

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
February 23, 2021**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, February 23, 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	Ignacio Mariscal
Sam Hagelstein	Raul Rodriguez
George G. Mullen	Jeff Youtsey
Jarrold Moreau	Kent Bratcher

Also, present:
Aubrey Hobson, City Clerk/Treasurer
Attorney Jay Francis (by telephone)

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.

**CONSENT AGENDA
February 23, 2021**

1. **Approval of Minutes** *February 9, 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. *Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. <u>Kolbyn Pollard</u>	Wastewater	Assistant	\$2482 per month CA22
2. <u>Dillion Ripley</u>	Police	Uncertified Officer	\$3178 per month CA32

B. Accept the resignation of Summer Valverde, Finance Supervisor, effective February 26, 2021

6. **Dates of Hearing:**

A. Permission to set a public hearing on March 23, 2021 for Case No. 21-01: Final Plat for the RDP Summary Subdivision; Location: Northeast corner of 41st St. and Richey Ave., west of 3902 W. Richey Ave.; Legal: The foregoing Summary Subdivision of Tract X of the Savannah Park Estates, Block 1, Lot 1, Land Division to the County of Eddy in Section 1, Township 17 S, Range 25 E as recorded in Cabinet 6, Slide 660-1; Owner: Ross Duncan Properties, LLC

7. ***Travel and Training:**

A. Police – Permission for three (3) employees to attend the Forensic Tech training in Dallas, TX

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

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

A. *Approval of a Resolution amending Open Meetings Resolution No. 1747

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

Stephanie Hammond greeted and thanked everyone for what they do; she then spoke on how to give the public information on health to increase livelihood, to be prepared to fight viruses that we come into contact with and to increase the survival rate with vitamin D as many that have contacted Covid are severely deficient, also adding zinc to boost the immune system. Stephanie wants to increase health awareness as those that are testing positive are not given any

information on what to do other than to just stay at home. Stephanie is wanting to do a community power your health day with information. Stephanie brought her brother who is an RN to speak with us about preventive treatments they are doing at the facility that he works at because they have had zero deaths, she then thanked everyone for their time and also stated that she did speak with the Chamber of Commerce about putting together a plan to empower our community.

Chris Baeza a registered nurse greeted everyone and spoke about examples on some of the treatments that are out there and the population that he works with in the correctional facility. They have not had one death since Covid appeared. Chris also stated that the research is out there and to promote health prevention; he then thanked everyone and asked if there were any questions.

Stacey Turner greeted the Council and stated that she appreciated everyone. Stacey stated that it has been her heartbeat to help empower people with nutrition and support. She has seen firsthand the power of good nutrition and preventive measures through her husband's long illness and recovery. Stacey also spoke on the vaccine not being FDA approved that is being used as an emergency use authorization with other treatments being suppressed and also asked why is preventive measures information not being given to support the body immune system; that nutrients given before is also important to reduce the positive rate.

Mayor Miller stated if they are looking at giving citizens knowledge and are talking about having an event with city facilities or a traffic event to make an application with the city and also suggested contacting the hospital board. The Mayor also stated with the Governors orders at this point we would not be able to have a rally but to have an event where the community could have a drive through to hand out information might be workable; to also advise the City well in advance of the event so the police department can be aware if there is going to be a large amount of traffic in a particular area to make sure everything runs smoothly.

Comments from Public Officials and Contracted Services

None.

Committee Reports

Personnel – None.

Police and Fire – None.

Planning (Project Management, Code Enforcement, Permits and Inspections) - None.

Recreation – None.

Infrastructure (Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance) – Councilor Bratcher stated on behalf of the committee his appreciation for Byron and his department on the efforts and extra hours they put in during this weather.

Government – None.

Personnel

Human Resource Director Sandi Countryman stated that stats are in the packet and then stood for questions. Sandi also thanked the infrastructure department for all their help.

Councilor Bratcher asked how many employees is the city short in staff? Sandi replied about twenty.

Councilor Hagelstein asked if we are aware of any other municipalities that are laying off employees other than Lovington? Sandi stated that Roswell has to her knowledge, that they have let go of part-time and contracted employees.

Public Safety

Police

Chief Roberts greeted the Mayor and Council and had nothing on the agenda, then stood for questions.

Fire

Chief Hope greeted the Mayor and Council stated that he had nothing on the agenda this evening however, he did have an update on the ladder truck, it will be here Friday; they will be having four weeks of driver and aerial training and will be in service in about a month. Chief Hope then stood for questions.

Community Development

- A. *Consideration and approval of Case No. 21-02: Preliminary Plat of Cottonwood Estates Phase 1; Location: Southeast corner of 13th Rural St. and Jackson Rd., east of 353 N. 13th Rural St.; Legal: A Tract of Land being the W1/2 of the NW1/4 of Section 29, T 16 S, R 26 E, N.M.P.M., Artesia, Eddy County, New Mexico; Owners: David R. and Sandra T. Borges

Community Development Director Jim McGuire stated that we have a community plat to consider; when originally submitted it was Cottonwood Estates Phase 1. The applicants have been working with the county and it was overlooked that there is already a Cottonwood Estates in the county so it will now be titled Arbor Estates Phase 1, the property contains a little over 80 acres and the proposal is to divide the property for the first phase into 12 lots each lot containing a little over 1 acre and then about a 65 and a half acre track of land labeled as parcel A on the plat, the remaining acreage is in road rights of way along Jackson Rd and 13th Street. Jim stated that the applicants have been working with Eddy County and we have a copy of the construction drawing and they show proof that they will receive water from Cottonwood Rural Water

Association. The Planning and Zoning Commission reviewed the request at their February 17th meeting and unanimously recommended approval and staff is also in support of the proposed subdivision. The applicant's representative Scott Eddings is on the phone to answer any questions that Jim cannot answer.

Mayor Pro Tem Hill made a motion for approval on Case No. 21-02 the preliminary plat of Arbor Estates Phase 1. Second by Councilor Moreau. Upon vote, the motion passed 8-0.

Infrastructure Department

Infrastructure Director Byron Landfair greeted the Mayor and Council and stood for questions. Byron added on to what was said about the street and water departments. They did a good job with getting the streets taken care of every morning at 4:00 salting the roads. Also, the water department had some unique problems with some things freezing up.

City Attorney

None.

City Clerk

- A. Submittal of list for records destruction (informational item only)
- B. Consideration and approval of a Budget Adjustment Resolution

Councilor Moreau made a motion to approve Resolution 1750, the budget adjustment for the senior van. Second by Councilor Rodriguez. Upon simple vote, the motion passed 8-0.

RESOLUTION - 1750

- C. Acceptance of donation of a light tower from the City of Carlsbad, NM

Councilor Hagelstein made a motion to approve the donation of the light tower from the Eddy County DWI Program. Second by Mayor Pro Tem Hill. Upon vote, the motion passed 8-0.

City Clerk/Treasurer Aubrey Hobson had a report on the opening of the Library today; everything is going well and they have filled up the computer reservations.

Mayor

- A. Advise Council of retirement notice of Aubrey Hobson, City Clerk Treasurer, effective January 28, 2022, and permission to advertise and fill temporary position

Councilor Bratcher would like to have the opportunity to speak with the person selected for City Clerk/Treasurer Assistant by the committee before coming to Council to be able to say yea or nay before hiring.

Sandi stated that we can have half hour slots for each council member with a couple of them doubled up before hiring this position.

Councilor Rodriguez made a motion to advertise and fill the temporary position of City Clerk/Treasurer Assistant in training. Second by Mayor Pro Tem Hill. Upon vote, the motion carried 8-0.

- B. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(7):

Mayor Miller stated that tomorrow the Municipal League has their Municipal day from 10:00 a.m. to 12:00 noon by zoom, they will be talking about the legislation that impacts cities and counties which will be their primary agenda in Santa Fe.

Additionally, the Mayor put a document on the Councilors desk for the weekly update that Jerry Fanning sent out.

Also mentioned, Artesia General Hospital has sent out a notice that they are anticipating a significant amount of vaccines that they will have available in the next few weeks and are encouraging citizens who would want the vaccine to make sure to get registered on the Department of Health website, so you can contact them to see if it is available.

- 1. Pending litigation

Councilor Rodriguez made a motion at 6:00 p.m. to go into executive session to discuss pending litigation. Second by Councilor Mariscal. Upon vote, the motion carried 8-0.

- C. Action as a result of executive session

Councilor Rodriguez made a motion to come out of executive session at 6:10 p.m. with no action taken. Second by Councilor Moreau. Upon vote, the motion carried 8-0.

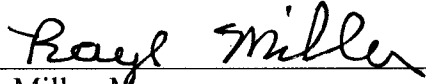
New or other business from Councilors

Councilor Hagelstein stated that he has a great appreciation for the infrastructure department in what they have done this last week.

Mayor Miller stated that he has great respect for Byron and John in the jobs they do for us, that we have a great staff that makes our jobs and life a lot easier.

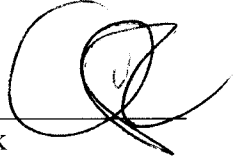
Adjournment

There being no further business, the meeting was adjourned at 6:15. On February 23, 2021.



Raye Miller, Mayor

ATTEST:



Aubrey Hobson - City Clerk