

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
March 8, 2016**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, March 8, 2016 at 6:00 p.m. in regular session with Mayor Pro tem Terry Hill presiding, and the following present to wit:

Jose Luis Aguilar	Manuel Madrid Jr.
Kent Bratcher	Bill Rogers
Luis Florez	Jeff Youtsey

The following were absent:

Mayor Phillip Burch  
Raul Rodriguez

Also present:

Aubrey Hobson, City Clerk-Treasurer  
John Caraway, City Attorney

It was determined that a quorum was present. All joined in the Pledge of Allegiance.

**New Requests for City Facilities**

City Clerk Aubrey Hobson presented a request from Monty Leavell, representing the First United Methodist Church for permission to hold an Easter Sunrise Service on Sunday, March 27, 2016 from 6:00 am to 6:45 am at Woodbine Cemetery. Councilor Aguilar moved to approve the request for use of Woodbine Cemetery for Easter Sunrise Service, contingent upon proof of insurance. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

**Consent Agenda**

Councilor Rogers moved to approve the Consent Agenda as written. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: \*February 23, 2016
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:
  - A. Accept the retirement of Jerry Johnson, Garage Foreman, effective April 1, 2016
  - B. Accept the resignation of Rob Rushton, Police Corporal, effective March 11, 2016
6. Dates of Hearing:

7. \*Travel and Training:
  - A. Legislative – Permission to attend the NMML District meeting in Roswell, NM. Request mileage
  - B. Police – Permission for one (1) employee to attend the Special Operations Medical Association Scientific Assembly in Charlotte, NC
  - C. Planning – Ratification of Mayor Burch’s approval for one (1) employee to attend the ICC/IAPMO Edu Code Conference in Las Vegas, NV
  - D. Water – Permission for one (1) employee to attend the NM Rural Water Association Annual conference and testing in Albuquerque, NM
  - E. Streets – Permission for three (3) employees to attend the 2016 Counties Chip Seal workshop in Ruidoso, NM
  - F. Police – Permission for one (1) employee to attend the General Instructor Refresher course in Artesia, NM
8. Routine Requests for City Facilities:
9. Budgeted Items:
10. Non-budgeted Items:
11. \*Payment of Bills

### **Public Hearings**

Mayor Pro tem Hill declared the meeting open for public hearing for the following:

1. Consideration and approval of the question of whether the Alcohol and Gaming Division of the New Mexico Regulation and Licensing Department should approve or disapprove the proposed new restaurant (beer and wine) liquor license for Los Agaves, LLC dba Los Agaves Restaurant, located at 611 N. Eighth Street, Artesia, NM.

No public comment was received.

Councilor Florez inquired if there were any comments from Bethel Church, and noted that the only comment he had received from anyone, supported the license.

Councilor Aguilar stated that he had not received any comments from Bethel Church.

Councilor Bratcher stated that he was concerned with the proximity to the Artesia Center.

Mayor Pro tem Hill stated that he was very concerned with the proximity to the Artesia Center, but that he had contacted the Alcohol and Gaming Division and was told that the Center did not qualify as a school, even though tutoring took place in the afternoons. He also stated that the Council should consider adopting an ordinance in the future addressing the distance factor for liquor licenses.

City Attorney John Caraway stated that the city could not enact standards that were stricter than the state law in this matter. He suggested that the issue might be addressed through zoning.

Councilor Rogers stated that he was concerned if the Council started limiting restaurant owners, that the city would not be able to attract restaurants in the future.

Mayor Pro tem Hill stated that he was not opposed to liquor licenses in the city, but he was concerned with the proximity to the Artesia Center. He estimated that the Center is less than 200 feet from the restaurant.

Councilor Rogers moved to approve the liquor license for Los Agaves Restaurant, located at 611 N. Eighth Street in Artesia, NM. The motion was seconded by Councilor Madrid and upon vote, with Mayor Pro tem Hill and Councilor Youtsey voting “nay”, the motion passed.

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

Linda Steven, representing Artesia Clean and Beautiful, reported on upcoming events and projects: Recycled Art Show, Golf Scramble, Adopt-a-Tree, and E-Waste recycling.

### **Personnel**

Councilor Rogers moved, upon recommendation of the Mayor, to hire Simon Navarette to the position of Water Technician, at a salary of \$2,363 per month (CA20), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Lisa Johnson distributed the safety statistics for January.

### **Public Safety**

#### **Police**

Commander Lindell Smith distributed the safety statistics for January.

#### **Fire**

Division Chief Kevin Hope distributed the safety statistics for January.

### **Community Development**

Community Development Director Jim McGuire distributed the department statistics for January.

Mr. McGuire reviewed project status for Roselawn Manor and stated that they should close in May.

### **Infrastructure Department**

Infrastructure Director Byron Landfair reported on the status of several projects.

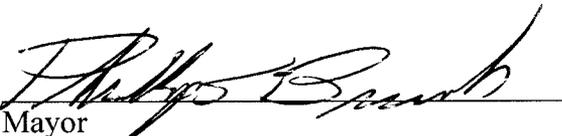
### **City Attorney**

City Attorney John Caraway reported that a hearing was held on March 3<sup>rd</sup> for the renewal of the Transfer Station License.

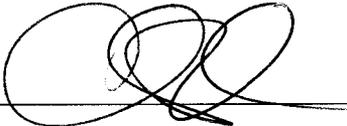
### **City Clerk**

City Clerk Aubrey Hobson reported that there was a 14% voter turnout for the March 1<sup>st</sup> municipal election.

There being no further business to come before the Council, the meeting adjourned at 6:58 p.m., March 8, 2016.

  
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Mayor

ATTEST:

  
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City Clerk