

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
November 25, 2008**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, November 11, 2008, at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Manuel Barragan	Raul Rodriguez
Terry Hill	Nora Sanchez
George Holmes	J.B. Smith
Raye Miller	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.

Councilor Hill moved to hear Agenda item 15-A (Acceptance of the 2006-07 Audit) at this time. The motion was seconded by Mayor Pro Tem Holmes and upon vote, the motion passed.

City Clerk

Ed Fierro, representing Fierro & Fierro, presented the 2006-2007 Audit. Mr. Fierro reviewed the audit report and findings. Councilor Miller moved to accept the audit report as presented. The motion was seconded by Councilor Torrez. Councilor Barragan moved to amend the motion to reflect that the Council could ask the Auditor to return to answer any additional questions about the audit. The amendment was seconded by Councilor Rodriguez and upon vote, the amendment passed. Upon vote of the amended motion, the motion passed.

Visitors

Eddy County Commission Lewis Derrick reported on the water line at 42nd Street.

Susie Taylor, representing the Artesia Drug and Crime Coalition reported on current projects.

City Departments and Employees

Mary Finney, Library employee, was recognized for ten years of service.

Dwayne Oliver, Wastewater employee, was recognized for achieving his Level II certification.

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: * November 11, 2008 - Regular meeting
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. Approval of award of bid for contract for financial advisory services to RBC Dain Raucher
4. Appointments:
5. Resignations:
 - A. Accept the resignation of Jason Kuykendall, Police Officer, effective November 20, 2008.
 - B. ✓Accept the retirement of Ramona Bailey-Haskins, Police Sergeant, effective December 21, 2008.
6. Dates of Hearing:
 - A. *Permission to set a public hearing on January 13, 2009 for consideration and approval of a Home Occupation Application for TnT Clog Buster located at 506 S. 4th St., R-2 zoning.
 - B. *Permission to set a public hearing on January 13, 2009 for consideration and approval of a 5' variance and ordinance for a vacation of 10' utility easement for Mike Jorren, 2206 W. Briscoe Avenue, R1-B zoning.
 - C. *Permission to set a public hearing on January 13, 2009 for consideration and approval of a front yard fence height variance and ordinance for property annexation for William & Brenda Hope, 909 W. Mann Avenue, R1-B zoning.
 - D. *Permission to set a public hearing on January 13, 2009 for consideration and approval of a variance to SU-1 allowable uses to include a restaurant for Stacy Wallace dba Blessings Café & Catering, 307 S. 7th Street, SU-1 zoning.
 - E. *Permission to set a public hearing on January 13, 2009 for consideration and approval of an ordinance to amend the City Code for solicitations.
7. *Travel and Training:
 - A. Streets – Permission for one (1) employee to attend the Improving Public Works Construction Inspection Skills training in Las Vegas, NV. Request actual expenses.
 - B. Infrastructure – Permission for one (1) employee to attend the Pervious Concrete – A Stormwater Solution seminar in Albuquerque, NM. Request actual expenses.
 - C. Planning – Permission for three (3) employees to attend the Managing Multiple Projects, Objectives and Deadlines training in Roswell, NM.
 - D. Wastewater – Permission for three (3) employees to attend the NMWWA Annual Short School in Las Cruces, NM. Request actual expenses.
 - E. Executive – Permission for one (1) employee to attend the Administrative Assistants conference in Roswell, NM.
 - F. Fire – Permission for one (1) employee to attend Fire Officer I training in Socorro, NM. Request actual expenses.
 - G. Fire – Permission for three (3) employees to attend Instructor Development in Socorro, NM. Request actual expenses.
 - H. Fire – Permission for two (2) employees to visit the new Clovis Fire School and attend the Regional Fire Chiefs meeting in Clovis, NM. Request actual expenses.
 - I. ✓Police – Permission for three (3) employees to attend the Rocky Mountain Information Network & 9th Judicial DA's Office: 2008 Gang Overview conference. Request actual expenses.
 - J. ✓Police – Permission for one (1) employee to attend the SFST Instructor Update in Rio Rancho, NM. Request actual expenses.

- K. ✓Police – Permission for two (2) employees to attend the Introductory Intelligence Analyst Training Program in Santa Fe, NM. Request actual expenses.
 - L. ✓Police – Permission for one (1) employee to attend Child Sexual Abuse Investigation training in Las Cruces, NM. Request actual expenses.
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
- A. The Artesia Chamber of Commerce has requested approval for the closure of Main Street on Thursday, December 4, 2008 between 6:00 pm and 6:30 pm for their annual Light-up Artesia and Santa Claus parade. The parade route will begin at 13th and Main and continue east down Main Street to 2nd Street.
9. Budgeted Items:
10. Non-budgeted Items:
- A. ✓Permission to reallocate \$3000 from Wastewater Capital to Wastewater Non-capital for purchase of brush hog.
11. *Payment of Bills

Public Hearings

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

1. Consideration and approval of an ordinance for the Central Valley Annexation and zoning of the property.

Planning Clerk Sylvia Schneider presented the request. It was noted that the zoning for the three tracts would be: Tract A zoned as M-1, light industrial; Tract B zoned as SU-1, special use; and Tract C zoned as C, commercial.

No public comment was received.

Councilor Torrez moved to adopt Ordinance No. 804, Central Valley Annexation and zoning. The motion was seconded by Councilor Hill and upon roll call vote, with the following votes recorded:

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

Nay: none

the motion passed.

ORDINANCE NO. 804

2. Consideration and approval of an ordinance for Yates Farms, LLC., Tract A Summary Subdivision Plat, located east of Bowman Drive.

Ms. Schneider presented the request. It was noted that this is a redivision and designation.

No public comment was received.

Councilor Torrez moved to adopt Ordinance No. 805, Yates Farm LLC Tract A Summary Subdivision. The motion was seconded by Councilor Smith and upon roll call vote, with the following votes recorded:

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

Nay: none

the motion passed.

ORDINANCE NO. 805

3. Consideration and approval for the Bowman Estates Annexation Plat: Ordinance and zoning of property.
4. Consideration and approval of an ordinance for the Bowman Estates Subdivision Plat.

Ms. Schneider stated that the property owner requested that the Annexation and subdivision plat be considered as one item and combined into one ordinance.

Cory Needham, engineer for the project was present to answer questions.

Councilor Miller inquired on how the drainage would be handled. Mr. Miller also stated that he preferred continuous streets rather than the cul-de-sacs.

Councilor Barragan stated that he would prefer through streets rather than cul-de-sacs.

Chief Hummingbird reported that all radii and road widths meet requirements.

Councilor Rodriguez stated that he also preferred through streets and would encourage the developer to do this.

Councilor Hill stated that he had concerns about the increased traffic levels on Bowman.

Councilor Hill moved to approve the annexation plat, zoning and subdivision plat for Bowman Estates, Ordinance No. 806. The motion was seconded by Councilor Smith and upon roll call vote, with the following votes recorded:

Aye: Hill, Holmes, Sanchez, Smith, Torrez

Nay: Barragan, Miller, Rodriguez

the motion passed.

ORDINANCE NO. 806

5. Consideration and approval for the Complex Annexation to the City of Artesia Plat: Ordinance and zoning of property.

Ms. Schneider reported that this property is owned by the city and is the proposed site for the Public Safety Complex. The location of the property is 33rd and Main. It was noted that the zoning for this property would be “P” – public use.

No public comment was received.

Mayor Pro Tem Holmes moved to approve the Complex Annexation and zoning to the City of Artesia Plat, Ordinance No. 807. The motion was seconded by Councilor Miller and upon roll call vote, with the following votes recorded:

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

Nay: none

the motion passed.

ORDINANCE NO. 807

Personnel

Councilor Torrez moved, upon recommendation of the Mayor, to hire Jeff Hubbell to the position of Airport Part-Time Attendant, at \$9.00 per hour (PT21), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to hire Tammy Crocker to the position of Solid Waste Equipment Operator II, at \$1,988 per month (CA13), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Smith and upon vote, the motion passed.

Councilor Hill moved, upon recommendation of the Mayor, to hire Nathan Cobb to the position of Police Community Service Officer I, at \$1,757 per month (CA8), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro Tem Holmes and upon vote, with Councilor Barragan voting “nay”, the motion passed.

Infrastructure

Infrastructure Director Robert Forrest reported on project activities in the Infrastructure department.

Mr. Forrest introduced Bryon Landfair, Gene Stout, Coby Crouch and Joe Pemberton of Constructors, Inc. for a discussion of the projects they are working on.

City Attorney

Discussion took place on a proposed resolution restricting possession of weapons on City Hall premises. It was discussed that for penalties to be enforced, an ordinance would need to be drafted. Mayor Pro Tem Holmes moved to postpone discussion to the next meeting and to set a public hearing at that meeting for an ordinance. The motion was seconded by Councilor Barragan and upon vote, the motion passed.

City Clerk

Mayor Pro Tem Holmes moved to approve the list of records for the annual records destruction. The motion was seconded by Councilor Hill and upon vote, the motion passed.

Discussion took place on the 2009 CDBG application and whether to leverage additional funds. It was determined not to leverage any additional funds other than the \$40,000 committed by the Housing Authority.

Councilor Torrez moved to adopt the CDBG Resolution of Assurances for the 2009 CDBG application, Resolution No. 1322. The motion was seconded by Councilor Smith and upon vote, the motion passed.

RESOLUTION NO. 1322

Mayor Pro Tem Holmes moved to postpone consideration of corporate resolutions for Artesia Credit Union and First Federal Bank until the December meeting. The motion was seconded by Councilor Hill and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 9:10 p.m., November 25, 2008.



Mayor

ATTEST:

City Clerk

