

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
September 25, 2018**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, September, 25, 2018, at 6:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present, to wit:

Bill Rogers	Kent Bratcher
Manuel Madrid Jr.	Jeff Youtsey
Terry Hill	Mayor Pro tem Luis Florez
Raul Rodriguez	George G. Mullen

The following were absent:  
None.

Also present:  
Matt Byers, City Attorney  
Aubrey Hobson, City Clerk

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez and all joined in the Pledge of Allegiance.

**Public Hearings** – including consideration of final passage of any ordinance as to which proper notice has been published.

Councilor Rogers motioned to move item A from public hearings to this point at the meeting. The motion was seconded by Councilor Rodriguez, the motion carried 8-0.

A. Consideration and approval of Bond Ordinance.

Erik Harrigan of RBC Capital Markets and Daniel Alsup of Modrall Sperling Law Firm presented the Council with an ordinance authorizing an issuance of \$6.2 million dollars in gross receipt tax bonds. Mr. Harrigan stated it is part of a program from 2013 in which the City issues bonds every two years for Street projects. The proposed ordinance is the final part of the plan from 2013. The final maturity of the bond is fifteen years, Mr. Harrigan also informed the council the bonds will be sold at a public sale.

Mayor Miller opened the hearing for public input.

Mr. Alsup informed the Council the ordinance is the same form as the previous ordinances, it authorizes the issuance of bonds in the maximum amount of \$6.2 million dollars for the project, and it provides a pledge of the state shared gross receipt tax to the bonds. The ordinance will authorize the creation of funds in the accounts.

Mayor Miller opened the hearing for public input.

Councilor Rodriguez moved to approve the bond ordinance. Councilor Bratcher provided a second and with the following roll call votes recorded;

Yay: Councilors Rodriguez, Bratcher, Madrid, Youtsey, Rogers, Mayor Pro tem Florez, Councilors Mullen, Hill.

Nay: None.

The motioned passed 8-0.

## **ORDINANCE 1036**

### **New requests for City Facilities**

None.

### **City Departments and Employees**

None.

### **Special Reports**

None.

### **Consent Agenda**

Human Resource Sandi Countryman informed the Council the candidate for Wastewater Assistant withdrew the application.

Councilor Mullen moved to approve the consent agenda removing item #10 from the consent agenda for separate consideration. Councilor Madrid provided a second and upon vote, the motion carried 8-0.

## **CONSENT AGENDA September 25, 2018**

1. **Approval of Minutes**
    - September 11, 2018 – Utility Lien Hearing
    - September 11, 2018 – Regular meeting
    - September 18, 2018 – Quarterly workshop
  2. **Consideration of Bids:**
  3. **Contracts, Leases and Agreements:**
  4. **Appointments:**
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- A. Approval of appointment of Rae Aaron to the Artesia Public Library Board of Trustees  
(term to expire June 2021)

**5. Personnel Resignations, Hirings, Promotions, and Transfers:**

Upon recommendation of the Mayor, subject to successful completion of required pre-employment testing, permission to:

A. Voluntary Demotion:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
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1. Anthony Head	Police	Detention Officer	\$2434 per month CA20
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B. Hire:

1. Toby Bratcher	Fire	Firefighter/EMT	\$3749 per month CA29
2. Jeramy Boyd	Recreation	Maintenance Tech/Rec Worker	\$1988 per month CA13
3. Crystal Martin	Solid Waste	Equipment Operator I	\$2482 per month CA22
4. Candidate withdrew application	Wastewater	WW Assistant	\$2363 per month CA20

C. Promotion:

1. Mike Perez	Solid Waste	Equipment Operator I	\$2555 per month CA22
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**6. Dates of Hearing:**

- A. Approval to set a public hearing for October 23, 2018 for consideration and approval of an ordinance granting a franchise to PVT

**7. Travel and Training:**

- A. Police – Permission for one (1) employee to attend the Calibre Press: Read-Recognize-Respond training in Albuquerque, NM
- B. Police – Permission for one (1) employee to attend the Street Crimes training in Las Cruces, NM

- C. Police – Permission for one (1) employee to attend the Motorola Summit in Salt Lake City, UT
- D. Police – Permission for one (1) employee to attend the Recruiting, Hiring and Retention training in Las Vegas, NV
- E. Police – Permission for one (1) employee to attend the Internal Affairs course in McKinney, TX
- F. Legislative – Permission to attend the NMML MOLI Leadership Institute in Santa Fe, NM
- G. Wastewater – Permission for one (1) employee to attend the NMWWA NE Section workshop in Espanola, NM
- H. Wastewater – Permission for one (1) employee to attend the NMRWA Southern Fall conference in Las Cruces, NM

**8. Routine Requests for City Facilities:**

- A. Trampas Spence (representing Artesia High School) request a stand-by ambulance for the AHS Rodeo to be held October 5, 2018 (9 am – 10 am), October 6, 2018 (9 am – 2 pm) and October 7, 2018 (8 am – 1 pm). Waiver of fees requested
- B. \*Artesia MainStreet has requested permission to hold the following events (approval of use of city services and road closures as stated on application and waiver of fees):
  - 1) Trick-or-Treat Main Street to be held Saturday, October 27, 2018 from 4:00 pm – 7:00 pm along Main Street from Seventh Street to First Street and 4<sup>th</sup> Street between Main and Quay. *Contingent upon NM Department of Transportation approval*
  - 2) Veteran’s Day Celebration to be held Monday, November 12, 2018 from 10:00 am – 12 noon at Baish Veterans Park
  - 3) Lighted Holiday Parade to be held Thursday, November 29, 2018 from 6:00 pm – 7:00 pm (gathering at Bulldog Bowl headed east on Main Street turning south on First Street) *Contingent upon NM Department of Transportation approval*

**9. Routine Resolutions (to be assigned a number by staff)**

**10. Budgeted Items: - Moved for separate consideration**

- A. \*Lodger’s tax - Funding in the amount of \$37,500 for “Walking with Herb” filming in Artesia with the condition that Artesia will be clearly acknowledged in the film and Artesia will have placement in the credits.
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**11. Quarterly Journal Entries**

**12. Non-budgeted Items:**

**13. \*Payment of Bills**

**Budgeted Items: - Moved for separate consideration**

A. Lodger's tax - Funding in the amount of \$37,500 for "Walking with Herb" filming in Artesia with the condition that Artesia will be clearly acknowledged in the film and Artesia will have placement in the credits.

Hailey Klein of the Artesia Chamber of Commerce informed the Council the book Walking with Herb writer grew up in Artesia and the book is being converted into a film. The writer initially requested \$50,000 from Lodgers Tax to assist with funding the film. The Lodgers Tax Committee recommended \$37,500 with a condition Artesia will be identified in the film and in the film credits.

There was discussion regarding what the benefits are to Artesia.

Councilor Bratcher moved to approve the funding in the amount of \$37,500 for "Walking with Herb" filming in Artesia. Councilor Youtsey provided a second and upon vote, the motion carried 8-0.

**Period for Hearing Visitors**

None.

**Comments from Public Officials and Contracted Services**

None.

**Committee Report**

**Infrastructure**

Councilor Hill informed the Council the Infrastructure Committee met and discussed the take home vehicle policy, Councilor Hill recommended staff to formulate a city-wide policy for take home vehicles and the requests to take home vehicles would have to be presented and approved by Council. Mayor Miller directed the personnel committee and staff to meet and discuss a take home vehicle policy.

**Personnel**

A. Consideration and approval of a resolution approving the position classification plan.

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Human Resource Director Sandi Countryman presented the Council with an updated position classification plan. Director Countryman stated the plan has not been updated since 2015 and now reflects the 5% pay increases and updated positions.

Councilor Rogers moved to approve the position classification plan. Mayor Pro tem Florez provided a second and upon vote, the motion carried 8-0.

### **RESOLUTION 1677**

B. Consideration and approval of a resolution approving the substance abuse policy.

Human Resource Director Sandi Countryman informed the council the new substance abuse policy allows all City employees to be subject to random testing and will inform all the employees of the new policy.

Councilor Youtsey moved to approve the substance abuse policy. Councilor Mullen provided a second and upon vote, the motion carried 8-0.

### **RESOLUTION 1678**

#### **Public Safety**

##### Police

A. Consideration and approval of intergovernmental agreement with Eddy County for the housing of inmates.

Police Chief Kirk Roberts presented the Council with the agreement with Eddy County. The agreement was last signed in 2005. Police Chief Roberts stated the agreement authorizes the City to pay \$95.00 a day to house the inmates in Eddy County jail.

Councilor Rodriguez moved to approve the intergovernmental agreement with Eddy County for the housing of inmates. Councilor Hill provided a second and upon vote, the motion carried 8-0.

B. Consideration and approval of a Memorandum of Agreement with Changing Lives Coalition for the Artesia Juvenile Justice Advisory Committee.

Tony Baca Police Department Corporal and Summer Valverde Finance Supervisor presented the Council with an agreement with the Changing Lives Coalition for the Artesia Juvenile Justice Advisory Committee. Mr. Baca informed the Council it is a state funded grant that is given to the City of Artesia as the physical agent for the grant, this year it is awarded \$29,444.000 the money is utilized for helping first time juvenile offenders.

Councilor Rodriguez moved to approve the Memorandum of Agreement with Changing Lives Coalition for the Artesia Juvenile Justice Advisory Committee. Councilor Mullen provided a second and upon vote, the motion carried 8-0.

##### Fire

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Fire Chief Kevin Hope gave project updates and stood for questions.

**Community Development**

Community Development Director Jim McGuire gave project updates and stood for questions.

**Infrastructure Department**

Infrastructure Director Byron Landfair gave project updates and stood for questions.

**City Attorney**

Matt Byers City Attorney stood for questions.

**City Clerk**

A. Discussion of Capital Outlay Legislative priorities.

City Clerk Aubrey Hobson asked the Council to approve the Capital Outlay Legislative priorities. Mayor Miller recommended the priority to be two ambulances.

Councilor Mullen moved to approve the Capital Outlay Legislative priorities. Councilor Youtsey provided a second and upon vote, the motion carried 8-0

B. Consideration and approval of a resolution approving a list of items to be auctioned to the public.

City Clerk Aubrey Hobson informed the Council two additional items to be added to the auction list. City Clerk Hobson stated the items are a 1999 Dodge pickup truck and a building generator.

C. Councilor Rodriguez moved to approve the list of items (as amended) to be auctioned to the public. Councilor Madrid provided a second and upon vote, the motion carried 8-0

**RESOLUTION 1679**

**Mayor:**

A. Update on Artesia General Hospital's milestones and guidelines as part of their donation for use by Artesia Fire Department.

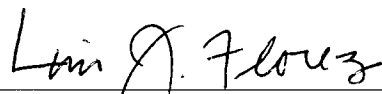
Mayor Miller informed the Council he and Chief Hope had a meeting with the Hospital. Mayor Miller stated the hospital will be submitting a letter regarding to their donation.

**New or other business from Councilors**

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None.

There being no further business, the meeting was adjourned 7:13 p.m. on September 25, 2018.

  
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Luis Florez - Mayor Pro tem

ATTEST:

  
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Aubrey Hobson - City Clerk