

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
October 26, 2021**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, October 26, 2021 at 5:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

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

Also, present:
Aubrey Hobson, City Clerk/Treasurer
Summer Valverde, City Assistant Clerk/Treasurer
Jay Francis, Attorney

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

None.

Consent Agenda

Councilor Rodriguez moved to approve the consent agenda as written. Second by Councilor Hagelstein and upon vote, the motion carried 8-0.

Newly promoted Commander Letcher stated that Artesia is an amazing city and thanked everyone for this opportunity.

**CONSENT AGENDA
October 26, 2021**

1. **Approval of Minutes** *October 12, 2021

2. **Consideration of Bids:**

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. *Promote:

	<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1.	<u>Jeffrey Letcher</u>	Police	Commander	\$6494 per month CA43
2.	<u>Xavier Anaya</u>	Police	Sergeant	\$4862 per month CA39
3.	<u>Marcos Munoz</u>	Parks	Foreman	\$3025 per month CA30

B. *Hire:

	<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1.	<u>Noel Carlos</u>	Wastewater	Assistant	\$2482 per month CA22

C. Accept the resignation of Sergio Velo, Street Department Equipment Operator, effective October 29, 2021

6. **Dates of Hearing:**

A. Ratification of approval to set a public hearing for November 9, 2021 for consideration and approval of an ordinance for redistricting

7. ***Travel and Training:**

A. Wastewater – Permission for one (1) employee to attend the online NMWWA CT Section workshop

B. Police – Permission for one (1) employee to attend the Taser Instructor refresher course in Alamogordo, 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**

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

None.

Period for Hearing Visitors

None.

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*) – There are a couple of items that will be discussed later on the agenda.
- E. Recreation – The recreation committee had a meeting on October 21st, no quorum was present; activities and aquatic center were discussed. Parking issues at JC Park have improved.
- F. Infrastructure (Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance) – None.
- G. Government – None.

Personnel

- A. *Safety Pays Program Payout

Human Resource Director Sandi Countryman stated that accidents and worker's comp incidents are down and that things have changed on the Safety Pays Program Payout that will now be paid on the Friday before Thanksgiving. Sandi then stood for questions.

Councilor Rodriguez made a motion to approve the Safety Pays Program. Second by Mayor Pro Tem Hill and upon vote, the motion passed 8-0.

Public Safety

Police Department:

Police Chief Roberts greeted everyone and stated that he had nothing on the agenda. Chief Roberts then stood for questions.

Fire Department:

- 1) *Consideration and approval of updated version of the Mutual Aid Agreement between Eddy County Fire and Artesia Fire

Fire Chief Hope greeted everyone and spoke on the request for an approval for the Mutual Aid Agreement between Eddy County and Artesia Fire; the last one signed was early 2000 and changes needed to be added.

Mayor Pro Tem Hill made a motion to approve the updated Mutual Aid Agreement between Eddy County Fire and Artesia Fire. Second by Councilor Mullen and upon vote, the motion passed 8-0.

Community Development

- A. * Consideration and approval of asbestos and lead paint abatement of the buildings at the old National Guard Armory at 409 W. Centre Ave.

Community Development Director Jim McGuire greeted everyone and stated that the Planning Committee met a couple of times concerning the National Guard Armory asbestos and lead paint abatement. They had a previous estimate of just under \$30,000 which another evaluation will have to be done; they were looking at \$50 per man hour and \$65 per hour for the supervisor.

Mayor Miller directed staff to undertake abatement as long as the total cost of the bid received is \$50,000 or less, because there is at least that amount in professional services. The Mayor then asked if there were any questions.

Councilor Moreau asked if these prices are average and Jim replied, yes that they are pretty much the only one in our area that does this work. Councilor Bratcher stated to Councilor Moreau that is most likely a low estimate.

Councilor Rodriguez made a motion for the approval of asbestos and lead paint abatement to be taken out of professional services. Second by Councilor Hagelstein.

Mayor Miller asked if there were any discussion on this.

Councilor Youtsey asked if there was any concern that if a cap is put at \$50,000 if that is what it is going to cost. Jim stated they have already given the estimate for the asbestos removal and the lead paint removal would be the hourly rates previously mentioned. Councilor Youtsey stated he would prefer to know what the cost is before writing a \$50,000 check. Mayor Miller directed staff to come back with actual statements of what it will cost for both. Mayor Miller stated that we have a motion and a second and that we would have to withdraw the motion and the second. Councilor Rodriguez withdrew his motion. Councilor Hagelstein withdrew his second.

Mayor Miller suggested staff get a final bid for the lead paint and asbestos removal and to bring back for consideration at the next Council meeting. The Mayor then asked if Council were in agreement. All Council members agreed.

Infrastructure

Infrastructure Director Byron Landfair greeted everyone and stated that there will be a Town Hall meeting for 20th St. pre-construction in the Council Chambers Thursday at 5:30 and all are invited. In addition, Freeman St. is on the way and will be about 4 to 6 weeks out. Also, the columbariums have arrived. Bryon then stood for questions.

City Attorney

None.

City Clerk

Assistant City Clerk/Treasurer Summer Valverde greeted everyone and stated that she would like to do items A.) & B.) separately and combine C.) – F.) then have a discussion at that point.

- A. *Consideration and approval of a resolution defining the Appointed and Elected Members of the Diversified Retirement Board

Summer presented Item A.) for consideration and approval of Resolution – 1763 defining the appointed and elected members of the Diversified Retirement Board. Summer stated we do have a board for the Artesia Retirement Trust which is the Diversified Plan that is a five- member board and 3 appointed and 2 chosen by the appointed members. We have had three in place even though we never approved John Anguiano by Resolution. This resolution reappoints Dennis Davis, Byron Landfair, and John Anguiano; they have chosen Angelina Davila and Mary Esquibel to serve. Summer stated that we can now move forward that we have the five-members and then asked if anyone had any questions.

Councilor Rodriguez made a motion for Resolution – 1763 defining the appointed and elected members of the Diversified Retirement Board. Second by Councilor Moreau and upon vote, the motion passed 8-0.

RESOLUTION – 1763

- B. *Consideration and approval of a resolution amending the Employee and Employer Contributions to the Diversified Retirement Plans

Summer presented the consideration and approval of Resolution – 1764 amending the employee and employer contributions to the Diversified Retirement Plans. At the previous budget

committee meeting it was agreed on to pursue increasing the employee mandatory contribution for 3.75% to 4.75% and to increase the city's contribution by 3% which brings that up to 14.25%. Summer then asked if there were any questions.

Councilor Rodriguez made a motion to approve Resolution – 1764 amending the employee and employer contributions to the Diversified Retirement Plans. Second by Councilor Hagelstein and upon vote, the motion passed 8-0.

RESOLUTION – 1764

Mayor Miller stated that he would not want to combine the items together for reason that he is concerned about item D.) language in the resolution; that he knows what the intent is but that the grant does not say that; as a result, he did not get the revision until this afternoon and did not get a chance to look at. The Mayor has asked the City Attorney to review it. City Attorney Jay Francis stated there was an easy language fix that would not affect the resolution.

C. Consideration and approval of a 2% salary increase for all City employees

Summer presented Item C.) the consideration and approval of a 2% salary increase for all City employees. Mayor Miller asked if there was any discussion. Then stated that this was mainly to assure those getting diversified rate increases would not see a decrease in their take home pay.

Councilor Bratcher made a motion to approve the 2% salary increase for all City employees. Second by Councilor Hagelstein and upon vote, the motion passed 8-0.

D. Consideration and acceptance of a Grant from PY Foundation for retention and recruitment stipend for Certified First Responders

Mayor Miller stated that this brings us to Item D.) and would like for Council to consider allowing a redraft that would solve the minor items and would ask to consider allowing Mayor Pro Tem Hill and him the latitude to execute the document to accept the generous contribution from the PY Foundation and ratify the document at the next council meeting.

Councilor Youtsey made a motion to give Mayor Miller and Mayor Pro Tem Hill the latitude to negotiate and execute the document to be signed and ratified at the next council meeting. Second by Councilor Mullen and upon vote, the motion passed 8-0.

E. Consideration and approval to adjust entry level salaries by 1% (adjustment to Pay Classification Resolution will be provided at November 9, 2021 meeting)

Mayor Miller presented Item E.) Consideration and approval to adjust entry level salaries by 1%.

Councilor Bratcher made motion to approve adjusting entry level salaries by 1% and adjustment to Pay Classification Resolution will be provided at the November 9, 2021 meeting. Second by Councilor Rodriguez and upon vote, the motion passed 8-0.

F. Consideration and approval of a retention stipend for all City employees excluding Certified First Responders

Mayor Miller asked for Item F.) to do a retention award effective November 1, 2021 for all of the full-time and part-time non-first responder employees \$5,000 for full time and \$2,500 for part time employees with a one-year period for payback in case of termination before Oct 31, 2022.

Councilor Mullen asked that his recommendation to continue the retention stipends into the future as long as the funds are available, be made a part of the minutes.

Summer stated that we will need to decide where these funds will be coming from the pay-out of this fiscal year. Aubrey asked if they wanted the \$5,000 retention stipends to come from the FRF Funds or the Taxation and Revenue settlement. Mayor Miller suggested to approve and then to determine where it would be allocated from at the November 9th Council Meeting as the PY agreement will have to be ratified.

Councilor Bratcher made a motion to approve the \$5,000 retention stipend for all employees except for fire and police first responders. Second by Councilor Rodriguez and upon vote, the motion passed 8-0.

G. Preliminary discussion of redistricting plan

City Clerk/Treasurer Aubrey Hobson presented the preliminary maps of the redistricting plans stating that we have contracted with NM Demographics and they have presented two plans A and B. Plan A leaves the deviation within 5% which is within the State and Federal and parameters and it does not substantially change the lines of the existing districts which does not affect any sitting Councilors. Plan B which is called the perfect plan because it's down to 1% on representation deviation was also discussed. Aubrey stated the only problem is that several sitting Councilors are put into other districts. Aubrey suggested Plan A where there are no changes. Mayor Miller stated that we will have a public meeting to discuss redistricting to have a vote whether Plan A or B is chosen. Councilor Youtsey asked if the plans can be displayed in City office's, the Chamber and the Newspaper. Aubrey stated yes and Summer stated it would also be on the website.

H. *Consideration and approval of the 2022 Election Resolution

Summer presented Item H.) consideration of the 2022 Election Resolution – 1765 stating the resolution is in the packet and then stood for questions.

Councilor Rodriguez made a motion to approve the 2022 Election Resolution – 1765. Second by Councilor Moreau and upon vote, the motion passed 8-0.

RESOLUTION – 1765

- I. Set December meeting date to be December 14, 2021

The December council meeting date to be set for December 14, 2021 being the only meeting for that month was presented.

Councilor Rodriguez made a motion to set the December City Council Meeting to be set for December 14, 2021. Second by Mayor Pro Tem Hill and upon vote, the motion passed 8-0.

Mayor

None.

New or other business from Councilors

None.

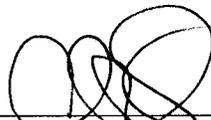
Adjournment

There being no further business, the meeting was adjourned at 6:04 p.m. On October 26, 2021.



Raye Miller, Mayor

ATTEST:



Aubrey Hobson - City Clerk