

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
June 24, 2008**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, June 24, 2008, at 7:00 p.m. in regular session with Mayor Burch presiding, and the following present to wit:

Manuel Barragan	Raye Miller
Luis Florez	Raul Rodriguez
Terry Hill	J.B. Smith
George Holmes	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.

Visitors

Stephanie Bretz, representing Artesia MainStreet, presented information about the 2008 Farmers Market. Ms. Bretz reported that this year it would be held in the parking lot of First National Bank from each Saturday, July 12th to October 18th.

Glenda Collins, representing the Artesia Elks and BPO Does and Hayley Klein, representing the Artesia Chamber of Commerce, requested permission to conduct a parade July 4th, with the parade route to be Main Street from 7th to Bulldog Boulevard. Mayor Pro Tem Holmes moved to approve this request for a parade. The motion was seconded by Councilor Florez and upon vote, the motion passed.

City Departments and Employees

Mayor Burch recognized Johnny Craft of the Facilities Maintenance Department for 10 years of service to the City.

Cindy Shariff, representing the Eddy County DWI Program presented a plaque to Chief Raley in appreciation of the Artesia Police Department and their support.

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: * June 10, 2008 - Regular meeting
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:
 - A. Accept the resignation of Christian Nielsen, Water Department Operator I, effective June 21, 2008.
6. Dates of Hearing:
 - A. *Permission to set a public hearing on July 22, 2008 for consideration of an ordinance for Hamel Patel Summary Subdivision Plat located on NW corner of 26th & W. Main Street
 - B. *Permission to set a public hearing on July 22, 2008 for consideration of an ordinance for Amador Annexation Plat, located on N. 26th Street, South of West Avenue
 - C. *Permission to set a public hearing on July 22, 2008 for consideration of an ordinance for Yates Farms Annexation Plat, located between Richey, JJ Clarke, 26th and Bowman Streets
 - D. *Ratification of Mayor Burch's approval to reschedule a public hearing for July 8, 2008 for consideration of an ordinance for the Robert Addition Replat of Block 11, located on N. 1st Street & E. Chisum Avenue
 - E. *Ratification of Mayor Burch's approval to reschedule a public hearing for July 8, 2008 for consideration of an ordinance for the replat of the correction plat of West Acres Subdivision #7, located between West Hermosa & Centre Avenue, and between 24th & 26th Streets
7. *Travel and Training:
 - A. Wastewater – Permission for one (1) employee to attend the NM Rural Water Board meeting in Silver City, NM. Request actual expenses.
 - B. Wastewater – Permission for one (1) employee to attend the EPA Region VI Pretreatment Association workshop in Oklahoma City, OK. Request actual expenses.
 - C. Permission for Mayor, Council and interested City staff to attend the NMML Resolution Committee meeting in Albuquerque, NM. Request actual expenses and mileage.
 - D. Police – Permission for one (1) employee to attend a Grant Writing class in Albuquerque, NM. Request actual expenses.
 - E. Police – Permission for one (1) employee to attend Phase I Practical Kinesic Interview and Interrogation training in Rio Rancho, NM. Request actual expenses.
 - F. Police – Permission for one (1) employee to attend the Fundamentals of Records Retention seminar in Albuquerque, NM. Request actual expenses.
 - G. Police – Permission for one (1) employee to attend an Instructor Development class in Elephant Butte, NM. Request actual expenses.
 - H. Fire – Permission for one (1) employee to participate on the SAFER Grant Review Committee in Emmitsburg, MO. Request actual expenses (*costs reimbursed*).
 - I. Fire – Permission for one (1) employee to attend the State EMS conference in Albuquerque, NM. Request actual expenses.
 - J. ✓Permission for interested elected officials and department heads to attend the Transportation Town Hall meeting in Bernalillo, NM. Request actual expenses and mileage.
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
 - A. Michele Petrey has requested use of the covered shelter area at Guadalupe Park on Saturday, July 19, 2008 from 11 am – 6 pm for a baby celebration.
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. 202 at 800 S. 1st Street, Artesia, NM to Allsup's Convenience Stores, Inc. dba Allsup's Store No. 202 at 800 S. 1st Street, 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 for many years. Allsup's Inc. is now purchasing the property and the license from PAM, Inc.

Richard Lara stated that he was against the transfer because making alcohol available was an encouragement of alcohol abuse.

Councilor Hill stated that he was appalled that we sell beer and gasoline in the same place.

Councilor Miller stated that Allsup's has met their requirements and there is no reason to reject the application.

Councilor Barragan stated that it is up to individuals to educate themselves and be aware of the dangers of alcohol and drinking and driving.

Councilor Torrez moved to approve the transfer of liquor license (ownership only) from PAM Inc. dba Allsup's Store No. 202 to Allsup's Convenience Stores, Inc. dba Allsup's Store No. 202. The motion was seconded by Councilor Barragan and upon vote, with Councilors Hill and Rodriguez voting "nay", the motion passed.

Visitors who did not request to be on the Agenda

Eddy County Commissioner Lewis Derrick reported that the County would have a special meeting on Wednesday to extend the ban on fireworks in the county.

Susie Taylor, representing Artesia Drug and Crime Coalition, reported on programs.

Richard Lara requested that the City install a sprinkler system at Guadalupe Park and requested that the picnic shelters at Guadalupe Park be painted. Mr. Lara also congratulated Johnny Craft and Chief Raley on their awards.

Committee Reports

Government

Mayor Burch reported that he, along with Evelyn Terpening, attended the NM Highway Department Commission meeting to request the widening of Highway 82 from Artesia to Lovington.

Mayor Pro Tem Holmes moved to hear agenda item 12-F at this time. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Community Development

Richard Haas of Steve Newby Architects & Associates and Chris Fleck, representing C E& M, gave a presentation on possibilities for the City Hall Annex. Mr. Haas reported that the current City Hall has 8,612 sq. ft. The estimated needs for the next 20 years (with additional positions) would require an additional 18,000 sq. ft. Currently, there is no room for expansion at City Hall. Mr. Haas presented options which included remodeling the current City Hall, remodeling the Police Department Building (when the Public Safety Complex is built) and building a new building at 5th and Texas. The cost for remodeling would be approximately \$8,788,000 with the cost for new construction estimated at \$6,650,000.

Mr. Haas also addressed a request to keep the lot at 5th and Texas as a parking lot. It was determined that the space could provide 45 parking spaces and that if the City chose to build at 5th & Texas, the additional parking spaces would be 40 or 49, depending on whether 5th Street is closed.

Personnel

Councilor Holmes moved to hire Mia Nunez and Arley Childress as Lifeguards at \$6.50 per hour, upon successful completion of required pre-employment testing. The motion was seconded by Councilor Miller and upon vote, the motion passed.

Public Safety

Police

Chief Raley reported that yield signs at intersections are being replaced with stop signs.

Chief Raley distributed the statistics for May 2008.

Fire

Mayor Pro Tem Holmes moved to adopt a resolution declaring extreme or severe drought conditions and restricting the sale and use of fireworks (a continuation of the existing ban). The motion was seconded by Councilor Hill and upon vote, the motion passed.

RESOLUTION NO. 1301

Chief Hummingbird requested approval for a memorandum of agreement with Care Plus Ambulance Service to allow the department to call them to assist with transfers. Since October, the department has only used this service thirty-three times. Chief Hummingbird stressed that the department makes the choice on when to call Care Plus. Councilor Torrez moved to approve the Memorandum of Agreement with Care Plus Ambulance Service for transfers. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Barragan requested that the monthly report include the Care Plus calls as a separate item.

Community Development

Mayor Pro Tem Holmes moved to approve a resolution for the condemnation at 1202 W. Washington Avenue, and to notify the mortgager of the condemnation. The motion was seconded by Councilor Florez and upon vote, the motion passed.

RESOLUTION NO. 1302

Mayor Pro Tem Holmes moved to approve a resolution for the condemnation at 901 W. Dallas / 604 S. 9th Street. The motion was seconded by Councilor Hill and upon vote, with Councilor Barragan voting ‘nay’, the motion passed.

RESOLUTION NO. 1303

Mayor Pro Tem Holmes moved to approve a resolution for the condemnation at 112 S. 33rd Street, with a second certified letter sent prior to the posting of the resolution. The motion was seconded by Councilor Smith and upon vote, the motion passed.

RESOLUTION NO. 1304

Mayor Pro Tem Holmes moved to approve a resolution to vacate the alley in Block 11 of the Roberts Addition. The motion was seconded by Councilor Torrez and upon vote, the motion passed.

RESOLUTION NO. 1305

Mayor Pro Tem Holmes moved to pay the delinquent taxes (\$99.81) on the property located at 316 W. Runyan and to proceed with foreclosure for the city’s lien of \$8,930.92. The motion was seconded by Councilor Miller and upon vote, the motion passed.

Infrastructure

Infrastructure Director Robert Forrest reported on project activities.

City Clerk

City Clerk Aubrey Hobson reported that he will offer a Budget 101 class at the Council retreat.

Assistant City Clerk Lisa Johnston gave a demonstration of the city’s document imaging system (Laserfiche).

Mayor

Councilor Torrez moved that in accordance with 10-15-1-H(8) , the Council and Mayor go into executive session regarding the purchase of real property. The motion was seconded by Councilor Florez and upon vote, the motion passed.

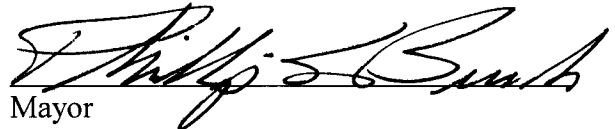
Mayor Burch declared a short recess at 9:38 p.m.
Council recessed to executive session at 9:45 p.m.
Council reconvened at 10:38 p.m.

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

New and Other Business from Councilors

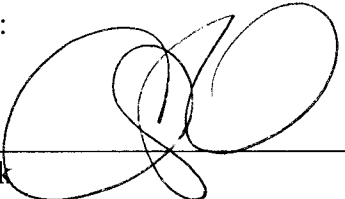
Councilor Florez stated that this was his last regular meeting and he thanked the Council and Staff.

There being no further business to come before the Council, the meeting adjourned at 10:40 p.m., June 24, 2008.



Mayor

ATTEST:



City Clerk