

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
March 8, 2022**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, March 8, 2022 at 5:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

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

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

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

**New Requests for City Facilities:**

None.

**City Departments and Employees**

Human Resource Director Sandi Countryman introduced Jerry Conde which will be the new HR Director once the agenda is passed. Jerry greeted and thanked everyone.

Community Development Director Jim McGuire introduced Jonathan Reese the new Code Enforcement Officer. Jonathan greeted and thanked everyone.

Mayor Miller wished them all the best.

Commander Rodriguez greeted and thanked everyone for approving his position and stated he wants to keep the community safe.

**Special Reports**

None.

## Consent Agenda

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

### CONSENT AGENDA March 8, 2022

1. **Approval of Minutes** \*February 22, 2022
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
  - A. \*Ratification of approval of a Memorandum of Understanding with the City of Carlsbad for the 2021 Byrne Justice Assistance Grant (JAG) Program Award
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>
1. <u>Gerardo Conde</u>	HR	Human Resources Director	\$7047 per month CA60
2. <u>Arthur Gonzales</u>	Cemetery	Equipment Operator	\$2507 per month CA22
3. <u>Joshua Fodge</u>	Police	Certified Police Officer	\$4104 per month CA32
  - B. \*Ratification to Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. <u>Mary Sparmon</u>	Commission on Aging	Van Driver	\$2193 per month CA12
2. <u>Enrique Hernandez Jr.</u>	Commission on Aging	Van Driver	\$1993 per month CA12
  - C. Discharge of Rebecca Pobe, Commission on Aging Van Driver, effective February 21, 2022 – Failure to Comply with Policy
  - D. Accept the resignation of Anthony Runnels, Solid Waste Department Equipment Operator, effective March 3, 2022
  - E. Permission to advertise and fill position for Consent Agenda Item 5D
6. **Dates of Hearing:**
  - A. \*Permission to set a public hearing for April 12, 2022 for consideration and approval of the Sewer Use and Wastewater Control Ordinance

7. **\*Travel and Training:**
  - A. HR – Permission for one (1) employee to attend the NM District Attorneys' Association 2022 Spring conference in Albuquerque, NM
  - B. Police – Permission for one (1) employee to participate in the online training Ultimate MS Office: Excel, Word, Power Point and Access
  - C. Executive and Legislative – Permission to attend the NMML Newly Elected Officials training in Santa Fe, 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.

- A. \*Consideration and approval of an Ordinance for the City of Artesia to enter into a Lease Agreement with Artesia Stone, LLC, as Lessee, for 612 N. Roselawn Avenue

Mayor Miller presented the consideration and approval of Ordinance – 1095 for the City of for the City of Artesia to enter into a lease agreement with Artesia Stone, LLC, as lessee, for 612 N. Roselawn Avenue. He called upon Rob Wachter, Economic Development Director to come forward and ask any questions. Rob clarified that the lessee would need to carry hazard insurance on the building which was correct.

Councilor Rodriguez made a motion to approve Ordinance – 1095 for the City of Artesia to enter into a lease agreement with Artesia Stone, LLC, as lessee, for 612 N. Roselawn Avenue. Second by Councilor Hagelstein and upon rollcall vote, the motion passed 8-0.

## **ORDINANCE – 1095**

### **Period for Hearing Visitors**

Danny Fletcher representing Holtec spoke on two twin bills of nuclear fuel that both were defeated and would like to give a shoutout to Representative Jim Townsend. The license decision is expected early Summer. Holtec and Energy Alliance wanted to thank everyone.

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

Sandi Countryman spoke on behalf of employees and would like to thank Mayor Miller, Mayor Pro Tem Hill and Councilor Bratcher for their service.

## **Committee Reports:**

- A. Budget and Finance – None
- B. Personnel – None.
- C. Police and Fire – None.
- D. Planning (*Project Management, Code Enforcement, Permits and Inspections*) – Would like to set up a meeting for after council.
- E. Recreation – Set up a meeting for next Monday but will need to postpone.
- F. Facility Maintenance) – Next meeting on the 17<sup>th</sup> of issues on water meters.
- G. Government – None.

## **Personnel**

- A. \*Safety Stats

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

## **Public Safety**

### **Police Department:**

- 1) \*Stats

Police Chief Roberts greeted everyone and spoke on a hotel robbery, as the investigation continues it is becoming less viable and may be reduced.

### **Fire Department:**

- 1) \*Stats

Fire Chief Hope greeted the Mayor and Council, stated that stats are in the packet for the month of February and then stood for questions.

## **Community Development**

- 1) \*Stats

Community Development Director Jim McGuire presented the stats on building violation reports and then stood for questions.

Councilor Bratcher asked what JT stands for on the reports. Jim stated it stands for joint tenant.

## **Infrastructure**

Infrastructure Director Byron Landfair greeted the Mayor and Council and stated that stats are in the packet. Byron spoke on a pretreatment Ordinance from wastewater geared towards the system as required by the State pg. 12, 2.3 of the local section E personnel that could be able to make changes to the local limit treatment of concern. Adding that the last study was done 2 years ago, then stood for questions.

## **City Attorney**

None.

## **City Clerk**

### A. \*Budget Adjustment Resolution

City Clerk/Treasurer Summer Valverde presented the budget adjustment Resolution – 1783. Summer spoke on the 2 million capital outlay that was applied for at legislation session and the 2<sup>nd</sup> item of the trash truck purchase that has an increase in price since then resulting in the budget adjustment.

Councilor Rodriguez made a motion to approve R – 1783 for budget adjustment. Second by Councilor Hagelstein and upon vote, the motion passed 8-0.

Summer then stood for questions.

## **Mayor**

Mayor Miller spoke on meeting with the diversified board about PERA and diversified contribution plans with a 3 to 1 match. The Mayor stated that options with providers were not suitable and if a change is needed will go out for RFP to have new providers. Mayor Miller asked if anyone had any questions.

Councilor Youtsey asked what triggered the change of investments. Mayor Miller stated that the service of Transamerica is not beneficial, the Board was not happy with the plan and will get a comparative to go with the best plan or better options.

### A. Discussion addressing March 22, 2022 council meeting and designation of City Councilor to chair that meeting

The March 22, 2022 Council meeting could not be cancelled due to a public hearing scheduled and then discussion was held addressing designation of City Councilor to chair the meeting.

Mayor Pro Tem Hill nominated Councilor Rodriguez to assist Mayor Pro Tem for purpose of meeting. Second by Councilor Mariscal and upon vote, the motion passed 8-0.

- B. Approval for Mayor Miller to act in consultation with Mayor Elect Henry and appropriate existing Council Committee on issues requiring necessary action and to be ratified at first meeting in April

Discussion was held for approval of Mayor Miller to act in consultation with Mayor Elect Henry for necessary appropriations and to be ratified at first meeting in April.

Councilor Moreau made a motion to allow Mayor Miller to act in consultation with Mayor Elect Henry and appropriate existing Council Committee on issues requiring necessary action and to be ratified at first meeting in April. Second by Councilor Rodriguez and upon vote, the motion passed 8-0.

- C. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(2)(7):
  1. Limited Personnel Matters – Disciplinary Matter (Infrastructure Department)
  2. Threatened or pending litigation

5:51 PM Councilor Rodriguez made a motion to go into Executive session to discuss limited personnel matters and threatened or pending litigation in accordance with the State of New Mexico Open Meetings Act. Second by Councilor Bratcher and upon rollcall vote, the motion passed 8-0.

- D. Action as a result of executive session

6:12 PM Councilor Rodriguez made a motion to come out of Executive session discussion in accordance with the State of New Mexico Open Meetings Act. No action was taken. Second by Councilor Mullen and upon vote, the motion passed 8-0.

Councilor Rodriguez made a motion to uphold a 3 - day suspension for an employee in the Solid Waste department. Second by Councilor Youtsey and upon vote, the motion passed 8-0.

Councilor Rodriguez made a motion for the termination of a Street Department probationary employee. Second by Councilor Youtsey and upon vote, the motion passed 8-0.

### **New or other business from Councilors**

Mayor Miller gave congratulation to winners and thanked the City of Artesia employees for all their hard work.

Councilor Bratcher stated it was a pleasure working with Mayor Miller and Mayor Pro Tem Hill.

Councilor Rodriguez congratulated the newly elected officials and then thanked and expressed gratitude to the Council members that are leaving for their hard work in all their years of service.

Councilor Youtsey stated to Mayor Miller, Mayor Pro Tem Hill and Councilor Bratcher that the City is great for their service. In addition, advised newly elected officials to go to MOLI.

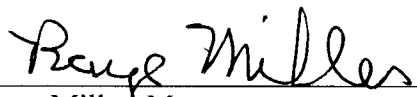
Councilor Mariscal thanked and congratulated officials and then stated for the Councilor that are leaving; their knowledge is still welcomed.

Councilor Hagelstein thanked Mayor Miller, Mayor Pro Tem Hill and Councilor Bratcher and looks forward to working with the newly elected officials.

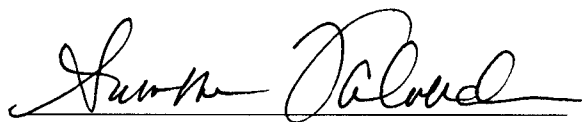
Mayor Pro Tem Hill gave congratulations and stated there is a lot of hard work ahead.

**Adjournment**

There being no further business, the meeting was adjourned at 6:25 P.M. On March 8, 2022.

  
\_\_\_\_\_  
Raye Miller, Mayor

ATTEST:

  
\_\_\_\_\_  
Summer Valverde - City Clerk/Treasurer