hearing:**
  - A. Approval to set a public hearing for November 10, 2020 to consider an ordinance amending Section 1-6-5 (A) of the Artesia Municipal Code - Classification- Probationary Period
7. **\*Travel and Training:**
8. **Routine Requests for City Facilities:**
9. **Routine Resolutions (to be assigned a number by staff):**

\*Denotes material included in Council Packets or previously received material

- 10. **Budgeted Items:**
- 11. **Quarterly Journal Entries**
- 12. **Non-budgeted Items:**
- 13. **\*Payment of Bills**

**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 Case No. 20-10: Replat on the NE/4 of the NE/4 of Section 19, Township 17 S, Range 26 E; Location: 1415 W. Hermosa; Owners: Joe G. and Elia M. Mariscal

Community Development Director Jim McGuire greeted the Mayor and Council and spoke on a final plat to divide track 3 of a boundary survey on Southeast corner of 15<sup>th</sup> and Hermosa; part of the property is in the county and in the city. The part of the property that is in the city track A meets the zoning requirements. Both staff and the Planning and Zoning Commission recommend approval for this request.

Mayor Miller addressed anyone for questions or comments for the plat which splits and replats the lots and provides for right of ways associated with various easements that are needed.

Councilor Bratcher made a motion to approve Ordinance 1076. Upon roll call vote, motion passed 6-0.

### **ORDINANCE 1076**

**Period for Hearing Visitors** (3-minute time limit):

- A. \*Citizens for the reopening of the Library

Jessica greeted everyone and stated she is a life-long citizen of Artesia, wife, mother and editor on our local community magazine. Along with other parents she has recently taken on the responsibility of stay at home teacher and home schooling. She is here today representing citizens of Artesia in opening our library advocating for increased access to our public facilities for young children, students, parents, business and community owners; we are the citizens for reopening of our Library. Jessica thanked everyone for keeping our community safe. Jessica stated that the Library is a public entity deemed essential by our Governor and doesn't understand why the Library isn't open to the public in some capacity. The people of Artesia deserve a place that supports clean and safe learning to look at reading material and research the internet, a place for students to meet with tutors, small business owners to meet with clients and a place to print, fax or send documents. They have provided the library staff and Mayor's office

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with guidance and safe options for reopening modeled after Roswell and Carlsbad Public Libraries, both of which are serving their public communities. Simple measures such as mandatory masks, hand sanitizers stations, capacity restrictions and social distance all actionable steps that are being taken to create clean and safe spaces. Jessica stated that it is time for our public library to open up.

Sarah Joseph a community member greeted everyone and stated she has three boys, a former secondary teacher with a masters in teacher administration and is very active in the library. Both Carlsbad and Roswell have been open for almost two months and starting today has opened full-time. They believe that the Artesia library has the ability to safely open and operate under the same protocols that Roswell and Carlsbad public libraries has successfully displayed for the past few months.

Catherine Carroll a resident and parent greeted everyone and is grateful for the City of Artesia for its cautious approach in managing city services during the pandemic. This track record of responsible leadership leads that the City can likewise design a process of expanding services and formally request to ask the City of Artesia to open the entire Library to the community. Catherine stated that our Governor has approved opening this part of our community and sadly Artesia has not yet done the hard work to make this happen.

Kaitlyn Hurst has a Masters' degree in English Literature. Katy has spent a lot of time in libraries which is one of her favorite places; Artesia Library is her favorite. She has a six and four year old, one of which is non-verbal, it is mandatory for them to be in the library so she can access which books she can go and find because she is not able to communicate what book she wants. Katy stated the big question behind their push to open the library is why is it so important for our children to be in our children section browsing shelves for age appropriate books, libraries are active participants in the educational process, children have the powers to go and search of knowledge guided by their own volition within the library. The search to solve their questions and spark their interest is a lesson in trial and error and exploration. The library is not a book warehouse nor is it an ordering and shipping facility for books to delivered into waiting cars. The active nature of the library has remained inaccessible, the doors to the library are closed to the public, the curb side approach for accessing books creates passive consumers rather than mindful problem solvers. Kids need to touch books and must learn to search for knowledge and know without a doubt where it is to find in that search process at a tactile level. Katy stated to please open the library and all of the book shops.

### **Comments from Public Officials and Contracted Services**

None.

**Committee Reports:**

- A. Budget and Finance - None
- B. Personnel – None
- C. Police and Fire – None
- D. Planning (*Project Management, Code Enforcement, Permits and Inspections*) – None
- E. Recreation – None
- F. Infrastructure (Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance) – None
- G. Government - None

**Personnel:**

- A. \*Safety stats  
Human Resource Director Sandi Countryman stood for questions.

**Public Safety:**

**A. Police Department:**

- 1) \*Stats

Chief Roberts greeted the Mayor and Council then stated that we have our stats that look good with the exception of some graffiti, then stood for questions.

**B. Fire Department:**

- 1) \*Stats

Chief Hope greeted the Mayor and Council and stated nothing unusual, they have been going about their training and are still recruiting.

**Community Development:**

- A. \*Stats

None.

**Infrastructure:**

Infrastructure Director Byron Landfair greeted the Mayor and Council and spoke on project updates. They are finally done with Hermosa and 26<sup>th</sup> utilities; pouring of concrete for gutters and sidewalks are expected to be done by Christmas. The 10<sup>th</sup> street line replacement is what they are working on now between Grand and Missouri. The SW booster or tank job has had to be rescheduled to start up due to some scheduling conflicts, which will start up on the weekend of the 26<sup>th</sup>. Byron then stood for questions.

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**City Attorney:**

None.

**City Clerk:**

- A. Consideration and approval of a Resolution Determining the Delinquency of Payment for Utility Services as Certified by the City Clerk/Treasurer

City Clerk/Treasurer Aubrey Hobson stated this is our utility lien filing with one change of one for \$162.85 that is taken off, they came and paid it on Friday. Aubrey stated we will take this to the County Clerk to file Resolution 1742.

Councilor Rodriguez made a motion to approve R-1742 determination for utility and delinquent service determined by the City Clerk/Treasurer. Second by Councilor Mullen. Upon vote motion passed 6-0.

**RESOLUTION – 1742**

- B. Approval to rescind Resolution 1741 and adopting Budget Adjustments

Aubrey stated that last meeting we adopted a budget resolution because of the CARES ACT, since then the Treasury Department and DFA has changed some of the rules, so now we have to make a new fund which is 221, it reflects the changes and also the adjustments to pay for the warehouse property. Recension of resolution 1741 and adopting budget resolution 1743 for budget adjustments.

Councilor Rodriguez made a motion to rescind R- 1741 and adopt R- 1743 adopting budget adjustments. Second by Councilor Moreau. Upon vote, motion passed 6-0.

**RESOLUTION - 1743**

**Mayor:**

- A. \*Update on Library discussions

Mayor Miller stated that for anyone that isn't aware that the City was the successful high bidder at the Halliburton auction of their yard North of Artesia this last Thursday. This was our number one item of needs for the City, which saved a considerable amount.

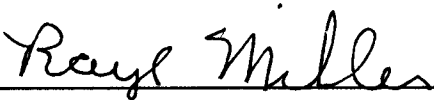
The Mayor spoke on the update of the library. The library board met and there is a division of opinions among the board members; some would prefer where it stay where it is at and others would like to see it open. There are questions of library issues, they are meeting again this afternoon. At this point the Governor mandates have stepped back from groups of ten to five. The Mayor stated that the plan is that we will come forward with a recommendation or some form of change. The Mayor then asked if there are any questions.

**New or other business from Councilors:**

None.

**Adjournment**

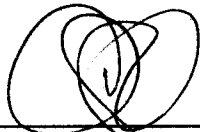
There being no further business, the meeting was adjourned at 7:14 pm on October 13, 2020.



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Raye Miller – Mayor

ATTEST:



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Aubrey Hobson – City Clerk