

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
September 22 2015**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, September 22, 2015 at 6:00 p.m. in regular session with Mayor Pro tem Terry Hill presiding, and the following present to wit:

Jose Luis Aguilar	Bill Rogers
Kent Bratcher	Nora Sanchez
Manuel Madrid Jr.	Jeff Youtsey
Raul Rodriguez	

The following were absent:  
Mayor Phillip Burch

Also present:  
Aubrey Hobson, City Clerk-Treasurer  
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Mayor Pro tem Hill, and all joined in the Pledge of Allegiance.

**Consent Agenda**

Councilor Aguilar moved to approve the Consent Agenda as written. The motion was seconded by Councilor Rodriguez upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \* September 8, 2015
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
  - A. \*Consideration and approval of Memorandum of Understanding with Chaves County to share a Certified Building Official
4. Appointments:
5. Resignations:
  - A. Accept the resignation of Christina Mariscal, Solid Waste Equipment Operator, effective September 25, 2015
  - B. Accept the resignation Lee Roy Juarez, Wastewater Assistant, effective September 18, 2015
6. Dates of Hearing:
  - A. Approval to set a public hearing for October 13, 2015 for consideration of an Ordinance for Case No.15-42, Zone Change from SA-2 to MH; 2800-3200 block of W. Missouri Ave. and Dallas Ave.; All of Lots 1-18 of Blocks 3, 4, 5, and 6 of O'Donnell Addition; Owners-Terry and Sammy Stoneman
  - B. Approval to set a public hearing for October 13, 2015 for consideration of an Ordinance for Case No.15-43, Vacation and Redivision -Wells of Artesia; The north side of the 1900 block of W. Richey Ave.; All of Artesia Parc Subdivision and Artesia Parc Subdivision #2; Owner-Johnny Cope; Agent- Emily Moore-Century 21 Home Planning
  - C. Approval to set a public hearing for October 13, 2015 for consideration of an Ordinance for Case No.15-44, Zone Change from R-1B to Commercial and R-2; The north side of the 1900 block of W. Richey Ave.; All of Artesia Parc Subdivision and Artesia Parc Subdivision #2; Owner-Johnny Cope; Agent- Emily Moore-Century 21 Home Planning

- D. Approval to set a public hearing for October 13, 2015 for consideration of an Ordinance for Case No.15-47, Summary Plat; 1301 and 1303 W. Grand Ave.; A tract of land being 279.5 feet by 158.7 feet located 50 feet south and 30 feet west of the NW corner of the SE/4NE/4 Section 18, T. 17 S., R. 26 E.; Owner-Jovatire LLC; Agent- Harcrow Surveying
  - E. Approval to set a public hearing for October 13, 2015 for consideration of an Ordinance for Case No.15-48, Final Plat-Mahone Blue Quail Subdivision Phase 2; 1200 block of W. Mahone Ave.; Tract A of Mahone Blue Quail Subdivision. Owner-Blue Quail LLC, Agent- Harcrow Surveying.
  - F. Request approval to set a public hearing for October 27, 2015 for consideration of an Ordinance - Amendment of Title 10 Land Subdivision
7. \*Travel and Training:
- A. Police – Permission for one (1) employee to attend the Response to Resistant Instructor School training in Santa Fe, NM
  - B. Police – Permission for two (2) employees to attend the 2015 Elite Tactical Challenge in El Paso, TX
  - C. Police – Permission for one (1) employee to attend the Child Safety Seat Clinic in Alamogordo or Las Cruces, NM
  - D. Executive – Permission to attend the NMML Board of Directors meeting in Santa Fe, NM
  - E. Wastewater – Permission for two (2) employees to attend the NM Environmental Department Compost Facility Operation certification course in Albuquerque, NM
  - F. Police – Permission for one (1) employee to attend the First Line Supervision & Management course in Las Cruces, NM
  - G. Police – Permission for one (1) employee to attend the Tactical Team Leader Development course in Carlsbad, NM
  - H. Police – Permission for one (1) employee to attend the Detective & New Criminal Investigator training in Rio Rancho, NM
  - I. F&A – Permission for one (1) employee to attend the State Records & Archives Roundtable on County/Municipal Records Retention Schedules in Santa Fe, NM. Request mileage
  - J. Library – Permission for one (1) employee to attend Our Ancestors On&Off the Net seminar in Roswell, NM
  - K. Fire – Permission for one (1) employee to attend the International Association of Emergency Management Conference in Clark County, NV
8. Routine Requests for City Facilities:
- A. Trampas Spence has requested a standby ambulance for the High School Rodeo and waiver of fees for the following schedule:
    - Friday, September 25, 2015 (9 am – 10 am)
    - Saturday, September 26, 2015 (9 am – 2 pm)
    - Sunday, September 27, 2015 (8 am – 1 pm)
  - B. \*Artesia Chamber of Commerce has requested the closure of Missouri Avenue between 5<sup>th</sup> and 6<sup>th</sup> Streets from 7 am – 10 am on Friday, November 6, 2015 for the Balloon lift off for the Elementary Schools and use of Eagle Draw (between Roselawn and 15<sup>th</sup> Street) on Saturday, November 7, 2015 thru Sunday, November 8, 2015 for the Balloon lift off and Fire Concert. Request use of City services and road closures as stated on application and waiver of fees. *Contingent upon proof of insurance and security*
  - C. \*Shelley Ebarb has requested the use of Jaycee Park on Thursday, October 1, 2015 from 2 pm – 6 pm for the annual High School Cross Country meet. Request use of City services as stated on application
- 9 Budgeted Items:  
10. Non-budgeted Items:  
11. \*Payment of Bills

**Public Hearing**

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

1. Consideration and approval of an ordinance to add sections 9-5-3 and 9-7-13, and to amend sections 9-11-1.C, 9-12-2.A, 9-13-1.E.2, 9-13-5.B, 9-13-5.C.1.b, and 9-13-7.B of Artesia City Code (continued from August 25, 2015 meeting).

Community Development Director Jim McGuire that the proposed ordinance change would amend or remove references to fee amounts from the ordinance and allow fees to be established by resolution.

No public comment.

Councilor Youtsey questioned the proposed charge for petition annexation.

Councilor Rogers moved to adopt the additions/amendments to Title 9, regarding fees, Ordinance No. 975. The motion was seconded by Councilor Madrid and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

**ORDINANCE NO. 975**

2. Consideration and approval of an ordinance for Case No. 15-38, Annexation; Lots 2,3 and 4 of Block 2; Lots 1 and 2 of Block 3; and Lots 8, 9, and 10 of Block 4 of Artesia Estates; Owners – Ottie Speir, Speir Properties, LLC; Agent: Smith Engineering.

Mr. McGuire stated that thus represents the last lots of the Artesia Estates and will complete the annexation of the subdivision. The zone is being set at R1-B.

Planning and Zoning recommended passage.

Scott Hicks of Smith Engineering, agent for the owner, stated that if the annexation is approved, they will return with a replat for the area, as the owner requests larger lots.

Councilor Rodriguez moved to approve the annexation of lots in Artesia Estates, Ordinance No. 976. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

**ORDINANCE NO. 976**

### **Comments from Public Officials and Contracted Services**

Ronnie Jackson, representing Artesia MainStreet, introduced Elizabeth Jackson, the new MainStreet Director, replacing Rebecca Prendergast.

Mr. Jackson presented a proposal to have a chainsaw sculpture created from the dead tree at Baish Park. The design would be two flying eagles and MainStreet has contacted an artist who has submitted a proposed design. The cost for the sculpture would be paid by MainStreet, and the sculpture would require varnishing on an annual basis.

Councilor Aguilar moved to approve the request for a chainsaw sculpture of eagles in Baish Park, funded by Artesia MainStreet. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

### **Committee Reports**

#### **Government**

Mayor Pro tem Hill reported that the County Commission voted down the additional increase of 2/8% gross receipts tax (GRT) at a recent meeting. Mayor Pro tem Hill thanked everyone who had worked on this issue.

#### **Personnel**

Councilor Rogers moved, upon recommendation of the Mayor, to hire David Grosnick to the position of Airport Part-time Attendant, at \$11.51 per hour (PT31), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Kimberly Kafton to the position of Museum Part-time Registrar, at \$10.43 per hour (PT27), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Michael Ingram to the position of Solid Waste Equipment Operator II, at a salary of \$2,673 per month (CA25), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

#### **Community Development**

Community Development Director Jim McGuire presented the proposed schedule of fees for permissible applications and required permits established in Title 9 and Title 10. Mr. McGuire stated that the proposed costs were based on an attempt to recoup some of the costs of providing the service.

Councilor Youtsey questioned the \$300 annexation by petition fee.

Councilor Youtsey moved to adopt the schedule of fees for Title 9 and Title 10 activities, with a change to the fee for annexation from \$300 to \$100, and to add the phrase “any cost for replacement of street signs” to the fee for street name change, Resolution No. 1588. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

**RESOLUTION NO. 1588**

Mr. McGuire presented Case No. 15-49, Summary Plat 1101 and 1103 S. Fourth Street; a tract of land being 125 feet by 170 feet, located 25 feet south and 50 feet east of the NW corner of Lot 6, Block 4 of Roselawn Subdivision; Owner-Emily Moore and Roxann Johnson, Agent- Harcrow Surveying.

Councilor Aguilar moved to approve the summary plat for 1101 and 1103 S. Fourth Street. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

**Infrastructure**

Infrastructure Director Byron Landfair presented a schedule of fees for Woodbine Cemetery. Mr. Landfair reported that this has been in the works with the Cemetery Board for several years. Mr. Landfair reviewed some of the changes. Councilor Aguilar moved to accept the fee change schedule, with a change to the opening/closing fee for full gravesites on Saturdays (both AM and PM) and Holidays to be set at \$550, Resolution No. 1589. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

**RESOLUTION NO. 1589**

**City Clerk**

City Clerk Aubrey Hobson presented a budget adjustment resolution. Councilor Youtsey moved to approve the budget adjustment resolution, Resolution No. 1590. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

**RESOLUTION NO. 1590**

**Mayor**

Councilor Aguilar moved

Councilor Aguilar moved that in accordance with 10-15-1-H(2), the Council and Mayor go into executive session regarding limited personnel matters (employment status of a Solid Waste employee and a Police Department employee). The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

Mayor Pro tem Hill declared a short recess at 7:40 p.m.  
Council recessed to executive session at 7:45 p.m.  
Council reconvened at 8:10 p.m.

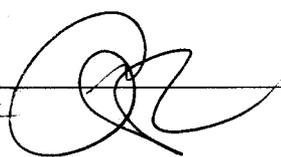
Councilor Rodriguez moved that the only matter discussed in executive session pertained to limited personnel matters, and no action was taken. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Youtsey moved to accept the voluntary resignation of Solid Waste probationary employee Arturo Morales, effective September 23, 2015. The motion was seconded by Councilor Aguilar and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:15 p.m. September 22, 2015.

  
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Mayor

ATTEST:

  
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City Clerk