

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
February 26, 2008**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, February 26, 2008, at 7:00 p.m. in regular session with Mayor Burch presiding, and the following present to wit:

Luis Florez	Raul Rodriguez
George Holmes	Judith Stewart
Glenn Kaiser	Antonio Torrez
Raye Miller	

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 Kaiser, and all joined in the Pledge of Allegiance.

Visitors

Susie Taylor and Bob Johnson, representing the Artesia Drug & Crime Coalition, requested the use of Central Park on Saturday, July 12, 2008 from 6 PM to 10 PM for the Crystal River Concert and Substance Abuse Education Program. Councilor Torrez moved to approve the request for the use of Central Park. The motion was seconded by Councilor Florez and upon vote, the motion passed.

Frank Hammond representing Artesia Car Enthusiasts and Stephanie Bretz representing Artesia MainStreet, requested the use of Heritage Plaza on Friday, March 28, 2008 beginning at 1 PM and lasting until 6 PM on Saturday March 29, 2008 for the 11th Annual Main Event Car Show. They are also requesting the use of barricades for the following street closures: 4th Street and Roselawn Avenue, between Main and Texas, and Texas Avenue between 4th and Roselawn. Councilor Holmes moved to approve the request for the use of Heritage Plaza, the street closures and the use of barricades, with a waiver of fee for the barricades. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Adam Blejwas, representing Jaynes construction and Dave Boneau, representing the Artesia Arts Council, requested approval to close Roselawn Avenue between Main Street and Texas Avenue for a structural steel delivery on March 3, 4 and 5, 2008. Councilor Florez moved to approve the closure of Roselawn between Main Street and Texas Avenue on March 3, 4, and 5, 2008. The motion was seconded by Councilor Stewart and upon vote, the motion passed.

City Departments and Employees

Mayor Burch presented a plaque to Councilor Kaiser in recognition of his four years of service to the Council.

Consent Agenda

Councilor Kaiser requested that item 6-A be pulled for separate consideration. Mayor Pro Tem Holmes moved to approve the Consent Agenda, minus item 6-A. The motion was seconded by Councilor Stewart, and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * February 12, 2008 - Regular meeting
2. Consideration of Bids:
 - A. *Approval of award of bid to construct electrical for the base bid that includes the parking lot, transformer, handball court, skate park and the MLK signage and for additive alternate I for the volleyball court, basketball court, inline hockey rink and playground and additive alternative II for the walking path for the Parks Department to Digital Traffic Systems, Albuquerque, NM.
3. Contracts, Leases and Agreements:
 - A. Approval of Airport Hangar Lease for Hangar #213 with J.W. Drilling
 - B. Approval of Airport Hangar Lease for Hangar #211 with John Phinizy
4. Appointments:
5. Resignations:
 - A. Accept the resignation of David Rossman, Parks Department Equipment Operator, effective February 25, 2008.
6. Dates of Hearing:
 - A. Pulled for separate consideration.
 - B. *Approval to set a public hearing for March 25, 2008 for consideration of an ordinance amending Section 9-9-2A (*changing rear set backs from 30' to 20' in zones SA-2, R1-A, R1-B and R-2*).
 - C. *Approval to set a public hearing for March 25, 2008 for consideration of a Home Occupation License for Harcrow Surveying, located at 1107 Watson.
 - D. *Approval to set a public hearing for March 25, 2008 for consideration of an ordinance approving the rezone of the south 476' of the west 2/3rd of Block 10 and the east 1/3rd of Block 11, Gunter Redivision. *Previously approved rezone on March 21, 2007(Planning & Zoning Committee) with a positive approval by City Council May 22, 2007.* Rezone request from "SA-2" Suburban Acreage, type 2 to "R1-B" Single Family Residence.
 - E. *Approval to set a public hearing for March 25, 2008 for consideration of an ordinance approving the Robert Addition Replat of Block 11, Lots 1, 2, 3 & 4 of Block 11, Robert Addition.
 - F. *Approval to set a public hearing for March 25, 2008 for consideration of an ordinance approving Tract F-2 Northgate Addition Replat, a replat of Tract F, Northgate Subdivision.
 - G. *Approval to set a public hearing for March 25, 2008 for consideration of a 10' backyard variance request by Jimmy and Jacque Naylor, Lot 1, Block 4, West Acres Subdivision #7.
7. *Travel and Training:
 - A. Wastewater – Permission for two (2) employees to attend Composting Facility Operator certification training in Ruidoso, NM. Request actual expenses.
 - B. HR and Police – Permission for two (2) employees to travel to Silver City, NM for Police Academy recruiting. Request actual expenses.
 - C. Solid Waste – Permission for two (2) employees to attend Composting Facility Operator certification training in Ruidoso, NM. Request actual expenses.

8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
 - A. The Faith Based Action Group of the Artesia Drug and Crime Coalition has requested permission to hold their annual prayer walk on Thursday, May 1, 2008 from 11:00 am to 11: 30 am down Main Street from 7th Street east to Heritage Plaza. They have requested a police escort for this walk.
9. Budgeted Items:
 - A. Executive – Permission to purchase office chairs
10. Non-budgeted Items:
11. *Payment of Bills

Councilor Kaiser expressed his concern that the City is fighting drug and crime and yet approves additional liquor licenses in town. City Attorney John Caraway reported that the Alcohol and Gaming Division requires that a municipality conduct the public hearing.

Mayor Pro Tem Holmes moved to approve Consent Agenda item 6-A (*Ratification of Mayor Burch's approval to set a public hearing for March 11, 2008 for consideration of a Restaurant (Beer and Wine) Liquor License for Piccolino of Artesia, Inc., dba Piccolino's located at 201 N. 1st Street, Artesia, NM.). The motion was seconded by Councilor Torrez and upon vote, with Councilors Kaiser and Rodriguez voting "nay", 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 the Chisum Subdivision Replat #1, located at North 10th Street and Mahone.

Community Development Director Tina Torres reported that the two lots (owned by the same person) are currently divided vertically The owner requests that the property be divided into two lots horizontally. Planning and Zoning Commission has reviewed the request and recommended passage.

No public comment was received.

Mayor Pro Tem Holmes moved to adopt Ordinance 788, the Chisum Subdivision Replat #1. The motion was seconded by Councilor Kaiser and upon roll call vote, with the following votes recorded:

Aye: Florez, Holmes, Kaiser, Miller, Rodriguez, Stewart, Torrez

Nay: none

the motion passed.

ORDINANCE NO. 788

Personnel

Human Resources Director Bill Thalman presented a new organizational chart for the Community Development Department, which adds the Recreation Department to Community Development. Councilor Torrez moved to approve the new organizational chart for the Community Development Department. The motion was seconded by Councilor Florez and upon vote, the motion passed.

Councilor Torrez moved to approve a new organizational chart for the Infrastructure Department, which combines the Public Works and Public Utilities Departments, and establishes the position of Director of Infrastructure. The motion was seconded by Councilor Florez and upon vote, the motion passed.

Mayor Pro Tem Holmes moved to adopt Resolution No. 1286, designating the appointive officers of the City. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

RESOLUTION NO. 1286

Councilor Stewart moved, upon recommendation of the Mayor to appoint Robert Forrest to the position of Director of Infrastructure, at a salary of \$6,250 per month (CA54). The motion was seconded by Councilor Torrez and upon vote, the motion passed.

Mayor Pro Tem Holmes moved, upon recommendation of the Mayor, to hire Bill Heineken to the position of Certified Officer in the Police Department at a salary of \$3,408 per month (CA23). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Stewart moved, upon recommendation of the Mayor, to hire Devyn Garcia to the position of Temporary Recreation Aide at \$6.50 per hour. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

Public Safety

Police

Chief Raley reported that the Department is planning a Medal of Valor ceremony for March 14, 2008 at 3: 00 PM.

Fire

Chief Hummingbird reported that the installation of the Early Warning System has begun and that testing will begin on Thursday, February 28th.

Community Development

Community Development Director Tina Torres reported that the owner of 803 S. 3rd Street has completed the work necessary to bring the structure up to code, and has requested that the condemnation resolution be rescinded. Mayor Pro Tem Holmes moved to adopt Resolution 1287, rescinding condemnation Resolution 1233. The motion was seconded by Councilor Kaiser, and upon vote, the motion passed.

RESOLUTION NO. 1287

City Clerk

Discussion took place regarding adopting changes to the city logo. Mr. Richard Evarts has prepared 24 variations for consideration. After discussion, it was recommended that the city employees be given an opportunity to voice their recommendations.

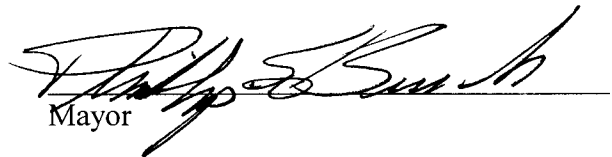
Mayor

Mayor Pro Tem Holmes moved that in accordance with 10-15-1-H(2), H(7) and H(8), the Council and Mayor go into executive session regarding limited personnel matters (discussion of status of an employee), pending litigation and purchase of real property. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mayor Burch declared a short recess at 8:05 p.m.
Council recessed to executive session at 8:10 p.m.
Council reconvened at 8:41 p.m.

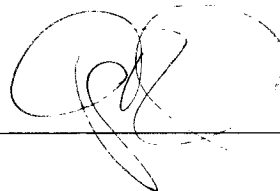
Councilor Stewart moved that the only matters discussed in executive session pertained to limited personnel matters, pending litigation and purchase of real property, and no action was taken. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:47 p.m., February 26, 2008.



Mayor

ATTEST:



City Clerk