

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
February 28, 2017**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, February 28, 2017 at 6:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

| | |
|----------------|--------------|
| Luis Florez | Bill Rogers |
| Terry Hill | Nora Sanchez |
| Kent Bratcher | Jeff Youtsey |
| Raul Rodriguez | |

The following were absent:
Manuel Madrid Jr.

Also present:
Aubrey Hobson, City Clerk
John Caraway, City Attorney

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

City Departments and Employees

City Clerk Aubrey Hobson introduced the new Records Supervisor, Joanne Jones.

Consent Agenda

Mayor Pro Tem Hill requested that item 6-A be pulled and discussed. Mayor Pro-Tem Hill moved to approve the Consent Agenda minus item 6-A. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

**CONSENT AGENDA
February 28, 2017**

1. **Approval of Minutes:** * February 14, 2017
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
4. **Appointments:**
5. **Resignations:**
 - A. Accept the resignation of Dora Sotelo Ornelas, Solid Waste Equipment Operator, effective February 14, 2017
 - B. Accept the resignation of Simon Navarette, Water Technician, effective February 20, 2017
 - C. Accept the resignation of William Drew Anderson, Water Technician, effective 02/23/2017
 - D. Accept the resignation of Justin Coburn, Cemetery Equipment Operator, effective 02/24/2017

6. Dates of Hearing:

- A. Permission to set a public hearing for March 28, 2017 for consideration of an ordinance amending Sections 7-1-2 A and 7-1-2 B (Water Rates) of the Artesia Municipal Code

7. *Travel and Training:

- A. Police – Permission for one (1) employee to attend the Taser Axon conference in Scottsdale, AZ
- B. Wastewater – Permission for one (1) employee to attend the NMRWA Annual conference in Albuquerque, NM
- C. Wastewater – Permission for one (1) employee to attend the NMWWA NW Section Workshop in Farmington, NM
- D. Fire – Permission for one (1) employee to attend the NM EMS Educators conference in Ruidoso, NM
- E. Police – Permission for one (1) employee to attend the Conducting Pre-employment Background Investigations training in Artesia, NM
- F. Police – Permission for one (1) employee to attend the NM Gang Task Force conference in Albuquerque, NM
- G. Fire – Permission for one (1) employee to attend the Rope Rescue Technician Level I training in Cloudcroft, NM
- H. Fire – Permission for one (1) employee to attend the Fire Officer III training in Albuquerque, NM

8. Routine Requests for City Facilities:

9. Budgeted Items:

10. Non-budgeted Items:

11. *Payment of Bills

Item 6-A of Consent Agenda

Mayor Pro-Tem Hill moved that the date of the requested Public Hearing for March 28, 2017 be changed to April 11, 2017 due to scheduling conflicts with some of the council members. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Public Hearings:

- 1. Consideration and approval of an ordinance for Case No. 17-01, Final Plat – Stonegate Subdivision #1. Located in a portion of the SE ¼ SE ¼ of Section 13, T. 17 S. R. 25 E. Zoned “C” Business District and “R-2” General Residential District. Agent – Harcrow Surveying LLC; Owner – Crestline Building Corporation, President – David L. Parmeter

Community Development Director Jim McGuire reported on the current status of the project and stood for questions.

No public comment was received.

Mayor Pro Tem Hill moved to approve the ordinance for Case No. 17-01, Final Plat-Stonegate Subdivision #1. The motion was seconded by Councilor Rodriguez and upon roll call vote with the following votes recorded;

Aye: Mayor Pro Tem Hill, Councilors Rodriguez, Rogers, Sanchez, Youtsey, Florez, Bratcher

Nay: None
the motion passed.

ORDINANCE NO. 1010

Visitors:

Ignacio Mariscal addressed the Council on the parking on Mahone Drive. Mr. Mariscal stated the prohibition of parking was dangerous.

Raye Miller addressed the council regarding his concerns on the upcoming possible water rate changes. He advised the council that he was the individual who wrote a letter to the editor in the Artesia Daily Press on February 26, 2017 regarding the possible water rate changes.

Committee Reports:

G. Government

Mayor Phillip Burch discussed House Bill No. 174 Local Election Act and its effect on municipalities and the City of Artesia in particular.

Personnel

A.

1. Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Charles Wolf to the position of Police Corporal, at a salary of \$4641 per month (CA35), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

2. Councilor Florez moved, upon recommendation of the Mayor, to hire Bill Bailey to the position of Water Technician, at a salary of \$2127 per month (CA20), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

B. Mayor Phillip Burch explained that in order to reconsider the hiring of Kevin Hope for the position of Fire Chief, a member of the original dissenting vote from the original consideration must be the one to bring forth the motion. Councilor Rodriguez moved to reconsider the hiring of Kevin Hope for the position of Fire Chief. Mayor Pro Tem Hill seconded the motion and upon roll call vote with the following votes recorded;

Aye: Councilors Florez, Bratcher, Rodriguez, Rogers, Sanchez, Youtsey, Mayor Pro Tem Hill

Nays: None
the motion passed.

C. Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Kevin Hope to the position of Fire Chief, at a salary of \$7000 per month (CA60), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro Tem Hill and upon vote, the motion passed. There was discussion about the hiring process and procedures.

D. Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Erin Loveland to the position of Library Supervisor, at a salary of \$4169 per month (CA43), subject to the

successful completion of required pre-employment testing. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

E.

1. Mayor Pro Tem Hill moved to advertise to fill the vacant position of Solid Waste Equipment Operator. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

2. Councilor Rodriguez moved to advertise to fill the vacant positions of Water Technician (2). The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

3. Councilor Rodriguez moved to advertise to fill the vacant position of Cemetery Equipment Operator. The motion was seconded by Councilor Florez and upon vote, the motion passed.

4. Councilor Rodriguez moved to advertise to fill the vacant position of Librarian II-Teen Services. The motion was seconded by Councilor Sanchez and upon vote, the motion passed.

Public Safety

A. Police

Officer Lindell Smith stood in for the absent Chief Don Raley and stood for questions. Councilor Rodriguez requested clarification on the "A Taste of the Blue" program which Officer Smith provided.

B. Fire

Division Chief Richard Burks reported on the academy and the training tower and stood for questions. Councilor Bratcher requested an update on the fires south of Artesia. Fire Marshal Brenden Harvey reported on the fires, thanked several other communities for their assistance and stood for questions.

Community Development

A. Community Development Director Jim McGuire presented the Subdivision Improvement Agreement for Southgate Subdivision #1. There was discussion regarding the timing and responsibility on the development of sidewalks. Councilor Florez inquired about occupancy permits as they pertain to the sidewalks. Community Development Director Jim McGuire and Zachery Theus of Crestline Building provided answers.

Mayor Pro Tem Hill moved to approve the Subdivision Improvement Agreement for Southgate Subdivision #1. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

B. Community Development Director Jim McGuire presented a request from the Changing Lives Coalition for use of the kitchen facilities at the Recreation Center for their After School and

Summer Meals program. Brissa Padilla of the Changing Lives Coalition stood for questions. There was discussion regarding liability and participation of the city.

Councilor Bratcher moved to approve the request by the Changing Lives Coalition for use of the kitchen facilities at the Recreation Center for their After School and Summer Meals program. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Infrastructure Department

Public Works Director Byron Landfair gave progress reports on the ongoing City projects and stood for questions.

City Attorney

City Attorney Caraway stood for questions.

City Clerk

City Clerk Hobson requested consideration and approval of a resolution to oppose House Bill No. 174 Local Election Act. There was discussion regarding the effect of House Bill No. 174 Local Election Act on the City of Artesia.

Councilor Rodriguez moved to approve the resolution to oppose House Bill No. 174 Local Election Act. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

RESOLUTION NO. 1627

Mayor

Councilor Rogers moved that in accordance with New Mexico State Statute 10-15-1-H(7), the Council and Mayor go into executive session regarding pending litigation. The motion was seconded by Councilor Rodriguez and upon roll call vote, with the following votes recorded;

Aye: Mayor Pro Tem Hill, Councilors Bratcher, Florez, Youtsey, Sanchez, Rogers, Rodriguez

Nay: None
the motion passed.

Council recessed to executive session at 6:55pm.
Council reconvened at 7:12pm.

Councilor Rodriguez moved that the only matters discussed in executive session pertained to pending litigation and no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rodriguez moved to approve the signing of a verified petition for a Writ of Mandamus and Declaratory Judgment relating to Violation of NMSA 1978, §7-1-6.15 of the Tax Administration Act. The motion was seconded by Councilor Florez and upon vote, the motion passed.

New or other business from Councilors

Mayor Pro Tem Hill, Councilors Bratcher, Florez, Youtsey, Sanchez, Rogers, and Rodriguez all welcomed Fire Chief Kevin Hope.

There being no further business, the meeting was adjourned at 7:17 p.m. on February 28, 2017.



Mayor

ATTEST:



City Clerk