

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
July 21, 2009**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, July 21, 2009, at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

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

The following were absent:  
none

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 request of Forever Free Fellowship for the use of Central Park on Friday, July 31, 2009 from 1:00 p.m. to 4:00 p.m. for a Vacation Bible School Splash Down. Mayor Pro tem Holmes moved to approve this request. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mr. Hobson presented the request of Artesia High School Cross Country Parents Boosters for the use of Jaycee Park on Saturday, August 8, 2009 from 6:30 a.m. to 11:00 a.m. for their annual Udderly Fun Run. They have also requested the closure of the north gate from 6:00 a.m. to 9:30 a.m. Councilor Barragan moved to approve this request. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

Mr. Hobson presented the request of the Artesia Arts Council for the use of Central Park on October 16-17, 2009 from 6:00 a.m. to 7:00 p.m. for the annual Art in the Park. They have requested two extra dumpsters, tow power distribution panels and barricades for the closure of Quay Street between 7<sup>th</sup> and 8<sup>th</sup> for the Band cakewalk. Mayor Pro tem Holmes moved to approve this request. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Mr. Hobson presented the request of Forever Free Fellowship for the use of Guadalupe Park from July 25, 2009 through August 2, 2009, from 7:00 p.m. to 10:00 p.m. nightly, for a tent revival. They have requested the use of a power distribution panel. Councilor Barragan moved to approve this request. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mr. Hobson presented the request of West Main Baptist Church for the use of Roberts Park on August 16, 2009, from 10:00 a.m. to 2:00 p.m. for Church in the Park – Community Day. They have requested the use of one large power supply. Councilor Rodriguez moved to approve this request. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Mr. Hobson presented the request of Artesia MainStreet for the use of Heritage Plaza on July 30<sup>th</sup>, August 6<sup>th</sup> & 20<sup>th</sup>, September 3<sup>rd</sup> & 17<sup>th</sup> and October 1<sup>st</sup> and 15<sup>th</sup>, from 4:30 p.m. to 8:00 p.m. for Artesia Garden Gusher/Community Market. Councilor Rodriguez moved to approve this request. The motion was seconded by Councilor Hill and upon vote, the motion passed.

### **City Departments and Employees**

The following employees were recognized for their years of service:

Jan Briggs (Utility Billing Department) – 35 years

Lisa A. Johnson (Executive Department) –15 years

### **Consent Agenda**

Councilor Torrez requested that item 9-C be pulled for separate consideration. Mayor Pro tem Holmes moved to approve the Consent Agenda minus item 9-C. The motion was seconded by Councilor Miller and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \* June 23, 2009 - Regular meeting
2. Consideration of Bids:
  - A. \*Approval of award of bid to provide and construct airport access road reconstruction, Phase II, to Constructors, Inc., Carlsbad, NM.
3. Contracts, Leases and Agreements:
  - A. \*Ratification of Mayor Burch's approval of the Addendum to Air Service Agreement with the City of Roswell
  - B. Approval of PSA #072109-1 with Artesia Clean & Beautiful (\$56,000)
  - C. Approval of PSA #072109-2 with Artesia Main Street (\$40,000)
  - D. Approval of PSA #072109-3 with Artesia Community Crime & Drug Coalition (\$50,000)
  - E. Approval of PSA #072109-4 with Esperanza House (\$25,000)
  - F. Approval of PSA #072109-5 with Artesia Department of Development (\$40,000)
  - G. Approval of PSA #072109-6 with Artesia Paws and Claws/Spay & Neuter Program (\$15,000)
4. Appointments:
  - A. Approval of the appointment of Debbi Guy to the Artesia Public Library Board of Trustees (*term to expire June 2012*)
  - B. Approval to re-appoint Cooper Henderson to the Recreation Advisory Commission (*term to expire July 2012*)
5. Resignations:
  - A. Accept the resignation of Pilar Becerra, Street Department Equipment Operator, effective July 15, 2009.
6. Dates of Hearing:
  - A. Permission to set a public hearing for August 10, 2009 for consideration of an ordinance approving changing the judicial education fee.
  - B. \*Permission to set a public hearing for August 10, 2009 for consideration of a Home Occupation application for Fierro's Tint & Graphic Design, 1501 W. Bullock Avenue, R1-B zoning
7. \*Travel and Training:
  - A. Permission for elected officials and City staff to attend the NMML Annual Conference in Albuquerque, NM. Request actual expenses and mileage.

- B. HR – Permission for one (1) employee to attend the Broadband Economic Stimulus Application Process presentation in Albuquerque, NM. Request actual expenses.
  - C. Executive – Permission for one (1) employee to attend the NMML/NMSIF Safety Counselling safety training in Albuquerque, NM. Request actual expenses and mileage.
  - D. Water – Permission for one (1) employee to attend the NMWWA Southeast Section workshop in Carlsbad, NM.
  - E. Infrastructure – Permission for one (1) employee to attend the How to Handle Conflict & Confrontation seminar in Albuquerque, NM. Request actual expenses.
  - F. Infrastructure – Permission for one (1) employee to attend the How to Become a Better Communicator training session in Tulsa, OK. Request actual expenses.
  - G. Wastewater – Permission for one (1) employee to attend the National Rural Water H2O Expo in Louisville, KY. Request actual expenses.
  - H. Wastewater – Permission for two (2) employees to attend the NMWWA Southeast Section workshop in Carlsbad, NM.
  - I. AC&B – Permission for one (1) employee to attend the NM Clean & Beautiful quarterly meeting in Las Cruces, NM. Request actual expenses.
  - J. RSVP – Permission for one (1) employee to attend the 31<sup>st</sup> NM Conference on Aging in Albuquerque, NM. Request actual expenses and mileage.
  - K. Wastewater – Permission for one (1) employee to attend the NM Rural Water Board of Directors meeting in Angel Fire, NM. Request actual expenses.
  - L. Police – Permission for one (1) employee to attend EnCase v6 Computer Forensics I and II trainings in Houston, TX. Request actual expenses.
  - M. Police – Permission for one (1) employee to attend the Sudden Death, Excited Delirium and In-custody Death conference in Las Vegas, NV. Request actual expenses.
  - N. Police – Permission for one (1) employee to attend the First Line Supervision & Management training in Artesia, NM.
  - O. Police – Permission for two (2) employees to attend a Criminal Intelligence Analysis Training course in Clarksville, TN. Request actual expenses.
  - P. Permission for elected officials and City staff to attend the 2009 Council Retreat in Cloudcroft, NM. Request actual expenses and mileage.
8. Use of Facilities *(approval contingent upon receipt of all applicable fees, license(s) and dept approvals)*:
- A. Artesia General Hospital has requested the use of the band shell and restrooms at Roberts Park on Saturday, August 1, 2009 from 10 am – 2 pm for an employee picnic.
9. Budgeted Items:
- A. Facilities Maintenance – Permission to bid/purchase trencher
  - B. Police – Permission to expend \$2928 for matching grant fund monies with Artesia Drug & Crime Coalition to purchase go cart
  - C. pulled for separate consideration.
  - D. Police – Permission to purchase furniture for the training building
  - E. Police – Permission to expend \$3000 of matching grant fund monies for the IDOC grant
10. Non-budgeted Items:
11. \*Payment of Bills

Discussion took place regarding which divisions would have pickup trucks assigned rather than cars. Councilor Torrez moved to approve Consent Agenda item 9-C (C. Police – Ratification of Mayor Burch's approval to purchase ten (10) Ford F-150 trucks). The motion was seconded by Councilor Hill and upon vote, the motion passed.

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

Linda Stevens, representing Artesia Clean & Beautiful, reported on the recent activities, and the success of the E-Waste disposal (71,700 pounds).

**Committee Reports**

**Budget and Finance**

Mayor Pro tem Holmes reported that the exit interview for the 2007-2008 audit was conducted on Monday, and that the city received an unqualified report.

**Personnel**

Councilor Hill moved, upon recommendation of the Mayor, to hire Toby Bratcher to the position of Firefighter Trainee, at \$2,249 per month (CA18), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro tem Holmes and upon vote, the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to promote Eli Herrera to the position of Fire Department Captain, at \$3,566 per month (CA28). The motion was seconded by Mayor Pro tem Holmes and upon vote, the motion passed.

Councilor Torrez moved, upon recommendation of the Mayor, to promote Kevin Hartley to the position of Fire Department Lieutenant, at \$3,095 per month (CA24). The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to promote Francesca Wallace to the position of Fire Department Lieutenant, at \$2,867 per month (CA24). The motion was seconded by Councilor Smith and upon vote, the motion passed.

Human Resources Director Bill Thalman distributed the Safety statistics for June.

**Public Safety**

**Police**

Chief Raley distributed the statistics for June 2009.

Councilor Hill moved to approve a Memorandum of Understanding (MOU) with New Mexico Gang Task Force. The motion was seconded by Councilor Miller and upon vote, the motion passed.

**Fire**

Chief Hummingbird distributed the statistics for June 2009.

**Community Development Director**

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

Ms. Torres reported that the Hermosa Church of Christ has been leasing the two lots owned by the city at 1208 and 1210 W. Hermosa, and would like to purchase those lots. The proposed sale price of \$8,500 exceeds the appraisal. Councilor Miller moved to approve the sale of the lots at 1208 and 1210 W. Hermosa to the Hermosa Drive Church of Christ for \$8,500. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Ms. Torres requested that the award of bid for asbestos testing/abatement and demolition services be placed on the next regular agenda.

Mayor Pro tem Holmes moved to approve the purchase of real property (30 foot from each lot) for a utility and access road to the Public Safety Complex, for a purchase price of \$3,440. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Ms. Torres read into the record that the City Clerk would have signatory authority for the sale documents.

### **Infrastructure**

Councilor Miller moved to ratify Mayor Burch's approval of a Memorandum of Understanding (MOU) with Cottonwood Rural Water Association. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Infrastructure Director Robert Forrest reported on current public work projects and department activities.

### **City Clerk**

Mayor Pro tem Holmes moved to approve the year-end budget adjustments, Resolution No. 1347. The motion was seconded by Councilor Hill and upon vote, the motion passed.

### **RESOLUTION NO. 1347**

Mayor Pro tem Holmes moved to accept the NMDOT Co-op funding of \$43,537 for the railroad crossing at Mill road, Resolution No. 1348. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

### **RESOLUTION NO. 1348**

Assistant City Clerk Lisa Johnston presented a report on the NLC Prescription Drug discount card program. Ms. Johnston reported that the program has no direct cost to the city, but that the card could save a resident up to 20% on the retail cost of prescriptions. Mayor Pro tem Holmes moved to participate in the NLC Prescription Drug Discount Card program. The motion was seconded by Councilor Miller and upon vote, the motion passed.

Mayor Pro tem Holmes moved to approve the annual resolution and agreement for the SENMEDD, Resolution No. 1349. The motion was seconded by Councilor Hill and upon vote, the motion passed.

### **RESOLUTION NO. 1349**

City Clerk Aubrey Hobson discussed the proposed agenda for the retreat and requested any final additions and/or changes. Councilor Smith requested that the discussion of the Animal Shelter be scheduled for Saturday, rather than Friday.

Councilor Rodriguez moved to approve an agreement to accept ARRA funds (stimulus money for the bridge project), and authorize the Mayor to sign the agreement. The motion was seconded by Councilor Sanchez and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:10 p.m., July 21, 2009.

  
Mayor

ATTEST:

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City Clerk

