

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
February 10, 2009**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, February 10, 2009, at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Manuel Barragan	Raul Rodriguez
Terry Hill	Nora Sanchez
George Holmes	J.B. Smith
Raye Miller	

The following were absent:

Antonio Torrez (\*joined the meeting at 7:52 p.m.)

Also present:

Aubrey Hobson, City Clerk-Treasurer  
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**

Frank Trujillo of the Wastewater Department was recognized for receiving the NM Water and Wastewater Association Lifetime Member Award.

The Water Department was recognized for receiving the NM Water and Wastewater Association Housekeeping Award.

The Wastewater Department was recognized for receiving the NM Water and Wastewater Association Activated Sludge Award.

**Consent Agenda**

The following items were requested pulled from the Consent Agenda for separate consideration:

Mayor Pro Tem Holmes requested 2-A and 6-A  
Councilor Barragan requested 5-C

Councilor Rodriguez moved to approve the Consent Agenda, minus items 2-A, 5-C and 6-A. The motion was seconded by Councilor Hill and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \* January 27, 2009 - Regular meeting
2. Consideration of Bids:
  - A. Pulled for separate consideration.
3. Contracts, Leases and Agreements:

4. Appointments:
  - A. Approval of appointment of Michael Pitts to the Labor Relations Board
5. Resignations:
  - A. Accept the resignation of Jorge Martinez, Police Officer effective February 14, 2009.
  - B. Report the end of employment term for Catrina Steptoe effective January 9, 2009.
  - C. Pulled for separate consideration.
6. Dates of Hearing:
  - A. Pulled for separate consideration.
7. \*Travel and Training:
  - A. Executive and Legislative – Approval for Mayor Burch and Mayor Pro tem Holmes to travel to Washington, DC to visit with the NM Delegation and other elected officials. Request actual expenses and mileage.
  - B. Police – Permission for two (2) employees to attend a Back Country Tactics and Tracking Training program in Ruidoso, NM. Request actual expenses.
  - C. Infrastructure – Permission for one (1) employee to attend a Managing Multiple Projects workshop in Roswell, NM.
  - D. Garage – Permission for one (1) employee to attend the Fleet Management – Effective Practices for Public & Private Fleets training in Las Vegas, NV. Request actual expenses.
  - E. Wastewater – Permission for three (3) employees to attend the New Mexico Rural Water Association 31<sup>st</sup> Annual conference in Albuquerque, NM. Request actual expenses.
  - F. Police – Ratification of Mayor Burch's approval for two (2) employees to attend Project Safe Neighborhoods: Firearms Interdiction training in Phoenix, AZ. Request actual expenses.
  - G. Police – Permission for one (1) employee to attend the Operations Security for Public Safety Agencies Counterterrorism Training Program in Artesia, NM.
  - H. Police – Permission for three (3) employees to attend the IR-8000 Re-certification training in Hobbs, NM.
  - I. Water – Permission for two (2) employees to attend a Fundamentals of Landscape & Grounds Maintenance workshop in Albuquerque, NM. Request actual expenses.
  - J. Wastewater – Permission for one (1) employee to attend the NMWWA Short School in Espanola, NM. Request actual expenses.
  - K. Wastewater – Permission for one (1) employee to attend the New Mexico Rural Water conference in Albuquerque, NM. Request actual expenses.
  - L. Water – Permission for two (2) employees to attend the Fundamentals of Irrigation and Sprinkler Systems training in Albuquerque, NM. Request actual expenses.
  - M. Streets – Permission for one (1) employee to attend a Fundamentals of Landscape & Grounds Maintenance workshop in Albuquerque, NM. Request actual expenses.
  - N. Library – Permission for one (1) employee to attend the NM Library Association Annual conference in Albuquerque, NM. Request actual expenses.
  - O. Legislative – Permission elected officials to attend the Operations Security for Public Safety Agencies Counterterrorism Training Program in Artesia, NM.
  - P. Fire – Permission for three (3) employees to attend the EMS Region III conference in Ruidoso, NM. Request actual expenses.
  - Q. Fire – Permission for two (2) employees to attend Fire Officer I training in Socorro, NM. Request actual expenses.
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
9. Budgeted Items:
  - A. Police – Approval to purchase 14 Tasers, 28 Cartridges, 20 Training Cartridges and 1 Data port download cable
10. Non-budgeted Items:
  - A. Approval to add the new community announcement sign at Dr. JJ Clarke Park to the City's insurance policy (*no budget increase required*)
11. \*Payment of Bills

Mayor Pro Tem Holmes moved to approve Consent Agenda Item 2-A (\*Approval of award of bid for Construction Manager Services for the Community Development and Infrastructure Director to the following firms: Pettigrew, SEC, Harris Consulting and CE&M.) The motion was seconded by Councilor Miller and upon vote, the motion passed.

Mayor Pro Tem Holmes moved to approve Consent Agenda Item 5-C (√Accept the resignation of Ronnie Doportto, Fire Department Lieutenant effective February 1, 2009.) The motion was seconded by Councilor Smith and upon vote, with Councilor Barragan voting “nay”, the motion passed.

Mayor Pro Tem Holmes moved to approve Consent Agenda Item 6-A (√Approval to set a public hearing for March 10, 2009 to repeal section 6-1-Excavations and 6-2 Sidewalk Specifications of the Artesia Municipal Code). The motion was seconded by Councilor Miller and upon vote, the motion passed.

### **Public Hearings**

Mayor Burch declared the meeting open for public hearing of the following:

1. Consideration and approval of an Ordinance approving the site plan for Yates Farms Phase I.

Mr. McDermott and Scott Verhines, representing Zydeco, were present.

The plat is for the first phase of Yates Farms, a total of 17 single family homes on 0.75 to 2 acre parcels. Patio homes are scheduled to be built in Tract A, but have not been designed yet.

Community Development Director Tina Torres reported that two site meetings had been held with representatives of the city. Ms. Torres reported that Planning & Zoning has reviewed the request and recommends approval.

No public comment was received.

Councilor Barragan inquired about the street width in the area. Mr. McDermott reported that the streets were 22 or 24 feet wide, but there would be no on-street parking in this area.

Mayor Pro Tem Holmes moved to adopt Ordinance No. 810, the site plan for Yates Farms Phase I. The motion was seconded by Councilor Hill and upon roll call vote, with the following votes recorded:

Aye: Barragan, Hill, Holmes, Miller, Rodriguez, Sanchez, Smith,

Nay: none

the motion passed.

### **ORDINANCE NO. 810**

### **Period for Hearing Visitors**

Jacob & Wanda Luna requested an extension of time on the condemnation of structure at 409 W. Dallas (Resolution No. 1328). Mr. Luna stated that they had purchased the property about 18 months ago, but hadn't made the improvements as they were waiting on their daughter to finish school. It was noted that the roof and windows needed to be repaired and the structure brought to code. Mayor Pro Tem Holmes moved to grant a six month extension (postponement of enforcement of condemnation) for the structure at 409 W. Dallas, and that the owners make a good faith effort to keep the property clean. The motion was seconded by Councilor Barragan and upon vote, the motion passed.

### **Personnel**

Councilor Hill moved, upon recommendation of the Mayor, to hire Sarah Bassett to the position of Police Department Community Service Officer, at \$1,757 per month (CA8), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Smith and upon vote, with Councilor Barragan voting "nay", the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to promote Chantel Longway to the position of Un-certified Police Officer, at \$2,544 per month (CA23), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Smith and upon vote, the motion passed.

The Safety statistics for January 2009 were distributed.

### **Public Safety**

#### **Police**

Chief Raley distributed the statistics for January 2009.

Councilor Miller moved to approve the annual Memorandum of Understanding between the City of Artesia Police Department and the U.S. Department of Veterans Affairs Police. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Hill moved to approve the Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Artesia Police Department associated with the Southern New Mexico Street Crimes Taskforce. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Torrez joined the meeting at 7:52 p.m.

City Attorney John Caraway reported that the city itself cannot request an opinion from the Attorney General's office; it must be done by a state official. Once a request has been made, it usually takes six to eight months to receive the opinion.

Chief Raley requested that the city consider proceeding with signage (stating the current laws) and the building modifications.

Mayor Pro Tem Holmes moved to refer both the Weapons ordinance issues and the signage and building modifications to the Police and Fire Committee and for them to bring recommendations back to Council. The motion was seconded by Councilor Barragan and upon vote, the motion passed.

Fire

Chief Hummingbird distributed the statistics for January 2009

**Community Development**

Community Development Director Tina Torres distributed the statistics for January 2009.

**Infrastructure**

Infrastructure Director Robert Forrest reported on project activities in the Infrastructure department.

Discussion took place regarding the permanent closure of a portion of Lolita Avenue that runs through Roberts Park. It was reported that staff had met with the MLK committee to get their opinion. Discussion continued about other options that might be explored.

Councilor Torrez moved to reduce the speed limit in Roberts Park to 15 MPH, to enforce the new speed limit and to post “No Parking” signs along Lolita, within the park. The motion was seconded by Councilor Barragan and upon vote, with Councilor Hill voting “nay”, the motion passed.

**City Clerk**

Mayor Pro Tem Holmes moved to approve the mid-year budget adjustments, Resolution No. 1330. The motion was seconded by Councilor Hill and upon vote, the motion passed.

**RESOLUTION NO. 1330**

Councilor Hill moved to adopt Resolution No.1331, to apply for Dept. of Transportation (NMDOT) funding for the Centennial Bridge project. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

**RESOLUTION NO. 1331**

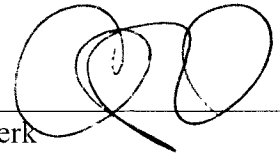
**Mayor**

Councilor Miller moved to change the February 24<sup>th</sup> meeting to Monday, February 23<sup>rd</sup>, immediately following the special meeting to consider three public hearings. The motion was seconded by Mayor Pro Tem Holmes and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:43 p.m.,  
February 10, 2009.

  
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Mayor

ATTEST:

  
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City Clerk