

MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
July 12, 2016

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, July 12, 2016 at 6:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Manuel Madrid Jr.
Kent Bratcher	Raul Rodriguez
Luis Florez	Bill Rogers
Terry Hill	Jeff Youtsey

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.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda minus item 3-A. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

The Consent Agenda includes

1. Approval of Minutes: *June 28, 2016
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. pulled for separate consideration
4. Appointments:
 - A. Approval of appointment of Jess Holmes to the Library Board of Trustees (*term to expire June 2019*)
 - B. Approval of appointment of Jessica Arenivas to the Library Board of Trustees (*term to expire June 2019*)
5. Resignations:
6. Dates of Hearing:
 - A. *Approval to set a public hearing for August 9, 2016 for consideration of an ordinance adopting the International Fire Code, 2015 edition, including appendices B, C and D
7. *Travel and Training:
 - A. Fire – Permission for four (4) employees to attend the Instructor II training in Socorro, NM
 - B. Executive – Permission to attend the Tax Reform Committee and NMML Resolutions Committee meeting in Albuquerque, NM
 - C. Police – Permission for one (1) employee to instruct Ethics training at the Hobbs Academy in Hobbs, NM
 - D. Fire – Permission for one (1) employee to attend the E0610 Introduction to Instructional Design Methods in Emmitsburg, MD

- E. Water – Permission for two (2) employees to attend the NMWWA training and testing in Albuquerque, NM
 - F. Executive – Permission to attend the NMML/NMSIF Mandatory Mayor/Manager Annual Safety training in Ruidoso, NM
 - G. HR – Permission for one (1) employee to attend the NMML/NMSIF Mandatory Mayor/Manager Annual Safety training in Ruidoso, NM
 - H. Police – Permission for two (2) employees to attend the Sex Crimes – The Offender training in Hobbs, NM
 - I. Police – Permission for one (1) employee to attend the NM Gang conference training in Rio Rancho, NM
 - J. Legislative – Permission to attend the NMML Annual Conference in Hobbs, NM. Request mileage
8. Routine Requests for City Facilities:
- A. *Amy Mathis on behalf of the Artesia High School has requested permission to hold the Annual Homecoming Parade on Friday, September 16, 2016 from 3:30 pm – 5:00 pm. Parade route: East on Main Street from Bulldog Boulevard to Second Street. Request street closures and waiver of fees. *Contingent upon proof of insurance*
9. Budgeted Items:
10. Non-budgeted Items:
11. *Payment of Bills

Mayor Pro tem Hill moved to approve Consent Agenda item 3-A (Contracts, Leases and Agreements: A. Approval of Lease with Coastal Transport for Lots 3 and 4 of Block 5, Artesia Industrial Park, Phase II), The motion was seconded by Councilor Florez and upon vote, the motion passed.

Public Hearings

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

- 1. Consideration and approval of an Ordinance for Case 16-05 Zone Change from “R1-B” Single Family District to “C” Business District, 202 S. Nineteenth (19th) Street, Tract 1 of the Parrish Subdivision (*postponed from June 14, 2016*)

Community Development Director Jim McGuire reported that the postponement from June was to allow the applicant time to meet with the residents to address their concerns. He noted that the applicant had supplied drawings showing that the commercial activity will open to Quay, rather than 19th Street.

Planning and Zoning recommended approval.

Robert Duncan, the applicant, stated that he was aware that the fire hydrant and the street were not built to commercial standards, and that he will upgrade both when the area is developed.

Councilor Bratcher moved to approve the zone change for Case 16-05, 202 S. Nineteenth (19th) Street. The motion was seconded by Councilor Youtsey and upon roll call vote, with the following votes recorded:

Aye: Bratcher, Florez, Hill, Madrid, Rodriguez, Rogers, Youtsey

Nay: Aguilar

the motion passed.

ORDINANCE NO. 997

2. Consideration and approval of an Ordinance for Case 16-06 Zone change from "SA-2" Suburban Acreage District to "C" Business District, 315 S. Thirty-ninth (39th) Street; Lots 13 & 14, Block 3, Davis #2 Subdivision

Mr. McGuire reported that the applicant had withdrawn their application. They had located a suitable commercial property for their business.

3. Consideration and approval of an Ordinance for Case 16-07, Annexation and Designation of Zoning Districts – Northpark Annexation' portions of the NW1/4, SE1/4 SE1/4 NE1/4, & W1/2 W1/2 SE1/4 of Section 32 T. 16 S. R25 E., including sections of the public right-of-way of Thirteenth (13th) Street, Compress Road and US Highway 285, being approximately 231.2 acres.

Mr. McGuire reported that this is a petition for annexation. The proposed plat will not take in the lot with the Adult video store, nor the land where the Cottonwood Water Coop offices are located. Lot sizes vary from 7,000 square feet to 15 acres. The three zoning designations will be for the homes at 13th and Compress (SA-2), Northpark Mobile Home park (MH) and the rest will be zoned Light Industrial (M-1) which can also allow commercial activity.

The Northpark Mobile Home has requested annexation because they need city services due to a failed sewer lagoon.

Karen Perez representing Grace Engineering, stated that the Northpark area has received a colonias grant from the county that should cover the cost of the lines. The city will have oversight of the construction. Ms. Perez also stated that were some shallow water rights that might be available for other negotiations.

Councilor Bratcher inquired how this would affect the city's ISO rating for fire suppression. Fire Marshall James Abner stated that it will depend on how much of the area is outside of the city's "diamond".

Chief Raley stated that his department has limited resources to respond to the area.

Ms. Perez also stated that Haliburton is also one of the petitioners and will bear some of the cost of the lines.

Rick Collins, President of the Northpark Mutual Domestic for the last 12 years, stated that they have worked to get rid of the rentals – most of the residents own their mobile home and many also own the lot as well. There is more pride in property with the change in ownership.

Councilor Youtsey moved to approve the annexation, Case 16-06. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Bratcher, Florez, Hill, Madrid, Rogers, Youtsey

Nay: Aguilar, Rodriguez

the motion passed.

ORDINANCE NO. 998

4. Consideration and approval of an Ordinance approving the Project Participation Agreement (PPA) between the City of Artesia and OK Express Lube.

Economic Development Director Michael Bunt requested approval of a project participation agreement (PPA) between the City and OK Express Lube. Mr. Bunt reported that the business would focus primarily on fleet service, and anticipates hiring seven (7) people at the onset. The participation agreement would provide \$125,000 according to the terms.

The GAEDC recommended approval.

Councilor Rogers moved to approve the project participation agreement with OK Express Lube. The motion was seconded by Councilor Youtsey, and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Florez, Hill, Madrid, Rodriguez, Rogers, Youtsey

Nay: none

the motion passed.


ORDINANCE NO. 999

Comments from Public Officials and Contracted Services

Economic Development Director Michael Bunt presented a request to use GAEDC funds for a retail recruiting firm contract. The contract would be \$110,000 over three years, with the first year being \$50,000, followed by two \$30,000 years. The GAEDC has recommended approval. Councilor Rodriguez moved to approve the use of GAEDC funds for the Retail Strategies contract. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Personnel

Mayor Pro tem Hill moved, upon recommendation of the Mayor, to promote Ada Yandell to the position of Garage Mechanic I at a salary of \$3,114 per month (CA26), subject to successful completion of required pre-employment testing. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Councilor Bratcher moved, upon recommendation of the Mayor, to promote Richard Acosta to the position of Parks Foreman at a salary of \$3,274 per month (CA30), subject to successful completion of required pre-employment testing. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Councilor Bratcher moved, upon recommendation of the Mayor, to promote Terri Woods to the position of Ambulance Billing Clerk I at a salary of \$2,305 per month (CA19), subject to successful completion of required pre-employment testing. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Councilor Florez moved to fill the vacant positions of Park Equipment Operator, Water Cashier and Apprentice Mechanic. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Human Resources Director Sandi Farley distributed the safety statistics for June.

Public Safety
Police

Chief Raley distributed department statistics for June.

Fire

Chief Hummingbird distributed department statistics for June.

Community Development

Community Development Director Jim McGuire distributed the department statistics for June.

Infrastructure Department

Infrastructure Director Byron Landfair reported on the status of projects.

City Clerk

City Clerk Aubrey Hobson reported that end of the year budget adjustment will be considered at the council retreat.

Mayor

Councilor Rodriguez moved that in accordance with 10-15-1-H(8), the Council and Mayor go into executive session regarding purchase of real property. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Florez, Hill, Madrid, Rodriguez, Rogers, Youtsey

Nay: none

the motion passed.

Council recessed to executive session at 7:50 p.m.

Council reconvened at 8:32 p.m.

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

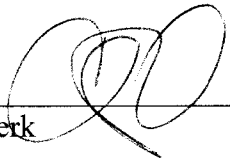
Councilor Rodriguez moved to direct staff to enter into negotiations for the purchase of real property. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

There being no further business, the meeting was adjourned at 8:39 p.m. on July 12, 2016.



Mayor

ATTEST:



City Clerk