

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 11, 2021**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 11, 2021 at 5:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

Mayor Pro Tem Terry Hill	Raul Rodriguez
Sam Hagelstein	Jeff Youtsey
George G. Mullen	Jarrold Moreau
Kent Bratcher	

Also, present:

Aubrey Hobson, City Clerk/Treasurer
Attorney Jay Francis

Absent: Ignacio Mariscal

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:

- A. *Artesia Aquatic Center and Pecos Running Club – Permission to hold the Artesia Triathlon on Saturday, June 26, 2021 from 7:00 am to 2:00 pm. Request approval of use of city services as stated on application.

Katrina spoke about holding Artesia's 1st Triathlon for their anniversary.

Councilor Rodriguez made a motion to grant permission to hold the Artesia Triathlon. Second by Councilor Moreau and upon vote, the motion passed 7-0.

- B. *Artesia 911 Memorial Inc. – Permission to hold the Tunnel to Towers 9/11 Mobile Exhibit from 10:00 am to 4:00 pm daily, June 11 thru June 14, 2021, on 5th Street between Main Street and Texas Avenue. Request approval of use of city services and road closures as stated on application and waiver of fees. *Contingent upon proof of insurance.*

Debbie Brazas spoke about holding the 20th Anniversary Tunnel to Towers 9/11 Mobile Memorial Exhibit.

Councilor Hagelstein made a motion to approve holding the Tunnel to Towers 9/11 Exhibit. Second by Councilor Bratcher and upon vote, the motion passed 7-0.

- C. *Artesia Chamber of Commerce – Permission to hold the 4th of July Extravaganza from Thursday, July 1, 2021 thru Sunday, July 4, 2021. Request approval of use of city services and road closures as stated on application and waiver of fees. *Fireworks contingent upon proof of insurance and parade contingent upon State approval.*

Jessica Bollema and Hayley Klein spoke on activities for the 4th of July Extravaganza.

Councilor Rodriguez made a motion to approve the 4th of July Extravaganza and approval of city services and road closures from July 1 – 4, 2021. Second by Mayor Pro Tem Hill and upon vote, the motion passed 7-0.

City Departments and Employees

Fire Chief Hope presented a plaque to Joy Barr the GM at Hotel Artesia for her community support.

Police Chief Roberts spoke highly on Detectives Barney Gonzales, Thomas Frazier and Amber Bell for passing the Forensic Training Certification Course that is a difficult course. The training is in the ranks with the State police and larger cities that helps impact the community significantly in solving of crimes and conviction.

Detectives Frazier and Gonzales both stated that they were very appreciative for the opportunity to go to the training. They pointed out that the training was difficult, but the knowledge gained would be very beneficial to the Artesia PD. Amber Bell thanked the council for the opportunity.

Special Reports

None.

Consent Agenda

Councilor Rodriguez moved to approve the consent agenda as written. Second by Councilor Mullen and upon vote, the motion carried 7-0.

CONSENT AGENDA May 11, 2021

1. **Approval of Minutes** *April 27, 2021
2. **Consideration of Bids:**
 - A. *Approval of award of bid for the ADA Ramp Improvements Project to Constructors Inc.
3. **Contracts, Leases and Agreements:**
4. **Appointments:**
 - A. Approval of the reappointment of Chuck Pinson to the Greater Artesia Economic Development Corporation (*term to expire June 2023*)
 - B. Approval of the reappointment of Gregg Marrs to the Greater Artesia Economic Development Corporation (*term to expire June 2023*)
 - C. Approval of the reappointment of Anna Whitmire to the Greater Artesia Economic Development Corporation (*term to expire June 2024*)
 - D. Approval of the reappointment of Jim Townsend to the Greater Artesia Economic Development Corporation (*term to expire June 2024*)

- E. Approval of the reappointment of Jess Holmes to the Lodger's Tax Advisory Board (*term to expire June 2023*)
- F. Approval of the reappointment of Joy Barr to the Lodger's Tax Advisory Board (*term to expire June 2023*)
- G. Approval of the appointment of Betsy Shield to the Lodger's Tax Advisory Board (*term to expire June 2023*)
- H. Approval of the appointment of Nita Gwynne to the Lodger's Tax Advisory Board (*term to expire June 2024*)

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

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

A. *Ratification to Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. <u>River Rogers</u>	Airport	Part-time Attendant	\$11.51 per hour PT31

- B. Ratification of approval of amended resignation date for Kyla Gonzales to May 7, 2021

6. Dates of Hearing:

7. *Travel and Training:

- A. Police – Ratification of approval for one (1) employee to attend the Chief's Association Annual Meeting in Santa Fe, NM
- B. Fire – Permission for one (1) employee to attend the Fire Officer II training in Tulsa, OK
- C. Police – Permission for three (3) employees to attend the Simunition Instructor Refresher course in Victoria, TX

8. Routine Requests for City Facilities:

- A. *Eddy County Fair Association and the Artesia Chamber of Commerce – request standby ambulance for the rodeo scheduled for Friday, July 30, 2021 from 6:00 pm – 12:00 am. Request waiver of fees.
- B. *Eddy County Fair Association and Artesia Chamber of Commerce – request approval to hold the annual Eddy County Fair Parade at 4:00 pm on Tuesday, July 27, 2021. Request approval of use of city services and road closures as stated on application and waiver of fees. *Contingent upon State approval*

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

10. *Budgeted Items:

- A. Lodger's Tax Board – Approval for the following:
 - 1) \$5,000 for advertising expenses for the Fourth of July Extravaganza
 - 2) \$5,000 for advertising expenses for the 9/11 Memorial Exhibit

11. Quarterly Journal Entries:

12. Non-budgeted Items:

- A. GAEDC – Approval for \$30,000 for asbestos abatement at the 4th and Centre property

13. *Payment of Bills

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

None.

Comments from Public Officials and Contracted Services

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) - Councilor Bratcher stated that they have a meeting scheduled on the 20th.
- G. Government – None.

Personnel

Human Resource Director Sandi Countryman stated that stats are in the packet and then stood for questions.

Public Safety

A. Police Department:

Police Chief Roberts stated that he has nothing before us; that stats are in the packet and then stood for questions.

B. Fire Department:

Fire Chief Hope stated that he has nothing before us; that stats are in the packet and then stood for questions.

Community Development

Community Development Director Jim McGuire stated that stats are in the packet and then stood for questions.

Infrastructure

Infrastructure Byron Landfair gave an update on Hermosa St. and 14th.

City Attorney

Attorney Jay Francis spoke on the two lawsuits concerning police officer contracts and recovering costs for training with one being successful and the other pending.

City Clerk

- A. *Consideration and approval of resolution clarifying PERA Employer contribution
Clerk Hobson pulled the resolution for the PERA Employer contribution to be put on the next agenda.

Mayor

- A. *Discussion and possible action on the Resolution Opposing Amendments to the Gross Receipts and Compensation Tax Act passed by the City of Carlsbad NM

Mayor Miller stated the public hearing on rules adoption was held on April 29, 2021. The councilors were provided a resolution sent by the City of Carlsbad in opposition to the new rules and there are a lot of questions which make it difficult on determining the effect on GRT and an assessment will have to be done several months from now.

- B. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(2)(7):
 - 1. Limited personnel matters – Infrastructure Department
 - 2. Limited personnel matters – Police Department
 - 3. Pending litigation

Councilor Rodriguez made a motion to go into executive session for two personnel matters and pending litigation at 6:03 p.m. Second by Councilor Moreau and upon vote the motion passed 7-0.

Councilor Rodriguez made a motion at 6:19 p.m. to come out of executive session with no action taken. Second by Mayor Pro Tem Hill and upon vote, the motion passed 7-0.

- C. Action as a result of executive session

Councilor Rodriguez made a motion for dismissal of an employee in the Infrastructure department effective May 11, 2021 for inability to fulfill employee contract duties. Second by Mayor Pro Tem Hill and upon vote, the motion passed 7-0.

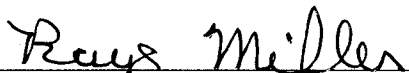
Councilor Rodriguez made a motion for suspension of an employee for 60 hours in the Police department. Second by Mayor Pro Tem Hill and upon vote, the motion passed 7-0.

New or other business from Councilors

None.


Adjournment

There being no further business, the meeting was adjourned at 6:37 p.m. On May 11, 2021.



Raye Miller, Mayor

ATTEST:



Aubrey Hobson - City Clerk