

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 12, 2009**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 12, 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	J.B. Smith
George Holmes	

The following were absent:

Raye Miller
Nora Sanchez
Antonio Torrez

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.

Request for City Facilities

City Clerk Aubrey Hobson presented the requests of Artesia MainStreet to use Martin Luther King Park on Friday, May 29, 2009 from 11 am to 5 pm for the annual School's Out Summer Splash, with the closure of Champ Clark and Lolita streets for the event; and the request of the Recreation Department for the Grand Opening of the Dr. MLK Jr. Park to be held in conjunction with MainStreet's Summer Splash on Friday, May 29, 2009 from 1 pm to 9 pm, with the closure of Champ Clark and Lolita streets for the event. Mayor Pro Tem Holmes moved to approve both requests. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Mayor Pro Tem Holmes moved to approve the request of the Artesia Chamber of Commerce to use Jaycee Park on Friday, June 26, 2009 from 8 am to 11:30 pm for the "Shop with a Hero" fund-raising concert, with the closure of the front gates and roads through the park. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Hill moved to approve the request of The Jahva House to close 5th Street between Texas and Main and the alley between 4th and 6th streets for an After Splash Concert Bash from 2 pm to 11 pm, with the use of the city lot at the corner of Texas and 5th for parking. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Consent Agenda

Councilor Barragan requested that item 2-A and 3-A be pulled for separate consideration.

Mayor Pro Tem Holmes moved to approve the Consent Agenda, minus items 2-A, and 3-A. The motion was seconded by Councilor Hill and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * April 28, 2009 - Regular meeting
2. Consideration of Bids:
 - A. Pulled for separate consideration.
3. Contracts, Leases and Agreements:
 - A. Pulled for separate consideration.
4. Appointments:
5. Resignations:
6. Dates of Hearing:
7. *Travel and Training:
 - A. F&A – Permission for one (1) employee to attend New Mexico Historical Records Advisory Board meetings at various locations throughout New Mexico 3-4 times per year. Request actual expenses and mileage.
 - B. Infrastructure – Permission for one (1) employee to attend the Governor's Economic Stimulus Committee in Albuquerque, NM. Request actual expenses.
 - C. F&A – Permission for one (1) employee to attend a workshop on asset management in Las Cruces, NM. Request actual expenses.
 - D. Recreation – Permission for two (2) employees to attend the NSPF Certification for Pool Operators course in Las Cruces, NM. Request actual expenses.
 - E. Police – Permission for one (1) employee to attend the HIDTA Highway Vehicle Stop and Drug Trafficker training in Albuquerque, NM. Request actual expenses.
 - F. Police – Permission for two (2) employees to attend a Skills Manager & Advanced Skills Manager training in Santa Fe, NM. Request actual expenses.
 - G. Fire – Permission for one (1) employee to attend the Statewide Interoperable Communications Working Group in Albuquerque, NM. Request actual expenses. (*Costs reimbursable from DHS*)
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
 - A. Jerry Madrid has requested the use of Roberts Park, including the band shell and restrooms, on Saturday, June 20, 2009 from 10 am – 6 pm for a Family Reunion.
9. Budgeted Items:
10. Non-budgeted Items:
11. *Payment of Bills

Mayor Pro tem Holmes moved to approve Consent Agenda Items 2-A (A. *Approval of award of bid for Architect/Engineer on-call services for the Community Development and Infrastructure Directors. The motion was seconded by Councilor Hill and upon vote, with Councilor Barragan voting “nay”, the motion passed.

Mayor Pro tem Holmes moved to approve Consent Agenda Items 3-A (A. *Approval of Purchase Service Agreement (PSA) with Artesia MainStreet for Summer Splash/MLK Grand Opening hosting coordinating activities). The motion was seconded by Councilor Hill and upon vote, the motion passed.

Public Hearings

Mayor Burch declared the meeting open for public hearing to consider the following:

1. Consideration and approval of a transfer of liquor license (ownership only) for Hotel Artesia, 203 N. 2nd Street.

City Clerk Aubrey Hobson presented this request for a transfer of ownership only. Mr. Hobson reported that the license transfer has already been approved for this location.

Carol Griffith inquired where the license was coming from. It was reported that the license was transferred from Taos.

Mayor Pro tem Holmes moved to approve the transfer of liquor license (ownership only) for Hotel Artesia, 203 N. 2nd Street. The motion was seconded by Councilor Smith and upon vote, with Councilors Hill and Rodriguez voting "nay", the motion passed.

2. Consideration and approval of an ordinance amending Chapter 6 (Fair Housing) of the Artesia Municipal Code.

City Clerk Aubrey Hobson reported that this is the annual update of this ordinance, as required by the Community Development Block Grant (CDBG) program.

No public comment was received.

Mayor Pro tem Holmes moved to adopt an ordinance amending Chapter 6 of the Artesia Municipal Code regarding Fair Housing, Ordinance No. 820. The motion was seconded by Councilor Barragan and upon roll call vote, with the following votes recorded:

Aye: Barragan, Hill, Holmes, Rodriguez, Smith

Nay: none

the motion passed

ORDINANCE NO. 820

Period for Hearing Visitors

Elisa Davis, representing SENMCAC reported on the upcoming work camp program. This project will bring 285 children from church youth groups to do repairs to approximately 38 homes. Ms. Davis requested assistance with trash disposal and a waiver of any permit fees that might be required for the repairs. Mayor Pro tem Holmes moved to approve the request for the work camp, assistance with trash disposal, but to do additional research regarding funding for the permit fees. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Committee Reports

Budget and Finance

Discussion took place regarding the construction of a new animal shelter. Mayor Pro tem Holmes reported that the city currently has four projects estimated to cost \$34 to \$38 million, that need to be underway before committing to the shelter project to cost an estimated \$500,000. It was recommended that Budget and Finance and Police and Fire committees review the proposal and bring a recommendation back to Council.

Personnel

Human Resources Director Bill Thalman requested that the three positions to be hired be pulled from the agenda, as the paperwork is not yet complete.

Mayor Pro tem Holmes moved to hire summer recreation, lifeguards and youth workers from the additional approved list at the following salaries:

Recreation Aide/Leader	\$7.50 per hour
Summer Youth Worker	\$7.50 per hour
Splash Pad Attendant	\$7.75 per hour
Lifeguard, First Year	\$8.50 per hour
Lifeguard, Second Year or more	\$8.75 per hour
Head Lifeguard	\$9.00 per hour

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

The safety statistics for April 2009 were distributed.

Mayor Pro tem Holmes moved to hire a temporary employee for the Library, subject to successful completion of pre-employment testing, at \$9.00 per hour (T1). The motion was seconded by Councilor Hill and upon vote, the motion passed.

Public Safety

Police

Department statistics for April 2009 were distributed.

Mayor Pro tem Holmes moved to approve a Memorandum of Understanding (MOU) with the NM Attorney General's Internet Crimes Against Children Task Force. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Fire

Department statistics for April 2009 were distributed.

Mayor Pro tem Holmes moved to apply for Assistance to Firefighters' Grant for the following items:

Pumper Replacement	(\$350,000)
Exhaust Removal System	(\$100,000)
Paramedic Program	(\$ 50,000)

The motion was seconded by Councilor Hill and upon vote, the motion passed.

Community Development Director

Department statistics for April 2009 were distributed.

Mayor Pro tem Holmes moved to approve the foreclosure of liens and payment of back taxes for 1207 W. Bullock. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Councilor Hill moved to approve the foreclosure of liens and payment of back taxes for 406 W. Missouri Avenue. The motion was seconded by Mayor Pro tem Holmes and upon vote, the motion passed.

Community Development Director Tina Torres presented draft design and plans for the City Hall Annex. After much discussion it was recommended to send the designs to the Planning Committee for review, and to include Chief Raley for review of security issues.

Infrastructure

Infrastructure Director Robert Forrest reported that the bid for the on-call concrete work has been cancelled due to the discrepancies in the responses.

Mr. Forrest requested permission to close Lolita Street in Roberts Park, from 10th Street to the "Y". It was recommended that the Planning committee develop a complete plan for the closure, parking and other issues and to bring the plan to the May 26, 2009 meeting.

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

City Clerk

Mayor Pro tem Holmes moved to set a special Council meeting for May 19, 2009 at 6:30 p.m, for a budget meeting and to conduct an employee disciplinary hearing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mayor

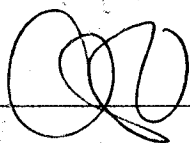
Mayor Burch reported that Emma Salgado has agreed to co-chair the 2010 Census Committee.

There being no further business to come before the Council, the meeting adjourned at 9:35 p.m., May 12, 2009.



Mayor

ATTEST:



City Clerk