

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
June 10, 2008**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, June 10, 2008, at 7:00 p.m. in regular session with Mayor Burch presiding, and the following present to wit:

Manuel Barragan Raul Rodriguez
Terry Hill J.B. Smith
George Holmes

The following were absent:

Luis Florez
Raye Miller
Antonio Torrez (*joined the meeting at 7:35 p.m.)

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

Richard Lara presented concerns about the 2004 Comprehensive Plan.

Linda Stevens, representing Artesia Clean & Beautiful, presented information on the upcoming E-Waste (Electronics Waste) Collection at the end of June.

Edward Mullen, representing Bethel Baptist Church, requested permission to use Central Park on Saturday, July 5, 2008 from 8 am to 8 pm for a Black Community Reunion. Councilor Barragan moved to approve the request for use of Central Park. The motion was seconded by Mayor Pro Tem Holmes and upon vote, the motion passed.

Danielle Moreno, representing the Artesia Chamber of Commerce, requested permission to use Jaycee Park on Friday, July 4, 2008 from 7 am to 11 pm for the annual Artesia Fourth of July Celebration. They also request use of one large power supply and one power distribution panel. Mayor Pro Tem Holmes moved to approve the request for use of Jaycee Park and power supply & power distribution panel. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

A request from the Artesia Chamber of Commerce for use of Central Park in October has been pulled until September, due to potential construction in the park.

City Departments and Employees

Mayor Burch thanked Eddy County Code Inspector Jim Boutelle for his assistance and cooperation to the city.

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:
 - * May 22, 2008 – Special meeting
 - * May 27, 2008 - Regular meeting
2. Consideration of Bids:
 - A. *Approval of award of bid to provide an indefinite quantity contract for a new aluminum-walking trailer for the Solid Waste/Transfer Station Department to Waste Systems, Roswell, NM.
 - B. *Approval of award of RFP for Depository Services to First National Bank, Artesia, NM.
3. Contracts, Leases and Agreements:
 - A. *Approval of assignment of Industrial Park Lease for Lots 7 & 8 of Block 5 from David E. Barrett and Sandra Kay Barrett, Trustees of the David E. Barrett and Sandra Kay Barrett Revocable Trust to Sweatt Construction, Inc.
4. Appointments:
5. Resignations:
6. Dates of Hearing:
 - A. *Ratification of Mayor Burch's approval to set a public hearing on June 24, 2008 to consider a transfer of liquor license (ownership only) from PAM, Inc. dba Allsup's Store No. 202, 800 S. 1st Street, Artesia NM to Allsup's Convenience Stores, Inc. dba Allsup's Store No. 202, 800 S. 1st Street, Artesia, NM.
 - B. √Approval to reschedule the public hearing for consideration of a Dust Control Ordinance to July 8, 2008.
 - C. √Approval to reschedule the public hearing for consideration of an Ordinance amending Artesia Municipal Code 7-3A-2, 7-3A-3C-1(g), 7-3A-4, and 7-3A-9 (Sewer Use and Service) to July 8, 2008.
7. *Travel and Training:
 - A. F&A – Permission for one (1) employee to attend the NM City Manager's Post Budget meeting in Albuquerque, NM. Request actual expenses.
 - B. Artesia Clean & Beautiful – Permission for one (1) employee to attend the State Coordinators meeting in Santa Fe, NM. Request actual expenses and mileage (*State Grant reimbursed*).
 - C. Fire – Permission for one (1) employee to attend Instructor for BIA Training in Socorro, NM. Request actual expenses.
 - D. Fire – Permission for one (1) employee to attend WMD Radiological/Nuclear Responder Operations training in Roswell, NM.
 - E. F&A – Permission for one (1) employee to attend a meeting of County Clerks regarding election legislation in Las Cruces, NM. Request mileage.
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
 - A. Schlumberger Technology has requested the use of the west shelter and restrooms at Jaycee Park on Saturday, June 28, 2008 from 8:00 am – 4:00 pm for a Company Family Day.
 - B. Epie Bustamante has requested the use of the north shelter at Jaycee Park on Saturday, June 14, 2008 from 5 pm – 7 pm for a birthday party.

9. Budgeted Items:
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 (ownership only) from PAM, Inc. dba Allsup's Store No. 203 at 1910 W. Main Street, Artesia, NM to Allsup's Convenience Stores, Inc. dba Allsup's Store No. 203 at 1910 W. Main St. Artesia, NM.

Edwin Tatum & Darla Roark, representing Allsup's Inc. stated that Allsup's has been doing business at this location, with the liquor license since 1979. Allsup's Inc. is now purchasing the property and the license from PAM, Inc.

No public input was received.

Councilor Smith moved to approve the transfer of liquor license (ownership only) form PAM Inc. dba Allsup's Store No. 203 to Allsup's Convenience Stores, Inc. dba Allsup's Store No. 203. The motion was seconded by Councilor Barragan and upon vote, with Councilors Hill and Rodriguez voting "nay", the motion passed.

2. Consideration and approval of a home occupation application for EXP-UR-INT, LLC (dba NONIKING), for George & Regina Mullen, 714 Champ Clark.

Community Development Director Tina Torres reported that his request is for a product representative, Mr. Mullen will purchase the product wholesale; products are sold then delivered to customers.

Planning and Zoning has recommended approval of this request.

No public input was received.

Councilor Rodriguez moved to approve the home occupation application for EXP-UR-INT LLC (dba NONIKING) for George & Regina Mullen of 714 Champ Clark. The motion was seconded by Councilor Hill and upon vote, the motion passed.

3. Consideration and approval of a home occupation application for Grandma's house, Bessie Major, 1703 S. 21st. St. for child care.

Bessie Major stated that she has already been approved by the state for a license for up to four children.

Planning and Zoning has recommended approval of this request.

No public input was received.

Councilor Hill moved to approve the home occupation application for Grandma's House, for Bessie Major of 1703 S. 21st St. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

4. Consideration and approval of an ordinance for Quality Milk Sales Inc. Summary Plat, a redivision of Lots 19 & 20 of the Ansley Redivision of Lot 6, Block 4, Roselawn Subdivision, located at 4th and Hermosa.

Councilor Torrez joined the meeting at 7:35 p.m.

Community Development Director Tina Torrez reported that the owners are requesting the replat to remove a lot line, making two small lots into one larger lot.

Planning and Zoning has recommended approval of this request.

No public input was received.

Mayor Pro Tem Holmes moved to approve an ordinance for the redivision of Lots 19 & 20 of Ansley Redivision of Lot 6, block 4, Roselawn Subdivision, located at 4th and Hermosa. The motion was seconded by Councilor Hill and upon roll call vote, with the following votes recorded:

Aye: Barragan, Hill, Holmes, Rodriguez, Smith, Torrez

Nay: none

the motion passed.

ORDINANCE NO. 793

5. Consideration and approval of an ordinance amending section 9-9-2 (setbacks) of the Artesia Municipal Code.

Community Development Director Tina Torrez presented a request to reduce the rear setbacks for lots in the SA-2, R-1A, R-1B and R-2 zones from a thirty foot (30') setback to a twenty foot (20') setback.

No public input was received.

Mayor Pro Tem Holmes moved to approve the ordinance amending section 9-9-2 (setbacks) of the Artesia Municipal Code. The motion was seconded by Councilor Rodriguez, and upon roll call vote, with the following votes recorded:

Aye: Barragan, Hill, Holmes, Rodriguez, Smith, Torrez

Nay: none

the motion passed.

ORDINANCE NO. 794

Visitors who did not request to be on the Agenda

Susie Taylor, representing Artesia Drug and Crime Coalition, reported on programs (reading at the Library) and the billboard ideas submitted by the Student Action group.

David Vandiver, a resident of the Central Park area, requested that the City be more considerate of residents' access to their property during events at Central Park.

Personnel

Mayor Pro Tem Holmes moved to hire Summer Recreation Aides, Leaders and Youth Workers from the third approved list, at \$6.50 per hour, upon the successful completion of required pre-employment testing. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Human Resources Director Bill Thalman distributed the Safety statistics for May 2008.

Mr. Thalman presented a proposal to reorganize the Infrastructure Department. The plan would move employees from the Parks department and place them in either the Streets or Water departments, leaving two employees to form a new department for Facilities Maintenance. Councilor Torrez moved to approve the Infrastructure Department reorganization chart. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Public Safety

Police

Chief Raley distributed the statistics for May 2008.

Fire

Chief Hummingbird distributed the statistics for May 2008.

Community Development

Community Development Director Tina Torrez distributed the Code Violation and Building Permit statistics for May 2008.

Ms. Torrez requested that the discussion about a new City Hall Annex be postponed to a later date, as the consultant has not yet finished the report.

It was requested that the department review the ordinances regarding pool draining.


Infrastructure

Infrastructure Director Robert Forrest reported on project activities.

New and Other Business from Councilors

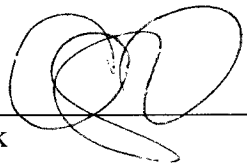
Mayor Pro Tem Holmes reported that the Drug & Crime Coalition have drafted resolutions for consideration by the NM Municipal League Policy Committees.

There being no further business to come before the Council, the meeting adjourned at 8:48 p.m., June 10, 2008.



Mayor

ATTEST:



City Clerk