

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
February 23, 2009**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Monday, February 23, 2009, at 8:13 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Manuel Barragan	Nora Sanchez
George Holmes	J.B. Smith
Raye Miller	Antonio Torrez
Raul Rodriguez	

The following were absent:

Terry Hill

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

Scott Parrish of the Garage Department was recognized for five years of service to the City.

WalMart Manager Robert McDaniel was recognized for WalMart's donation of the K-9 safety vest for Bronco.

Consent Agenda

Mayor Pro Tem Holmes requested item 2-B be pulled from the Consent Agenda for separate consideration.

Councilor Torrez moved to approve the Consent Agenda, minus item 2-B. The motion was seconded by Councilor Miller and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * February 10, 2009 - Regular meeting
2. Consideration of Bids:
 - A. *Approval of award of bid to construct the AVTC addition (2,000 sq. ft. metal building) to Classic Builders, Alamogordo, NM.
 - B. *pulled for separate consideration.
 - C. *Approval of award of bid to re-roof the Fire Department to Speir Construction, Artesia, NM.
 - D. *Approval of award of bid to provide a fourteen (14) ambulatory passenger and two (2) wheel chair position van for Grammy's House to Artesia Ford Sales, Artesia, NM.
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:

6. Dates of Hearing:
 - A. *Permission to set a public hearing for March 24, 2009 for consideration of an ordinance for Yates Drilling: Clayton & Stegman, located at the NW corner of 6th & Quay, SU-1 zoning
 - B. *Permission to set a public hearing for March 24, 2009 for consideration of a home occupation application for Elvis' Custom Building, located at 812 S. 4th Street, R1-B zoning
 - C. *Permission to set a public hearing for March 24, 2009 for consideration of an ordinance for West Acres Subdivision #8, located between 24th & 26th Streets, installing Mann Avenue, R1-B zoning

7. *Travel and Training:
 - A. Police – Permission for two (2) employees to attend the Dona Anna County Sheriff Department's Neighborhood Watch Training Program in Las Cruces, NM. Request actual expenses.
 - B. F&A – Permission for one (1) employee to attend the Facilitation for Success seminar in Albuquerque, NM. Request actual expenses.
 - C. Permission for staff to attend various CDBG hearings, meetings and trainings. Request actual expenses.
 - D. Streets – Permission for one (1) employee to attend Irrigation & Sprinkler Maintenance training in Albuquerque, NM. Request actual expenses.
 - E. Water – Permission for two (2) employees to attend the State of NM Water Operator testing in Albuquerque, NM. Request actual expenses.

8. Use of Facilities *(approval contingent upon receipt of all applicable fees, license(s) and dept approvals):*
9. Budgeted Items:
10. Non-budgeted Items:
11. *Payment of Bills

Discussion took place regarding the space design in the parking lot at the Commission on Aging center, and the base bid award structure.

Mayor Pro Tem Holmes moved to approve Consent Agenda Item 2-B (*Approval of award of bid to construct parking lot improvements surface, signage, sidewalk trench, header curb, drive pad, landscaping material and plants for the Commission on Aging to Constructors, Carlsbad, NM) The motion was seconded by Councilor Miller and upon vote, with Councilors Barragan and Rodriguez voting “nay”, the motion passed.

Community Development

Community Development Director Tina Torres reported that the City Hall Annex Committee had met and recommended the East-West orientation for the building. One of the remaining issues is whether to move the Council Chambers to the new building or not.

Mayor Burch requested that the Council provide feedback to Community Development on this issue.

To utilize a grant to Artesia MainStreet in the amount of \$130,000 for this building, the current contract with the architect would need to be cancelled and the city would to go out for RFP for the design for the City Hall Annex.

Councilor Miller moved to go out for RFP for architectural services for the City Hall Annex. The motion was seconded by Mayor Pro Tem Holmes and upon vote, the motion passed.

Infrastructure

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

Mayor

Councilor Torrez moved that in accordance with 10-15-1-H(2) and H(8), the Council and Mayor go into executive session regarding limited personnel matters and discussion of purchase of real property. The motion was seconded by Councilor Barragan and upon vote, the motion passed.

Council recessed to executive session at 9:03 p.m.

Council reconvened at 9:25 p.m.

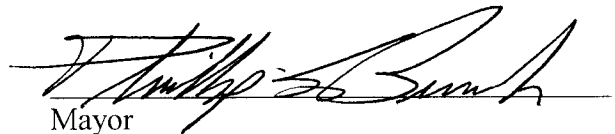
Councilor Torrez moved that the only matters discussed in executive session pertained to limited personnel matters and the purchase of real property, and no action was taken. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mayor Pro Tem Holmes moved to uphold the proposed disciplinary action of suspension without pay, and to terminate Wastewater employee David Barns effective February 23, 2009. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

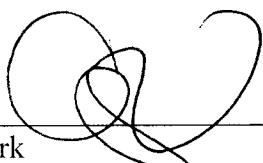
New and Other Business from Councilors

Mayor Pro Tem Holmes distributed copies of the current state statutes regarding donation of land for housing, along with the ordinance adopted by the City of Carlsbad. It was requested that the City Attorney review this information and report back at the next meeting.

There being no further business to come before the Council, the meeting adjourned at 9:42 p.m., February 23, 2009.


Mayor

ATTEST:



City Clerk