

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
April 23<sup>rd</sup>, 2019**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, April 23<sup>rd</sup>, 2019, at 6:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

George G. Mullen	Luis Florez
Jeff Youtsey	Bill Rogers
Terry Hill	Raul Rodriguez
Manuel Madrid Jr.	

The following were absent:  
Kent Bratcher

Also present:  
Justin Raines, City Attorney  
Aubrey Hobson, City Clerk

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. Curt Pittam representing Ride for Bikes – request use of Jaycee Park on Saturday, June 8, 2019 from 7:00 am – 12 noon for the No Sweat Just Wet event. Request use of City Services and closure of park entrances as stated on application. *Contingent upon proof of insurance and State License(s) for Inflatable Games*

City Clerk Aubrey Hobson informed Council of the request to use Jaycee Park for the Rides for Bikes, No Sweat Just Wet public event.

Councilor Hill moved to approve request of the use of Jaycee Park on Saturday, June 8, 2019, from 7:00 am – 12:00 noon for the No Sweat Just Wet event. Mayor Pro tem Florez provided a second and upon vote, the motion carried 7-0.

**City Departments and Employees**

None.

**Special Reports**

A. Consideration and approval of a resolution authorizing the submission of a NM CDBG Grant Program application and participation in the CDBG program.

Dora Batista the Executive Director of Southeastern New Mexico Economic Development District presented the Council with three (3) recommendations for the CDBG grant program. Ms. Batista

stated the three (3) recommendations are: improvements for Artesia Recreation Center, Street improvements for North Park Subdivision and installing ADA Ramps Citywide.

There was some discussion regarding these recommendations.

Councilor Hill moved to approve the submission of a NM CDBG Grant Program application and participation in the CDBG program with the recommendation for ADA ramps. Councilor Youtsey provided a second and upon vote, the motion carried 7-0.

## **RESOLUTION 1700**

### **Consent Agenda**

Councilor Rodriguez moved to approve the consent agenda removing Item 5E 4 from the agenda for separate consideration. Councilor Rogers provided a second and upon vote, the motion carried 7- 0.

### **CONSENT AGENDA April 23, 2019**

1. **Approval of Minutes** **April 9, 2019**
  
2. **Consideration of Bids:**
  
3. **Contracts, Leases and Agreements:**
  - A. \*Approval of Fire Department Grant
  - B. \*Approval of Memorandum of Agreement with the Artesia Chamber of Commerce for the 2019 Washington DC Economic Development Trip
  - C. \*Approval of Memorandum of Agreement with Eddy County for CDWI Funds
  
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>Chad Broadway</u>	Garage	Mechanic	\$2740 per month CA26

- B. Accept the resignation of Dustin Letcher, Solid Waste Department Equipment Operator, effective April 6, 2019
- C. Accept the resignation of Jeremy Kirkham, Fire Division Chief of Training/Safety, effective June 14, 2019
- D. Accept the resignation of Miriam Kramer, Recreation Specialist, effective May 31, 2019
- E. Permission to advertise and fill:
  - 1) Solid Waste Equipment Operator
  - 2) Fire Division Chief of Training/Safety (promotional process)
  - 3) Apprentice Mechanic
  - 4) **Planning and Zoning Administrator (ratification of Mayor Miller's approval to post) - Pulled for Separate Consideration.**
  - 5) Recreation Specialist

**6. Dates of Hearing:**

- A. Ratification of Mayor Miller's approval to pre-advertise and set a public hearing on May 14, 2019 for consideration of an ordinance for the zone change from General Residential District "R-2" to Special Use District "SU-1", for Lots 1,3,5,7,9 and 11 of the Artesia Improvement Company Block 44 Replat; located on the south side of the 700 block of W. Missouri Ave.; Owner – Hermosa, LLC; Agent – Jess Holmes, FAIA
- B. \*Approval to set a public hearing on May 28, 2019 on the question of whether the Alcohol and Gaming Division of the NM Regulation and Licensing Department should approve or disapprove the application for a restaurant beer and wine liquor license with on premises consumption only for:
  - 1) Application No. 1122670 Nan Dad, Inc. dba La Fonda Restaurant, 206 W. Main St., Artesia, NM. (Public hearing required by the State due to change of stockholders/ownership)

**7. Travel and Training:**

- A. Legislative – Permission to attend the 2019 Chamber of Commerce Economic Development trip to Washington DC
- B. Legislative – Permission to attend the New Mexico League of Zoning Officials workshop in Albuquerque, NM
- C. Planning – Permission for one (1) employee to attend the New Mexico League of Zoning Officials workshop in Albuquerque, NM
- D. Streets – Permission for eight (8) employees to attend the Traffic Control Technician training in Albuquerque, NM (4 attending May training and 4 attending June training)

**8. Routine Requests for City Facilities:**

- A. \*Changing Lives Coalition has requested the use of Martin Luther King Park on Friday, May 24, 2019 from 11:00 am – 4:00 pm for the Annual School’s Out Summer Splash. Request for use of city services and road closures as stated on application and waiver of fees. *Contingent upon proof of insurance*

**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:**

**Pulled for Separate Consideration:**

5 E 4 Planning and Zoning Administrator (ratification of Mayor Miller’s approval to post)

Councilor Rodriguez questioned if the job description changed. HR Director Sandi Countryman stated the job description did not change.

Councilor Rodriguez moved to approve Item 5E 4. Councilor Mullen provided a second and upon vote, the motion carried 7- 0.

**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 zone change from Suburban Acreage -2 type “SA-2” to Manufactured Home District “MH”. Lot 13 of Block 1 of the Grand Heights Redivision and Tracts A and B of Grand Heights Block 1 Lot 14 Summary Plat; Located on the north side of the 2400-2500 Block of W. Missouri Ave.; Owners- Noemy Carbajal, Leticia Quiroz, Angelica Navarrette and Faustino Aguilar.

There was no public input.

Councilor Rogers moved to postpone item 7 A to the May 14<sup>th</sup> Council Meeting. The motion was seconded by Councilor Hill and upon vote, the motion carried 7-0.

- B. Consideration and approval of an ordinance amending Section 9-11 of Artesia City Code. Purpose of the ordinance is to amend the existing sign regulations.

Hayley Klein, Executive Director of the Artesia Chamber of Commerce, stated she has worked closely with Community Development Director Jim McGuire and several businesses regarding the proposed sign regulations. Mrs. Klein indicated the business owners are stating the bill board signs should be on a different sign regulation.

Councilor Rogers moved to postpone item 7 B to the May 14<sup>th</sup> Council Meeting. The motion was seconded by Councilor Youtsey and upon vote, the motion carried 6-1. Councilor Rodriguez Voting no.

### **Period for Hearing Visitors**

Marty Petsonk, Vice Chairman of the Housing Authority Commission, addressed the Council regarding the possible approval of the resolution dissolving the Artesia Housing Authority Board and the Housing Authority. Mr. Petsonk stated the Housing Board has been designated by HUD as being in trouble and the board does not wish to join with Region 6 from Roswell.

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

None.

### **Committee Reports**

None.

### **Personnel**

A. Consideration and approval of a resolution adopting Vehicle Policy and Procedures.

Human Resource Director Sandi Countryman presented the Council with the proposed vehicle policy and procedure. Director Countryman stated the policy allows the vehicles to be taken home within the 50 miles radius of 13<sup>th</sup> and Main Street.

Councilor Youtsey moved to approve the resolution adopting Vehicle Policy and Procedures. The motion was seconded by Mayor Pro tem Florez and upon vote, the motion carried 7-0.

## **RESOLUTION 1701**

### **Public Safety**

#### **Police**

Police Chief Kirk Roberts stood for questions.

#### **Fire**

Fire Marshall Brendan Harvey gave updates and stood for questions.

## **Community Development**

None.

## **Infrastructure Department**

Infrastructure Director Byron Landfair stood for questions.

## **City Attorney**

City Attorney Justin Raines stood for questions.

## **City Clerk**

- A. Discussion and possible approval of resolution dissolving the Artesia Housing Authority Board.

City Clerk Aubrey Hobson requested to postpone the possible approval of dissolving the Artesia Housing Authority Board to the May 14<sup>th</sup> Council meeting.

Councilor Rodriguez moved to postpone the discussion and possible approval of dissolving the Artesia Housing Authority Board to the May 14<sup>th</sup> Council meeting. The motion was seconded by Councilor Hill and upon vote, the motion carried 7-0.

- B. Consideration and approval of a resolution amending Resolution No. 1699 – 2018/2019 Budget Adjustments.

City Clerk Hobson presented the council with the proposed budget resolution with the changes.

Councilor Rodriguez moved to approve the resolution amending Resolution No. 1699 – 2018/2019 Budget Adjustments. The motion was seconded by Councilor Hill and upon vote, the motion carried 7-0.

## **RESOLUTION 1702**

- C. Update on taxation and revenue lawsuit.

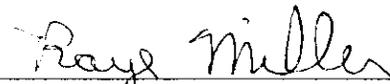
City Clerk Hobson presented Council with an attorney client privilege report regarding the taxation and revenue lawsuit.

## **Mayor**

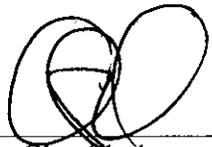
None.

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

There being no further business, the meeting was adjourned at 6:50 p.m. on April 23<sup>rd</sup>, 2019.

  
\_\_\_\_\_  
Raye Miller - Mayor

ATTEST:

  
\_\_\_\_\_  
Aubrey Hobson - City Clerk