

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
June 14, 2016**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, June 14, 2016 at 6:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

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|--|----------------|
| Kent Bratcher | Raul Rodriguez |
| Luis Florez | Bill Rogers |
| Terry Hill | Jeff Youtsey |
| Manuel Madrid Jr. | |
| Jose Luis Aguilar *(left the meeting at 7:02 p.m.) | |

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.

New Requests for City Facilities:

City Clerk Aubrey Hobson presented a request from Paul Lopez to conduct the 2016 Speed Camp at Martin Luther King Park from 8:45 am – 9:45 am on June 16,17,20,22,24, 2016 and July 1,5,7,12,14,19,21,26,28, 2016m contingent upon proof of insurance. Mr. Hobson brought up a concern that the Speed Camp would be charging individuals for attending and since this was not a non-profit organization, it might violate the Anti-Donation Clause of the Constitution. Other concerns expressed included lack of information about the instructors' backgrounds. There being no motion made, no action was taken on the request.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda as written. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

The Consent Agenda includes

1. Approval of Minutes: * May 24, 2016
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. *Approval of Video Arraignment Contract between the Administrative Office of the Courts and the City of Artesia Jail for Artesia Magistrate Court
4. Appointments:
 - A. Approval of appointment of Donna Todd to the Artesia Library Board of Trustees (term to expire June 2019)
5. Resignations:
 - A. Accept the resignation of Kevin Hope, Fire Department Division Chief, effective June 3, 2016
 - B. Accept the resignation of Tammy Leslie, Parks Department Foreman, effective June 6, 2016

6. Dates of Hearing:
 - A. *Permission to set a public hearing for July 12, 2016 for consideration and approval of an ordinance approving the PPA between the City of Artesia and OK Express Lube

7. Travel and Training:
 - A. Executive – Ratification for Mayor Burch to attend the 2016 NMML Board meeting in Santa Fe, NM
 - B. Legislative – Permission to attend the 2016 NMML Policy Committee meeting in Albuquerque, NM. Request mileage
 - C. Police – Permission for one (1) employee to attend the Child Safety Seat Clinic in Santa Fe, NM
 - D. Police – Permission for one (1) employee to attend the Child Safety Seat Clinic in Roswell, NM
 - E. Police – Permission for one (1) employee to attend the Virtual Commands Center Overview in Las Cruces, NM
 - F. Police – Permission for one (1) employee to attend the NMML Public Safety Committee meeting in Albuquerque, NM
 - G. Police – Permission for one (1) employee to attend the Law Enforcement Instructor Training Program in Artesia, NM
 - H. F&A – Permission for one (1) employee to attend the NMML Policy Committee meeting in Albuquerque, NM

8. Routine Requests for City Facilities:
 - A. Artesia Chamber of Commerce and the DOES #45 Elks Lodge have requested permission to hold their annual July 4th Parade on Monday, July 4, 2016 from 7:30 am – 10:30 am (Richardson to Tenth Street and Main Street from Tenth Street to Roselawn Avenue). Request approval of use of city services and road closures as stated on application and waiver of fees. *Contingent upon proof of insurance and NM Department of Transportation approval*
 - B. Artesia MainStreet has requested permission to hold the following events contingent upon proof of insurance (Request approval of use of city services and road closures as stated on application and waiver of fees):
 - 1) Oilfield Equipment Parade on Saturday, August 27, 2016 from 9:00 am – 10:00 am (gathering at Bulldog Bowl headed east on Main Street turning north on Second Street – parade starting point contingent on completion of intersection at Thirteenth and Main Street) *Contingent upon NM Department of Transportation approval of Parade Permit*
 - 2) Artesia Art Walk to be held Saturday, September 17, 2016 from 10:00 am - 4:00 pm along Main Street from Seventh Street to Second Street
 - 3) Trick-or-Treat Main Street to be held Saturday, October 29, 2016 from 4:30 pm – 7:00 pm along Main Street from Seventh Street to First Street. *Contingent upon NM Department of Transportation approval of Parade Permit*
 - 4) Veteran’s Day Celebration to be held Friday, November 11, 2016 from 10:00 am – 12 noon at Baish Veterans Park
 - 5) Lighted Holiday Parade to be held Thursday, December 1, 2016 from 6:00 pm – 7:00 pm (gathering at Bulldog Bowl headed east on Main Street turning south on Second Street) *Contingent upon NM Department of Transportation approval of Parade Permit*

9. Budgeted Items:
 - A. *Police – Purchase firearms and accessories

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 the 2016 Uniform Traffic Ordinance (UTO) update (postponed from May 10th and May 26th).

Mr. Hobson presented the ordinance for approval of the changes to the UTO concerning Off Road Vehicles. After much discussion it was discerned that if the City adopted the changes, if the City wanted to allow off- road vehicles to run on city streets, a separate ordinance would have to be approved by the council to allow it. The adoption of the UTO changes would not affect the present law prohibiting their use on city streets.

No public comment was received.

Councilor Bratcher moved to approve the 2016 changes to the Uniform Traffic Ordinance (UTO). The motion was seconded by Councilor Rogers and upon roll call vote, with Councilors Aguilar and Florez voting “nay”, the motion passed.

ORDINANCE NO. 996

Councilor Aguilar left the meeting at 7:02 p.m.

2. Consideration and approval of an Ordinance for Case No. 16-05, a zone change from “R1-B” Single Family District to “C” Business District, 202 S. Nineteenth Street; Tract 1 of the Parrish Subdivision

Community Development Director Jim McGuire presented the zone change request.

There was a great deal of discussion. The Community Development Director reported the Planning and Zoning Commission had recommended approval and that no response from the neighborhood was received.

Irene Zamarron addressed the Council stating residents in the area did not want another business to locate there because of the problem already seen with increased traffic from the car wash. She presented a petition signed by residents in the area requesting if a business did locate there, they would like their street to be turned into a cul-de-sac or a dead end street.

Councilor Florez moved to continue the public hearing until the first meeting in July to allow the owner requesting the zoning change to speak with the residents. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Period for Hearing from Visitors

David Vandiver addressed the Council with a concern in Eagle Draw where an 8-foot sidewalk had been installed. He stated that as a runner, concrete was not a good running surface. Infrastructure Director Byron Landfair stated that the plan was to continue with asphalt. Mr. Vandiver complimented the Council on the work being done in the draw.

Comments from Public Officials and Contracted

Mr. Hobson reported he had met with Jack Brannan about the issue with payment to Paws and Claws and will bring the solution to the Council at the retreat since it involves a budget adjustment.

Committee Report
Infrastructure

Discussion took place regarding a proposed claim settlement of \$2,800 offered to Richard Orosco of 1407 W. James Avenue, for damages sustained by his residence from a line pulled down by a Solid Waste truck. The Infrastructure Committee made the recommendation, however, it was routed to the City Attorney before council action and was sent to Mr. Orosco, who accepted the offer. Mayor Burch commented that Mr. Orosco had been in violation of city ordinances and state building regulations for 12 years and took no responsibility for the incident. Councilor Bratcher moved to approve the \$2,800 claim settlement for Mr. Orosco. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Personnel

Councilor Rogers moved, upon recommendation of the Mayor, to hire Galvino Saiz to the position of Recreation Specialist I at a salary of \$2,305 per month (CA19), subject to successful completion of required pre-employment testing. The motion was seconded by Councilor Florez and upon vote, the motion passed.

Mayor Pro tem Hill moved to ratify Mayor Burch's approval to hire summer recreation aides for the school programs (from the approved list) at \$7.50 per hour, subject to successful completion of required pre-employment testing. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Discussion took place regarding the economic impact of filling the following vacated positions: Mechanic, Parks Foreman, and Fire Division Chief. Councilor Rodriguez moved to advertise the Mechanic, the Parks Foreman position and the Fire Division Chief positions. The motion was seconded by Councilor Rogers, and upon vote, the motion passed.

Discussion took place regarding the economic impact of filling the following positions: Apprentice Mechanic, Streets/Park Equipment Operator, and Ambulance Billing Clerk. Human Resources Director Sandi Farley stated that she would retract the Mechanic and Equipment Operator positions. Councilor Youtsey moved to advertise for the Ambulance Billing Clerk position. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Ms. Farley presented a resolution establishing a 14-day, 86 hour pay period for sworn Police personnel. This would also clarify reporting to PERA. Councilor Rodriguez moved to adopt this resolution. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

RESOLUTION NO. 1609

Ms. Farley presented a resolution establishing a 14-day, 80-hour pay period for Non-exempt employees. This would also clarify reporting to PERA. Councilor Rodriguez moved to adopt this resolution. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

RESOLUTION NO. 1610

Ms. Farley requested clarification regarding employee salary freezes for FY 2016-17, regarding employees who are completing their probationary year. Mayor Pro tem Hill moved to honor the employment commitment and allow merit increases for employees coming off their first year probation during 2016-17. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Public Safety
Police

Chief Raley presented the department statistics for May.

Fire

Chief Hummingbird presented the department statistics for May.

Community Development

Community Development Director Jim McGuire presented the department statistics for May. Mr. McGuire gave updates on the Roselawn project, Tractor Supply and the summer recreation program.

Infrastructure Department

Infrastructure Director Byron Landfair reported on the status of projects.

City Clerk

Councilor Rogers moved to set the 2016 Council Retreat for July 29-31 at Hotel Artesia. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

There being no further business, the meeting was adjourned at 8:42 p.m. on June 14, 2016.



Mayor

ATTEST:

City Clerk

