

**MINUTES OF CITY COUNCIL MEETING**  
**ARTESIA, NEW MEXICO**  
**April 22, 2008**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, April 22, 2008, at 7:00 p.m. in regular session with Mayor Burch presiding, and the following present to wit:

Luis Florez	Raul Rodriguez
Terry Hill	J.B. Smith
George Holmes	Antonio Torrez
Raye Miller	

The following were absent:  
Manuel Barragan

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.

**Visitors**

Kim Green, representing the Artesia Lion's Club requested permission to donate and plant a tree at Jaycee Park in honor of Arbor Day. Mayor Pro Tem Holmes moved to accept the donation and planting of a tree at Jaycee Park by the Artesia Lion's Club. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Stephanie Bretz, representing Artesia MainStreet, requested permission to hold the bronze statue (The Vaquero) unveiling at 2<sup>nd</sup> and Texas on Saturday, May 10, 2008 from 9:30 -11:30 am. Artesia MainStreet has also requested the use of barricades for street closures at 2<sup>nd</sup> and Texas between Main and Texas and eastbound traffic on Texas between 1<sup>st</sup> and 3<sup>rd</sup> streets. Mayor Pro Tem Holmes moved to approve the closure of streets and use of barricades for the unveiling ceremony for The Vaquero. The motion was seconded by Councilor Florez and upon vote, the motion passed.

Sally Delgado and Robert Martinez, representing the Artesia Hispanic Heritage Committee, requested permission to hold the Cinco de Mayo/Vaquero Fiesta at 2<sup>nd</sup> and Texas from 6:00 am to 10:00 pm on Saturday, May 10, 2008. They have requested five (5) extra dumpsters and barricades for the street closures on 2<sup>nd</sup> Street between Main and Texas, and eastbound traffic on Texas between 1<sup>st</sup> and 3<sup>rd</sup>. Mayor Pro Tem Holmes moved to approve the request, including a waiver of fees, contingent upon the receipt of the signed agreement to the traffic control plan. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

Robert Bell, representing the Eddy County DWI Program, requested approval of the Memorandum of Agreement (MOA) between the City and Eddy County for the Community DWI Prevention Program. Mr. Bell reported that this year, the funds would be used for education programs (\$5,000) and treatment (\$9,000). Councilor Rodriguez moved to approve the Memorandum of Agreement for the use of the Community DWI Prevention Program funds. The motion was seconded by Mayor Pro Tem Holmes and upon vote, the motion passed.

### **City Departments and Employees**

Mayor Burch recognized Firefighter Ronnie Doport for fifteen years of service for the city.

Mayor Burch recognized Wastewater employee Laurence Willard for receiving his Wastewater II certification from the NM Environment Department.

### **Consent Agenda**

Mayor Pro Tem Holmes moved to approve the Consent Agenda as written. The motion was seconded by Councilor Hill, and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \* April 8, 2008 - Regular meeting
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:
6. Dates of Hearing:
7. \*Travel and Training:
  - A. Water – Permission for two (2) employees to attend the NMWWA Southwest Section workshop and testing in Ruidoso, NM. Request actual expenses and mileage.
  - B. AC&B – Permission for (1) employee to attend the New Mexico Clean and Beautiful Annual Coordinators meeting and Awards ceremony in Santa Fe, NM. Request actual expenses and mileage. *(State Grant reimbursable)*
  - C. Police – Permission for three (3) employees to attend the Law Enforcement Coordinator's Symposium in Albuquerque, NM. Request actual expenses.
  - D. √F&A – Permission for one (1) employee to attend the NMHRAB Board meeting in Santa Fe, NM. Request actual expenses and mileage.
8. Use of Facilities *(approval contingent upon receipt of all applicable fees, license(s) and dept approvals)*:
  - A. Diana Fear representing Hermosa Elementary – Request use of the West Shelter at Jaycee Park on Tuesday, May 27, 2008 from 8:30 am – 2:30 pm for a 5<sup>th</sup> grade field trip.
  - B. Heather Laminack representing Hermosa Elementary – Request use of the walking track at Jaycee Park on Saturday, April 26, 2008 from 9 am – 12 noon for Hermosa School's Fitness Program "Walk to the Moon".
  - C. √Artesia High School and the Class of 2010 have requested a waiver of fees for use of the Artesia Recreational Center on May 4, 2008 for their taco plate dinner fundraiser.
9. Budgeted Items:
  - A. Police – Permission to purchase cat cages for the animal shelter
  - B. Police – Permission to purchase ammunition
  - C. Police – Permission to purchase vehicle mounted flashlights and side-carry flashlights
  - D. √F&A – Permission to purchase a replacement laptop for the Clerk Treasurer

10. Non-budgeted Items:
11. \*Payment of Bills

### **Public Hearings**

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

1. Consideration and approval of a transfer of liquor license (owner and location) from Taos Lodging Associates, LP dba The Fechin Inn to Mount Difficulty, LLC dba Hotel Artesia, located at 203 N. 2<sup>nd</sup> Street, Artesia, NM.

The application for the transfer of liquor license has already been reviewed by the State Alcohol and Gaming Division.

Richard Hefler, representing Yates Drilling, and Linda Akin, attorney for the process requested the transfer.

Mr. Hefler stated that the Hotel Artesia would like to have a lounge to serve their patrons, as well as the opportunity to serve special events such as wedding receptions and business meetings.

No public comment was received.

Mayor Pro Tem Holmes moved to approve the transfer of liquor license from Taos Lodging Associates, LP dba The Fechin Inn to Mount Difficulty, LLC dba Hotel Artesia, located at 203 N. 2<sup>nd</sup> Street. The motion was seconded by Councilor Smith and upon vote, with Councilors Hill and Rodriguez voting “nay” and Councilor Miller abstaining, the motion passed.

### **Visitors who did not request to be on the Agenda**

Evolyn Terpening informed the Council that she has started a petition drive to get Highway 82 between Artesia and Lovington widened to a four-lane highway. Ms. Terpening stated that there have been many accidents on this road, and it is becoming more dangerous, as the oilfield traffic increases. Mrs. Terpening stated that this would be dedicated to Louise Stuart, who recently lost her life on in an accident on this road.

Eddy County Commissioner Lewis Derrick reported that the County is remodeling a building adjacent to the Administrative Building for the County Clerk and the records.

Susie Taylor, representing Artesia Drug and Crime Coalition, reported that they had conducted a teacher development on meth, with Ron Mullins.

## **Personnel**

Councilor Torrez moved, upon recommendation of the Mayor, to promote Mary Esquibel to the position of Infrastructure Administrative Assistant at a salary of \$2,604 per month (CA15), effective May 1, 2008. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to promote Celestino Gonzales to the position of Street Department Foreman at a salary of \$2,972 per month (CA18), effective May 1, 2008. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

Mayor Pro Tem Holmes moved, upon recommendation of the Mayor, to promote Glenn Hinkle to the position of Water Department Foreman at a salary of \$3,059 per month (CA23), effective May 1, 2008. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Torrez moved, upon recommendation of the Mayor, to hire Jarod Zuniga to the position of Certified Police Officer at a salary of \$3,214 per month (CA23). The motion was seconded by Councilor Miller and upon vote, the motion passed.

Councilor Torrez moved, upon recommendation of the Mayor, to hire Alfredo Garcia to the position of Firefighter - Trainee at a salary of \$2,141 per month (CA16). The motion was seconded by Councilor Miller and upon vote, the motion passed.

Mayor Pro Tem Holmes moved, upon recommendation of the Mayor, to hire Donald Thurman to the position of Part-time Airport Attendant at \$9.00 per hour (PT21 step min). The motion was seconded by Councilor Hill and upon vote, the motion passed.

## **Public Safety**

### **Police**

It was requested that the Chief look into the signage for the roundabout at 2<sup>nd</sup> and Texas.

### **Fire**

Chief Hummingbird reported that the department is waiting for the funding to proceed with the ambulance project.

## **Community Development**

Community Development Director Tina Torres reported that she and Infrastructure Director Robert Forrest have divided up the project responsibilities.

Ms. Torres reported that there was a good turnout at the Public Safety Complex Project Open House and that the displays were helpful.

Ms. Torres reported that she and the Mayor had addressed the Central Valley Electric (CVE) Board about the possibility of voluntary annexation by them. They will consider it at a future board meeting.

**Infrastructure**

Infrastructure Director Robert Forrest reported on project activities.

**City Clerk**

City Clerk Aubrey Hobson reported that the Budget and Finance committee has met and requested that departments keep their operating budgets as flat as possible.

Mr. Hobson presented a budget adjustment resolution. Mayor Pro Tem Holmes moved to approve the budget adjustment resolution, Resolution No. 1295. The motion was seconded by Councilor Hill and upon vote, the motion passed.

**RESOLUTION NO. 1295**

Mr. Hobson reported that the City has been notified that the taxes are delinquent on property at 1106 S. Heath. The City still has a lien against the property greater than the taxes due. Councilor Hill moved to approve the payment of the delinquent taxes (\$137.80) for the property at 1106 S. Heath to protect our lien position and to wait for the title search before proceeding with the foreclosure. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mr. Hobson reported that the taxes were also delinquent on property at 1103 W. Mann. The taxes due (\$1,240) are greater than the lien from the city (\$950). Mayor Pro Tem Holmes moved to authorize staff to conduct the title search on this property and give the Mayor the authority to make the decision on whether to pay the delinquent taxes, based on our lien position on this property. The motion was seconded by Councilor Miller and upon vote, the motion passed.

It was requested that in the future, a title search be conducted prior to bringing these requests before the Council.

**Mayor**

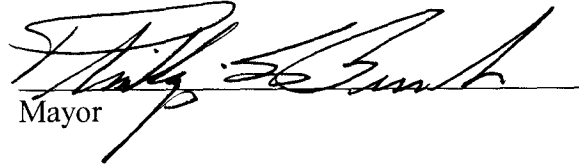
Councilor Torrez moved that in accordance with 10-15-1-H(2) and H(5), the Council and Mayor go into executive session regarding limited personnel matters (disciplinary action of an employee) and collective bargaining. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Council recessed to executive session at 7:59 p.m.  
Council reconvened at 8:40 p.m.

Councilor Torrez moved that the only matters discussed in executive session pertained to limited personnel matters and collective bargaining, and no action was taken. The motion was seconded by Councilor Florez and upon vote, the motion passed.

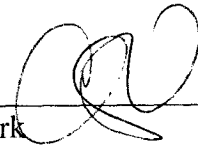
Councilor Florez moved to place Deputy Chief Hoggard on suspension without pay, effective April 8, 2008. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:43 p.m., April 22, 2008.



Mayor

ATTEST:



City Clerk